U.S. Congress.

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FORTY-EIGHTH CONGRESS, SECOND SESSION.

VOLUME XVI.

WASHINGTON: GOVERNMENT PRINTING OFFICE. 1885.





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VOLUME XVI, PART III.

CONGRESSIONAL RECORD AND APPENDIX,

FORTY-EIGHTH CONGRESS, SECOND SESSION.

III. THE SECTOR TO SECTION

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CEMETERY SITE AT KIRWIN, KANS.

Mr. HANBACK. I desire to call up from the Calendar of the Committee of the Whole House on the state of the Union the bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin,

The bill was read, as follows:

Be it enacted, &c., That the southeast quarter of the northeast quarter of section 29, township 4 south, of range 16 west of the sixth principal meridian, in the State of Kansas, now occupied by the city of Kirwin for cemetery purposes, be, and the same is hereby, donated to the said city of Kirwin for the use of a public

The SPEAKER pro tempore. Does the gentleman from Kansas [Mr. HANBACK] desire to be heard in support of this bill?

Mr. HANBACK. Not at present.

The SPEAKER pro tempore. The gentleman reserves his time.

Mr. HOLMAN. I call for the reading of the report.

The report (by Mr. ANDERSON) was read, as follows:

The report (by Mr. Anderson) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, Kans., having had the same under consideration, beg leave to report as follows:

As appears from the memorial of the mayor and common council, a tract of forty acres adjacent to the town has been used for twelve years, or since the first settlement of that region, as a public burial ground, is so used to-day, and contains the remains of over two hundred persons. It is the only cemetery near the town, and has been fenced, beautified, and otherwise improved, solely for cemetery purposes; and aside from such purposes no part of said ground is used by any person, persons, or corporation.

In February, 1881, the city, finding that one John McClimont had filed a timber-culture entry upon said forty acres, bought his relinquishment thereof for the sum of \$300, to him paid; his title, not having been perfected, is now in the United States, as appears from the certificates of the register and receiver of the land office.

the sum of \$300, to him paid; his title, not having been perfected, is now in the United States, as appears from the certificates of the register and receiver of the land office.

Your committee therefore recommend that the bill donating this land to the city of Kirwin for cemetery purposes be passed.

The representations of the city are as follows:

"The undersigned, representing the people residing in and in the neighborhood of Kirwin, county of Phillips, and State of Kansas, come now and show that for over twelve years last past the SE, ½ of the NE, ½ sec. 29, T. 4, R. 16, has been, and is at the present time, used as a general burial ground, and that during said time there has been over two hundred persons buried on said described tract of land; that a large portion of said forty acres of land has been improved, fenced, and otherwise beautified for solely cemetery purposes; that aside from burial purposes no part of said land is used by any person, persons, or corporation.

"Your petitioners further show that on the 28th of February, 1881, the city of Kirwin, a city of the third class, duly incorporated under the laws of the State of Kansas, did, in her corporate capacity, purchase, for a valuable consideration, viz, \$300, of John McClimont, a relinquishment of his timber-culture entry No. 211, which he had on said forty acres of land, as more fully appears by certificate of the city clerk of, Kirwin, and the certificate of the register and receiver of the United States land office at Kirwin, marked, respectively, A and B, and made a part of this showing.

"Your petitioners further show that the title to said forty acres of land is now vested solely in the Government of the United States, as more fully appears by certificate B, hereinbefore referred to.

"That at present there is no provision of statute by which title can inure to the many persons interested in said forty acres of land, and in view thereof your petitioners would most respectfully and earnestly pray that they be aided by a special act of Con

"A. STOCKMAN, "C. S. COBB, "C. P. BARBER, "C. S. KNIGHT, " Councilmen. "W. E. ROWE,
"W. D. JENKINS,
"T. M. HELM,
"G. W. WHITE,
"N. T. BELFORD,
"V. S. KECKLEY,
"C. L. HARRIS,
"GEO. NOBLE,
"THOMAS FIFE,
"M. H. JOHNSON,
"H. MOULTON,
"W. T. S. MAY, W. T. S. MAY, W. H. McBRIDE, "Cilizens."

EXHIBIT A.

EXHIBIT A.

I, H. E. Campbell, city cierk of the city of Kirwin, Phillips County, Kansas, do hereby certify that, according to the records in my possession of the proceedings of the city council of the city of Kirwin, the said council did, at a regular meeting held February 28, 1881, purchase of John McClimont, agent of the heirs of — McClimont, deceased, all their right, title, and interest to the SE. 4 NE. 4 Sec. 29, T. 4 S., of R. 16 W., 6th P. M., to be used as a public emetery; and on April 11, 1881, the said council ordered a city warrant for \$300 to be issued to the said John McClimont as payment therefor, and received a relinquishment (as to said tract) of timber-culture entry No. 211, then in force on said tract. Since then a portion of said tract has been surveyed and platted, and is being used as the common cemetery of the community as occasion requires.

Witness my hand and seal this 10th day of December, 1883.

[SEAL.]

H. E. CAMPBELL, City Clerk.

EXHIBIT B.

United States Land Office, Kirwin, Kans., December 11, 1883.

We, John Bissell, register, and R. R. Hays, receiver, do hereby certify that the records of this office show that the E. ½ NE. ½ sec. 29, T. 4 S., R. 16 W., is covered by declaratory statement No. 887, made by Peter M. Rominer, on January 29, 1873, alleging settlement January 25, 1873; also on the 27th day of April, 1874, John J. McClimont, jr., made timber-culture entry No. 211, said entry canceled April 15, 1878, per letter C, April 6, 1878, and on June 3, 1878, John McClimont,

sr., made timber entry No. 1955 on said tract, which was canceled as to the SE. ½ NE. ½ said section on July 18, 1881, by Commissioner's letter C of July 12, 1881. JOHN BISSELL, Register. R. R. HAYS, Receiver.

The SPEAKER pro tempore. Is there object sideration of this bill? The Chair hears none. Is there objection to the present con-

The bill was ordered to be engrossed and read a third time; and be-

ing engrossed, it was accordingly read the third time, and passed.

Mr. HANBACK moved to reconsider the vote by which the bill was assed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING AT SARATOGA SPRINGS, N. Y.

Mr. WEMPLE. I desire to call up from the Speaker's table the bill (S. 1725) for the erection of a public building at Saratoga Springs, N. Y. The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults, for the accommodation of the United States court, the post-office, and other Government offices, at Saratoga Springs, State of New York. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site shall leave the building unexposed to danger from-fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for said building shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of New York shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Sec. 2. That the sum of \$50,000 is hereby appropriated for the purchase of a site and commencement of work.

Mr. WFMPLE I call for the reading of the report.

Mr. WEMPLE. I call for the reading of the report. The report (by Mr. WEMPLE) was read, as follows:

Mr. WEMPLE. I call for the reading of the report.

The report (by Mr. WEMPLE) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 3716) for the erection of a public building at Saratoga Springs, N. Y., having had the same under consideration, respectfully report:

That Saratoga Springs having become famous as the greatest watering place in the world has a transient population of some 50,000 during the season, or for four or five months of the year, and from the hotel registers and arrivals by the various railroads show that at least half a million people visit that place during that time. The resident population is over 12,000.

The post-office at Saratoga is a second-class office and is a distributing office. The gross receipts for the year 1883 were \$28,015.65. During the summer months they distributed from this office on an average 9,600 letters per day, exclusive of packages and papers. The postmaster estimated them to be some 4,000 daily. The amount of mail matter received exceeded the amount dispatched. There were received and dispatched from this office during the year 1883 7,052 registered letters. There were money-orders issued amounting to \$67,327.73, and paid amounting to \$64,094.24.

The amount of rent paid for this post-office is \$1,500. It is located in a wooden building and of such a dangerous character that it can not be insured for less than 2 per cent. The mails received at this office are very valuable.

At Saratoga are located manufacturing establishments; a large female seminary; two large medical institutes; and the hotels of necessity the very largest in the country, one costing for its erection \$2,500,000 and another \$1,500,000. There are six large first-class hotels, twenty-five smaller hotels, and some one hundred and fifty boarding houses.

Saratoga is steadily increasing in population, business, and wealth. The Adirondack Railroad is being extended through to the Saint-Lawrence River, going through the vast timber and mineral wea

The SPEAKER pro tempore. Does the gentleman from New York [Mr. WEMPLE] desire to be heard?
Mr. WEMPLE. I reserve my time.
The SPEAKER pro tempore. The gentleman has two minutes re-

Mr. HOLMAN. Mr. Speaker, I think there should be inserted in this bill a provision similar to that which has been adopted with reference to most of the public buildings authorized during this session, imposing on the Secretary of the Treasury, not the Supervising Architect, the duty of seeing that the expense of constructing the building, after the site has been purchased, shall not exceed the amount of the appropriation then remaining.

Mr. VAN ALSTYNE. It is regarded as important by all the citizens of Saratoga that we should have a public building there; and I beg to assure the gentleman from Indiana [Mr. HOLMAN] that the amendment he suggests, if adopted, would hazard the passage of this bill during the contract here.

ing the present Congress.

Mr. HOLMAN. I am satisfied that such an amendment would not Mr. HOLMAN. I am satisfied that such an amendment would not jeopardize the passage of the bill. I think it of the highest importance that the cost of this building should not be permitted to exceed the amount which Congress may now appropriate. That is the real peril against which we should guard. In view of the determination of the House yesterday that this provision against extravagance was not necessary in the case of the building at Chattanooga, I would hardly feel justified, so far as I am concerned, in insisting on applying the provision to other bills. But I should feel very much gratified, I should feel that we were legislating with much greater security and safety, if the gentleman in charge of this bill would himself propose such an amend-ment and have it adopted. It will not imperil the final passage of the bill.

Mr. WELLER. I desire to ask the gentleman having this bill in charge whether he will, so far as he is concerned, consent that this appropriation shall be made and paid only in standard silver dollars.

Mr. WEMPLE. So far as I am personally concerned I should be perfectly willing that should be done; but this bill comes from the Senate, and an amendment of such a character would virtually kill the

bill

Mr. WELLER. Oh, no; it is the easiest thing in the world for the Senate to adopt this amendment; and the gentleman having the bill in charge is entitled to have his views incorporated in it.

Mr. PAYSON. I wish to ask the gentleman from New York [Mr.

WEMPLE] whether any Federal courts are held at Saratoga.

Mr. WEMPLE. No, sir.

Mr. PAYSON. Then the only object of this building is to accommodate the post-office?

Mr. WEMPLE. It is for the purpose of a post-office strictly.

Mr. BUCKNER. What does the Government pay as rent for the

building now used as a post-office?

Mr. WEMPLE. The Government pays \$1,500 rent for a building which does not furnish proper post-office facilities, which is not adequate for the transaction of the public business.

Mr. WELLER. Would 6 per cent. interest on the amount of appro-

priation now proposed exceed the rent now paid by the Government? Mr. WEMPLE. If the Government rented a building affording proper facilities for the transaction of the public business, it would not.

The SPEAKER protempore. The time for debate on this bill has expired. Is there objection to the present consideration of this bill?

Fifteen members rose to object. So the bill was not considered.

CHRISTOPHER SCHAEFNOCKER.

Mr. LAWRENCE. I call up for consideration the bill (H. R. 7305) for the relief of Christopher Schaefnocker.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Christopher Schaefnocker, late second lieutenant of Company D, One hundred and ninth Pennsylvania Volunteers, the pay and allowances of a second lieutenant from the 24th day of May, 1862, to the 4th day of August, 1862.

The report (by Mr. ROWELL) was read, as follows:

The report (by Mr. ROWELL) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2610) for
the relief of Christopher Schaefnocker, late second lieutenant of Company D,
One hundred and ninth Pennsylvania Volunteers, report as follows:

From the records of the War Department it appears Christopher Schaefnocker
entered the service May 24, 1852, as a second lieutenant, Company D, One hundred and ninth Pennsylvania Volunteers, and served in that capacity until August 4, 1862; that he has not been paid for said service for the reason that the
paymaster decided that his muster was not legal.

It appears from the sworn statements of the officers of the company and regiment of which the said Schaefnocker was a second lieutenant, and other reliable witnesses, that Schaefnocker did actually serve in the capacity and discharge the duties of second lieutenant from the 24th of May, 1862, to August 4,
1862.

In view of the fact that the Government justly owes the claimant the allowances of a second lieutenant, your committee report herewith a substitute for
the bill and recommend its passage.

Mr. STEELE. I would like to inquire of the gentleman from Pennsylvania whether this claimant could not have been mustered under the act of June 3, 1874.

Mr. LAWRENCE. There is some difference of opinion about that act. This bill was reported favorably at the last session of Congress. The gentleman from Illinois [Mr. ROWELL] reported it from the Committee on War Claims, and I suppose there can be no objection to it. This House passed a similar bill the other day. It only involves about

Mr. SPRINGER. Better give it to him than waste any more time about it in discussion.

The SPEAKER pro tempore. The Chair hears no objection, and the bill is before the House for present consideration.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LAWRENCE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

THOMAS T. STRATTON.

I call up for present consideration the bill (S. 305) for the relief of Thomas T. Stratton, assignee of W. B. Waldran.

The bill was read, as follows:

Best enacted, de., That there be, and is hereby, appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$3,256.83, to be paid by the Secretary of the Treasury to Thomas T. Stratton, as assignee of W.D. Waldran, in full payment and satisfaction of said Waldran's elaim and demand against the United States for and on account of work and labordone on the United States court-room, offices, and judges' chambers at Mem-

phis, Tenn., under contract with and direction of J. M. Timony, United States marshal for the western judicial district of Tennessee, which claim and demand was by the said W. B. Waldran assigned and transferred to the said Thomas T. Stratton.

Mr. YOUNG. I am so hoarse this morning I can scarcely be heard, and therefore will yield to my colleague [Mr. McMillin] to occupy the time

the time.

Mr. HOLMAN. Let the report be read.

Mr. McMILLIN. Does the gentleman from Indiana want the report read, or would he prefer to hear a statement from me?

Mr. HOLMAN. I will hear the gentleman's statement.

Mr. McMILLIN. At the request of my colleague [Mr. Young] I will make a statement concerning this claim, as it will take more than the five minutes provided by the rule to read the report.

The facts are these: The Federal court in the city of Memphis was being held in rooms inadequate to its accommodation. In fact, both of the judges holding the court certify they were unfit for occupation, opening only upon an alley, and upon the third floor, and not properly furnished. The marshal and deputy marshal came to Washington for the purpose of getting authority to provide other apartments. They had an agreement by which they could rent certain other rooms at two thousand and odd dollars a year, provided the Government should make appropriation to furnish them. The Secretary of the Interior, the marshal and deputy marshal both certify and swear, authorized the expendshal and deputy marshal both certify and swear, authorized the expenditure of the money. The expenditure was made. Stratton, the owner of the property, being in straitened circumstances, furnished the money. The amount authorized by the Secretary of the Interior was \$3,500; the amount expended was thirty-two hundred and odd dollars, as provided for in this bill. That was in 1867.

The judge of the court certifies as follows:

The United States to W. B. Waldran, Dr.

Nov. 1. For material furnished and for work and labor done on U. S. court-room, offices, and judges' chambers, at Memphis, Tennessee, under orders of U. S. Marshal J. M. Timony, and approval of his Hon. Connally F. Trigg, United States district judge, as per itemized accounts and bills hereto attached, all of which were paid by me as the work progressed, \$3,256.88.

MEMPHIS, TENN., Nov. 16, 1869.

Received of J. M. Timony, U. S. marshal western district of Termessee, thirty-two hundred fifty-six and $\frac{80}{100}$ dollars in full of the above account.

W. B. WALDRAN.

I have examined the within account and accompanying affidavit of W. B. Waldran, and believing the account all right, I approve the same and recommend payment thereof.

CONNALLY F. TRIGG, United States District Judge.

Afterward the judge was called upon to make another statement about it, and he certified as follows:

I don't see what statement other than my original approval of the account stated within is necessary to pass the account mentioned, unless it is that I had personal knowledge of the improvements and necessity of them. I now state this, and think the account ought to be paid.

The other judge made this statement:

The rooms formerly occupied by the courts and their officers were neither decent nor comfortable. The new arrangement was cordially approved by the district judge and the district attorney, and it has my entire approbation.

The reason why it was not paid when presented was that under the act of 1853 they held that authorization for more than \$50 had to be made in writing. That fact seemed to be lost sight of, and it was not made in writing.

The gentleman from Alabama [Mr. OATES] knows the facts in this

The SPEAKER. The gentleman's time has expired.

Mr. WELLER. I take the floor and yield my time to the gentle-

man from Tennessee for further explanation.

Mr. McMILLIN. I only desire further to make this statement, Mr. Speaker. When the apartments were occupied, I think for seven years, speaker. When the apartments were occupied, I think for seven years, at the rental agreed upon, the verbal understanding was thereby carried out to that extent, and when the Government moved its offices and established them in better quarters in another part of the city, they carried the very property, or all of it that could be used, which this money is to pay for. The bill provides only for the payment of the original amount without interest. The committee were unanimous in thinking it should pass

I now yield to the gentleman from Alabama [Mr. OATES], who knows all the facts.

Mr. OATES. In the Forty-seventh Congress I examined this claim, and will state to the House that after careful examination the proofs in my judgment sustained the justice of the claim, and I believe the money ought to be paid.

There was no objection.

The bill was taken up and read a first and second time, ordered to a third reading; and was accordingly read the third time, and passed.

Mr. YOUNG moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

PUBLIC BUILDING, VICKSBURG, MISS.

Mr. JEFFORDS. I call up the bill (S. 173) to provide a building for the use of the United States courts, post-office, custom office, and internal-revenue office at Vicksburg, Miss.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable building, with fire-proof vaults, at Vicksburg, in the State of Mississippi, for the accommodation of the United States courts, post-office, custom office, and internal-revenue office, at a cost not exceeding \$100,000, including cost of site: Provided, That no part of said sum shall be expended until the plans, specifications, and full estimates for said building shall have been made according to law, and a valid title to the land for the site of said building shall be vested in the United States, and the State of Mississippi shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein: And provided further. That the site so purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys.

Mr. LEEFORDS. I have but a few words to say. Vicksburg, Miss.

Mr. JEFFORDS. I have but a few words to say. Vicksburg, Miss., is the most important city in the State commercially, and it is the most important city between Memphis and the city of New Orleans. There are railroads converging there. It has a population of 15,000 people. I ask the Representatives in this House to consider the fact that in Vicksburg, during its occupation by the Army, many private buildings were torn down and frequent fires occurred in consequence of such occupation, and the Government of the United States can not do anything better than erect a building for public uses as mentioned in the bill, thus rendering some compensation for the injuries which were inflicted and were incidental to a state of war. I appeal to members on both sides to give this building to the city of Vicksburg.

Mr. COOK. May I ask the gentleman a question?
Mr. JEFFORDS. Certainly.
Mr. COOK. I wish to ask whether there is a Federal court held there now'

Mr. JEFFORDS. There is not now, but there ought to be. the most important river town, and it is expected that we will have a term of the Federal court there on account of the admiralty jurisdiction, for it all comes from the city of Vicksburg, although the court is held at Jackson, some fifty miles away. We can have a term of the Federal court there, and propose to have it. I reserve the remainder of my time.

The SPEAKER pro tempore. The gentleman has two minutes of his

time remaining.

Mr. COOK. Mr. Speaker, I shall object to this bill. During the last twenty years we have been extending the jurisdiction of the Federal courts, and I believe the time will soon come when Congress will be required to revise and reduce the jurisdiction of the Federal courts as well as to reduce the number of places where they are to be held.

In the State of Iowa one of the greatest abuses under which we labor is this matter of the Federal courts. Nearly every railroad corporation is organized outside of the State. Every road that runs through the State of any importance is operated as a foreign corpora-

Our people are dragged from the local courts to the cities where Federal courts are held a great distance, and required to litigate in these courts instead of the local tribunals. Believing that it is time to inaugurate here as far as we can an effort to diminish the number of places where Federal courts are held and restrict their jurisdiction, I shall object to the construction of public buildings at any places in the States outside of the capitals, or at such points at which the Federal courts are already held

Mr. HOLMAN. Will the gentleman permit me to ask him a question?

Mr. COOK.

Mr. COOK. Yes, sir.
Mr. HOLMAN. Is there a term of the Federal court held now at

this point

Mr. COOK. No, sir; not as I am informed on a question I addressed to the gentleman from Mississippi; but they are trying to get one established there

Mr. WELLER. I desire to ask the gentleman from Mississippi a question. Would you consent that this appropriation be made to be paid in standard silver dollars

Mr. JEFFORDS. I would be glad to have it made and paid in

standard silver dollars.

Mr. VAN EATON. But this is a Senate bill, and would have to go back if amended.

Mr. JEFFORDS. The only objection would be that it would necessitate the sending of the bill back to the Senate.

The SPEAKER pro tempore. Is there objection to the consideration

Eighteen members rising in opposition to the bill the House refused to consider it, and the bill went back to the Speaker's table.

ACCOUNT FOR ARMS, STATE OF SOUTH CAROLINA.

Mr. DIBBLE. Mr. Speaker I ask the consideration of Senate bill 1412, authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill is as follows:

Be it enacted, dc., That the Secretary of War be, and is hereby, authorized and directed to adjust the account for arms between the State of South Carolina and

the Government of the United States, and balance the same by so reducing the overcharge made against said State in A. D. 1869, under the act approved the 23d of April, A. D. 1808, and the several acts amendatory thereof, as that the amounts paid on said account by said State for the ten years last past be taken in full satisfaction of the same.

Mr. DIBBLE. Mr. Speaker, this bill has passed the Senate, and a bill exactly in similar terms has been favorably reported by the Military Committee of this House. A bill of similar terms passed the Senate in the Forty-sixth Congress, as well as in the Forty-seventh, and was reported favorably in the last House by the Military Committee, but failed to be reached for consideration.

This bill merely proposes that in the annual distribution of arms to the militia of the States the State of South Carolina shall be permit-

ted to draw her share the same as her sister States. Owing to some ted to draw her share the same as her sister States. Owing to some confusion in the accounts several years ago South Carolina has not drawn her quota for fifteen years. This bill does not ask the back quota, but only that she shall get in the future her proportion the same as the other States.

I suppose there will be no objection to the bill, but I reserve the re-

mainder of my time.
Mr. McMILLIN. Mr. Speaker, I will state that I have examined this bill quite carefully, and in my judgment it is a proper measure, and ought to pass.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate bill was taken from the Speaker's table, read by its title a first and second time, ordered to a third reading, read the third time, and passed.

Mr. DIBBLE moved to reconsider the vote by which the bill was

sed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

LOSSES BY GOVERNMENT STEAMER J. DON CAMERON.

Mr. LYMAN. Mr. Speaker, I ask consent to call up for present consideration Senate bill 1347 for the relief of the sufferers by the loss of the Government steamer J. Don Cameron, and put it upon its pas-

The bill was read, as follows:

The bill was read, as follows:

Bettenacted, dc., That the Secretary of War be, and he is hereby, authorized and directed to examine into, ascertain, and determine the losses of private property of the officers, enlisted men, and laundresses of the Fifth Regiment United States Infantry by reason of the sinking of the Government steamer J. Don Cameron, in the Missouri River, on or about the 18th day of May, 1877; and he sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of War to adjust and the accounting officers of the Treasury to pay the claimants the amount of their said losses, as allowed and approved under authority of this act, not to exceed the amount for baggage allowed to said officers, soldiers, and laundresses by law and the Army regulations: Provided, That each person claiming remuneration under this act shall furnish to the Secretary of War, or accounting officers of the Treasury, a statement, duly verified, of the value of the property by him lost, and also of the amount of insurance, if any, received thereon, which amount shall be deducted from the value of said property on settlement by the accounting officers of the Treasury: Provided also, That the award of the Secretary of War for such losses shall be final, and the payment thereof to the several claimants shall be held and taken as a complete relinquishment and satisfaction of all claims for damages sustained by them by reason of the sinking of said Government steamer J. Don Cameron as aforesaid.

Mr. Lyman. This bill I will state in brief is to pay certain officers of the content of the secretary of the several claims for damages sustained by them by reason of the sinking of said Government steamer J. Don Cameron as aforesaid.

Mr. LYMAN. This bill, I will state in brief, is to pay certain officers of the United States Army and some poor laundresses for property lost some years ago by the sinking of that United States steamer, entirely through the fault of the officers of the United States, and for which loss the United States is liable. This bill has been reported unanimously by the Senate Committee as well as the House Committee. It passed in the Senate in the Forty-sixth, Forty-seventh, and Forty-eighth Congresses, and now awaits the action of the House.

Mr. MAGINNIS. It has passed the House twice.

Mr. LYMAN. Yes; it has passed the House twice. There is no question about the justice of the claim. If there is no objection I will to the left the regains of the remaining of the research.

not call for the reading of the report.

Mr. WELLER. I ask for the reading of the report.
Mr. LYMAN. The Clerk will please to read only the parts of the report which are marked and which contain the gist of it. I reserve

my time.

The Clerk commenced to read the passages marked in the report.

Mr. WELLER (interrupting the reading). I understand the gentleman from Montana [Mr. MAGINNIS] is prepared to give a brief explanation of the bill; and that he may do so I withdraw the demand

for the reading of the report.

Mr. MAGINNIS. The report is very long, and I think I can explain the matter very easily. These officers and soldiers were placed on an unseaworthy steamer against their protest. The steamer struck a snag and sank. Those who had insured their property went to the courts and were defeated, on the ground that the Government had placed an unlicensed pilot in charge of the boat. This bill was reported by General Bragg and passed the House. It passed the House a second time and has passed the Senate three times.

Mr. STEELE. As I understand the bill, unless the Secretary of War awards from this appropriation what these parties ask they are

not to have it.

Mr. MAGINNIS. In that case they are not to have it. I think

there can be no possible objection to the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read

the third time, and passed.

Mr. LYMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PURCHASE OF WHARF IN WILMINGTON, N. C.

Mr. GREEN. I call up the bill (S. 1251) to authorize the purchase of a wharf for the use of the Government in Wilmington, N. C. The bill was read, as follows:

The bill was read, as follows:

Be it enacted, dc., That the Secretary of the United States Treasury be, and he is hereby, authorized to cause an examination to be made of the wharf in front of the custom-house and other property at the port of Wilmington, N. C., offered by E. E. Burress, president of the First National Bank of Wilmington, namely, the following real estate: One hundred and sixty-six feet front on the Cape Fear River, lying between Market and Princess streets and Water street and the river; and also the brick fire-proof two-story warehouse, together with the land on which it is situated, adjoining the custom-house on the south, the said warehouse occupying a space of thirty feet front and running east ninety-two feet; and on inquiry as to their necessity for use for the revenue-marine service and other customs purposes at that port, and if it shall be found advantageous and necessary for such purposes, to purchase the same at a reasonable price: Proceeded, That it shall not exceed \$30,000, which amount shall be paid out of any money in the Treasury not otherwise appropriated.

Mr. GREEN. The reasons for the proposed purchase are fully set forth in a letter of the late Secretary of the Treasury which I hold in my hand, and which I send to the Clerk's desk to be read.

The Clerk read as follows:

TREASURY DEPARTMENT, February 5, 1883.

SIR: I have the honor to acknowledge the receipt of your letter of the 1st instant, transmitting Senate bill No. 2386 to authorize the purchase of a wharf for the use of the Government in Wilmington, N. C., in which you request, on behalf of the Committee of Commerce, such information or suggestions as I may deem proper touching the necessity for the purchase therein provided for, and the propriety of the passage of said bill.

In reply I have respectfully to state that the present wharf and storage facilities at Wilmington are represented as inadequate to the wants of the customs service.

ties at Wilmington are represented as inadequate to the wants of the customs service.

The Department has been for some time hiring a wharf and storage houses for customs purposes at considerable annual cost. The storehouse for coal for revenue vessels, hired by the Department, is located more than a mile from the custom-house wharf, and is reported unft for the purpose. The Department, however, has not been able to secure one nearer, nor any suitable structure for what is deemed a reasonable rental.

Immediately in front of the custom-house is a small wharf in which is reserved a right of wharfage for revenue-cutters and other customs purposes. This wharf is not, however, of sufficient length to accommodate the vessels of the Government which are employed at the present time, it being but ninety-nine feet long, while the revenue-cutter stationed at Wilmington is one hundred and seventy-five feet long.

To make this wharf available for the Government's use at least one hundred feet should be added to it. If this were done the Government storehouse might be located thereon, and besides the storage for coal, &c., it could be availed of for storing merchandise or heavy articles belonging to the customs service.

The Department has received several applications for increase of facilities at Wilmington, such as the possession of the property named in the bill would supply.

Should the wharf be secured it would afford landing facilities for vessels of the revenue marine and other Government vessels at that port.

The bill seems guardedly drawn, and I see no objection to its passage.

Very respectfully,

CHAS, J. FOLGER, Secretary.

Hon. S. J. R. McMillan, Chairman Committee on Commerce, United States Senate.

A true copy :

E. W. CLARK, Chief Revenue Marine Division

The SPEAKER protempore. The time of the gentleman from North Carolina has expired. Unless some gentleman desires to occupy the time in opposition, the Chair will ask for objections. [After a pause.] Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. GREEN moved to reconsider the vote by which the bill was

passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

WILLIAM H. CROOK.

Mr. RAY, of New York. I ask to take from the Speaker's table for present consideration the bill (S. 458) for the relief of William H. Crook. I desire to say in regard to this bill, very briefly, that it has already passed the Senate without opposition.

The SPEAKER pro tempore. The bill will be read.

The bill was read, as follows:

The Bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William H. Crook, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000, as ecompensation for services as secretary to the President to sign land-patents for the fiscal years of 1879, 1880, 1881, and 1882, inclusive, and which services were additional to his regular duties as executive clerk and disbursing agent, the amount being the same as was formerly paid for such service.

Mr. RAY, of New York. Mr. Speaker, from the year 1836 down to the year 1878 we paid for the performance of these services the sum of \$1,500 per annum. In the year 1878 the appropriation to pay for them was omitted, and for the ensuing four years Mr. Crook performed these services, for which \$1,500 had previously been paid, working nights and working out of regular office hours, and during that time he signed, examined, and countersigned many thousands of these land-patents each year.

each year.

Mr. RAY, of New Hampshire. Over 40,000.

Mr. RAY, of New York. Over 40,000 a year. The bill has passed the Senate and it was reported favorably by the House Committee on Claims without any opposition whatever. They recommend that Mr. Crook shall receive the sum of \$2,000. The minority report is that he should have the sum of \$4,000. There is no question of the value of these services. There is no question but that they were performed ably, promptly, and efficiently in all respects, and that this man earned the money out of office hours and in addition to his regular duties incumbent upon him by virtue of the ordinary clerkship-duties which he had to perform.

I would like to say, in addition, that last year this Congress restored the office and is now paying for the performance of this duty the sum of \$1,500 per annum. Therefore it seems to me there can be no quesof \$1,500 per annum. Therefore it seems to me there can be no question but that this man, having performed the services for the Government and having earned the money, should receive his pay. Four thousand dollars is \$500 a year less than the Government paid from 1836 to 1878, and is \$500 a year less than the Government is paying today for the performance of these same services.

Mr. WELLER. I desire to ask the gentleman a question, if he will

permit me.

Mr. RAY, of New York. Willingly.
Mr. WELLER. I desire to inquire if this party did not know that there was no authority of law for him to render these services with the

anticipation of being paid?

Mr. RAY, of New York. The services were rendered at the request of officers of the Government—at the request of the Secretary of the Interior, Mr. Teller, under the direction of the President and upon the representation and understanding that they would be paid for.

Mr. WELLER. That is one of the points I desire to understand.

Mr. RAY, of New York. The work was done with that understanding, as the committee report.

Mr. WELLER. And these services were in addition to the regular duties of this man's position?

Mr. RAY, of New York. Yes, sir; but he performed these services at night. He performed his regular duties during the daytime, and then devoted the nights to this work.

Mr. WELLER. Does the sum of \$4,000 cover the entire charge

against the Government?

Mr. RAY, of New York. It does, and the amount provided for is \$2,000 less

The SPEAKER protempore. The time for debate in favor of this bill

has expired.

Mr. HOLMAN. Mr. Speaker, this is a proposition to pay an employé of the Government extra compensation for extra services rendered by him. The amount is not large, but that principle is involved. I believe this gentleman was receiving a salary of \$1,600 a year at the time he performed these services.

Mr. RAY, of New York. Fifteen hundred dollars was his regular

Mr. HOLMAN. Heretofore the signing of these patents for the President has been done by clerks detailed for that purpose, and if I understand this claim correctly, it is based upon the ground that that duty was devolved upon the executive officer, and this clerk was detailed to perform it. I will ask the gentleman from Tennessee [Mr. McMillin] if I am correct in that?

Mr. McMILLIN. That is the way I understand the case. gentleman from Indiana [Mr. HOLMAN] calls upon me I will make this statement: Congress abolished the officer who had heretofore discharged this duty and required that the executive department should have the work performed by the clerical force. Thereupon the Executive devolved the duty upon this officer, and he did the work according to order, and now he comes and seeks pay for it. The committee reduced the amount that was recommended by the Senate. The Committee on Claims thought that there ought not to be a payment of \$4,000, and declined to recommend it; and, if I may be permitted to make my own statement, I believe I opposed the payment of anything.

Mr. RAY, of New York. I beg the gentleman's pardon. He voted for the \$2,000, as did every member of the committee.

Mr. McMILLIN. I do not remember how that was, but I remember that I stated at the time that it was a case of the payment of two

salaries to an employé of the Government. The SPEAKER pro tempore. The hour expired and the bill goes over. The hour under the special rule has

CHANGE OF REFERENCE.

The SPEAKER pro tempore. The Chair asks consent of the House to correct an erroneous reference. The bill (H. R. 8048) was referred to the Committee on Invalid Pensions, when it should have been referred to the Committee on Pensions. If there is no objection it will be so referred.

MEXICAN PENSION BILL.

Mr. RAYMOND, by unanimous consent, presented a memorial of the Legislative Assembly of Dakota for the passage of the Mexican war pension bill; which was referred to the Committee on Pensions.

DIVISION OF DAKOTA.

Mr. RAYMOND, by unanimous consent, also presented a joint resolution and memorial of the Legislative Assembly of Dakota to the Congress of the United States, praying for the division of Dakota, and for the admission of the southern portion of said Territory as a State; which was referred to the Committee on Territories

RECORDS OF THE WAR.

Mr. REED, of Maine, by unanimous consent, introduced a joint resolution (H. R. 333) directing the Public Printer to print and bind a certain additional number of copies of the first five volumes of the Official Records of the War of the Rebellion, to supply such libraries, organizations, and individuals designated as have not received the first five volumes; which was referred to the Committee on Printing, and ordered to be printed.

JOSEPH HABIG.

Mr. ENGLISH, by unanimous consent, introduced a bill (H. R. 8251) granting a pension to Joseph Habig; which was referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM BEYERS.

Mr. ENGLISH, by unanimous consent, also introduced a bill (H.R. 8252) granting a pension to William Beyers; which was referred to the Committee on Invalid Pensions, and ordered to be printed.

COL. JOHN C. DUANE.

Mr. RAY, of New Hampshire. Mr. Speaker, I ask unanimous consent to make a report from the Committee on Claims, as I was not present when the committee was called.

The SPEAKER pro tempore. If there be no objection, the report will be received.

Mr. RAY, of New Hampshire, from the Committee on Claims, reported back favorably the bill (H. R. 2470) for the relief of Colonel John C. Duane, Corps of Engineers, brevet-brigadier general United States Army; which was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

RIDER HENRY AND J. J. COUGHLIN.

Mr. DIBBLE, by unanimous consent, introduced the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Committee on Accounts be, and are hereby, requested to provide for the payment to Rider Henry and John J. Coughlin the sum of \$242.50 each for services rendered in Clerk's document-room.

COL. SAMUEL M. THOMPSON.

Mr. HEWITT, of Alabama, by unanimous consent, reported back favorably from the Committee on Pensions the bill (S. 2570) granting an increase of pension to Col. Samuel M. Thompson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM LOCKHART.

Mr. HEWITT, of Alabama, by unanimous consent, also reported back favorably from the Committee on Pensions the bill (8. 357) granting a pension to William Lockhart; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

THOMAS MATHEWS AND OTHERS.

Mr. HERBERT, by unanimous consent, reported back with amendments from the Committee on Ways and Means the bill (H. R. 7106) for the relief of Thomas Mathews and others; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ESTATE OF WILLIAM B. THAYER.

Mr. HERBERT, by unanimous consent, also reported from the Committee on Ways and Means a bill (H. R. 8253) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Bros.; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

VENEZUELAN AWARDS.

Mr. RICE, by unanimous consent, reported from the Committee on Foreign Affairs a joint resolution (H. Res. 334) providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

REGISTRATION OF STEAMSHIPS.

Mr. CLARDY, by unanimous consent, reported back from the Committee on Commerce, with amendments, the bill (H. R. 6662) to authorize the registration of certain steamships as vessels of the United States; which was referred to the House Calendar, and the accompanying report ordered to be printed.

AMENDMENT OF RULES.

Mr. PAYSON. I submit a proposition to amend Rule XXIV.
Mr. NELSON. I object to the introduction of the resolution.
Mr. PAYSON. A proposition to amend the rules is privileged.
The SPEAKER pro tempore. Does the gentleman from Illinois present this for reference to the Committee on Rules?

Mr. PAYSON. Yes, sir.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Amend Rule XXIV by adding thereto the following clause:
"It shall be in order during the remainder of this session immediately after
the expiration of the hour set apart by the special order of February 5, 1885, to
move to take from the Speaker's table messages from the Senate and House
bills with Senate amendments and have the same referred to the appropriate
committees, to be decided by a majority vote and without debate."

Mr. HEWITT, of Alabama. I make the point that this must go to

the Committee on Rules.

The SPEAKER pro tempore. The Chair was about to give it that reference. It will be so referred.

M'MINNVILLE AND MANCHESTER RAILROAD.

Mr. CULBERSON, of Texas, by unanimous consent, reported back with amendments from the Committee on the Judiciary the bill (H. R. 2727) directing the Quartermaster-General to settle with the McMinnville and Manchester Railroad Company, and for other purposes; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WOONSOCKET NATIONAL BANK.

On motion of Mr. SPOONER, by unanimous consent the bill (S. 2600) for the relief of the Woonsocket National Bank, of Woonsocket, R. I., was taken from the Speaker's table, read twice, and referred to the Committee on Ways and Means.

ELECTION CONTEST-M'LEAN VS. BROADHEAD.

Mr. ELLIOTT, from the Committee on Elections, submitted a report upon the contested-election case of McLean vs. Broadhead, from the ninth Congressional district of Missouri.

The resolution appended to the report was read, as follows:

Resolved, That James O. Broadhead was duly elected a member of the Forty-eighth Congress from the ninth district of Missburi and is entitled to retain his seat.

The report was laid on the table and ordered to be printed.

Mr. HART. I desire to present the views of a minority of the Committee on Elections in the case of McLean vs. Broadhead. I ask that they be printed with the report of the committee.

The SPEAKER pro tempore. The Chair hears no objection, and it will be a credered.

will be so ordered.

FREDERICK BENO.

Mr. BUDD, by unanimous consent, reported back favorably from the Committee on Invalid Pensions the bill (H. R. 2595) to grant an increase of pension to Frederick Beno; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HUGH O'NEIL.

Mr. STOCKSLAGER, by unanimous consent, reported back favorably from the Committee on Pensions the bill (S. 1183) granting a pension to Hugh O'Neil; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

FREDERICK HERCHER.

Mr. STOCKSLAGER, by unanimous consent, also reported back with amendments from the Committee on Pensions the bill (H. R. 8048) to increase the pension of Frederick Hercher; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

BRIDGE ACROSS SAINT CROIX RIVER.

Mr. WASHBURN. I submit the following privileged report.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3258) to authorize the construction of a bridge across the Saint Croix River at the most accessible point between Stillwater and Taylor's Falls, Minn., having met, after full and free onference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 8, 10.

That the House recede from its disagreements to the amendment of the Senate numbered 2, 3, 4, 9, 11, 12, 13; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the word "other" in the part proposed to be inserted by the said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: Strike out the word "other" in the part proposed to be inserted by the said amendment; and the Senate agree to the same.

W. D. WASHBURN, E. W. SEYMOUR, S. R. PETTERS, Managers on the part of the House, O. D. CONGER, S. J. R. McMILLAN, G. G. VEST, Managers on the part of the Senate.

The SPEAKER pro tempore. The Clerk will now read the which accompanies the report under the rules of the House. The Clerk will now read the statement

The Clerk read as follows:

Statement of conference report on H. R. 3258 "to authorize the construction of a bridge across the Saint Croix River at the most accessible point between Stillwater and Taylor's Falls, Minn."

AMENDMENTS

1. Page 2, line 8, strike out "of such;" so that it will read: "Of the bridge and

1. Page 2, line 8, strike out "of such;" so that it will read: "Of the bridge and accessory works."

2. Page 2, line 8, after "works" insert "provided for in this act;" so that it will read: "Of the bridge and accessory works provided for in this act."

3. Page 3, line 9, after "and" insert "the best;" so that it will read: "At an accessible and the best navigable point."

4. Page 3, line 15, after "boats" insert: "Vessels and other water craft: Provided, however, That no bridge shall be built under the provisions of this act except there also be built, at the time of the erection of the piers, proper sheer-booms or other proper protections to safely guide boats, vessels, rafts, and other water craft through said draw-spans, and at the expense of the company or corporation erecting said bridge."

5. Page 4, line 7, strike out "said;" so that it will read: "Bridge or accessory works."

works."

6. Page 4, line 9, after "war" insert; "Not, however, to be in anywise inconsistent with the provisions or conditions of this act."

7. Page 4, line 25, after "bridge" insert: "And the United States shall have the right of way for postal telegraph and telephone lines, free of charge, across said bridge."

1. That this set shall take effect and he in force.

8. Strike out section 6, which is: "That this act shall take effect and be in force

said bridge."

8. Strike out section 6, which is: "That this act shall take effect and be in force from and after its passage."

9. At the end of the bill insert the following sections:

8.E.C. 6. That it shall be the duty of the Secretary of War to require the company or persons owning said bridge to cause such aids to the passage of said bridge authorized by the provisions of this act to be constructed, placed, and maintained at their own cost and expense, in the form of booms, dikes, piers, and other suitable and proper structures for confining the flow of water to a permanent channel, and for the guiding of rafts, steamboats, and other water craft safely through the draw and raft spans, as shall be specified in his order in that behalf; and on the failure of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or made at the expense of the United States, and shall refer the matter without delay to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in any circuit court of the United States in which such bridge, or any part thereof, is located, for the recovery of the cost thereof; and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

8.E.C. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.

The report was adopted.

The report was adopted.

Mr. WASHBURN moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INTERNAL REVENUE.

Mr. HEWITT, of New York, from the Committee of Ways and Means, reported back a bill (H. R. 8254) to amend an act entitled "An act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

COMMITTEE CLERK.

Mr. DOCKERY, by unanimous consent, submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That from and after the 4th of March, 1885, the clerkship of the Committee on Accounts be made an annual clerkship, with compensation at \$2,000

EVENING SESSIONS.

Mr. KING submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That on and after to-morrow (Thursday, February 19), there will be night sessions of the House of Representatives, commencing at 8 p. m. each day, for the consideration and passage of general appropriation bills.

DISTRIBUTION OF SURPLUS COPIES OF THE JOURNALS.

Mr. SMITH, of Pennsylvania, from the Committee on Printing, reported back favorably joint resolution (H. Res. 313) providing for the distribution of surplus copies of the Journals of the two Houses of Congress; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

DISTRIBUTION OF DOCUMENTS.

Mr. SMITH, of Pennsylvania, from the Committee on Printing, also reported back favorably the following resolution.

The Clerk read as follows:

Resolved, That all documents and books ordered to be published by the present Congress, and which are actually printed prior to the first Monday of December next, together with documents and books heretofore ordered to be printed which

have not been actually printed, to which members of the present Congress are or would have been entitled if published prior to the 4th of March next, and which are actually printed prior to the first Monday of next December, shall be allotted, as heretofore, to members of the present Congress and transmitted to their residences as fast as printed, unless otherwise ordered by the members themselves

The SPEAKER pro tempore. The resolution and accompanying report will be referred to the House Calendar, and ordered to be printed.

Mr. SMITH, of Pennsylvania. I ask that the resolution be consid-

The SPEAKER pro tempore. Is there objection.

Several members objected.

Mr. SPRINGER. I understand this to be a privileged resolution. The SPEAKER pro tempore. It is not. It is in regard to the printing and distribution of documents.

INTERNATIONAL POLAR EXPEDITION.

Mr. BRATTON, from the Committee on Printing, reported a joint resolution (H. Res. 335). 03.

The Clerk read as follows:

Resolved, &c., That 2,000 additional copies of Lieut. P. H. Ray's report of the international polar expedition to Point Barrow, Alaska, be printed for distribution by the Chief Signal Officer of the Army.

The resolution was adopted.

Mr. BRATTON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CLAIM AGENTS AND ATTORNEYS IN PENSION CASES.

Mr. ROGERS, of Arkansas. I am instructed by the Committee on the Payment of Pensions, Bounty, and Back Pay to report back favorably the act (8. 2511) relating to claim agents and attorneys in pension cases. I ask for the reading of the bill and report, and when they have been read I shall demand the previous question on the passage of the

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That no agent, attorney, or other person shall demand or receive any fee for his services in pension, arrears of pension, or bounty-land claims until the allowance of the claim.

SEC. 2. That all fees in pension claims shall be paid by the agent for paying pensions out of the first installment of pension due the claimant; and no agent, attorney, or other person shall receive any fee for his services in a pension claim except through the agent for paying pensions, under such regulations as the Commissioner of Pensions may prescribe.

SEC. 3. That the fee in all pension, arrears of pension, or bounty-land claims shall be \$10, except in cases of special written contract, filed in the Pension Office and approved by the Commissioner of Pensions, as hereinafter provided. The claimant may contract with his attorney of record, in writing, in such form as the Commissioner of Pensions may prescribe, for a fee to an amount not exceeding \$25, subject to revision by the Commissioner of Pensions as to the amount to be paid, except in claims for increase of pension where no new disability is alleged, in cases of pensions for service, and in all claims filed in the Pension Office after June 20, 1878, and prior to the 4th day of July, 1884, in which cases no fee above \$10 shall be contracted for; and in all claims filed prior to the passage of this act the attorney shall file a statement, under oath, duly attested, setting forth the amount of fee already received by him, and the amount already received shall be deducted from the fee allowed by this act.

Sec. 4. That the Secretary of the Interior may prescribe rules and regulations governing the recognition of agents, attorneys, or other persons representing claimants before his Department, and may require of such persons, agents, and attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to ena

autorney shown to be incompetent, disreputable, or who retues to about a said rules and regulations, or who shall in any manner deceive, mislead, or threaten any claimant or presumptive claimant by word, circular, letter, or by advertisement.

SEC. 5. That any agent or attorney or other person instrumental in prosecuting any claim for pension, or arrears thereof, who shall directly or indirectly contract for, demand, or receive and retain any compensation for his services or instrumentality for prosecuting a claim for pension, or arrears thereof, under such contract, greater than is herein provided, or in any other manner than herein provided, or shall willfully or knowingly make a false statement in regard to the amount of fee already received, shall be deemed guilty of a high misdemeanor, and, upon conviction thereof, shall for every such offense be fined not exceeding \$1,000, or be confined at hard labor not exceeding two years, or both, at the discretion of the court, and be forever afterward debarred from practicing before the Pension Office.

SEC. 6. That no agent or attorney shall either demand or receive, on account of the prosecution of any claim provided for under the provisions of this act, where such claim was filed after the 20th day of June, 1878, and prior to the 4th day of July, 1884, any fee or sum of money in excess of \$10; nor shall said \$10, or any part thereof, be paid to any agent or attorney until he make and file in the office of the Commissioner of Pensions the affidavit provided for in section 3 of this act; and if it shall appear from said affidavit, or in any other way, that all or any part of said \$10 has been paid, it shall be deducted therefrom, and the residue, if any, shall be paid to such attorney as hereinbefore provided; Provided, That this act shall not be so construed as to interfere with any contracts entered into fairly and without fraud or duress in accordance with the laws existing at the time of making such contract; and that any person who shall violate the provisions

from employing another attorney or agent, but in no such case shall the fee paid such attorney exceed the sum of \$10, under the penalties of the fifth section of this act: Provided, That if such new attorney successfully prosecute such claim, the original attorney or agent shall not be allowed to demand or receive any part thereof, under the penalties of the fifth section of this act.

**SEC. \$3. That hereafter no person or persons who may have been heretofore engaged in the prosecution of pension or bounty-land claims of any character whatsoever, and who may have heretofore collected on account thereof any sum whatever, shall be allowed to sell, assign, convey, or make over to any other person any such claim or claims, so as that it shall be lawful for any vendee or assignee of such claim or claims to demand or receive any other or greater fee than is hereinbefore provided for; nor shall such vendee or assignee be allowed to receive anything therefor until the vendor or assignee of such claim or claims, if alive, shall make and file in the office of the Commissioner of Pensions the affidavit provided for in the third section of this act; and any person or persons who shall violate the provisions of this section shall be subject to the penalties imposed by the fifth section of this act: Provided, That the provisions of this at authorizing contracts for a fee of \$25 shall be limited to automeys or agents residing in the State or Territory or the District of Columbia where the claimant resides, and shall not extend to agents or attorney residing elsewhere; and it shall be unlawful for any agent or attorney residing in a State or Territory or the District of Columbia.

SEC. 9. That all of the provisions of the act making appropriations for the payment of invalid and other pension cases, are hereby repealed: *Provided.* That as to offenses committed under said act all the provisions thereof shall remain in full force.

*Passed the Senate February \$6, 1885.

full force.
Passed the Senate February 6, 1885.

ANSON G. McCOOK, Secretary.

Mr. KEIFER. I make the point of order that notwithstanding this committee has the right under the order of the House to report at any time, it does not carry with it the right of consideration; that the bill must be referred for consideration to the Committee of the Whole House on the state of the Union if it be of that character required to be so considered.

The SPEAKER pro tempore (Mr. Thompson in the chair). The point is not well taken at this time. The right to report at any time includes the reading of the bill and report, after which the Chair will recognize the gentleman to make his point of order.

Mr. KEIFER. I understood the bill was brought here for present consideration. I am required by the rules to make my point of order before the consideration of the bill has been entered upon.

Mr. PRICE. I rise to a parliamentary inquiry whether it is in order

Mr. PRICE. I rise to a parliamentary inquiry whether it is in order to move a substitute for the present bill?

The SPEAKER pro tempore. It is not.

Mr. ROGERS, of Arkansas. I call for the reading of the report. The Clerk read as follows:

Mr. ROGERS, of Arkansas. I call for the reading of the report. The Clerk read as follows:

The Committee on the Payment of Pensions, Bounty, and Back Pay, having had under consideration Senate bill 2311, beg leave to report the same with the recommendation that it pass.

The said bill is in substance the same as an amendment to the House pension appropriation bill, which passed the House at its present session. It embodies also the same principles as the amendment to the House pension appropriation bill which passed the House last session, so that the present bill or the principles embodied in it have twice met the approbation of the House of Representatives in the Forty-eighth Congress, and once in the Senate.

The only difference in this bill of any importance from the amendment to the House pension appropriation bill of the present session is this:

In the amendment to the House pension appropriation bill there was a provision absolutely abrogating all contracts for a greater sum than \$10, executed and filed under the act of July 4, 1884, in cases filed under the act of June 20, 1878, under which last act the fee in all cases was fixed by law at \$10.

This bill does not directly abrogate that class of contracts, but it prohibits the pension agents from paying the pension attorneys anything, directs the check when issued to be turned over to the claimant, and remits the attorney and client to settle the fee between themselves, as the law provided when the claim was filed and the work undertaken. The committee preferred its own bill, but thought this bill would correct the evils of the act of July 4, 1884, if not entirely at least substantially. It at least accomplishes two purposes: First, it saves a considerable per cent. of the force in the Pension Office—for the legitimate work of the office, which, under the act of July 4, 1884, if not entirely at least substantially. It at least accomplishes two purposes: First, it saves a considerable per cent. of the force in the Pension Office—for the legitimate work

Mr. ROGERS, of Arkansas. I demand the previous question upon the adoption of the report.

The SPEAKER pro tempore (Mr. Thompson in the chair). The tleman from Ohio is entitled to be heard upon his point of order.

Mr. KEIFER. I make the point of order against the consideration of this bill in the House. My point of order is that the bill should first be considered in the Committee of the Whole House on the state of the Union, and I call the attention of the Chair to these provisions of the bill.

By section 1 of the bill it will be found that it undertakes to pro-

That no agent, attorney, or other person shall demand or receive any fee for his services in pension, arrears of pension, or bounty-land claims until the al-lowance of the claim.

Section 2 of the bill provides-

That all fees in pension claims shall be paid by the agent for paying pensions

out of the first installment of pension due the claimant; and no agent, attorney, or other person shall receive any fee for his services in a pension claim except through the agent for paying pensions, under such regulations as the Commissioner of Pensions may prescribe.

It will be understood, and there is no dispute about it, that the agent for the payment of pensions named by the second section of the bill is the agent of the Government for the payment of pensions, and not the agent of the claimants for pensions, but is the person who pays out the money of the Government under its appropriation for pensions. By this provision it will be seen that money belonging to the Government which has been appropriated under the laws of Congress to be paid directly by these persons who are called pension agents is paid in another sense to persons who represent the claimants.

Now I call the attention of the Speaker to paragraph 3 of Rule

XXIII:

All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Now, Mr. Speaker, you will note the particular language that applies to this point of order. It is that this bill contains a proposition "authorizing payments out of appropriations already made." That authorizing payments out of appropriations already made." That is out of the moneys of the United States appropriated for the purpose of paying pensions. It is a payment to be made by virtue of the provisions of section 2 out of the moneys of the United States. It does not make any difference whether that is to be charged over as against the persons to whom the pensions are allowed. That makes no difference, because this is a provision in the bill for the purpose of paying out money already appropriated; and therefore I maintain that this bill requires its first consideration in the Committee of the Whole House on the state of the Union and I make the order on the travel on the state of the Union, and I make the point of order on that ground at this time. I make this point of order because it is in accordance with the previous rulings so far as I know of the various Speakers who

have presided here.

Mr. HOLMAN. Just a word on the point of order. I am very confident, Mr. Speaker, that a careful inquiry into this question will disclose the fact that the point of order is not well taken. It comes fairly within the law, and not at all within the rule to which the gentleman

from Ohio refers

The bill simply proposes, out of money already appropriated, or which shall be appropriated, when it shall become the money of the pensioners themselves, that a certain limitation shall be imposed upon the expenditures, not of the money of the United States, but of the amounts to be paid to the party securing the allowance of the pension. It is not therefore an appropriation of the money of the Federal Government, money belonging to the public Treasury, but a designation as to how money appropriated by the Government and belonging to the pension claim-

appropriated by the Government and belonging to the pension claimants shall be applied when it becomes the money of the pensioners. I concede if an appropriation was sought to be made of money belonging to the United States, while still remaining its money, a bill proposing to appropriate that money, or diverting its appropriation, or appropriating money out of it, it being money of the United States, that it would fall clearly within the rule to which the gentleman calls attention. In that case it would be a direct application of the money of the United States for purposes not warranted under the rule, and would require its consideration, were the point of order made in the Committee of the Whole. I submit therefore that the point of order is not well taken; and that this is a limitation upon money which benot well taken; and that this is a limitation upon money which becomes the property of somebody else, and is not the property of the United States when the appropriation which this bill provides is made out of it.

I hope the rule will be read in this connection.

Mr. STEELE. I desire to have this dispatch read on the point of order. It is from the commander of the Grand Army of the Republic of the United States.

The SPEAKER pro tempore. The gentleman will send the dispatch to the desk.

The Clerk read as follows:

Hon. GEO. W. STEELE-

TOLEDO, OHIO.

Mr. ROGERS, of Arkansas. I object to the reading of that. How does it come in here?

The SPEAKER pro tempore. The gentleman from Indiana has a right to be heard upon the point of order.

Mr. HOLMAN. In addition to the suggestion I made a moment ago,

I wish to add that this committee had unanimous consent to report at any time

Mr. RANDALL. And the right to report at any time implies the right to consider.

The SPEAKER pro tempore. The Clerk will read what the gentleman from Indiana sends to the desk, on the point of order.

The Clerk read as follows:

TOLEDO, OHIO, February 18, 1885.

Hon. GEO. W. STEELE: In my opinion the pension-fee bill will work an injury to soldiers and should not pass.

JNO. T. KOUNTZ.

The SPEAKER pro tempore. The Chair is prepared to rule on the

point of order.

Mr. KEIFER. I desire to be heard in reply to the gentleman from Indiana

The SPEAKER pro tempore. The gentleman from Ohio [Mr. KEIFER]

is recognized

Mr. KEIFER. I desire to say in answer to the gentleman from Indiana [Mr. HOLMAN], before the Chair rules on the point of order, that we have discovered for the first time in the history of the Government, if that gentleman's construction of the bill is correct, that we have a right, after money has become the property of an individual to say how he shall spend it and to take it away from him almost by force and ap-

ply it as we please.

The gentleman from Indiana argues that this bill proposes not to use the money of the United States, while it is still the money of the United States, but after it has become the money of the pensioner to say how a portion of it shall be applied. But that is not the fact. Under the bill, if it should become a law, it will be enacted that so much of the first payment that goes to a pensioner shall be paid to the claim agent; and therefore it only reduces the amount of the money that goes on the first payment to the pensioner. The other part the Government holds and would keep, under the bill, to be applied to pay a person who represented a pensioner. It is for that reason the Government is allowed to direct it, and it is in this way that we legislate when we undertake to pay the attorney who represents the pensioner. We undertake to pay it out of the money of the United States, not out of the pensioner's money, because we would not have any such right or authority as that. I do not know the Government of the United States has in any instance undertaken, by any law, to say how a person's property should be applied and used. I think there is no instance of it. It is an attempt to argue out of or around the rule to say we are

undertaking to fix the amount that shall be paid the pension agent who represents the pensioner. It is a mere attempt to go around the rule,

and is not within the spirit of it.

The law is plain and the rule is plain that where we undertake to apply money that has already been appropriated the bill shall have its first consideration in Committee of the Whole House.

Mr. SPRINGER addressed the Chair.

The SPEAKER pro tempore (Mr. THOMPSON). The Chair is ready to rule on the point of order.

Mr. SPRINGER. Very well.

Mr. SPRINGER. Very well.

The SPEAKER pro tempore (Mr. Thompson). The Chair holds the point of order taken by the gentleman from Ohio [Mr. Keifer] is not good. The Chair does not think this is an appropriation of the public money or such an authorizing of payments out of appropriations of the public money already made as brings it within the rule quoted by the gentleman from Ohio [Mr. Keifer].

Mr. HORR. I rise to a privileged question. I raise the question of

consideration on this bill.

The SPEAKER pro tempore. The gentleman from Michigan raises the question of consideration.

Mr. SPRINGER. I submit that it is too late to raise the question

of consideration. We have proceeded to consider the bill.

Mr. HORR. I beg the gentleman's pardon; we have not done so.

Mr. STEELE. I gave notice that I reserved the right to raise the question of consideration.

The SPEAKER protempore. The gentleman from Ohio [Mr. Keifer] raised a point of order on this bill which was reserved till the reading of the report. The point of order has been ruled against. Now, the gentleman from Michigan [Mr. Horr] raises the question of consideration against the bill.

Mr. SPRINGER. The report has been read, the point of order has been discussed and ruled when and the bill is now rending before the

Mr. SPRINGER. The report has been read, the point of order has been discussed and ruled upon, and the bill is now pending before the House. The time to raise the question of consideration was when the gentleman from Arkansas called up the bill.

The SPEAKER protempore. The gentleman from Ohio [Mr. Keifer], in raising the point of order, went further and also raised the question of consideration. He made the point that this was not a privileged bill except for the purpose of report. The Chair ruled that it was privileged for the purpose of consideration. But any gentleman has the right, of course, at any time before consideration begins to raise the question of consideration

Mr. HORR. No doubt of it.

The SPEAKER pro tempore. And the gentleman from Michigan was in time, because the report was read by unanimous consent and not as a matter of right.

Mr. ROGERS, of Arkansas. I had the floor, and demanded the reading of the report while holding the floor.

The SPEAKER pro tempore. The point of order was pending at the time; and the report could only be read, while the point of order was

pending, by unanimous consent.

Mr. SPRINGER. What is the question now?

The SPEAKER pro tempore. The question is, Will the House now, consider this bill?

The question being taken, there were—ayes 78, noes 67. Mr. HORR. I call for tellers.

Mr. KEIFER. I call for the yeas and nays.

The SPEAKER pro tempore proceeded to put the question on ordering

the yeas and nays.

Mr. CANNON. I make the point that a quorum did not vote.

The SPEAKER pro tempore. The House is now dividing on the question whether it will order the yeas and nays.

On the question of ordering the yeas and nays there were ayes 23not a sufficient number.

Mr. ROGERS, of Arkansas. I now call the previous question.
Mr. HORR. I demanded tellers because there was no quorum.
The SPEAKER pro tempore. The gentleman has the right to a vote

by tellers. Mr. HORR. I demand them.

The SPEAKER pro tempore. A quorum not having voted, the Chair will order tellers, and appoints the gentleman from Arkansas, Mr. ROGERS, and the gentleman from Michigan, Mr. HORR.

Mr. HOLMAN. Tellers were called for too late.

The SPEAKER pro tempore. The call for tellers on the original motion is not too late; a call for tellers on the yeas and nays would be too

Mr. PAYSON. Mr. Speaker, I rise to a parliamentary inquiry.
The SPEAKER pro tempore. The gentleman will state it.
Mr. PAYSON. There is some misapprehension in this part of the Chamber as to the precise question upon which we are voting, and I desire to ask the Chair to state the question.

The SPEAKER pro tempore. The Chair will state the question. Tellers have been ordered upon the question of consideration of this bill, and all who are in favor of considering the bill at the present time will pass between the tellers; and the Chair designates the gentleman from Michigan, Mr. HORR, and the gentleman from Arkansas, Mr. ROGERS, to act as tellers.

The House divided; and the tellers reported 110 voting in the affirm-

ative; and 100 in the negative.

ative; and 100 in the negative.

The SPEAKER pro tempore. The ayes have it.

Mr. ROGERS, of Arkansas. Mr. Speaker, I now demand the previous question on the passage of the bill.

Mr. HORR. Mr. Speaker—

The SPEAKER pro tempore. The Chair has recognized the gentle-

man from Michigan twice

Mr. HORR. Mr. Speaker, I wish to state that the result as announced does not come within twenty votes of according with the tally which I kept, and I kept it as accurately as I could.

The SPEAKER pro tempore. The Chair can only take the vote as reported by the clerk at the Speaker's table.

Mr. HORR. Well, it is a mistake.

The SPEAKER pro tempore. In justice to the clerk, the Chair will state that it was a vote taken after such a fashion as made it difficult, if not impossible, for the clerk or for the tellers to ascertain the result

accurately.

Mr. CANNON: Mr. Speaker, I rise to a point of order. If a challenge

of the vote is made by one of the tellers, or by any member of the House, there is but one thing to do, namely, to take the vote over again.

The SPEAKER pro tempore. The Chair thinks that is but fair, as the manner in which the vote was taken was the fault of the House. The ayes were not counted at one time, nor were the noes. The Chair will ask the tellers to resume their places, that the vote may be taken

Mr. ROGERS, of Arkansas. Mr. Speaker, is it in order now to de-

mand the yeas and nays?

The SPEAKER pro tempore. The Chair thinks it is not, because the yeas and nays have been refused.

Mr. CANNON. But you can reconsider that.

Mr. HATCH, of Missouri. I move to reconsider the vote by which

the yeas and nays were refused.

The question was taken; and the motion of Mr. HATCH was agreed to.
Mr. HATCH, of Missouri. Now, Mr. Speaker, I demand the yeas
and nays on the motion of the gentleman from Michigan [Mr. HORR] on the question of consideration.

The yeas and nays were ordered.

The SPEAKER pro tempore. The yeas and nays have been ordered, and the Chair will state the question is on proceeding to the consideration of this bill at this time.

Mr. HEWITT, of Alabama. Mr. Speaker, does this bill antagonize the river and harbor bill?

The SPEAKER pro tempore. The Chair hardly thinks that is a par-

liamentary inquiry.

Mr. RANDALL. Mr. Speaker, the pensioners of this country ought not to be left another year under the present system, which is one of

extortion on the part of claim agents.

The SPEAKER protempore. The gentleman from Pennsylvania [Mr. RANDALL] is not in order.

Mr. HEWITT, of Alabama, and Mr. RANDALL both further addressed the Chair, but the confusion was such that they could not be

Mr. BROWNE, of Indiana. Mr. Speaker, I rise to make a parliamentary inquiry, which the Chair need answer.

The SPEAKER pro tempore. The Chair will not recognize any gen-

tleman until order is restored in the Hall. There is so much confusion that the Chair must direct the Sergeant-at-Arms to see that members come to order and resume their seats.

The Sergeant-at-Arms, bearing the mace, proceeded through the Hall

The Sergeant-at-Arms, bearing the mace, proceeded through the Hall until order was restored.

The SPEAKER pro tempore. The Chair will now hear the gentleman from Indiana [Mr. Browne].

Mr. Browne, of Indiana. Mr. Speaker, I simply desire to inquire whether this is a Senate bill or a House bill.

The SPEAKER pro tempore. The Chair does not think that that is a parliamentary inquiry. The Clerk will proceed with the call of the

The question was taken; and it was decided in the negative—yeas 116, nays 136, not voting 72; as follows:

VEAS-116

Alexander,	Dingley,	Millard,	Smith, A. Herr
Anderson,	Dockery,	Morgan,	Smith, H. Y.
Arnot,	Dorsheimer,	Moulton,	Springer,
Bagley,	Eaton,	Murray,	Stockslager,
Beach,	Elliott,	Nelson,	Stone,
Bennett,	Ellwood,	Nicholls,	Storm,
Bland,	English,	Nutting,	Strait,
Boutelle,	Ermentrout,	Paige,	Struble,
Boyle,	Everhart,	Parker,	Sumner, D. H.
Bratton,	Ferrell,	Payson,	Swope,
Broadhead,	Follett,	Perkins,	Thomas,
Brown, W. W.	Fyan,	Peters,	Tully.
Browne, T. M.	Geddes,	Pettibone,	Vance,
Burnes,	Greenleaf,	Potter,	Wadsworth,
Campbell, J. M.	Hanback,	Randall,	Wakefield,
Carleton,	Hancock,	Ray, G. W.	Wallace,
Cassidy,	Hardy,	Reid, J. W.	Ward,
Cobb,	Hatch, W. H.	Reese,	Warner, A. J.
Collins,	Haynes,	Rice,	Weaver,
Converse,	Hewitt, A. S.	Rogers, J. H.	Wemple.
Cook,	Holman,	Rogers, W. F.	White, Milo
Cosgrove,	Holmes,	Rosecrans,	Whiting.
Cox, S. S.	Hopkins,	Rowell,	Wilkins,
Cox, W. R.	James,	Seney,	Winans, E. B.
Culbertson, W. W.		Shively,	Winans, John
Cullen,	Kleiner,	Singleton,	Wood,
Curtin,	Lovering,	Skinner, C. R.	Worthington,
Davis, R. T.	Lowry,	Slocum,	Yaple,
Deuster,	Matson,	Smalls,	York.
		ST 4 370 300	

NAYS-136. Dibrell, Dixon, Ellis, Evans, Findlay, Atkinson, Ballentine, Barbour, Barksdale, Barbour, Barr, Bayne, Bisbee, Blackburn, Blanchard, Blount, Bowen, Breitung, Breitung, Buchanan, Buckner, Budd, Burleigh, Caldwell, Caldwell, Caldwell, Cangbell, Felix Campbell, Felix Cannon, Clardy, Clements, Covington, Crisp, Culberson, D. Dargan, Davidson, Davis, G. R. Davis, L. H. Dibble, Jones, B. W. Jones, J. H. Jones, J. T. Keifer, Kelley, King, Lacey, Lanham, Lawrence, Lewis, McCoid, McComas, McCormick, McMillin, Miller, J. F. Miller, S. H. Millis, Woney, Morrill, Muldrow, Murphy, Necee, Oates, Pusey, Reagan, Robertson, Robinson, W. E. Russell, Finerty, Foran, Forney, Funston, Glascock, Goff, Graves, Seymour, Skinner, T. G. Snyder, Spooner, Steele, Steehenson, steele,
Stephenson,
Stephenson,
Stephens,
Stewart, Charles
Sumner, C. A.
Talbott,
Taylor, J. D.
Taylor, J. M.
Thompson,
Tillman,
Turner, H. G.
Turner, Oscar
Valentine,
Van Eaton,
Wait,
Warner, Richard
Wellborn,
Weller,
White, J. D.
Williams,
Williams,
Willson, James
Wise, G. D.
Wolford,
Young. Graves, Green, Guenther, Halsell, Hammond, Hardeman, Harmer, Hart, Hemphill, Henderson, T. J. Henley, Hewitt, G. W. Hill, Hiscock, Hobitzell, Hart. Oates,
Ochiltree,
O'Neill, Charles
Patton,
Payne,
Peel,
Pierce,
Poland,
Price,
Pryor, Holton, Hollon, Horr, Houseman, Howey, Hunt, Hurd, Jeffords. Johnson,

NOT VOTING-72

Adams, G. E.	Fiedler.	Le Fevre.	Ray, Ossian
Adams, J. J.	Garrison,	Long,	Reed, T. B.
Aiken.	George,	Lore,	Riggs.
Belford.	Gibson,	Lyman,	Robinson, J. S.
Belmont.	Hatch, H. H.	McAdoo.	Rockwell,
Bingham,	Henderson, D. B.	Maybury.	Ryan,
Brewer, F. B.	Hepburn,	Mitchell.	Shaw.
Brewer, J. H.	Herbert,	Morrison,	Spriggs,
Brumm,	Hitt.	Morse,	Stewart, J. W.
Chalmers,	Hooper,	Muller.	Taylor, E. B.
Clay,	Houk.	Mutchler.	Throckmorton,
Connolly,	Hutchins,	O'Ferrall,	Townshend.
Craig,	Jordan,	O'Hara,	Tucker.
Cutcheon,	Kean,	O'Neill, J. J.	Van Alstyne,
Dowd,	Kellogg,	Phelps,	Washburn,
Dunham,	Ketcham,	Post,	Wilson, W. L.
Dunn,	Laird,	Rankin,	Wise, J. S.
Eldredge,	Lamb,	Ranney,	Woodward,

So the House refused to proceed to the consideration of the bill.

Mr. HENDERSON, of Illinois. I ask that the reading of the names be dispensed with.

WARNER, of Ohio. I object.

The Clerk having reported the vote, the following pairs were announced:

On all political questions until further notice: Mr. MORRISON with Mr. JOHN S. WISE.

Mr. Shaw with Mr. Laird. Mr. Rankin with Mr. Kellogg.

Mr. LAMB with Mr. KETCHAM.

Mr. Throckmorton with Mr. Ezra B. Taylor. Mr. Spriggs with Mr. O'Hara.

Mr. JORDAN with Mr. DUNHAM.

For this day: Mr. Aiken with Mr. Ryan. Mr. Le Fevre with Mr. Hooper.

Mr. DUNN with Mr. ROCKWELL.

Mr. GIBSON with Mr. Brewer, of New Jersey. Mr. Fiedler with Mr. Henderson, of Iowa.

Mr. MAYBURY with Mr. HEFBURN.
Mr. MULLER with Mr. BREWER, of New York.
Mr. CONNOLLY with Mr. CRAIG.
Mr. HERBERT with Mr. HOUK.

On this vote:

Mr. Morse with Mr. RAY, of New Hampshire.

Mr. CLAY with Mr. BINGHAM

Mr. TOWNSHEND with Mr. WASHBURN.

The SPEAKER pro tempore. On this question the yeas are 116, the nays 136. The House refuses to proceed with the consideration of this bill. The bill will go to the House Calendar and the report be printed.

ORDER OF BUSINESS.

Mr. HUTCHINS. I move to dispense with the morning hour. The motion was agreed to, two-thirds voting in favor thereof.

Mr. WILLIS. I move that the House now resolve itself into Com-

mittee of the Whole on the state of the Union, my purpose being to call

up the river and harbor bill.

Mr. HUTCHINS. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of taking

up the navel appropriation bill.

Mr. WILLIS. I hope the gentleman will not make that motion. think it was the understanding distinctly and plainly yesterday and to-day-

Several members called for the regular order.

The SPEAKER pro tempore. The regular order is called for.

[Mr. Willis, Mr. Keifer, Mr. Hiscock, and Mr. Hutchins, amid some confusion, engaged in a brief colloquy on the order of business.]

The SPEAKER pro tempore. Debate is not in order. The regular order has been demanded. The reporters will not put into the Record anything that may have occurred since the regular order was demanded. manded.

Mr. WILLIS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The Chair will recognize the gentleman in a moment for his parliamentary inquiry. The gentleman from New York [Mr. HUTCHINS] moves that the House now resolve itself into Committee of the Whole on the state of the Union for the purpose of proceeding to the consideration of general appropriation bills. Does the gentleman from Kentucky [Mr. WILLIS] rise to a parliamentary

Mr. WILLIS. I can not, of course, under the rules express my surprise, and I do not [laughter]; but I rise to ask, if this motion be voted down, whether we can not go into Committee of the Whole to call up the river and harbor bill.

Mr. STORM. Nobody knows that better than the gentleman from

Kentucky.

The SPEAKER pro tempore. The Chair would certainly say that is in the province of the House. The question is on the motion of the gentleman from New York.

Mr. KEIFER. I ask unanimous consent for a little time for debate

in order to determine this matter; it will save time when we get into

committee.

The SPEAKER pro tempore. The Chair will only say that the regular order has been demanded, and the Chair has no power to indulge debate. The question is on the motion of the gentleman from New York that the House resolve itself into Committee of the Whole House on the state of the Union to consider general appropriation bills. The question being taken, there were—ayes 81, noes 99.

Mr. HUTCHINS. I call for the yeas and nays.

The yeas and nays were ordered.

The yeas and nays were ordered.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES, from the Committee on Appropriations, reported a bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior

years, and for other purposes.

Mr. WILLIS. All points of order are reserved on that bill.

The bill was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accom-

panying report, ordered to be printed.

Mr. BURNES. I give notice that I will call up this bill as soon as the naval bill is disposed of.

ORDER OF BUSINESS.

The SPEAKER pro tempore. The question will now be taken by yeas and nays on the motion of the gentleman from New York [Mr.

HUTCHINS] that the House resolve itself into Committee of the Whole on the state of the Union to consider general appropriation bills.

The question was taken; and it was decided in the negative—yeas 102, nays 139, not voting 83; as follows:

VEAS-102

Alexander.	Elliott.	McAdoo,	Springer,
Anderson,	English,	McComas,	Steele,
Barr,	Ermentrout,	Matson,	Stewart, J. W.
Bayne,	Evans,	Millard,	Stockslager,
Beach.	Everhart,	Mitchell,	Storm,
Belmont,	Ferrell,	Morgan,	Struble,
Blount,	Follett,	Morrill,	Sumner, D. H.
Boutelle,	Fyan,	Moulton,	Swope,
Boyle,	Geddes,	O'Neill, Charles	Townshend,
Broadhead.	Halsell,	Parker,	Turner, H. G.
Brown, W. W.	Hardeman,	Patton,	Turner, Oscar
Browne, T. M.	Hardy,	Pierce,	Van Alstyne
Burnes,	Harmer,	Poland,	Wadsworth,
Campbell, J. M.	Hatch, W. H.	Potter,	Wait,
Campbell, J. E.	Hewitt, A. S.	Price,	Ward,
Cobb,	Hiscock,	Randall,	Warner, A. J.
Collins,	Holman,	Ranney,	Warner, Richard
Converse,	Hopkins,	Reed, T. B.	Washburn,
Cosgrove,	Howey,	Reese,	White, J. D.
Cox, W. R.	Hutchins,	Rice,	Wilkins,
Crisp,	Jones, B. W.	Riggs,	Winans, E. B.
Deuster,	Kean,	Rogers, J. H.	Winans, John
Dixon,	Lanham,	Rosecrans,	Wood,
Dockery,	Long,	Seney,	York.
Dorsheimer,	Lowry,	Smith, H. Y.	
Eldredge,	Lyman,	Spooner,	
	N	AYS-139	

Atkinson,	Finerty,	Lewis,	Skinner, T. G.
Bagley,	Foran,	Libbey,	Sloeum,
Ballentine.	Forney,	Lore,	Smalls,
Barbour,	George,	McCoid,	Smith, A. Herr
Barksdale,	Glascock,	McCormick.	Snyder,
Bennett,	Goff,	McMillin,	Stephenson,
Bisbee.	Green,	Miller, J. F.	Stevens,
Blackburn,	Greenleaf,	Miller, S. H.	Stewart, Charle
Blanchard,	Guenther,	Milliken,	Sumner, C. A.
Bland,	Hammond,	Mills,	Talbott,
Brainerd.	Hanback,	Money,	Taylor, J. D.
Bratton.	Hart,	Muldrow,	Taylor, J. M.
Breckinridge,	Hatch, H. H.	Murphy,	Thomas,
Breitung,	Hemphill,	Neece,	Thompson,
Budd,	Henderson, T. J.	Nelson,	Tillman,
	Henley,	Nicholls,	Tucker,
Burleigh,			
Cabell,	Hewitt, G. W.	Nutting,	Tully,
Caldwell,	Hoblitzell,	Oates,	Valentine,
Campbell, Felix	Holmes,	Ochiltree,	Vance,
Cannon,	Holton,	O'Neill, J. J.	Van Eaton,
Carleton,	Horr,	Payne,	Wakefield,
Clements,	Houseman,	Payson,	Wallace,
Cook,	Hunt,	Peel,	Weaver,
Culberson, D. B.	Hurd,	Perkins,	Wellborn,
Culbertson, W. W.	James,	Peters,	Weller,
Cullen,	Jeffords,	Phelps,	Williams,
Dargan,	Johnson,	Pryor,	Willis,
Davis, G. R.	Jones, J. H.	Pusey,	Wilson, James
Davis, L. H.	Jones, J. K.	Ray, G. W.	Wilson, W. L.
Dibble,	Jones, J. T.	Reagan,	Wise, G. D.
Dibrell,	Keifer,	Reid, J. W.	Wolford,
Dowd,	King,	Robertson,	Worthington,
Ellis,	Kleiner,	Rowell,	Yaple,
Ellwood.	Lacey,	Shively,	Young.
Findlay.	Lawrence,	Skinner, C. R.	
	NOT V	OTING-83.	

	NOT V	OTING-83.	
Adams, G. E. Adams, J. J. Aiken, Arnot, Belford, Bingham, Bowen, Brewer, F. B. Brewer, J. H. Brumm, Buckner, Candler, Candler, Candly, Clay, Covington, Cox. S. S.	Curtin, Cutcheon, Davidson, Davis, R. T. Dingley, Dunham, Dunn, Eaton, Fiedler, Funston, Garrison, Gibson, Graves, Hancock, Haynes, Henderson, D. B. Hepburn, Herbert, Hill,	Houk, Jordan, Kelley, Kellogg, Ketcham, Laird, Lamb, Le Fevre, Lovering, Maybury, Morrison, Morse, Muller, Murray, Mutchler, O'Ferrall, O'Hara, Paige, Pettibone, Post,	Ray, Ossian Robinson, J. S. Robinson, W. E. Rockwell, Rogers, W. F. Russell, Ryan, Seymour, Shaw, Singleton, Spriggs, Stone, Strait, Taylor, E. B. Throckmorton, Wemple, White, Milo Whiting, Wise, J. S. Woodward.
Craig,	Hooper,	Rankin,	

So the House refused to consider the naval appropriation bill. During the roll-call,

Mr. WILLIS moved by unanimous consent to dispense with the reading of the names.

Mr. HUTCHINS objected.

The following additional pairs were announced from the Clerk's desk: Mr. Robinson, of New York, with Mr. Cutcheon, for to-day. Mr. Davidson with Mr. Kelley, on this vote. Mr. Beach with Mr. Strait, for this day.

The vote was then announced as above recorded.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. WILLIS. I move that the House resolve itself into the Committee of the Whole House on the state of the Union. I announce it to be my purpose to call up for consideration the river and harbor appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HAMMOND in the chair.

The CHAIRMAN. When the committee rose it was dividing on the proposition of the gentleman from Minnesota [Mr. WASHBURN], when mo quorum appeared, and the tellers will resume their places.

Mr. WASHBURN. Before that, Mr. Chairman, I wish to say the

chairman of the Committee on Rivers and Harbors proposes to change this harbor board in such a way as to meet my views, and therefore I will withdraw the point of no quorum.

So there may be no mistake, I desire to say that it is proposed this harbor board or commission or whatever it may be called shall be constituted of three members of the Engineer Corps of the Army, one from

the Coast and Geodetic Survey, and three civilians.

Mr. WILLIS. I believe the outcome will be what the gentleman states, but we have not as yet come to any agreement. The drift, how-

ever, is in that direction.

Mr. WASHBURN. I withdraw the point of order.

Mr. WHITE, of Kentucky. I want to understand what this agree-

Mr. WASHBURN. I withdraw the demand for a quorum on the

Mr. WHITE, of Kentucky. But what was it all about?

The CHAIRMAN. The question was on the amendment of the gentleman from Minnesota [Mr. WASHBURN] to the amendment of the committee. Is the Chair right in that?

Mr. WASHBURN. Yes.
The CHAIRMAN. The ayes were 38 and the noes 66, so the amend-

ment to the amendment is rejected.

Mr. WHITE, of Kentucky. I offer an amendment to strike out lines 213 to 305, inclusive, and in lieu thereof to insert what I send to the Clerk's desk to be read.

The Clerk read as follows:

The Secretary of War is hereby directed at his discretion to cause examina-tions or surveys, or both, and estimates of cost or improvements proper to be made at Galveston Harbor, Texas, and to ascertain and report what further work, if any, is necessary at that locality.

Mr. WHITE, of Kentucky. I have been asked whether this is not precisely the same amendment I offered before. It is not. The one I offered before was to strike out from lines 213 to 231 inclusive.

offered before was to strike out from lines 213 to 231 inclusive. In this amendment I propose to strike out from line 213 to 305 inclusive and to insert what has been read by the Clerk.

Now, Mr. Chairman, the idea is this, if I can get the ear of the committee, that during the past we have been led into this error by the member from Texas [Mr. Reagan], late ex-postmaster-general of the confederacy, to believe that Galveston Harbor could be improved, and from time to time we have given various sums of money, which in the aggregate amounted to nearly \$2,000,000. It is in testimony and undisputed that this harbor has cost the Government nearly \$2,000,000, and that the result has been a great deal of property has been destroyed. and that the result has been a great deal of property has been destroyed in Galveston and only about two inches of water have been gained in

It has being the case, and inasmuch as we provide in section 9 of the bill that hundreds of thousands of dollars shall be spent to make these surveys under the direction of the Secretary of War and to report to Congress whether they should be improved—I make this point in view of the fact we are wasting nearly \$2,000,000 under the leadership of the distinguished gentleman to whom I have alluded-I say it is high of the distinguished gentleman to whom I have alfuded—I say it is high time we should stop and let the Secretary of War have new surveys and new reports made to Congress, and let the next Congress, which will be run in large measure by that spirit which did not control us successfully about twenty years ago—let the next House under the influences which will then control it from the White House to both wings of this Capitol—let them take the responsibility, and let not the Republican administration or this House with so many Republican members be led into the error of trying to establish a harbor where there is no water into the error of trying to establish a harbor where there is no water.

The CHAIRMAN. There are two amendments to strike out the

same lines and insert new matter in lieu thereof. The first in order is that of the committee.

Mr. HART. I desire to offer an amendment, which I ask the Clerk to read.

The Clerk read as follows:

Add to the amendment of the committee:
"The United States harbor board provided for in this bill, in the discharge of their duty, shall not confine their examinations to reports on what is known as the jetty system, but shall also examine and report upon such other plans as give reasonable assurance of success in the improvements of the rivers and harbors of the country."

Mr. HART. That is not the amendment I intended to forward. The CHAIRMAN. That is the amendment the gentleman sent to

the desk.

Mr. HART. My amendment in substance is this: That the United States harbor board appointed by this bill—

The CHAIRMAN. The Chair suggests the gentleman had better correct his amendment and send it to the desk.

Mr. HART. Very well; I will forward it in writing.

Mr. WILLIS. The gentleman's amendment comes in better at section 5, and I ask him to reserve it until then. The harbor board is

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constituted and its duties prescribed. I, however, only make the sug-

Mr. HART. I will defer offering my amendment until later in the bill.

The CHAIRMAN. The question, then, is on agreeing to the amendment of the Committee on Rivers and Harbors, proposed by the chairman of the committee

The question was taken; and on a division there were—ayes 97, noes 1. Mr. WHITE, of Kentucky. No quorum.

The CHAIRMAN. A quorum being demanded, the Chair will order tellers

Mr. WHITE, of Kentucky, and Mr. BRECKINBIDGE were appointed tellers

Mr. WHITE, of Kentucky. Mr. Chairman, there seems to be a mis-understanding about the proposition we are called to vote upon. [Cries of "Regular order!"]
The CHAIRMAN.

It is whether the committee will adopt the

The CHAIRMAN. It is whether the committee will adopt the amendment proposed by the Committee on Rivers and Harbors.

Mr. WHITE, of Kentucky. I ask that it be read.

Mr. BLANCHARD. I object. [Cries of "Regular order!"]

The CHAIRMAN. The question is on agreeing to the amendment, and the tellers will take their places.

The committee again divided; and the tellers reported—ayes 155,

So the amendment was agreed to.

Mr. BLAND. I desire to offer an amendment after line 843. Mr. HOLMAN. I wish to offer an amendment to the proposition which has just been adopted.

The CHAIRMAN. The gentleman will send it to the desk.
The Clerk proceeded to read the amendment.
Mr. WHITE, of Kentucky. I rise to a question of order.
The CHAIRMAN. The gentleman will state it.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE, of Kentucky. I offered an amendment to this paragraph which has not-been voted upon.

The CHAIRMAN. As the Chair understands the rule, when a motion to strike out and insert has been adopted, another motion to strike out the same lines and insert yet something else is not in order.

The first amendment, being the amendment proposed by the committee to strike out and insert, having been adopted, in the opinion of the Chair the amendment of the gentleman from Kentucky on the left to strike out the same words and insert something else is not in order.

Mr. WHITE, of Kentucky. Do I understand the Chair to hold that when an amendment is adopted it is not in the power of the committee to adopt another which would progress a little further in the same direction?

direction'

The CHAIRMAN. It is impossible for the Chair to state what the gentleman from Kentucky understands [laughter]; but the Chair stated what the Chair understands to be the rules and practice of the House

Mr. WHITE, of Kentucky. I appeal from the decision of the Chair. Mr. BLAND. I make the point of order that it is too late. The CHAIRMAN. The Chair thinks that the gentleman from Ken-

tucky rose in time.

Mr. WHITE, of Kentucky. And on that appeal I desire to be heard.

The CHAIRMAN. The gentleman from Kentucky is entitled to the floor if he wishes to be heard on the appeal.

Mr. WHITE, of Kentucky. Mr. Chairman, I call the attention of the Chair to page 1686 of the RECORD of the proceedings of this House, and I ask to have read the agreement which was entered into in regard to the offering of amendments in the consideration of this bill. I can not turn to the page just now, but will ask the Clerk to read from the desk in the hearing of the House what took place, to the effect that any support who desired to do so might offer amendments to this section of person who desired to do so might offer amendments to this section of the bill and have three minutes in which to explain them; and I contend that I have the right under this agreement to have a vote in the

committee upon the amendment.

Mr. WILLIS. I hope if the gentleman contends only for a vote that the committee will allow that to be done.

Mr. WHITE, of Kentucky. I have now before me the RECORD to which I refer, and I will read myself.

Upon the motion of my colleague from Kentucky [Mr. WILLIS], that the House resolve itself into Committee of the Whole to proceed with the consideration of the river and harbor bill, the following proceedings

Mr. White, of Kentucky. Pending the motion of my colleague from Kentucky, I move that when the House resolve itself into Committee of the Whole and resume consideration of the river and harbor bill, it shall be in order to have all the amendments read which may be offered; and that each person offering an amendment shall be allowed five minutes—or three minutes I will say—to explain each one of his amendments.

The Speaker pro tempore. The Chair hardly thinks the motion of the gentleman from Kentucky is in order.

Mr. Willis. I would not object to that.

The Speaker pro tempore. The House has made an order as to the debate that shall be allowed in Committee of the Whole House on the state of the Union, and the chairman of that committee would have the discretion as to the matter of recognition.

Mr. White, of Kentucky. I ask unanimous consent. I believe it will facilitate business.

The SPEAKER pro tempore, Is there objection to the request of the gentleman from Kentucky [Mr. White]?

There was no objection.

Now, when the chairman took the chair to preside over the Committee of the Whole, the same gentleman who now occupies the Chair,

The Chairman. The House is in Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill. Since the last sitting of the committee the House has directed that when amendments shall hereafter be offered each gentleman offering the same shall be entitled to three minutes to explain it. That the Chair understands to be in addition to the hour and a half already allotted for debate.

Now I complain that it would be perfectly ridiculous to give any person the right to offer an amendment and three minutes in which to discuss it under this agreement unless it carried with it the privilege to demand a vote in the committee. I am well aware of the fact that the committee, by some agreement with the gentleman from Wisconsin [Mr. Washburn], has offered a substitute in place of what the bill carries, but that substitute gives Galveston \$500,000.

Mr. BLANCHARD. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANCHARD. I make the point of order that the gentleman

from Kentucky is not discussing the question of order raised by himself.

The CHAIRMAN. The Chair thinks the gentleman should be allowed to proceed to state his question of order.

Mr. WHITE, of Kentucky. And the point of order I make is that, notwithstanding the fact that the chairman of the committee and some members of the committee and the gentleman from Wisconsin have agreed upon a certain amendment to this bill which has been voted agreed upon a certain amendment to this bill which has been voted upon and incorporated into the bill, it is still within the power of the committee, if it chooses, to vote on my amendment, which provides that the Secretary of War shall make a preliminary investigation before expending the money which is provided in the bill. Now I hope we shall have a vote upon that amendment.

The CHAIRMAN. The gentleman from Kentucky has appealed from the decision of the Chair. The Chair has already ruled upon the question; and the pending question before the committee now is: Shall the decision of the Chair stand as the judgment of the committee?

The question being taken on the appeal the decision of the Chair

The question being taken on the appeal, the decision of the Chair as sustained.

The CHAIRMAN. The Clerk will report the next amendment.

Mr. HART. Before the Clerk proceeds further—

The CHAIRMAN. The gentleman from Indiana [Mr. HOLMAN] has sent up an amendment which is next in order.

The Clerk read the amendment proposed by Mr. HOLMAN, as follows:

The Clerk read the amendment proposed by Mr. Holman, as follows:

Amend the amendment by adding the following:

"Provided, That no more of this appropriation shall be expended than is actually necessary to protect the work now done by the Government engineers, and to make the necessary surveys and maps, until the private corporations, namely, the Galveston Wharf Company, the City Land Company, and the Gulf, Colorado and Santa Fé Railroad Company shall have constructed a pile breakwater or training wall on the south side of the channel in Galveston Harbor and on the north end of their property along said channel, said work to commence at the east or lower end of the wharf company's present works, and extending across the ends of the above-mentioned properties to and connecting with the Government works at Fort Point."

Mr. HOLMAN. I am not sufficiently familiar with the subject-matter to know whether this work is indispensably necessary in the improvement of that harbor or not. I submit the proposition at the instance of a very intelligent gentleman who submitted it to me. And inasmuch as it seems that the improvement of that harbor in a large degree inures to the benefit of those three corporations, it seems eminently proper they should incur the expense of the improvement which directly and immediately benefits their property. I am told the construction of the works indicated will be necessary in connection with this improvement of Galveston Harbor, and that those works would immediately increase

the value of their property.

Gentlemen can judge as well as I can whether the public money should be appropriated to improve private property without that private property contributing to the result.

Mr. REAGAN. I ask unanimous consent, because the chairman of

the Committee on Rivers and Harbors said he would not object to debate in good faith, to say a word in answer to what has been submitted in favor of this invidious and improper proposed amendment.

Mr. BRECKINRIDGE. The chairman of the committee does not mean to say that any debate is necessary. There is no propriety in that

amendment.

Mr. MILLS. Let us vote it down.

Mr. HISCOCK. It is impossible in this part of the Hall to hear what

is transpiring.

Mr. REED, of Maine. I wish to inquire whether the amendment has been assented to by the Committee on Rivers and Harbors.

Mr. BRECKINRIDGE. By no means.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Indiana.

The question being taken, there were—ayes 44, nays 73. So (further count not being called for) the amendment was not

The CHAIRMAN. The Clerk will report the next amendment. The Clerk read the following amendment, offered by Mr. LORE.

Amend by adding after line 305 the following:
"Improving harbor at Wilmington, Del., \$25,000; which shall include the \$15,000 hereinbefore in this bill appropriated for that purpose."

Mr. WILLIS. I am compelled very reluctantly to make the point Mr. WILLIS. I am compened very reductantly to make the point of order on that amendment. We have passed that point of the bill. The appropriation for the harbor at Wilmington, Del., is made at line 170, page 8, of the bill.

Mr. LORE. I withdraw the amendment for the present.

The CHAIRMAN. The Clerk will report the next amendment, which is that offered by the gentleman from Ohio [Mr. HART].

Mr. HART. The proposition is to amend the amendment of the

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add to the amendment adopted the following:

"And the harbor board, if they find it impracticable to construct a first-class harbor at Galveston at a reasonable cost, are hereby authorized and required to examine and report as to the practicability of constructing such a harbor at some other point on the Gulf of Mexico within the State of Texas."

Mr. REAGAN. I make the point of order that that amendment is offered too late.

The CHAIRMAN. The Chair thinks the amendment is in order.

Mr. REAGAN. The amendment is offered after the committee has

acted on other amendments and passed from that part of the bill.

The CHAIRMAN. The gentleman from Texas is mistaken on the uestion of fact. The committee has not passed from that part of the

Mr. REAGAN. I understand the Clerk is reading amendments as we pass along the bill, and that he is not reading the bill by paragraphs.

The CHAIRMAN. That is true; but the gentleman from Ohio pro poses to offer an amendment to come in at line 305, at the end of the

poses to offer an amendment to come in at line 305, at the end of the paragraph for which the substitute has been adopted.

Mr. REAGAN. Can amendments be made to that paragraph all the time? I submit that we have acted on an amendment offered to a subsequent clause relating to the harbor at Wilmington.

The CHAIRMAN. The gentleman from Texas is mistaken as to the matter of fact. An amendment was proposed to the preceding clause relation to the harbor at Wilmington.

lating to the harbor at Wilmington and was withdrawn. acted upon. The question is on the amendment proposed by the gentleman from Ohio [Mr. HART].

The question being taken, there were—ayes 25, noes 73.

So (further count not being called for) the amendment was not agreed to.

Mr. REED, of Maine. I wish to inquire of the Chair whether it would be in order to move to strike out from the amendment in relation to Galveston Harbor the sum of "\$500,000" and insert "\$200,000." The CHAIRMAN. The Chair thinks not. That portion of the sec-

tion having been amended by striking out and inserting is not subject to amendment.

Mr. REED, of Maine. That being the decision of the Chair, I wish to say there was \$200,000 or \$250,000 once offered for that harbor and rejected; and now it seems to get \$500,000 on precisely the same conditions.

The CHAIRMAN. Discussion is out of order.

The Clerk read from line 306 to line 310 of the bill, as follows:

Improving Sabine Pass, Texas and Louisiana: Continuing improvement, \$125,000. Improving harbor at Ashtabula, Ohio: Continuing improvement, \$8,500.

Mr. WILLIS. Mr. Chairman, as I understand, it is not the reading of the bill that is now in order, but the calling up of the next amend-

ment.

The CHAIRMAN. The gentleman is correct. The Clerk will read

The Clerk read the next amendment (offered by Mr. FORAN), as fol-

After the word "dollars," in line 314, insert the following:
"Provided, That said amount shall be expended in the construction of a section of breakwater of the same size and character of the present lake arm of said harbor of refuge, to begin at a point three hundred and fifty feet north from the northeast corner of the east end of, the lake arm and extending 4,000 feet in a direction east nine degrees north, or as near that direction as future soundings may decide: And provided further, That the \$100,000 appropriated for continuing the improvement of said Cleveland Harbor by act of Congress approved July 5, 1884, and entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' is hereby made available for the construction of said section of breakwater as aforesaid."

Mr. WILLIS. Mr. Chairman, as I understand it that amendment does not in any way increase the appropriation, but merely directs the manner of its expenditure in accordance with the plans of the engineers, and the committee see no objection to it.

The amendment was agreed to.

The Clerk read the next amendment (offered by Mr. WARNER, of Ohio), as follows:

In line 332, strike out the word "fifteen" and insert the word "thirty;" so that it will read:
"Improving ice-harbor at the mouth of Muskingum River, Ohio: Continuing improvement, \$30,000."

Mr. WARNER, of Ohio. Mr. Chairman, I ask unanimous consent that that amendment be passed over for the present until I can have certain papers bearing upon the necessity for it.

The CHAIRMAN. No objection being made, the amendment will

be passed over for the present.

The Clerk read the next amendment (offered by Mr. SHIVELY), as

In line 345, substitute for the word "forty" the word "fifty;" so that the para-

"Improving the harbor at Michigan City, Ind.: Continuing improvement, \$50,000."

Mr. SHIVELY. Mr. Chairman, I trespass on the attention of the committee only to indicate that this amendment is entirely compatible with reasonable and discreet economy in the expenditure of the public funds. It will be observed that the United States Chief of Engineers recommends for the continued improvement of this harbor an appropriation of \$200,000. The River and Harbor Committee allow but 20 per cent. of this amount. My amendment simply increases this allowance to \$50,000, or 25 per cent. of the sum recommended by the War Department. Situated as this harbor is, at the southern extremity of Lake Michigan, bringing the commerce of the lake into direct connection with the Michigan Central, the Louisville and New Albany, the Wabash, Saint Louis and Pacific, and in close proximity to the Chicago and West Michigan, and the Lake Shore and Michigan Southern Railroads, and being, as official statistics demonstrate, a distributing point for and a potent factor in the commerce of Indiana, Michigan, Ohio, Kentucky, Illinois, Missouri, and Kansas, its importance can not be overestimated nor its claims disregarded.

Within the past year over 226,000,000 feet of lumber have passed over the docks at Michigan City. This represents an increase of 70,000,000 feet over two years ago, to say nothing of the proportionate or even greater increase in the amount of iron ore, pig-iron, and merchandise handled through this harbor during the same time. Now, Mr. Chairman, while it is impossible in the three minutes allowed for debate on amendments to fully state the merits of this case, I respectfully submit to the committee that this amendment is entirely justified by the report of the Chief of Engineers, entirely justified by the importance of this harbor, entirely justified by precedent, and entirely justified by that prudence and discretion which should prevail in perfecting bills of this

character.

The question was taken upon the adoption of the amendment; and there were-ayes 45, noes 54.

A MEMBER. No quorum. Tellers were ordered.

The CHAIRMAN. The tellers will take their places. The Chair designates the gentleman from Indiana, Mr. SHIVELY, and the gentleman from Kentucky, Mr. WILLIS, to act as tellers on the pending ques-

Mr. BRECKINRIDGE. Will the Chair please state the question? The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SHIVELY], which the Clerk again

The Clerk read as follows:

In line 345, strike out the word "forty" and insert "fifty;" so that the paragraph will read:
"Improving harbor at Michigan City, Ind.: Continuing improvement, \$50,00," &c.

The committee proceeded to divide again; but before the count by tellers was concluded,
Mr. SHIVELY. I do not insist on a further count.

So the amendment was not agreed to.

The CHAIRMAN. The next amendment is one submitted by the gentleman from Wisconsin [Mr. PRICE], which will be read.

The Clerk read as follows:

Amend by striking out on page 18, lines 414 to 424, both inclusive, and inserting in lieu thereof the following:

"Improving harbor at Superior Bay and Harbor, and Saint Louis Bay, Wisconsin: Continuing improvement, \$30,000. And the engineer in charge, in his next annual report, shall submit an estimate of the cost of a dredge-boat, or other facilities that may be needed for dredging the harbors of Duluth and Superior: Fifteen thousand dollars of the money hereby appropriated are to be expended in dredging in said Superior Bay and Harbor and in repairing piers at natural entry, and \$15,000 in dredging in said Saint Louis Bay, from deep water at Connor's Pointtoward deep water at Grassy Point."

Mr. PRICE. I think that after a little explanation this amendment will be adopted without any difficulty. I am informed by a gentleman near me that this expectation is exceedingly absurd; possibly it may prove so.

The recommendation of the engineers for one part of this improvement was \$75,000. That recommendation was in the possession of the Committee on Rivers and Harbors; and upon it they gave \$12,500. There was a supplemental report from the engineers for \$70,000 additional, making \$145,000 as the total recommendation of the engineers as the amount that could be judiciously expended d'iring the coming year.

I say the committee was not in possession of the supplemental recommendation. I tried to get it to them but signally failed. The House, however, is now in possession of the fact that the amount recommended by the engineers for the work contemplated in this paragraph is \$145,000.

I ask the adoption of an amendment that will give a little less than 25 per cent. of this; that is all I ask.

The appropriation proposed in the bill is less than 9 per cent. of the amount recommended by the board of engineers. The report of the committee in this respect arose partially from mistake, partially from want of correct understanding of the facts. The majority of the committee, however, do now understand this matter, and admit that the bill does not treat this subject fairly. But they say, "Go to the Senate." I reply, "Go to." [Laughter.] I say here is where I want this question understood. Here is where I expect the appropriation to be made. I merely ask to have this appropriation increased to something less than 25 per. cent. of the amount recommended by the engineers, the bill providing for only 9 per cent.

The commerce of that section is infinitely in excess of other places for which this bill appropriates 500 per cent. of the amount recommended by the engineers. I could show, if I had time, that the commerce there is worth taking care of. There are five railroads being built; two are already built; two extensive flouring mills are going up; two elevators are being built. The future of that section of the country, if it be only decently taken care of, can scarcely be foreseen or foretold.

it be only decently taken care of, can scarcely be foreseen or foretold.

I hope that the Committee of the Whole will favorably consider this amendment. I ask nothing but what is right; I would not ask for anything else. I know that the committee did not know, and they would not know. This Committee of the Whole does know.

The question recurred on Mr. PRICE's amendment.
The committee divided; and there were—ayes 62, noes 74.
Mr. PRICE. No quorum has voted.
The CHAIRMAN appointed as tellers Mr. PRICE and Mr. WILLIS.
The committee again divided; and the tellers reported—ayes 68,

So the amendment was rejected.

Mr. PRICE. I desire to send up another amendment to this proposition, which I ask the Clerk to read.

The Clerk read as follows:

Amend by striking out, on page 18, lines 414 to 424, both inclusive, and insert in lieu thereof the following:

"Improving harbor at Superior Bay and harbor at Saint Louis Bay, Wisconsin: Continuing improvement, \$28,000; and the engineer in charge, in his next annual report, shall submit an estimate of the cost of a dredge-boat or other facilities that may be needed for dredging the harbors of Duluth and Superior; \$14,000 of the money hereby appropriated to be expended in dredging in said Superior Bay and harbor and in repairing piers at Natural Entry, and \$14,000 in dredging in said Saint Louis Bay from deep water at Coxmer's Point toward deep water at Grassy Point."

Mr. WILLIS. I reserve the point of order until the gentleman has

been heard.

Mr. PRICE. I will occupy the floor for just a moment. Now, Mr. Chairman, the simple reason why this did not pass the Committee on Rivers and Harbors, and therefore the reason it is not included in this river and harbor appropriation bill, is because that committee was not acquainted with the facts which have since been communicated to Congress. The support given to the original proposition was so encouraging I have brought forward this proposition, having reduced the amount somewhat, and now take the opportunity to say to this House there is no living man who can raise a reasonable objection against the proposed amendment, unless it be simply this, that the work of the committee is so sacred it must not be infringed upon or else chaos and confusion

will come again and reign in our midst.

I say to you in any court among honest men [laughter]—that is the word—I say no honest men would do as we are doing. I doubt not the intelligence and integrity of this House, but the point I make is this, that we have additional information on this subject than that which we had when this bill was drawn up. We now have a new and supplementary report before this House which was not before the Committee on Rivers and Harbors. They knew nothing of it. In the opinion of the engineer \$70,000 should be appropriated for one purpose I have indicated and the committee have not given a cent for it. They have extended the provisions of the bill, for which I am indebted to the courtesy of the gentleman from Louisiana [Mr. Blanchard]. The estimates of the engineers for the two works is \$145,000; it is really but one scheme, and the bill provides for less than 9 per cent. of the estimate. Now, will you say this bill is so sacred, even with new evidence and new communications before the committee, that no amendment is to be made to it, that it must be adopted just as it has been

ment is to be made to it, that it must be adopted just as it has been reported from the committee?

If there was anything in opposition to public interests embodied in the amendment, or if there is anything right that we are going to subserve by carrying the bill through without any amendments, then, of course, I would expect you to reject my amendment. But, for the reason stated, I hope the committee will agree to it.

Mr. THOMAS. Will the gentleman permit me to ask him if it is not true that the engineers report only fifteen vessels as having entered that port during the last year?

that port during the last year?

Mr. PRICE. I have not the information before me to answer the

gentleman's suggestion.

Mr. THOMAS. I have it before me, and the committee had it before them when this bill was made up.

Mr. PRICE. I am not in condition to refute that statement of the

Mr. PRICE. I am not in condition to refute that statement of the gentleman, not having the papers before me.

Mr. THOMAS. I repeat that only fifteen vessels entered that port during the last year, as shown by this report, and we gave 25 per cent. of the estimates made by the engineers.

Mr. PRICE. I regret, Mr. Chairman, that I have not time to make fitting answer to that. I have now lying on my desk the last report of the engineers, showing an estimate of \$75,000 for this work, and upon my desk also rests another report—

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment submitted by the gentleman from Iowa.

The question was taken.

The question was taken.

Mr. WILLIS. If I may be permitted to make a statement I will say that there has been an additional report made by the engineers since the committee acted on this proposition, and I am while a vote this amendment shall be agreed to, reserving the right to take a vote

in the House upon it.

Mr. PRICE. That is entirely acceptable to me.

The CHAIRMAN. The Chair will submit the request of the gentleman from Kentucky to the committee. The gentleman asks unanimous consent that this amendment be considered as agreed to in the Committee of the Whole, subject to a vote in the House Mr. WELLER. I object.

The CHAIRMAN. The Chair will again submit the question to the committee.

The question was taken on agreeing to the amendment of Mr. Price; and on a division there were—ayes 80, noes 24.

So (no further count being demanded) the amendment was agreed to. The CHAIRMAN. The Clerk will now report the next amendment proposed by the gentleman from Minnesota [Mr. Nelson].

The Clerk read as follows;

Amend line 435 by striking out "\$31,500" and insert in lieu thereof "\$50,000.

Mr. NELSON. Mr. Chairman, I beg leave to make a few statements to the committee in reference to the importance of this harbor, and I believe they will be satisfactory as indicating the necessity for this in-

The city of Duluth has now grown to be a great shipping point in the Northwest on the furthermost end of Lake Superior. It is the terminus of the Northern Pacific Railroad, and the Saint Paul and Duluth Railroad, and over these lines of road and through that port 15,000,000 bushels of wheat are shipped annually. This class of commerce requires for its accommodation vessels of the largest size, as large as can possibly pass through the Saint Mary's Canal. It is essential as can possibly pass through the Saint Mary's Canal. It is essential that this harbor at Duluth should be deepened to accommodate vessels drawing at least sixteen feet of water. From the local engineer's report, Mr. Wells, it appears that in many places the harbor is only thirteen, fourteen, and less feet in depth. His recommendation is that it be dredged to a uniform depth of not less than eighteen feet, so as to enable the free entrance of vessels drawing sixteen feet.

I may say further in reference to this harbor of Duluth that it is to some extent an artificial harbor. It is situated in the innermost part of Superior Bay, but the entrance to it is through a canal. This canal every spring when the ice breaks up, owing to the sandy formation of the bed and the upheaval of sand bars, is placed in such a condition as to require extra work and the piere also require extra work. to require extra work, and the piers also require extra work, hence the Government engineer reported that a fund of \$10,000 is necessary for emergencies. Take out this emergency fund of \$10,000 and it will leave only \$21,000 as the bill is now fixed. I trust that the committee will agree to this amendment.

[Here the hammer fell.]
The question being taken on the adoption of Mr. Nelson's amendment, the committee divided; and there were-ayes 57, noes 40.

Mr. STORM. No quorum has voted. I demand tellers.
The CHAIRMAN. Does the gentleman from Pennsylvania demand tellers

Mr. STORM. I have demanded tellers.

The CHAIRMAN. The Chair will appoint tellers.

Mr. STORM and Mr. NELSON were appointed tellers.

Before the announcement of the vote,
Mr. STORM withdrew the demand for a quorum.

So (no further count being demanded) the amendment was agreed to. The CHAIRMAN. The Clerk will now report the next amendment, submitted by the gentleman from Mississippi [Mr. VAN EATON]. The Clerk read as follows:

After line 446 insert: "Improving harbor at Natchez, Miss.: Continuing improvement, \$75,000."

Mr. WILLIS. I will suggest that this amendment is not in order until we reach the paragraph relating to the Mississippi River, and I make the point of order that it is not applicable here.

The CHAIRMAN. The Chair thinks that under the order fixed by

the House it will be in order to propose an amendment at any time. The Chair suggests, however, that the gentleman from Mississippi might be willing to postpone the amendment for the present.

Mr. VAN EATON. I will let it be passed over temporarily, to be

considered when the paragraphs of the bill relating to the Mississippi

The CHAIRMAN. The Chair would suggest, then, that the gentle-man had better change the number of the line where the amendment is to come in, so that the Clerk will know when to offer it.

The Clerk will now report the next amendment submitted by the gentleman from Rhode Island [Mr. SPOONER].

The Clerk read as follows:

In line 456, amend by striking out "twenty-five" and insert in lieu thereof "fifty;" so that the paragraph will read:
"Improving Providence Riverand Naraganset Bay, Rhode Island: Continuing improvement, \$50,000."

Mr. SPOONER. This is but a small amount of the appropriation for this improvement that was recommended by the engineers. to carry on a most important work. In Narraganset Bay we have a depth of thirty feet of water extending from the ocean to about five miles from the city of Providence. The change in the character of seagoing craft necessitates an increased depth and width of channel, which is provided for by the improvement now in progress.

The tonnage of that port and the number of vessels there, going to that port and sailing therefrom, and the importance of its commerce to

that port and sailing therefrom, and the importance of its commerce, to which I referred the other day, all justify the very reasonable request that is made for the appropriation that is provided for by this amend-

This is not asked for the improvement of any trout stream; it is not for macadamizing any road; it is not to build anything for the advantage of private property. But, sir, it is for the benefit of an existing national commerce. I ask consideration for that which actually existing circumstances justify me in demanding consideration for; not for something that is problematical; not for something that may be, but for something that actually is. And I trust the committee will do that justice to the necessities of the work in my locality which is called for by this amendment.

by this amendment.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Rhode Island [Mr. SPOONER].

The question being taken, there were—ayes 45, noes 69.

Mr. SPOONER. No quorum.

The CHAIRMAN. A quorum not having voted, the gentleman from Rhode Island, Mr. SPOONER, and the gentleman from Kentucky, Mr. WILLIS, will act as tellers.

The committee again divided; and the tellers reported—ayes 56,

noes 109.

So the amendment was not agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read the following amendment (proposed by Mr. WAIT): In line 464 strike out "\$20,000" and insert "\$30,000;" so that it will read: "Improving Thames River, Connecticut: Continuing improvement, \$30,000."

Mr. WAIT. The river Thames probably in proportion to its size has more commerce than any other river in the Union. Two great lines of railroad center at Norwich: the New London, running in a northwesterly direction from Norwich through Connecticut and Massachusetts and connecting with lines of railroad in Vermont, &c., to the Canadian line; and the Norwich and Worcester, running in a northeasterly direction through Connecticut and Massachusetts, connecting with lines of railroad acadian into Massachusetts, connecting with lines of railroad reaching into Maine. Those railroads concentrate there. And the raw material that goes to all the great manufacturing and mechanical establishments in the New England States passes over this river on steamboats and propellers and goes to the interior to supply those establishments.

That river is frequently lined from one end of it to the other with barges and vessels that carry coal to drive the machinery of the me-chanical establishments in New England that require steam in addition to the water power. Lumber is brought from the East and taken ton to the water power. Lumber is brought from the East and taken up there, and then scattered throughout New England. Heretofore this committee has given \$30,000 and \$35,000 for the improvement of this river. In this bill it appropriates only \$20,000. All I ask is this addition of \$10,000 to carry the appropriation up to what has been given in years past. As a matter of economy, let me say, it will cost just as much to get your steam-dredges there and your boats to carry off the excavations to carry out an expenditure of \$20,000 as with an expenditure of \$30,000. When you get the dredges and the mud-diggers and the secons there to relieve the river, you may just as well go on and spend scows there to relieve the river, you may just as well go on and spend the additional \$10,000; for all the machinery and implements are there that are necessary to protect the improvement.

I certainly trust that when all I ask is the sum which has been meted out to us in the past the House will be willing to give it to that river

with its vast amount of commerce.

I want to say one word more. The products of the great manufacturing and mechanical establishments that dot the New England States, and which are to be carried to a market in the city of New York or in the South, pass over the railroads that I have named and by water communication over the river Thames to New York. With a view to carrying these products to market it is of vital importance that the navigation of this river should be improved.

The question being taken on agreeing to the amendment offered by Mr. Wait, there were—ayes 49, noes 74.

So (further count not being called for) the amendment was not agreed

The CHAIRMAN. The Clerk will report the next amendment. The Clerk read the following amendment (offered by Mr. BOUTELLE):

Insert after line 464: "Improving the mouth of the Narragaugus River at Millbridge, Me., \$15,000."

Mr. BOUTELLE. An amendment somewhat similar was offered by me at a previous session of the committee asking an appropriation of \$20,000. It was lost on the narrow margin of 81 to 84 votes. I have now reduced the amount, bringing it within the pro rata established by

the Committee on Rivers and Harbors, and I desire to have a vote of the Committee of the Whole upon it.

I do not intend to debate this amendment any further. I simply wish to remind the House that it is based upon the report of the engineer made in 1880, and the only objection, so far as I know, made by the Committee on Rivers and Harbors has been that it was not embraced in the estimates presented this year. I have corresponded with the district engineer and find that a new survey is unnecessary. If a survey should be ordered the engineers would report against it, and that the present report in the Book of Estimates of 1880 is ample for this improvement. Upon that statement I trust the Committee on Rivers and Harbors will approve the insertion of this amendment for this needed improvement

Mr. WILLIS. I must insist on the point of order that we have

passed that part of the bill.

The CHAIRMAN. The gentleman from Kentucky raises the point of order.

Mr. WILLIS. I am compelled to do it in order that we may get on

with the bill.

The CHAIRMAN. The gentleman from Kentucky [Mr. WILLIS] raises the point of order that this matter has already been passed over in the bill and voted on.

Mr. BOUTELLE. I ask, as a parliamentary inquiry, is not this an

entirely different amendment from the other?

The CHAIRMAN. The Chair will state that under the five-minute The CHAIRMAN. The Chair will state that under the live-limited debate any variation of a proposition would make a different question and authorize gentlemen to be heard pro and con; but, by the direction of the House, it was ordered that we should proceed from the point at which the bill had been read by paragraphs to finish the balance of it, taking up amendments that were on the Clerk's desk in their order, each amendment to be debated for three minutes in its favor, nothing being allowed in reply. The Chair thinks that by a fair construction that meant that all behind that point should be considered as passed, and this is as if we had passed away from a paragraph

and a request was made to go back to it.

Mr. BOUTELLE. But I submit, Mr. Chairman, that we have just recurred to paragraphs affecting this very same section of country.

The CHAIRMAN. The Chair is not advised of any recurrence be-

yond the place at which the House directed that debate should be

Mr. BOUTELLE. Well, Mr. Chairman, I am not willing to take up the time of the House for \$15,000.

The CHAIRMAN. The point of order is sustained, and the Clerk

will read the following amendment.

The Clerk read the next amendment (offered by Mr. HISCOCK), as follows:

Strike out lines 465 and 466 and insert:

"For removing obstructions in East River and Hell Gate, New York:

"For completing excavation at Flood Rock and Frying-Pan in Hell Gate, \$60,00; for grappling and removing in part the broken stone of the explosion of Flood Rock, \$260,000."

Mr. HISCOCK. Mr. Chairman, I find by the engineer's report which we have here that it is estimated that \$500,000 will be required for the improvements indicated in this amendment. The committee have recommended an appropriation of \$20,000. I do not suppose it is necessary here for me to demonstrate by facts and figures the necessity of improving the harbor of New York, and I would like to understand from the chairman of the Committee on Rivers and Harbors why it is that with these estimates before them the committee recommended the

meager appropriation of \$20,000.

Mr. WILLIS. It is because last year the committee gave \$360,000, the full amount that was asked, to explode that rock, and the engineer said that \$20,000 in addition was all that would be needed for that

work

Mr. Chairman, in reply to that I have this to say, that for the simple purpose of this explosion \$20,000 is all that is needed. But, so far as the other works there are concerned, the committee have failed to make any recommendation, and the engineer in his report, which he has submitted to you, has stated that \$600,000 is necessary for the removal of broken rock.

Mr. WILLIS. That follows after the other is done, and they have \$371,000—

Mr. HISCOCK. It follows after the other is done, and I have before

me a letter from the Chief Engineer saying that the work will be entirely suspended next October unless this appropriation is made—that the explosion will take place on the 1st day of October, or some time in

October, and that then work must cease entirely unless more money is appropriated. Now, I appeal to the chairman of the Committee on Rivers and Harbors to accept this amendment which I have offered. I have not asked more than 33\frac{1}{2} per cent., which I understand to be the proportion of the estimates allowed under the general rule of the com-

The question was taken on the amendment offered by Mr. Hiscock,

and there were—ayes 67, noes 69.

So the amendment was not agreed to.

The CHAIRMAN. The Clerk will read the next amendment.

The Clerk read the next amendment (offered by Mr. PARKER), as

Amend by inserting, after line 468, the following:
"Improving Salmon River to a 9-foot channel, between Fort Covington and
the boundary line, \$20,000; but this money shall not be expended until the Secretary of War shall be satisfied that the Canadian Government has provided for
a like improvement of said river from the boundary line to the Saint Lawrence
River.

Mr. PARKER. Mr. Chairman, in this case the report was not re-ceived and printed until after the bill was reported to the House from the Committee on Rivers and Harbors, and, therefore, the committee did not pass upon this item. The amendment is offered upon the recommendation of the engineer in charge, and I will not occupy time in discussing it, but will simply read from the report of the Secretary of War, based upon a former report of the engineers, which in part is as follows:

Extracts from communication made to the House by the Secretary of War, under date of January 26, 1885.

[From report of Lieutenant-Colonel Robert.]

United States Colonel Robert.

United States Englished Office,
Oswego, N. Y., December 31, 1884.

Sie: I have the honor to submit the following report on the survey of the Salmon River, at and below Fort Covington, N. Y., just completed, under my direction, by Assistant Engineer L. Y. Schermerhorn.

The report of the preliminary examination of this locality, made by me personally, was submitted under date of the 4th of last October.

Of the five miles of the Salmon River below Fort Covington, one mile lies in the United States and about four miles in the Dominion of Canada.

I would then recommend the following project for the improvement of the Salmon River at and below Fort Covington, N. Y.

The river should be dredged from the boundary line up to Salmon street, in Fort Covington, a distance of about 4,390 feet, to a width of about 75 feet, except at sharp bends, where it should be increased to 100 feet, and to an available depth of 9 feet at low water, ultimately to be increased to 12 feet; provided the depth of the dredging in no case exceeds that which the Chief of Engineers is satisfied is to be attained on the lower portion of the river.

[From report of Assistant Engineer L. Y. Schermerhorn.] MATERIAL TO BE REMOVED.

The river bed consists of blue clay, both free from and mixed with stone, as shown on the profile in the accompanying map. Borings were made at frequent intervals, and in the parts of the river bed marked "blue clay" the bottom was quite soft, and the iron rods could be forced to the indicated depth with great ease. In the parts marked "clay and stone" the iron bars required heavy driving, but the resistance encountered was more due to stone than to the hardness of the clay with which the stones were associated.

ESTIMATE.

For a dredged channel about 4,300 feet in length, extending from the boundary line to a point abreast of Salmon street, in Fort Covington, seventy-five feet in width except at bends, and nine feet available depth at low water, the estimate would be as follows:

 40,000 cubic yards mud, soft clay, and gravel, at 25 cents.
 \$10,000

 13,000 cubic yards clay mixed with stones, at 50 cents.
 6,500

 Contingencies.
 3,500

CANADIAN CO-OPERATION.

It is stated by parties interested in the general improvement of the Salmon River that the Canadian Government is ready to undertake the improvement of the river within their borders if that part of the river between Fort Covington and the boundary line is to be improved by the United States.

The recently completed United States and Canadian Railroad, which extends from Fort Covington northeasterly to the boundary line, connects Fort Covington with the railroad systems of Canada and the United States by branches of the Canada Grand Trunk Railroad, one connection reaching Montreal and another Rouse's Point, N. Y. An extension of the railroad from Fort Covington westward to Norwood is in process of construction; this extension will connect the previously described railroad lines with the western connections of the Rome, Watertown and Ogdensburg Railroad.

AN OBJECT OF THE IMPROVEMENT.

AN OBJECT OF THE IMPROVEMENT.

AN OBJECT OF THE IMPROVEMENT.

With the improvement of the Salmon River it is proposed to make Fort Covington a point of distribution by rail of coal received by water transit, and also for the water shipment of iron ore from the mines of Northern New York. These demands, together with the agricultural products of a productive belt of country tributary to such water and rail facilities, will, it is thought, make Fort Covington an important receiving and distributing point, and justify the expenditure by the National Government of the amount required to make the Salmon River navigable between Fort Covington and the boundary line.

RECOMMENDATION OF THE SECRETARY OF WAR.

From the facts presented by Lieutenant-Colonel Robert of the present and prospective demands of commerce it appears that an improvement to the extent of a dredged channel seventy-five feet wide and nine feet deep at low water between Fort Covington and the boundary line, estimated to cost about \$20,000, would be judicious at this time if its continuation by the Canadian Government could be assured.

This stream rises in the Adirondacks and flows into the Saint Lawrence north of the international boundary line. At present there is regular steamboat navigation with the ports upon the Saint Lawrence

up to the town of Dundee, one mile below Fort Covington, where the Canada and United States Railroad crosses the Salmon River, and to which point this improvement is intended to reach.

This proposition, which has the recommendation of the engineer and is approved by the Secretary of War, is to make one mile of navigation above the boundary line so as to connect with the present and prospective navigation in the same stream below, connecting with the navigation of the Saint Lawrence and the lake. Therefore I ask that the amendment be adopted.

The amendment was not agreed to.
The next amendment (by Mr. VAN ALSTYNE) was read, as follows: In line 470, strike out the words "twenty thousand dollars" and insert in place thereof the words "thirty-five thousand one hundred and two dollars and forty-six cents."

Mr. VAN ALSTYNE. Mr. Chairman, if this bill is to pass, it is right that this amendment should prevail. It will close out the unappropriated estimate which is required for the completion of this contemplated improvement. By reference to the report of the engineers it will be found that the unappropriated estimate is the sum named in the amendment. The report also states that this sum can profitably be expended during the next fiscal year.

Sir. I feel almost ashamed to say anything to this intelligent audi-

Sir, I feel almost ashamed to say anything to this intelligent auditory on the subject of the Hudson River. It is no new discovery. It is named on the earliest maps of this country. It is a stream of the utmost importance with reference to commerce. It is not a meadow-brook, but a maritime river, on which the tide has its influence for one bundled and fifty six miles.

hundred and fifty-six miles.

It was stated here the other day that nearly two-thirds of the commerce of this country centers in the city of New York. If that be true, one-half of it passes up and down the valley of the Hudson, and a large proportion of it passes on the waters of the Hudson.

The proposed improvement is not problematical. It has been going on for a series of years, and actual results have shown that the improvement is calculated to accomplish the result intended—the construction of longitudinal dikes to fill in the places between the islands formed by the alluvial drift of this river.

And, sir, we do not rely exclusively upon the assistance of the Federal Government in the matter. I see before me a gentleman who has been a member of the canal-board of New York, and he knows that the tonnage of the canals of our State which floats upon the waters of this river amounts on the average to 5,500,000 tons, and that is only a small proportion of the tonnage of the river. The State of NewYork has been appropriating year after year \$30,000 for the improvement of this river over the very stretch where its improvement by the Federal Government has been going on. I hope the amendment will be accepted by the chairman of the committee.

[Here the hammer fell.]
The question being taken on agreeing to the amendment of Mr. VAN

ALSTYNE, there were—ayes 53, noes 59.

Mr. VAN ALSTYNE. No quorum.

Tellers were ordered; and Mr. VAN ALSTYNE and Mr. WILLIS were

appointed.

The committee again divided; and the tellers reported—ayes 54, noes

Mr. VAN ALSTYNE. I will not insist further on the point that no quorum has voted.

So the amendment was not agreed to.

The next amendment (by Mr. KEAN) was read, as follows:

At line 478 insert the following:
"Continuing improvement of Raritan River, New Jersey, \$60,000; of which \$20,000 shall be expended in improving the South Channel."

Mr. KEAN. Mr. Chairman, in a bill which seeks to appropriate so many thousands of dollars to the improvement of the commerce and navigation of the country where commerce and navigation do not at the present time exist, due respect it seems to me should be had for the

commerce that does now exist.

The commerce of the Raritan River is now over 2,000,000 tons per annum, and its money value more than \$40,000. When a river has such a commerce, I think, Mr. Chairman, this committe should give a reasonable sum for its improvement.

Mr. PHELPS. I wish to say only a word in support of the suggestion made by my colleague [Mr. Kean]. It seems to me that all amendments of this character strengthen this bill in a direction where it is weak. The criticism is made that the appropriations in this bill are very generous to rivers and harbors where commerce may be, but very niggardly and scanty to rivers and harbors where commerce is. Here is a small river requiring a small expenditure for its improvement, a river on which commerce now exists in conspicuous abundance, 20,000 vessels passing through it each year. For these vessels and for this commerce it seems to me accommodation ought to be provided, especially when so small a sum will do it, and when the provision instead of weakening will strengthen the general merits of the bill.

Mr. WILLIS. My friend will permit me to say that nine-tenths of the rivers embraced in this bill receive only 25 per cent. of the estimate of the engineers, while this river receives 33½ per cent.

Mr. PHELPS. In that point of view I acknowledge the appropria-

tion in the bill is just; but we should consider the amount of business which this river does in comparison with some of the others.
[Here the hammer fell.]

The question being taken on the amendment of Mr. Kean, it was not agreed to, there being—ayes 43, noes 85.

The next amendment, also by Mr. Kean, was read, as follows:

After line 479 insert:
"Improving South River, New Jersey: Continuing improvement, \$5,000."

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard on his amendment?

Mr. KEAN. I do. This improvement was provided for in a river and harbor appropriation bill some years ago; but since 1882 no appropriation has been made for it. The Government work already done will be activable to the same appropriation by made at this time for will be entirely lost unless some appropriation be made at this time for it. Navigation demands it, and commerce also. I trust the chairman of the Committee on Rivers and Harbors will listen to that amendment and allow it to go into the bill.

The committee divided; and there were—ayes 39, noes 76.

Mr. KEAN. No quorum.

The Chair appointed as tellers Mr. Kean and Mr. Willis. Mr. Willis. I hope the gentleman from New Jersey will with-

Mr. KEAN. Very well. I will withdraw the point of no quorum.

So the amendment was rejected.

The next amendment (by Mr. RAY, of New York) was read, as fol-

'After line 497, insert:
'"And for improving the Susquehanna River in New York and Pennsylvania,
\$1,000,000,000, to be expended under the direction of the Secretary of War."

[Laughter and applause.] Mr. RAY, of New York. I desire to say a word on that amend-

Mr. WILLIS. I rise to a point of order.

Mr. RAY, of New York. I desire to say, Mr. Chairman, in support of this amendment that if adopted it will inaugurate the grandest scheme of the nineteenth century.

The CHAIRMAN. Gentlemen will resume their seats and preserve

order. It is impossible to hear what is going on.

Mr. WILLIS. The point of order I make is this: I am sure my friend from New York was not here when the arrangement was made. General debate was limited to an hour and a half, and when that time had expired my friend from Kentucky in order to facilitate gentlemen desiring to make remarks in legitimate explanation of amendments they have offered asked that it might be enlarged so as to allow three minutes in each case for that purpose. I submit now to my friend from New York whether this amendment comes within the terms of that consent. If he thinks it does I will waive the point of order.

Mr. RAY, of New York. I trust the gentleman will waive his point It will give me only three minutes. I certainly have not

of order. It will give me only three minutes. I certainly have not burdened the House with remarks up to this time.

Mr. WILLIS. I do not insist on the point of order.

Mr. RAY, of New York. Mr. Chairman, the Susquehanna takes its rise in the beautiful Otsego Lake, amid the vine-clad hills of Central New York, and winding in graceful curves through fertile valleys and between rugged mountains, it makes its way through the southern part

between rugged mountains, it makes its way through the southern part of New York and the great State of Pennsylvania and pours its waters into the Chesapeake Bay. It is a grand old river, old as the continent. Its waters are pure and limpid. Its banks, from its source to its mouth, are dotted with great, busy cities and picturesque villages.

Wealth and prosperity abound along its banks, and the possibilities for the commerce that may float upon its bosom are unbounded. This amendment proposes to transform the entire five hundred miles traversed by this river into a busy mart of commerce. The modest sum proposed to be appropriated by this amendment will, judiciously expended, simply inaugurate the grandest scheme of the nineteenth centpended, simply inaugurate the grandest scheme of the nineteenth centnry. It will give employment to thousands of men, and the house-wives and children fed by the judicious expenditure of these paltry thousand millions of dollars will have reason to rise up and call this

Congress blessed.

Let us do something for suffering humanity; let us employ the in-dustrious, feed the poor, clothe the naked, and hand our names down to posterity as the most lavish of the generous; let us adopt this amendment and go out of existence surrounded by a halo of magnanimous glory; let us prove to the world that we are not stingy or penurious or behind the spirit of the age in the expenditure and distribution of other people's money. Such seems to be the object, the purpose, the general scheme of this bill. Let us then adopt every proposition that shall tend

to perfect the measure.

This magnificent stream is not disfigured by sand or mud bars. The finny tribes which disport themselves in its waters are longing for the beneficent influences of an appropriation. The dairymen who dwell upon its banks pine for the music of the steamboat whistle and the commercial facilities an ever-open and unobstructed navigation will give them. The Otsego Lake is navigable for small steamboats now. A part of this river is navigable for small steamboats a portion of the year now. By the expenditure of this sum of \$1,000,000,000 it may be made nav-igable the whole distance. [Laughter.]

At the present time, Mr. Chairman, the banks are so far apart and the bed of the stream is so near the surface that it can not be navigated the whole distance. But at all seasons of the year there is water enough in it to float small steamboats. By the expenditure of this small sum of money (\$1,000,000,000) a canal can be dug in the bed of this stream and then steamboats could start from Ostego Lake, in Central New York, and course their way to the sea. [Laughter and applause.]

With a portion of this money steam-heaters can be erected with which to break the icy fetters that bind the waters for about six months of the year, and thus we shall see the tide of commerce rolling in one unthe year, and thus we shall see the tide of commerce rolling in one unceasing current, one unbroken wave (so to speak), from the icy North to the sunny South. All we want is enterprise, energy, and this appropriation. We are not extravagant in our demands. This appropriation will commence the work, and we will trust to the future for such encouragement as shall be needed to make this work a complete success, and a monument to the enterprise and bounty of this Congress.

Lask the gentlement to accept the amendment and allow us to have

I ask the gentleman to accept the amendment and allow us to have this great highway, this great water course through the State of Pennsylvania and the State of New York, so that steamboats from my Congressional district can go unvexed to the sea. [Renewed laughter and

applause.

[Here the hammer fell.]
The amendment was disagreed to.
The next amendment (by Mr. White, of Kentucky) was read, as follows:

Amend lines 530 to 534, inclusive, by striking out the following and inserting, so that the paragraph as amended shall read as follows:
"Improving Big Sandy River, West Virginia and Kentucky: Continuing improvement, \$50,000; of which sum \$10,000 are to be expended on Tug Fork, and \$10,000 are to be expended on Lavisa (i. e. Louisa) Fork of Big Sandy River."

The CHAIRMAN. The House will come to order, as it is impossi-

ble to hear what is going on in the confusion on the floor.

Mr. WHITE, of Kentucky. I am willing to surrender two minutes out of the three minutes allowed me for debate for the purpose of indulging this confusion, for while we have squandered half a million of dollars on Galveston Harbor the country still lives and the Senator from Illinois, Mr. Logan, has been elected to succeed himself. [Applause on Republican side.] Now, in regard to the amendment for the Big Sandy River and for the Lavisa River, which the Clerk has just read, I ask the attention of the committee to the fact that we have had in this Congress a bill to prevent extortion by railroads. The only way, in my opinion, in which we can prevent extortion by railroads is to improve the navigable rivers of the nation. The Big Sandy River is one of these navigable rivers, and yet the committee recommends for its improvement the pattry sum of \$25,000. The engineers in their report

say next year they can expend profitably \$50,000 on that river.

Under the influence of the ex-postmaster-general of the Southern confederacy this House passed a bill for the purpose of preventing railroads charging too much for carriage of freight or passengers. That same gentleman proposes to allow members of Congress to ride free. The author of that bill is left at liberty when he chooses to ride on free passes. Discrimination in that direction is not the way to accomplish the purpose. The better way in my judgment would be by legislation appropriating money to improve navigable rivers like the Big Sandy and the Lavisa. Then if we have railroad lines rushing out from Grundy to Norfolk and Wilmington and to Baltimore, in that way we can cheapen transportation. It can not be done by your lap-sided in-terstate-commerce bill that left out the gist of the whole matter; that is, the enactment of some provision for the purpose of preventing the giving of free passes. It is to be done by liberal appropriations to improve navigable rivers like the Big Sandy.

The CHAIRMAN. The gentleman's time has expired.

The amendment was rejected.

The next amendment (by Mr. WARNER, of Ohio) was read, as follows: Strike out the words "for this improved navigation," in line 543, and insert the words "on this river."

Mr. WILLIS. There is no objection to that amendment.

The amendment was agreed to.

Mr. BROWN, of Pennsylvania. I offer the amendment which I send to the desk

The Clerk read as follows:

Amend line 493, page 21, after "Maryland," by inserting "and Pennsylvania." Amend line 493 by striking out "seven" and inserting "twenty-two." Amend line 494 by inserting, after the word "dollars," "seven thousand five hundred of;" and after the word "bridge," in line 497, add "and \$15,000 shall be expended for improving the West Branch of said river."

Mr. WILLIS. I must make the point of order upon that amendment.

We have passed that part of the bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order, that portion of the bill having been

already passed over?

Mr. BROWN, of Pennsylvania. I understand that, but at the time we passed that portion of the bill there was so much confusion in the Hall that I did not hear the reading. There was a magnificent speech being made by the gentleman from New York, which attracted the attention of the committee, and the reading of the bill immediately after was not heard in this part of-the Hall.

The CHAIRMAN. Does the gentleman from Kentucky insist upon the point of order?

Mr. WILLIS. I must insist upon it in the interest of the progre of this bill. I desire to complete the bill as soon as possible, and feel

it my duty to insist upon the point of order.

The CHAIRMAN. The Chair must sustain the point of order, and the amendment is ruled out.

The next amendment (by Mr. YORK) was read, as follows:

After line 561, insert:
"Improving the Yadkis River, North Carolina, from the railroad bridge, near
Salisbury, to Wilkesborough, \$50,000, twenty-five thousand to be spent on the
Wilkesborough end and twenty-five thousand on the Salisbury end."

Mr. Chairman, I hope the amendment will be adopted. Mr. YORK. Mr. Chairman, I hope the amendment will be adopted. The Yadkin River is a river of considerable importance in Western North Carolina. There has been quite a large amount of money spent there in the improvement of that river from first to last. It runs through a very fertile section of North Carolina, which, however, is entirely destitute of railroad facilities. It is much needed by the people of that section for the commerce of that portion of the State, and I hope it will be the pleasure of the committee to adopt the amendment. The question was taken on the adoption of the amendment; and on a division there were—aves 19 nees 73

a division there were—ayes 19, noes 73.
So the amendment was not adopted.
The next amendment (by Mr. O'HARA) was read, as follows:

After the word "dollars," in line 570, add: "Improving Moccasin River, North Carolina: Continuing improvement, \$2,500."

Mr. O'HARA. I do not desire, Mr. Chairman, to take up the time of this committee in arguing the question of the importance of this appropriation. I will simply refer briefly to the report of the engineers, which is found on page 172. In their report they speak of it as Contentnea Creek. That report shows that during the last year over 6,600 bales of cotton were transported over that stream.

It passes through four of the largest counties of the State. It is proposed to continue the improvement so that we shall have an uninterrupted navigation on that river for seventy-five miles. The estimate made by the engineers for the next fiscal year is \$10,000; and I only wish to say to the gentleman in charge of this bill that it is absolutely necessary we should have this small appropriation which I ask in this amendment for the purpose of protecting the work already done and keeping it from injury.

I hope the committee will not object to this amendment.

The question was taken; and on a division there were—ayes 45,

noes 70.

So the amendment was not agreed to.

Mr. GREEN. I ask consent to offer an amendment at this point. The Clerk read as follows:

After line 570, insert: "Improving New River, North Carolina: Continuing improvement, \$10,000."

Mr. GREEN. Mr. Chairman, the amendment first read is certainly worthy of adoption. The mouth of this river is one of the most important harbors of refuge for small craft on our dangerous coast. Last session \$5,000 were appropriated for its improvement, as a like sum had been by the preceding Congress. If the work is to stop here these sums might as well have been thrown in New River, so far as the good effected is involved. The engineers in their estimate recommend an appropriais involved. The engineers in their estimate recommend an appropria-tion of \$15,000 to continue the work; but it has pleased the committee to ignoreits claims altogether. For what reason I can not conceive. I was told last summer by a gentleman living near there that a short time previously a steamer in a crippled condition attempted to put in that inlet in a storm, but being unable to cross the bar was compelled to put to sea again, and as a consequence was lost, with all on board. In view of these and other reasons I do most earnestly trust that the amendment may be adopted.

The question was taken; and on a division there were - aves 32,

noes 65.

So the amendment was not agreed to.
The CHAIRMAN. The Clerk will report the next amendment.
The next amendment (by Mr. VAN EATON) was read, as follows:

In line 653, insert: "Improving Horn Island Pass, Mississippi: Continuing improvement, \$15,600." Mr. VAN EATON. Mr. Chairman, this is a very important amendment for my people and for a large portion of the commerce of the Gulf. The harbor inside Horn Island is one of the most important on the coast. The trouble is the water is deeper in the harbor than in the pass, and the object is to deepen the pass between Horn Island and Petit Bois Island so vessels of deep draught can pass into the harbor and out with full loads, and thus result in a great saving to the immense lumber region

of that country.

The engineer's report estimates \$43,000 for this work. Five thousand dollars were appropriated last year. If this amendment is adopted the work of deepening the pass can go on; if not, the \$5,000 alone will be of little use. I hope the amendment will be adopted.

The amendment was not agreed to.

The following amendment (offered by Mr. VAN EATON) was read:

After line 911, insert: "Improving and protecting harbor at Natchez, Miss., and Vidalia, La., \$125,000."

Mr. VAN EATON. I had occasion the other day to say a word in favor of substantially this amendment. And I wish to say, in opposition to some objections that were made on that day, that there is no Natchez and Vidalia, which already accommodates the shipping at those two points, is as good a harbor as there is on the Mississippi River. No private property is sought to be benefited. The trouble is that a cut-off is threatened a mile or two above, and, unless it is guarded against, it will ruin the harbor at Natchez by leaving the current several miles property from the present leading. eral miles perhaps from the present landing.

More than that, it will entirely sweep away not only the harbor but the entire town of Vidalia. The engineers have made their report. They say that this work is absolutely necessary, and I appeal to this House to say whether one of the most magnificent and useful harbors

upon the river should be left liable to be destroyed in this way.

The committee say this is a landing, and that they will not vote a dollar for any landing upon the river. Why, Mr. Chairman, what benefit will it be to the river to improve the navigation if there is no place where commerce can be accommodated at these harbors? I appeal to the committee to insert this amendment.

The question being taken on the amendment offered by Mr. VAN

EATON, there were—ayes 34, noes 62.

So (further count not being called for) the amendment was not agreed to.

The following amendment (offered by Mr. SINGLETON) was read:

At the end of line 658, insert: "Continuing improvement from Carthage to Edinburg, \$2,000."

Mr. SINGLETON. This is for the improvement of a section of Pearl River which penetrates my State from the Gulf of Mexico, about five hundred miles. An appropriation is made in the bill for the improve-ment of the navigation from Jackson down, and then for the improve-ment of the navigation from Jackson up to Carthage. But from that up to Edinburg, where the improvement is most needed, by some fatalthe bolding, where the improvement is most needed, by some itali-ity, I can not understand what, the committee have left out that part of the river altogether. Although a small appropriation was made in the last river and harbor bill for that part of the river, they have failed to make any appropriation for it at this time.

I have here in my hand the report of the assistant engineer who has examined this river. He states that it is important this river should be cleaned out between Carthage and Edinburg.

There are 25,000 bales of cotton carried down that river. Through a large section of country the people have no access to market except by the Pearl River. There are two steamboats on it which now carry freight to the railroads.

I hope no member of the House will oppose this small appropriation. It is a singular thing that the Committee on Rivers and Harbors should have overlooked this portion of the river. The work is recommended not only in the report of the assistant engineer but it is indorsed by the Engineer-in-Chief. I may add that in the present condition of the roads a bale of cotton can not be hauled to market.

The question being taken on agreeing to the amendment offered by

Mr. SINGLETON, there were—ayes 40, noes 73.

So (further count not being called for) the amendment was not agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read the following amendment, offered by Mr. WHITE, of Kentucky:

Amend line 743 by adding the following:
"And \$10,000 of said \$100,000 shall be expended for the improvement of Cumberland River above the mouth of Jellico, in the State of Kentucky."

Mr. WHITE, of Kentucky. The Government has entered upon the improvement of the Cumberland River above the mouth of Jellico. It has expended some money in that work and it ought to be continued. There is no belt of coal and timber land in the United States within my knowledge—after reading a number of the geological reports, I state, without any fear of successful contradiction, that there is no equal number of acres of land in the United States where there are finer virgin forests of all the hard woods known in this country, where there is more bituminous coal, where there is more coking coal, where there is more iron ore within easy access, where there is more sandstone and limestone necessary to work the iron ore than there is on the river above Jellico. The Government has already expended a few thousand dollars to improve it. I ask that this small sum be expended in the further improvement of that river.

The amendment was not agreed to.

The next amendment (offered by Mr. Brown, of Pennsylvania) was read, as follows:

Amend by adding, after line 755, as follows: "Improving West Branch of the Susquehanna River, \$7,500."

Mr. WILLIS. I am compelled to make the point of order. We have passed that part of the bill. There was an order of the House this morning, I may say to my friend, requiring these amendments to be presented in the order in which the paragraphs are; and the paragraph relating to the Susquehanna River has been passed.

Mr. BROWN, of Pennsylvania. This is another stream entirely, and I do not know of anything in the order to which the gentleman from

Kentucky alludes that prevents the consideration of this amendment at this point. I thought at one time it would be proper—and perhaps it would be entirely proper—to offer it at the point the gentleman has suggested; but I see no reason, since it is an entirely different stream, the amendment should not go in at this point.

The CHAIRMAN. The Chair will state that it is not in possession of such facts as will enable it to decide whether this amendment be in

order or not.

Mr. BLANCHARD. On page 21, line 493, is the Susquehanna River. We are now on page 33, at line seven hundred and odd.

Mr. BROWN, of Pennsylvania. This is not the Susquehanna River.
Mr. BLANCHARD. What does your amendment relate to?
Mr. BROWN, of Pennsylvania. The West Branch of the Susque-

hanna River.

Mr. BLANCHARD. Then it is the Susquehanna River.

Mr. BROWN, of Pennsylvania. You can as well say the Missouri is the Mississippi.
Mr. HISCOCK. Mr. Chairman, do I understand that any order has

been made that an amendment can not be offered to a section at any

time after we have possed the section?

The CHAIRMAN. The Chair will inform the gentleman from New York [Mr. HISCOCK] of an order which was made in the House early this morning, and which the gentleman perhaps did not hear. The order was to the effect that the amendments to this bill should be submitted to the Committee of the Whole in the order in which they come on the bill; so that when we passed from a matter it should be as if a paragraph were passed from in the House under the regular rule.

Mr. REED, of Maine. But there may be new paragraphs inserted anywhere, may there not?

The CHAIRMAN. The Chair thinks so, but the rule of the House as put upon the committee was that these amendments coming in should be—I believe they are called in the order—bona fide amendments, not going back to other matters. The whole idea of the order was to cut off

any retrograde movement.

Mr. HISCOCK. Mr. Chairman, do I understand that when we have reached the very end of this section we are precluded from offering amendments to it if we have commenced the reading of another section? I do not understand that any order of that kind has been entered

The CHAIRMAN: The Chair has stated the effect of the order as

he understands it.

Mr. HISCOCK. I would like to have the order read. We are considering this bill by sections, and if we are considering it by sec-

Mr. WILLIS. We are considering it under a consent order entered this morning.
Mr. HISCOCK.

Mr. HISCOCK. I would like to have the order read. The CHAIRMAN. The Chair is in that natural confusion which grows out of departing in this case from the regular rule; but he desires to have it understood that in endeavoring to carry out the order of the House, as the Chair understands it, matters that have been passed over can not be recurred to. Of course, when the end of the section is reached, any distinct paragraph that is offered in order may be acted upon.

Mr. BROWN, of Pennsylvania. This is a distinct paragraph, Mr.

The CHAIRMAN. Of course the Chair is not informed as to the geography of these rivers, and does not know whether this and the Susquehanna are the same river or not.

Mr. CURTIN. The West Branch runs into the Susquehanna, but it is not the Susquehanna, and is not so called.

The CHAIRMAN. The Chair is much obliged to the gentleman for that lesson in geography. If that is true, the point of order against this amendment is not well taken, and the gentleman from Pennsylvania [Mr. Brown] will proceed.

Mr. Brown, of Pennsylvania. Mr. Chairman, I have only to say

that the West Branch of the Susquehanna River is the greatest lumber

stream in the State of Pennsylvania, and—
Mr. BRECKINRIDGE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRECKINRIDGE. My point is that this discussion is out of

The CHAIRMAN. The Chair has ruled, on the statement of the gentleman from Pennsylvania [Mr. CURTIN], that this is a different river from any that has been heretofore considered, and that, therefore, the point of order is not well taken.

Mr. BRECKINRIDGE. Then the gentleman is in order?
The CHAIRMAN. That is the decision of the Chair.
Mr. HISCOCK. If I understand the Chair, if we pass from a river we can not subsequently return to that same river in making amendments to the bill.

The CHAIRMAN. That is what the Chair understands to be the effect of the rule.

Mr. WILLIS. After a river has been acted upon, it can not be again considered.

The CHAIRMAN. That is what the Chair understands to be the instruction of the House in the order which it made.

Mr. BROWN, of Pennsylvania. Mr. Chairman, I was saying that this Western Branch of the Susquehanna is the greatest lumber stream east of the Alleghany. More lumber is floated upon it than I may say upon all the other streams in the State of Pennsylvania, and I can not understand why the Committee on Rivers and Harbors did not allow to this stream the appropriation that was asked for its improvement. I yield the balance of my time to my colleague from Pennsylvania,

Governor CURTIN.

Mr. CURTIN. Mr. Chairman, the West Branch of the Susquehanna rises in the mountains and runs out into the district which I have the honor to represent. It has been properly stated by my colleague from Pennsylvania [Mr. Brown] that it is the largest lumber stream in that State. The navigation of the river is obstructed by rapids and falls, and the object of this amendment is to clear out those obstructions so that the men who cut the lumber in the Alleghany Mountains on the various branches of the river may have a safe passage for their property down the stream to market. That is all—nothing more. This is not the Susquehanna River; it is a different river, which runs into the Susquehanna at Northumberland. The North Branch of that river, as it is called, rises in the State of New York, passes into Pennriver, as it is catted, rises in the State of New York, passes into Pennsylvania, and goes back into New York, thus looping together as with a silver thread the two great States of New York and Pennsylvania. The CHAIRMAN. The time for debate upon this bill is exhausted. Mr. CURTIN. Mr. Chairman, you would have heard something interesting if you had let me go on. [Laughter.]

The CHAIRMAN. The Chair asks unanimous consent that the gentleman from Pennsylvania be allowed to proceed one minute longer.

There was no objection.

Mr. CURTIN. A minute! That is a short time to some gentlemen on this floor; but it is a long time to me, for I do not often trouble this House. Sir, if we desire to clean rivers, to furnish facilities for navigation and trade, to afford the produce of the farm and the forest the

means of reaching markets, this amendment is perfectly proper.

I am in favor of giving to the people of this great nation all the facilities they require for commerce and trade. Commerce in its true interpretation is the exchange of commodities; and while you appropriate money for improvements in the West and on the Mississippi and the Missouri and the Ohio, I would not deny to the people of the West Branch the means of reaching a market with the lumber of that west branch the means of reaching a market with the lumber of that region. I am in favor of voting any amount of money to give the people of this great nation the exchange of commodities which commerce means. [Applause.]

The question being taken on the amendment of Mr. Curtin, there were—ayes 52, noes 54.

Mr. WELLER. I withdraw my vote.

Mr. CURTIN (to Mr. WELLER). Vote the other way.

Mr. WELLER. No; I can not vote the other way.

The CHAIRMAN. Are tellers demanded?

Mr. PARKER. I withdraw my vote in the negative.
Mr. WELLER. I change my vote back to the original status.
Mr. WILLIS. I object to this proceeding as irregular.
The CHAIRMAN. The Chair has no knowledge how either gentle-

man voted. Are tellers demanded?

Mr. BROWN, of Pennsylvania. I call for tellers.

Mr. WILLIS. I hope my friends from Pennsylvania will not press this amendment. This is a work which is not in the Book of Estimates at all; we have no survey.

Tellers was ordered; and Mr. Brown, of Pennsylvania, and Mr. Wil-

LIS were appointed.

The committee again divided; and the tellers reported-ayes 71, noes

The CHAIRMAN. Does the gentleman from Pennsylvania insist on

the point that no quorum has voted?

Mr. BROWN, of Pennsylvania. I do not.

The CHAIRMAN. The amendment is adopted.

Mr. BRECKINRIDGE. I reserve the right to vote in the House on this question.

The CHAIRMAN. There is no necessity for any reservation.

The next amendment (by Mr. Wolford) was read, as follows:

In line 757, strike out "four" and insert "six:" so that the clause will read:

"Improving South Fork of the Cumberland River, Kentucky: Continuing improvement, \$6,000."

Mr. WOLFORD. It generally happens in these appropriation bills MI. WOLFORD. It generally happens in these appropriation bills for the improvement of our rivers and harbors that those who ask for large things get them. I am asking for a very small thing. I think this amendment should be adopted without any opposition. The South Fork of the Cumberland River runs through a region having some of the finest timber in the United States—large oaks, lofty poplars. Besides, there is fine cultivable land. The people there raise corn, wheat, and almost exerciting that would so into the compense of the world is there. almost everything that would go into the commerce of the world if they had a way to get it out. But that region is almost cut off from the rest of the world because it has no navigation. Four thousand dollars was appropriated for this object last year, and it did the people there a great deal of good.

That country, too, is rich in mineral wealth. There is iron ore there—almost everything that could make the people rich. But, as I have remarked, there is no way to get it out. The Committee of the

Whole, by voting this little appropriation, will help a long-suffering people, a people who support all your appropriations.

[Here the hammer fell.]

Mr. WHITE, of Kentucky. My colleague [Mr. WOLFORD] will allow me to say that the engineers have recommended an appropriation of \$10,000 for this purpose.

The question being taken on the amendment of Mr. WOLFORD it was not agreed to, there being—ayes 44, noes 63.

The next amendment (by Mr. WHITE, of Kentucky) was read, as

Amend lines 75, 78, 79, by striking out the words "two hundred thousand" and inserting in lieu thereof the following: "nine hundred and thirty-one thousand four hundred;" so that the paragraph will read as follows:

"Improving Kentucky River, Kentucky: Continuing improvement, \$931,400; of which sum \$46,000 are to be used to complete the lock and movable dam at Beattyville, at junction of Three Forks of Kentucky River."

Mr. WHITE, of Kentucky. We have appropriated from the foundation of the Government till 1882 \$111,000,000 for the improvement of rivers and harbors; and if this bill be passed the amount will have reached \$154,000,000. Out of this entire sum Kentucky has received but \$447,000.

but \$447,000.

The Chief of Engineers reports that \$941,438 can be profitably expended for this work during the next year. I want to remind gentlemen from Pennsylvania and Ohio that they are interested in improving the navigation of this river. Every lock and dam you put in the Kentucky River assists in enabling Pittsburgh coal and Ohio salt to come into competition with Kentucky coal and Kentucky salt. It enables also Toledo lumber to come into competition with the abundant lumber of Kentucky.

ables also Toledo lumber to come into competation with the abundant lumber of Kentucky.

This improvement has been started. The \$931,000 which the engineers tell us can be profitably expended during the coming year is about one-third of all that will be required to complete navigation to the heart of that abundant coal and lumber region in our State.

I speak of the coking coal on the Cumberland River. And there is no part of the United States where there is such a quantity of cannel coal or of walnut or hickory and other valuable woods or of mines.

The CHAIRMAN. The gentleman's time has expired.

Mr. WHITE, of Kentucky. I must call for a division on this amendant.

This is a most important river.

Mr. PAINE. Is there any water in the river?

Mr. WHITE, of Kentucky. Yes; there is always water the committee divided; and there were—ayes 18, noes 83. Yes; there is always water there.

So the amendment was rejected.

Mr. COSGROVE. I move to strike out the following, in lines 758

Improving Kentucky River, Kentucky: Continuing improvement, \$200,000.

The amendment was rejected. The next amendment (by Mr. White, of Kentucky) was read, as

Insert after line 761 the following: "Improving Licking River, Kentucky, \$100,000."

Mr. WHITE, of Kentucky. After the success I have had it seems persistency, or even good looks, as represented by my friend from New Jersey [Mr. Kean], have no effect with this obdurate committee; and when the Speaker of the House informs the little gentleman from New York, whose shadowy figure I do not see before me, that the only way to improve Licking River is to macadamize the mouth of it, I suppose I shall be defeated in this attempt to get an appropriation for the Licking River, a river which drains the whole region between the Kentucky River and the Big Sandy River. It is a vast territory, over three hundred miles long. It has a great deal of commerce. South of the Chesapeake and Ohio Railroad, any time at high water, steamboats now run. No improvement has been made in that important navigation. I suppose it will come. When Kentucky goes back to the old Whig doctrine an attempt will be made to improve the Licking River. She did it once herself before Kentucky seceded. [Laughter.] And let it be remembered that Kentucky never did secede until the war was over. [Laughter and applause on the Republican side.] One of these days the Republican party or the temperance party or some other party besides the seceded Democrats will have control of that grand old Commonwealth of Kentucky. The Whig party built the locks and dams on the Kentucky River, which, through the parsimony of the Democratic party, have been turned over to the National Government. That river some day will be improved, I trust, by the liberality of her people. [Here the hammer fell.] I shall be defeated in this attempt to get an appropriation for the Lick-

[Here the hammer fell.]
The amendment was rejected.
The next amendment (by Mr. Holman) was read, as follows:
Add at the end of line 766 the following words:
"And a sum thereof not exceeding \$40,000 shall be expended in arresting the formation of the bar now forming in said river below the mouth of the great Miami and opposite the city of Laurenceburg, by confining the Great Miami River at and near the point of its junction with the Ohio River to its present channel."

appropriate \$40,000 of the amount named in the bill to confine the Miami River to its natural channel. The great floods within the last two years have overflowed the town of Lawrenceburg and reduced its two years have overflowed the town of Lawrenceburg and reduced its people to poverty. Those floods are changing gradually the course of the Ohio River and forming an extensive bar in front of the town. Navigation in the last two years, growing out of the influences I have mentioned, has been much impaired, and I think no part of the money appropriated can be used to better advantage than in arresting the formation of that bar. I admit the effect is to save this town of 7,000 people from destruction. The amendment proposes to confine the Miami River to its natural channel, and thus prevent the formation of bars affecting navigation.

Here the hammer fell.]
Mr. REED, of Maine. I move that the committee rise.
Mr. WILLIS. Only wait a few moments.
Mr. REED, of Maine. We are thinning out fast and soon will be it be a converse. without a quorum.
The CHAIRMAN.

The CHAIRMAN. Does the gentleman insist on his motion? Mr. REED, of Maine. No, I shall not. The amendment was rejected.

The next amendment (by Mr. STOCKSLAGER) was read, as follows:

Add in line 770, page 32, the following:

"And authority is bereby given to any individual or corporation to strengthen, repair, or rebuild the bridge across the Louisville and Portland Canal, at Eighteenth street, in said city of Louisville, now owned by the United States, without cost to the Government, and to use the same for railroad and other purposes free of charge from the Government, provided it shall in no way interfere with the free navigation of said canal."

Mr. STOCKSLAGER. This does not propose to appropriate any money. It simply authorizes any person desiring to build a railroad bridge across the canal, for the purpose of transporting more than 4,000 car-loads of cement manufactured there annually, to do so at the expense of the parties so repairing or rebuilding the bridge for that

purpose.

Mr. BLAND. I make the point of order that this is not germane to

Mr. STOCKSLAGER. The Government is not to pay for the re-

building of the bridge.

Mr. REED, of Maine. There is another reason why this is not germane to the bill—it does not make any appropriation. [Laughter.]

Mr. STOCKSLAGER. The chairman of the Committee on Rivers and Harbors knows all about it, as it is in his own city. My people interested in the transportation across the canal. The bridge is now an old and rickety structure.

There is an old bridge there that will not do at all for railroad pur-

poses, and this proposes to allow parties to build a new one.

Mr. WILLIS. I will state, if the gentleman will permit me to interrupt him, that this bridge belongs to the canal and the canal belongs to the Government. This is not making an appropriation to build a bridge, but simply to authorize it to be done and not to interfere with the right of way

Mr. STOCKSLAGER. It is simply to permit private parties to build

the bridge, and there can be no objection to it.

The question being taken upon the amendment of Mr. Stockslager, it was agreed to; there being on a division—ayes 50, noes 5.

Mr. WILLIS. I will state to the committee that in a few minutes, after we pass over one other point, I will move that the committee rise.

The Clerk reported the next amendment, offered by Mr. JOSEPH D. TAYLOR, as follows:

After line 770 insert:
"Constructing ice-breakers and ice-harbor at the city of Bellaire, Belmont, County, Ohio, at the point designated and recommended by the United States engineers, \$15,000."

Mr. JOSEPH D. TAYLOR. I desire to occupy the floor but two minutes, and will yield one minute then to the gentleman from West Vir-

ginia [Mr. Goff].

Mr. Chairman, the survey for an ice-harbor at Bellaire, Ohio, was made in 1881. The construction of ice-breakers at that place is strongly recommended in the volume I hold in my hand, which is the report of the Chief of Engineers, made in that year. On page 1951 will be found the reports of Engineers Merrill and Harlow, strongly favoring this work, giving reasons why it should be constructed, and showing how necessary it is to the safety of steamboats and other craft on the Ohio

The appropriation was not made at that time, for the reason that the Chief of Engineers recommended that some adjustment should be made in regard to riparian rights lest the owners of the adjacent land should be entitled to charge wharfage. That has been recently arranged, and satisfactorily. The owners of the adjacent land have entered a re-lease and have agreed to make no claim for wharfage in the harbor

which would be created by the ice-piers.

This work has been recommended by chambers of commerce, boards of trade, and by the people all along the Ohio River for five hundred miles, all of whom are deeply interested in the improvement of the Mr. HOLMAN. I wish to submit a word in behalf of that proposition and hope I will have the ear of my friend from Kentucky. It is not proposed to increase the amount of the appropriation, but only to Bellaire. This will create an ice-harbor below the bridge and between it and McMahon's Creek 1,100 feet long and 250 feet wide at the mod-

it and McMahon's Creek 1,100 feet long and 250 feet wide at the moderate expense, as shown by the engineers' report, of \$15,000.

There is certainly no more desirable place on the Ohio River for a harbor than at Bellaire. It has railroad, telegraph, telephone, mail, and banking facilities. It is the coaling place of all river craft going up and down the river. It is a growing manufacturing city.

And besides, there are large numbers of people in that section of the country interested in manufacturing. It is the center of a population of at least 100,000 people, who are interested in the prosperity and growth of Bellaire and the adjacent towns of Bridgeport, Wheeling, and Martin's Ferry. Other manufacturing towns on the Ohio River are deeply interested in this improvement. It is important to the people of Pittsburgh who are engaged in the coal traffic.

The immense fleets of coal boats going to and returning from Cincinnati would be greatly benefited by this harbor. They greatly need an ice-harbor and ice-breakers at this point, which is about midway between Pittsburgh and the ice-harbor at the mouth of the Muskingum

tween Pittsburgh and the ice-harbor at the mouth of the Muskingum No gentleman who understands the importance of this work will object to the small appropriation that I ask. It would save from destruction millions of dollars' worth of property and greatly encourage the large number of owners of boats and river craft at that place and all along the Ohio River. I know of no place where such a small

amount of money will accomplish so much good.

The CHAIRMAN. Does the gentleman from Ohio desire to yield any of his time? The Chair understood him to state that he wanted

to yield a portion of it to the gentleman from West Virginia.

Mr. JOSEPH D. TAYLOR. I want to yield one minute of it.

The CHAIRMAN. The gentleman has already occupied two and one-quarter minutes

Mr. JOSEPH D. TAYLOR. I yield the remainder to the gentleman

from West Virginia [Mr. Goff].
Mr. GOFF. Mr. Chairman, I trust the Committee on Rivers and Mr. GOFF. Mr. Chairman, I trust the Committee on Rivers and Harbors will not object to this amendment. This matter has been considered by the engineers especially requested to examine the subject, and they have reported uniformly in favor of the construction of this ice-harbor. The people in the entire valley of the upper Ohio River are interested in this work and ask its construction.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Ohio.

The committee divided: and there were—eves 50, page 69.

The committee divided; and there were—ayes 50, noes 69.
Mr. JOSEPH D. TAYLOR. No quorum.
Mr. WILLIS. Pending the demand for a quorum, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker pro tempore having resumed the chair, Mr. HAMMOND reported that the Committee of the Whole House on the state of the Union having had under consideration the river and harbor bill had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. REED, of Maine. I move that the House do now adjourn.

Mr. THOMPSON. I rise to a question of the highest privilege.
The SPEAKER pro tempore. The gentleman from Maine moves that the House do now adjourn, pending which the gentleman from Ken-tucky states that he rises to a question of the highest privilege, which

he will state.

Mr. THOMPSON. I rise to enter a motion to reconsider a vote taken to-day, which is a question of the highest privilege.

The SPEAKER pro tempore. The Chair will recognize the motion.

Mr. THOMPSON. I enter a motion to reconsider the vote by which the House refused to consider Senate bill No. 2511.

Mr. KEIFER. That would not avail anything if it was done now.

Mr. THOMPSON. I enter the motion, at any rate.

Mr. KEIFER. A motion to reconsider would not bring it up for

Mr. KEIFER. A motion to reconsider would not bring it up for consideration this evening.

Mr. THOMPSON. I am aware of that fact.

Mr. KEIFER. It would not bring it up for consideration.

The SPEAKER pro tempore. The Chair is hardly called upon to decide what would be the effect of the motion.

Mr. THOMPSON moved to reconsider the vote of the House refusing to consider Senate bill 2511, and also the vote by which it was refused to the Henra Calcular.

ferred to the House Calendar.

The SPEAKER pro tempore. The motion will be entered.

Mr. WILLIS. I move that the House take a recess until to-morrow at 10 o'clock, and will state that if this is done I will move an adjournment before 11 o'clock.

Mr. REED, of Maine. I will agree to that.

The question was taken on the motion of Mr. WILLIS; and it was agreed to.

The SPEAKER pro tempore. Pending the announcement of the result of the vote the Chair asks unanimous consent to submit some executive communications.

There was no objection.

EXPENSES FOR DEPUTY MARSHALS, ETC., AT ELECTIONS.

The SPEAKER pro tempore laid before the House a letter from the

Secretary of the Treasury, in response to a House resolution calling for information as to expenditures for supervisors and deputy marshals at elections; which was ordered to be printed and referred to the Committee on Expenditures in the Department of Justice.

Mr. DOCKERY. I ask that this communication be printed in the

RECORD.

There was no objection, and it was so ordered.

TREASURY DEPARTMENT, February 18, 1885.

TREASURY DEPARTMENT, February 18, 1885.

SIR: In compliance with the resolution of the House of Representatives of the 5th instant," that the Secretary of the Treasury be directed to inform the House of Representatives what has been the total amount of expenses incurred under the law providing for the appointment of deputy marshals, chief supervisors, and supervisors of elections, and in what States the money has been expended, showing the separate amounts expended in each State, and also the accounts for such services which remain unadjusted." I have the honor to transmit herewith the information called for, prepared in the office of the First Comptroller of the Treasury.

Very respectfully,

The honorable SPEAKER of the House of Representatives. Statement of expenses incurred under the law providing for the appointment of special deputy marshals, supervisors and chief supervisors of elections

Districts.	Year.	Amount
PAYMENTS TO SPECIAL DEPUTIES.		
Alabama, southern.	1876	\$9 530 (
Do		\$2,530 (1,000 (1,380 (
Do	1880	1,380 (
Do	1882	870 (
Do	1884	*1,445 (2,050 5
Dalifornia	1871	2,050 5
Do	1872 1875	820 (
Do		2,230 (4,607
Do		7 545
Do		7,545 4,525
Do	1882	2, 485 †6, 660 3, 350
Do	1884	†6,660
Delaware	1880	3,350
P3	1882 1884	3,515
Do	1882	1,980
Do	1884	70
llinois	1876	1,105
Do	1878	4, 651
Do	1880	7, 200 †6, 210
Do	1882	†6,210
Do	1884	*10, 265 10, 300
ouisiana, eastern	1872 1874	5,700
Do	1876	5, 680
Do	1878	5,000
Do	1880	2,110
Do	1882	3,800
Do	1884	4,420 (
Iaryland	1870	2,389
Do	1872	1,730 (2,005 (
Do	1876	8, 085
Do	1878	4,594
Do	1880	10,096
Do	1882	2,335 (7,540 (
Do	1884	7,540 (
Do	1876 1878	1,170 (2,935 (
Do	1880	2,580
Do	1882	2, 335 (
Do	1884	2, 335 (*2, 840 (
Iissouri, eastern	1876	19,110 (6,505 (
Do	1880 1882	6,830 (
lew York, northern	1872	5,545
Do	1874	12, 285 (
Do	1876	7,915
Do	1878	12, 285 (7, 915 (8, 655 (
Do	1880	6,570 (
Do	1882	7, 690 (*4, 300 (58, 515 (
Do 'ew York, southern	1884 1872	59 515 (
Do	1874	15 150 (
Do	1876	40, 480 (
Do	1878	40, 480 (25, 300 (36, 105 (42, 250 (
Do	1880	36, 105 (
Do	1881	†2, 250 (
Do	1882 1884	23, 820 (
ew York, eastern	1872	36, 105 (23, 820 (23, 880 (20, 275 (24, 694)
Do	1874	9,770 (
Do	1876	12,694
Do	1878	6,037
Do	1880	
Do	1882 1884	5,785 (\$7,580 (
ew Jersey	1884	1,290 (
Do	1874	2,360 (
Do	1876	5,085 (
Do	1878	0 000 (
Do	1880	6, 335 (
Do	1882	3,380 (
Do	1884	2,880 (6,335 (3,380 (*8,895 (1,220 (1,320 (†14,587 (
hio, southern	1880 1882	1,220 (
Do	1884	+14, 587 (
Do'ennsylvania, eastern	1872	2,355 (
Do	1874	250 (
	1876	3,500 (

Districts.	Year.	Amount.	Districts.	Year.	Amour
PAYMENTS TO SPECIAL DEPUTIES—Continued.			PAYMENTS TO SUPERVISORS—Continued.		
ansylvania, eastern	1878	\$7,730 00	New York, eastern	1876	\$11,645
Do	1880	6,830 00	Do	1878	10, 475
Do		4, 985 00 7, 515 00	Do		14,040 10,745
ansylvania, western	1874	490 00	Do	1884	*7,580
Do		650 00 95 00	Ohio, southern		890 1, 137
Do	1882	150 00	Do		1, 169
Doth Carolina		2,175 00 700 00	Pennsylvania, eastern		*1, 260 35, 065
Do		695 00	Do		59, 790
Do		480 00 50 00	Do		37, 400
nessee, western		245 00	Do		27,060 41,340
Do	1882	250 00	Do	1882	34, 82
Do		*400 00 200 00	Pennsylvania, western.		†36, 30 2, 25
D9	1882	140 00	Do	1878	3,07
as, westernginia, eastern		*625 00 2,640 00	Do		3, 16
Do	1876	1,785 00	Do	1884	*4,04
Do		500 00 350 00	South Carolina		1,40
Do	CONTRACTOR OF THE PERSON OF TH	285 00	Do.		77
Do	1884	*1,175 00	Do		†1,410
Total to special deputies		651,830 22	Tennessee, western		10
	-		Do	1884	9
ifornia	1871	2,575 00	Texas, eastern	1876	1,80
Do	1872	4,010 00	Do	1882	25
Do		5, 195 00 5, 220 00	Virginia, eastern	1884	*47 1,63
Do	1879	14,370 00	Do	1878	62
Do		10, 435 00 13, 850 00	Do	1880	69
Do	1884	*9,415 00	Do	1884	*1,37
bama, southern		500 00 830 00	Virginia, western	1882 1884	8
Do		455 00	Do	Section 1 to 1	
Do	1882	745 00 *770 00	Total to supervisors		928, 33
Doansas, eastern		70 00	PAYMENTS TO CHIEF SUPERVISORS,	50 1	
aware	1880	885 00			
Do.	1882	510 00 795 00	Alabama, southern Do		97 2,58
rgia, northern	1882	40 00	Do	1876	2,39
Dorgia, southern	1884	20 00 120 00	Do		1,55
iois, northern		5,640 00	Do	1882	1,52
Do	1878	4,450 00	Alabama, northern	1882	57
Do		7,890 00 7,870 00	Albama, middle	1884	18 45
Do	1884	*18,660 00	Do	1882	27
iana	1880	395 00 1,500 00	California.	1884	9 83
tucky	1880	875 00	Dō	1872	16
Do		\$40 00 *920 00	Do		1,58
isiana, eastern	1874	18 00	Do	1878	84
Do		4,115 00 3,600 00	Do		7,76 3,45
Do	1880	4,005 00	Do	1884	5, 40
Do		2,890 00 2,545 00	Colorado	1882	3 28
yland		2950 00	Do	1882	13
Do	1878	2,945 00 2,955 00	Do	1884	2
Do	1882	7,130 00	Florida, northern	1880	19
Do	1884	*3,600 00 660 00	Do	1882	15
sachusetts		8,460 00	Georgia.	1884	26 35
Do	1880	8,540 00	Do	1874	63
Do		10,100 00 *13,630 00	Georgia, northern	1876	42 14
higan, eastern	1878	1,300 00	Do	1882	36
Do		2,630 00 2,690 00	Georgia, southern	1884	12 14
souri, eastern	1876	1,330 00	Illinois, northern	1880	11
Jersey	1880	1,815 00 2,865 00	Kentucky.	1884	45
Do	1874	3,280 00	Do	1882	11
Do		3,414 90 3,050 00	Louisiana, eastern	1872	1,85
Do	1880	9,865 00	Do	1876	13 4,46
Do	1882	5,370 00 *10,790 00	Do	1878	1,31
York, northern	1872	12,520 00	Do	1882	1,66
Do	1874	7,345 00 7,120 00	Do	1884	2, 35
Do		10,505 00	Louisiana, western Maryland		17
Do	1880	11,920 00	Do	1876	97
Do	1882	10,650 00 †6,455 00	Do	1878	2,09
Y York, southern	1872	23,945 00	Do	1882	. 1,57
Do		24,660 00 31,780 00	Do	1884	77
Do	1878	30, 125 00	Do	1874	15
Do		11,335 00 36,000 00	Do	1876	25
Do	1881	111,615 00	Do		1,85 2,31
Do	1882	33, 870 00	Do	1882	4, 26
V York, eastern		*38, 880 00 13, 255 00	Do		†9, 85 50
	THE LOT ALL PARTY	10,535 00	Do	Crox	- U

Expenses incurred in the appointment of special deputy marshals, &c.-Continued,

Districts.	Year.	Amount
PAYMENTS TO CHIEF SUPERVISORS—Continued.		
Mississippi, northern	1882	\$483
Do	1884	405
Mississippi, southern	1880	75
Do	1882	234 1 189 (
Missouri, eastern	1876	187 4
New Jersey	1872	574 (
Do	1874	1,097 6 3,771 1 3,931 4 10,404 9 9,434 8 *9,147 8
Do	1876	3,771 1
Do	1878	3, 931
Do	1880	10,404
Do	1882 1884	9, 434
Do New York, northern	1872	4, 252
New York, northern	1874	4, 252 4, 245 7, 723
Do	1876	7,723 7
Do	1878	0, 523 (
Do	1880	5, 107 8
Do	1882	5, 246
New York, southern	1884	5, 425 4
New York, southern	1872	18,555 8
Do	1874	†1, 409 1 10, 970
Do	1876	19, 383 8
Do	1878	19, 492 5
Do	1880	26,398 8
Do	1881	46 991 1
	1882	21, 439
Do New York eastern	1884 1872	21, 439 9 25, 487 9 1, 299 9
New York, eastern	1874	11,069
Do	1876	12, 154 2
Do	1878	10,448 2
Do	1880	16,843 9
Do	1882	12, 464 0
North Carolina, eastern	1876 1882	527 1 436 6
Do	1884	436 6 158 0
North Carolina, western	1876	64 7
Obio southern	1979	740 4
Ohio, southern	1880	425 4
Do Do Pennsylvania, eastern Do	1882	221 1
Pennsylvania, eastern	1872	1,774 7 2,006 6
Do	1874	2,006 6 3,449 4
Do	1876 1878	3,449 4 1,609 8
Do	1880	1.849 7
Do	1882	2,356 7
AU	1884	1,834 1
Pennsylvania, western	1876	179 4
Do	1878	100 8
Do	1880 1882	65 1
Do South Carolina	1882	78 1 879 1
Do	1878	579
Do	1880	682 1
Pennessee western	1876	129 6
Do	1884	53 8
rexas, northern	1882	53 8
Texas, eastern	1876 1880	249 9 523 9
Do		384 (
Do	1884	345
Virginia, eastern	1876	551 (
Do'	1878	450 8
Do	1880	1,503 7
Do	1882	1,166 (
Do	1884	596 5
Virginia, western	1876 1880	206 8
Do	1882	872 9 342 2
Do	1884	1,048 5
		-,010
Total to chief supervisors		393,752
* Unadjusted. †Special election.		

RECAPITULATION.		
Special deputies	\$651,830 2	22
Supervisors	928, 334 4	17
Chief supervisors	393, 752 0	37
m-t-1	1 000 010 0	

Note.—Amounts marked "estimated" were advanced to marshals for disbursement, but accounts have not yet been received at this Department. In cases marked "unadjusted," accounts have recently been received but are not yet examined.

YORK HARBOR, MAINE.

The SPEAKER pro tempore also laid before the House a letter from the Secretary of War, transmitting report from the Chief of Engineers of a survey and examination of York Harbor, Maine; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

LEAVE TO PRINT.

By unanimous consent leave was granted to Mr. Hopkins to print in the RECORD some remarks on land grants, alien land-owners, &c.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. CUTCHEON, indefinitely, from Monday last, on account of seTo Mr. DUNN, indefinitely, on account of sickness in his family.

To Mr. CONNOLLY, on account of sickness.

To Mr. Graves, indefinitely, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

On motion of Mr. COBB, by unanimous consent leave was given to withdraw papers filed with House bill No. 1931 for the relief of the Mobile and Girard Railroad Company without leaving copies.

The result of the vote on the motion of Mr. WILLIS was then announced; and accordingly (at 6 o'clock and 5 minutes p. m.) the House

took a recess until 10 o'clock a. m. to-morrow. AFTER RECESS.

The recess having expired, the House reassembled at $10~\rm o$ 'clock a. m. (Thursday, February 19, 1885).

ORDER OF BUSINESS.

Mr. WILLIS. I ask unanimous consent, in the interest of public business, that the hour for the opening of the session of Thursday be extended from 11 to 12 o'clock, my object being to get out of the way

of the Appropriations Committee.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the session of Thursday shall begin at 12 o'clock instead of 11 o'clock. Is there objection?

Mr. HOLMAN. What is the object of that?

Mr. WILLIS. Simply to get out of the way of the Committee on

Appropriations.

The SPEAKER pro tempore. Is there objection? The chair hears none, and it is so ordered.

FORT BRADY, MICHIGAN.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (S. 1374) to provide for the sale of the oldsite of Fort Brady, Michigan, and for a new site and for the construction of suitable buildings thereon; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. WILLIS. I ask unanimous consent that when the House shall in Committee of the Whole House on the state of Union resume the consideration of the river and harbor appropriation bill the consideration of the item in regard to the Hennepin Canal, on which a point of order is now pending, shall be postponed until the close of the section is reached. I make that request with the consent, I believe, of all who are interested.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that, in the Committee of the Whole House on the state of the Union, when the item in the river and harbor bill in relation to the Hennepin Canal shall be reached its consideration shall be post-

poned until the conclusion of the pending section of the bill.

Mr. PAYSON. Would it be in order to ask an explanation as to the object of this request? It is as a friend of the Hennepin Canal that I ask it.

Mr. WILLIS. The object is to facilitate the passage of matters on which a quorum will not be demanded. There will be a quorum demanded on the item I have indicated.

Mr. PAYSON. I do not object.
Mr. HOLMAN. I think that is a matter for the Committee of the Whole to determine, and not for the House.

The SPEAKER pro tempore. The Chair thinks the order if made must be made by the House. The Committee of the Whole has no power to make such an order, in the judgment of the Chair.

Mr. HOLMAN. The reason I make some question as to the propriety of this proposed order is that when that matter is reached in its course

of this proposed order is that when that matter is reached in its course it is subject to the point of order, and it seems to me the point of order should be disposed of when the paragraph is reached.

The SPEAKER pro tempore. The Chair will state to the gentleman from Indiana that if there be objection in Committee of the Whole it requires the order of the House to control in a matter such as that in regard to which the gentleman from Kentucky has made this request. If there be no objection the order will be made, and the paragraph indicated by the gentleman from Kentucky will be considered at the conclusion of the first section of the bill.

There was no objection.

SURETIES OF GEORGE F. ELLIOTT.

Mr. McMILLIN. I ask unanimous consent to take from the Speaker's table for reference to the Committee on Claims the bill (8. 535) for the relief of the sureties of George F. Elliott. I have a communication from the Secretary of the Treasury which, I think, shows it to be important to have this bill considered

There being no objection, the bill'(S. 535) for the relief of the sureties of George F. Elliott was taken from the Speaker's table, read a first and second time, and referred to the Committee on Claims.

FRENCH AND AMERICAN CLAIMS COMMISSION.

Mr. HOLMAN, by unanimous consent, introduced a preamble and joint resolution (H. R. 336) relative to the French and American Claims

Commission; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

ORDER OF BUSINESS

Mr. GUENTHER. I ask unanimous consent that when the House in Committee of the Whole House on the state of the Union shall resume consideration of the river and harbor appropriation bill the con-sideration of all the amendments relative to the Fox River, Wisconsin,

be postponed until after the section has been completed.

Mr. WILLIS. I have no objection to that.

*Mr. THOMAS. Does the gentleman from Wisconsin propose to have these amendments considered at the close of the pending section?

Mr. GUENTHER. Yes, sir. Mr. THOMAS. I do not want to have them carried over outside

Mr. GUENTHER. That is not my purpose. There was no objection, and it was so ordered.

Mr. O'NEILL, of Pennsylvania. I call for the regular order.

RIVER AND HARBOR APPROPRIATION BILL,

Mr. WILLIS. I move that the House resolve itself into Committee of the Whole House on the state of the Union.

of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. Hammond in the chair), and resumed the consideration of the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The pending question is on the amendment offered by the gentleman from Ohio [Mr. Joseph D. Taylor].

Mr. WILLIS. I think if the committee will indulge me one minute I can make a suggestion by which this matter can be settled. I have

I can make a suggestion by which this matter can be settled. I have examined the report as to this improvement. There was a question in regard to riparian rights which has now been settled. The recommendation is \$15,000. If the gentleman will make the amount \$7,500, to which I understand he agrees, to be taken, as he proposes, from the appropriation for the Ohio River, I think there will be no objection to his amendment there weighted amendment thus modified.

Mr. HOLMAN. I do not think there is any necessity for taking this

appropriation out of the Ohio River fund.

The CHAIRMAN. Does the gentleman from Ohio move his amend-

ment in the shape suggested?
Mr. JOSEPH D. TAYLOR. I will consent that the amount shall be fixed at \$7,500.

The CHAIRMAN. The Clerk will report the amendment as modi-

The Clerk read as follows:

After line 770 insert:
"Constructing ice-breakers and ice-harbor at the city of Bellaire, Belmont County, Ohio, at the point designated and recommended by the United States engineers, \$7,500."

Mr. WILLIS. To be taken out of the Ohio River appropriation. Mr. JOSEPH D. TAYLOR. I can not consent to that; I did not

understand that to be the amendment.

The CHAIRMAN. The Chair will state that if this modification is not made by consent the tellers will have to be ordered, that being the condition of the business when the committee rose last evening.

Mr. WILLIS. As far as I am able to do so I am willing to consent

to this amendment in that shape.

The CHAIRMAN. The gentleman from Ohio objects that it shall not come out of the appropriation for the Ohio River.

Mr WILLIS. What difference does it make?

Mr. JOSEPH D. TAYLOR. The only difference is that the engine their report recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend this amount in addition to the estimate of the contract recommend the neers in their report recommend this amount in addition to the estimates for the Ohio River. However, I shall not object, if the gentle-man insists upon it, because it is important that this work should be

Mr. HOLMAN. I do not think this should be taken from the Ohio

River appropriation.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Ohio as now modified.

The question was taken; and on a division there were-ayes 33,

Mr. HOLMAN. I do not wish to break a quorum, but I do not think

this ought to be taken out of the Ohio River appropriation.

Mr. WILLIS. I have no objection myself, but since the appropri-

Mr. WILLIS. I have no objection myself, but since the appropriations for the Ohio are most liberal in amount, I think it but right that it should be taken out of that appropriation.

Mr. HOLMAN. I do not think it is proper to make that condition. The importance of the improvement of this river justifies the objection. Mr. THOMAS. I would like to appeal to the gentleman from Indiana not to demand the presence of a quorum this morning, in view of the fact that a very liberal estimate has been made for this river. The the fact that a very liberal estimate has been made for this river. The largest percentage, in fact, that we have given to any of the rivers has been given to the Ohio; and to increase that appropriation by the additional amount for this ice-harbor would be unjust to other streams.

Mr. HOLMAN. I think the Ohio River is entitled to greater consideration on account of the vast importance of its commerce.

The CHAIRMAN. The Chair will state that debate at this time is only proceeding by unanimous consent.

Several members demanded the regular order.

The CHAIRMAN. Does the gentleman from Indiana insist upon

the presence of a quorum?

Mr. HOLMAN. I think I will be compelled to raise the question of a quorum at this time.

Mr. WASHBURN. I would ask the gentleman from Indiana if he will not consent that this matter be passed over for the present until a quorum is present, so that we may proceed with the consideration of the rest of the bill?

Mr. HOLMAN. I think it ought to be disposed of at once.

Mr. STEVENS. I would like to ask the gentleman a question if he will permit it.

Mr. WILLIS. I hope the gentleman from Indiana will not insist upon a quorum, since he knows of course the effect of it. We are trying in good faith to get this bill out of the way of the Committee on Appropriations, and certainly I hope the gentleman will not endeavor to hamper us in that effort.

Mr. HOLMAN. We should have a quorum here.

The CHAIRMAN. The Chair will then appoint tellers.

Mr. WILLIS. I ask my friend to withdraw the objection and let us proceed with the bill.

Mr. HOLMAN. Under ordinary circumstances I should not hesitate, but I regard this as an exceptional case. This river is of vast im-

Mr. PAYSON. Would it be in order, Mr. Chairman, to move that the committee rise, with a view to moving a call of the House?

The CHAIRMAN. If the committee finds itself without a quorum,

the rule requires that it shall rise and report the fact to the House.

Mr. HOLMAN. In view of the condition of the public business I will let this go, but I regard it as a very unfair discrimination.

So (no further count being demanded) the amendment of Mr. JOSEPH

D. TAYLOR was agreed to.

Mr. REAGAN. Mr. Chairman, I would ask if I may now offer an amendment to line 498?

The CHAIRMAN. Not without unanimous consent.

Mr. REAGAN. I ask unanimous consent to be permitted to offer an amendment at the point indicated in the bill.

Mr. WILLIS. I hope my friend will wait until we get through with this section of the bill, and then I shall not object as far as I am con-

cerned to his offering his amendment at the point indicated.

Mr. REAGAN. Then I will not ask unanimous consent at the pres-

ent time, but will withhold the amendment. The next amendment (submitted by Mr. MAYBURY) was read, as

Amend by adding after line 772:
"To improve and further protect the superstructure of the dikes by sheetpilling on the channel-face and by dredging the channel in the line of the Saint
Clair River at the point commonly known and designated as the Saint Clair
Flats improvement, \$66,000."

Mr. BRECKINRIDGE. In regard to that amendment I wish to state, if the gentleman will permit, that it is an item inadvertently passed over by the committee. It was not in the index, and conse-

passed over by the committee. It was not in the index, and consequently failed to be seen when preparing the bill.

The committee, I will say, had no index for some time in the preparation of this bill. I think it is a proper item to go in; but would suggest to my friend from Michigan to make the amount \$50,000 instead of \$66,000, which, if he consents to, I think will obviate any opposition on the part of the committee.

Mr. MAYBURY. Whatever may be the percentage of \$132,000, recommended by the engineers for this work, which the committee have given for other improvements, I am willing to accept.

Mr. BRECKINRIDGE. The amount I suggest will be more than

Mr. BRECKINRIDGE. The amount I suggest will be more than the percentage allowed ordinarily.

Mr. MAYBURY. I will agree then to that, and fix the sum at \$50,000

in the amendment.

The CHAIRMAN. The Chair understands the gentleman to modify his amendment by fixing \$50,000 instead of \$66,000?

Mr. MAYBURY. Yes, sir.

The CHAIRMAN. Does the gentleman desire to be heard on his

amendment?

Mr. MAYBURY. I desire to say but a word. I ask that this amendment shall have the same consideration here that it would have received by the Committee on Rivers and Harbors had it been before them, in view of the fact, as the gentleman from Arkansas has said, that the matter was overlooked; and I present it now in good faith for adoption.

I have nothing further to say.

The amendment was agreed to.

The Clerk read the next amendment (submitted by Mr. WASHBURN), as follows:

At the end of line 774 add the following:
"The Secretary of War is hereby directed to cause an examination and survey
of the Saint Mary's Falls Canal and locks with a view to obtaining an estimate of the cost of enlarging the same, or of the construction of an additional

canal or locks to meet the increasing demands of commerce, as shown in Ex-ecutive Document No. 102, House of Representatives, Forty-eighth Congress, second session."

Mr. WILLIS. Mr. Chairman, I must make the point of order on that. The surveys are not in this section at all; they are in the ninth section; therefore this amendment is not germane to this portion of the

Mr. WASHBURN. Mr. Chairman, I call the attention of the gentleman from Kentucky [Mr. WILLIS] to the fact that in the very next paragraph there is a provision of this same kind. I do not believe the paragraph there is a provision of this same kind. I do not believe the gentleman will object to having this provision go in here. I desire to call the attention of the committee to the most extraordinary growth and development of the commerce passing through this canal.

Mr. WILLIS. Mr. Chairman, I suggest that that amendment be passed for the present, so as to give us an opportunity to look at it.

Mr. BLANCHARD (to Mr. WASHBURN). The surveys are not in this section at all.

this section at all.

Mr. WASHBURN. I know; but you have a similar provision near

Mr. WASHBURN. I know; but you have a similar provision near the top of the thirty-third page.

Mr. WILLIS. That is for the improvement of the Fox and Wisconsin Rivers—not for any survey.

The CHAIRMAN. By order of the House that has been passed over until the end of the section shall have been reached. Does the gentleman from Minnesota [Mr. WASHBURN] insist upon his amendment at

Mr. WASHBURN. I should very much prefer to have it considered now. I desire to call the attention of the House to the most extraordinary growth and development of the commerce that goes through this canal

I have the report of the resident engineer at Detroit, and I called the attention of the committee to it the other day when I spoke upon this subject. In all the internal improvements that have ever been made in this country there is no parallel to the advantages and benefits derived from the improvement of these falls and the construction of this rived from the improvement of these falls and the construction of this canal, and the resident engineer says that if the growth continues as it has been doing the past year, within four years the canal will have outgrown its capacity. Yet the Committee on Rivers and Harbors have made no provision whatever for that work, and it can not be completed in time even if an appropriation be made by this Congress. I am surprised that the gentleman from Kentucky [Mr. WILLIS] would object to a provision of this kind going into the bill. I desire to say further that there is no better illustration of the wisdom and propriety of river and harbor improvements than is afforded in this very case. Here this and harbor improvements than is afforded in this very case. Here this great inland-

The CHAIRMAN. The time for debate on this amendment has ex

pired.

Mr. WILLIS. I suggest to the gentleman from Minnesota [Mr. WASHBURN] that he had better hold this back until the next section is reached, and in the mean time we will examine the matter.

A MEMBER. Regular order.

The CHAIRMAN. The Chair is not informed of the condition of this question. Does the gentleman from Minnesota [Mr. WASHBURN]

insist upon his amendment now?

Mr. WASHBURN. I have stated that I should prefer that the amendment should go into this portion of the bill; but if the chairman of the committee objects of course I shall not insist.

Mr. WILLIS. I hope the gentleman will withhold it until we can

have an opportunity to examine it.

Mr. WASHBURN. Then I withdraw the amendment for the present.

The CHAIRMAN. The Clerk will read the next amendment.

The Clerk proceeded to read the next amendment (submitted by Mr. PRICE), as follows:

Amend by striking out, in line 788, the words

The CHAIRMAN. The Chair will inquire if this is not one of the amendments which was passed over until the end of the section should be reached? It includes the Fox River as well as the Wisconsin. Mr. GUENTHER. Mr. Chairman, I only asked consent that the amendments relative to the Fox River should be passed over until after

the section should have been completed.

Mr. PRICE. It has no connection with this amendment.
Mr. BLANCHARD. This is for the Chippewa River.
The CHAIRMAN. The Chair is informed that it was only the amendment proposed by the gentleman from Wisconsin [Mr. GUEN-THER] that was passed over. The amendment which the Clerk was

about to read is now in order.

Mr. WASHBURN. Let it be reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment (submitted by Mr. PRICE), as follows: In line 788 amend by striking out the words "thirteen thousand five hundred" and inserting the words "thirty thousand;" so that, if amended as proposed, the paragraph will read:
"Improving Chippewa River, Wisconsin: Continuing improvement, \$30,000; including Yellow Banks, and the removal of the bar at or near the city of Eau Claire."

Mr. PRICE. Mr. Chairman, I think a brief history of the condition of the work to which this amendment refers will secure for the proposition the support not only of the Committee of the Whole but the Com-

mittee on Rivers and Harbors. There are two regular appropriations for the Chippewa River, one at the mouth of the jetties, the other half way up the river at the Yellow Banks. The amounts recommended by the engineers have been fairly dealt with by the Committee on Rivers and Harbors. But late last fall a very extraordinary rise occurred in the Chippewa River, and since that time there has been no survey made there by the board of engineers. By that rise in the river two or three

there by the board of engineers. By that rise in the river two or three entire blocks, with the mills thereon, were lifted right out of the city of Eau Claire and placed in the Chippewa River. Thus there has been created an impassable barrier to the navigation. The simple question now is whether that barrier is worth removing.

We have a line of steamboats plying daily on that river. True, they are small ones, capable of carrying perhaps two hundred passengers and I do not know how much freight. But the business done by these boats is necessary to the commerce of the river. At present there is no possibility of their passing this bar except at exceedingly high water. The commerce of that river in lumber alone amounts to 100,000,000.

The commerce of that river in lumber alone amounts to 100,000,000 feet annually, worth \$10,000,000, and it is necessary that this commerce should be enabled to pass that point unobstructed.

There was no possibility of private enterprise removing the obstruction created by the disaster of last fall. The losses to the city of Eau Claire alone amounted, according to the estimate, to over \$1,000,000; and these losses were too severe a tax upon the industry of the people

to enable them by individual effort to remove this obstruction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PRICE. Well, I believe I have told about the whole story. I will modify my amendment by striking out "thirty" and inserting "twenty-five." I think we shall be able to get along with this reduced amount.

The CHAIRMAN (having put the question on the amendment). In the opinion of the Chair, the amendment is not agreed to.

Mr. PRICE. I ask for a division. I do not believe any of the gentlemen who have voted "no" heard the explanation I made.

The CHAIRMAN. Debate is not in order.

The committee again divided; and there were—ayes 17, noes 40.

Mr. PRICE. I call for tellers. No gentleman on the other side would vote against this proposition, if he understood it.

Tellers were ordered; and Mr. PRICE and Mr. WILLIS were appointed.

The committee proceeded to divide again; but before the count by tellers was concluded,

Mr. PRICE said: I see very clearly that the Committee of the Whole, without understanding the question, is against me. I will not make the point that no quorum has voted, and I withdraw the call for tellers. The CHAIRMAN. The call for tellers being withdrawn, the amend-

ment is rejected.

The next amendment (by Mr. DAVIS, of Illinois) was read, as follows: In line 802 strike out "entire;" so that the clause will read:
"Provided, however, That no part of said sum shall be expended, nor of any sum heretofore appropriated, till the right of way," &c.

Mr. WILLIS. That is a verbal change merely, and there is no ob-

jection to it.

The amendment was agreed to.

The next amendment (by Mr. POTTER) was read, as follows:

Strike out all after the word "Peoria," in line 812, down to and including the rords "public use," in line 842.

Mr. WILLIS. Under the order of the House this amendment in regard to the Hennepin Canal is to be passed over until we reach the close of the section.

The CHAIRMAN. According to the order of the House this amend-

ment will be passed over until the close of the section shall have been

The next amendment (by Mr. SPRINGER) was read, as follows:

After line 812 insert the following: "Improving the Sangamon River, Illinois, \$10,000."

Mr. SPRINGER. Mr. Chairman, I desire to call the attention of the committee to this very important and hitherto neglected highway of commerce. [Laughter.] When many of you gentlemen were in your cradles the great martyr of liberty Abraham Lincoln was navigating this stream on a flatboat, carrying the produce of that region to the Illinois River and thence to the great Mississippi. [Laughter and

applause.]
Mr. Chairman, it will be found upon examination that there are in this bill appropriations for two or three hundred streams which can not be compared in magnitude to this river. Its length, according to the

mr. SPRINGER. It is a river. The average width of the stream at low water—now let those who advocate the improvement of creeks listen to this—the average width of this river at low water from Petersburg to the mouth of Salt Creek is 109 feet and thence to the Illinois River 140 feet. At high water it spreads over a vast area of

country.

Mr. WELLER. How deep is it at low water?

Mr. WILLIS. I ask that the rule as to time be enforced; we desire to proceed with the public business.

Mr. SPRINGER. I hope I shall not be disturbed. According to

the report of the engineers there is in this river, except when at the very lowest, sufficient water to run the smaller boats navigable in that

region.

Now, if I had time to call attention to the great resources of that region, I could show that one county tributary to this river produces twice as much of the leading cereals as the whole State of Maine. The estimate for this whole improvement is \$60,000, but I have asked only \$10,000 with which to begin the work.

[Here the hammer fell.]
Mr. VAN EATON. I once taught school on the banks of that river, and I know that it sadly needs improving.
The CHAIRMAN (having put the question on agreeing to the amendment). In the opinion of the Chair the amendment is not agreed

Mr. SPRINGER. I see that this Committee of the Whole is determined not to improve the really navigable waters of the country, and I withdraw the amendment.

The next amendment (by Mr. BLAND) was read, as follows:

Add after the word "dollars," in line 846: "Provided, That so much of the amount herein appropriated for the Osage River shall be used for surveying the same from its mouth to Tuscumbia, Mo., and report thereon as to the cost and possibility of improving the same by movable locks and dams;" so it will

read:
"Improving Osage River, Missouri: Continuing improvement by snagging, 15,00: Provided, That so much of the amount herein appropriated for the Osage River shall be used for surveying the same from its mouth to Tuscumbia, Mo., and report thereon as to the cost and possibility of improving the same by movable locks and dams."

Mr. BLAND. This amendment does not make any further appropriation, but simply asks that so much of that which has already been made as may be necessary shall be applied to the survey of the river to obtain information as to the cost and possible improvement of the river by movable locks and dams.

Mr. WILLIS. The amendment does not make any additional ap-

propriation, and there is no objection to it.

The amendment was agreed to.

The next amendment (by_Mr. Weller) was read, as follows:

At the end of line 901 add as follows: "Also, of which the sum of \$8,000, or so much thereof as may be necessary, shall be applied to riprap the west bank of the river at and above Guttenberg, Iowa, to prevent substantially the erosion of the bank by high-water current;" so it will read:

"Improving Mississippi River from Saint Paul to Des Moines Rapids: Continuing improvement, \$200,000; of which sum \$8,000, or so much thereof as may be necessary, shall be applied to the removal of the rock at Duck Creek Chain, at the Rock Island Rapids: also of which the sum of \$8,000, or so much thereof as may be necessary, shall be applied to riprap the west bank of the river at and above Guttenberg, Iowa, to prevent substantially the erosion of the bank by high-water current."

I am told by the gentleman from Iowa that the genthem and from Illinois [Mr. Henderson] representing that stretch of the river has no objection to it. It does not increase the appropriation, but merely directs the engineer to one point.

The CHAIRMAN. If there be no objection the amendment will be

considered as agreed to.

considered as agreed to.

Mr. COSGROVE. Will the gentleman from Iowa accept an amendment providing this shall be paid in silver dollars?

Mr. WELLER. Most cheerfully and heartily. [Laughter.]

Mr. COSGROVE. Then I offer that amendment.

Mr. WELLER. I would like to suggest to the gentleman from Missouri that I contemplate offering an amendment to cover the whole question at the end of the bill.

Mr. COSGROVE. Very well, then I shall withdraw my amendment for the present.

for the present.

Mr. Weller's amendment was adopted.

The next amendment (by Mr. McCoID) was read, as follows:

Insert after line 901 the following: "Provided, That the sum of \$20,000 of the sum herein appropriated shall be applied to continue the improvement of the harbor and adjacent channel at Fort Madison, Iowa;" so it will read: "Improving Mississippi River from Saint Paul to Des Moines Rapids; Continuing improvement, \$20,000; of which sum \$3,000, or so much thereof as may be necessary, shall be applied to the removal of the rock at Duck Creek Chain, at the Rock Island Rapids, provided that the sum of \$20,000 of the sum herein appropriated shall be applied to continue the improvement of the harbor and adjacent channel at Fort Madison, Iowa."

Mr. McCOID. I believe there is no objection to that.
Mr. WILLIS. If the gentleman will add the words: "Provided in the judgment of the Mississippi River Commission, which has charge, it shall be necessary."
Mr. McCOID. I will accept that as a modification of my amend-

Mr. HOLMAN. I hope the gentleman will not prejudge the action of the Mississippi River Commission.

The CHAIRMAN. Three minutes of debate are allowed in favor of the amendment, but none in opposition. The question is on the amendment of the gentleman from Iowa.

Mr. WILLIS. That amendment was modified so as to insert the words "provided in the judgment of the Mississippi River Commission such improvement be necessary."

Mr. McCOID. The Chairman need not put that in. The work has already been done.

The CHAIRMAN. Did the gentleman accept the modification of his amendment?

Mr. McCOID. I have no objection, as they are just finishing the work up.

The amendment as modified was agreed to.

Mr. REAGAN. I move at this point to strike out from line 902 to 907, inclusive

The CHAIRMAN. The Clerk will read the words which it is proposed to strike out.

The Clerk read as follows:

For continuing operations upon the reservoirs at the headwaters of the Mississippi River, \$55,000: Provided, That in the opinion of the Chief of Engineers the expenditure of this appropriation and the ultimate completion of this part of the reservoir system will adequately improve navigation.

Mr. REAGAN. The provision in the bill contemplates for the improvement of the Mississippi River reservoirs covering some 18,000 square miles in order to affect a river which drains 2,000,000 square miles. It contemplates a large expenditure of money. It may result in forming water-power for private parties and enable them more readily to float logs, but it never can affect the navigation of the Mississippi River, and I do not think it should remain in the bill.

The committee divided; and there were—ayes 39, noes 37. Mr. WASHBURN. No quorum has voted.

The CHAIRMAN. Debate is out of order. Mr. WASHBURN. It seems to me hardly fair to strike out a pro-

ision of that character.

Mr. MILLS. Have a yea-and-nay vote in the House. Mr. WASHBURN. I propose to have a vote here. The CHAIRMAN appointed as tellers Mr. WASHBURN and Mr. REA-

Mr. WASHBURN. Mr. Chairman, I believe

The CHAIRMAN. Debate is not in order.

Mr. WASHBURN. Can I ask for unanimous consent? The CHAIRMAN. Is there objection to the gentlema Is there objection to the gentleman from Min-

Mr. MILLS. I object.
Mr. BRECKINRIDGE. The gentleman [Mr. REAGAN] is greatly mistaken about the purpose and effect of this.
The CHAIRMAN. The tellers will take their places.

The committee again divided; and the tellers reported-ayes 23, noes

Mr. MILLS. No quorum has voted. [After a pause.] I withdraw

the point of no quorum.

Mr. TURNER, of Kentucky. I renew it.

Mr. WILLIS. I ask by unanimous consent that this be passed over until the section has been concluded.

Mr. WASHBURN. I object.

The tellers resumed the count, and having completed it, reportedayes 39, noes 125.
So the amendment was not adopted.

The Clerk reported the next amendment (offered by Mr. RIGGS):

Insert immediately at the end of line \$10 the following words:

"Including also the strengthening of the Saicarte levee where it crosses the
Saicarte slough and other sloughs referred to in the report of Engineer Maj. A.,
Mackenzie to the Chief of United States Army Engineers, dated January 26, 1885,
which work of strengthening said levee shall be done according to the suggestions and estimates made by said Mackenzie as set forth in his report."

Mr. RIGGS. Mr. Chairman, I send to the Clerk's desk an amendment, to be inserted immediately after line 910, and the adoption of which I now move, and desire to submit a few remarks. I am well' aware that the policy of Congress heretofore, and the policy of the Committee on Rivers and Harbors in this House, have been against the building of levees, except in so far as they may be required strictly for the improvement of river navigation.

The adoption of the amendment now under consideration will not be a departure from the policy of the committee; neither does its adoption involve any present increase of the appropriation proposed by the committee for the reach of the Mississippi from Des Moines Rapids to the mouth of the Illinois; and I hope gentlemen will bear this latter that in mind when they note on the amendment. And now Mr. Chely. the mouth of the Illinois; and I hope gentlemen will bear this latter fact in mind when they vote on the amendment. And now, Mr. Chairman, I wish to make a short statement of the facts regarded as material in the fair consideration of this amendment. The levee named in the amendment was begun, if I am not mistaken, in 1872 and completed in 1875. It is situated on the east bank of the river, commencing at a point about nine miles below Quincy, in Adams County, Illinois, and extending in a southerly direction down the river about fiftyone miles, to Hamburg Bay, in Calhoun County. It was built and has been maintained entirely by private enterprise, and cost several hundred thousand dollars—according to my recollection over a half million. In its construction the slough or outlet from the Mississippi to the Snicarte and some other sloughs were effectually closed, thus confining within the banks of the river a large volume of water which before then escaped through these side chutes. The result has been, I believe, to cut away and remove certain bars which previously existed in the river between Quincy and Hannibal, and which from time imme-

morial had been great obstructions to navigation in that part of the river. I am fully aware that there are Government engineers who deny that the closing of these side chutes has been as beneficial to navigation as I claim, but I believe it is not denied that some benefit has resulted. Maj. A. Mackenzie, engineer in charge of that reach of the river, in an official letter to the Chief of Engineers, United States Army, on the 9th of September, 1884, says:

on the 9th of September, 1884, says:

Some benefit has resulted from the construction of the levee, the value of such benefit being the cost of such work as the Government would have undertaken for closing these side sloughs. So far as such work is concerned there is a claim against the Government which is worthy of consideration, and it would seem proper that the facts and estimates should be laid before Congress for its action. I would, therefore, suggest a survey sufficient in detail to enable me to determine to what extent side sloughs have been closed, the condition of the levee closing such sloughs, and the probable-cost to the United States of works which would be built in the interest of navigation if such levee did not exist.

The Mississippi River Commission, in its last report, laid before this House by the Secretary of War on the 6th of last month, says:

The system of improvement now being carried out between the Des Moines Rapids and the mouth of the Illinois River, which consists in closing side chutes and reducing the stream to a uniform width, will in time accomplish all the results claimed for it, and that this system is generally indorsed, and has greatly benefited commerce, is conclusively shown by the report of the select Senate committee, published in Senate Document No. 36, Forty-eighth Congress, first session.

Major Mackenzie, speaking of this matter in a report made to the Chief of Engineers on the 26th of last month, says:

It is a fact that the levee crosses certain sloughs which the Government might, in the course of time, have determined to close with properly located brush and stone dams built to a height of six feet above low water, not that the amount of water carried off by these sloughs played any very important part in the question of river improvement, but for the reason that if not closed they might possibly deepen or become wider in future.

I admit this engineer says in t' same connection that the closing of side chutes by this levee has not resulted in so much good to navigation as others claim. But the closing of side chutes is an established portion of the plan for the improvement of this reach of the river. The levee in question has closed, without any expense to the Government, some important side chutes, and it is but equitable that the Government should now aid in maintaining those portions of the levee which constitute useful "closing dams." Major Mackenzie, under a provision contained in the river and harbor bill passed at the last session, has made a survey of this work and submitted a report, with estimates, in which he admits that by strengthening portions of this levee, as provided by the amendment now pending, "permanent benefit to navigation" will result. I quote his language, including that portion covering his esti-

The cost of such work as will strengthen the above-mentioned portions of the levee so as to provide a permanent benefit to navigation depends on its nature and amount. The estimate which, in my opinion, most nearly satisfies the requirements of the Congressional inquiry is one for placing 6,278; cubic yards of rock, at \$1.50 per yard, and 5,678; cubic yards of brush, at \$1.25 per yard, amounting in all to \$16,515.85.

These amounts are such as would have been required to close the four sloughs, heretofore referred to, in accordance with the Government methods.

I call attention to the fact that in the concluding sentence he states that the closing of the four sloughs (or chutes) contemplated by the amendment is involved in the Government plan of improving this river. Mr. Chairman, in the light of the facts which I have stated I think the amendment ought to be, and I hope it will be, adopted.

The amendment was agreed to.

The Clerk read the next amendment (offered by Mr. CLARDY), as fol-

Amend the paragraph commencing on line 914, by striking out "\$400,000," in line 916, and inserting "\$600,000;" and by adding after the word "stream," in line 921, the following:
"And \$30,000 shall be used in continuing improvement at Cape Girardeau, Mo."

Mr. CLARDY. The amount required for the completion of the improvement between the mouths of the Illinois and Ohio is, according to the report of the engineer, Major Ernst, who is in charge of the work, in round numbers \$13,000,000. In the last session of the Forty-sixth Congress the sum of \$600,000 was appropriated, and in each session of the last Congress the same sum was allotted for this improvement. Last year the Committee on Rivers and Harbors proposed to reduce the amount, and the House did reduce the amount to \$520,000. Now it is proposed to reduce it to the sum of \$400,000 and to divert \$50,000 of

that amount to an improvement at Cairo.
While the committee has increased the appropriation for the Mississippi River from Cairo to the passes \$1,450,000, it has seen proper to reduce the appropriation for the improvement of the river between the mouths of the Illinois and Ohio, a distance of two hundred and twentynine and one-half miles, \$120,000 less than was appropriated in the last session, and \$200,000 less than had uniformly been allotted for the imsession, and \$200,000 less than had uniformly been allotted for the improvement of this reach of the river. I have here a telegram from the engineer in charge of the work, who says that at the end of the fiscal year not a dollar of the money heretofore appropriated will remain unexpended, and that if no more than \$400,000 be annually appropriated, it will require many millions more to complete the improvement than the amount of the original estimate; and that the completion of the work will be postponed to future generations. Now, some of our people

are willing that future generations may share with them the glory of paying the national debt; but they are in favor of realizing some of the practical advantages of improved navigation in the Mississippi River themselves

The smaller the annual appropriations the greater the final cost. The estimate of the engineer of the amount required for the completion of the work was based upon the supposition that Congress would make annual appropriations in accordance with the estimates submitted by him. He estimates that \$1,000,000 can be judiciously expended in the ensuing fiscal year. My amendment contemplates the appropriation of \$600,000, the amount that has been appropriated by former Congresses; the amount that has been appropriated for a number of years, if we except the last year. I trust that the committee will accede to this

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. CLARDY].

the gentleman from Missouri [Mr. CLARDY].

Mr. THOMAS. I desire to move an amendment to the amendment.

I move to strike out "\$30,000" and insert "\$40,000."

I want to say to the committee that there was an appropriation of \$520,000 made for the Mississippi River between the mouths of the Ohio and the Illinois Rivers in the last appropriation bill. The report of the engineer shows up to the time of the making of his report that less than \$80,000 of that money had been expended. There is an appropriation of \$400,000 in the bill this year, which makes \$900,000 in the hands of the engineer for two hundred and thirteen miles of river. the hands of the engineer for two hundred and thirteen miles of river.

It is enough and more than can be expended during the next year, as any one knows who lives in that section of country.

Now, as to the appropriation for Cape Girardeau, that harbor needs no improvement at all. The building of the wing-dams on the opposite side of the river had the effect of costing the people on the Illinois shore within my district more than \$3,000,000 by overflowing their lands and destroying their crops.

I withdraw my amendment. Mr. WILLIS. I ask for a vote.

Mr. HATCH, of Missouri. I offer an amendment to the amend-

The CHAIRMAN. The Chair is obliged to put the question on the amendment proposed by the gentleman from Missouri [Mr. CLARDY], unless that is withdrawn.

Mr. HATCH, of Missouri. Does the Chair state that I can not make an amendment to an amendment?

The CHAIRMAN. The Chair did not state the gentleman from Missouri could not make an amendment to the amendment; but the gen-

Mr. HATCH, of Missouri. I addressed the Chair, and stated I rose for the purpose of offering an amendment to the amendment.

The CHAIRMAN. But it has not been offered.
Mr. HATCH, of Missouri. I move to strike out "\$30,000" and insert "\$35,000;" and I yield my time to the gentleman from Missouri [Mr. CLARDY].

Mr. WILLIS. I submit to the Chair that that is not in accordance with the understanding as to the time allowed for explaining amend-

The CHAIRMAN. The Chair will regard this as a pro forma amend-

ment, which was cut off by direction of the House.

Mr. CLARDY. Will the Chair permit me to make this statement: The gentleman from Illinois [Mr. Thomas] offered an amendment to the amendment, but his subsequent action showed he did not do so in good faith.

The CHAIRMAN. The Chair did not know anything as to that until his subsequent action.

Mr. THOMAS. The statement of the gentleman from Missouri is

hardly justified.
The CHAIRMAN.

nardly Justined.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Missouri [Mr. CLARDY].

The question being taken, there were—ayes 63, noes 50.

Mr. THOMAS. No quorum.

The CHAIRMAN. A quorum not having voted the Chair will order tellers, and appoints the gentleman from Illinois, Mr. THOMAS, and the gentleman from Missouri, Mr. CLARDY.

The committee again divided

The committee again divided.

Before the tellers announced the vote, Mr. THOMAS. I withdraw the point of order, reserving the right to take a yea-and-nay vote in the House. The tellers reported—ayes 103, noes 51.

So the amendment was agreed to.

The Clerk read the next amendment (submitted by Mr. O'NEILL, of Missouri), as follows:

Amend line 916 by striking out the words "four hundred thousand" and inserting "one million."

Mr. WILLIS. Mr. Chairman, I ask a vote on that.

The amendment was not agreed to.

The Clerk read the next amendment (submitted by Mr. BROADHEAD), as follows:

Strike out all after the word "dollars," where it occurs in line 916, down to and including the word "stream," where it occurs in line 921.

Mr. BROADHEAD. Mr. Chairman, I offer this amendment not to increase the appropriation but to strike out this appropriation of \$50,000 for the benefit of the Cairo Land Company. The gentleman from Illinois [Mr. Thomas] is opposed to the improvement of the Mississippi River unless he can get this \$50,000 for the benefit of the Cairo Land Company

Mr. THOMAS. Mr. Chairman, I desire to say-

Mr. BROADHEAD (continuing). That improvement has not been recommended by the engineer in charge of the work on the Mississippi. On the contrary, he has reported against it, and in his last annual report his language is this:

The work done here, however valuable to the city of Caird, has been of no permanent benefit to the navigation interest.

That is what the engineer says about it. The work that was under-taken under the last appropriation has proved a failure, and he has com-

menced another improvement by the use of mattresses, and that, he says in his present report, is a most difficult work.

Now, I say this appropriation is not intended for the benefit of the navigation of the Mississippi River, and this \$50,000 ought to go for the benefit of those improvements which have been useful to navigation; for there is no improvement that has been made in the channels of the Mississippi that has been more beneficial to navigation than the work done between the mouth of the Illinois River and the mouth of work done between the mouth of the Illinois River and the mouth of the Ohio. On the bars there where this work has been done, where the channel was formerly only four feet deep at low water, it is now from seven and a half to nine feet. Therefore I say that work has been highly beneficial to navigation all through. There has been no recommendation in favor of this Cairo improvement. On the contrary, the report of the engineer the year before last was against the appropriation for that purpose as being of no benefit at all to navigation. Therefore Isay it ought to be stricken out and this \$50,000 should be used on that portion of the river where the work has proved beneficial to navigation.

The CHAIRMAN. The time for debate on this amendment is ex-

hausted. Mr. THOMAS. I move to amend, Mr. Chairman-

Mr. BROADHEAD. Mr. Chairman, I object to the gentleman offering a formal amendment, as he did before, and then withdrawing it.

The CHAIRMAN. The gentleman from Illinois has not offered any

amendment yet.

Mr. THOMAS. I move to amend line 916 by striking out "six hundred thousand." and inserting "five hundred thousand."

Mr. COSGROVE. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. COSGROVE. The committee a few minutes ago inserted "six the line to which this amendment is offered. hundred thousand" in the line to which this amendment is offered. Now the gentleman from Illinois proposes to reduce that amount \$100,000. I submit, sir, that that can not be done. After the Committee of the Whole have inserted "six hundred thousand" it is not now in order to move to amend by making the amount \$500,000.

Mr. CLARDY. That was made six hundred thousand on the amendment which I offered. I suggest, Mr. Chairman, that that line of the bill has been pessed.

The CHAIRMAN. The matter of striking out and inserting being indivisible, and the motion to strike out "four hundred thousand" and insert "six hundred thousand" having been made and agreed to, the motion of the gentleman from Illinois is out of order.

Mr. THOMAS. Then, Mr. Chairman, I move to amend by increasing the amount from six hundred thousand to seven hundred thousand.

The CHAIRMAN. After a motion to strike out and insert, the section can no longer be amended.

Mr. THOMAS. I submit that it is not in the nature of a substitute,

and this section

The CHAIRMAN. Does the gentleman from Illinois appeal from the decision of the Chair?

Mr. THOMAS. I do not want to take up time in that way, but I protest against the decision of the Chair.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BROADHEAD].

The question was taken; and there were—ayes 27, noes 81.

So the amendment was not agreed to.

The next amendment (by Mr. Jeffords) was read, as follows:

After line 921 insert the following: "Improving the harbor of Greenville, Miss., \$186,000."

Mr. JEFFORDS. Mr. Chairman, this is similar to the amendment offered by me the other day with reference to Vicksburg Harbor. I will not repeat what I said on that occasion. The appropriation I now ask is in accordance with the estimate embraced in the report of the Mississippi River Commission for the improvement and protection of this harbor. I hope that the amendment will be adopted. The question being taken on the amendment of Mr. JEFFORDS, it

was not agreed to.

The next amendment (by Mr. WHITE, of Kentucky) was read, as follows:

Amend by striking out lines 922 to 938 inclusive, and inserting the following: "Improving Mississippi River from the head passes to Cairo: Continuing im-

provement, \$150,000; of which sum \$75,000, or so much thereof as may be necessary, is hereby appropriated for the immediate construction of a light-draft side-wheel steamer, with dredge attached, and of sufficient power to move from place to place, also ten wing-dam barges, each one hundred feet in length, and a small light-draft boat to be used in sounding and placing the barges in position on shoal water, which machinery and portable wing-dam apparatus shall be placed under the control of a thoroughly practical river-man, which sum, together with the sums herein appropriated for the Mississippi River from the head passes to Cairo, shall be expended under the direction of the Secretary of War."

Mr. WILLIS. I ask a vote on that amendment.

The amendment was not agreed to.
The next amendment (by Mr. TURNER, of Kentucky) was read, as

After the word "river," in line 926, insert the following:
"Including the preservation and improvement of harbors at Natchez, Vicksburg, Greenville, Memphis, Hickman, and Columbus."

Mr. TURNER, of Kentucky. This amendment proposes no increase of the appropriation. By this bill \$2,800,000 is appropriated for the improvement of the Mississippi River. All that I ask in this amendment is that the same harbors that are the termini of important railroads, and that were included in the last river and harbor bill, shall be included in this bill. The Committee on Rivers and Harbors have stricken out all the harbors except New Orleans. I want this House to put them in this bill; it is right and proper that they should be embraced in the bill. They are important points for receiving and discharging freight—important to the commerce of the country.

Natchez, Vicksburg, Greenville, Memphis, Hickman, and Columbus are the important harbors between Cairo and the mouth of the Mississippi River. It is useless to improve the navigation of the Mississippi

are the important harbors between Caro and the mouth of the mississippi River. It is useless to improve the navigation of the Mississippi River if you permit the harbors to be destroyed on the river from which the freight is received by the boats and vessels. We ask no increase of appropriation, but merely that these harbors shall be included in this bill as they have been heretofore, for improvement and preservation, the work being subject to the judgment, approval, and control of the Mississippi River Commission or whoever may control the work, and I have they will improve the backers at Hisleman Columbus and and I hope they will improve the harbors at Hickman, Columbus, and

and I nope they will improve the narbors at Hickman, Columbus, and the other points.

Mr. BRECKINRIDGE. As I understand, the amendment which the gentleman proposes conforms to the bill of last session, and does not increase the amount to be appropriated. I think there will be no objection on the part of the committee to his proposition.

Mr. TURNER, of Kentucky. If there is no objection to the amendment by the Committee on Rivers and Harbors let it be adopted. They

left these important harbors out, and I am glad they offer no oppposi-

[Here the hammer fell.]
Mr. WILLIS. This amendment is the same as the provision in last year's bill.

The question being taken on the amendment of Mr. Turner, of Kentucky, it was agreed to, there being—ayes 52, noes 10.

The next amendment (by Mr. Hiscock) was read, as follows:

Strike out, in lines 923, 924, 925, and 926, the words, "including the rectification of the Red and the Atchafulaya Rivers at the mouth of Red River, and for keeping open a navigable channel through the mouth of Red River into the Mississippi River;" so that the clause will read:
"Improving Mississippi River from the head of the passes to the mouth of the Ohio River: Continuing improvement, \$2,800,000," &c.

Mr. HISCOCK. Mr. Chairman, I have submitted this amendment

Mr. HISCOCK. Mr. Chairman, I have submitted this amendment because I want the question squarely presented to this Committee of the Whole whether it proposes to commit Congress to the building of 6-foot levees from the mouth of the Atchafalaya River to the head of the passes. The reports which have been submitted by the Mississippi River Commission agree, I believe, in this, that according to any of the plans submitted for the rectification of the mouths of these two rivers, it will be absolutely necessary for the confinement of the increased flood of the Mississippi that levees shall be built from the mouth of the Atchafalaya to the head of the passes.

Mr. BLANCHARD. That is a mistake of my friend.

Mr. HISCOCK. It is not a mistake. I am willing to appeal to the gentleman from Pennsylvania [Mr. BAYNE], who has investigated this question; I am willing to appeal to the gentleman from Illinois [Mr. THOMAS], who has also investigated it; and I believe both those gentlemen will say that these levees are a matter of necessity from the mouth of the Atchafalaya River to the head of the passes, if, according to either plan submitted, the mouths of those two rivers are rectified. There is only this difference between the plans submitted: according to one plan and one estimate it is believed that a three-foot levee will be sufficient; according to another plan which has been submitted it is besufficient; according to another plan which has been submitted it is believed that a six-foot levee is necessary. The only difference between the engineers who have submitted their views on this subject is whether the levees shall be three feet or six feet.

[Here the hammer fell.]
Mr. HISCOCK. If I may be pardoned a moment—
The CHAIRMAN. The time for debate on the amendment is ex-

Mr. HISCOCK. If the Chair will pardon me one moment— The CHAIRMAN. The gentleman from New York [Mr. HISCOCK] asks unanimous consent to be heard longer. Is there objection?

Mr. BLANCHARD. I object, unless I can reply.

Mr. WILLIS. I must object. Mr. HISCOCK. Mr. Chairm

Mr. HISCOCK. Mr. Chairman—
The CHAIRMAN. The Chair has no discretion in this matter.
Mr. HISCOCK. I desire to ask a question.
The CHAIRMAN. It would be the pleasure of the Chair to hear gentlemen as long as they might desire to speak, but the order of the House is that three minutes' debate shall be allowed in favor of each amendment, and that no further debate shall be had.

Mr. HISCOCK. Now, if the Chair will allow me a single question, not in the way of debate, I understood the gentleman from Kentucky [Mr. WILLIS] to say— [Cries of "Regular order!"]

Mr. BLANCHARD. I object to the gentleman proceeding unless I

can reply.

Mr. HISCOCK. Let the gentleman from Kentucky [Mr. Willis] take charge of your bill, and you will get along more rapidly.

Mr. BRECKINRIDGE. Let somebody take charge of the gentleman from New York [Mr. HISCOCK] and keep him in order, and we

will get on more rapidly.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from New York.

Mr. HISCOCK. I demand a division.

The committee divided; and there were—ayes 50, noes 70.

Mr. HISCOCK. No quorum has voted.

The CHAIRMAN appointed as tellers Mr. HISCOCK and Mr. WILLIS.
The committee again divided; and the tellers reported—ayes 64, noes

So the amendment was rejected. The next amendment (by Mr. Neece) was read, as follows:

Add after the word "dollars," in line 927, the following:
"Ten thousand dollars, or so much thereof as may be necessary, shall be used in closing Niota River chute, in Hancock County, Illinois, which chute is epposite the city of Fort Madison, in the State of Iowa.

Mr. WILLIS. I am compelled to make the point of order against that amendment.

Mr. NEECE. I will withdraw it so as to let it come in at the end of the section.

The next amendment (by Mr. BAYNE) was read, as follows:

In line 927, strike out "\$2,000,000;" so it will read:
"Improving Mississippi River from the head of the passes to the mouth of
the Ohio River, including the rectification of the Red and the Atchafalaya
Rivers at the mouth of Red River, and for keeping open a navigable channel
through the mouth of Red River into the Mississippi River: Continuing improvement, \$800,000."

Mr. WILLIS. If my friend will yield to me I will move that the committee rise. By unanimous consent the hour of meeting was changed from 11 o'clock until 12 o'clock, and I wish to keep the promise I made that previous to 12 o'clock I would move the committee rise, and then

that the House adjourn.

Mr. BAYNE. I would rather take three minutes now with a full House than to have five minutes with only six or seven members

present.

Mr. WILLIS. I will ask my friend to bear in mind the facts I have stated.

Mr. BAYNE. Mr. Chairman, if this amendment be adopted and modification be made of the provision relating to the board of engineers, this bill, in my judgment, will be but a reasonable, fair, and good river and harbor bill. But with the expenditure of \$3,000,000 in round numbers on the Lower Mississippi River, two and a half millions of which are thrown away and wasted, this bill is objectionable in the highest degree, and neither the results of that expenditure nor the data new available will instifu this yest appropriation of money.

now available will justify this vast appropriation of money.

The proposition to rectify the mouths of Atchafalaya and Red Rivers and thus to increase the height of levees will cost millions upon millions of dollars. The present wasteful system of expending money on the lower Mississippi River will result in loss to this Government of milliens upon millions, and possibly hundreds of millions upon hundreds of

millions of dollars.

With some knowledge of the facts I advise and admonish Congress now that this appropriation in round numbers of \$3,000,000 for the lower Mississippi River is all but thrown away by the Government, except small portions of that money may be used in dredging bars and recept small portions of that money may be used in dredging bars and removing snags from the channel of that river; and I for one will not consent to this appropriation of such a vast and extravagant amount in this bill. I will be constrained by my sense of duty to vote against it unless the bill shall be rectified. [Cries of "Vote!"]

The CHAIRMAN. The gentleman's time has expired.

Mr. BAYNE. I desire to add to my remarks the article published in the Chicago American. Engineers of London 22 lett. The article will

in the Chicago American Engineer of January 23 last. The article will bear a close and critical examination:

[The American Engineer, Chicago, January 23, 1885.]

[The American Engineer, Chicago, January 23, 1885.]

MISSOURI AND MISSISPIT IMPROVEMENT.

In response to a general wish the country has undertaken the improvement of these rivers, and has committed the work into the hands of mixed commissions. Of these the Missouri River Commission is of recent creation, and has made only a preliminary report, but its constitution determines that its plans and methods shall be similar to those of the older Mississippi River Commission. It is allowable, therefore, to join the two rivers in a general discussion of the plans now proposed and the methods now employed.

There are three distinct grounds of complaint against these rivers in their natural condition, namely:

1. The navigation is obstructed by bars.

2. The bottoms are often overflowed.

3. The banks are wasted by crosion.

The commissions have elaborated plans and developed methods of work by which they promise to remove all these grounds of complaint permanently.

The works on the Mississippi have now been in progress three years, and the commission has formally claimed that certain results have been obtained; therefore it can not consistently be objected that it is too early for a criticism of the effort, especially of the general features of the plan. The commission has undertaken—

1. To bring a river varying from one-half mile to two or more miles in width to an approximate uniformity in width of about 3,500 feet.

2. To protect the banks against crosion.

3. To raise the banks high enough to keep floods in the channel and off the bottoms.

4. As a finality, to lower the river in its bed.

4. As a finality, to lower the river in its bed.

The means by which these objects are to be attained are, respectively, in the order stated:

1. Permeable dikes and jetties to contract the water way and recover from the river a part of its present width.

2. Grading the banks and covering the slope with mattresses or other protection against erosion.

3. Levees in greater or less proximity to the banks to restrain floods.

4. Concentrated action of currents to deepen the bed and so increase the capacity for discharge at flood, while affording a freer navigation.

To the accomplishment of these ends by the means proposed there are certain

To the accomplishment of these ends by the means proposed there are certain limitations which the commission has not presented, or even acknowledged the existence of, except incidentally, when an excuse for non-success has been

wanted.

The agency relied on to accomplish the first and fourth objects is said to be the forces of the river itself, men's skill and resources being employed only to the extent of directing these forces. It is argued that, if the banks are held against erosion and flood waters are confined to the channel, the natural and concentrated force of the stream will deepen the channel where deepening is desired, and under the persuasive influence of certain dikes, transverse and longitudinal, matter borne by the current will be deposited in the places where width is extensive to an extent that will rapidly, (i. e., within the life of very perishable structures) bring extended areas up to the level where vegetation will thrive! Such vegetation will be a supplement to and substitute for the dikes employed at lower levels, and the process of filling will go on until the reclamation is complete.

at lower levels, and the process of filling will go on until the reclamation is complete.

The limitations to levee building are money, men, machinery, and season; to dike building and bank protection there is, in addition, the procurement of material for construction, embracing production and transportation, both of which have already proven to be serious embarrassments, and much more serious will they prove to operations on a scale commensurate with the magnitude of the undertaking. Of all these limitations the bare mention is sufficient.

A more extended consideration must be given the limitations to the utilization of the natural resources furnished by the river, the measure of those resources, and the extent to which they can be controlled.

In proposing to bring the river to an approximately uniform width, the commission does not undertake, or even wish for, the widening of such portions as are less than the ideal standard, but limit their efforts to the reduction of width in reaches where it is now excessive. Therefore, the river is asked to contribute vast quantities of material for deposit, to convey it to a desired point and there drop it. At the same time it is demanded of the river that it refrain from erosion of its banks, and lest it may disregard this request they propose to protect the banks and to progress with this work as well as with that of contraction downstream.

was quantizes of material for depose, to convey to the desired point and there drop it. At the same time it is demanded of the river that it refrain from erosion of its banks, and lest it may disregard this request they propose to protect the banks and to progress with this work as well as with that of contraction downstream.

The quantity of material borne by the river though great is limited. Of the quantity which passes into a wide reach but a small part will traverse the areas where deposit is desired; consequently the resources upon which draught can be made to accomplish a given fill are quite narrowly limited, and even then not all available, for the effluent water will carry away some material.

Considered merely as a matter of arithmetic the time required, if forces were constant, to accomplish reclamations would be as the areas, and the material as the cubic contents. But the actual conditions are manifold more unfavorable to success as areas increase than the geometrical ratios of area and contents.

Cubic yards of fill, average depth (much less extremes), and acreage upon which fill has occurred afford no measure of success, though imposing figures may and have been quoted as evidence of marvelous progress. Distribution is the important feature, and unless this is as it should be, rapidity of fill will be an effectual bar to final success.

There is no need to speculate concerning the manner and conditions under which accretions are formed, for the process may at any time be watched. And it must be remembered that the accretions sought are to be permanent and therefore must be solid from the original bank outward. Detached sand bars have come and gone since the beginning, and will continue to do so without bringing improvement, but the contrary. Observations show that wherever the current is gradually deflected from the bank a deposit may be expected under the angle and along the bank.

Going down-stream one will observe that at first the accretion is highest next the bank, farther down it becomes f

of the system as one intended to secure permanent improvement. The main argument upon which the plans were defended before the committee was that there was no apparent reason why works which in the first place secure a deposit should not also be effective to maintain it when obtained. Since this argument is equally good when applied to the causes producing sand bars generally, no one need be at a loss to know that it is fallacious.

Owing to differences in form of cross-section and in the direction of currents at extremes of stage, we find generally that deposits made at high stage are liable to be destroyed at low, and the converse tendency of high stages is to fill low-water channels even more decidedly. There is therefore a known good reason why the works which secure a deposit at one stage are unable to afford it protection at another, for the line of attack is from another and unforeseen direction.

fow-water channels even more decidedly. There is therefore a known good reason why the works which secure a deposit at one stage are unable to afford it protection at another, for the line of attack is from another and unforeseen direction.

The failure of the system of longitudinal extension with unguarded flank is therefore already manifest. In the works below Saint Louis persistent efforts have been made to obtain solid attachment to the bank and at the same time obtain a deposit of the full width desired. The results prove that a permanent accretion of the breadth necessary to bring the channel to a width which will secure good navigation can not be obtained at one step.

Any one of the wide places where narrowing is required is the result of a process which has run through many years. It is sheer folly to expect that the work of reclamation can be accomplished more rapidly than that of destruction, especially since the natural tendency is in the other direction.

These widenings and the caving-in bends have furnished material for bars, islands, and growth under points, and the commission's own figures show a progressive widening of the river; that is, the sum of eroded areas exceeds that of the fills. This brings into view an absolute practical limit which shuts out the possibility of success from the prosecution of the present system. For not only is unlimited time required, but the material for extended reclamations depends upon corresponding erosions; that is, the reclamation of a thousand acres from the river bed requires that more than a thousand acres be eroded not very far from the locality of reclamation.

The quantity of material brought into the delta section of the river is nearly the equivalent of the material arried out into the Gulf, as shown by the estimates based on sediment observations. This must be the case, else the bed would be gradually filled up or indefinitely enlarged. The perfected channel must discharge this quantity, no more, no less. It is, therefore, certain, first, that this

repairs?

These questions are pertinent and timely when the commissions are asking for additional millions to continue a worthless system.

Mr. WILLIS. I hope the committee will indulge me in saying the whole of the bill, except Hennepin and the Lower Mississippi portions, can be completed in an hour. Now, in accordance with the agreement when the hour of meeting was changed from 11 to 12, I move that the

Mr. HISCOCK. The gentlemen will yield to me for a moment while I send up to the Clerk's desk an amendment to be read.

The Clerk read as follows:

But the mouths of said rivers shall not be rectified upon any plan that, in the opinion of the Mississippi River Commission, will render it necessary to build levees upon the Mississippi from the mouth of the said Atchafalaya River down the Mississippi River.

Mr. WILLIS. I move that the committee rise.
The motion was agreed to.

The committee accordingly rose; and the Speaker pro tempore having resumed the chair, Mr. HAMMOND reported that the Committee of the Whole House on the state of the Union having had under consideration the river and harbor bill had come to no resolution thereon.

Mr. WILLIS. I move that the House adjourn.

The motion was agreed to; and accordingly (at 11 o'clock and 58 minutes a. m., February 19, 1885) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BEACH: Petition of citizens of Scotchtown, N. Y., in reference to the Mormon question—to the Committee on the Judiciary.

By Mr. S. S. COX: Memorial of N. McKay, of New York, as to a navy—to the Committee on Appropriations.

By Mr. EVERHART: Petition of citizens of Pennsylvania, urging the passage of a bill to check the increase of Mormonism—to the Committee on the Judiciary

By Mr. D. B. HENDERSON: Petition of G. H. Hill and 89 others, citizens of Independence, Iowa, urging legislation on the Mormon question—to the same committee.

By Mr. KEIFER: Petition of W. E. Thomas and 95 others, of Marion,

Ohio, praying for early legislation to suppress the evils of Mormonism-

By Mr. LAWRENCE: Petition of citizens of Cannonsburg, Washington County, Pennsylvania, for the passage of any act, now under consideration in Congress, calculated to curtail or suppress polygamy in States or any of the Territories—to the same committee.

By Mr. LOVERING: Petitions of 56 posts of the Grand Army of the Republic, and also of 600 citizens and ex-soldiers, asking for the passage of the Republic and also of 600 citizens and ex-soldiers, asking for the passage of the Republic and also of 600 citizens and ex-soldiers, asking for the passage of the Republic and also of 600 citizens and ex-soldiers, asking for the passage of any act, now under constitution of the passage of any act, now under constitution in the passage of any act, now under constitution in the passage of any act, now under consideration in Congress, calculated to curtail or suppress polygamy in States or any of the Territories—to the same committee.

sage of H. R. bill 6463—to the Committee on Invalid Pensions.

By Mr. MILLER: Petition of citizens of Fredonia, Pa., in favor of legislation to check the increase of Mormonism—to the Committee on

the Judiciary.

By Mr. MORSE: Petition of 13 citizens of Somerville, Cambridgeport, and Belmont, Mass., praying for the passage of a bill for the relief of Laura M. Towson, widow of John Towson, late of Company E,
Second New York Cavalry—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petition of O. B. Bartlett, James W. Taylor, O. S.

McDowell, and 1,805 others, ex-soldiers and citizens of Kansas, asking for the necessary appropriation to purchase ten acres of ground adjacent to the field on which one hundred and thirty-two Union soldiers were massacred by Quantrill's guerrilla band on the 6th day of October, 1863; near Baxter Springs, Kans., and asking that the said ten acres of ground be preserved and maintained as a national cemetery, and the soldiers so massacred, with other soldiers, be buried there—to the Committee on Military, Affairs Military Affairs.

By Mr. W. F. ROGERS: Petition of Pratt & Co. and other manu-

By Mr. W. F. ROGERS: Petition of Fratt & Co. and other mant-facturers, merchants, and bankers of the city of Buffalo, N. Y., for the passage of the bankrupt bill—to the Committee on the Judiciary.

By Mr. YOUNG: Papers relating to the claims of Ella M. Guy; of Thomas F. Perkins, administrator of Eliza M. Dawson, of Shelby County, Tennessee, and of Patrick G. Meath, of Memphis, Shelby County, Tennessee—to the Committee on War Claims.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. BRENTS: Of citizens of Fairview, of La Center, of Van-couver, of Tacoma, of Dayton, of Spangle, of Theon, and of Colfax,

By Mr. T. M. BROWNE: Of 116 citizens of Farmland, of 32 citizens

By Mr. T. M. BROWNE: Of 116 citizens of Farmland, of 32 citizens of Saratoga, of 62 citizens of Middletown, Ind.

By Mr. W. W. BROWN: Of 72 citizens of Shunk, and of 55 citizens of Hill's Grove, Sullivan County; of 34 citizens of North Bingham, and of 110 citizens of Oswayo, Potter County, Pennsylvania.

By Mr. J. M. CAMPBELL: Of citizens of Wittenburg, Pa.

By Mr. W. W. CULBERTSON: Of 199 voters of Vanceburg, Ky.

By Mr. FERRELL: Of citizens of Goshen, Cape May County, New Jersey; of Leaville, of Alloway, and of Gloucester City, N. J.

By Mr. D. B. HENDERSON: Of L. Stevens and 20 others, citizens of Butler County; of H. A. Dunham and 51 others, citizens of Waterloo, and of 48 citizens of Clarksville, Butler County, Iowa.

By Mr. HOLMAN: Of Wills Johnson and 211 others, citizens of Ripley County, Indiana.

By Mr. HOLMES: Of H. C. Chapin and 49 others, citizens of Hardin County; of G. B. Smith and 44 others, citizens of Steamboat Rock;

din County; of G. B. Smith and 44 others, citizens of Steamboat Rock; of A. M. Adams and 57 others, citizens of Humboldt County; of John Van Raden and 63 others, citizens of Hardin County, and of L. H. Trash and 63 others, citizens of Humboldt County, Iowa.

By Mr. LACEY: Of Samuel Pollock and 79 others, of Charlotte,

Mich.

By Mr. SPOONER: Of Isaac Crocker and 88 others, citizens and veteran soldiers of Providence, and of George C. Lawton and 236 others, citizens and veteran soldiers of Newport, R. I.

SENATE.

THURSDAY, February 19, 1885.

The Senate met at 11 o'clock a. m.
Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.
The Journal of yesterday's proceedings was read and approved. EXECUTIVE COMMUNICATIONS.

The PRESIDENT protempore laid before the Senate a communication from the Secretary of the Interior, transmitting sundry papers regarding the leasing of lands for grazing purposes upon the Crow Indian reservation in Montana Territory, received since his report on the subject of December 30, 1884, in answer to a resolution of December 17, 1884, which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of

the Interior, transmitting, pursuant to law, a report of the surveyor-general of New Mexico in the case of the New Mexico private land claim No. 117; which, with the letter of the Commissioner of the Gen-eral Land Office, was ordered to be printed, and, with the accompanying papers, referred to the Committee on Private Land Claims.

PETITIONS AND MEMORIALS.

Mr. MITCHELL presented a petition of the Board of Trade of Erie, Pa., praying for the acquisition by the United States of the Lake Superior and Portage Lake Canals; which was referred to the Committee on Commerce

Mr. PENDLETON. I present the petitions of sixteen publishing houses in Ohio, praying for a reduction of postage on second-class mail matter, and that a uniform rate of postage be charged on all papers sent out from the houses of publication. I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. PLUMB presented a petition of citizens in the military service of the United States resident at Fort Sill, Ind. T., praying for the construction of a wagon-road from Caldwell, Kans., via Fort Sill and other places, to Wichita Falls, Tex.; which was referred to the Committee on Appropriations.

He also presented the petition of Junction City Post, No. 132, Department of Kansas, Grand Army of the Republic, praying for the publication in Official Records of the War of the Rebellion of certain photographic illustrations; which was referred to the Committee on

Military Affairs.

MARBLE BUST OF LA FAYETTE S. FOSTER.

Mr. SHERMAN. I am directed by the joint committee on the Library to report to the Senate that the committee has received a bust of the late La Fayette S. Foster, formerly a Senator from Connecticut and presiding officer of this body, presented to the Senate of the United States by his widow, accompanied with a letter, which I ask to have

The PRESIDENT pro tempore. The Senator from Ohio reports from the Committee on the Library that the committee has received a bust of the late La Fayette S. Foster, formerly President of this body, with a letter from his widow, and asks that the letter be read. If there be no objection, the letter will be read.

The Secretary read as follows:

NORWICH, CONN., January 15, 1885.

My DEAR SIR: I have the honor to present to the United States Senate, as a memorial of my late husband, Hon. L. F. S. Foster, of Connecticut, who was one of its former members and presiding officers, his marble portrait-bust.

It was executed by Charles Calverly, of New York, in 1878. It will reach Wahington in a few days, where I have sent it for that purpose.

May I venture to ask its acceptance, through you, as his last remaining colleague in that honorable body, and as chairman of the Joint Committee on the Library.

league in that Library.
Library.
Yours, very respectfully,

MRS. L. F. S. FOSTER.

Hon. JOHN SHERMAN, United States Senator.

Mr. SHERMAN. The committee direct me also to report resolutions, for which I ask present consideration.

The PRESIDENT pro tempore. The resolutions will be read.

The Chief Clerk read the resolutions, as follows:

Resolved, That the Senate accept the marble bust of Hon. La Fayette S. Foster, deceased, formerly a Senator from Connecticut and President protempore of the Senate, presented by his widow, with thanks to the donor.

Resolved, That, until otherwise directed, the bust be placed on a suitable pedestal in the room of the Vice-President.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolutions? The Chair hears none. The question is on agreeing to them.

The resolutions were agreed to.

REPORTS OF COMMITTEES.

Mr. JACKSON, from the Committee on Claims, to whom was referred the bill (S. 2598) for the relief of Mrs. Lizzie D. Clarke, of New Or-

leans, reported it without amendment, and submitted a report thereon.

Mr. JACKSON. I am also instructed by the Committee on Claims, to whom was referred the bill (S. 688) for the relief of Alexander K. Shepard, to report it with amendments. Accompanying the report are the views of the minority. I ask that they be printed with the report.

The PRESIDENT pro tempore. If there be no objection, the views

of the minority will be printed.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2626) for the relief of William E.

blunt, reported it with amendments, and submitted a report thereon.

Mr. PLUMB, from the Committee on Appropriations, to whom was referred the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. PIKE, from the Committee on Claims, to whom was referred the bill (H. R. 6270) for the relief of John P. Peterson, reported it without

amendment, and submitted a report thereon.

Mr. MAHONE, from the Committee on Post-Offices and Post-Roads, reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

ner, to report it favorably with an amendment. I ask for the present consideration of the bill.

Mr. ALLISON. What is the bill?
Mr. GARLAND. It is a bill removing political disabilities.

Mr. ALLISON. I do not object.
By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on the Judiciary was, in line 4, after the word "upon," to insert the word "William;" so as to read:

That all political disabilities imposed upon William M. Gardner, a citizen of the State of Georgia, by the fourteenth article of amendments to the Constitution of the United States, be, and the same are hereby, removed.

The amendment was agreed to.

Mr. CONGER. Is there a petition accompanying the bill? Mr. GARLAND. Yes, there is a petition. The party's accounts with the United States are settled. There is nothing due the Government. Everything has been settled up.

Mr. CONGER. Let the petition be read.

The PRESIDENT pro tempore. The petition will be read if there be

no objection

The Chief Clerk read as follows:

To the Senate and House of Representatives :

The undersigned, a citizen of Floyd County, Georgia, and an excaptain in the United States Army, having served in the late civil war in the confederate army, prays to have his political disabilities removed. W. M. GARDNER.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read

The bill was read the third time, and passed (two-thirds of the Sen-

ators present voting in the affirmative).

The title was amended to read: "A bill for the relief of William M.

Gardner."

Mr. GARLAND. I am also instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 7584) for the relief of A. B. Montgomery, to report it without amendment, and I ask for its present consideration. It is a bill to remove this man's political disabilities, he being a citizen of Georgia.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed (two-thirds of the Sen-

a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

Mr. GARLAND. I am also instructed by the Committee on the Judiciary, to whom was referred the bill (S. 2623) to remove the political disabilities of Alexander W. Stark, to report it favorably and without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the bill.

Mr. CONGER. I suppose in all these cases there has been a personal application. I merely make the inquiry.

Mr. GARLAND. Yes, sir; the petition is with the bill, signed by the party applying for the removal of disabilities.

The PRESIDENT pro tempore. The Chair will state that it is the inexorable rule of the Judiciary Committee that there shall be a petition in the provider of the state of t tion in writing of the applicant in proper form, and that his accounts at the Treasury shall be clear.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

INAUGURATION CEREMONIES

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred the joint resolution (S. R. 125) to provide for the expenses of the inauguration ceremonies on the 4th day of March, 1885, to report it with an amendment in the nature of a substitute, so as to change the phraseology somewhat. I ask that the substitute may be read, and I should be glad to have the joint resolution considered now, as I think it will take but a moment.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the joint resolution.

The PRESIDENT pro tempore. The Senator from Iowa asks unani-The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the reading of the original joint resolution may be dispensed with, and that the amendment proposed by the Committee on Appropriations may be read. Is there objection? The Chair hears none. The amendment will be read.

The CHIEF CLERK. The Committee on Appropriations report to

strike out all after the resolving clause and to insert:

reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

That to defray the expenses incurred under the resolution of the Senate of February 12, 1885, directing a committee of three Senators to make the necessary arrangements for the inauguration of the President-elect of the United States on the 4th day of March, 1825, the sum of \$2,500, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of said committee. And said committee is hereby authorized to have any necessary printing done at the Government Printing Office.

The PRESIDENT pro tempore. The question is on agreeing to the amendment

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading,

read the third time, and passed.

The title was amended to read: "A joint resolution providing for the expenses of the inauguration ceremonies on the 4th day of March, 1885."

AMENDMENTS TO BILLS.

Mr. DOLPH and Mr. FRYE submitted amendments intended to be proposed by them severally to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed

Mr. DOLPH submitted an amendment intended to be proposed by

Mr. DOLPH submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. GARLAND submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SLATER submitted an amendment intended to be proposed by

him to the general deficiency appropriation bill; which was referred to

the Committee on Claims, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be propos by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered

to be printed.

Mr. McPHERSON submitted an amendment intended to be proposed by him to the bill (H. R. 6771) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; which was ordered to be printed.

Mr. FRYE submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3258) to authorize the construction of a bridge across the Saint Croix River at the most accesssible point between Stillwater and Taylor's Falls, Minn.

The message also announced that the House had passed a joint resolution (H. Res. 335) to print 2,000 additional copies of Lieut. P. H. Ray's report of the international Polar expedition to Point Barrow, Alaska; in which it requested the concurrence of the Senate.

COCHECO RIVER IMPROVEMENT.

Mr. PIKE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to communicate to the Senate the report of the engineer, or a copy of the same, for the current fiscal year relative to the improvement of the Cocheco River at Dover, N. H.

DISTRICT TAXES AND EXPENDITURES.

Mr. MORGAN. I rise to offer a resolution, but before doing so I wish to ask the chairman of the Committee on the District of Columbia, the Senator from Kansas [Mr. INGALLS], whether he is informed of any report having been made by the commissioners of the District of Columbia in reply to the resolution of the Senate of the 24th of June, 1884. That resolution reads as follows:

Resolved, That the commissioners of the District of Columbia be directed to report to the Senate the aggregate amount collected from taxation for each of the fiscal years from 1875 to 1884 inclusive, in each of the four quarters of the city of Washington, in Georgetown, and in the county of Washington outside of said cities. Also, the aggregate amount expended in each of said six divisions for each of said ten years for street improvements of all kinds, including the replacement of wood, stone, and macadam pavements, new pavements, laying sidewalks, regulating, grading, and filling up streets, repairs to concrete pavements and macadam roadways, parking, for permit work, and for repairs to streets, avenues, alleys, county roads, suburban streets, &c.

Also, a statement of the taxes that have been assessed or special assessments made against each of the railroad companies in the District of Columbia, whether operated by steam or other power, for each year since 1874, and the amount of taxes collected from each of said companies for each of said years, and the amount remaining uncollected, if any, for each of said years, and the amount remaining uncollected, if any, for each of said years.

Resolved further, That the commissioners of the District of Columbia be required to report to the Senate a statement of the receipts and disbursements on account of the water department, or water fund, for each year from 1878 to 1884, inclusive, stating the amount received from each separate source, and when, where, and for what purpose the money has been expended.

Mr. INGALLS. My recollection is that the commissioners of the Dis-

Mr. INGALLS. My recollection is that the commissioners of the District of Columbia responded as far as the books under their control en-

abled them to do so. The Senator will remember that the form of government was changed about 1874, and that previous to the date when the commissioners took possession the records had not been kept in such form as to make the information accessible. But if the Senator will suspend for a brief space I will make the inquiry and inform him, so that he can offer his resolution later in the afternoon.

Mr. MORGAN. I inquired at the office of the Secretary of the Senate and was informed that no response had been filed there to the resolution, and I suppose that none has been made. I will, however, offer the resolution, and it can go over until to-morrow.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the commissioners of the District of Columbia be directed to immediately inform the Senate of the causes that have prevented them from complying with the resolutions of the Senate adopted on the 24th of June, 1894, relating to the taxes collected from 1875 to 1894, and to receipts and disbursements on account of the water department or water fund for each year from 1875 to 1894.

The PRESIDENT pro tempore. The resolution will be printed, and go over until to-morrow on the objection of the mover of it.

CONSIDERATION OF LAND-GRANT-FORFEITURE BILLS.

Mr. MORGAN. I desire to make an inquiry of the Chair in regard to the progress of business under the resolution introduced by the Senator from Tennessee [Mr. HARRIS]. As I remember that resolution, it relates to cases that are on the Calendar. I have not a copy of it be-

The PRESIDENT pro tempore. The order adopted on the 14th of February directed that-

The Senate will proceed to the consideration, in their order, of House bills and resolutions on the Calendar favorably reported by a Senate committee, and continue such consideration until 1 o'clock each day, until all of such bills and resolutions have been considered.

Mr. MORGAN. Does the Chair construe that order as requiring

those causes to be considered under Rule VIII?

The PRESIDENT pro tempore. The order of the Senate suspends one part of Rule VIII, quoting it, and substitutes this in its place, the Chair understands, so that bills taken up will be subject to the five-minute limitation of debate under Rule VIII, and will be subject to a motion to proceed notwithstanding an objection. That is the impression of the Chair. Of course the Chair has no pending question before it to decide. The Chair thinks that the interpretation of the rule is as he

decide. The Chair thinks that the interpretation of the rule is as he now understands it.

Mr. MORGAN. I desire to give notice that with the consent of the chairman of the Committee on Public Lands, who introduced the bill and reported it to the Senate, I shall ask the Senate to consider House bill 3933, forfeiting the land grant of the Texas Pacific Railroad Company, as soon as the hour of 1 o'clock has arrived, and I shall press that motion to-day or on any other day when the Senate shall find itself in

a position to consider the question.

a position to consider the question.

The PRESIDENT pro tempore. The Chair will state to the Senator that the Chair was notified yesterday by the Senator from Nebraska [Mr. Van Wyck] that he intended to get the floor this morning at the earliest possible moment to make a motion to proceed to the consideration of the bill forfeiting the land grant of the Texas Pacific Railroad Company

Mr. MORGAN. The bill is not in my charge; it was reported by the chairman of the Committee on Public Lands. Of course I do not presume to take it out of his hands, but I wish to make a statement in connection with it.

The PRESIDENT pro tempore. If there be no objection the Senator

from Alabama will proceed.

Mr. ALLISON. I hope the Senator will not take up the time of the morning hour, as the bill will undoubtedly come up at 1 o'clock un-

Mr. MORGAN. The question which I wish to state involves a parliamentary inquiry, which I think ought to be disposed of at this time. It will take but a moment.

The Chair and the Senate are aware that the committee of conference on House bill 7162, forfeiting the unearned lands granted to the Atlantic and Pacific Railroad Company, made a report to this body. At the moment of making the report the Senate was otherwise occupied in very important business, and I did not insist then on the privilege that I had of having the motion as to whether the Senate would further I had of having the motion as to whether the Senate would further insist upon its amendments considered. The motion was not made. At a subsequent day I called up the question and claimed that it was a question of privilege. The Chair ruled, however, that the motion for consideration not having been made at the time of making the report, the privilege was lost. That of course did not place the case on the Calendar, and therefore it would not be one of the cases coming within the rule which the Senate adopted on the motion of the Senator from Tenness

The PRESIDENT pro tempore. The Chair thinks it did place the bill on the Calendar with the report of the Senate conferees on the subject.

Mr. MORGAN. It was not so ordered.

The PRESIDENT pro tempore. It is on the Calendar now. Mr. MORGAN. In that category?

. The PRESIDENT pro tempore. Yes; it is in the category in its due order on the Calendar, No. $945\frac{1}{2}$.

Mr. MORGAN. I was not aware that it had gone on the Calendar.

Now, one other question in regard to that matter. In referring to the proceedings of the House of the 17th of January, 1885, I find that the conferees on the part of the House reported that bill to the House, and they asked that the House would further insist—

and they asked that the House would further insist—

The PRESIDENT pro tempore. It is not in order to refer to any proceedings of the House of Representatives.

The Mr. MORGAN. I am obliged to refer to what has been done there in order to show that the action of the House has not reached us.

The PRESIDENT pro tempore. The Senator can not refer to any action of the House of Representatives that has not been communicated

to this body.

Mr. MORGAN. Well, I have the right then, I hope, to refer to the fact that no communication has come from the other House in respect to this bill. That is a fact which the Senate knows. Now, I leave it to the imagination of Senators how that could happen, and I merely ask Senators to refer to a public document, published by authority of Congress, in which they will find that some body of men in the United States have acted upon a bill which they assumed was before that body and which action has not yet come to the Senate. My purpose was to try to get informed myself, by the ruling of the Chair, whether that action of the other House should be waited for or whether we should proceed notwithstanding the action taken by the House.

Mr. FRYE. The Senator does not mean the House, he means that

Mr. MORGAN. I mean that other body, of course; I do not mean

The PRESIDENT pro tempore. The Chair will state that he thinks it is competent under the principles of parliamentary law for either House of Congress to send a message to the other reminding it of some bill that appears to have been overlooked in the other House that has not been heard from. The Senator understands that allusions to or

comments upon the proceedings of the other body are not in order.

Mr. MORGAN. I was not going to comment upon the proceedings in the House, but I was going to state the result that had been attained there as shown by the RECORD; that was all. But of course if I am not in order in doing that, I shall refrain from doing it. Still I have been very much embarrassed in proceeding with this matter, expecting that a communication would come from the House of Representatives in respect to the bill, when I knew the bill was here, however, and knew that it was subject to the jurisdiction of this body. I have not known whether it was my duty as chairman of the committee of conference to call up the bill that is before the Senate and act irrespective of anything that may have been done elsewhere, or whether it was my duty to wait until the action of the other branch of Congress had been communicated to the Senate. That is the awkward situation in which we are placed here.

Now I wish to make progress with that bill whenever I can, and my purpose in rising and making this statement was merely to get the assistance of the Chair in a proper form of parliamentary procedure to bring the question to the attention of the Senate, which of course it is

my duty to do.

The PRESIDENT pro tempore. If the bill is in the possession of the Senate, as the Chair supposes it to be, as the report of the Senate conferees was made, then it is of course obvious that the only body that can act upon the bill is the body which has possession of it.

Mr. MORGAN. The bill is in the possession of the Senate; it has been here ever since the conference report was made.

Now I wish to say that to save the time of the Senate, which is getting to be very precious indeed, and to prevent a multiplicity of debate upon questions like this, I am willing to consider that question in connection with the Texas Pacific Railroad case, and to allow the decision upon that case to stand as an instruction to the conference committee on the part of the Senate. Of course the Senate conferees wish to do nothing that the Senate does not advise them to do and that it is not the will and pleasure of the Senate to do.

Therefore, when the bill for the Texas Pacific Railroad forfeiture the disagreement of the two Houses on the Atlantic and Pacific Railroad case along with the other, or, if it can not be done in that way, that it may lie over until the Texas Pacific Railroad case is disposed of and immediately taken up and instructions given to the Senate conferees.

Mr. MORRILL. The President of the Senate has informed the Senate has informed the Senate conferees.

ator that he was notified by the Senator from Nebraska that he would bring up the Texas Pacific Railroad question, but he neglected to say also that I had notified him that I should endeavor to bring up the also that I had nothed him that I should endeavor to oring up the trade-dollar bill at the earliest possible moment. That bill was post-poned for a day in consequence of the absence at the moment of the Senator from Ohio [Mr. Sherman] who had the floor to address the Senate upon the question. It was partly considered, and I feel it my duty to push the bill at the earliest possible moment.

The PRESIDENT pro tempore. It is the duty of the Chair to say that there is no question pending before the Senate. The debate proceeds by manipous consent.

ceeds by unanimous consent.

Mr. PLUMB. I ask unanimous consent to make a statement.

understood the Senator from Alabama [Mr. MORGAN] to state that at 1 o'clock he would move to take up the Texas Pacific forfeiture bill.

Mr. MORGAN. If that met the approval of the chairman of the com-

mittee in charge of it.

Mr. PLUMB. The Senator from Alabama has stated the fact that the Senate at a previous session adopted his motion against the objection of the chairman of the committee to send the forfeiture question to the courts, and that is the question pending between the two Houses and the only one that is the question pending between the two Houses, and the only one that is pending between the two Houses, on the bill mentioned by him. If that were out of the way there would be no difficulty about the passage of that bill, and I hope several others also. I only want to say that I shall support the motion of the Senator from Alabama and hope he will make it at the time named, and not permit the Senator from Vermont or any other Senator to get another measure up at that time.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (S. 1251) to authorize the purchase of a wharf for the use of the Government in Wilmington, N. C.; and
A bill (H. R. 8039) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1886, and for other purposes.

DES MOINES RIVER LANDS.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions that order is closed, and the Chair lays before the Senate the Calendar under Rule VIII.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1886) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes.

The PRESIDENT pro tempore. The pending question is on agreeing to the amendment proposed by the Senator from New York [Mr. LAP-

Mr. LAPHAM. At the time I was taken from the floor yesterday I was considering the extraordinary proposition of the honorable Senator from Iowa [Mr. WILSON], in which he likened this case to the case of a bill forfeiting a land grant to a railroad. When I asked why the owners of these lands who were non-residents of Iowa should be further subjected to prosecution, especially why they should be subjected to prosecutions on behalf of the Government of the United States, the honprosecutions on behalf of the Government of the United States, the hon-orable Senator answered me by quoting what I said in reference to the bill forfeiting a grant to one of the Oregon railroads. I accept that as an acknowledgment on the part of the advocates of this bill that it is in truth and in fact a bill to forfeit the titles of bona fide purchasers from the State of Iowa under the acts of Congress to which reference has been so often made. That is the theory of the bill. I say this is truly a bill to forfeit the titles of those who purchased the lands from the Des Moines River Navigation Company under the protection of acts of Congress, and it is a significant fact that when I appeal to the advo-cates of this bill for any authority for including these persons within the provisions of this bill, the only answer that can be made is, why, this is like the forfeiture of a railroad grant. The proposition itself is this is like the forfeiture of a railroad grant. The proposition itself is an argument in favor of the amendment we are now considering that this particular class of Iowa lands, amounting to some one hundred and seventy-odd thousand acres out of over 500,000 acres that were given to the State of Iowa, shall be excepted from the operation of this bill.

Mr. President, I desire to read for the consideration of the Senate in

support of this amendment a passage or two from the minority report in the other House in the Forty-seventh Congress. I believe I have a

right to refer to that:

How far the United States will aid unfortunate settlers who have been misled by the opinions of local land officers and settled upon private property supposing it to be public land may deserve the serious consideration of Congress. But never, it is believed, has Congress done what this bill proposes—authorized suits in the name and at the expense of the United States to endeavor to reclaim the land from prior grantees and private owners of the lands in order to confer it on such mistaken settlers.

The minority are opposed to it, especially as it places the purse and power of the Government upon one side in a private controversy, regardless of title.

The minority are not in favor of this bill, because its enactment would have the appearance of providing by law for further litigation by and in support of the titles of parties who have already had the judgment of the Supreme Court upon their cases. It would actually direct new trials in cases now determined, for the names of Hannah Riley and George Crilley are found on House Executive Document No. 25, Forty-third Congress, first session, page 13, as parties to have the benefit of the proposed legislation.

I have already said that this bill in effect is to reverse the judgment of the Supreme Court of the United States against those two claimants, and permit them to institute, with the aid of the Government," a new suit for the purpose of prosecuting the successful parties in each of those suits.

We do not believe that Congress has the right to compel the holders of its title to go to the expense of further litigation, when they protest against such interference with their rights of private property, and protest against being sent again into the courts, with the purse and power of the United States against them.

The protestants claim that the enactment of any such bill will prolong, and is

designed by the promoters of it to prolong, this controversy, and protect the settlers in continuing their illegal possession of the lands from which they are annually gathering the crops without paying either taxes or rent.

The suits provided for in section 2 will not be brought against citizens of Iowa, as the Iowa settlers on the lands are to have confirmation; but they are to be brought solely against the non-resident owners of the lands residing in other

States.

It is respectfully submitted that Congress ought not to favor the people of one State to the detriment of citizens in other States.

Again, this measure for instituting the suits proposed by this bill has not been introduced on the recommendation of any head of any Executive Department, nor has the Attorney-General been asked his opinion in the premises.

Prior legislation and executive action conferring title to lands have been fully, repeatedly, and unanimously interrupted by the United States Supreme Court adversely to the settlers whom this bill seeks to relieve by enacting an opposite construction of the laws involved, and instructing the United States Attorney-General to unite with the settlers in attempts to enforce this new construction by instituting new suits in the name and at the expense of the United States, but for the sole benefit of litigants defeated and disappointed by the existing judicial decisions. This is, in the opinion of the minority, entirely wrong, and affords sufficient reason why the bill (H. R. 6597) ought not to pass.

Mr. President, there is wisdom and good sense in the position thus taken in this minority report of the House Committee. These owners have for a series of years been subjected to expensive litigation to determine the question of their titles. They have traveled over the whole road of judicial inquiry. They have finally succeeded in establishing their claims as valid by a multiplicity of decisions embracing every possible phase of this question. In suits with settlers on the lands, in suits with railroad companies that became subsequent grantees, in every possible form this question has been litigated in the dozen suits which have come to the Supreme Court and in various suits in the State of Iowa, and everywhere they have been triumphant. Now why should we open again the flood-gates of litigation as to them? Why should we again subject these gentlemen to a retrial of their questions of title? They have been kept out of the use of that portion of the land occupied by these settlers for twenty-odd years without the payment of

a farthing of rent or the payment of any of the taxes.

Their road has been a thorny one. They have not realized the dream

of the poet that-

There is a tide in the affairs of men, Which, taken at the flood, leads on to fortune.

This has been an expensive business to these owners, but yet they have prevailed and they have the solemn judgments of the tribunals of the country in their favor. All they ask is to be let alone. True, they are open yet to private prosecutions by these settlers; but that they are willing to meet. True, they are open to have the question tried in every case where it has not been already tried; they are willing to meet the case in that aspect of it; but to reverse all that has been done, to declare these lands public lands, as this bill proposes, to reopen the flood-gates of litigation and to take the Treasury of the United States into the scale against them, is a wrong so monstrous that it seems to me the idea of inflicting it ought not to be tolerated for a moment.

I hope, therefore, that the amendment now pending, which is but a modification of that clause of the bill which was stricken out on my motion, will be adopted by the Senate. As it was contained in the bill it declared the title to these lands perfect except where there were settlers on them. I was not willing to accept any such provision as that.

As I have it, it excepts these titles from the operation of the bill absolutely. That was the view, I repeat, of an amendment proposed by Senator McDonald, of Indiana, when he had a seat in this body, as one sential, as one demanded by justice, as one which ought to prevail.

I have no desire to multiply words upon this particular amendment. I have said all that I need to say in support of it, and I trust the Senate will see its propriety and vote for its adoption.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The questions of the president of t

tion is, Will the Senate agree to the amendment proposed by the Senator from New York?

Mr. ALLISON. I hope not.
Mr. LAPHAM. That very, very brief speech from the honorable
Senator from Iowa has a world of meaning in it. He hopes not.
Mr. ALLISON. I withdraw it, then.
Mr. LAPHAM. There have been extraordinary efforts made on this

the adventure of this legislation. A word is significant. I hope the amendment will prevail. I stand here as the advocate of men whose legal title has been established by Congress and by the courts in every form; and I hope it will prevail. We may as well take the yeas and nays upon this question.

The yeas and nays were ordered; and being taken resulted, year 10.

The yeas and nays were ordered; and being taken, resulted—yeas 19, nays 20; as follows:

		YEAS-19.	
Bayard, Blair, Camden, Colquitt, Garland,	Gibson, Groome, Hampton, Harris, Kenna,	Lapham, McMillan, Miller of N. Y., Morgan, Pendleton,	Pike, Saulsbury, Vance, Vest.
		NAYS-20.	
Allison, Bowen, Call, Cameron of Wis., Conger,	Cullom, Frye, George, Hale, Hill,	Ingalls, Miller of Cal., Mitchell, Morrill, Platt,	Plumb, Pugh, Sherman, Van Wyck, Wilson.

				-37.
- 1	DО	E	и с	-34.

Aldrich,	Edmunds,	Jones of Nevada,	Sabin,
Beck,	Fair,	Lamar,	Sawyer,
Brown,	Farley,	Logan,	Sewell,
Butler,	Gorman,	McPherson,	Slater,
Cameron of Pa.,	Harrison,	Mahone,	Voorhees.
Chace,	Hawley,	Manderson,	Walker,
Cockrell,	Hoar,	Maxey,	Williams,
Coke,	Jackson,	Palmer,	
Dawes,	Jonas,	Ransom,	
Dolph,	Jones of Florida,	Riddleberger,	

So the amendment was rejected. Mr. LAPHAM. Mr. President, I offer the following amendment as an additional section:

SEC. 3. Before the commencement of any action or actions by the Attorney-General, in pursuance of this act, the person or persons in whose interest and for whose benefit the same is to be prosecuted shall deposit with the clerk of the court a bond or bonds (to be approved by the court or a judge thereof as to the form and penalty of the same) conditioned to pay to the person or persons to be prosecuted all costs and expenses of the defenses or defenses of such action or actions in case the plaintiff shall fail to recover therein.

Mr. President, no one can fail to see that the object of this bill is to aid private settlers in the recovery of lands. No one can fail to see that as far as those private settlers have had their rights tried by the courts they have been defeated. No one can fail to see that as to these lands they are not a part of the public domain, but they are the private propthey are not a part of the public domain, but they are the private property of those who purchased and paid for them under the grant to the Des Moines River Navigation Company. What does this bill then propose to do? It proposes first to declare that these lands are public lands. It is, as the Senator from Iowa well said yesterday, a proposition to forfeit the title of bona fide purchasers and to restore the lands, which they have purchased, to the public domain.

Mr. WILSON. I ask the Senator from New York to state, if he will

allow me to interrupt him, which Senator from Iowa made such a state-

Mr. LAPHAM. The honorable Senator who is now addressing me

Mr. LAPHAM. The honorable Senator who is now addressing me used as the only argument against my amendment the view I took of the proposition to forfeit the Oregon railroad grant.

Mr. WILSON. If the Senator will allow me to reply I will say that I stated yesterday that if he would apply the precedent of his speech on the Oregon railroad grant to this bill it would answer my purpose entirely, because in that he advocated—

Mr. LAPHAM. I did not yield for a speech.

Mr. WILSON. He advocated the propriety of allowing each person interested, no matter how humble he might be, an opportunity to be heard in court. These settlers have not had it. That is all we ask and all the bill does.

Mr. LAPHAM. I said in that case inasmuch as the Government was going to resume the title which had been forfeited for the nonperformance of a condition subsequent, it was the right of every lienholder upon that land to have a day in court. I stand by that position still. This is not such a case as that unless, as I now claim, the effect of this bill is to forfeit an actual grant by the Government to those whose titles have been determined valid. That is the effect of this bill. When you declare in this bill that these lands are public lands and

authorize the Attorney-General in connection with the settlers to bring suits against the owners of the fee, you declare to all intents and pur-poses a forfeiture of their title, and in addition to that you subject them to a prosecution by the Government of the United States upon whose faith they advanced and paid their money for these lands. I submit before that shall be allowed there shall be a provision in this bill that every settler upon these lands in whose behalf the Attorney-General prosecutes, if he decides to prosecute at all, shall file security to pay the owners of these lands in case they succeed the costs and expense of the litigation.

Take the case of Hannah Ann Riley, take the case of George Crilley, each of whom has tried the question between them and the owners of these lands and been defeated. Now under this bill they with the Attorney-General may again commence action, and I need not say to the members of the Senate that there can be no costs recovered against the Government. This bill makes no provision that the United States shall be liable for costs, and we are driven to the expense of a litigation of precisely the same question we have already successfully litigated. We are driven to the expense of litigating this question at our own expense. Although successful, although we re-establish our title, although we show that these lands are our own and that there is no valid claim against them, as has been so repeatedly decided, although we establish all this, yet we are to be prosecuted by the Government without any redress for the expenses of the litigation on our part.

Mr. President, the object of this amendment is to provide as it reads that before the Attorney-General institutes an action in conjunction with a settler (and as I have said he must institute just as many actions as there are settlers), that settler for whose benefit the Government is authorized by this bill to prosecute shall give a bond in such form and with such penalties as the court or a judge of the court shall prescribe, conditioned that in the event of a failure to recover, in the event of the re-establishment of the title of these purchasers, in the event of a successful resistance to the prosecution, all the costs and expert of a successful resistance to the prosecution, all the costs and experts of a successful resistance to the prosecution, all the costs and experts of a successful resistance to the prosecution, all the costs and experts of a successful resistance to the prosecution, all the costs and experts of the prosecution. event of a successful resistance to the prosecution, all the costs and expenses of the defense shall be paid to these owners. Who can object

to so fair a provision as this? Why are the advocates of this bill unwilling that there shall be at least this much protection to these purchasers'

Mr. President, I have shown over and over again that those settlers are not bona fide settlers. The Judiciary Committee of this body four years ago so found and reported. What is there in their case that should prompt this extraordinary legislation in their behalf? I can not understand why it is that these gentlemen, who are non-residents of the State of Iowa, should again by the authority of this Government be subjected to a renewal of this litigation at the peril of being compelled to defend the actions at their own expense although they succeed, and therefore I urge, and urge with great earnestness, and with great confidence I may say, upon the consideration of the Senate that this amendment, this poor protection to these already vexed land-owners, at least shall be furnished them by the vote of this body if this bill is to become a law

I have said all that I think it necessary to say in support of this mendment. I commend it to the consideration of the Senate, and ask amendment. I commend it to the consideration of the Senate, and ask that at least they will preserve to these settlers the poor right of being reimbursed in case they succeed in the litigation, for the costs and expenses to which they will be subjected by this extraordinary bill, and upon this I ask that the yeas and nays be taken.

Mr. WILSON. Mr. President, I regret to feel called upon to say another word to the Senate concerning this bill. It has already occupied

more time than it should have taken, but I do not desire to have a vote taken on this amendment without a fair understanding by the Senate of the issue this bill presents. Now let me read from the first section of the bill its purpose;

That all the lands" improperly certified to Iowa by the Department of the Interior under the act of August 8,1846, as referred to in the joint resolution of March 2,1861," for which indemnity lands were selected and received by the State of Iowa, as provided in the act of 1861, are, and are hereby declared to be, public lands of the United States.

What lands? Lands improperly certified to the State of Iowa, not lands to which the parties that the Senator from New York appears for here hold good and valid title, for they can hold no such title if these lands have been improperly certified; nor can the courts hold these lands to be public lands if they have been properly certified, for that means that they shall have been certified in pursuance of law.

What next does it provide? In section 2 it is said:

That it is hereby made the duty of the Attorney-General, within ninety days after the passage of this act, to institute, or cause to be instituted, such suit or suits, either in law or equity, or both, as may be necessary and proper to assert and protect the title of the United States to said lands, and remove all clouds from its title thereto.

That is it. If the lands belong to the Government because they have not been properly certified, the Attorney-General is to ascertain that question by judicial proceedings and this provision of the second section, and that is all there is of it; and if in the progress of the proceeding it shall appear that the parties for whom the Senator from New York pleads to-day hold titles in pursuance of lawful certification, that will make their title doubly sure. But he says that these settlers, who for more than a quarter of a century have been making homes and rearing families on these lands alleged to have been improperly certified, shall have no opportunity for a judicial determination unless they come in and by a bond with sufficient sureties agree to make harmless the New York holders of a certain title to these lands first. Mr. President, if a remedy is to be provided at all under this bill, it goes in the name of the United States for the purpose of asserting the United States title and after that affording these settlers of more than a quarter of a century an opportunity under the laws of the United States to prove up their settlement and interest in the land; and now I am willing to submit this amendment to a vote of the Senate.

Mr. LAPHAM. Well, Mr. President, the honorable Senator has been much more unsuccessful in answering this than he was in answering the amendment that I proposed yesterday. He assumes now—and he can stand upon no other proposition—that these lands which the Supreme Court decided were improperly certified to the State of Iowa so far as they lie north of Raccoon Fork, in the State of Iowa, are still public lands, and his argument has no force unless it rests upon that proposition. Now what is the truth of this case? Iowa has always claimed until this hour that they were not public lands; Iowa has always claimed that they were properly certified to the State, and that Iowa was authorized to grant them to the Des Moines River Navigation Company under the certificates of the officers of the Land Office. were certified to the State of Iowa as part of this grant; they were conveyed to the Des Moines River Navigation Company, and the Des Moines

River Navigation Company conveyed them to those I represent.

Then what have we? We have the resolution of the 2d of March, 1861, a joint resolution of Congress, declaring that the titles to all the lands certified to the State of Iowa north of the Raccoon Fork are, notwithstanding that improper certification, made valid as far as they have become the property of bona fide purchasers from the State and its grantees. "Improperly" is not in this question now, sir. There was a time when it was in it. If the joint resolution of the 2d of March, 1861, had not been passed, the position of the honorable Senator would have some force in it; but in the face of that fact that Congress, not-

withstanding they were improperly certified, ratified and confirmed them to these purchasers, what is there upon which this bill can stand— I mean so far as that portion of the lands held by these purchasers is concerned? I showed yesterday that there are over 300,000 acres of land within the compass of this bill which are not affected by the question that I raise. I only ask to have taken from the operation of this bill that portion of the lands which were thus conveyed and the titles to which were confirmed by the joint resolution of 1861.

The honorable Senator from Iowa is too good a lawyer and too shrewd a man to be driven to such a position as he has now advanced, that these lands are still in the condition of lands improperly certified to the State of Iowa, as a basis for this legislation. If he had any other position upon which he could possibly plant himself, he is the last man who would resort to such a subterfuge as that, for it deserves no other

These lands were, as the Supreme Court decided, a portion of them improperly certified; but they had been sold by the State; these gentlemen had purchased them and paid for them, and the State of Iowa asked—not these purchasers—but the State of Iowa asked Congress to pass the joint resolution of 1861 confirming their title; and in every case which has been decided by the Supreme Court and by the courts of Iowa the decisions have been put upon the express ground that that joint resolution cured all defects in the titles of these purchasers; that, Joint resolution carea all defects in the titles of these purchasers; that, although the lands were improperly certified, although at the time they were certified they were not within the compass of the grant to the Territory of Iowa, yet the Territory or State having sold them, and they having gone into the hands of bona fide purchasers, it was the duty of Congress to confirm their title; and it was the State of Iowa as she was represented then that asked this confirmatory declaration on the part of Congress

Now, after all this, and after all this litigation determining these questions of title, the proposition of this bill is that the whole question in regard to this title shall be reopened in favor of those who have been occupying the lands without right, so the Supreme Court has said, of trespassers, of wrongdoers, of men who combined in the way I have described, of men who plunder and threaten to kill and burn, of men who do not pay taxes, of men who do not exercise any of the rights of ownership over this property except to occupy it and take possession without giving any compensation. It is this class of men to whom the bill opens the door of litigation at the expense of the Government, and I insist that this extraordinary privilege should not be granted except upon the condition named in this amendment that every one who prosecutes shall file a bond, to be approved by the court, to pay the defendant, in case of failure, his costs and expenses.

If the honorable Senator from Iowa is right that these are public lands, if he is right in the position that they are improperly certified, and occupies that position now, why does he provide for joining the set-tlers in an action? Does the Government of the United States need the aid of a squatter to establish its title? The theory of this bill is that the Government has no right except what this bill confers; the theory of this bill is that the squatter is the real party and not the Govern-ment, and all I ask by this amendment is that before he prosecutes, as we can not recover costs against the Government which is authorized to bring the suit, a bond shall be filed to pay us the costs and expenses

of the litigation in case we succeed.

Mr. McPHERSON. I do not rise for the purpose of discussing the pending question, but only to give notice that to-morrow morning I shall ask a vote of the Senate on postponing the further consideration of this measure and returning to the Calendar of business. There are many public measures upon the Calendar that ought to be considered. We have now only eleven days remaining of this session, and it is useless to waste time on this bill, for I consider it no better, for we certainly can not reach a decision at this session upon this bill with the many divergent views upon the question found in the Senate. It is a Senate bill, and no consideration can be given to it elsewhere, even if it passes the Senate. For six consecutive days the whole morning has been exhausted and wasted, so to speak, in the discussion of a measure which by no possibility can become a law at this session. Therefore I shall move to-morrow morning—I give notice of it now—to postpone the further consideration of this business and return to what seems to me to be the obvious duty of the Senate in considering other bills of an important public character.

Mr. LAPHAM. I will yield to the Senator to make that motion

now if he desires

Mr. McPHERSON. Very well; I move now that the further consideration of this measure be postponed indefinitely.

The PRESIDING OFFICER. The Senator from New Jersey moves the indefinite postponement of the further consideration of the bill.

The question being put, there were on a division—ayes 22, noes 19. Mr. ALLISON. I call for the yeas and nays.

Mr. ALLISON. I can for the yeas and hays.

The yeas and hays were ordered.

Mr. ALLISON. I only desire to say one word upon this question.

The Senator from New Jersey and the Senator from New York are acting in accord. Here is a bill as much of a public nature and public character as any bill pending in the Senate, and it has been considered. I will not say, because it would be unparliamentary for me to say, that

this bill is debated day after day and day after day by reiteration of old arguments. All that we ask of the Senate is that this bill shall be old arguments. All that we ask of the Senate is that this bill shall be voted upon in the interest of more than a thousand people who believe they have rights here and ask the privilege of going to the courts of the United States and establishing those rights. That is a poor privilege, I know, but it is a privilege that we ask this Senate to grant these men. Whether or not they be entitled to the rights they claim is a question which the courts will decide. I hope the motion now made will not

has to say that the Senator from New York and the Senator from New Jersey are acting in accord. So far as the statement relates to me, I think that up to this moment I have made no motion and have said not a single word in respect to this bill.

a single word in respect to this fill.

Mr. LAPHAM. I beg to say that I have never exchanged a word with the Senator from New Jersey on the subject.

Mr. McPHERSON. I do not know really how I shall vote upon the bill, and I think that I have voted upon few if any of the amendments that have been offered to it. I have given but little attention to it. I do not know but that I shall vote for the bill. But at the same time I do submit that this discussion, going on here from day to day for six or seven days, consuming the entire morning hour to the exclusion of the proper consideration of other business at this stage of the session, is the proper consideration of other business at this stage of the session, is not right. If the Senator from Iowa can bring the question to a vote, I have no objection to voting upon the bill now, but those Senators can see and really must see that with the number of appropriation bills now pending, with a large Calendar of business unacted upon, a great many pension cases that ought to be passed and sent to the House of Representatives in order that that body may take action upon them before the close of the section upon them before the close of the session, such measures are driven out of the consideration of the Senate practically by the discussion of a bill which under no condition of circumstances does it seem possible for us to reach a vote upon.
Mr. COCKRELL.

Mr. COCKRELL. Let us vote now.

Mr. McPHERSON. I know nothing about the merits of the bill except what I have heard here on the floor. It is not for any such reason that I am opposing it, but because no vote has yet been reached, and probably none will be for six days to come.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York that the bill be indefinitely postponed, on

which the yeas and nays have been ordered.

The yeas and nays were taken.

Mr. CAMERON, of Wisconsin. The Senator from Massachusetts

[Mr. Dawes] is paired with the Senator from Louisiana [Mr. Jonas].

The result was announced—yeas 23, nays 34; as follows:

	YE.	AS-23.	
Bayard, Camden, Cockrell, Colquitt, Edmunds, Garland,	Gibson, Groome, Hampton, Harris, Kenna, Lapham,	McPherson, Miller of N. Y., Morgan, Pendlieton, Pike, Pugh,	Sabin, Saulsbury, Sherman, Slater, Vest.
	NA'	YS-34.	
Aldrich, Allison, Beck, Blair, Bowen, Brown, Call. Cameron of Wis., Chace,	Coke, Conger, Cullom, Fair, Frye, George, Hale, Harrison, Hawley,	Hill, Hoar, Ingalls, Jackson, Manderson, Maxey, Miller of Cal., Morrill, Platt,	Plumb, Sawyer, Vance, Van Wyck, Voorhees, Williams, Wilson.
A COLUMN TO SERVICE	ABSI	ENT-19.	
Butler, Cameron of Pa., Dawes, Dolph,	Gorman, Jonas, Jones of Florida, Jones of Nevada,	Logan, McMillan, Mahone, Mitchell,	Ransom, Riddleberger, Sewell, Walker.

So the motion was not agreed to.

So the motion was not agreed to.

The question is on the amendment

So the motion was not agreed to.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New York [Mr. LAPHAM].

Mr. MORGAN. I desire to ask a question of the Senator from Iowa who sets in front of me about this bill. The bill provides that the United States and a citizen or citizens of Iowa may sue other citizens of Iowa or corporations of Iowa, in a suit that is provided for in this bill. I desire to ask the Senator from Iowa if he thinks the Constitution of the United States confers or permits Congress to confer upon any Federal court the right to unite a citizen of Iowa with the United States Government in a suit against a citizen of Iowa in respect to this land. I confess that I have looked as thoroughly as I could, and with some anxiety, to discover that there was some such authority as that, but I have not been able to find it, and I do not believe that the Constitution authorizes any such suit as that to be brought. The language of the Constiizes any such suit as that to be brought. The language of the Constitution on that subject is that the judicial power of the United States shall extend, among other things, "to controversies to which the United States shall be a party." That is a privilege given to the Government of the United States to sue, or in the event that Congress may give to any citizen the right to sue the United States it is a privilege given to the Government to be sued in its own courts. You can not bring an

action in any State court against the Government of the United States nor can you bring an action in a Federal court against the Government of the United States until some act of Congress expressly authorizes it to be done; but the Government of the United States can sue in its own courts under this provision of the Constitution and also under the provisions of the judiciary act in regard to any matter of controversy that the court would take jurisdiction of where the sum in controversy was sufficient, or perhaps in any case; but I protest that I have not been able to find any case where a lawyer has been rash enough to unite the United States and a private citizen in a suit against a citizen of the same State, or indeed in any suit. I do not understand how it is that the Government of the United States and any private citizen have a joint interest in a tract of land the title of which was in the Government and the title of which has been conceded by the Government, we will say, to a private person, or has not been conceded. I do not understand it. This bill in that respect has always been a puzzle to me. I have not been able to derive the authority through the Constitution, the laws of the United States, or the practice in the Supreme Court or elsewhere, for the joining of these parties, the Government and a pri-

vate citizen, in an action.

The bill, I wish to say further, is not only entirely new, but in my judgment it involves a line of legislation that has never before been at-We declare the existence of title in the Government of the United States by this bill. That title is declared to exist in the Government in those cases where certificates had improvidently and improperly issued to the State of Iowa. After having made that declaration, as I remarked the other morning in discussing this bill, we then authorize the Government of the United States and a citizen to go into the Federal courts for the purpose of determining the value of that title. The Senator from Iowa says it is upon the ground that we declare that those titles are bad, that the certificates have been improperly issued. Well, we open up a question of controversy that really has been settled in ten adjudicated cases in the Supreme Court of the United States. But granting now that it is just and equitable and that we have the power to go back and open up these various controversies and set aside

these judgments and decree

Mr. LAPHAM. Will the Senator from Alabama allow me to make

Mr. MORGAN. Yes.
Mr. LAPHAM. This bill does not direct that suit shall be brought even in the courts of the United States,
Mr. MORGAN. I know.
Mr. LAPHAM. The Government under this bill may go into the

State courts of Iowa

Mr. MORGAN. I take it for granted that that is the meaning of the bill, although I admit the bill is imperfect in that particular, and I think attention is called to that in the report of the minority against the bill.

But now after having declared the title to be in the United States contrary to these ten decisions of the Supreme Court of the United States, and in the very cases in which the Supreme Court have decided the question, for this bill covers the whole of them, having reversed these decisions by a decree of Congress and put the parties to litigating those rights again, the question arises can the Congress of the United States authorize a citizen of Iowa to join with the United States Government in a suit in Iowa against a citizen of Iowa for the recovery of this land. I maintain that we have no such power. The Constitution gives us no such right, for while the Government of the United States can sue in the circuit or district court of the United States in that State a citizen of Iowa, a private citizen, can not. We can not confer by any law we may enact constitutionally the right upon a private citizen of Iowa to sue another private citizen of Iowa in the district or circut court of the United States in that State.

Mr. LAPHAM. Now I desire to ask the honorable Senator another

question, and that is, can Congress authorize the Attorney-General of the United States to prosecute in the State courts?

Mr. MORGAN. Yes; I suppose Congress could authorize the Attorney-General of the United States to prosecute in the State courts.

The Government of the United States can bring a suit in a State court, and therefore Congress can authorize that to be done. But we are now talking about Federal courts, for that is the object of this bill; that is the meaning of this bill, to allow suits in the Federal courts, as I understand; for surely the Congress of the United States would not reverse the decision of the Supreme Court of the United States in these ten cases and then declare that the local courts in Iowa should have jurisdiction to settle and determine the operation. ten cases and then declare that the local courts in Iowa should have jurisdiction to settle and determine the question. That would be reversing the whole order of proceedings so far as the history of Congress on this subject is concerned. But I wish to submit this question to the Senate, to the lawyers of this body, and I should be very glad to hear a more general expression of opinion upon it. I should be glad if some Senator would cite me to a case in which any lawyer had ever been rash enough to attempt to unite a private party with the Government of the United States in bringing a suit for a tract of land. I have not heard of it. It may be that I have overlooked it, but I can conceive of no reason why it should be done.

Mr. President, I disclaim all feeling or interest in this matter.

Mr. LAPHAM. I can tell why it is done. It is done in this case because the Government is weak and needs the aid of a settler to main-

tain its right of action.

Mr. MORGAN. I repeat that I have not the slightest feeling or concern about this matter at all, except that I have a sympathy for those people in Iowa who have been entrapped into this state of difficulty not by the decision of the courts, but by the legislation of Congress and the decisions of the Interior Department. Many of them have been entrapped into difficulties, into the expenditure of money in valuable improvements on tracts of lands there, but I have regarded this effort to relieve them through this bill as utterly hopeless. The Committee on the Judiciary took this subject into consideration more than four years ago. They bestowed upon it a great amount of labor. They brought their report in here, following another report which had preceded it, and unanimously declared that Congress had no jurisdiction of this

Now, sir, it is more than the Senate dare to do, in my opinion, to deliberately overrule that decision of the Judiciary Committee without assigning upon the record sound, substantial reasons for their judgment; for after all this is the highest legislative tribunal in the United States excepting the House of Representatives, and the decisions of this body will be appealed to for years, and I hope for centuries to come, for their wisdom, for their sedateness, for their soundness upon all questions of this kind; and I really deplore that spirit of aggressive legislation in this body, which, whether moved by sympathy for suffering people or moved by any other cause whatever, leads us to undo the solemn deliberations of the judiciary of this country, and reverse the decrees of the Supreme Court in respect to private questions of title at our own

will and pleasure.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The Senator from Alabama will please suspend. The hour of 1 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the next special order, being Order of Business 500, the title of which will be read.

The CHIEF CLERK. A joint resolution (S. R. 18) proposing an amendment to article 1, section 7, clause 2, of the Constitution of the

united States, in relation to the veto power.

The PRESIDENT pro tempore. This resolution is before the Senate as in Committee of the Whole.

Mr. VAN WYCK. I move that the Senate now proceed to the consideration of House bill No. 3933, Calendar number 336.

The PRESIDENT pro tempore. The Senator from Nebraska moves

that the Senate now proceed to the consideration of Order of Business

336, the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 3933) to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other

Several Senators addressed the Chair.

The PRESIDENT pro tempore. Debate is not in order.

Mr. PLUMB. I ask unanimous consent to make a statement.

Mr. PLUMB. I ask unanimous consent to make a statement.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent to make a statement. Is there objection to the Senator from Kansas debating this proposition? The Chair hears none.

Mr. PLUMB. The bill which is under consideration in the morning hour, and which was reported by me from the Committee on Public Lands, has now occupied a number of days during the morning hour in its consideration, and I do not think I offend anybody when I say that there seems to be a determation that it shall run out the remainder of the session and not be brought to a vote. That, of course, is parlia-I do not care to say anything in the nature of reflection on anybody, but it manifestly is the opinion of the Senate that some time should be fixed when the vote can be had upon the bill, because the Senate has repeatedly ruled by decided votes not to lay it on the table and not to postpone its consideration, so that it has the right of way in

the morning hour.

I designed to make a motion to continue the consideration of the bill now, but not being nimble enough to get up in time and not having vocal organs of sufficient capacity to reach the presiding officer in time, I did not get the floor to make that motion; and I do not design now to antagonize the motion which the Senator from Nebraska has made, because I had given notice that if the Senator from Alabama did not make the motion I would make it myself at this time, supposing permake the motion I would make it myself at this time, supposing perhaps we should go on as we have heretofore, leaving the Des Moines bill to be considered in the morning hour. But I think it is of the highest importance to the business of the Senate that the morning hour should not continue to be absorbed by this bill, and when I say that I do not mean to reflect upon the bill, because I think the bill ought to be passed. I think it is due to the Senate and due to the interests involved that the Senate shall fix some time when a vote shall be taken, or if that can not be done, that the Senate shall agree that it will sit out this bill on some day to be named. I had hoped it might be to-day, because to-day the bill is under consideration and it might go continnously on, but still I do not care about that. If the Senate is willing to fix some other day, I have no objection.

Now, so far as the measure proposed to be taken up is concerned I

have nothing to say. The Senator from Nebraska [Mr. VAN WYCK] seems to have taken charge of it, and of course the bill ought to be passed. It has been waiting simply upon the convenience of the Senate in regard to the principle involved in another bill which is pending before the Senate on a report of a committee of conference and the decision of which really settles the question not only as to this bill, but as to another and perhaps still another bill which is back of it on the Calendar. I do not care to antagonize that, but I do hope the Senate will make some order in regard to the bill that was before the Senate until the morning hour expired, which will relieve the Senate from the burden of its continuation during the remaining days of this session in the morning hour to the exclusion of all other busines

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nebraska.

Mr. LAPHAM. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. LAPHAM. I ask unanimous consent to be allowed to say a word in response to what has fallen from the lips of the Senator from

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent to be heard in reply to the Senator from Kansas.

Is there objection? The Chair hears none.

Mr. LAPHAM. All I desire to say is this: When this bill was called up objection was made to its consideration. I claimed that it was a bill which should be taken up in the regular consideration of the Calendar, and one that could not properly be debated in the morning hour. I have been compelled to argue the bill piecemeal from morning to morning, whereas I should have had a right, and the Senate should have had a right, to consider this bill in a continuous session whenever it was taken up. The advocates of the bill objected to that, and insisted upon taking it up in the morning hour. They procured a vote of the Senate to that effect, probably under an apprehension on the part of the Senate that it was a short bill and would not occupy much time. Now that we have spent the morning hour for so many mornings on it, the proposition is to do just what I asked to have done in the outset,

the proposition is to do just what I asked to have done in the outset, and I shall certainly resist that now.

Mr. VAN WYCK. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. VAN WYCK. I ask unanimous consent to make a statement. The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent to be heard on this question. Is there objection?

The Chair hears none.

Mr. VAN WYCK. The bill which I have moved for consideration is a bill to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other purposes. That bill has been twice displaced already from the Calendar of Special Orders, first by taking up the silto the effect of the rule. They did not suppose that voting to take up the silver bill would necessarily throw this bill back on the Calendar, which it did. Then this bill was restored again to the head of the special orders, and again it was displaced by a vote of the Senate to take up the labor-contract bill; and in connection with that I may be allowed to say that many Senators believed there was an understanding, express or implied, which they they felt binding on them to vote for the consideration of that bill first before the Texas Pacific forfeiture bill was taken up; but they desire now, I think, that this bill should finally be taken up without any further delay. I merely wished to call the attention of the Senate to this condition of the bill, and to insist that it shall now be taken up.

Mr. HALE. Will the Senator allow me to ask him a question? The PRESIDENT pro tempore. Debate is not in order from the

Senator from Maine.

Mr. HALE. I ask unanimous consent.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent to debate this subject. The Chair hears no objection. I do not wish to debate the subject; I only wish to say

Mr. HALE. to the Senator from Nebraska-

The PRESIDENT pro tempore. That is debate. The Senator has unanimous consent.

Mr. HALE. I so understood and was going on, Mr. President. I wish to say to the Senator from Nebraska that the agricultural appropriation bill has been hanging for a few days and it ought to be passed to-day. I do not wish to antagonize his motion, but I would like to have an understanding if his bill is laid before the Senate that then I may call up the appropriation bill with his consent.

Mr. VAN WYCK. I presume that is the understanding as to appro-

priation bills.

Mr. HALE.

Mr. HALE. So that I can get it through to-day.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nebraska that the bill named by him shall now be considered.

The motion was agreed to.

Mr. HALE. I ask unanimous consent that the bill before the Senate be laid aside informally, and that the Senate proceed to consider the agricultural appropriation bill. It will take but a little time.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the pending order be laid aside informally, and that the Senate proceed to consider the agricultural appropriation bill. Is there objection?

Mr. SHERMAN. I object.

The PRESIDENT protempore. Objection is made. The first amendment reported by the Committee on Public Lands to the pending bill will be read.

Mr. HALE. I do not desire to insist upon the Senate considering the appropriation bill now, if it is the feeling of the Senate that it is better to go on with the bill just laid before the Senate. I will not make any motion at present.

Mr. CULLOM. I do not think the forfeiture bill will take very long.

Mr. HALE. I make no motion.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 335) to print 2,000 additional copies of Lieut. P. H. Ray's report of the International Polar Expedition to Point Barrow, Alaska, was read twice by its title, and referred to the Committee on Printing.

TEXAS PACIFIC LAND-GRANT FORFEITURE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3933) to declare a forfeiture of lands granted to the Texas

Pacific Railroad Company, and for other purposes.

The Chief Clerk read the first amendment reported by the Committee on Public Lands, which was in line 9, of section 1, to strike out the word "that."

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has been read.

The amendment was agreed to.

The next amendment was, in section 1, line 9, after the word "lands," to strike out the word "be;" in line 10 to strike out after the word "to" the words "sale and settlement" and to insert the word "disposal;" in line 11, after the word "under," to strike out the word "existing" and insert the words "the general;" and in line 12, after the words "United States," to insert the words "as though said grant had never been made: Provided, That the price of the lands so forfeited and restored shall be the same as heretofore fixed for the even sections within said grant;" so as to make the section read:

That all lands granted to the Texas Pacific Railroad Company under the act of Congress entitled "An act to incorporate the Texas Pacific Railroad Company and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and acts amendatory thereof or supplemental thereto, be, and they are hereby, declared forfeited, and the whole of said lands restored to the public domain and made subject to disposal under the general laws of the United States as though said grant had never been made: Provided, That the price of the lands so forfeited and restored shall be the same as heretofore fixed for the even sections within said grant.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following

words:

SEC. 2. That in any and all cases, as to any lands embraced within the terms of the act named in section 1 of this act, whenever the Department of the Interior, or its officers, or the local land-officers have treated said lands as open to selection, purchase, or homestead entry, and have allowed purchases, selections, and entries of any of said lands under the general laws of the United States, the acts of the Department of the Interior, and its officers, and the local land-officers in permitting such entries, selections, and purchases, in making such sales, and in issuing patents, certificates, and lists thereon, are hereby ratified and validated; and the rights and titles of parties or persons holding patents or claiming right or title under certificates or lists of lands issued or certified by the Secretary of the Interior or the Commissioner of the General Land Office, or certificates issued by the officers of the local land offices, or who have made homestead entries or pre-emption settlements or claims of any kind upon any of said lands under the general laws of the United States, in any way affected adversely by said grant, are hereby confirmed and made valid to the same extent as though said grant had never been made; and all of said lands embraced within the provisions of said acts shall be restored to the public domain, subject to the saving of rights as provided in this section, as though said grant had never been made.

And in lieu thereof insert:

And in lieu thereof insert:

SEC. 2. That the act of March 3, 1875, entitled "An act for the relief of settlers within railroad limits," is hereby repealed.

The amendment was agreed to.

The PRESIDENT pro tempore. This concludes the amendments reported from the Committee on Public Lands.

Mr. MORGAN. I offer the amendment which I send to the desk to

come in after the text of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. It is proposed to add as new sections:

The CHIEF CLERK. It is proposed to add as new sections:

SEC. —. That jurisdiction is hereby conferred on the circuit court of the
United States for the northern district of Texas to hear and determine all questions and controversies concerning the rights and equities in said forfeited lands
that are claimed or asserted by the United States, or by any person or corporation claiming the same under or in consequence of any law of the United States,
or any act of its lawfully authorized agents, and to enforce any judgment or decree, either interlocutory or final, that said court shall render in respect of said
lands or any interest therein.

SEC. —. That it shall be the duty of the district attorney of the United States
for the northern district of Texas, under the direction of the Department of Justice, immediately to proceed in the circuit court of the United States for the said
district, by bill in equity, in the name of the United States of America as plaintiff, against any corporations or persons that claim any interest in the lands
hereby declared forfeited, arising under said act of Congress approved July 27,
1866, or under this act, so as to bring before said court for its determination the
validity of such claim, whether the same be legal or equitable.

SEC. —. That any person or corporation not made a party defendant in said

proceeding, but claiming any interest under the laws of the United States in the lands, or any part thereof, which are declared forfeited by this act, may present such claim by petition in said cause, duly verified by oath; and if the court, upon consideration thereof, shall decide that the adjudication and settlement of such claim are necessary to do complete justice in said cause, the court shall direct that such further proceedings be had upon such petition as that the same may be fully heard and determined, and shall proceed to decree upon the same as fully as if such petitioner had been made a party defendant in said suit: Provided, That no such petition shall be filed after twelve months from the date of the filing of the bill in said cause.

SEC. —. That the court, if it shall see fit, may tax all the costs of the suit under the third section of this act against the United States, and shall apportion the costs of any proceeding under the fourth section of this act between the parties according to justice and equity. Any party to the suit instituted under this act shall have the right of appeal from any final decree thereon to the Supreme Court of the United States, in the same manner and under the same conditions as are prescribed by law and the rules of said court for appeals in equity cases; and the Supreme Court shall cause said appeal to be advanced on the docket so that the same shall be speedily determined; but no right of appeal shall exist after six months from the time when said final decree is entered on the records of the circuit court of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Alabama.

Mr. MORGAN. Mr. President, in supporting the amendment which

I have offered I desire to announce at the outset that I am content to vote for the bill just as it is, and that I shall vote for it even if the Senate does not adopt the amendment which I have had the honor to bring forward.

I believe that this land grant ought to be forfeited. I am quite sure that the Texas and Pacific Railroad Company has not earned one foot of the land embraced in its grant. I believe that the attempted transfer of the land grant by the Texas and Pacific Railroad Company to the for of the land grant by the Texas and Facha Kahroad Company to the Southern Pacific Railroad Company was so far in violation of the laws of the United States and the public policy declared by Congress, that it could not become a valid transfer without the express sanction of Congress. Hence I am prepared, notwithstanding the claim set up by the Southern Pacific Railroad Company to this immense land grant, to vote for a declaration of the forfeiture of these lands to the Government of the United States. of the United States.

I make this announcement in the outset so that I may avoid any pe sible misunderstanding, or any possible misconstruction of my individual position. However unimportant that may be, it is a matter of interest to me, of course, that I should not be misunderstood. I desire to present, however, in this amendment an opportunity to the Senate to declare whether it will take these lands into the keeping of the United States Government by an absolute decree of Congress, or whether it will relegate the question of the validity and effect of our act in passing this to the courts of the United States, there to be passed upon and de-

ided by them within a brief period of time.

I will premise by saying in the presence of the Senate, of every lawyer and every layman in the body, and I ask attention to the remark, that it is not possible for Congress to enact any law affecting private rights of property so as to take away from the judicial tribunals of this country the ultimate right to decide upon them. In that declaration I think I shall have the concurrence of every member of the Senate. I repeat it is not possible that Congress shall pass any law affecting private rights of property which will have an absolute and determinate effect upon those rights of property so as to exclude any person from having the right to raise the question and litigate upon the validity of our

action in the courts of the country.

The demarkation in the Constitution of the boundary lines between the co-ordinate departments of the United States Government is so clear and so well fixed that I think there is nobody to be found now in this free Government of ours, this constitutional country, who will assert that Congress can intervene between two private persons or between the Government of the United States and a private citizen and by an act of legislation so far conclude and foreclose a question of title to property as that litigation thereafterward about it shall be impossible. If that is so, when we revoke this land grant or when we declare it forfeited, the immense area of lands which are covered by it will become the subject of litigation. We can not prevent them from becoming the subject of litigation. We can not put up bars before any court, either of the States or of the United States, which will shut out parties in interest in this controversy from coming in and demanding of the judges that they shall hear and determine and adjudicate upon

If these propositions are true, then the question that I present in this amendment is simply one of policy, for the adjudication must come sooner or later. The question is whether it shall come in after years and during a series of years, and at the instance of a great number, it may be, of private litigants and in courts to be selected by themselves, or whether it shall come at once, be determined at once in a court of the United States, all in one suit, which can be taken by an appeal to the Supreme Court of the United States, which that court is required to treat as a cause of emergency and to advance on the docket, so that the litigation may be finally ended as soon as possible in view of the

I will suppose that we pass the bill just as it has come from the committee without adding the provision that I have the honor to offer as an amendment to it, and then let us look at the situation. I have but to refer to the fact that for five or six mornings the Senate has been

occupied in an earnest and an honest endeavor to rectify the evils which have come upon a large community in the State of Iowa, growing out of the fact that we did not provide when the controversies first arose in Iowa a court of competent jurisdiction to hear and determine and settle them. I can refer also to another case upon the Calendar, which is being pressed upon the attention of the Senate for settlement, and which for years has been lingering in this body in one form and another, which for years has been lingering in this body in one form and another, what is called the Sioux City Railroad case. In consequence of the neglect of Congress to provide a tribunal for hearing and determining the controversy in that case, there has sprung up a litigation between parties, which is spreading itself from one tract of land to another throughout a large domain in the State of Iowa, and which is involving Congress and involving the courts in an infinitude of difficulties and troubles, every one of them the result of the neglect of Congress to provide at an early stage for the settlement of those difficulties by a court of the United States having competent jurisdiction and power to decide them.

Again I refer the Senate of the United States in the State of Michigan to a most laborious, intricate, and involved controversy about the Ontonagon land grants and about the transfer of a land grant from one portion of that State to another, and about the question whether the State of Michigan has been compensated by one grant for what it yielded state of Michigan has been compensated by one grant for what it yielded up, or was supposed to have yielded up, under another—a question of the greatest possible difficulty, which has been argued and reargued before the Committee on Public Lands by the ablest lawyers in the United States, and who have had the opinions of Senators upon it. Yet that controversy is not ended, and every Senator here who is acquainted with the facts of those cases must know that if in the early stages of the controversy jurisdiction had been conferred upon a Federal court for the purpose of calling all parties in interest before the court, including the Government of the United States, a settlement would have been com-

pleted long ago and peace and prosperity would have ruled and reigned in a country where there is nothing now but discord and strife.

Mr. President, the Congress of the United States is responsible today for a great amount of injustice and wrong that has been done in various locations in this country from not having provided in cases of controversy for the settlement of those controversies in a court of broad, comprehensive, competent jurisdiction. I could cite to you many other cases of this kind. Some have occurred even in my State. occurred elsewhere. They occur continually in regard to the Spanish grants. There is a very important case now in the State of California, where parties are seeking to have Congress intervene after a great many years have elapsed, and to establish a tribunal and give jurisdiction to some of the courts for the purpose of settling those controversies that ought to have been settled long ago. An almost incalculable amount of mischief, of waste and expenditure, of heart-burning between citizens and the Government and between citizens themselves, between railroad corporations and others, is wrought throughout the country simply by our having neglected to take care of this subject in a proper

When I had the henor of going upon the Committee on Public Lands and found that nine-tenths of the time of that committee, most laboriously expended, was occupied in the attempt, a vain one so far, to settle these controversies—for not one of them has yet been settled—when I found that numerous bills for the forfeiture of land grants were coming up, that almost every important railroad in the West was being attacked upon the ground that it had not complied with the act granting the lands, and that therefore they were the subjects of forfeiture, it occurred to me as a duty that I could not avoid to suggest to that honorable committee and to suggest to the Senate of the United States that in the beginning of this system of land-grant forfeitures we should adopt a plan which would cause the speedy settlement of all these questions of litigation and controversy. Hence it was, with no ambitious motive surely, but with a desire simply to perform a very plain duty to my mind, that I brought in an amendment to one of those bills.

More than that, I introduced and had referred to that committee a general bill providing that in all cases of land-grant forfeiture the circuit court of the United States in some part of the land-grant domain should take jurisdiction of these cases and proceed to decide them, calling in all the necessary and all the proper parties. When that bill went before the committee, not connected with any special land grant, a majority of the committee required me to report it back favorably. I felt of course sustained by the committee in that particular, and was very much gratified that they took that view of the subject

But occasionally it has occurred that in respect of some of these cases the majority of the committee, say five to four, have insisted that the amendment was not appropriate in a particular case, that it was not necessary. I have always contended and believed that if it was necessary in one case it was proper in all. It might not be absolutely necessary, but still it was proper in all.

So the Senate will remember in regard to the Oregon land-grant case, where the two Senators from Oregon concurred that it was not necessary in respect of that land grant, the question arose in the Senate, and the Senate decided against the amendment, doubtless upon the ground that it was not necessary to that bill. In the case of the Atlantic and Pacific Railway Company, when the question arose here,

the Senate by a very large vote, upon the call of the yeas and nays and after debate—a vote I think of some 30 or 35 to 11—decided in favor of the amendment.

So the principle of the amendment I now offer has received the sanction of the committee in the general bill; it has received the sanction I believe of four out of five of the committee on this particular bill; and it has received the sanction of the vote of the Senate by the majority which I have just stated upon the Atlantic and Pacific bill. I now offer it to this bill, believing that there is not a single case in all the number that have come before the Senate or that will come before the Senate in which this amendment is more important than it is in

I should very gladly have avoided the labor and responsibility of offering the amendment, for it has caused me to be attacked personally othering the amendment, for it has caused me to be attacked personally through the newspapers of the country as one who desired to obstruct the forfeiture of land grants, because I pleaded in the Senate that the Government of the United States in instituting a new system of action in regard to the land grants should so provide as that all questions which might arise out of them should be settled early after we had declared the forfeiture, and thereby save to future generations the terrible little framework. rible litigation which has been so expensive and so trying upon a great

many communities in this country.

Now, let us consider one category here. The Texas and Pacific Rail-Now, let us consider one category here. The Texas and Pacific Railroad Company have made a transfer bodily of the entire land grant made to them to the Southern Pacific Railroad Company. Arguments were made by men like Hon. William M. Evarts, who talked upon the subject as if he were in dead earnest, and here is his brief—arguments were made by a number of the most important and influential lawyers in the United States—insisting that the Texas and Pacific Railroad Company had the absolute right under the terms of the law to transfer the grant to any purchaser, and that whether they transferred it in a body to a railroad company, or whether they transferred it to mortgagees, as they were authorized to mortgage it, or whether they transferred it by private sale to private individuals in small parcels, made no difference. They insisted that this land grant is property, and that until the Government of the United States had declared the forfeiture of it, that being the only power which can avail itself of the right of forfeiture, the right of the company to transfer the land grant was absolute and perfect. It is provided, they insist, in the act under which the land grant originated that it might be transferred to assigns as well as

The PRESIDING OFFICER (Mr. HARRISON) rapped for order.

Mr. MORGAN. I am entirely aware that at this stage of a session
of the Senate not very much consideration can be given to what is being
said in debate, no matter how important the question is. Here is a question which, I understand, involves the title to 20,000,000 acres of land. It is not a question in which I have any personal interest or any motive in the world except that of taking the labor to try and explain it to the Senate. These men claim, whether rightfully or wrongfully, justly or unjustly, lawfully or unlawfully—
The PRESIDING OFFICER. Senators must suspend conversation

on the floor. It is impossible for the Senator addressing the Chair to proceed with his remarks.

Mr. MORGAN. I shall not detain the Senate very long. I am as anxious to get through as the Senate is that I should. I am trying now to discuss all these questions in one in order to economize the time of the Senate. That is all that I am trying to do. I do not wish to take up this same question upon every forfeiture bill that arises, and here I am trying now to discuss the question of disagreement between the two House of Congress upon this matter. All that I am anxious to do is to enlighten the Senate as far as I am able upon the propositions that are before it.

It is contended, I repeat, that they have a right to this land, and that they have a right to it under the laws of the United States. It is urged ably and vehemently, and with every apparent mark of sincerity, as I have remarked, by some of the best lawyers in this country, by some of the ablest men in the country, one of whom, a distinguished man from New York, is about to take a seat in this body on the 4th of March, that the Government of the United States conferred by its act granting this land the power to this corporation to transfer it absolutely to the Southern Pacific Railroad Company; that the transfer was made for a good consideration in good faith; and that since the transfer has been made the transferee has given mortgages upon the property to other outstanding persons who are certainly innocent. That is their

Mr. VAN WYCK. Do I understand the Senator to say that the

Mr. MORGAN. So I am informed.

Mr. WYCK. No, sir; nothing of the kind.

Mr. MORGAN. They insist that the mortgages which they gave upon their property include this grant; not that they have since the grant was transferred to them made a new mortgage, but they insist that it inures to the mortgage as part of the mortgaged property. That is whet they insist is what they insist.

I beg the Senate to understand that I am not stating my view of this case; I am stating the view which was insisted upon before the committee. If the Senate thinks that it is disreputable to insist upon it, let the blame rest upon men like Judge Dillon, Mr. Evarts, and others who make this demand, not upon a Senator who presents it here as a part of the argument that was made before the committee, and which

he happened to think was at least worthy of consideration.

* I do not set myself up as an infallible judge upon the rights of other I do not wish to be a judge of their rights except so far as their rights concern a duty that I must perform; and certainly I do not wish to assume the ermine while I am a Senator of the United States and to undertake to decide judicially upon questions that the Constitution has relegated to a different body of men. But that is claimed in behalf of the corporations here concerned. Suppose it should turn out that the courts of the United States sustain this claim of theirs. I presume Senators here will be wise enough to say that no court ever can sustain it; but suppose it should turn out that they do sustain it, about what time will that judgment ripen and become a matter of recabout what time will that judgment ripen and become a matter of record? Probably ten years after to-day. Where will the suit originate in which this matter will be determined? It will originate in any court that the Southern Pacific Railroad Company choose to select. They can originate it in a common pleas court in California, in a district court in California, or in a court of equity in California. They can originate it in any court having jurisdiction of a real action or of a suit in equity in any of the Territories through which the road passes. They can institute it in the State of Texas; perhaps in the State of

They have their choice of States, of localities, and of courts in which to start this proceeding. They begin it. How do they begin it? In some little piepoudre collateral action between A and B about the title to a forty-acre tract of desert land, it may be, or something of that kind—an inconsequential and an inconsiderable piece of land—but the question which grafts itself upon that suit is the whole question in the case. It passes around through court after court, and after awhile it reaches the Supreme Court of the United States, after long delay and great expense and great harassment, and it is there finally decided.

In the mean time the court below pronounces a decision. I will supose that it pronounces it in favor of the Southern Pacific Railroad Company. After having pronounced that decision the company proceeds to sell its lands, and sells them out to cattle-rangers, to farmers, to vine-growers, to villages, and to towns, until thousands and thousands of people become involved in the question. At the time they are making these sales they have got the decision of a court to back them, which, it will be remembered but a few days back in our debates, was important matter in regard to certain grave affairs that have taken place recently in the United States. A court in Kansas, it was said, made a decision that the lands of Oklahoma are public lands open to settlement, and thereupon an army of invasion went into that country and occupied it, demanding and claiming that they had the right, under the decision of that court, to occupy that country. Another army followed, the Army of the United States, with its loaded guns and its bayonets fixed, to drive those men out of that territory.

It has been but two or three days since Senators upon this floor in great anxiety have declared their apprehensions that when the grass springs up again in the Oklahoma country war would be started there because of a dispute between the Government of the United States and the claimants to settlement on the public lands, and that those claimants are backed by a decision of a court and that is enough for them. We understand the force of a tide of immigration, and we understand the demand which the Anglo-Saxon makes for land whenever he gets We have our own examples and our own history to refer to in order to refresh our recollections and to admonish us about

matters of this kind.

In view of this case, suppose a court in California, in Arizona, in New Mexico, in Texas, or it may be in Louisiana, shall decide that the Southern Pacific Railway Company did have the right to buy the whole tract of land, and that they have a good title in consequence of the purchase, then your people swarm out upon these lands and buy them, and afterward when that case gets to the Supreme Court of the United States and is reversed, you will have re-enacted upon an immense scale the very controversy which has engaged the attention of the Senate for six mornings in succession, and which would engage it for six more in debate were it not entirely improper to be extended at this late hour of the session.

Suppose the decision is made against the Southern Pacific Railroad Company in the court below, your people spread themselves out into this territory and take up the lands under the laws of the United States under homestead and pre-emption entries. What then? After they have gone upon the lands the litigation is still going on; men are kept in a continual state of agitation; they have not got permanent homes and can not get them in that country, and by reason of that fact that country must necessarily suffer, for a country whose families are located upon possessions that after all are doubtful and disputable as to the

right, is a country that can have no real peace and no real prosperity.

Suppose that you want to sell those public lands at private sale, or suppose you want to lease them under an act of Congress to herdsmen and shepherds, your title is embarrassed until the courts have decided. After you have passed your decree in Congress here, any man, it makes

no difference what his dignity may be or how little or how much land he may claim, has the right to question the validity of it. That is one of the liberties of the American people of which we can not deprive them. They have a right to question our acts in their courts, and they do ques-Whenever our action is questioned, of course that question agitates the whole length and breadth of the domain that you are pro-

eding to dispose of.

Here we turn loose an immense domain amounting perhaps to twenty million acres, and because we refuse to put a limitation upon a bill which will give a court a chance to adjudicate these questions in advance and within a year from the date of the act, we leave these questions open as a cloud upon the public domain, forbidding people to go there and un-settling the titles from the moment that they go. How can you get into one of these new Territories a stable population of good and enterprising and peace-loving men when you force them to go in there under a cloud upon the title to the whole country? When you have your public domain left under the influence of the sort of legislation that we are about to enact, the men who go there are the men who rely upon the pistol and upon the bowie-knife to fight their way through, and they are not the peace-loving men who ought to be invited to go to the West everywhere for the purpose of settling up those communities and fixing a nucleus of society there that in after years shall ripen into blessings

upon that community and upon the world.

The quiet, peace-loving man who resides in the East or in the South or in the Middle States, who may desire to migrate to the West for the or in the Middle States, who may desire to imgrate to the west for the purpose of settling near to one of these railroads to get the advantage of it, would say to himself, "I can not afford to go there and invite litigation; I can not afford to go there merely to become the toy and plaything of lawyers and judges; I prefer to seek some other country." But the fierce, unsettled, wandering man, who thinks that he can make up the time and make it the occasion of some advantage by going there with his bowie-knife and his gun, will go and locate upon a tract of land in that country; and instead of getting a good, steady, honest, and peace-loving population, you get a belligerent, unsteady, dissatisfied set of people there.

In view of the general public policy and in view of the controversies his invitation of the bitter of the peace of the pe

which will arise, in view of the history that we are making ourselves only too familiar with every day through these distressful controversies that come before this body, in view of the experience of the Committee on Public Lands which has sat upon these questions day after day and night after night, not during this session of Congress only but at preceding sessions, I appeal to the Senate of the United States that they will adopt and adhere to a proposition which has truth and right in it, which has repose in it for titles as well as for people.

Mr. President, I do not think that I shall be moved from my desire

in this matter by any apprehension that I subject myself to criticism as being the friend of the railroads. No, sir; I am the friend of justice; I am the friend of peace and security for titles. I am the friend of the communities who settle out in that country. I am the friend of the men who go there and who, instead of going under the threat of a lawsuit, want to go under the protection of the law.

What reason is there why a court of the United States can not settle these questions? I have heard but one stated, and that is that judges are not to be trusted. That is about the only one that can be stated. The judges are not to be trusted; the judges are the creatures of the corporations; the judges are the hirelings of the corporations; the judges are under the influence of the corporations! Suggestions like these are prated around continually as arguments why they can not be trusted to administer upon these matters. Sir, you have got to trust judges after all, and the question is, What judges will you trust? I have an almost inexpressible feeling of gratification and gratitude, too, to the founders of our system of government that they did place rights of property beyond the absolute disposal of the Congress of the United States, and that they put these questions in the hands of the judiciary for final settlement.

We have got to trust the judges or else we have got to reverse the whole system of our Government. Then the question is, what judges will we trust? I have confidence in the judges of the United States courts that they will do justice, and in the Supreme Court of the United States that it will do justice. Some Senators may not have that confi-States that it will do justice. Some Senators may not have that confidence; I can not help it. In my retrospect of the history of that august tribunal I see no reason to challenge its honesty, or its integrity, or its ability, or to abate in the slightest degree by any remark that I might make the just influence which it exerts over the people and over the States of this great Union. Therefore I dismiss that argument. We must trust judges, and I prefer to trust the judges of the United States courts. We must have litigation; we shall have litigation about this case. I therefore prefer that this litigation shall come off immediately and be settled as soon as justice will admit of its being settled. What is this amendment? It is simply providing that after this declaration of forfeiture is made, after Congress has declared all that it

wants about it and all that it can declare about it, the Government of the United States in its own name, under the direction of the Attorney-General of the United States, shall through its local district attorney file a bill or bring a suit in the circuit court of the United States for the northern district of Texas, that being an organized State and one of the States through which this line of railway runs, and that bill shall call in the claimant to this property, the Southern Pacific Railway Company, and shall call in any person else claiming the property under the act which made the grant of land to the Texas Pacific Railway Company. The amendment further provides that if there are other parties who are not necessary parties, but who are proper parties to be represented in their persons or in their property claims and interests which require to be litigated and settled, the court, as is the practice in equity require to be litigated and settled, the court, as is the practice in equity courts, may call in those parties either by the direct service of process where they reside within the State, or by publication under the rules of practice where they reside out of the State, that they may come in and make themselves parties to the suit, that they may call them in, and if they are unwilling to become parties make them parties.

The amendment further provides that any person who may have an

interest, or believes that he has an interest in these lands under this proposed act or under any act of Congress, may come into that court and file a petition and propound his interest; that the court shall examine it, and if it finds that the party has a sufficient interest to justify him in being brought in to have his rights adjudicated, he is made a party. In this way every human being who is in any wise connected with this title can be brought into the litigation, and that, too, at a very light expense, for the court has the right under its rules of practice and under the amendment to classify the petitioners, so that the decision in one case will be the decision in all, or in all of that class, thereby reducing the expense of the litigation, hastening the progress of the suits, and causing an early determination of the rights affected.

The amendment then proceeds further, and has what is in effect a statute of limitations in it. A person is debarred from his right to come in as a party by petition after twelve months from the date of the filing of the bill. If any appeal is taken to the Supreme Court of the United States from the final decree in the cause it must be taken within six months from the date of its rendition, and then the Supreme Court is required to advance that case on the docket so that there may be a

speedy hearing and determination of it.

That may not be a perfect system, and yet it is the best one that I have been able to devise, and it is the one that the Committee on Public Lands, after due examination, have recommended in the general bill which I reported to this body as being proper machinery for the pur-pose of arriving at the speedy adjudication of all these questions and a settlement of the rights of every man who may have an interest in this controversy hereafter.

I have not heard the reasonableness of this plan attacked. I have heard nobody say that it was an inefficient plan. I have heard nobody say anything about it, except some surmises have been indulged that the object in offering it was to delay the forfeiture, to prevent justice, to shelter the railroads, and to keep them from surrendering up this grant which Congress declares they shall surrender.

Let me inquire what more can Congress do in regard to this case than merely to declare the forfeiture? What Senator in this body will assert that Congress can do more than declare the forfeiture? that in consequence of the fact that this railroad company has not complied with the conditions of the act granting these lands, its title is forfeited to the United States Government, and we go further and dispose of it. We go further than really I think we ought to go, but still I shall vote for that feature of the bill. We go further and place it in the category of the public domain and we subject it to the land

laws of the United States in respect of its future disposal.

That is all that Congress can do. What is the effect of that? What is intended to be the effect of it? It makes no difference whether we intend as the effect of that to cut off all future litigation and inquiry intend as the effect of that to cut off all future litigation and inquiry in respect of our right to do this thing or not; we can not do that; we have not the power to do it. The courts, as I have often remarked during this argument and heretofore, will take the subject in consideration and will adjudicate upon it. Then we go in this bill just as far as we can go; and yet we do not get the title. We can not get the title by an act of Congress. We can only take the necessary preliminary steps to get it, and the question whether we have got it is a question depending upon how the courts shall decide hereafter upon the validity and effect of our act.

I have not been very curious to inquire whether this declaration of

I have not been very curious to inquire whether this declaration of forfeiture is a forfeiture which relates back to the date of the grant. It makes no difference as to that. We can not make it relate back, for in the law and according to justice it does not relate back, for if we were to do that we should do by ex post facto legislation the wrongful and unconstitutional thing of taking from a man his property without due course of law, and that we can not do. It is a question for the courts to determine whether it relates back or not, even though we should so declare; but in this case that happens to make no difference; for in the view that I take of it, and in the view of those who are opposed to the amendment, if there be such, this act of forfeiture declared by us has the effect under our law of what is termed office-found, and only that.

I have had occasion to expound this several times in the Senate. nced not have done it, because other Senators understand it as well as or better than I do; but I refer to it for the purpose of showing the status in which this property is left after we make this declaration.

It is precisely in the condition of a piece of real estate in England that was granted by the Crown to a citizen upon a condition-subsequent, as it is called, a condition upon the performance of the grantee. The which would depend the completion of the title in the grantee. There-Crown sees cause to try the question of title with its grantee. upon it institutes the prerogative writ to which I have heretofore referred, and sends the writ to a judicial officer, to a coroner. The coroner takes further judicial proceeding by summoning a jury. The old common-law jury comes in, except that the number is not limited to twelve, he may make it thirty if he wants. He hears one side of the case; he hears the case of the Crown. It is an ex parte investigation.

He charges his jury, and his jury find a verdict.

If that verdict is in favor of the Crown it is reported to one of the courts. Then what? Thereupon, if the citizen from whom the land is taken by this exparte proceeding desires to litigate with the Crown, that citizen brings his petition of right, his writ of right, or he brings his bill in equity, and the court being thus put in possession of the case looks back over the whole question, looks back over that part of it which came under the jurisdiction of the coroner, looks back into the right of the thing, as it is termed in the English law-books; and the court thereupon determines whether the Crown is entitled to the property, or whether the citizen is entitled to the property. If the citizen turns out to be entitled to the property the Crown must not only yield the property to him, but it must also yield to him damages for having interfered with his possessory right. That is English law. That is English liberty. That is the power of a citizen under the English sys-

Sir, when you come to compare the boasted powers and rights of the American citizen with those of a British subject upon this topic, the American citizen does not approach him in his liberty. We have never provided in our country that any citizen of the United States might sue the Government when the Government undertook to take away from him the title to a tract of land that it had granted. We have only doled out to our citizens once in a while the poor privilege of suing for money claims in a court-of claims; but when you come to address yourself to the rights that the people have as individuals against the Government of the United States in respect of this vast domain of land which extended from the States of Pennsylvania and Kentucky and Georgia all the way to the Pacific coast you can not find upon the statute-books of the United States or in its Constitution the scratch of a pen or the impress of the type to show that there has ever been granted to the people of the United States the liberties and rights in respect of that domain which belong to the British subjects under the Crown of

Therefore, when the Congress of the United States undertakes to take a man's land away against his complaint and his protestation, he has nothing to do but to go into some of the State courts, or if perchance he can find his way into some Federal court where he can not bring his action against the United States, he may bring his action against some other citizen, in which suit the question will arise collaterally and not directly; and in that way, working from court to court, he brings the question before the Supreme Court of the United States, and that court may decide ultimately that the Government of the United States has no title to the land. The British subject can sue the Crown immediately. He can bring his petition of right or his bill in equity and try the question of title with the Crown, whereas the American citizen, this boasted inheritor of all the glory of his ancestry and of the light of the world, must probe his way around, fight his way about the pie-poudre courts, and in a collateral way and in an inconsequential way have this immense question decided between him and the Government of the United States, and then it remains for Congress, by some act or other, to repair the wrong and the mischief which this system has done.

Now, what do I claim in this case? I claim it in behalf of a company that I believe have no legal right, that they shall still have the right to litigate, and inasmuch as I can not keep them from litigating and I know that they will do it if they choose, as they say they mean to do it, I want to draw that company into a competent court at once, and I want that suit prosecuted in the name of the United States Government, so that all controversy may be ended and that this question of title shall be settled.

Perhaps I have not framed the amendment in the best way. The committee agree with me that it is the best way that they could think of. Some Senator may be able to improve it. If he does, I shall thank him for it. But the principle of it is a very clear one to my mind; the duty of enacting it is a very clear one; and as to the public policy of putting it upon the statute-book for the purpose of having these rights considered and tried. I have no doubt considered and tried, I have no doubt.

My own experience teaches me, if I had nothing else to go to as convincing me that the public policy of this country requires that we should have these controversies settled, now that we are setting out to forfeit land grants and this is to become a fruitful subject of litigation, a very harvest of litigation sown in the land, that we should provide in a timely and proper way so that this matter may be settled early, speedily, by high courts, courts having competent jurisdiction and courts that are courts of justice, whatever other Senators may say about them.

— Inasmuch as I shall support the bill just as it is, if my amendment is

voted down, I ought to be allowed to state the reason for that. It is one that I state with great modesty and unaffected diffidence, because it is right in the very teeth of the opinions of some of the greatest lawyers in the United States, and I have no reason to believe that they have made any insincerestatement of their opinions. They are honorable men, and I believe that when an honorable man comes before a committee of Cons, or a court, and is questioned as to his opinion upon the law, he will make a statement of it that he thinks he can sustain, and he will

with make a statement of it that he thinks he can sustain, and he will not be rash enough to state something that is foolish or something that is impossible to fortify or sustain by reasoning or by precedent.

When Mr. Evarts was arguing this case before the committee I asked him the question: "Do you, sir, ask of the Congress of the United States any affirmative legislation to ratify this grant which you claim that you have bought from the Texas Pacific Railroad Company?" He said, "We do not; we think we have got a good title." There I differ with him and those it is that I was treated the ground of my different the said. with him, and there it is that I venture to state the ground of my difference as justifying the declaration which I make here that I shall vote for this bill even though the Congress of the United States intends to relegate all these questions of litigation to some unknown court and the

relegate all these questions of litigation to some unknown court and the decision to some unknown period in the future.

What is my reason for it? I will state it briefly. The Texas and Pacific Railroad Company was organized for the great leading purpose of building a railroad about the thirty-second parallel of latitude to San Diego on the Gulf of California. No road was built under that charter to San Diego or anywhere approximating it. The Texas Pacific Railroad Company never broke ground across the border of Texas for the purpose of building the line to San Diego. They did absolutely nothing. While they were building their line out through Texas to El Paso del Norte a very strenuous effort was made in the Senate of the United States and in both branches of Congress to get for them. the United States and in both branches of Congress to get for them a subsidy, an indorsement of their bonds in addition to the land grant, and that effort was based upon the idea which is entirely a correct one, that the Texas and Pacific Railroad, if built out to San Diego, would be a competing line with the Southern Pacific Railroad, which was then coming from San Francisco by the way of the Mohave Desert along down toward Yuma, and from Yuma on, as was insisted, to the eastern connection.

The great purpose of Congress in granting this land, and the great purpose of those gentlemen who advocated this bounty or this indorsement (and some of the most respected of my friends advocated it), was that they should get a competing line through to connect to the Pacific coast. They were not willing that the Southern Pacific road, which was alleged to be and is in fact a real part of the Central Pacific road, after having received the bounty of the Government from Ogden westward to San Francisco, should avail itself of the money which it made, the power and influence, the capital and credit which it concentrated, to sweep on down the Pacific coast to come back-toward New Orleans, making thereby a mere prolongation of the Central Pacific through the name of the Southern Pacific; because they said, "When that is done you only double their powers of monopoly instead of getting up an opposition line in that country.'

So my friends here to whom I have referred warmly insisted upon the assistance of Congress to the Texas and Pacific road. It is true I did not go for that. I did not go against it. The question did not come up finally for settlement by Congress, but that makes no difference; I am trying to prove the proposition that one of the great leading thoughts in regard to the Texas and Pacific Railroad, both in reet of the land grant that we are now about to forfeit, and in respect of the donation of public credit that was sought for, was that we should have a line open to San Diego, and that we should have competition in favor of the farmers and commercial men of this country by having two lines instead of one, and having one at least under the direct con-

trol of the Government.

While this was going on the Southern Pacific Railroad Company While this was going on the Southern Pacific Railroad Company were here by their agents, lobbyists, &c., earnestly insisting that they did not want any grant of land. They opposed our making a grant of credit to the Texas and Pacific Railroad; they did all they could to keep Congress from building up the Texas and Pacific, for the reason that they did not want any competition. They announced here and everywhere that they could build that road out of their own money, and they did build it out of their own money. They built it down to Yuma in time to earn all their land grant; they built it within the time prescribed by the act which gave them the charter and also the public scribed by the act which gave them the charter and also the public lands. They earned the land grant to Yuma. Then they came on to El Paso del Norte, saying to Congress and to the country: "We do not want a land grant; we are going to build the road with our own money; and more than that, we do not want you to subsidize this other road; it is useless to do it, because before you get your subsidy passed, almost, we shall have the railroad down to El Paso del Norte;" and they

After getting their road down to El Paso del Norte what do they do? They simply buy out the land grant of the Texas and Pacific, and by a doctrine which I may call cy pres, by the substitution of one company for another, they claim that they have performed in substance what was intended to be performed by the Texas and Pacific road and what was required by Congress of that road, and in consequence thereof they

have the right equitably to the grant. But they say, "Whether we have that right or not, whether there was any equity in our favor, treat us as persons who had never any connection with it at all. Your act of Congress under which you have granted these lands is of such a character that you have put it in the power of the Texas and Pacific Rail-road Company to sell the entire grant, and we are the purchasers in good faith and for a valuable consideration."

Mr. President, I confess to you that as a lawyer that has been a very hard proposition for me to wrestle with. That same proposition came up in what is called the Louisiana Backbone grant. There the Backbone Company transferred its grant out and out to the New Orleans Pacific road, and upon the very identical pretext that the Southern Pa-cific claims the land under the transfer of this great body of property in What was the New Orleans Pacific case? I will state it very It was that a grant had been made to what is called the Back bone road on the east side of the Mississippi River from the city of New Orleans, via Baton Rouge, up to Shreveport. That road was not built; scarcely a shovelful of earth was ever lifted in its construction. The Texas and Pacific road came along toward the east, and finding that they could get into New Orleans on the west side of the river, not on the east, they bought out the whole line of road there and commenced constructing from the end of that line up toward Shreveport, practically over the very territory embraced in the Backbone land grant. They went on without any aid from Congress; they built their road; they made their connection with Shreveport on out until they connected with the whole Texas and Pacific system. Then they went to the Backbone the whole Texas and Pacific system. Company and bought the grant out and out; and that grant was brought before the House of Representatives at this session. A very large majority of the committee reported against its validity, but the House of Representatives on consideration ratified the transfer and refused to forfeit the lands

Now, sir, shall it be said by Senators on this floor that Mr. Evarts, Judge Dillon, and such men as these had no justification whatever in law or morals for the position which they have taken in regard to this matter, when the House of Representatives by a solemn vote in precisely a similar case has ratified the transfer? I can not take that ground.

cisely a similar case has ratified the transfer? I can not take that ground. I must meet it in some other way; yet I do not believe that the transfer was valid. Now, why do I not believe that? The reasons, I can say, are simply satisfactory to myself. I do not know that they will be to anybody else. They are not based upon any given precedent that I can cite, for the reason that a case of the kind has never, within my knowledge, arisen, and I will state the reason.

Here was a great public trust created by this act of Congress for a great public purpose, and these lands were dedicated by Congress to the use of the people; they were taken out of the category of lands that were to be sold for the replenishing of the Treasury, and they were dedicated to the use of the people. What people? Those that then occupied the country and the generations to arise that might occupy it in the future. It is a continuing dedication, as much so as a public highway or a park in this city, or a park in the city of New York or Philway or a park in this city, or a park in the city of New York or Philadelphia, a dedication for the general use and benefaction of those who may be there to enjoy it, and it is one of those things that Congress did not have it in contemplation to take back as a dedication at all, for in the acts making these grants, instead of requiring that the lands should be returned to the Government of the United States in the event of a failure, it was merely provided that the Congress of the United States should have the power of substituting another agent for the purpose of executing the trust of the dedication. That is all. I do not think it takes much of a lawyer to see that.

I am opposed to recalling this dedication if I can get along in any other way with it, and I would be opposed to it in this bill but for the fact that communication between San Diego and El Paso del Norte has been established, and that to allow these lands to remain subject to that dedication would be a useless thing so far as the general public is conerned; and I do not want this railroad company, which has not got an honest and a fair standing before the country, to come in under the pre-

text of enjoying this dedication and preserve it for their private advantage instead of for the public good. That is my ground about it.

I believe that they had no right to transfer the grant without the consent of Congress. When a railroad company is selected by Congress for the purpose of receiving a grant of lands and the grant is made to the the purpose of receiving a grant of lands and the grant is made to the railroad company, not to the States; for, mark the difference now, when a particular railroad company comes in and receives from Congress a grant of land it must be assumed, for it is true, that Congress would not make that grant to a set of irresponsible or a set of rascally men, men of bad reputation. The dedication being for the general public use, Congress in selecting the trustees to execute this grand trust would never think of accepting a corporation until after it had canvassed the character of the men upon whom and upon whose faith and responsibility, and respectability also, it was willing to confer the execution of the trust. So it selected this Texas and Pacific Railroad Company, named the individuals who were the corporators in the act, or else required them to be named by the States and Territories through which the road was to

What did Congress do there? Select a body of American citizens to execute a great trust for the building of a great highway through the

land for the benefit of a great section of the country. Can that trust thus conferred upon a particular set of men by act of Congress be transferred by them without the assent of Congress to another corporation? If that may be done, they could transfer it to men none of whom were naturalized citizens of the United States; they could transfer it to men who would prefer to lock up the road, for instance, for the purpose of driving all the burden of commerce away from our own shores across the Canadian Pacific. If you can transfer it to any corporation at all in a body you can transfer it to that corporation which controls the Canadian Pacific Railway, or you can transfer it to that corporation which controls the railway across the Isthmus of Panama. Hence I say that in the very nature of the trust, of the duties to be performed by these men, and of the grand public objects to be encompassed by this legislation, it inheres in the very quality of the act itself that this grant can not be transferred to another corporation bodily without the consent of That is a necessary condition precedent to the transfer.

That is my argument about it. That is the ground I am content to stand on about it. But I must mistrust my judgment, for I can cite no precedent, I can only argue from analogy and from my conception of the objects and purposes of this enactment against the power and right of transferring this grant bodily, as the Southern Pacific Railroad Company claims the Texas Pacific Railroad Company had the right to do; and I acknowledge that I am confronted by difficulties in the argument; I am confronted by the opinions of men whose opinions stand far above mine in the estimation of the people of this country and of

this body also.

In that case can there be any reason why we should not have this question adjudicated? Shall we undertake to cut it off when we can not cut it off, to suppress it when we can not suppress it? And shall we merely postpone it because that will give a fairer field to some political upstart or adventurer who may wish to go out in the country and attitudinize as the destroyer of railroads, the David that slew Goliath with a single sling? It would be a pity to deny to any gentleman the opportunity to figure in this extraordinary attitude; at the same time I think in justice to the people of the United States we had better do with this thing what is wise and proper and allow such gentlemen to with this thing what is wise and proper and allow such gentlemen to take care of themselves

The PRESIDING OFFICER (Mr. PLATT in the chair). The q tion is on the amendment proposed by the Senator from Alabama. Mr. MORGAN. I ask for the yeas and nays. The ques-

The yeas and nays were ordered

Mr. BLAIR. Before the question is taken upon this amendment I wish to submit briefly my views upon the bill itself and upon the amendment.

On a great question of this kind it would be difficult for the humblest member of the Senate to address the body if it was present, and under the circumstances I feel very little inclination to undertake to present such views as I have, for the reason that it is of slight consequence to talk to an absent body; and yet I do not feel that a question of this importance ought to be decided, ought to be voted upon, without giving it considerable consideration. It may be that those who are not present during the debate are already thoroughly grounded in all the important considerations which appertain to the decision that is about

to be made.

The bill before the Senate proposes to forfeit about 20,000,000 acres of land granted in the year 1871 to the Texas and Pacific Railway for the purpose of assisting in the construction of a transcontinental route to connect Marshall, Tex., a town in the eastern portion of that State, with the Pacific coast, the general course of the railroad to be constructed along the line of the thirty-second parallel of latitude. The line never was constructed by the railroad company that was endowed with this grant. The portion of the line to be located in the State of Texas was constructed by that company or by those who succeeded to its ownership. The portion of the railroad, which I think to be about seven hundred miles in length, situated in the State of Texas, was endowed with a large land grant from that State, a grant, if I am not incorrectly informed, the same in quantity per mile as that which was received from the United States along that portion of the line which was to be constructed within the Territories of New Mexico and Arizona Territories of New Mexico and Arizona.

The land grant in Texas coming from the State of Texas was, as we are informed, a very valuable grant. Most of the lands, as is true, I imagine, of substantially all the lands in that great State, were very valuable, valuable for agricultural purposes, and I do not know but some portion of them on account of timber, and it may be on account of other resources located upon or within the soil. But even that portion constructed in the State of Texas was not constructed for many years; was not constructed as under the terms and conditions of the original charter it was supposed the road would be constructed. Arrangements had been made by Colonel Scott and his associates for raising the necessary funds for the building of this road, mainly in London, when the panic of 1873 occurred just before the consummation of his arrangements, and the whole matter fell through.

I ought, before proceeding, to state another thing. At or about the same time that this railway obtained authority to construct its line along the thirty-second parallel through Texas and the Territories and cise geographical location?

the State of California to the Pacific coast, a charter-right from the State of California, which was recognized in this grant to the Texas and Pacific Railroad, was given to what was created as the Southern Pacific Railroad to construct a line from San Francisco to the southwest corner of the Territory of Arizona, intersecting with this proposed line, the Texas and Pacific, at Fort Yuma, in the Territory of Arizona, close to the southeasterly corner of the State of California. The conditions and the southeasterly corner of the State of California. The conditions and limitations to regulate the construction of these two roads were substantially the same. They were to be undertaken and to be built with equal steps, so that it was contemplated that when the Southern Pacific Railroad should have reached this point of intersection, Fort Yuma, on the Colorado River, the Texas Pacific would be built westerly and would have arrived at the same point.

Thus a third system of transcontinental railway, connecting with San Diego on the Pacific and by way of the Southern Pacific with San Francisco, a line to be seven hundred miles long of itself, would go, as it was contemplated, into operation substantially together. Southern Pacific branch, the seven hundred miles, was an exceedingly difficult and expensive road to build. It was endowed by a land grant as well as the Texas Pacific. It was built year by year, in accordance with the terms of its grant, and finally, about the year 1875 or 1876, it arrived at the proposed point of junction, Fort Yuma, having built its entire distance in accordance with the requirements of the laws under which it was chartered in the State of California, and in accordance with the conditions imposed by the General Government in the recognition which it gave to this road in the Texas Pacific grant, and I think also in the Atlantic and Pacific grant. It was constructed at a cost of nearly \$35,000,000. That is my recollection in regard to the cost of that road, as I knew it at the time. I may be inaccurate, but not substantially so. When it arrived at the period which I have designated at Fort Yuma, the Texas Pacific had failed utterly in its part of the proposed arrangement. It was still 1,200 miles away at a point called Fort Worth, a little west of the point of commencement, which was Marshall, in Texas, and all this long intervening extent of road was entirely untouched.

Mr. McPHERSON. How much?
Mr. BLAIR. About 1,200 miles. So that the Southern Pacific road having built in accordance with the laws of the State of California and the laws of Congress, discharging its obligations in every particular, arrived with its investment of \$35,000,000 at Fort Yuma, and of course an investment of \$35,000,000 through that waste country was utterly

lost, unless in some way it could find eastern connection.

Mr. McPHERSON. Will the Senator allow me right there to ask Mr. McPHERSON. Will the Senator allow me right there to ask for an explanation? He speaks of a land grant having been promised or given by the State of Texas to the Texas and Pacific Railroad for that portion of the line running through the State of Texas. Fort Worth, if I understand the geography, is in Texas some distance from the line of New Mexico. Can the Senator tell me whether the State of Texas ever gave the Texas Pacific Railroad Company any lands? Did they earn them and were they surrendered over to the Texas Pa-

cific Railroad Company?

Mr. BLATR. I was about to approach those facts. I can not an-ver the question directly. I do not know whether there has ever swer the question directly. I do not know whether there has ever been any actual transfer of the land grant of the State of Texas to the Texas and Pacific Railroad along the line of that portion of its road which has been constructed in that State. I have no doubt, however, that it has been done. The road was by subsequent arrangement con-structed westerly to El Paso, which is on the Rio Grande, and is practically the point of intersection with the road built through the Territories, and I have no doubt that the grant has been made by Texas, as

Mr. VAN WYCK. Let me suggest, so that there may be no misunderstanding about the facts as to which the Senator is inquiring, that there was no grant by the United States to the Texas Pacific through the State of Texas.

Mr. BLAIR. Certainly not. The United States has no public lands in Texas.

Mr. McPHERSON. I understand that; but the State of Texas itself

made a grant.

Mr. VAN WYCK. The State of Texas did make a grant and the company earned that land. The State of Texas gave it to the railroad company. The State of Texas did give the land. That is all the land the company ever earned.

Mr. MAXEY. I can state that the State of Texas grants a certain

number of acres to every railroad which completes as much as one hundred miles of railroad in the State. There was a grant to the Texas Pacific Railroad by the State of Texas which owns her own lands. That company completed its road to a point eighty miles from El Paso and up to the point that it completed the road the State of Texas paid

to the Texas Pacific road every acre of land promised.

Mr. McPHERSON. All they earned?

Mr. MAXEY. All they earned. They earned up to within eighty miles of El Paso and there the road stopped, and up to that point the

State paid every acre promised.

Mr. BLAIR. May I ask the Senator to state to the Senate the pre-

Mr. MAXEY. The road for eighty miles between El Paso east to the Texas Pacific was built by the California Southern. That part of the road does not belong to the Texas Pacific.

Mr. BLAIR. Will the Senator be so kind as to state the geograph-

Mr. MAXEY. El Paso ?
Mr. MAXEY. El Paso is on the Rio Grande at the extreme western boundary of the State of Texas. It is the last town on the east bank of the Rio Grande. Across the Rio Grande is Mexico.

Mr. BLAIR. One question more, because I did not find that defi-nitely stated in such papers as I have seen. There is a distance of about ninety miles where there is a road which is used in common, a

connecting link.

Mr. MAXEY. I can explain that in a moment.

Mr. BLAIR. What is the name of that other place?

Mr. MAXEY. The California Southern runs through from San Francisco to El Paso and then eighty miles east, and there it joins the Texas Pacific road. At that point the California Southern turns southeast and runs to San Antonia, Tex., whereas the Texas Pacific runs east from that point to Fort Worth and Marshall, Tex.

Mr. BLAIR. What is the name of that other point of junction?

Mr. MAXEY. I can not recall it to mind.

Mr. VAN WYCK. Sierra Blanca.

Mr. MAXEY. Sierra Blanca; that is it.
Mr. BLAIR. And that is still in the State of Texas?

Mr. MAXEY. Yes, sir. El Paso is the extreme western point in the State on the Rio Grande. Sierra Blanca, where the roads fork—the Texas Pacific running to Fort Worth and then to Marshall—is eighty

miles east of El Paso, and therefore is in the State of Texas.

Mr. BLAIR. Mr. President—

Mr. McPHERSON. Will the Senator from New Hampshire yield to me a moment, because I think we all want to understand this question; but I do not wish to interfere with his argument-

Mr. BLAIR. It does not trouble me.

Mr. MAXEY. I beg the Senator's pardon for interrupting him.

Mr. BLAIR. I was very glad of the interruption, because I ob-

tained information which I could not find in the papers.

Mr. McPHERSON. I understand the State of Texas agreed to give the Texas Pacific road, for each and every mile of its railway in the State of Texas, a certain land grant; that as to a part of the line in the State of Texas, the Texas Pacific Company forfeited it because it did not build the road within the time specified, but the Southern Pacific did build a portion of the line within the territory of the State Now, will the Senator answer me another question? Did the State of Texas confer upon the Southern Pacific Railroad for that portion of road it built within the State of Texas the same land grant it

intended to confer on the Texas Pacific?

Mr. MAXEY. I will answer that in this way: Under the general MI. MAKEY. I will answer that in this way: Under the general railroad law of the State every company which would build and equip twenty-five miles of railroad was entitled to a land grant of 10,240 acres per mile; then for every additional section of five miles the same allowance. The Texas Pacific, as I stated, was paid in land to the point to which it built the road, Sierra Blanca. The eighty miles west of that, between Sierra Blanca and El Paso, were built by the California Southern, and I take it, without being able to state on absolute knowledge, that the California Southern got that land under the general railroad law of the State.

Mr. McPHERSON. So that in fact they have received it.
Mr. MAXEY. I suppose so. I do not know that the State owes an acre of land to any railroad company in the world.
Mr. BLAIR. It comes then to this, that on the entire line from Marshall to San Diego and from Fort Yuma by the San Francisco branch to San Francisco, the portion actually constructed by the Texas and Pacific road has received land grants, and received land grants to the same extent that the Southern Pacific claims itself to be entitled to through the Territories.

Mr. McPHERSON. Under the general railroad law of Texas, and not by reason of any right it may have had as the successors of the Texas Pacific.

Mr. BLAIR. I am only speaking of what the Texas Pacific had a right to. I am not alluding to any land grant which comes to the Southern Pacific in the State of Texas, for it appears now that the Southern Pacific, having constructed about eighty or ninety miles of the line within the State of Texas, did receive a land grant precisely the same as the Texas Pacific itself was entitled to, as the Senator thinks,

under the general law of that State.

Mr. MAXEY. I will state to the Senator, so that he may understand it, for I do not think he quite gets my idea, that the California Southern not only built those eighty miles of road, but built several hundred

other miles of road around to San Antonio.

Mr. BLAIR. So I understand, by the coast.
Mr. MAXEY. But the junction of the Texas Pacific and the California Southern is eighty miles east of El Paso at a place called Sierra

railroad, I have no doubt on earth of the fact, for I never heard of a company that did not draw its land from the State under the general railroad law

Mr. BLAIR. It results from all this that the Texas and Pacific corporation, for all the railroad that is actually constructed, has received land grants and land grants per mile commensurate with the amount that the Southern Pacific, which constructed a portion of this same line through the Territories of New Mexico and Arizona, claims that it is entitled to under the law.

Mr. McPHERSON. The Senator stated that the Southern Pacific Railroad Company had also received a land grant. From whom was

? From the Government, or from the State of California?
Mr. BLAIR. I stated in regard to that that the Soutnern Pacific Railroad as originally created and authorized to construct the line connecting San Francisco and Fort Yuma received a land grant. That line, which is now described as located entirely within the State of California, received a land grant of course within the limits of the State of California. It built its road, as I stated earlier, strictly in accordance with the law year by year, the only land-grant railroad that I know anything of that ever did do it, and it received the patents for its land grant in accordance with the discharge of its duty under the law. When it arrived about the year 1877 at Fort Yuma, the Texas Pacific was still lingering 1,200 miles away in Eastern Texas. The Southern Pacific was there with its \$35,000,000 invested connecting with nothing and with nobody, running out into the wilderness, with an absolutely useless waste piece of property, and it must, of course, remain so, this amount of money sunk irretrievably, unless an eastern connection could be obtained.

I state these facts more particularly because I was at the time of the great controversy, that is so often alluded to, a member of the House of Representatives and a member of the Railroad Committee during both those Congresses, and witnessed the struggle between Scott and Huntington and their respective corporations. The failure of Colonel Scott to negotiate his bonds abroad left him without any resources whatever for the construction of the Texas and Pacific road, resources whatever for the construction of the Texas and Pacinic road, and he came to the Forty-third Congress, which was before I was a member at all, and proclaimed his utter inability to construct the road without further assistance from Congress. In the Forty-fourth Congress he certainly came and insisted that without a money subsidy or a guarantee of the payment of a large amount of bonds, to be issued upon the road as a security, it was utterly impossible for him to com-

plete the road.

There was a time when public attention was considerably excited over the enormous expanse of the land grants which had been made to various railroad corporations. There had been public scandals con-nected with the construction of some highways, and there was no inclination then in the public mind, there was no predisposition, to say the least, in the public mind when, as I recollect, the application was here in Congress to favor this pecuniary subsidy. It was perfectly apparent to any man of discretion and sound judgment that the application for a guarantee of \$40,000 per mile, which was what Colonel Scott requested in one of his bills, and in another \$60,000, and later in the controversy it was reduced to a smaller amount. I say there was no likelihood in the judgment of any impartial-minded person that the subsidy could be obtained.

The Southern Pacific was located as I have stated and situated as I have stated. It appeared in Congress asking to be allowed to build easterly, insisted that it was ruin of its capital not to receive that permission. It asked no help from Congress save as usual it requested the benefit of the land grant which had been made to the Texas Pacific. Sometimes it insisted, in its anxiety for permission to build easterly and form an easterly connection, that it would build it without any subsidy even in land. All that it asked, what it pressed upon the committees most emphatically, as I remember, was the privilege of building easterly to save its capital from ruin. It was able to do it, it said, and would do it, and in justice it ought to receive the land grant; but if it could not receive the land grant it would build any way, such was the stress for the saving of its capital already invested and the establishment of its easterly connection. So the controversy proceeded.

The application on the part of the Texas and Pacific for a pecuniary

subsidy, which in its largest amount was more than twice what men were building railroads for among the hills of New Hampshire at that time, naturally to any sensible man amounted to a mere application for delay, and the Southern Pacific was not in a condition to endure de-lay, and therefore there was a direct and very violent collision between these two great captains of industry, as the chairman of our committee, the honorable Senator Lamar, frequently expressed it during this controversy; and finally these two men and their corporations came to an agreement that the Texas and Pacific would build westerly as far as El Paso, the Southern Pacific would build easterly as far as El Paso, and there they would form a junction, and they would thus construct the Mr. BLAIR. Precisely.

Mr. MAXEY. Without being able to state of my own personal knowledge that the California Southern got its land for building that line together, divide the land grant together, and fulfill the obligations

The result of it all was that, under the management of Colonel Scott, with the Southern Pacific no arrangement was made, and during those two Congresses nothing was done. But meanwhile the Southern Pacific obtained under a general law the creation of two other corporations in the Territories of Arizona and New Mexico, authorized by the Legislatures of those Territories, under and through which, they furnishing the capital, as I suppose, though I do not know in regard to that, the road was built easterly under the forms of law. Thus it came to pass that they constructed their line as far as El Paso. Meanwhile Colonel Scott had died, and the management of the Texas and Pacific fell into other hands. Mr. Gould and his friends got hold of it, I believe, and they having capital, and better times approaching, they built westerly to El Paso. There the two roads formed a junction, and now are jointly operated as one continuous line.

After these failures to obtain subsidy from Congress had come to pass and it was entirely apparent that no further aid could be obtained from Congress, these corporations got together and came to an understanding that if the Southern Pacific, through these two Territorial corporations, built easterly it should receive all the benefits and privileges, including the land grant through the Territories, that the Texas and Pacific road would have been entitled to when it constructed its line according to its charter. They came to that tacit agreement between themselves, and with that tacit agreement or understanding the construction proceeded through the State of Texas westerly by the Texas Pacific under the management of Mr. Gould and his friends, and proceeded easterly from Fort Yuma by the Southern Pacific under cover of two Territorial corporations as far as El Paso, the point of junction. This tacit understanding was reduced to writing in the year 1881, and was finally and definitely and conclusively passed into the form of a legal agreement between these parties in the month of January, 1882, on the 18th day of that month.

day of that month.

Previous to this time there had been an injunction obtained in one of the Territorial courts on the part of the Texas and Pacific against the Southern Pacific building through the Territories. That had lain along. This understanding had arisen meanwhile, and finally, when a conclusive legal agreement was made between these corporations, as a part of the same, there was a judgment entered in court which carried that agreement by the judgment of the court into effect so far as the judgment of the court could carry it into effect. The time limited for the construction of the Texas Pacific road through to the Pacific Ocean was the 3d day of May, 1882; and thus it came to pass that by the joint effort of these two corporations, the Texas Pacific building westerly as I have stated seven hundred miles to El Paso and the Southern Pacific building in the way they did easterly, the entire line was completed in accordance with the general provisions and purposes of the law and the purposes of Congress from Eastern Texas to the Pacific Ocean—a line connecting San Diego on the original survey.

Subsequently there was an effort made to get across by a shorter line directly from Fort Yuma through to San Diego, but Colonel Scott himself I remember stated that that was an impracticable thing to do and they would be obliged to build over the line of the Southern Pacific northerly toward San Francisco, and then diverging southwesterly complete their line to San Diego. That was a point of controversy, the Southern Pacific resisting their right to go over their line and duplicate the road from Fort Yuma northwesterly one hundred and sixty miles as I think the distance was. But, however, during the period of time within which the road might be completed, it was completed from Eastern Texas through that State and through the Territories into the State of California and so down to San Diego.

Mr. MORGAN. I suppose the Senator is aware that that road from Colton was not built by either the Texas Pacific or the Southern Pacific. It was built by a separate company.

It was built by a separate company.

Mr. BLAIR. But leased and operated and controlled by the Southern Pacific.

Mr. MORGAN. It is now the property of the Atlantic and Pacific road under a purchase from a Boston company.

Mr. BLAIR. I do not know how that may be. Very likely that is so. The road is completed and it is in running order, and by running arrangements the cars are making their way to the Pacific Ocean, and that within the period limited by law, over the entire line from Marshall, Tex., to San Diego and to San Francisco.

It is true that the Southern Pacific came to Congress and offered, if it might receive the sanction and approval of Congress, if it might be chartered through the Territories, if the right of the Texas Pacific to build westerly beyond the line of Texas should be taken from it and conferred on the Southern Pacific, to build that line, sometimes without land grant at all, frequently pressed its claims to be permitted to build through the Territories and to receive the land grant, but as a matter of fact nothing whatever was done by Congress and no arrangement was made; and all this that I now speak of, the construction of the road under color of the creation of Territorial corporations and by tacit agreement between the two greater corporations, the Southern Pacific and Texas Pacific, was done without any action whatever on the part of Congress.

part of Congress.

The Southern Pacific actually built the road from El Paso westerly precisely the same and complied with the laws just as much as did the

Texas Pacific westerly through the State of Texas to El Paso, for which it received by the action of the State of Texas its land grant; and now the Southern Pacific comes to the executive department of the Government and claims that by virtue of the assignment made by the Texas and Pacific of its land grant along that portion of the line actually constructed by the Southern Pacific, it is entitled as the assignee of the Texas Pacific to the land grant. I am not here to say whether that is a just claim or an unjust claim; but I am here to say, because I believe it is justice to say it, that I do not join in the general denunciation of the action, the purposes, and the things really done by the Southern Pacific corporation with reference to the construction of this road.

It found itself, after having complied with the law strictly, with \$35,000,000 invested in a way that was likely to be utterly destroyed. It sought of the Government of its country the privilege of building across its Territories easterly in order to accomplish the great public good for the performance of which the Texas and Pacific had been chartered and which it had failed to perform, and admitted its inability to perform. It asked the privilege of building on precisely the same conditions easterly that the Texas and Pacific had been authorized to build westerly and had failed, and admitted that it was impossible to do otherwise than fail without a subsidy which was sufficient to more than twice build every line of the road along which it asked for the subsidy, for roads were then being built in my State at that lower rate. I sent and got the certificates of the men who were constructing a road for less than \$25,000 a mile, some \$22,500 a mile, in our hard country. Here was a company asking for a subsidy from Congress in addition to its land grant, before it would undertake the construction of the road, of \$40,000 a mile in one bill and as I recollect \$60,000 in another bill, insisting that it could not construct the road across the Territories without it.

Under these circumstances the Southern Pacific did just what any business man would have done, just what it was its duty to do. It pressed for the opportunity to construct itself the road to form its easterly connections; and finally, no action being taken by Congress, it proceeded to this thing which was indispensable to the prolongation of its rights, to build its road, and built it under color of the law by means of the Territorial corporations to which I have alluded. Within the time limited in the original Texas Pacific grant, by these arrangements and understandings between these two corporations, the highway came to be constructed from Marshall, Tex., to San Diego and San Francisco; and the understanding as to the assignment of the land grant was arrived at years before the completion of the road, and it was formally carried into execution and the articles of agreement delivered and sanctioned by the decree of a court within the time limited for the construction of these roads.

I am aware that there is public clamor, and that we are reminded of various things which may not have been right, and are pointed to things which were not right, yet which are utterly irrelevant to the question now before the Senate of the United States, and which never could be urged and ought not to be urged before a jury sitting to try the great rights of, property that exist between these parties; but although we are constantly reminded of these things which are entirely aside from the merits of this case, there is great color of justice, to say the least, in the claim of the Southern Pacific Railroad that it is entitled to hold this land grant. The report of the minority of this committee, drawn by my friend who has just addressed the Senate, and signed by myself with two other members, without its being read by myself, taken on the statement of my friend that it was practically a report in favor of his court amendment, contains at the commencement of it a statement of certain facts with reference to the Southern Pacific Railroad Company from which I take this opportunity absolutely and emphatically to dissent.

I do not believe that there is any lack of equity in the claim of the Southern Pacific Railroad to this land grant. Whether it has a right to it in law I do not know, and I am not in favor of giving this land grant in the present condition of our public lands to that corporation unless it can hold it in law; but if that corporation has the right to the land in law, I believe that its claims are re-enforced by the real equity of the case.

Mr. President, I am not here to argue the legal question. This debate has come on quite unexpectedly to me. I thought it would be later in the session. I proposed to look over the authorities somewhat, and I can now only speak from my general recollection of the law, but I understand that this grant having been made to the Texas Pacific, and its successors, and assigns, and being a grant in præsenti, did give to the Texas and Pacific Railroad Company a right to assign the lands along such portion of the line as any other party might construct the road in such way that that party might hold those lands, provided that that party complied substantially with the conditions-subsequent contained in the grant. That these parties have complied substantially with the conditions-subsequent may be a question of fact. I do not know enough about the particulars of the case to say how that is. I do say, however, that it is one of those important questions of fact that should be judicially investigated. I say that it is one of those important questions of fact which the Senate should ascertain by a careful trial, by

summoning and examining witnesses, finding that fact with as much formality as would a court in any case, if the Senate is to act as a forfeiting body and by a legislative forfeiture undertake to settle this entire transaction.

This is patent upon a general view of the subject that in all great essential particulars the Southern Pacific has constructed this road in accordance with the provisions of the law as it was contained in the charter of the Texas and Pacific, that in all essential particulars there has been a compliance with the grant. I know it is said that the Southern Pacific and Texas Pacific do not now constitute what the original act proposed or contemplated, a great competing line with any other act proposed or contemplated, a great competing line with any other through line of railroad that has been constructed. That is a question of fact which is by no means clear. What other through great competing line is there? All the evidence before the committee was to the effect that if any other corporation owned the Southern Pacific Railroad Company it was the Central Pacific, that the capital came by and through and from the Central Pacific and that portion of the Southern Pacific which is within the State of California.

which is within the State of California.

Is the Central Pacific any great through competing line; for it is a through competing line that is spoken of in the act, and consolidation with which is prohibited, and not any line which is partly across the continent and not a through competing line? There was then no other competing line in existence unless it was the Central and the Union Pacific, which were well known then and are now known to be in hostility with each other, although having running arrangements yet still two hostile corporations. The Southern Pacific is really owned by the Central Pacific if it is owned by any other corporation than itself, and to-day the interests of the Central Pacific are more located along the line of the Southern Pacific, if it is all one corporation, than in that portion of its line which connects San Francisco with the Union Pacific.

It has now its connections from San Francisco southeasterly to Fort

Yuma seven hundred miles, then through the Territories five hundred and fifty miles, and from there to New Orleans, and then on by through connection to the Chesapeake and Ohio, and more southerly still along the Gulf coast, I think, debouching very near the port of Brunswick. So the real interests of the Southern Pacific or the Central Pacific, which owns the whole, now are located in and along this line of road, and there is no consolidation with any competing through line even upon that state of facts; but what the real state of affairs may be I do not know; it never has been investigated. The fact has never been found for or against the Southern Pacific; but it is a fact that ought to be investigated and ought to be found, for it is of the very gist and essence of the whole controversy, before we undertake to take this land away and put it into the public lands and open it for sale and settlement under the ordinary laws regulating the settlement and sale of the public lands, leading thus the way to indefinite confusion, lawsuits, and litigation in the future.

As I said, Mr. President, I am not sufficiently acquainted with all the details of these matters of fact which are essential to be known and to be determined before there is the final and fatal action with reference to this land grant which is contemplated by the bill. I understand this tand grant which is contemprated by the bill. I understand this to be the law, that the assignee of the grantee of an estate upon condition subsequent has only to substantially comply with the conditions in order to be entitled to the benefit of the estate. In fact, the original grantee himself has only to comply substantially. Estates made dependent on conditions subsequent are not favored in law. The estate itself is transmitted at the time of the original grant. New interests are likely to arise; improvements may be made in the estate; the man receiving it hopes and expects to comply with the condition subsequent, and he may make his homestead, he may improve it largely, he may invest large masses of money, so that the courts will not hold him to any but a substantial, not a literal, compliance with the condition subsequent. The manifest justice of this rule of law is apparent to everybody. It has been the rule of law from the beginning; for a thousand years it has been the rule of the law in reference to conditions subsequent, and in these latter days the rule has been even still further relaxed until now a condition subsequent can hardly be maintained by

any court in Christendom.

This is true with reference to the construction of this railroad. It was not likely to be built at all but for the action of the Southern Pawas not likely to be built at all but for the action of the Southern Pacific road. It was by the action of the Southern Pacific road constructed within the time limited by law. The Indian question which was costing us millions annually in those two Territories was thus settled, and the expenses of the War Department alone during the existence of this railroad have been reduced in a larger amount than the entire value of this land grant.

Here were these 15,000,000 acres—I believe they put it at 15,000,000 instead of 20,000,000 acres—which were utterly worthless until this road was constructed. By the terms of the law, this road having been constructed, the United States is enabled to open to settlement those two great Territories, and along the line of the road it has now its public lands valued at two dollars and a half an acre, which, prior to that time, were not worth a cent an acre—utterly uninhabitable. The Indian question has been settled. The public lands that in the grant were reserved still belong to the United States, and have been made very valuable, if lands of that kind can be valuable at all. The corporation has

done this. It has built the road. Now when it comes here with these formal assignments made within the time limited by law, made as I believe under the rules of the law in such a way as to carry the rights of property possessed by the Texas and Pacific to the Southern Pacific, I think it exceedingly foolhardy, to say the least, for Congress to proceed to a legislative forfeiture without asking any questions, without ascertaining any of the real facts that are in the case, and placing this land grant, after having received the benefits of the construction of the road, back in the domain of the public lands to be sold to settlers under the ordinary rules and regulations that appertain to the same. It is very unjust, it seems to me, not alone to the railroad that wants to litigate but it is very unjust to the settler who is to go to occupy these lands. That territory of course is to be occupied largely by homesteaders in the future. Though very much of it is sandy desert, still there are sections of it I am told which are valuable, and where people will locate, where towns and villages will spring up as soon as this matter is decided so that titles can be obtained without danger of litigation. It is a very important thing to do. Saying nothing further in regard to this railroad corporation, if we really want to do that thing which is beneficial to the people of the United States and to the settlers who will go on these lands, we ought certainly to adopt the amendment which is proposed by the Senator from Alabama opening a way to an immediate, practical, and conclusive settlement of this question as to the title.

While I am opposed to the forfeitures of the Atlantic and Pacific and while I am opposed to the forfeitures of the Atlantic and Pacinc and the Northern Pacific Railroad grants because they are still constructing their highways, making efforts in good faith to complete them and have already very nearly completed them, and are only waiting to be let alone by Congress to raise the funds to actually complete them—while I am opposed to those forfeitures because I believe that the conditions are likely soon to be carried out and the country at large to receive the benefit of those great transcontinental lines completed and in full operation, yet here in regard to this particular case, the road being completed and nothing remaining but the proper judicial inquiries, I completed and nothing remaining but the proper judicial inquiries, I am in favor of the grant being forfeited, subject to the action of the courts. And if this amendment can be attached so that the question can be early and finally and conclusively decided, I shall be very glad to support the bill; but unless these parties, who I think have equities, and who, I am inclined to believe, have the law on their side, can have the opportunity to have their litigation settled in the same way that every other citizen of the United States and every other corporation in the United States is entitled to settle its litigation, I shall feel impelled to vote, without any regard to consequences, against this bill.

EXECUTIVE COMMUNICATIONS.

Mr. ALLISON. I ask leave at this time to present a conference re-

The PRESIDENT pro tempore. Will the Senator from Iowa suspend for a moment?

The Chair asks leave to lay before the Senate a letter from the Secretary of the Interior, transmitting further information relating to the leasing of lands on the Crow Indian reservation in Montana Territory. The letter will be read.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR,

Washington, February 19, 1885.

SIR: Referring to my letter of the 17th instant, submitting certain papers relating to the leasing of lands on the Crow Indian reservation in Montana Territory, I have the honor to present herewith a copy of a letter from Agent Armstrong on the subject, dated February 10, 1885, also a report from the Commissioner of Indian Affairs, of January 27, 1885, submitting a proposition made by John T. Murphy to lease lands on said reservation.

I respectfully request that these papers be attached to and printed with the documents sent with my said report of the 17th instant.

Very respectfully,

H. M. TELLER, Secretary.

The President pro tempore of the United States Senate.

The PRESIDENT pro tempore. The letter will be referred to the Committee on Indian Affairs and ordered to be printed with the ac-

companying papers.
Mr. HARRISON. I notice the request of the Secretary that these papers be printed with another document which has been previously transmitted. If that document has not already been printed, I suggest that the order for printing be in the line of the request of the Sec-

The PRESIDENT pro tempore. If it has not been printed, this will be printed with it as a matter of course. If it has, it would derange matters and make a good deal of additional expense to print this with

Mr. INGALLS. The other report came in this morning.

The PRESIDENT pro tempore. Then the papers will be printed together as a matter of course.

Mr. HARRISON. Very well.

The PRESIDENT protempore. The Chair lays before the Senate a letter from the Secretary of the Treasury, informing the Senate of the settlement pro tanto of certain claims of the State of Massachusetts for war expenses, and recommending an appropriation. The letter will

TREASURY DEPARTMENT, February 19, 1885.

SIR: At the request of Hons, H. L. Dawes and G. F. Hoar, United States Senate, I have the honor to transmit herewith for the consideration of Congress the report of the allowance by the accounting officers of the Treasury of the tenth installment of the war claim of the State of Massachusetts in the sum of \$30,770.39, which has been placed to the credit of the State to await an appropriation for its payment.

Very respectfully,

The President pro tempore of the Senate.

The letter was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7585) for the relief of M. Gardner.

The message also announced that the House had passed the bill (S.

1031) for the relief of W. C. Marsh.

The message further announced that the House had passed the concurrent resolution of the Senate to print additional copies of the report of the Senate Committee on Education and Labor on the relations between labor and capital, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y., in which it requested the concurrence of the Senate.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. ALLISON. I ask now to present to the Senate the report of the committee of conference on the consular and diplomatic bill.

The report was read, as follows:

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, 19, 20, 22, 23, 24, 43, 48, 51, 52, 62, 63, and 64.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 41, 42, 45, 46, 47, 49, 50, 63, 54, 55, 56, 57, 58, 60, 61, and 65, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"For salary of envoy extraordinary and minister plenipo:

y to Turkey, \$10,000.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$319,000." and the Senate agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$319,000." and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$48,880;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the word stricken out by said amendment; and the Senate agree to the same.

Mr. ALLISON. I ask the Secretary to read about amendment No. 44 again.

The Chief Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the word stricken out by said amendment; and the Senate agree to the same.

The PRESIDENT pro tempore. That, the Chair thinks, simply

amounts to the Senate receding from its amendment.

Mr. ALLISON. That was why I asked the Secretary to read the clause again. I think it does not amount to that, if the Chair will allow me. The House recedes from its disagreement to the Senate amendment, with an amendment which restores the word struck out. If there

is any doubt about that—
The PRESIDENT pro tempore. The Chair thinks it will bear that construction. If the conference report is agreed to in both Houses the

bill will undoubtedly be enrolled in that way.

Mr. ALLISON. The House recedes from its disagreement to the amendment of the Senate and agrees to the amendment retaining in the bill the word "Shanghai."

The Chief Clerk continued and concluded the reading of the report,

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "And provided further, That no allowance shall be made for the keeping or feeding of any prisoner who is able to pay or does pay the above sum of 75 cents per day; and the consular officer shall certify to the fact of inability in every case;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert \$25,000; and the Senate agree to the same.

W. B. ALLISON,
EUGENE HALE,
JAS. B. BECK,
Managers on the part of the Senate,
JAS. N. BURNES,
R. W. TOWNSHEND,
W. D. WASHBURN,
Managers on the part of the House,

The PRESIDENT protempore. The question is, Will the Senate agree to the report of the committee of conference?

Mr. PLUMB. I should like to ask the Senator from Iowa who has

the bill in charge what became of the amendment inserted by the Senate giving to the President a discretionary fund to be used for the advancement of the commerce of the United States.

Mr. ALLISON. That provision is retained in the bill, I will say to the Senator from Kansas, but the amount is reduced from \$50,000 to

\$25,000.

Mr. PLUMB. I should like to ask what became of the amendment inserted by the Senate changing the classification of the consul at Jerusalem.

Mr. ALLISON. The Senate provision is retained, leaving that consul at \$2,000.

The PRESIDENT pro tempore. Will the Senate agree fo the report of the conference?

The report was concurred in.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 17th instant, approved and signed the following acts:

An act (S. 591) for the relief of the estate of Chester Ashley;
An act (S. 1335) to authorize the settlement of the accounts of the late John V. B. Bleecker, a paymaster in the Navy;
An act (S. 1751) to amend an act entitled "An act to provide a building for the use of the United States circuit and district courts of the United States, the post-office, internal-revenue offices, and other Government offices at Erie, Pa.," and making an additional appropriation therefor: ation therefor:

An act (S. 2034) to remove the political disabilities of Alfred Iver-

son; and

An act (S. 2139) to remove the political disabilities of E. P. Alexander, of Georgia.

The message also announced that the bill (S. 2278) correcting the military record of Wickliffe Cooper, deceased, late major Seventh Cavalry, brevet colonel United States Army, having been presented to the President February 5, 1885, and not having been returned by him to the House of Congress in which it originated within the ten days required by the Constitution, had become a law without his approval.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MAHONE. I ask leave to make a report at this time.

The PRESIDING OFFICER (Mr. FRYE in the chair). Is there objection? The Chair hears none.

Mr. MAHONE, from the Committee on Post-Offices and Post-Roads, reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WILSON. I ask leave to submit a report from the Committee on

Post-Offices and Post-Roads for the purpose of reference.

Unanimous consent was granted.

Mr. WILSON. I report back from the Committee on Post-Offices and Post-Roads a letter from the Postmaster-General transmitting a report on the subject of the adjustment of postmasters' salaries and the additional temporary clerical force asked therefor; and also an amendment relating to the subject of the letter. I ask that the amendment be printed and that it be referred, with the accompanying communica-

ion, to the Committee on Appropriations.

Mr. SHERMAN. I should like to have the amendment read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After line 26 of the Post-Office appropriation bill it is proposed to insert:

is proposed to insert:

To pay accounts in case of salaries of postmasters and late postmasters, which have been readjusted and allowed under the actapproved March 3, 1883, entitled "An act authorizing and directing the Postmaster-General to readjust the salaries of certain postmasters, in accordance with the provision of section 8 of the act of June 12, 1886, \$133,267.43.

To pay accounts that may be found under said act between the 14th day of February, 1885, and the 30th of June, 1885, to be due, \$255,438; and to pay accounts that may be found, during the fiscal year ending June 30, 1886, to be due, \$328,000. And the Postmaster-General is hereby directed to immediately employ ten temporary clerks, at a rate of compensation not to exceed \$1,290 per annum, for the work of adjusting salaries of postmasters under said act until such adjustments shall be completed; and a sufficient sum therefor is hereby appropriated and

The PRESIDING OFFICER. The amendment will be printed, and, with the accompanying letter, referred to the Committee on Appropri-

TEXAS PACIFIC LAND-GRANT FORFEITURE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3933) to declare a forfeiture of lands granted to the

Texas Pacific Railroad Company, and for other purposes.

Mr. LAPHAM. I have no desire to occupy any great length of time in the discussion of the questions which arise upon this bill. I find that the original act of Congress passed on the 3d day of March, 1871, after creating the Texas Pacific Railroad Company and naming the corporators, in the ninth section provides

That for the purpose of aiding in the construction of the railroad and telegraph line herein provided for, there is hereby granted to the said Texas Pacific Railroad Company, its successors and assigns, every alternate section of public lands, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as such line may be adopted by said company, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad in California, where the same shall not have been sold, reserved, or otherwise disposed of by the United States.

therefore, an express grant by act of Congress to the Texas Pacific Railroad Company, its successors and assigns. There is in this act no clause of forfeiture, no reserved power whatever. It is not like the case of the Northern Pacific Railroad, or the Oregon Railroad, or the Atlantic and Pacific Railroad, where that power was expressly reserved, but it is an unconditional grant. This was passed on the 3d of March, 1871, and the corporation named in the act was the Texas Pacific Railroad Company. On the 2d of May 1872, a little over a Pacific Railroad Company. On the 2d of May, 1872, a little over a year after, Congress passed another act, in which they changed the name of the road from the Texas Pacific Railroad Company to the Texas

name of the road from the Texas Pacific Railroad Company to the Texas and Pacific Railway Company, and vested in the company by its new name all the rights, privileges, and franchises theretofore conferred on the Texas Pacific Railroad Company.

It is plain as any proposition can be that these two grants contemplated the building of a railway from Marshall, in the State of Texas, to San Diego, in the State of California, for governmental purposes. Taking these two acts together, the object of the incorporation was to secure, I repeat, for governmental purposes, because special privileges are given to the Government, the construction of a Southern transconare given to the Government, the construction of a Southern transconare given to the Government, the constant of the triplet of the following the first timental railway, by whatever name you choose to call it. There is now such a road. It is called the Southern Pacific Railroad. The Southern Pacific Railroad Company built a portion of the line. Pacific Railroad Company built a portion of the line. The Southern Pacific Railroad Company, by an arrangement with the Texas and Pacific Railway Company, claims to have become the purchaser or assignee of that company of the lands in question. In the act changing the name from the Texas Pacific to the Texas and Pacific, Congress inserted in the fifth section this clause:

That the said company shall commence the construction of said road from San Diego eastward within one year from the passage of this act, and construct not less than ten miles before the expiration of the second year, and, after the second year, not less that twenty-five miles per annum in continuous line thereafter between San Diego and the Colorado River, until the junction is formed with the line from the east at the latter point or east thereof.

That is the line from Marshall, in Texas. Now Congress provides:

And upon failure to so complete it, Congress may adopt such measures as it ay deem necessary and proper to secure its speedy completion.

That is the power that Congress reserved and the only power in all this legislation. This railway company has performed that act, and the Government is to have the benefit of that road and can not be de-The line is continuous between these two termini, and the Southern Pacific Railroad Company claims that by purchase from the Texas Pacific it has become the assignee or successor to this title.

These lands to a greater or less extent have been mortgaged, and bondholders or lienholders have claims upon them. The case, so far

as the equities of others than the original grantees are concerned—
Mr. VAN WYCK. Will the Senator right there allow me to correct
him? The lands that are now sought to be forfeited were never mort-

gaged by any railroad company.

Mr. LAPHAM. There is the difference between the Senator and me.

Mr. VAN WYCK. Between the Senator and the facts.

Mr. LAPHAM. The honorable Senator from Alabama stated this

morning that as he understood it they were under mortgage.

Mr. MORGAN. It is contended by the Southern Pacific Railroad Company, or its counsel, that the mortgages which they have given on their road to their bondholders included these lands.

Mr. LAPHAM. I so understand; that position is taken and the holders of the bonds which have been issued claim that they have a lien upon these lands.

Mr. VAN WYCK. May I state that while the committees of both Houses were open to everybody pretending to claim under a railroad company when a forfeiture was endeavored to be enforced, no attorney, no bondholder came before the committee of either House with a pretense that there was any sort of mortgage upon these lands now in con-

troversy.

Mr. LAPHAM. For the obvious reason that the House committee or the Senate committee could not try any such questions if they had

come before them.

Mr. VAN WYCK. I do not understand the Senator.

Mr. LAPHAM. I say for a very good reason, that neither the House

committee nor the Senate committee could try or determine any such

questions if they had come before them.

Mr. VAN WYCK. I state that the fact does not exist that there is any mortgage on these lands in controversy.

Mr. LAPHAM. So I understand the Senator to say; but other Senators, members of the same committee, claim the opposite. I know that Mr. Evarts, who is within a few days to take the seat which I have so poorly filled, with honor I trust to himself and to the Senate, claims that in his argument.

Mr. VAN WYCK. The Senator will allow me a word?
Mr. LAPHAM. Certainly.
Mr. VAN WYCK. This is the second time that allusion has been made to the prospective Senator from New York. I would ask my friend from New York if Mr. Evarts made that statement or expressed that opinion in an official capacity, or did he do it as the attorney and counselor of this company

Mr. LAPHAM. He did act undoubtedly as attorney and counselor, but he is an honorable attorney and counselor, and is the last man in the world who would take a position that he knew was untenable. He is the last man in the world to say that these lands were covered

by a mortgage when he knew they were not.

Mr. VAN WYCK. The Senator will allow me to say again that the

Mr. VAN WICK. The Senator will allow me to say again that the brief of William M. Evarts, submitted to the committee and printed, made no such pretense and no such allegation.

Mr. LAPHAM. I can not say as to that. I was not a member of the committee, and did not hear his argument. I am only stating what I am informed about it.

Mr. VAN WYCK. His argument was printed.
Mr. LAPHAM. Here is, therefore, the Southern Pacific Railroad Company claiming title to these lands; here are, therefore, a large list of bondholders who are claiming that they have liens upon these lands; and the proposition is now made under a law containing no clause of forfeiture whatever, but providing that in case the company failed the Government should have the right to complete this road, to forfeit these lands and make them a part of the public domain.

Suppose this bill passes without any condition and these lands are opened to public settlement and a thousand individuals go upon them and obtain patents from the Government; no lawyer can fail to see that every one of those settlers will be open to precisely the question which this amendment proposes shall be determined in advance. Every man who takes a patent from the Government under this bill would be liable to a suit between himself and the Southern Pacific Railroad Company, or between himself and the lien-holders, the mortgages, or the trustees that are named in the mortgages, and they could not escape it; and what is the result? The result is that the title to these lands is to go

what is the result? The result is that the title to these lands is to go into an endless field of controversy.

Mr. ALLISON. As illustrated by the Des Moines lands.

Mr. LAPHAM. I will take care of the Des Moines lands, I advise my friend; they occupy a very different position from these; but my honorable friend from Iowa, with his colleague, concedes that that bill is like a railroad forfeiture, or else they can not maintain themselves

Now, I repeat, every purchaser from the Government, if we declare

Now, I repeat, every purchaser from the Government, if we declare this forfeiture, who goes on and takes a settlement of these lands, a pre-emption or homestead right, and pays his money and goes into occupancy, has got to have this litigation on his hands.

The amendment proposed by the honorable Senator from Alabama provides for the settlement of all these questions before the lands are opened to the public. It is an amendment in aid of peace, to discourage litigation, to prevent a multiplicity of actions, and it is such an amendment as the Senate placed upon the bill to forfeit the land grant of the Atlantic and Pacific Railroad Company by a vote of nearly two

Sir, there are stronger reasons in this case for attaching that provision to this bill than there were in the case of the Atlantic and Pacific There were only the rights of lien-holders involved. Here is the right of an assignee under a solemn grant that paid money for these lands, which is to be determined, and there are the additional rights of the lien-holders supplemented to those of the assignee. I trust, therefore, that the amendment proposed by the Senator from Alabama will be annexed to this legislation, to the end that all doubt about this title may be cleared away, that all obstacles in the way of the settlement of these lands and the giving of complete titles by the Government may be cleared away before they are opened for settlement.

Now, Mr. President, in its legitimate sense I have no objection to being classed as the friend of railroad companies. That term has no tering classed as the mend of railroad companies. That term has no ferrors for me. I would be a friend of a railroad company to the extent of its legal and just rights, as I would of the claim of an individual. This clamor against the railroad corporations of the country is one in which I have no disposition to indulge; and that is the offspring of the zeal which lies behind those who are pushing this bill to completion. In no enterprise in which the people of the United States have ever engaged has there been so much capital sacrificed, so many investment unproductive as in the building of railroads in the United States and unproductive, as in the building of railroads in the United States; and yet they are not like a manufacturing company or a mercantile company, that when they fail leave nothing behind. The men who have

invested their money in the building of railroads, although utterly un-productive, have done what? They have built a road; the Government has the benefit of that road. This Southern Pacific Railroad is built,

and there it will remain forever.

There is no class of investments in this country so unprofitable at this very hour, in proportion to the amount invested, as the moneys which have been invested in the building of railroads. There is scarcely one of these roads which to-day is receiving an income which is a paying investment on its capital. I know the honorable Senator from Nebraska will talk about watered stock and all this, that, and the other thing in answer to this; but I speak of the great mass of roads that have no element of that kind in them. I speak from personal experience. I invested in the building of a railroad from the village where I reside to Niagara Falls in 1852. I paid my money and I gave two years of professional services, and I lost it all, and yet there the road is and it is just as valuable to the public as though my investment had proved a 10 or 15 per cent. investment. The community through which it runs have the road, and it is the fruit of my expenditure and of the expenditures of those who joined with me.

Just so in this case. Here is a road from Marshall, in Texas, to the

Pacific Ocean upon the precise route designated in these acts of Congress. I care not by what name it is called, it is there, the country has it, and we have a Southern Pacific, a Central Pacific, and a Northern Pacific—three great transcontinental lines. Now, before we open the lands, which were granted to this company in the outset as the inducement to this enterprise, to public settlement, and inveigle the citizens of the Government into their settlement and paying their money, let us settle all questions which remain in regard to the title. That is what this amendment proposes to have done.

Mr. SLATER. Mr. President, I do not propose to discuss the details of this measure, or to any extent the amendment that has been offered. I certainly should not object to the amendment very seriously or earnestly if I did not believe that, from the situation of the business of Congress at this particular juncture of time, if it be attached to the bill it must necessarily cause the defeat of the forfeiture. There is one objection in my mind, however, to the proposed amendment that

seems to be worthy of attention.

It has been stated that the amendment is in analogy to what is known under the common-law doctrine in Great Britain as the petition of right, that where the government has an interest as against its subjects it allows the petition of right in favor of those against whom a forfeiture was declared. But a marked difference must be noticed in the remedy offered in this case. Instead of giving to those who hold interests or who claim to be interested in the lands forfeited the right to enter a court and exhibit that claim and ask a judgment upon the claim, the effect of this provision is to put the Government of the United States to hunting up, to going out and searching for people who claim to have some interest in these lands. True, the main provision is directed at the parties who are said to be the grantees or those interested under them.

It may be a very difficult matter for the Attorney-General or his subordinates to learn who these parties are. They may have great difficulty in finding, when they start in their action, against whom the process shall run. It would be much more agreeable to me if the provision was reversed, and it allowed the right to those whose lands are forfeited within some specified period of time to enter the proper court and set forth their claims and prosecute them to a final determination.

But the main objection that I have to the putting of this amendment upon the bill is, as I have said, that from the posture of business at this particular juncture all must be observant of the fact that it will necessarily lead to the defeat of the measure. That being so, I am

disinclined to favor its being placed upon the bill.

Besides, sir, I am well satisfied in my own mind that the phantom which is conjured up in favor of this measure is largely without substantial foundation. I do not believe that if this forfeiture is made with the provisions of the amendment attached, this company will enter the courts of the United States to litigate; nor do I believe that if they shall do so it will lead to the unlimited litigation that is prophethey shall do so it will lead to the unlimited litigation that is prophesied. It seems to me that the provisions of this bill are so plain, the forfeiture is so well established and so clear that no question can be practically raised on the forfeiture clause of the bill. I am aware that under section 9 of the original grant it is said that all right that was reserved to the United States in the original granting act was the right, in case the company failed to complete the road within the time specified, to designate some other company to construct it. But I think that it is not a correct conclusion. I do not think that is a correct interpretation of section 9 of the act, which I will read:

SEC. 9. And be it further enacted. That the United States make the several conditional grants herein, and that the said Atlantic and Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upward of one year, then, in such case, at any time hereafter, the United States may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

The first point I make upon that is that the leading purpose of this section was that should this road not be commenced within the two years

prescribed in another section and prosecuted in the manner and within the time and to the effect that other provisions of the bill prescribed, the Government might enter and prescribe some other method for the prosecution of the road. I can not conceive that in the case like the pressent, where the time has completely and fully elapsed, where another corporation has built upon the line of the road, the Government can be held to be in the position that it must build a parallel line or leave these parties with the lands granted, because that is precisely the absurdity of the position if the interpretation given by the advocates of the amendment is correct. In order to see the force of this let us read section 8, which states the condition to which section 9 is said to be a subsequent and additional condition.

SEC. 8. And be it further enacted, That each and every grant, right, and privi-lege herein are so made and given to and accepted by said Atlantic and Pacific Rallroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and com-plete the main line of the whole road by the 4th day of July, A. D. 1878.

The road was not constructed. The Government of the United States did not intervene within the time during which the grant was to run. Six years and more have elapsed since the time expired; another company has built upon the line of the road, and the argument is that if we declare a forfeiture now these parties may say to us that the only right we have reserved to the United States was to offer to some other company the chance to build a parallel line to the road already built; or, in other words, to require the Government of the United States to do an absurd and useless thing. Such a construction seems to me not one that was contemplated at the time the law was passed.

Besides, sir, the resulting forfeiture would be to the United States, and the United States, after a complete failure of compliance with the conditions-subsequent, would have the right to say whether they would give this grant to another corporation or to proceed in some other method to the completion of the road or take the lands to themselves; and there having been in the mean time another road built upon the line by another company, that fact would seem to me to be conclusive

of the proposition.

Another point is made by the Senator from Alabama, one that strongly fortifies me in the conclusion that we can not make any mistake in declaring the forfeiture. He admits that under grants of this character the grantee can not without the consent of the grantor transfer the grant. The Texas Pacific could not transfer to another corporation or company this land grant without the consent of the Government of the United States. It seems to me that the Senator stated that proposition so strongly, and it was so well fortified by the reasons he gave, that we need apprehend no danger from the course we are taking.

Perhaps it might be well under other circumstances and in other times, when it would not be likely to defeat all that has been done and not be likely to defeat a measure so important in its results, to attach this amendment to the bill; but under the present circumstances, when every Senator will recognize the fact that by placing this amendment upon the bill we shall send it to certain defeat, it seems to me that we ought not to support the amendment, and therefore I shall vote against it.

Mr. MORGAN. I should like to say in reply to the remarks of the Senator from Oregon that what we ought to do about this bill or any.

other is to do what is right. If the Senate thinks this is a proper thing to be done I do not know why if we amend the bill in the Senate it should send it to certain defeat. I can not understand why it should be so, unless we assume that the other House does not intend to take any different view than merely the bill it has sent over to us. That bill does not meet the demands of justice in full, and it ought to be amended! It ought to be amended for the sake of the Government and people of the United States, as well as those who are claiming an adverse right

or interest in this property.

It has been suggested that the Senator from Oregon would have thought better of the amendment if it had permitted a number of persons, whoever they may be, to come in and assert their suit against the United States Government in the courts that they might select. Now, I would not be willing to expose the Government of the United States to a large number of suits under any acts of Congress that we might pass in a matter of this kind, when, by bringing a bill to quiet title, remove doubts from the title, as every lawyer must know, we can settle every controversy that arises out of this case in one suit.

I looked over that ground, and of course the idea struck me at first that the proper thing to do in order to make the analogy complete be-tween this amendment and the petition of right would be to allow the citizen to bring suit against the Government of the United States; but then I thought of how much worry, how much expense it might be; and my mind recurred to what I conceive to be a much better system; that of the equity practice, the equity practice as it obtains in England as well as in the courts of the United States—that is, filing a bill on the part of the Government of the United States, which has declared that it has a right to these lands for the purpose of removing every cloud upon the title.

If I am in possession of a tractof land and my neighbors set up title to it, which I conceive to be entirely without value, I have a right to go into a court of equity and file a bill to remove the cloud. Why?

Because I can not enjoy the full benefit of my property until I have the cloud off the title. I can not sell it for its value; I am threatened with lawsuits; I am kept uneasy about it. The Government of the United States can not dispose of these lands to bona fide settlers until this litigation is over with the security it would give after it is over. litigation is over with the security it would give and it belonging upon pose we sell these lands now with this right of litigation hanging upon deny that there is a right of litigation. We them-and nobody can deny that there is a right of litigation.

can not prevent that, do what we may.

In selling these lands under such circumstances we only embarrass the purchaser, and after a number of years, after we have offered these lands for sale, these very men will be coming back to us with demands for reclamation. They will say, "Congress has declared that these lands belonged to the Government, declared it in the most emphatic way. We went on and bought the lands and made improvements upon them in consequence of this forcible and powerful declaration on the part of Congress. We now find that the courts have set aside that title, that the transfer of this property had been made to this other company, it no longer remained the property of the Texas and Pacific corporation, and therefore could not be forfeited as the property of that

company; another company had become the owner of it.' After it has gone on for a number of years these holders of the lands bought from the Government of the United States subject to this forfeiture will be back here for the purpose of making reclamation against the Treasury of the United States, saying that Congress has deceived them into the belief that they had title. If we can devise a means—and the Senator from Oregon I think can not answer the amendment upon that question—if we can devise a means by which we can quiet the title and remove the cloud, we ought to do it in advance of dispos-

ing of the lands, as a necessary precautionary measure as well for the protection of the persons who go upon the land as for the protection of the Government of the United States against subsequent reclamations

for damages.

I suppose it will not be earnestly insisted upon here that the bill that I propose in this amendment will not have the effect to quiet the title to this property. Nothing is more common than for a person to file a bill in equity saying that A B, C D, and E F, and other persons claiming under them unknown to your orator, set up claims against this tract of land and embarrass the title; I aver that these claims are not valid; I aver that they are set up merely for a pretense of embarrassing and throwing a cloud upon my title. They will not sue me; they will not come into court and try the question of title; and I wish this court would call them in and decree in the premises, compel them to come into court and set up their titles and see what they are, and let us have it determined whether my title is good or not, and whether these claimed incumbrances are upon my title. There is nothing more common in equity practice than that, and that is precisely the measure that

is presented in this amendment.

It will not do for us to say that it is better to allow a number of suitors to go upon private account into any court they may see proper to select, State or Federal, and sue the Government of the United States in a

number of cases. That is not justice to the Government. We can not afford to do that. We had better let it go as it is.

Mr. LAPHAM. Will the honorable Senator allow me to suggest that we have in the State of New York such an act entitled "An act for the purpose of settling conflicting claims to real estate," providing

for this very thing. Mr. MORGAN.

Mr. MORGAN. In Alabama we have an act providing that you can settle by an interpleader the title to personal property, but in Alabama we rely upon the old common-law remedy of a bill in equity for the purpose of clearing the clouds from the title to real estate. It is a very common mode which every lawyer I have no doubt has found convenient in his own practice. Perhaps there is not a lawyer in the Senate who has not at some time during his professional career filed a bill for the purpose of clearing up the title to a tract of land against incumbrances that are set up against it. I thought that was the best thing we could resort to for bringing quiet and peace upon this question and do it speedily and almost summarily, for such a bill is almost a summary proceeding. It has a statute of limitations of a year in it.

The Senator from Oregon asks if it is to be expected that the Attorney-General will go out and hunt up everybody who may have a possible claim to this property, and if he fails to find him the action shall fail as to him. Mr. President, you file your bill against the whole domain and against everybody on that domain. It is an action almost in the nature of an action in rem, by which you claim the title to a certain tract of land and you summon in the corporations and persons claiming title to it, and there can be no one unless it is the corporation or some person claiming under the corporation. When I call in a man for the purpose of controverting with him a cloud that is set up on my title, I need not call in every lessee or subtenant he may have put on the land, or every party to whom he may have made a conveyance of a legal or equitable interest therein. I can call in the man who claims the great body of the grant, and through him, if I were to name no-

grant and under the assignment. When we attack that and we find out through the agency of a court of equity that that assignment was invalid, and that fact is established, the law of privity comes in and those who have privity of estate with the person who holds the land are bound by the decision. I do not suppose it is worth my while here to descant upon law that everybody understands as well as he does the laws affecting privity of title, and the results of a decree upon a title as to those persons who are in privity with the title although they may not be parties to the record itself.

But this amendment most still further. It authorizes the Redeat

not be parties to the record itself.

But this amendment goes still further. It authorizes the Federal court by an act of Congress, which I suppose will not be disputed as to its authority, to proceed and call in those persons who are not necessary parties, but may be proper parties; and it goes further than that and it authorizes those persons who may have titles that the Government of the United States may know nothing about, to come in by petition and make themselves parties defendant to the suit, thereby receiving all the benefits and advantages of any decree that may be made for them and all the disadvantages of any decree made against them.

In that respect it is like a creditor's bill. Where you file a bill in the name of one creditor for marshaling the assets of an insolvent or bankrupt debtor, you file it for the benefit of all. The court makes publication, saying, "Here is a bill, and the creditors of this insolvent person can come into court within a certain time and file their demands for these assets going to be administered and settled up." The court takes hold of the estate and it converts it into money so that it can be distributed. Then those creditors who by reason of their laches, or, if

distributed. Then those creditors who by reason of their laches, or, if you please, because they do not know of the pendency of the suit, remain outside and take no interest in the litigation, are cut off by the decree of the court absolutely. That fund is taken and administered for the benefit of those who come in under the order or decree of the court and set up their claim.

This feature is proposed to be put in by statute. It may be that you can not find in a bill to quiet titles in the equity system of Great Britain precisely a case like that which is met by this proposed statute, but when you put it into this measure you give a remedy, you enact a statute of limitations, or what is equivalent to it, and those who do not come in for the purpose of having their titles settled of course are barred. Now, have we power to do that? We have just as much power to do that as we have to say that a claim against the Government of the United States which we recognize to be honest shall be presented within one year from the date of this act, otherwise it shall be

forever barred.

So I think that the objections which are made by the Senator from Oregon are not substantial. I took great pains in trying to study out the proper method of the application of this proceeding. Perhaps it is not right, but I confess that the argument of the Senator from Oregon does not shake my faith in it, for it is easy to be answered. It is easy to show that while the bill proposed does not accomplish everything, it is a far more economical and speedy procedure than would result if we were to say that every claimant of this land of every kind and character might come into any State court that he saw proper to select, or into a Federal court, and have this question litigated.

I wish to say one word more. I remarked a while ago that I reported back from the Committee on Public Lands, under their instruction, a general bill, which is now on the Calendar, covering precisely the same ground as this amendment, so that the committee gave their sanction as I understand to the principles of the amendment. The subject has been very much discussed and talked over privately as well as in committee. I have accepted, and I am willing now to accept, any modification to the amendment that any Senator can show a substantial reason for trying to introduce into it, for I want to get nothing more nor less than a proceeding which will quiet down these questions immediately

and before we commence to dispose of this land.

I do not want to have the people of the United States coming back and complaining of Congress and saying, "You declared that these lands belong to you, and the courts of the country have overturned your decision. You declared that they belong to the Texas and Pacific Railroad Company, and therefore you forfeit them as property granted to that company, and it turns out that there was an assignment made of the whole body of the grant, and that assignment which you declared to be inoperative and void and not in the way of our title is up-held by the courts as being a valid title and under such conditions we held by the courts as being a valid title, and under such conditions we claim from the Congress of the United States the damages into which we have been unwittingly betrayed by your hasty and ill-considered legislation."

Mr. President, it is far better that we should wait a year even. I do not ask for delay, and I do not believe it will come, but if it should come it is better that we should wait a year and get this matter straight before we launch out on this new field than to go hastily to work about it. This land is not going to run away; these titles are not going to become any more complete. There will be no loss of property to the United States Government. We are not in need of the money that comes from this land, and, more than that, we do not expect to get a Now, what tittle do we attack here? It is one title in its origin though it may be ramified or diversified into a great many branches. What is it? A title arising in favor of this corporation under the land.

There can not be any necessity for that sort of haste about it which would betray us into inconsiderate or unwise legislation

So I think we had better put the amendment on the bill. The House of Representatives have not considered this matter in a light to shut out the hope that they will concur with the Senate on this amendment. They have merely insisted further upon their disagreement, and they have invited a further conference and appointed conferees. that has been done irregularly, because the bill was not before the House, but I assume that the House, as is the ordinary practice, would disagree to the amendments on this bill in order to throw it into a committee of conference. That is the way in which our legislation takes place between these bodies now. There is actually no final legislation where there is a disagreement between the two Houses on any important or contested bill, except through a conference committee. That will be the effect of it.

Mr. President, I wish to protest about one thing. I have not any pride of opinion about the amendment or about anything connected with it. If I know my own heart I would very gladly have escaped all responsibility for it or all connection with it of any kind. It is not a subject that I sought after, but when a matter has been presented in the way that it has, and I find that according to my earnest conviction it is the sound and wise policy for us to observe, it seems to me that the Senate ought to take it into consideration and ought to provide so that there shall be no difficulties about this legislation hereafter.

It ought to be remembered that we are now entering for the first time upon a great system of land-grant forfeiture, and in doing that we ought to measure the ground over which we step with carefulness and see that while we are trying to do justice to the Government and trying to reclaim lands that have not been earned by these railroads and that are justly liable to forfeiture, we do not transgress the bounds of our jurisdiction, and that we provide what ought always to be provided in such cases, a convenient and secure and speedy remedy for any person who may have an interest in the subject in controversy.

Mr. VAN WYCK. Mr. President, I should not detain the Senate with any remarks upon this question except for the statement of the Senator from New York [Mr. LAPHAM] denying the right of Congress, as I understood him, to declare a forfeiture of these lands. There can be no question I take it upon that proposition, and while I do not desire to dwell upon that point it has suggested a few other thoughts in connection with this matter which it might be well to present to the consideration of the Senate.

Mr. LAPHAM. Will the Senator allow me to correct him?
Mr. VAN WYCK. Certainly.
Mr. LAPHAM. I did not advance the position that Congress has no power to forfeit these lands. I stated that the act granting the lands contained no clause authorizing the forfeiture. Upon the question of

the power of Congress, I did not advance an opinion.

Mr. VAN WYCK. I supposed the Senator meant that, otherwise there would seem to be no force in his suggestion.

Mr. LAPHAM. Oh, yes, there is.

Mr. VAN WYCK. I supposed it to be the intention by that suggestion to infer that Congress had no power.

Mr. LAPHAM. I suggested that if the Government was exercising here a doubtful right, a right by implication it should tread more here a doubtful right, a right by implication, it should tread more cautiously than it would in a case where an affirmative right was reserved to Congress to do the act.

Mr. VAN WYCK. The Senator I think is so good a lawyer that he evidently did not desire to throw himself upon that position, because he is aware of the doctrine so often declared, that where the condition of a grant is expressed there is no need of reserving a right of entry for a breach thereof in order to enable the grantor to avail himself of it. So in fact there was nothing in the point, and as I understand the Sen-

ator did not intend to make the point, and as I understand the Senator did not intend to make the point, that settles that branch of the case, that Congress has the power and the right to do this thing.

Mr. SHERMAN. What is the condition in the grant?

Mr. VAN WYCK. If the Senator from New York has the book will he please read the condition in the grant? I have not the book before me. He had it a proment are He had it a moment ago. before me.

Mr. LAPHAM. I sent the book back. It provides simply that in the case of a failure by a specified time to complete this road from the east to San Diego, the Government shall have the right to go on and

Mr. VAN WYCK. There was no occasion, however, for the Government to do that in this case. In this case the Government was relieved

of that provision. Mr. LAPHAM. The Southern Pacific have done it.

Mr. VAN WYCK. Precisely; and the Southern Pacific came here and they besieged Congress not to give the aid. The Southern Pacific came here and stood as an ally of the Government and emphatically said, "Withhold this aid and we will construct the road."

Mr. HOAR. May I call the attention of the Senator from Nebraska back one moment to the question which was asked by the Senator from Ohio [Mr. Sherman], I do not know whether publicly or not? What I wish to know is whether there is an express condition in the grant. If I understand the Senator from Nebraska, he says that there is an express condition in the grant, that it was a grant upon condition, and

he finds the condition in the words that after the grant to the company, its successors and assigns—I suppose in the usual terms—the act goes on to say that if the company fail to build a road, as therein specified, the United States may then proceed to do what they shall deem necessary to complete the road. I ask the Senator if that is the clause which Mr. VAN WYCK. There is a condition in the act as to how the

Mr. VAN WYCK. There is a condition in the act as to how the road should be built, how much should be built one year and how much the next. There are express conditions as to the mode and man-

ner in which the work should be done.

Mr. HOAR. Will the Senator answer my question? My attention was called to the subject within three minutes, when I looked at Mr. Evarts's brief and got this idea from that. Perhaps it is a dereliction of duty that I have not investigated it earlier. I understand that the Senator finds the words which make a condition in the law in the language saying that if the road is not built Congress may do what it sees fit to secure the completion of the road, and in the further language which gives direction in what mode the road shall be constructed.

there any other language or condition except that?

Mr. VAN WYCK. I will read the act.

Mr. HOAR. Will the Senator read all the language which he considers to make a condition of law?

Mr. VAN WYCK. I will read it. The act of May 2, 1872, provides: Mr. VAN WYCK. I will read it. The act of May 2, 1872, provides: That the said Texas and Pacific Railway Company shall commence the construction of its road at or near Marshall, Tex., and proceed with its construction, under the original act of this supplement, or in pursuance of the authority derived from any consolidation as aforesaid, westerly from a point near Marshall, and towards San Diego, in the State of California, on the line authorized by the original act, and so prosecute the same as to have at least one hundred consecutive miles of railroad from said point complete and in running order within two years after the passage of this act; and so continue to construct, each year thereafter, a sufficient number of miles, not less than one hundred, to secure the completion of the whole line, from the aforesaid point on the eastern boundary of the State of Texas to the Bay of San Diego, in the State of California, as aforesaid, within ten years after the passage of this act; and said road from Marshall, Tex., throughout the length thereof, shall be of uniform gauge: Provided, however, That the said company shall commence the construction of said road from San Diego eastward within one year from the passage of this act.

That they never have done-

and construct not less than ten miles before the expiration of the second year, and, after the second year, not less than twenty-five miles per annum in continuous lines thereafter between San Diego and the Colorado River, until the junction is formed with the line from the east at the latter point or east thereof; and upon failure to so complete it, Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion; and it shall also be lawful for said company to commence and prosecute the construction of its line from any other point or points on its line; but nothing in this act contained shall be so construed as to authorize the grant of any additional lands or subsidy, of any nature or kind whatsoever, on the part of the Government of the United States.

Mr. HOAR. Is that anything more than an ordinary enactment in the law, or is it made a condition of the grant?

Mr. VAN WYCK. I should suppose that the Senator from Massachusetts was so good a lawyer—

Mr. HOAR. If the Senator will pardon me, the Senator from Massachusetts is not a very good lawyer, and he has not examined this question. I did not know what the question was until five minutes ago. I am putting the interrogatory, not as antagonizing the Senator's argument but simply for light.

Mr. VAN WYCK. I should wonder what it would be called if it is

not a condition. What would the Senator think it could be named in not a condition. What would the Senator think it could be named in legal phraseology? It requires certain acts to be done, expressly designating what they are and the manner in which they are to be done. Would the Senator consider it anything else except a condition?

It would seem that there could be no sort of question about this mat-

The act certainly did not intend to give to the company this land unless they obeyed the law and did what it contemplated, because it says that in case the company does not do it then the land belongs to us to complete the road if we choose.

There is no pretense of any claim on behalf of the Texas and Pacific Railroad Company. They never built a mile of the road. They never conveyed an acre of this land; they never gave a mortgage for a dollar of value upon it; and the question stands here naked and bold as between the Government of the United States and the Texas and Pacific

Railroad Company.

That company came and besieged Congress. They undertook to tell Congress and the American people that this land grant could not build the road. They came and asked that Congress should subsidize them besides by guaranteeing interest upon their bonds. While they were negotiating still more with Congress a new factor enters, and that is the Central Pacific Railroad Company, organized for this purpose as the Southern Pacific, but the same company. When the Texas Pacific Company came to Congress and asked that their bonds should be guaranteed, the Southern Pacific Railroad Company interposed and came to Congress and said, "Withhold your aid; refuse to guarantee the interest on those bonds; offer no subsidy to this railroad company; stay where you are, and we will build the road ourselves without subsidies or without lands." That is what they said.

Now, what is proposed just at this juncture? It is proposed that by some sort of ingenuity in the construction of language or the meaning of a phrase we shall donate these 20,000,000 acres to a corporation

which never earned them, because they did not earn this grant. They constructed the road in defiance of the grant. All they asked was that they should have the privilege to build the road without money and without price. That was the attitude. It can not be denied that they never had any assignment from the Texas Pacific Railroad Company until the road was all constructed to the Texas line. After the Central Pacific Railroad Company had fought their way in Congress, and fought their way by building their road to the west line of Texas, then for the first time was it that those two great railroad builders, Jay Gould and Huntington, united forces.

Mr. BLAIR. I trust if the Senator is narrating history he will be willing that it shall be correct.

Mr. VAN WYCK. Most certainly.

Mr. BLAIR. Does not the Senator remember that the committee was informed that it was the understanding between these parties thus constructing toward each other that each should have the land grant opposite what it built?

Mr. VAN WYCK. Oh, no.
Mr. BLAIR. Oh, well, the thing was consummated some six or eight months before the expiration of the time, and the articles deliv-

Mr. VAN WYCK. No, sir. Here is Mr. Huntington's history; I have not the time to read it in full. It is the most wonderful piece of history in our country. You remember Mr. Huntington's letters. of history in our country. You remember Mr. Huntington's letters. In these letters he shows distinctly, as we know, that he was antagonizing the Texas Pacific. In those letters he expressly stated that they stood ready to build the road without subsidies in money or grants of land. All they asked, he said, of the Government was that they should be allowed to do that; and it was not until after the road was constructed to the west line of Texas, after the road was completed without the Texas Pacific grant, its dead land grant to the Southern Pacific, because at that time they had united, that the heads, the operators of the two lines—

Mr. BLAIR. If the Senator will permit me, I allege it as a fact that

it was certified before the committee, and it is historically true, that these two great agencies built one the seven hundred miles and the other the five hundred miles toward each other with the understanding that they were to be united and to prorate. Does the Senator believe that the Texas Pacific would have built seven hundred miles westward to connect with nothing? There was the Southern Pacific building from the west eastwardly. Could it have been otherwise than that there was an understanding that they were to unite, as they subsequently did, and carry into effect their understanding as they did in writing, under instruments delivered and sealed and sanctioned by the

independent of a court?

Mr. VAN WYCK. Huntington and the Central Pacific were fighting their way through to the Atlantic Ocean in defiance of the claims of the Texas Pacific, and boldly claiming that they were prepared to build the road and would build it without any aid in subsidies or land

from the General Government.

Mr. BLAIR. That is all very true. They asked in return that the Government would give them a charter through, that the Government would put an end to the claims of the Texas Pacific over those Territories through which they were obliged to lay their line in order that they might save their millions invested in the seven hundred miles from San Francisco to Fort Yuma. The Government took no action but left the law precisely as it was; and these two great corporations, under an agreement to prorate and to divide the land grant and the privileges and perform the duties that the Texas Pacific had undertaken in its charter with the General Government, constructed their line, and in accordance with that understanding the assignment was made from the Texas and Pacific of the land grant along and contiguous to that portion of the line constructed by the Southern Pacific, which the Southern Pacific now undertakes to hold, and which the Attorney-General of the United States in at least three instances of like character has held to be a valid

assignment.

Mr. VAN WYCK. I think one of the provisions of the act incorporating the Texas Pacific Company was that it should not consolidate

with a competing line. Am I not correct?

Mr. BLAIR. That provision, though not put in the way the Senator quotes it, was that they should not consolidate with any through competing line. In the short remarks which I submitted to the Senate I showed how the consolidation, even if it were with the Central Pacific, is not a consolidation with a through competing line. The only possible through competing line would have been the Atlantic and Pacific, which is not constructed to this day. The other line, the four hundred miles, under no circumstances would be a through competing line

Mr. SHERMAN. I wish to know one fact, and it is the turning point in this whole case. Is it true that the Southern Pacific road, before any assignment was made to it, built its line of railroad through

to the Texas border? Mr. VAN WYCK.

Mr. SHERMAN. At that time the Texas Pacific was a subsisting corporation, and it had not yet reached the Texas border and had not earned a single acre of land under the terms of the grant?

Mr. VAN WYCK. Not an atre.
Mr. SHERMAN. They did not even lift a shovel or spade?

Mr. VAN WYCK. No; not an acre did they earn.

Mr. SHERMAN. At that time were the two companies engaged in

hostility with each other in seeking to get a law through Congress on the subject of their grants?

Mr. VAN WYCK. The Texas Pacific, which had this grant, was seeking at that time to have additional assistance by a guarantee of the interest upon its bonds. The Southern Pacific came here, and, as I shall show from Mr. Huntington's own letters, with the expenditure of a large amount of money, asked Congress to stop, showing that there was no necessity to guarantee those bonds or to grant a subsidy, and that there was no necessity to give them any lands; that they were ready to build the road through to the Texas boundary without any

Mr. BLAIR. Will the Senator from Nebraska permit me to interrupt him?
Mr. VAN WYCK. Certainly.

Mr. BLAIR. The state of facts which the Senator describes existed The Southern Pacific having made its investment and seeing that the action of the Texas Pacific, then twelve hundred miles away, depended upon its obtaining its \$40,000 per mile from the General Government (which was substantially nothing but an application for still greater delay), and that its capital was rotting meanwhile, opposed that by saying that it was ready to build for the land grant if the Government would take away the rights of the Texas Pacific within those Territories. It then said it was ready to build without any land grant even, if the Government would charter it through those Territories, and the Government declined to do that.

What then? The Texas Pacific was still in Eastern Texas. There was no prospect of any Government sanction under which the Southern

Pacific could build easterly through the Territories, and the controversy in Congress having ceased, and the Texas Pacific having fallen under new management, the Gould management, Scott and his friends having disappeared, these great capitalists came together in agreement and the road was constructed subsequent to the controversy in Congress, through the Territories easterly by the one, through Texas westerly by the other, with an understanding, which had been put in form earlier still, that they should thus build and thus prorate, an understanding carried out in that way, and the construction taking place after the efforts at legislation in the Forty-fourth and Forty-fifth Con-

So it is not true as a matter of fact, as stated by the Senator from Ohio, that the construction went on while the Southern Pacific was demanding legislation from Congres authorizing it to build through those But when Congress had failed to legislate, when the subsidy was defeated, in the public interest as every man must believe, then these great agencies constructed the road about equally in length toward each other, and united with an understanding that the land grant was to be divided, that the land grant in the Territories was to be given to the party which built through the Territories. That understanding was formally reduced to writing and carried into effect, and the instruments delivered and the judgment of a court had thereon prior to the expiration of the ten years within which it was originally agreed in the Texas and Pacific charter that the whole line should be constructed. That is the truth about it.

Under such a grant as that, under such an assignment as that, in the instance of the Backbone Railroad and in two other instances, if I recollect aright, held valid by the Attorney-General of the United States, the Southern Pacific Railroad claims a right to be heard in court. The amendment simply gives the company a right to try that question in the courts and have it judicially decided and not foreclosed in a way that we would hardly exercise toward the humblest individual in the

Mr. McPHERSON. Will the Senator from Nebraska give me a little light on the question? The Southern Pacific Railroad, if I understand it aright, was first chartered by the State of California, and its line was built until it reached the Territories of the United States. As to the Territories and the public lands belonging to the United States, what did the Southern Pacific Railroad ever ask of Congress? Did they ask for a right of way over the Territories?

Mr. VAN WYCK. They obtained that by legislation from the Ter-

ritories

Mr. BLAIR. After the attempt to get legislation from Congress had ceased, had failed.

Mr. WILLIAMS. Congress granted lands in California to the South-

Mr. McPHERSON. Has the Southern Pacific Railroad ever asked

for any assistance either in the shape of land grants or subsidy bonds, or anything of that kind from Congress?

Mr. VAN WYCK. It not only did not ask for it, but insisted that

such aid should not be granted it.

Mr. McPHERSON.
Mr. VAN WYCK.
Mr. WCPHERSON.
That aid should not be granted to the rival line?
Mr. WCPHERSON.
That it should not be granted to any company.
Mr. WCPHERSON.
To the Texas Pacific?
Wes, sir; orgranted to any company. They stood

there and said they would build the road without either lands or sub-

Mr. SHERMAN. Did the Texas Pacific actually build a part of the line?

Mr. VAN WYCK. Not a mile.

Mr. BLAIR. The other road claims it as assignee of the Texas Paeific.

Mr. SHERMAN. I will ask my friend the date of the assignment. Mr. VAN WYCK. The date of the assignment was after the completion of the road.

Mr. SHERMAN. Then at the time of the assignment the Texas Pa-

cific had not earned a single acre of land within the Government lands?

Mr. VAN WYCK. It had not earned an acre of public land. The road was finished before the agreement was made in 1881, to which my friend from New Hampshire referred. The Southern Pacific was in hostility to the Texas Pacific; they had been in litigation, and were up to the time they made this contract in 1881, after the Central Pacific had built to the west line of the State of Texas. . Those are the facts. Mr. Huntington, in 1878, wrote:

If it were once understood that no subsidies would hereafter be granted by Congress, the incomplete gap (between Fort Worth, the western terminus of the Texas Pacific then, and Yuma) would be filled within five years by private capital alone, without asking or committing in any way the national revenues to the work.

Before the Senate committee, in 1878, he said:

We are ready to construct right along, and willing to provide an outlet to the East for ourselves without cost to the Government.

Who would suppose for a moment that they would have the impudence in the face of this declaration to come now and endeavor to steal 20,000,000 acres of the public domain? Again, in 1878, when Mr. Huntington asked the Government to take its hands off and let there be a free race without cost to anybody, he said:

The question before you is whether you will give the Texas Pacific a guarantee of nearly 40,000,000 of bonds for building a road, two hundred miles of which is useless, and six hundred miles of which we offer to build without aid.

Look at that. Mr. Huntington says "which we offer to build without aid." He comes before a committee of this body in 1878 and begs the Government to stop; he says: "We will do it, and we will do it without aid, without the cost of a dollar to the Government." It is remarkable that these men should have the impudence to come here now. Is it not still more remarkable that Senators should be found have advocating their proposition informers as it is?

here advocating their proposition, infamous as it is?

That is not all. Here is a letter from ex-Senator Gordon explanatory

or his course in supporting the Southern Pacific plan of opposing Scott:

Mr. Scott was asking a guarantee on about fifty millions of bonds. Mr. Huntington, on the other hand, was asking nothing of Congress either by way of indorsement of his bonds or as subsidy in lands. He asked only to be let alone and allowed to build the road on the same general line, and was actually constructing it without any Government aid. * * I opposed the Scott bill and favored the Huntington plan. He declared he could and would build the road without a dollar of Government aid or subsidy. He did it. He declared he would make the eastern terminus of his lines southern ports and only southern ports. He has done it.

There are the facts. Here was the Texas Pacific organized with this there are the lacts. Here was the Texas Facilic organized with this enormous land grant. The act provided that they should not sell out to a competing line. The object of that legislation was that there should be competition from the Atlantic to the Pacific. The act expressly restricted these parties and declared that they should under no circumstances do it. Yet by the contract, to which my friend the Senator from New Hampshire refers, made in November, 1881, after the construction of this road the Texas Pacific actually contracts and agrees that under no circumstances will it build the western portion of the

Congress said in the act incorporating the Texas Pacific, giving them this empire of land, that they should not under any circumstances convey their interest to a competing road, and yet in the very contract to which my friend refers, made in November, 1881, after the completion of the road, the Texas Pacific guarantee and bind themselves that under no circumstances will they build west from the connecting point which they made with the Southern Pacific. Here it is:

In consideration for the privileges of using jointly the road into El Paso, and of a perpetual privilege in Los Angeles and San Francisco, as well as San Diego, equal to the most favored, the Texas and Pacific has relinquished its claim to the land grant, right of way, and franchises west of El Paso to the Southern Pacific companies. The Texas and Pacific engages not to extend its road west of El Paso so long as the covenants with the Southern Pacific are observed, and the Southern Pacific agrees not to parallel the Texas and Pacific east of El Paso or either of the roads mentioned, in Texas, Arkansas, and Missouri.

Mr. HOAR. Is that the first agreement between these roads? Mr. VAN WYCK. Yes, sir; the first, made in November, 1881, after the completion of the road. Then they make their pool. They say: Through business is to be done on a pro rata basis by both companies, and this stands all the way to San Diego, Los Angeles, and San Francisco.

Mr. BLAIR. Will the Senator permit me to state to him one fact, which he can ascertain from the records of Congress? Either in the Forty-fourth or Forty-fifth Congress there was a bill introduced behind which were Scott and Huntington, both proposing to prorate, which bill was to carry out the provisions of the Texas Pacific charter. As far back as that, and after legislation failed in those Congresses, these parties, by a mutual understanding that they made, met and then carried their agreement into writing, and it was signed, sealed, and delivered; was all one and would be a vast monopoly, &c., and that is what we must guard against, and that is one reason why you should be in Washington.

but the understanding under which they were acting and investing their money was precisely as binding in law as though it had been reduced to writing and delivered beforehand. It was just exactly as if I agree verbally with a man that he shall convey to me his real estate and I pay him for it, and the agreement is partially executed, a court of equity will compel the passing of the title by the execution and delivery of a deed

Mr. VAN WYCK. I repeat, I think without the fear of contradiction, that these parties antagonized each other here in Washington, and by and by I shall show what Mr. Huntington says it cost to get some things done here in Washington. I shall show his estimation of this matter. He and his friends were antagonizing the Texas Pacific here session after session, and it continued in the courts, suit after suit, which resulted after the construction of that road in the making of the contract in November, 1881, to which I have just referred.

That was the attitude in which the very object sought by Congress in giving a land grant was defeated. It was defeated by the active support and by the contract of the Texas Pacific itself, the company to which the land was granted. Though the act denied them the power in any

event to make any connection with competing roads, they actually sell or undertake to sell or convey; and they actually bind themselves so that the people shall be denied the privilege of a competing line.

I have read these extracts from Mr. Huntington, detailing the history of the transaction, and I think partially detailed, until November, 1881, when an agreement was made between Mr. Huntington and Mr. Gould. Mr. Gould, it seems, had become the possessor of the property of Scott, and therefore he and Mr. Huntington were in an attitude to contract. Mr. Huntington had fought his way through and made the connection with the western line of Texas. Then it was, as I say, that they made this agreement preventing any competition, making the road an absolute monopoly; and after that they seek to resurrect this dead grant and divide it between themselves. There is the position.

We are not embarrassed here by the considerations which sometimes

arise in these grants because there have been no sales. Not a mile of the road was built by the company entitled to the land contiguous to the line in any part of this large domain. Not an acre of this land was ever sold by the railroad company. Not an acre of the land was ever mortgaged by the railroad company. There are no considerations to go to the court which my friend from Alabama suggests, because the question of forfeiture is pure, simple, naked. There are no embarrassing questions. The question is merely between this Government and the railway corporation; and I desire the Senate to bear in mind that never an acre of the land was sold and never an acre of it mortgaged, and the Texas Pacific never built a mile of its road.

Mr. MORGAN. Will the Senator allow me to ask him for the sources of his information which he states with so much confidence?

How does he know those facts?

Mr. VAN WYCK. I know from examination before the committee of the Senate for years that it never has been claimed in all the long delay; it never was pretended, as I understood, that they had built a mile of the road or had mortgaged an acre of the land.

Mr. MORGAN. I must be permitted to state my understanding of the matter. The Southern Pacific Railroad had made heavy mortgages to secure its debts, and it contended of course that the transfer of this property from the Texas Pacific Company carried it into this corpora-tion, and being a part of its property that the mortgages included that;

that it went to the mortgagees.

Mr. HARRISON. If the Senator from Alabama will allow me I will state that the land could only be embraced in that mortgage under the

operation of the after acquired property clause.

Mr. MORGAN. That is the idea.

Mr. HARRISON. Does the Senator think that a grant of land like this for public use, in the operation of a railroad, would be covered by

such a clause in a railroad mortgage? I do not think it would.

Mr. MORGAN. I am not stating what is right about it or what is the law of it; I am stating what they claim; that is all. I do not admit that the transfer was valid. I shall vote for the bill just as it is, whether the amendment goes on or not. At the same time I think it

whether the amendment goes on or not. At the saint line is right to adopt the amendment.

Mr. VAN WYCK. Mr. Huntington himself, who, I suppose, is good authority in this matter—and we have a good deal of that—was representing with a great deal of shrewdness the Central Pacific, then the Southern Pacific, and Mr. Huntington writes, November 28, 1874 (with—and is a like the former part of his letter). out reading the former part of his letter):

Storr says it will make Scott very mad, and he thought it best not to send it, and may be he is right; but if Scott kicks at it, I propose to say to Congress, "We will build east of the Colorado to meet the Texas Pacific without aid, and then see how many members will dare give him aid to do what we offered to do without."

Mr. Huntington was speaking for the corporation that is here to-day, I say to my friend from Alabama; and he says distinctly that—

"We will build east of the Colorado to meet the Texas Pacific without aid, and then see how many members will dare give him aid to do what we offered to do without." My only fear then would be the cry that the C.P. and the S.P.—

Here are these organizations, represented in the person of Mr. Huntington. That is what he says on that branch of the case. The line was built without any pretense of aid, built in opposition to the road which had Government aid. He says away back in 1875—

If we had a franchise to build a road or two roads through Arizona (we controlling)—

Now mark. I ask my friend from Ohio to give me his attention right

If we had a franchise to build a road or two roads through Arizona (we controlling, but having it in the name of another party), then have some party in Washington to make a local fight and asking for the guarantee of the bonds by the United States, and, if that could not be obtained, offering to build the road without any aid—

Which they did-

offering to build the road without any aid, it could be used against Scott in such a way that I do not believe any politician would dare vote for it. Can not you have Safford call the Legislature together and grant such charters as we want at a cost, say, of \$25,000?

Here is another letter from Huntington:

New York, November 13, 1875.

FRIEND COLTON: Your dispatch that you had sent \$200,000 gold is received. Dr. Gwin left for the South yesterday. I think he can do us considerable good if he sticks for hard money and anti-subsidy schemes, but if it was understood by the public that he was here in our interest it would no doubt hurt us. When he left I told him he must not write to me, but when he wanted I should know his whereabouts, &c., to write to R. T. Colburn, of Elizabeth, N. J. I have had several interviews with the Houston and Texas Central Railroad people.

There will be no Government aid granted this session, and if we can get the H. and T. Central to stand in with us and offer to build a line through, we build to El Paso from the west and they from the east, I think Scott's fish will be cooked. Budd is doing good work in the Gulf States.

I was told a few days ago that Scott said he would make us let go of his Texas Pacific—

I shall do what I can, but you had better make your-calculations to build the road east of the Colorado River on what you can get out of the Territories and the road itself. If you expect to get anything in Arizona and New Mexico I would suggest that you do not do as we did in Utah, wait until the enemy was in possession.

REPORT ON LABOR AND CAPITAL.

The PRESIDENT pro tempore. Will the Senator from Nebraska suspend for a moment? The Chair will lay before the Senate a concurrent resolution which has been returned from the House of Representatives with amendments. The resolution with the amendments

The Chief Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, July 4, 1884.

Resolved by the Senate (the House of Representatives concurring), That the report of the Senate Committee on Education and Labor on the relations between labor and capital, with the accompanying testimony, be printed; and that 25,000 additional copies be printed, of which 8,000 shall be for the use of the Senate, 16,000 for the use of the House of Representatives, and 1,000 copies for the use of the Senate Committee on Education and Labor.

the Senate Committee on Education and Labor.

In the House of Representatives, February 19, 1885.

Resolved, That the House concur in the foregoing resolution of the Senate with the following amendments:

In line 6 of the resolution strike out the word "eight" and insert the word "six."

In line 7 of the resolution strike out the word "sixteen" and insert the word "thirteen."

In line 8 of the resolution strike out the words "and one" and insert the word "five;" and strike out the words "same line.

In line 9 of the resolution strike out the words "Senate Committee on Education and Labor" and insert "Bureau of Labor Statistics, and 1,000 for the use of the Senate Committee on Education and Labor."

The PRESIDENT pro tempore. If no objection be made, the resolu-tion and amendments will be referred to the Committee on Printing.

Mr. BLAIR. I do not know that there is any necessity for that. Perhaps the amendments may as well be concurred in now.

The PRESIDENT pro tempore. The Chair understood some members of the Committee on Printing desired that the matter be con-

sidered by them.

Mr. BLAIR. Very well.

The resolution and amendments were referred to the Committee on

Mr. BLAIR. I would like to say in connection with that matter that it has been delayed now a year or a year and a half. I hope it may be speedily acted on by the Committee on Printing.

AGREEMENT WITH INDIANS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed, excepting the maps:

To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior submitting, with accompanying papers, a draught of a bill, "To accept and ratify an agreement with the confederated tribes and bands of Indians occupying the Yakama reservation, in the Territory of Washington, for the experiments of the confederate of the confederate of the confederated tribes and bands of Indians occupying the Yakama reservation, in the Territory of Washington, for the experiments of the confederate of the confede

tinguishment of their title to so much of said reservation as is required for the use of the Northern Pacific Railroad, and to make the necessary appropriation for carrying out the same."

The matter is presented for the consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 19, 1885.

SUBMARINE CABLES.

The PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

To the Senate:

I transmit herewith a report of the Secretary of State of the 19th instant, recommending the enactment of a law for the protection of submarine cables in pursuance of our treaty obligations under the international convention in relation to the subject, signed at Paris on the 14th day of March, 1884. I commend the matter to the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, Washington, February 19, 1885.

GEORGE W. MARGROVE.

Mr. PLUMB. I ask unanimous consent that the vote by which the bill (8, 2273) granting a pension to George W. Margrove was indefinitely postponed may be reconsidered, and the bill placed on the Calendar. The action was taken on the 17th day of February.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that the vote of the Senate heretofore taken indefinitely

postponing the bill (S. 2273) granting a pension to George W. Margrove be reconsidered, and the bill with the adverse report of the committee placed on the Calendar. That order will be entered if there be no objection.

JOHN F. HICKEY.

Mr. PLUMB. I also make the same motion with regard to the bill

(S. 1855) granting a pension to John F. Hickey, reported on the same day. I ask that it may take the same direction.

The PRESIDENT pro tempore. The Senator from Kansas also asks unanimous consent that the vote on the bill (S. 1855) granting a pension to John F. Hickey be reconsidered, and that the bill with the adverse report be placed on the Calendar. If there be no objection that order will be entered.

AMENDMENT TO A BILL.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

TEXAS PACIFIC RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3933) to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other purposes. Mr. LAPHAM. I move that the Senate proceed to the considera-

tion of executive business.

The PRESIDENT pro tempore. Does the Senator from Nebraska

yield to that motion?

Mr. VAN WYCK. No, sir; I have only a few more words to say.

The PRESIDENT pro tempore. The Senator from Nebraska declines to yield to the motion of the Senator from New York. The Senator

from Nebraska is entitled to the floor. Mr. VAN WYCK. I was in hopes we could conclude this bill. had not intended to say anything upon it, except for the remarks made by the Senator from New York, and I beg pardon of the Senate for having made so much talk. I did not desire to discuss matters familiar to every member of the Senate. There is one thing, and only one thing,

further I wish to refer to.

further I wish to refer to.

The company to which this grant was made never built the road. A hostile, opposing, antagonizing company did build it. They built it in defiance of the company to whom the grant was made, protesting throughout that they would build this road without any aid from the Government. These companies were in collision, one forcing itself through without Government aid and protesting that it did not want it, and the other seeking additional aid from the Government for the purpose of building it. That is all the fact necessary to be taken into the consideration of this case, and I ask pardon of the Senate for having said so much.

ing said so much.

Mr. HARRISON. I should like to inquire of the Senator from Nebraska or the chairman of the Committee on Public Lands, or both, whether from the investigation they have given to this case they are of opinion that the right of the United States or of its grantees to this land whose forfeiture is declared will be contested in the courts by this rail-

road company.

Mr. VAN WYCK. Am I asked whether they have threatened to do this thing?
Mr. HARRISON. Whether they are likely to contest the right of

the United States or of its grantees to this land in the courts?

Mr. VAN WYCK. I do not know as to that point.
Mr. HARRISON. Does not the Senator think they will?
Mr. VAN WYCK. They have threatened it as a matter of course.
They have not only threatened it, but they have actually defied the committee and said, "No matter what you do we will go into the courts

in any event." They wanted to convey the impression that they were not afraid of our action.

Mr. HARRISON. I asked that question for this reason: I have no trouble at all in voting for this declaration of forfeiture; I think upon the facts of the case as I understand them we clearly ought to make that declaration and make it now. If the claim of the railroad companies was so slightly held by them that they were likely to acquiesce in this declaration without litigation, then I should deem the amendment proposed by the Senator from Alabama to be unnecessary, as in the Oregon case; but if, as seems to be the opinion all around, there is to be litigation over this title after the declaration of forfeiture, I am clearly of the opinion that the United States ought to take the burden of that litigation, that it should choose the forum where that litigation should be prosecuted, and that it should prosecute it by its own officers in a suit that will involve the whole question.

I am not willing for one to make this land subject to disposal at the land offices of the United States and to allow some man to purchase one hundred and sixty acres and then let the railroad company fight out this question with him. He is not an equal antagonist in such an encounter. I want some provision that will re-enforce him in that contest with the power of the United States. I want to avoid that which has been charged to be the case in the Des Moines land-grant controversy

It has been said there that suits in which the titles of the settlers was involved were collusive suits; I do not know with what truth, but I do know that there is danger in these cases that these suits may be collusive between the railroad company and some humble settler who has but a small tract of land to defend; and if there is in all these cases such a serious claim made by the railroad company that the controversy must be settled in the courts, then I take it it must be clear that the United States should take the burden of that controversy upon itself, and should

prosecute it promptly and vigorously to a determination.

For one, I do not like to put the General Government in the attitude of peddling out lawsuits to its citizens. I do not like to put the General Government in the attitude of conveying a clouded title and leaving its grantee to fight it out at his own expense, particularly when the Government gives him a conveyance that has no warrant in it upon which he could recoup damages, leaves him simply to the grace of Congress to recover the money he has paid into the Treasury of the United States.

I think, therefore, that in all these cases where there are serious controversies and where there must be litigation the United States should

take it upon its own shoulders and press it to a speedy determination. I think it is in the interest of settlers. It seems to me a cruel thing I think it is in the interest of settlers. It seems to me a cruel thing to do to declare these lands open to public entry and to invite our people to go and settle upon them, and then to leave them to make their own title good if they can in a controversy with one of these powerful railroad companies, possibly to have it settled against them by the courts—I hope not—but possibly to have that result, and then to leave them in the distressed condition in which we find our people in two or three other cases. Therefore, upon the statement of the committee that there is likely to be litigation over this controversy, I shall support the amendment of the Senator from Alabama, which provides for settling

the controversy before we sell the land.

Mr. SHERMAN. Mr. President, the Senator from Indiana has touched the gist of this whole controversy. I have put myself in regard to this railroad legislation in apparently an inconsistent attitude. I have said nothing about it, but I will state now the reasons of my varying votes

On the Atlantic and Pacific bill I voted for the proposition of the Senator from Alabama requiring a suit to be brought, for the reasons stated by the Senator from Indiana. On the bill relating to the Oregon grant I voted against that proposition. The reason was that in the Atlantic and Pacific Railroad case it was manifest that there were contending parties, each claiming at least a prima facie right to the lands, and that for the reasons stated by the Senator from Indiana we ought not to turn those controversies over to be litigated by pre-emptors and homesteaders.

But in the Oregon case I thought there was no ground whatever for dispute, that any railroad or any person claiming under a railroad grant under the circumstances in that case would have no kind of ground, no kind of showing for a contest with a pre-emptor or homesteader or a purchaser from the United States; and therefore I thought that to invite or require this litigation was simply seeming to do a useless thing. When this question first came up I believed that the Texas Pacific

case was a much clearer case than even the Oregon case. seemed so to me. The absurdity of the position here is this: The Texas Pacific Railroad Company never earned one acre of this land; it never stuck a spade in the Government land west of Texas; it earned its land from the State of Texas, but never earned a single acre from the Government of the United States. It had insisted, on the other hand, that it could not build a railroad through New Mexico except by a subsidy and demanded that subsidy, and then a rival line, wishing to get a large portion of this important tract, ran its road through to the Texas line without aid and renouncing all aid, refusing all aid, and completed the road.

Then these two railroad corporations meet together and the Texas

Pacific sells out to the Southern Pacific what it had never earned, and the Southern Pacific buys from the Texas Pacific what the Texas Pacific never owned. This seemed to me a parody on justice, so that I thought no court or tribunal under heaven would sustain any pretense of a right to sell what did not exist and to buy what did not exist; and therefore I thought we could safely declare this forfeited without conditions. At the same time, I have no objection to voting for the amendment of the Senator from Alabama, except that I fear that in the present condition of the public business, looking at it as a practical legislator, we shall probably defeat this bill, while we might accomplish the object he desires by passing a general bill, either at this

or the next session of Congress.

I think in the mean time this bill ought to be so amended that the and shall not be open for pre-emption entry or for disposal of any kind until a reasonable time has elapsed, say a year or two, within which the proper legislation may be had. I think a suit ought to be brought in the nature of a bill to quiet title as against these two rival railroad companies, now connecting railroad companies, in order to settle forever their rights under the various acts passed by Congress in regard to

the Texas Pacific Railroad.

The only objection I have to voting for the amendment of the Senator from Alabama is not that it is not wise, because I think it is wise, but it may at this time defeat the passage of any bill on the subject; and I do believe the public interest and the comfort of the people in that region of country demand that the declaration of forfeiture should be made, and that proper legislation to settle titles should follow hereafter; but the bill should be amended in that one particular, with-

after; but the bill should be amended in that one particular, withholding the lands from pre-emption and homestead entry until such
time has elapsed that a provision may be made for contesting the various
rights of the parties litigant.

Mr. DOLPH. I do not wish to make a speech, but after the very
conclusive remarks of the Senator from Ohio [Mr. SHERMAN] and the
Senator from Indiana [Mr. HARRISON] I ask that the views expressed
by me in the report from the Committee on Public Lands may be read.

They are very brief.

The PRESIDING OFFICER (Mr. HARRIS in the chair). If there be no objection the paper referred to by the Senator from Oregon will be read.

Mr. DOLPH. I present this as an explanation of the vote I intend to cast on this question.

The Chief Clerk read as follows:

The Chief Clerk read as ioliows:

I concur in the main with the views of the minority.

I do not believe that a Congressional declaration of forfeiture of a land grant is conclusive upon the company to which the grant was made or upon its grantees of the whole or any portion of the grant, either as to the extent of the forfeiture, or as to the existence of the facts necessary to authorize the forfeiture. I am of the opinion that those questions, notwithstanding a Congressional declaration of forfeiture, may be litigated and determined by the courts in all cases in which the title to any of the lands covered by the grant comes in question, and that as a matter of policy all such questions should be judicially determined as speedily as possible after a declaration of forfeiture of a grant and before the land is offered for sale by the United States.

I therefore favor the amendment accompanying the minority report.

J. N. Dol.PH.

Mr. EDMUNDS. I merely wish to say in connection with what has been said by the Senator from Indiana and the Senator from Ohio, that several years ago, and I think when Judge Thurman was the chairman of the Committee on the Judiciary, or about that time certainly, the mat-ters of these forfeitures were referred to the Committee on the Judiciary, and that committee reported to the Senate a measure which provided in one bill for the forfeiture of every unearned grant everywhere, and provided, as has been suggested by the Senator from Indiana and the Senator from Ohio, that it should be the duty of the Attorney-General forthwith to institute suits to declare those forfeitures so as to protect from all future litigation the title of the settlers who should come in

under the United States.

It did not at that time comport with the pleasure or convenience of the Senate, with its great press of business, to consider that bill. I am very sorry that it was not done, because all these questions would long since have been disposed of and endless difficulty, like that in the Des Moines matter, would have been avoided by a settlement once and for all without grinding the poor settler to death by having to fight these

great corporations.

That is all I wish to say, sir.

THE PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Alabama [Mr. Morgan].

Mr. PLATT. I think the yeas and nays have been ordered on the amendment.

The PRESIDING OFFICER. The Chair is informed by the Secretary that the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. VEST (when the name of Mr. Jonas was called). The Senator from Louisiana [Mr. Jonas] is detained from the Senate by illness. He is paired with the Senator from Wisconsin [Mr. Cameron].

Mr. Cameron, of Wisconsin. I am paired with the Senator from Cameron [Mr. Cameron].

Louisiana [Mr. JoNAS]. It did not occur to me when I voted in the affirmative, and I ask leave to withdraw my vote.

The PRESIDING OFFICER. The vote will be withdrawn.
Mr. CALL (when the name of Mr. Jones, of Florida, was called).
My colleague [Mr. Jones] is detained at home by illness. He is paired with the Senator from Nebraska [Mr. Manderson].

Mr. Manderson (when his name was called). I am paired with the Senator from Florida [Mr. Jones], but understanding that he would vote against this amendment I feel privileged to vote. I vote

Mr. CONGER (when Mr. PALMER's name was called). My colleague [Mr. PALMEE] is necessarily absent this afternoon, and is paired with the Senator from North Carolina [Mr. VANOE].

Mr. RANSOM (when his name was called). I am paired with the senior Senator from Illinois [Mr. Logan] generally. His colleague [Mr. Cullom] does not know how the senior Senator from Illinois would vote on this amendment, and therefore I shall not vote on it. If

would vote on this amendment, and therefore I shall not vote on it. If he were here, I should vote "yea."

Mr. RANSOM (when Mr. VANCE's name was called). My colleague [Mr. VANCE] is paired with the Senator from Michigan [Mr. PALMER]. My colleague, if here, would vote "nay."

Mr. WALKER (when his name was called). My colleague [Mr. GARLAND] is paired with the Senator from Kentucky [Mr. WILLIAMS]. If present, my colleague would vote "nay." and the Senator from Kentucky would vote "yea." I am paired with the Senator from Virginia [Mr. RIDDLEBERGEE]; otherwise I should vote "nay."

Mr. WILLIAMS (when his name was called). I am paired on this question.

question

The roll-call having been concluded, the result was announced-yeas

At, mays of , as	lonows.		
	YE	AS-24.	
Allison, Blair, Bowen, Brown, Chace, Conger,	Dolph, Edmunds, Fair, Groome, Hale, Harris,	Harrison, Hawley, Ingalls, Jones of Nevada, Lapham, Miller of Cal.,	Mitchell, Morgan, Morrill, Pike, Platt, Sawyer.
	NA'	YS-31.	
Aldrich, Bayard, Beck, • Call, Cockrell, Coke, Cullom, Frye,	George, Gibson, Gorman, Hampton, Hill, Hoar, Jackson, McMillan,	McPherson, Mahone, Manderson, Maxey, Miller of N. Y., Pendleton, Pugh, Sabin,	Saulsbury, Sewell, Sherman, Slater, Van Wyck, Vest, Wilson,
	ABSI	ENT-21.	
Butler, Camden, Cameron of Pa., Cameron of Wis., Colquitt, Dawes,	Farley, Garland, Jonas, Jones of Florida, Kenna, Lamar,	Logan, Palmer, Plumb, Ransom, Riddleberger, Vance,	Voorhees, Walker, Williams.

So the amendment was rejected. Mr. SHERMAN. I submit to the judgment of the Senate an amendment to make this bill conform to the suggestion I made; that is, that the lands shall be withheld from entry, say, for a period of two years. suppose they are made subject to entry under the general laws of the United States. I move to insert these words:

But not subject to be disposed of under the general laws of the United States until after the expiration of two years from the passage of this act.

I merely submit the amendment to members of the Committee on Public Lands, as it would make the bill conform practically to the sug-gestion I have made, allowing two years to provide the proper legisla-tion.

The PRESIDING OFFICER. Does the Senator offer the amendment

he suggests

Mr. SHERMAN. I do.
The PRESIDING OFFICER. The amendment will be read. Will the Senator repeat it so that it may be taken down?

Mr. SHERMAN. I will offer it in this form:

And for two years from the passage of this act be made subject to disposal under the general land laws of the United States.

The CHIEF CLERK. In line 10 of section 1, after the words "domain and" and before the word "made," it is proposed to insert "after two years be;" so as to read:

And the whole of said lands restored to the public domain, and after two years be made subject to disposal under the general laws of the United States, as though said grant had never been made.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Ohio.

Mr. SHERMAN. The word "disposal" would include a homestead entry, would it not?

Mr. INGALLS. I should like very much, in pursuance of the senti-ment of Congress and I believe of the people on this subject, to confine

these lands to homestead entry.

Mr. SHERMAN. I am perfectly willing.

Mr. INGALLS. We have, I believe, voted such a provision on the bill to repeal the pre-emption and timber-culture acts; but that bill has not become a law; probably it may become a law before the close of

the session. If this land is to be restored to the public domain, I suggest that if be held for entry under the homestead law.

Mr. SHERMAN. I have no objection to inserting that.
Mr. DAWES. All the lands that have been restored to the public domain from the Indian reservations for several years past have been expressly confined to the homestead law.

Mr. SHERMAN. I will adopt the suggestion if it is agreeable. 1 will say "disposal under the homestead laws, and not otherwise."

The PRESIDING OFFICER. The amendment will be read as mod-

ified.

Mr. SHERMAN. It is another amendment.

The CHIEF CLERK. In line 11, after the word "disposal," it is proposed to insert "under the homestead laws, and not otherwise."

Mr. SHERMAN. Strike out "under the general laws of the United

Mr. BECK. Without the amendment the lands will be open to homestead entry at once. As I catch it the amendment only provides for a postponement of two years. Under the general laws the lands would be subject to entry by pre-emption. The pre-emption law is not repealed yet. The meaning of the amendment, therefore, would be to

repealed yet. The meaning of the amendment, therefore, would be to leave the lands open to controversy for two years. That is the practical effect of it; it can be of no other use, so far as I observe.

I thought in 1878, when the Thurman bill was passed, we were taking some control of the management of these railroads. From that day to this we have taken none. The House bill sent to us to do it now is evidently going to fail by a counter proposition. The Reagan bill attempted to do something so as to take the control in amother direction. That has evidently failed by a counter proposition. A number of other matters have been up, and they have all been fought because nothing will be done. That is all that the railroads desire.

Now I propose to yote to do something. I propose to yote even

Now I propose to vote to do something. I propose to vote even against good amendments if in my judgment they will tend to accomplish nothing. I would rather allow some imperfect legislation to pass, trusting to what may be done hereafter, than to have bills at this late hour of the session fail between the two Houses with nothing done; therefore I will vote against this amendment and other amendments that I might think useful, because I prefer doing something rather than to have a series of efforts all of which will prove futile.

Mr. MORGAN. The purpose of the Senator from Kentucky is to draw a distinction between the action of the House and the action of the Senate on these bills. I voted against the Reagan bill along with a good many Democrats and then voted against the Senate bill along with several Democrats, and I voted in the exercise of my duties as I supposed them to be. I advocated the amendment which has just been voted down. The Senate voted it on the Atlantic and Pacific bill, and some of the Senators who vote against it now not only voted for it but spoke for it then, which induced me to suppose, of course, that they were acting in good faith candidly and that they meant what they said,

both by their speeches and by their votes.

Now, sir, in this matter I have been acting somewhat with gentlemen on the other side of the Chamber and somewhat with gentlemen on this side of the Chamber; and the effort of the Senator from Kentucky to impeach the Democracy of those gentlemen who have taken this course on the Reagan bill and on this bill will not at all deter me from taking such course as my private judgment dictates. I was in the Democratic party before the Senator from Kentucky enjoyed the

the Democratic party before the Senator from Kentucky enjoyed the privileges of citizenship in this country. I have been a true and a faithful Democrat, and it does not rest with him to impeach my Democracy by such flings as that.

I shall be a supporter of the incoming administration upon principle, if it is an administration of principle, as long as the Senator from Kentucky will stand up to his creed and to mine, and I do not enjoy these declarations which are made at the expense of his party associates. They are not kind, and they are not just, and there I leave them.

Mr. BECK. Mr. President I have only this remark to make that

Mr. BECK. Mr. President, I have only this remark to make, that I made no allusion to the Senator from Alabama or to any other Senator. He was not in my mind. He is not quite as important in my estimation in regard to this question as he may suppose I think he is. The Senator from Ohio had moved an amendment which I thought might delay for two years the settlement of this question, and I thought would delay and perhaps defeat the passage of the bill if we amended

it in that or any other regard, no matter how good the amendment might be, and I desired to see something done.

I did not happen to be born in this country, but I was not consulted about that. I have been a citizen of the United States since 1838. about that. I have been a citizen of the United States since 1000. That was a good while ago, and the Senator may have been a very important public man at that day, but I doubt whether he was. I have endeavored to perform my duty as a private citizen and as a public man to the best of my ability since that time, and if he thinks it either adds to his dignity or that it diminishes from my standing to make the suggestion that I was born in Scotland instead of here, he is welcome to all the honor he thinks he has made out of that fling at the place of my nativity. Many good men have been born where I was born, and very many men who were born here trace their descent with pride back I might say more but I will not. However, I desire the United

States to take some control of these matters before this Congress closes. I regard the suggestion as to my birthplace as unworthy of the Senator,

nnworthy of the Senate, and unworthy of reply.

Mr. MORGAN. Mr. President, I made no reference to the Senator's nativity; I made reference only to the length of time the Senator had been in the Democratic party and the length of time that I have been in it, and while my services to that party have not been so conspicuous as those of the Senator from Kentucky, they have been quite as honest and quite as dutiful. No Scotchman who is worthy of the name will take to himself as a personal allusion a matter that was not intended in that sense.

I revere that character more than the Senator from Kentucky does. I would not have pretended to rise on the floor of the Senate and interpose my nativity, which was not alluded to by a Senator, as a plea to shelter me from the results of an attack which he did make upon the Democrats upon this side of the Chamber who have not assisted in the passage of the Reagan bill and in the passage of this bill in the form in which it came from the House of Representatives. There can be no doubt about the object of the allusion. I do not understand the Senator even to deny it, except to say that he did not have in the range of his vision a subject so entirely microscopic as myself.

Mr. President, when a Senator is in command of such heavy artillery

as the Senator from Kentucky, he ought to beware how he fires off; he may wound some very insignificant people unwittingly; he may furt a man's feeling without intending to do it. He ought to have more consideration for men on this floor who at least are entitled to as much

personal respect as he is.

He speaks about my remarks being unworthy of the Senate and unworthy of my position here. Sir, I do not indulge in remarks that are unworthy of myself or of the Senate. I might follow that example which I have oftentimes heard laid down by the Senator from Kentucky and indulge myself in such things, but I do not think it is re-

I have advocated this bill in the form that it is from the very best of considerations. I announced when I started out that I would vote for the bill as reported by the committee; I would even vote for it as it came from the House; but I believe it could be bettered very much indeed by having this subject carried into the courts before we commence to dispose of these public lands; that thereby we should save the people of this country very large expense. I was encouraged to hold that opinion by the fact that Senators who now vote against this amendment voted for it and spoke for it. In my innocency I supposed that they meant what they said; but it seems to me now when there is a chance to give a political turn to this matter we are disposed to withdraw from our convictions and our conclusions solemnly expressed on this floor and to take the political turn.

Mr. President, I am not a retail dealer in small politics. What little reputation I may enjoy and the position that I enjoy is not in the slightest degree attributable to the fact that I have taken up with currents of popular sentiment for the mere sake of getting myself forward before the people. I have tried as well as I knew how to discharge my duty faithfully as a Senator to the Constitution and the country and everybody in it, the rich and the poor, the high and the low; and when I have left this body I shall have left it I think with a perfectly clear conscience upon this point. That is my whole ambition. I desire neither place nor preferment, but while I keep a seat on this floor Senators must not suppose that, insignificant as I may be, un-worthy of public notice as I may be, they can trample upon me without

finding resentment and retaliation.

The Senator from Kentucky meant his remarks at somebody. He meant them at those men who he conceived were preventing the passage of bills that he thought were demanded by popular clamor. He admits that he would vote for a bill imperfect in itself in order to get admits that he would vote for a bill imperfect in itself in order to get certain legislation on the statute-book. I will never make that admission. I consider that, if you will allow me, unworthy of a Senator, to say that he will vote for a bill that he thinks imperfect in order to get it upon the statute-book. That shows the simple partisan; that shows the man who desires to carry out a purpose of his own or of his party at the expense of justice and at the expense of right legislation. I do not belong in that category, nor will I ever be found in it. The Senator can take that position and enjoy it if he wishes.

Mr. BECK. Mr. President, one word only, and that merely because of the last suggestion made by the Senator from Alabama. I did not

of the last suggestion made by the Senator from Alabama. I did not say anything that indicated that I was desirous to enforce the Thurman bill, the Reagan bill, or this bill, or any other bill because of public clamor or in obedience to the demands of party; nor did I attempt to reflect on any Senator who differed with me. I desired to state my own position and the reasons why I am endeavoring to accomplish something, even though it might not be as perfect as I should like to have it and as I would desire to make it if time and circumstances allowed; and believing that if we proposed to do anything within ten or twelve days of the close of this Congress, with the vast mass of business pending between the two Houses, the fewer amendments put upon a bill that had merit in it was the best chance to accomplish some result.

The RECORD will show, and I am willing to stand on the RECORD, that no intimation or allusion of mine called forth any criticism from

any gentleman who differed with me, no matter whether he was a Republican or a Democrat; and I am not to be told here that if the Senator was not alluded to somebody else was or some one of my party associ-ates was, in order to have it understood that I was reflecting upon him. However unworthy he may think it may be in me to vote in the way I have stated I will continue to do so, because of my desire to accomplish something in the direction which a majority of the Senate, I think, desire to take. That is all I care to say.

I have never had a wrangle in my sixteen years of service in Congress

that I now recall with anybody on this floor or anywhere else in regard to my public duties, and I have neve given just cause of offense to any one that did not seek an opportunity to bring it on himself because of some assumption that was not to be drawn from anything that I had

The PRESIDING OFFICER. The question is on the first amendment proposed by the Senator from Ohio.

Mr. CONGER. I was about to move that the Senate proceed to the consideration of executive business.

Mr. MORGAN. Will the Senator from Michigan allow me a moment? I merely want to call attention to the fact that the Senate have adopted a number of amendments which the Committee on Public Lands have recommended to this bill, so that when it goes back to the House it must be the subject of consideration there. That is all I desire to sav

Mr. CONGER. I move that the Senate proceed to the consideration

executive business

Mr. VAN WYCK. I appeal to the Senator. It will take but a few moments to finish the bill.

Mr. CONGER. I withdraw the motion.

The PRESIDING OFFICER. The question is on the first amendment proposed by the Senator from Ohio.

Mr. INGALLS. Has it not been modified since first suggested by the Senator from Ohio? If so we had better hear it read once more. Mr. SHERMAN. It had better be read.

The PRESIDING OFFICER. The first amendment of the Senator

from Ohio will be reported.

Mr. SHERMAN. It is all one amendment.

The PRESIDING OFFICER. The Chair understands there were separate amendments to different parts of the bill; but for the information of the Senate the Secretary will report both amendments in their

The CHIEF CLERK. In line 10, after the word "domain," it is prot posed to insert a semicolon; after the following word "and" to insert the words "after two years be;" in line 11 to strike out the word "general" and insert "homestead;" and in line 12, after the word "States" to insert "and not otherwise;" so as to read:

Be, and they are hereby, declared forfeited, and the whole of said lands re-stored to the public domain; and after two years be then subject to disposal under the homestead laws of the United States, and not otherwise, as though the said grant had never been made.

Mr. INGALLS. After two years from the passage of the act? Mr. SHERMAN. Yes.

The PRESIDING OFFICER. If there be no objection the Chair will put the question on the adoption of both these amendments at the

same time.

Mr. INGALLS. The words "passage of the act" are not there.

Mr. SHERMAN. That is what it means.

Mr. MILLER, of California. I desire to call the attention of the Senator from Ohio to one fact.

Mr. DAWES. I should like to understand this amendment.

The PRESIDING OFFICER. The Senator from California is entitled to the floor.

Mr. SHERMAN. If the Secretary will now read it again, just as it stands, it will speak for itself.

The PRESIDING OFFICER. The Senator from California was upon

the floor.

Mr. MILLER, of California. I will yield the floor to hear the amendment read.

The PRESIDING OFFICER. The amendment will again be read. The CHIEF CLERK. The proposed amendment is, in line 10, after the word "domain," to insert a semicolon; after the next word "and" to insert "after two years be;" in line 11 to strike out "general" and insert "homestead;" and after the word "States," in line 12, to insert "and not otherwise;" so as to read:

And the whole of said lands restored to the public domain; and after two years be made subject to disposal under the homestead laws of the United States, and not otherwise, as though said grant had never been made.

Mr. SHERMAN. To satisfy the suggestion of the Senator from Kansas I will move to insert "after two years from the passage of this act." The PRESIDING OFFICER. The Senator has a right to modify his

Mr. INGALLS. If the Senator will permit me, that leaves the land up to the period of two years subject to disposal either by homestead

or pre-emption or otherwise.
Mr. SHERMAN. I think not.
Mr. INGALLS. Certainly it does.

Mr. ALLISON. Then strike out the semicolon.
The PRESIDING OFFICER. The Senator from Ohio proposes to

modify his amendment.

Mr. SHERMAN. By inserting the words "from the passage of this

Mr. ALLISON. I ask the Senator from Ohio what he means by in-

serting a semicolon at that particular point?

Mr. SHERMAN. I think grammar rather requires it. I am not particular about it.

Mr. ALLISON. It seems to me if that is done it may be subject to the suggestion made by the Senator from Kansas.

Mr. SHERMAN. I certainly wish to avoid that, and if the Senator will suggest any language that occurs to him—

Mr. ALLISON. I think striking out the semicolon will do.

Mr. SHERMAN. Very well; I will strike out the semicolon, and I would even strike out a paried.

Mr. SHERMAN. Very well; I will strike out the semicolon, and I would even strike out a period.

Mr. CAMERON, of Wisconsin. I inquire of the Senator from Ohio, or any other Senator who knows, if any machinery is provided in the bill for settling the title during the two years?

Mr. SHERMAN. Oh, no; none whatever. But a bill is now pending lying on our tables to provide for this in all cases, a general law that has been reported from the Judiciary Committee, and ought to pass.

J. have no objection to the amendment of the Senator from Alabama.

I have no objection to the amendment of the Senator from Alabama, except that it will tend to defeat this bill at this time, but I have no doubt within two years ample provision will be made for commencing suits in the proper courts to quiet the title against these corporations by the United States. I am in favor of such proceeding. My only object now is to prevent the hurry and scurry of homesteaders, &c., on the public lands before these provisions can be made. That is all I desire by the amendment. If there is any trouble about it, I shall withdraw the amendment, if Senators think there is any difficulty.

Mr. CAMERON, of Wisconsin. I am not aware that there is any. I only desired to know if the bill itself provided machinery for settling

the title within the two years. It seems it does not.

Mr. MILLER, of California. I would suggest to the Senator from Ohio that the lands embraced in this bill are not, as a general thing, fit for homesteads, probably not one-tenth of them. There are mineral lands along the line of this road embraced within this grant.

Mr. SHERMAN. They are not subject to entry.

Mr. MILLER, of California. They are not subject to entry now except under the laws relating to mineral lands. There is a general mineral land law providing the manner in which mineral lands may be accepted.

cept under the laws relating to mineral lands. There is a general mineral-land law providing the manner in which mineral lands may be acquired. If you confine the disposition of these lands to homesteaders entirely, as the amendment does, the mineral lands can not be disposed of, because nobody will take up a homestead for the purpose of working mineral lands. It seems to me the limit of time, two years, is well enough in order to have the titles settled, but it had better be left so that after the expiration of the two years the lands may be disposed of under the existing land laws of the United States. I doubt whether the Congress of the United States will ever pass a bill to change the laws relating to mineral lands. All these lands are good for is pasturage and for the minerals which may be found in them. But if you pass a law now that these lands shall not be open to disposition except for homesteads it repeals by implication all the other land laws, all the laws relating to mineral lands, and all the laws heretofore enacted in reference to that matter. reference to that matter.

Mr. WILSON. The mineral lands are not embraced in the grant;

Mr. MILLER, of California. But this is a subsequent law.
Mr. SHERMAN. This only restores the lands granted; and if mineral lands were not granted they are not forfeited and are not covered

by the provision.

Mr. MILLER, of California. Then the objection may not be tenable as to mineral lands, but the great objection is that these lands are pasture lands, and there will be no homesteads taken up there. There is not one-twentieth part of the lands embraced in the grant that are fit for homesteads. I call attention to that fact so that Senators may

know what they are doing.

Mr. MAXEY. I suggested privately to the Senator from Ohio the same point that is made by the Senator from California. I think but very few homesteaders will be benefited by the amendment, and it might interfere very materially with the mineral lands. The lands along the line of this road, where valuable, are valuable for grazing purposes in New Mexico and for mineral purposes in New Mexico and Arizona. The homesteads are in the valleys, and they have been taken no probably one hundred years or some over one hundred and fifty up probably one hundred years or some over one hundred and fifty years on the Rio Grande and in the valleys, and I do not think there are any lands covered by this grant that will probably be valuable for homesteads. The grazing and mineral lands are valuable for those

The PRESIDING OFFICER. The question is on the first amend-

ment proposed by the Senator from Ohio.

Mr. LAPHAM. I suggest as an amendment to the proposition of the Senator from Ohio to add at the end of line 12 the following:

But none of such lands shall be offered for sale or entry until two years after the passage of this act.

The PRESIDING OFFICER. The Chair would state to the Senator from New York that the amendments suggested by the Senator from Ohio are three in number.

Mr. LAPHAM. I know they are, but they have been treated as one,

and the question was put on them as one at one time.

The PRESIDING OFFICER. The Chair at one time said if there be no objection the Chair would put the question on the various amendments at the same time, but no such agreement has been arrived at as

Mr. LAPHAM. I ask the Senator from Ohio if he will not accept this in lieu of his proposition?

Mr. SHERMAN. I have been trying to find something to which everybody agrees. The Senator's proposition may be subject to the objection that it makes no provision sufficient for homesteaders. I wish to preserve these lands entirely for homesteads, but the Senator from California objects that that prevents entries on mineral lands. answer to that is that the mineral lands were reserved from the grant to the Texas Pacific Railroad. Consequently when the lands granted are reclaimed to the United States there are no mineral lands in the reclamation.

Now the Senator from Texas wishes to make some provision for grazing lands. How are grazing lands purchased now except under the pre-emption or homestead law? I do not know of any way. It seems to me that unless some Senator can make some proposition that will be free from difficulty I would rather stand by my amendment.

I do not care whether it is voted down or voted up.

The PRESIDING OFFICER. The question is on the first amend-

ment proposed by the Senator from Ohio.

Mr. BUTLER. It is getting very late in the evening, and I will move an adjournment.

Several SENATORS. Let us finish the bill.

The PRESIDING OFFICER. The Senator from South Carolina moves that the Senate do now adjourn.

Mr. CONGER. I hope the Senator will allow us to have an execu-

tive session. There are some nominations that ought to be referred.

Mr. BUTLER. I withdraw the motion if the Senator from Michigan will make the motion to go into executive session.

Mr. CONGER. I move that the Senate proceed to the consideration executive business

The motion was not agreed to.
Mr. BUTLER (at 6 o'clock and ten minutes p. m.). I move that

The motion was not agreed to.
The PRESIDING OFFICER. The question is on the first amendment proposed by the Senator from Ohio.

The amendment was rejected. The PRESIDING OFFICER.

The question is on the next amendment proposed by the Senator from Ohio.

The amendment was rejected. The PRESIDING OFFICER.

The question recurs on the next and

last amendment proposed by the Senator from Ohio.

The amendment was rejected.

Mr. LAPHAM. I now offer the following amendment: At the end of line 12, section 1, I move to insert:

But none of such lands shall be offered for sale or entry until two years after the passage of this act.

It is suggested in some quarters that this does not cover the case of It is suggested in some quarters that this does not cover the case of homesteads. It covers all kinds of entry that the law authorizes; and if we restrict entries to homesteads only it applies to homesteads. If the laws remain in force as they now are it will apply to the laws as they now are. It will leave everything according to the state of the law two years from this time.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

proposed by the Senator from New York.

The amendment was rejected.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. Will the Senate concur in the amendments made as in Committee of the Whole? The question will be put on the amendments in gross if no separate vote is required.

The amendments were concurred in.

Mr. LAPHAM. Now, Mr. President, I renew the amendment I offered in Committee of the Whole.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be read.

Senator from New York will be read.

The CHIEF CLERK. At the end of line 12, section 1, it is proposed

But none of such lands shall be offered for sale or entry until two years after ne passage of this act.

Mr. LAPHAM. I trust that amendment will prevail, to the end that an opportunity may be given for proper legislation to determine these questions in contest according to the suggestion of the Senator

The question being put, it was declared that the noes appeared to

prevail.

Mr. LAPHAM. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. EDMUNDS. I should like to ask the Senator from New York what good this amendment will do unless the means are provided for settling the question of this forfeiture during the two years? Will it not only as it now stands postpone every question for two years and leave us just where we are at this present moment?

The Secretary proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired with the Senator from Louisiana [Mr. Jonas].

The roll-call having been concluded, the result was announced-yeas 12, nays 41; as follows:

	Y.E.	AS-12.	
Blair, Brown, Dolph,	Hoar, Jones of Nevada, Lapham,	Mahone, Miller of Cal., Mitchell,	Pike, Sawyer, Sherman,
	NA	YS-41.	
Aldrich, Allison, Bayard, Beck, Bowen, Butler, Call, Chace, Cockrell, Coke, Conger,	Cullom, Dawes, Edmunds, Fair, George, Gorman, Groome, Hale, Hampton, Harris, Harrison,	Hawley, Hill, Ingalls, Jackson, Manderson, Maxey, Morgan, Pendleton, Platt, Pugh, Ransom,	Sabin, Saulsbury, Sewell, Slater, Van Wyck, Vest, Williams, Wilson.
		ENT-23.	
Camden, Cameron of Pa., Cameron of Wis., Colquit, Farley, Frye,	Garland, Gibson, Jonas, Jones of Florida, Kenna, Lamar,	Logan, McMillan, McPherson, Miller of N. Y., Morrill, Palmer,	Plumb, Riddleberger, Vance, Voorhees, Walker.

So the amendment was rejected.

So the amendment was rejected.

Mr. MORGAN. I think some of the Senators who voted against the amendment I offered in committee voted against it because they support the senators and the senators who voted against the amendment I offered in committee voted against it because they support the senators who is a senator of the senators who voted against the amendment was rejected. posed the bill was being acted upon as it came from the House. There are scarcely ten lines of this bill remaining as it came from the House. We struck out one entire section and amended and added to a consid-

erable part of other sections.

Mr. BLAIR. It is impossible to hear what is going on in the Cham-

The PRESIDENT pro tempore. The Senator from Alabama will please suspend. The Senate will be in order. Senators will please cease conversation.

cease conversation.

Mr. MORGAN. Believing that there are Senators on this floor who really approve of the principle of the amendment and acknowledge that it is properly applicable to this case, I will offer it again in the Senate. I now offer the amendment.

The PRESIDENT pro tempore. The Senator from Alabama proposes an amendment, which will be read.

The CHIEF CLERK. It is proposed to insert as additional sections

the following:

the following:

SEC. — That jurisdiction is hereby conferred on the circuit court of the United States for the northern district of Texas to hear and determine all questions and controversies concerning the rights and equities in said forfeited land that are claimed or asserted by the United States, or by any person or corporation claiming the same under or in consequence of any law of the United States, or any act of its lawfully authorized agents, and to enforce any judgment or decree, either interlocutory or final, that said court shall render in respect of said lands or any interest therein.

SEC. — That it shall be the duty of the district attorney of the United States for the northern district of Texas, under the direction of the Department of Justice, immediately to proceed in the circuit court of the United States for the said district, by bill in equity, in the name of the United States of America as plaintiff, against any corporations or persons that claim any interest in the lands hereby declared forfeited, arising under said act of Congress approved July 27, 1866, or under this act, so as to bring before said court for its determination the validity of such claim, whether the same be legal or equitable.

SEC. — That any person or corporation not made a party defendant in said proceeding, but claiming any interest under the laws of the United States in the lands, or any part thereof, which are declared forfeited by this act, may present such claim by petition in said cause, duly verified by oath; and if the court, upon consideration thereof, shall decide that the adjudication and settlement of such claim are necessary to do complete justice in said cause, the court shall direct that such further proceedings be had upon such petition as that the same may be fully heard and determined, and shall proceed to decree upon the same as fully as if such petitione shall be filed after twelve months from the date of the filing of the bill in said cause.

SEC. — That the court, if it shall see fit, may tax all t

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Alabama.

Mr. MORGAN called for the yeas and nays, and they were ordered. The Secretary proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired for the day with the Senator from Louisiana [Mr. Jonas]. If I were at liberty to vote, I should vote "yea."

Mr. RANSOM (when his name was called). I am paired on this

amendment with the Senator from Illinois [Mr. Logan]. If he were here, I should vote "yea."

Mr. WALKER (when his name was called). I am paired with the Senator from Virginia [Mr. RIDDLEBERGER], or I should vote "nay."
Mr. WILLIAMS (when his name was called). I am paired on this

The roll-call was concluded.

Mr. RANSOM. My colleague [Mr. VANCE] is paired with the Senator from Michigan [Mr. PALMER]. If here, my colleague would vote "nay."

The result was announced-yeas 26, navs 28; as follows:

ı		YI	EAS 26.		
	Allison, Blair, Bowen, Brown, Butler, Chace, Conger,	Dawes, Dolph, Edmunds, Fair, Groome, Hale, Harris,	Harrison, Hawley, Hoar, Ingalls, Jones of Nevada, Lapham. Miller of Cal.	Mitch II, Morgan, Pike, Platt, Sawyer.	
ı		NA	YS 28.		
	Aldrich, Bayard, Beck, Call, Cockrell, Coke, Cullom,	George, Gorman, Hampton, Hill, Jackson, McMillan, McPherson,	Mahone, Manderson, Maxey, Miller of N. Y., Pendleton, Pugh, Sabin,	Saulsbury, Sewell, Sherman, Slater, Van Wyck, Vest, Wilson,	
	ABSENT 22.				
	Camden, Cameron of Pa. Cameron of Wis. Colquitt, Farley, Frye.	Garland, Gibson, Jonas, Jones of Florida. Kenna, Lamar.	Logan, Morrili, Palmer, Plumb, Ransom, Riddleberger.	Vance, Voorhees, Walker, Williams.	

So the amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read

The bill was read the third time.

Mr. CONGER. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call

the roll. Mr. VEST (when Mr. Jonas's name was called). The Senator from Louisiana [Mr. Jonas] is detained from the Senate by sickness, as I have before stated, and is paired with the Senator from Wisconsin [Mr. CAMERON].

Mr. CALL (when the name of Mr. Jones, of Florida, was called). My colleague [Mr. Jones] is paired with the Senator from Nebraska [Mr. Manderson]. If he were present, my colleague would vote

[Mr. Manderson]. If he were present, my colleague would vote "yea."

Mr. JACKSON (when Mr. Kenna's name was called). The Senator from West Virginia [Mr. Kenna] is detained by serious sickness. He would vote for the bill if he were present.

Mr. Ransom (when his name was called). I have a general pair, as stated, with the Senator from Illinois [Mr. Logan]. His colleague [Mr. Cullom] assures me that he would vote the same way that I should vote if he were here. So I vote "yea."

Mr. Sabin (when his name was called). I have a pair with the Senator from West Virginia [Mr. Kenna]. I am informed that if present he would vote "yea," and therefore I vote "yea."

Mr. Walker (when his name was called). I am paired generally with the Senator from Virginia [Mr. Riddleberger]; but believing that he would vote in the affirmative, I vote "yea."

Mr. Williams (when his name was called). I was paired on a single amendment only and not upon the bill. I vote "yea."

The roll-call was concluded.

single amendment only and not upon the bill. I vote "yea."
The roll-call was concluded.
Mr. RANSOM. I desire to state that my colleague [Mr.Vance] is absent and paired. If he were here, he would vote "yea."
Mr. CONGER. I desire to say that my colleague [Mr. Palmer] is absent, paired with the Senator from North Carolina [Mr. Vance]. If he were present, my colleague would vote "yea."
Mr. CAMERON, of Wisconsin. I am paired, as I have stated, with the Senator from Louisiana [Mr. Jonas]; but I am informed he would vote for the bill if present, so I vote "yea," as I am in favor of the bill.

bill. The result was announced-yeas 56, nays 2; as follows:

	Y	EAS-56.	
Aldrich, Allison, Bayard, Beek, Brown, Butler, Call, Cameron of Wis., Chace, Cockeell, Coke, Conger, Cullom, Dawes,	Dolph. Edmunds, George, Gorman, Groome, Hale, Hampton, Harris, Harrison, Hawley, Hill, Hoar, Ingalls, Jackson,	Jones of Nevada, Lamar, McMillan, McPherson, Mahone, Manderson, Maxey, Miller of Cal., Miller of N. Y., Mitchell, Morgan, Pendleton, Pike, Platt,	Plumb, Pugh, Ransom, Sabin, Saulsbury, Sawyer, Sewell, Sherman, Slater, Van Wyck, Vest, Walker, Williame, Wilson.
		NAYS-2.	
	Blair,	Bowen	

ABSENT-18.

Camden, Cameron of Pa., Colquitt, Fair, Farley, Frye, Garland, Gibson, Jonas, Jones of Florida. Kenna, Lapham, Logan, Morrill, Palmer,

Riddleberger, Vance, Voorhees,

So the bill was passed.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The Chair lays before the Senate the next special order, being Order of Business 872, the title of which will-

be read.

The CHIEF CLERK. "A bill (S. 1652) to provide for the improvement of the channel between Galveston Harbor and the Gulf of Mexico."

Mr. HOAR. I move that the Senate proceed to the consideration of Order of Business 1091, being the funding bill, so called.

Mr. INGALLS. I object.

The PRESIDENT pro tempore. Senators will resume their seats and be in order

Mr. HOAR.

Mr. HOAR. I do not propose to go on with the bill to-night.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of the order of business he has named. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 6771) to amend an act entitled

'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act.

Mr. WILLIAMS. I move that the Senate do now adjourn.

The PRESIDENT pro tempore. The Senator from Kentucky moves that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 35 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 19, 1885.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. J. S. Lindsay, D. D.

The Journal of yesterday was read and approved.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (H. R. 1251) to authorize the purchase of a wharf for the use of the Government in Wilmington, N. C.; when the Speaker pro tempore signed the same.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 8039) mak-

ing appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1886, and for other purposes; when the Speaker pro tempore signed the same.

ACCOUNTS OF UNITED STATES COURTS.

The SPEAKER pro tempore, by unanimous consent, laid before the House a letter from the Attorney-General, asking an appropriation for expense of transcribing records and making tabular statements of accounts in the United States courts; which was referred to the Committee on Appropriations, and ordered to be printed.

GRANT & CO.

The SPEAKER pro tempore, by unanimous consent, also laid before the House a letter from the Secretary of the Treasury, with inclosures, relative to the propriety of an appropriation to pay interest on the judgment of the Court of Claims in favor of Grant & Co., confirmed by the Supreme Court; which was referred to the Committee on Appropriations, and ordered to be printed.

OPINIONS OF ATTORNEYS-GENERAL.

The SPEAKER pro tempore, by unanimous consent, also laid before the House a letter from the Attorney-General, asking an appropriation for editing and publishing opinions of attorneys-general; which was referred to the Committee on Appropriations, and ordered to be printed.

EXPENSES OF GREELY EXPEDITION.

The SPEAKER pro tempore, by unanimous consent, also laid before the House a letter from the Secretary of the Navy, transmitting a statement of expenditures or accounts of the expedition for the relief of Lieutenant Greely and party; which was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. SUMNER, of California, by unanimous consent, was granted leave of absence for to-day, on account of sickness

DEPUTY MARSHALS AND SUPERVISORS OF ELECTION.

Mr. VAN ALSTYNE. I ask to make a privileged motion, or, if not privileged, I ask the request embodied in the motion made be granted.

Yesterday the Treasury Department sent a communication to the House response to a resolution of inquiry introduced on the 6th instant

in response to a resolution of inquiry introduced on the 6th instant calling for information touching the amount of money paid out for deputy marshals and supervisors of election for some years past.

Since this communication was sent up the Department has discovered that one of the entries was erroneously made. It is important that the truth should be stated and the correct entry inserted. The request is, therefore, that this paper be withdrawn for the present, corrections made, and the footings of the columns containing the corrected entry changed to harmonize with the statement as amended.

The SPEAKER pro tempore. Without objection the order will be made.

made.

There was no objection, and it was ordered accordingly.

VENEZUELAN AWARD.

Mr. RICE. Mr. Speaker, in presenting the report of the Committee of Foreign Affairs in regard to the Venezuelan awards on yesterday, I omitted to state that the gentleman from North Carolina [Mr. Cox] desired to file a minority report, which I nowask that he have the privilege of submitting.

There was no objection, and the views of the minority were ordered to be printed with the report of the committee.

DISTRIBUTION OF DOCUMENTS.

Mr. STORM. Mr. Speaker, I ask to introduce a resolution for present consideration.

The SPEAKER pro tempore. Is it a privileged resolution?

Mr. STORM. I believe it to be a privileged resolution. It is one in relation to the distribution of some documents. But I ask unanimous

consent for its present consideration.

The SPEAKER pro tempore. The Chair could not recognize the ger-

tleman to ask unanimous consent.

Mr. STORM. Prior to the commencement of the hour rule can not

such requests be entertained?

The SPEAKER pro tempore. The rule says distinctly that the Chair shall not at any time entertain a request for unanimous consent, unless it be a request for reference or to dispose of amendments of the Senate

Mr. STORM. As I have said, I think this resolution, however, is

The SPEAKER pro tempore. It will be read for information.

The Clerk read as follows:

Resolved, That all documents and books ordered to be published by the present Congress, and which are actually printed prior to the first Monday of December next, together with documents and books heretofore ordered to be printed which have not been actually printed, to which members of the present Congress are or would have been entitled if published prior to the 4th of March next, and which are actually printed prior to the first Monday of next December, shall be allotted, as heretofore, to members of the present Congress and transmitted to their residences as fast as printed, unless otherwise ordered by the members themselves.

The SPEAKER pro tempore. This resolution was submitted on yesterday by the gentleman from Pennsylvania, and ruled by the Chair to be not in order as a privileged matter:

The Chair sees no reason whatever for changing its opinion in that

egard. Mr. KEIFER. Mr. KEIFER. It has been held to be privileged in prior Congresses.

The SPEAKER pro tempore. If the gentleman from Ohio desires to be heard in opposition to the ruling of the Chair, the Chair will recognize him for that purpose.

Mr. KEIFER. I wish to state that in the Forty-fifth Congress, I

think, on a similar resolution it was held to be privileged.

Mr. STORM. I will withdraw it under the ruling of the Chair, with the understanding that I may be recognized to submit it after the

The SPEAKER pro tempore. The Chair has not the privilege to recognize the gentleman to ask unanimous consent at any time under the operation of this rule.

operation of this rule.

Mr. KEIFER. We ought to have an opportunity to be heard on this question before it is disposed of.

The SPEAKER pro tempore. The Chair has intimated its readiness to hear the gentleman from Ohio.

Mr. KEIFER. A resolution of a similar character was offered in the Forty-fifth Congress, as the Chair will doubtless remember, by Mr. Garfield, and another resolution of like substance was presented about the close of the Forty-sixth Congress. It was held then, and has since been held, that such a resolution is a privileged matter, because it relates to the convenience of the present members of the House. These resolutions have been entertained as privileged matters because of the fact that they concern the convenience of the members personally and in the aggregate, and I think the precedents can be found showing uniformly the rulings in this respect. And it looks reasonable, too, in view of analogous questions which come up from time to time. Besides that, I do not think there will be any objection to the consideration of a reso-

Intion of this character.

The SPEAKER pro tempore. The Chair does not see that this has any reference to the convenience of the members; and feels compelled to hold that it does not present a privileged question.

Mr. BLAND. Regular order.

ORDER OF BUSINESS.

Mr. LAMB. I rise to submit what I understand to be a privileged

report.

The SPEAKER pro tempore. The report will be read.

The Clerk read as follows:

House joint resolution 315 relative to certain papers in the State Department.

The SPEAKER pro tempore. What is this resolution?
Mr. LAMB. It is in regard to some papers placed there by error, and we ask to withdraw them.

The SPEAKER pro tempore. The Chair does not think it is a privileged report.

Mr. LAMB. Then I withdraw it.

CONTESTED ELECTION-FREDERICK VS. WILSON.

Mr. BENNETT. I rise to a privileged question. I send up, Mr. Speaker, a report from the Committee on Elections in the case of Frederick vs. Wilson.

The SPEAKER pro tempore. The Clerk will report the resolutions

appended. The Clerk read as follows:

Resolved, That James Wilson was not elected as a Representative in Congress from the fifth district of Iowa, and is not entitled to a seat on the floor of this House.

Resolved, That Benjamin T. Frederick was duly elected as a Representative in Congress from the fifth district of Iowa, and is entitled to be sworn in as-a member of this House.

The SPEAKER pro tempore. The report will be printed and laid over.
Mr. BENNETT. I give notice that I shall call it up for consideration at an early day.

Mr. VALENTINE. I ask leave that the minority of the committee be permitted to file a minority report.

There was no objection, and it was ordered accordingly.

SENATE REPORT ON LABOR, ETC.

Mr. ROGERS, of New York. Mr. Speaker, I am instructed by the Committee on Printing to make the report which I send to the desk:

The SPEAKER pro tempore. The report will be read.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, July 4, 1884.

In the Senate of the United States, July 4, 1884.

Resolved, That the report of the Senate Committee on Education and Labor on the relations between labor and capital, with the accompanying testimony, be printed, and that 25,000 additional copies be printed, of which 8,000 shall be for the use of the Senate, 16,000 for the use of the House of Representatives, and 1,000 for the use of the Senate Committee on Education and Labor.

The Committee on Printing, to whom was referred the Senate concurrent resolution, recommend the adoption of the following as a substitute:

"Resolved by the Senate (the House of Representatives concurring), That the report of the Senate Committee on Education and Labor on the relations between labor and capital, with the accompanying documents, be printed, and that 25,000 additional copies, unbound, be printed, of which 6,000 shall be for the use of the Senate, 13,000 for the use of the House, 5,000 for the use of the Bureau of Labor. Statistics, and 1,000 for the use of the Senate Committee on Education and Labor."

With these amendments, which pertain to the distribution of the documents and which greatly reduces the cost in binding, the committee recommend the adoption of the resolution.

The amendment was agreed to.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to recon-sider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. EATON. I desire to present a report from the Committee on Foreign Affairs.

The SPEAKER pro tempore. Is it a privileged report? Mr. EATON. I think it is.

Mr. EATON. I think it is.

The SPEAKER pro tempore (having looked at the report sent up).

The Chair does not think the report furnished by the gentleman from Connecticut is privileged.

Mr. EATON. It is the result of a resolution of inquiry directed to

the President of the United States.

The SPEAKER pro tempore. The Chair does not hear the gentleman from Connecticut.

Mr. WILLIS. I understand the gentleman from Connecticut to say that this is a resolution of inquiry which was referred to the Committee on Foreign Affairs.

Mr. EATON. It is the result of a resolution of inquiry.

The SPEAKER protempore. The Clerk will read. The Clerk read as follows:

The Committee on Foreign Affairs, to which was referred the message of the President of the United States, with the correspondence on file in the Department of State relative to the claim of William J. Hale against the Argentine Republic, report—

The SPEAKER pro tempore. The Chair does not regard this as a resolution of inquiry. It has reference to a private claim, and is not a

but the action of the committee under those circumstances could be

reported as a privileged matter.

The SPEAKER pro tempore. The Chair understands a resolution of inquiry was passed by the House; but this is evidently not a resolution of inquiry.

Several members called for the regular order.

The SPEAKER pro tempore. The hour set apart by the special rule for the calling up of bills, resolutions, &c., will begin at 12.37 p. m. The Clerk will report the business coming over from the last hour.

WILLIAM H. CROOK.

The Clerk read as follows:

A bill (S. 458) for the relief of William H. Crook.

The SPEAKER pro tempore. On this bill two minutes are left of the time allowed in opposition.

Mr. HEWITT, of Alabama. I ask for the reading of the bill. I do

not know what it is.

The SPEAKER pro tempore. The bill was read on yesterday. If there be no objection it will be again read.

The bill was again read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STORM. I object.

Further objections being called for, twelve members rose-more than the requisite number.

SETTLERS IN NEBRASKA AND KANSAS.

Mr. LAIRD. I call up from the House Calendar for present consideration the bill (H. R. 1737) for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas, re-

ported by the Committee on the Public Lands with amendments. The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That for the purpose of reimbursing persons, and the grantees, heirs, and devisees of persons, who, under the homestead, pre-emption, or other laws, settled upon or purchased lands within the grant made by an act entitled "An act for a grant of lands to the State of Kansas to aid in the construction of the Northern Kansas Railroad and Telegraph," approved July 23, 1866, and to whom patents have been issued therefor, but against which persons, or their grantees, heirs, or devisees, decrees have been or may hereafter be rendered by the United States circuit court on account of the priority of said grant made in the act above entitled, the sum of \$250,000, or so much thereof as shall be required for said purpose, is hereby appropriated: Provided, however, That no part of said sum shall be paid to any one of said parties until he shall have filed with the Secretary of the Interiora copy of the said decree, duly certified, and also a certificate of the judge of said court rendering the same to the effect that such a decree was rendered in a bona fide controversy between a plaintiff showing title under the grant made in said act and a defendant holding the patent or holding by deed under the patentee, and that the decision was in favor of the plaintiff on the ground of the priority of the grant made by said act to the filing, settlement, or purchase by the defendant or his grantor; and said claimant shall also file with the said decree and certificate a bill of the costs in such case, duly certified by the clerk and judge of said court. Thereupon it shall be the duty of the Secretary of the Interior to adjust the amount due to each defendant on the basis of \$3.50 per acre for the tract his title to which shall have failed as aforesaid, and the costs appearing by the bill thereof. He shall then make a requisition upon the Treasury for the sum found to be due to such defendant on the basis of \$3.50 per acre for the tract his title to which shall have failed as aforesa

The amendments reported by the Committee on the Public Lands were read, as follows:

On line 31, page 2, after the words "basis of," insert "what he shall have paid, not exceeding."

Add at the end of the bill the following:
"Provided further, That when any person, his grantees, heirs, assigns, or devisees, shall prove to the satisfaction of the Secretary of the Interior that his case is like the case of those described in the preceding portions of this act, except that he has not been sued and subjected to judgment as hereinbefore provided, and that he has in good faith paid to the person holding the prior title by the grant herein referred to the sum demanded of him, without litigation, such Secretary shall pay to such person such sum as he has so paid, not exceeding \$3.50. per acre, taking his release therefor as hereinbefore provided."

Mr. OATES. I make the point of order that that bill must have its first consideration in Committee of the Whole House. It makes an appropriation of \$250,000,

The SPEAKER pro tempore. The Chair will state that the point of order does not hold as against bills called up under the special rule.

Mr. LAIRD addressed the House. [See Appendix.]

Mr. COX, of New York. If the report in this case had been read I

am satisfied there would have been no exception taken to the passage of the bill. There are about two hundred families interested in this,

as I understand.

Mr. LAIRD. Three hundred settlers.

Mr. COX, of New York. These people got patents from the Government, and yet got no title, because the Supreme Court decided they were ousted. It is an awful swindle on these people by the Government unless we provide a remedy.

They went into the wilderness, improved these lands, brought them to a high state of cultivation, and unless we interpose they are to be turned off under a decision of the Supreme Court and be without remedy. Surely we should give a remedy. It is equitable in the highest sense. Every man who cares about the Government having a character for mrivileged report.

Mr. EATON. The resolution of inquiry was addressed by the Committee on Foreign Affairs through the direction of the House to the President of the United States, and I supposed there could be no doubt

Turned off under a decision of the Supreme Court and be without remedy. Surely we should give a remedy. It is equitable in the highest sense. Every man who cares about the Government having a character for honesty should vote for the bill. It only asks relief for such persons

and their grantees, heirs, and devisees or assigns as under the homestead, pre-emption, or other laws have settled on these lands.

I hope since our friend from Nebraska [Mr. LAIRD] has come out under such adverse circumstances [alluding to a severe injury received by Mr. LAIRD in a recent accident] we will give him a fair hearing.

[Here the hammer fell.]

Mr. PAYSON. Mr. Speaker, if I may have attention I think I can explain this matter in two minutes so that the House may understand the case with a little more exactness.

This grant was made in 1866. Nothing was done with reference to it by the railroad company until 1870. The grant was of alternate sections of land for ten miles on each side of the railroad to be located. The railroad company filed its map of the definite location of its line on the 25th of March, 1870, in the Interior Department here in Washington. No notice was given of that filing to the people in the West until the 13th of April of the same year, and between those dates—the 25th of March when the map was filed and the 13th of April—some two or three hundred settlers went in there and made entries of these lands

at the local land office.

The question was then presented whether the settlers took title to the The question was then presented whether the settlers took title to the lands by going upon them before they had notice, or whether the railroad company took the title from the time its map was filed here in the Interior Department. When the question was presented to the Interior Department the Land Office decided that the settlers were entitled to the lands and entitled to hold them. Accordingly the settlers, some three hundred of them, went on and made their improvements in good faith, and the matter remained in that condition until 1880, when a grantee of the railroad company brought suit, claiming that the railroad company took title from the date of the filing of the map. The case is that of Van Wyck vs. Knevals, reported in 16 Otto, and the Supreme Court decided that the railroad company took title by and from the filing of its

decided that the railroad company took title by and from the filing of its map, without regard to notice.

Now, this bill simply proposes to make good to the two or three hundred settlers who settled upon these lands in good faith the amount of money that they had to pay to buy in the railroad title, not exceeding \$3.50 per acre—an act of justice that commends itself to every honest man. [Applause.]

Mr. HOLMAN obtained the floor, but yielded to Mr. OATES.

Mr. OATES. Mr. Speaker, the facts of this case have been succinctly stated by the gentleman from Illinois [Mr. PAYSON]. Within the nineteen days between the two dates he has mentioned some three hundred

teen days between the two dates he has mentioned some three hundred entries were made of these lands. This is simply a case where a grant had been made to a railroad company, and these settlers went in and made entries and located upon the lands. Subsequently the grantee company brought suit against these parties for the lands, and they were forced to enter into a compromise, and they paid, some of them, \$3.50 an acre, and others that have not been sued are given the opportunity of paying \$3.50 an acre to compromise, and it is proposed by this bill to make that money good to these settlers. In other words, this bill puts the Government of the United States in the position of an insurer of its title.

Mr. SPRINGER. It ought to be in that position.
Mr. OATES (continuing). A thing which it has never been. All purchasers have been purchasers under the maxim caveat emptor, and have been required to look to their titles. Now I think that as a matter of equity and justice the Government ought not to retain the money which it received from these settlers for these lands, but ought to re-

which it received non-these sections of the fund that money.

Mr. PAYSON. Will the gentleman yield for a question?

Mr. OATES. Yes, sir.

Mr. PAYSON. Does the gentleman from Alabama [Mr. OATES] think it is justice to pay back to a settler a dollar and a quarter an acre for his land, when he has made improvements upon it worth perhaps two or three thousand dollars, especially when the Interior Department has affirmed the validity of his title for fifteen years?

has affirmed the validity of his title for fifteen years?

Mr. OATES. I understand the case perfectly well; but I think that is all the Government can afford to do. If you commit the Government to the position of being an insurer of its title it will have enough to do at every session to make good titles that have failed.

Mr. SPRINGER. If the Government should not do it I should like to know who should.

Mr. OATES. It is a dangerous precedent. I know that it is a hard case for these settlers, and I would have the Government refund every cent of the money it has received from them for these lands; but further than that it can not safely go.

cent of the money it has received from them for these lands; but further than that it can not safely go.

Mr. HOLMAN. Mr. Speaker, in view of the facts now being developed, it is quite clear that this bill opens up as important a question as any we shall have to deal with for years to come—questions growing out of the grants of land made to corporations. If this measure stood alone, I should feel no hesitancy or anxiety about it; granting relief to those victims of corporate power and rapacity would not of itself involve any important results; but it does not stand alone. Cases of the same kind in every section of the land-grant region are coming to light. A corresponding transaction to that named in the bill occurred in the Des Moines Valley several years ago, and from time down to the present time instances of similar injustice to bona fide settlers of the same

character have been coming to light and demanding the attention of Congress. The Government has issued patents for lands which in in-numerable instances were claimed to be within the limits of a railroad land grant, and with strange uniformity the claim of the corporation land grant, and with strange uniformity the claim of the corporation has been sustained, and the settler with a patent from the United States for his homestead has been turned out of possession. The adjustment of the countless conflicts arising constantly between the settlers on the public lands and the railroad companies to which land grants have been made by Congress is pressing upon Congress for attention as well as the adoption of a proper measure of relief for instances of injustice already consummated in the interest of these corporations.

Some years ago George Crilley, of Iowa, came here asking Congress to do justice to himself and other settlers in the Des Moines Valley of that State. The old gentleman, with a patent for his land from the United States, land which he had enriched by years of labor, had, with many others, been turned out of house and home under wrongful acts of Congress for the benefit of a railroad corporation. He waited and waited until, overwhelmed with despair and a sense of the monstrous injustice done him, his mind gave way and he left here with reason dethroned-a victim of the remorseless cupidity of a railroad corporation

and the injustice of this Government.

and the injustice of this Government.

There are many cases of this general character growing out of our railroad land grants, and it is difficult to say just what the Government should do about them. A serious question is forced upon us. That the Government should refund the money received for the lands must be manifest to every gentleman; but beyond that many difficulties arise. Homestead settlers made no payment, yet relying on the good faith of the Government have made valuable improvements on their lands. I had bened that a general hill covering all cases of this class. lands. I had hoped that a general bill covering all cases of this class would have been reported and properly considered at this session of Congress, and it is unfortunate that that has not been done. The Government should at least do some measure of justice to the actual settler. I feel for one great hesitation in legislating on this subject. I think there should at least be a limitation confining the provisions of this bill to bona fide settlers. Speculators in the public lands stand on a different send of the send ent ground. And to that end I offer an amendment, which I send to the Clerk's desk

The SPEAKER pro tempore. The bill is not before the House; so

that the gentleman's amendment is not now in order.

Mr. SPRINGER. Let it be read for information.

The SPEAKER pro tempore. The Chair, before asking for objections, requests that the House come to order.

Mr. HOLMAN. I ask unanimous consent that before objections are asked for an amendment which I have drawn may be read so as to ascertain whether it is acceptable or not to the gentleman having this bill Mr. PAYSON. I hope that may be done.

Mr. PAYSON. Those tempore. The gentlem

The SPEAKER pro tempore. The gentleman from Indiana asks that a proposed amendment may be read for information. Is there objection? The Chair hears none.

The Clerk read as follows:

Provided further, That the provisions of this act shall only extend to actual and bona fide settlers on the lands above specified, and who settled on such lands prior to the said decision of the Supreme Court touching the title to said land; and shall only entitle such settlers to the compensation above provided for to the extent of the land so actually settled upon, not exceeding, however, one hundred and sixty acres.

Mr. LAIRD. In the present temper of the House I am willing to

accept that amendment.

The SPEAKER pro tempore.

The gentleman from Nebraska [Mr. LAIRD] indicates his willingness to accept the amendment proposed by the gentleman from Indiana. Is there objection to the present consideration of the bill?

Sixteen members rose to object. So the bill was not considered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 7584) for the relief of A. B. Montgomery.

The message also announced that the Senate had passed with amend-

ments, in which the concurrence of the House was requested, bills of

the following titles:

A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia; and

A bill (H. R. 7585) for the relief of M. Gardner.

The message further announced that the Senate had passed joint resolutions and bills of the following titles; in which the concurrence of

Joint resolution (S. R. 125) to provide for the expenses of the inauguration ceremonies on the 4th day of March, 1885;

A bill (H. R. 2623) to remove the political disabilities of Alexander

W. Stark; and
A bill (S. 2592) to provide for the sale of a part of the reservation, situate in the State of Nebraska, of the Winnebago tribe of Indians, and for other purposes.

THOMAS THACHER.

Mr. POTTER. I desire to call up for present consideration the bill (H. R. 2483) for the relief of Thomas Thacher. This bill proposes the cancellation of several judgments of forfeiture obtained against a quantity of distilled spirits for alleged violation of the internal-revenue laws. The passage of the bill has been unanimously recommended by two successive Committees on Claims of this House and by various Government officers, including the Secretary of the Treasury.

Mr. MILLS. Let the bill be read before the debate proceeds.

The bill was read, as follows:

The bill was read, as follows:

Be itemated, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be canceled and discharged of record a certain judgment entered on the 20th day of October, 1877, in the United States district court for the southern district of New York, in an action entitled "The United States of America vs. One hundred and two Barrels of Distilled Spirits seized at No. 72 Courtland street; "and also a certain judgment entered in said court on the 17th day of January, 1882, in an action entitled "The United States of America vs. Eighteen Packages containing Spirits seized at 174 Duane street;" and also a certain judgment entered in said court on the 17th day of January, 1882, in an action entitled "The United States of America vs. Ten Barrels of Distilled Spirits seized at 12 Beaver street;" and also a certain judgment entered in said court on the 17th day of January, 1882, in an action entitled "The United States of America vs. Thirty-six Barrels of Distilled Spirits seized, twelve at 51 Beaver street, ten at 62 New street, and fourteen at 50 Broadway," as well as the stipulations filled in connection with said judgments, signed by Thomas Thacher, upon the payment by said Thacher of all costs taxed or taxable in favor of the United States in said actions.

Mr. POTTER. Leville and the states of the content of the United States of America was the states of a state of the content of the United States of said actions.

Mr. POTTER. I will say only a word or two in explanation of this matter, and then yield my time to the gentleman from Alabama [Mr. OATES], who, as a member of the Committee on Claims, has had knowledge of this case.

Mr. WELLER. Is it proper at this time, Mr. Speaker, to call for

the reading of the report?

The SPEAKER pro tempore. The gentleman has no right to call for the reading in the five minutes allowed to the gentleman from New York unless that gentleman consents.

Mr. POTTER. Judge Blatchford, who conducted the trial upon which these judgments of forfeiture were rendered, has certified, as stated in the report, that there was no evidence the claimant had knowledge of the fraud. The district attorney who had charge of the case on the part of the United States reported to the Secretary of the Treasury that he was satisfied there was no knowledge or complicity on the part of Thacher in any fraud. The Commissioner of Internal Revenue stated that "Mr. Thacher, in purchasing the spirits in question, observed the ordinary care of the trade, and was innocent of fraud in the matter." He also states that in his opinion the interests of the Government will not suffer by relieving Thacher from the payment of these judgments, and recommends that the relief be granted. The Acting Secretary of the Treasury, in a communication dated February 14, 1883, recommends the relief now proposed.

I yield the remainder of my time to the gentleman from Alabama

[Mr. OATES]

Mr. OATES. My knowledge of the circumstances of this case arises out of my membership of the Committee on Claims in the Forty-seventh Congress. Thacher, who was in the commission business, obtained from Saint Louis one hundred and thirty-six barrels of spirits, which were seized by the Government. It turned out that a fraud had been perpetrated by a prior owner, who made a false return upon "Form 122." In the trial of the case, Judge Blatchford held that although Thacher was an innocent purchaser, the forfeiture could not for that reason be avoided under section 3451 of the Revised Statutes, the concluding language of which is "that the property to which such false or fraudulent return relates shall be forfeited." Under this statute the innocence of Thacher could not prevent a judgment of forfeit-

The evidence is abundant that Thacher had no connection with the fraud, knew nothing of it, was an innocent party. But owing to the raud, knew nothing of it, was an innocent party.* But owing to the peculiar phraseology of the statute and the construction it had received in the case of Henderson's distilled spirits (14 Wallace, 44), the plea that Thacher was an innocent purchaser was not available. Hence four judgments were rendered against him, aggregating \$6,714.

The object of the present bill is simply the cancellation of these judgments. The bill does not take a dollar out of the Treasury, but merely

cancels these judgments, leaving this innocent man to pay \$1,000 of costs, from which Congress can not relieve him. He ought by all means to be relieved from these judgments, which were rendered against an innocent man. The relief which this bill proposes to grant is recommended by the district attorney, Mr. Bliss, by the Commissioner of Internal Revenue, and by the Treasury Department.

The SPEAKER pro tempore. The time for debate in favor of this

bill has expired. Mr. WELLER.

I desire to have the report read.

The Clerk read as follows:

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2483) for the relief of Thomas Thacher, having considered the same, respectfully present the following report:

The history of this case is as follows:

This bill authorizes the Secretary of the Treasury to have canceled and discharged of record a judgment of forfeiture entered in the United States district court for the southern district of New York, October 20, 1877, against one hundred and two barrels of distilled spirits, seized at No. 72 Courtland street, New

Thacher.

In view of the facts of the case and the approval of the proper officers of the Treasury, your committee report the bill back to the House with the recommendation that it do pass.

Mr. WELLER. I wish to call attention to the fact that this man Thacher took the consignment of this whisky from "one of the most daring and unprincipled operators in crooked spirits" in Saint Louis, showing by this report the fact must have been publicly known. And now he comes here and asks this court of last resort to strike a blow in the face of the other courts, in which he had all the remedy he was en-He had all the time, all the opportunity, in these courts of law, and might have gone into a court of equity if he had seen fit; but he failed to do that. After the Government, at a great expense, has secured this judgment, and he can not find any relief in the courts, the proper place to try this question, he comes to this court of last resort and seeks to have this judgment swept away and the Treasury depleted to this extent. I hope there will not be ten objections, but a hundred, to

this bill, as there ought to be.

Mr. ANDERSON and Mr. WELLER objected.

The SPEAKER pro tempore. Those in favor of supporting the objection to this bill will rise.

More than fourteen members rose.

The SPEAKER pro tempore. The bill is not before the House.

DREGAS DEL LLANO DE LAS AGUAGES TRACT.

The SPEAKER pro tempore, by unanimous consent, laid before the

House a letter from the Secretary of the Interior, transmitting a report from the surveyor-general of New Mexico in the case of New Mexico private land claim No. 117, known as the Dregas del Llano de las Aguages tract; which was referred to the Committee on Private Land

ORDER OF BUSINESS.

Mr. DAVIDSON. I call up for present consideration the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.

The bill was read, as follows:

The bill was read, as follows:

Beitenacted, &c., That the Secretary of the Treasury be and he is hereby, authorized and directed to purchase, at private sale, or by condemnation in pursuance of the statute of the State of Florida, all the land that he may deem necessary, and cause to be erected thereon a suitable brick or stone building for the use and accommodation of the United States district and circuit courts, custom-house, post-office, and other Government offices in that city, at a cost not exceeding \$100,000, including the purchase of land; and the building hereby authorized shall be so erected as to afford an open space of not less than fifty feet between it and any other building; and the sum of \$100,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose herein mentioned: Provided, That no money appropriated for said building and lands shall be available until a valid title to the site selected is vested in the United States, nor until the State of Florida shall cede to the United States exclusive jurisdiction over the same, during the time the United States exclusive jurisdiction over the same, during the time the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

The amendment of the committee was read as follows:

The amendment of the committee was read, as follows:

Strike out, after the word "directed," the following: "to purchase at private sale, or by condemnation in pursuance of the statute of the State of Florida, all the land that he may deem necessary" and in lieu thereof insert the following: "to select, of the lands owned by the United States in the city of Key West, Fla., a suitable building site."

Strike out also, after the word "dollars," the words "including the purchase of land."

Mr. DAVIDSON. Mr. Chairman, this bill proposes to make an appropriation for the erection of a Government building at Key West, Fla., the southernmost city of the Union. There is not, in my opinion. on the Calendar of this House a bill providing for the erection of a public building, nor has one been passed, more meritorious than this one. The necessities of the public business transacted at Key West, the se curity and preservation of the public records, the importance of the city, all demand that this appropriation should be made. The Government owns no suitable custom-house there, no revenue office, no post-office, no court-house, and yet the customs collection in the city of Key West for the fiscal year ending June 30, 1884, was \$320,457.02; revenue collection between \$135,000 and \$150,000; and the post-office receipts, even with the limited mail facilities of the city, were nearly \$5,000.

In the Forty-fifth Congress a bill providing for the erection of a public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorably considered by the Committee on Public building there was favorable to the considered by the Committee on Public building there was favorable to the considered by the Committee on Public building there was favorable to the considered by the Committee on Public building there was favorable to the considered by the Committee on Public building there was favorable to the considered by the Committee on Public building the content of the considered by the Committee on Public building the c

lic Buildings and Grounds, but for want of time it was not reported. In the Forty-sixth Congress a similar bill was considered and reported, but was not reached on the Calendar. In the Forty-seventh Congress the Senate passed a similar bill. This now is a Senate bill reported by the Senate passed a similar bill. This now is a Senate bill reported by the Committee on Public Buildings and Grounds of this House, and I deem it unnecessary to consume the time of the House in saying more in reference to it. Not only a court-house is needed, but a post-office, revenue office, and custom-house.

I can tell this House from personal knowledge that the buildings in which the public offices there are kept are altogether unsuitable and inadequate. The post-office is a very ordinary frame building of one story; in fact, I may say it is but a shanty, and is a reflection on the dignity and character of our country. I hope there will be no objection to the bill, which has been considered and reported favorably so many times.

Here the hammer fell.

Mr. WHITE, of Kentucky. I ask for the reading of the report.

The report was read, as follows:

The report was read, as follows:

The Committee on Public Buildings and Grounds, to which was referred the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., beg leave to report:

The city of Key West is the largest city in the State of Florida, and a large foreign trade is carried on, particularly with the West Indies. That it is the seat of a United States court, which is held in a rented building without proper accommodations; and that the post-office accommodations are insufficient.

The matter of a public building at Key West has been urged in Congress as far back as the Forty-sixth Congress, and was then favorably reported, with a a limit of \$125,000 as to cost. The necessities of the public business make the demand still more urgent now. The present bill limits the cost to \$100,000.

The Government owns a site suitable for the location of the building; and in view of this fact the committee recommend the passage of Senate bill 229, with amendments as follows:

Strike out, after the word "directed," the following: "to purchase at private sale, or by condemnation in pursuance of the statute of the State of Florida, all the land that he may deem necessary," and in lieu thereof insert the following: "to select, of the lands owned by the United States in the city of Key West, Fla., a suitable building site."

Strike out also, after the word "dollars," the words "including the purchase of land."

Mr. WHITE, of Kentucky. What is the population of Key West?

Mr. WHITE, of Kentucky. What is the population of Key West? Mr. DAVIDSON. Between 15,000 and 16,000. There was no objection, and the bill was brought before the House

for present consideration.

The amendments of the committee were adopted.

Mr. DAVIDSON. I move, in line 10 of the bill, to strike out "fifty," between the words "than" and "feet," and insert "forty."

Mr. STOCKSLAGER. That is right.

The amendment was agreed to.

Mr. HOLMAN. Permit me to say a word in this connection. I regret very much that my friend from Florida has not seen proper to introduce here the provision, which I have heretofore suggested in connection with these bills, touching the duty of the Secretary of the Treasury with reference to the approval of the plans, and limiting the cost to the approval of the plans, and limiting the cost to the amount appropriated for the purchase of the site and the erection of the building. After the former action of the House upon similar questions I do not feel justifiable in again insisting upon a vote, but express my regret that it has not been incorporated, since it is the only security we have that the appropriation will not be exceeded.

Mr. WHITE, of Kentucky. Let me ask the gentleman from Florida if he will not be willing to put the amount at \$50,000?

Mr. DAVIDSON. The difficulty would be that it would send the bill back to the Senate again, and might jeopardize its passage.

The bill as amended was read a first and second time, ordered to a

third reading, read the third time, and passed.

Mr. DAVIDSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING, AUBURN, N. Y.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent to take up the bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y.

The bill is as follows:

The bill is as follows:

Be it enacted &c. That the Secretary of the Treasury be, and hereby is, authorized and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon, at the city of Auburn, in the State of New York, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the post-office and United States courts, and for other Government uses. The site, and the buildings thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$150,000; and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least fifty feet, including streets and alleys; and for the purposes herein mentioned the sum of \$150,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to said site shall be vested in the United States, and the State of New York shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

Mr. PAYNE. If I can have the attention of the House for the fire

Mr. PAYNE. If I can have the attention of the House for the five minutes I do not think there will be any objection to this bill. The city of Auburn has a population of over 25,000 people. The United States courts are held there, and it is the geographical center of the northern district of New York. We ask the construction of a courthouse and post-office building for the use of the Government of the United States at that place. In the Forty-fourth Congress a bill was introduced having in view this object, and the Committee on Public Buildings of Congress o ings and Grounds, after an investigation of the matter, recommended the construction of a building to cost \$250,000. This bill asks only \$150,000. At that time the chairman of the committee, the gentleman from Indiana [Mr. Holman], addressed a letter to the Secretary of the Treasury in regard to the necessity of a building at Auburn, and re-ceived in response a letter which I send to the desk and ask to have read. This is founded upon a report made by the Supervising Architect of the Treasury upon a personal examination and inspection of the locality. The Clerk read as follows:

TREASURY DEPARTMENT, Washington, D. C., May 8, 1876.

SIR: I have the honor to acknowledge the receipt of your letter of the 4th ultimo, inclosing copy of House bill 2430, Forty-fourth Congress, first session, providing for the erection of a court-house and post-office at Auburn, N. Y., and requesting the views of this Department as to the propriety of the passage of the same.

same.

In reply, I inclose herewith a copy of a report made by the Supervising Architect, to the effect that under date of March 3, 1575, an appropriation of \$4,000 was made to cover the expenditures for preparing plans and specifications for a building to accommodate the public officers in the city of Auburn, and that accordingly he visited that city and found that the post-office and United States courts were located in buildings totally unsuitable and insufficient to afford the accessary accommodations, and that plans have been made for a suitable building, the cost thereof not to exceed the sum of \$250,000, including the expense of site.

site.

In consideration of the seeming necessity for the erection of a suitable building at the city of Auburn, I am induced in this instance to depart from the policy which has governed the Department in such matters during the past two years, and to recommend that an appropriation of \$50,000 be made for the commencement of such a building.

I am, very respectfully,

B. H. BRISTOW, Secretary.

B. H. BRISTOW, Secretary.

Hon, WILLIAM S. HOLMAN, Chairman Committee Public Buildings and Grounds,

Mr. PAYNE. I reserve the remainder of my time.

The SPEAKER pro tempore. The gentleman has one minute remaining. Unless some gentleman desires to be heard, in the five minutes remaining in opposition to this bill, the Chair will ask for objections.

Mr. COOK. I would like to ask the gentleman from New York in what parts of the northern district of New York the Federal courts are now held?

Mr. PAYNE. At Buffalo, which is about one hundred and fifty miles west, and at Albany, one hundred and fifty east; and there is also a circuit court at Utica and one at Rochester, in the northern district.

Mr. WELLER. How far are these places, Utica and Rochester, from the point where this building is proposed to be constructed?

Mr. PAYNE. Rochester is some eighty miles, and Utica perhaps a little farther. This is the geographical center of the district, as I have

Mr. PERKINS. And the courts have been established there, as I

understand, already.
Mr. PAYNE. Yes, sir; since 1814.
Mr. WARNER, of Ohio. Do I understand that a United States court is held there now?

Mr. PAYNE. Yes, sir; and has been since 1814. Mr. McMILLIN. What is the population?

Mr. PAYNE. There are 25,000 people now, and it is rapidly grow-

ing in population.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PAYNE. I ask permission to insert an amendment, in line 15, by striking out the word "fifty" and inserting "forty," between the words "least" and "feet;" so that it will read "at least forty feet."

I demand the previous question upon the amendment and on the passage of the bill.

The previous question was ordered; and under the operation thereof the amendment was agreed to, and the bill as amended ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PAYNE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

W. C. MARSH.

Mr. TAYLOR, of Tennessee. I ask to take up for present consideration the bill (S. 1031) for the relief of W. C. Marsh.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury of the United States be authorized and directed to pay to W. C. Marsh, of Tennessee, \$2,054, the same being the amount taken from him on or about the 10th day of February, 1863, by the officers commanding the gunboat New Era, and turned into the Treasury of the United States.

Mr. TAYLOR, of Tennessee. This bill passed the Senate and has been favorably reported by the Committee on Claims of this House. I ask that the report be read

The Clerk commenced the reading of the Senate report (by Mr.

DOLPH), which is as follows:

The Clerk commenced the reading of the Senate report (by Mr. DOLPH), which is as follows:

The Committee on Claims, to which was referred the bill (S. 1031) for the relief of W. C. Marsh, respectfully reports:

That the said claimant, William C. Marsh, who was at the time a citizen of the United States and a resident of the county of Tipton, in the State of Tennessee, on or about the month of January, 1863, obtained permission from the military authorities at Memphis, Tenn., to ship a quantity of cotton to Saint Louis, in the State of Missouri, and that in accordance with such permission he shipped his cotton—about eighteen bales—to Saint Louis, and sold it for 32,500 in United States currency, which he converted into \$2,228 in gold coin, and then took passage on a regular steam transport plying between the cities of Saint Louis and Memphis, and started on his return, via Memphis, to his home in Tipton County; that when said steamer had reached a point at or near Island No. 10, in the Mississippi River, which was on or about the 10th day of February, 1863, the Federal forces upon the United States gunboat New Era seized said transport and took charge of her and the passengers on board, and seized and took from the said claimant the sum of \$2,054 in gold coin, which was taken to the city of Cairo, where the same was duly libelled by the district attorney of the southern district of the State of Illinois in the district our of said district as forfeited to the United States, for the reason that the same at the time of the seizure was being transported from a portion of the United States, to wit, the State of Missouri, to another portion of the United States, to wit, the State of Missouri, to another portion of the United States, to wit, the State of Missouri, to another portion of the United States, to wit, the State of Missouri, to another portion of the United States, to wit, the State of Missouri, to another portion of the United States, to wit, the said claimant appeared and filed a bond and stipulation in th

Sixth. No proof was taken in support of the libel or against the petition of

S. H. TREAT, District Judge. The petition and findings having been presented to the Secretary of the Treasury, the Acting Secretary of the Treasury, on April 20, 1864, addressed the following communication to the Solicitor of the Treasury:

TREASURY DEPARTMENT, April 30, 1864.

TREASURY DEPARTMENT, April 30, 1864.

SIR: Application has been made by William C. Marsh, of Tipton County, Tennessee, for the remission of a forfeiture of \$2,054 in gold coin, seized at Island No. 10, in the Mississippi River, and libeled in the United States district court for the southern district of Illinois, for violation of an act of Congress approved July 13, 1861.

After a careful review of the summary examination had before the judge of said court, I see no sufficient reason to grant the prayer of the petitioner. You will accordingly please instruct the United States district attorney for said district that the application for the remission of the forfeiture in said case has been denied.

Respectfully,

GEORGE HARRINGTON.
Acting Secretary of the Treasury.

EDWARD JORDAN, Esq., Solicitor of the Treasury.

While the facts found by the district judge upon the summary hearing of the petition for a remission of the forfeiture would seem to have justified the Secretary of the Treasury in granting the prayer of the petitioner, there may have been circumstances which are unknown to your committee which render a strict enforcement of the act of July 13, 1861, necessary. Your committee is of the opinion that the claimant is equitably entitled to relief, and recommends that the bill be amended by striking out the words "in gold coin," in line 5 of the bill, and that the bill as amended do pass.

Before the Clerk had completed the reading of the report, The SPEAKER pro tempore. The five minutes allowed in favor of

the bill have expired.

Mr. HOLMAN. I hope the balance of the report will be read.

Mr. WELLER. I desire that the remainder of the report shall be

The SPEAKER pro tempore. In the time against the bill?
Mr. WELLER. Yes, sir; although I favor the bill.
The Clerk resumed the reading of the report.

Mr. WELLER (interrupting). So far as I am concerned I have heard enough.

Mr. HOLMAN. Let the reading continue. The five minutes have not expired.

The SPEAKER pro tempore. Three minutes are still left of the five. The Clerk resumed the reading of the report

Mr. HOLMAN (interrupting). For myself I do not ask for further

reading.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read

the third time, and passed.

Mr. TAYLOR, of Tennessee, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SPOONER. I rise to call up a bill for consideration.

The SPEAKER pro tempore. The gentleman from Rhode Island
[Mr. SPOONER] is recognized. The hour provided by the special rule has expired.

WIDOW OF FRANK W. LYNN.

Mr. ERMENTROUT. I present a privileged report from the Committee on Accounts. The Committee on Accounts, to whom was referred the resolution which I send to the desk, report it back with the recommendation that it be adopted.

The Clerk read as follows:

Resolved. That the Clerk of the House be directed to pay out of the contingent fund of the House to the widow of Frank W. Lynn, late an employé of this House, a sum equal to his salary for six months and also the necessary funeral expenses, not to exceed \$250.

The resolution was adopted.

Mr. ERMENTROUT moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PORTS IN WASHINGTON TERRITORY.

Mr. BRENTS, by unanimous consent, introduced a joint resolution (H. Res. 337) authorizing the Secretary of the Treasury to establish a subport of entry and a port of call at Port Angeles, Wash.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RAILROAD LAND GRANTS IN KANSAS.

Mr. ANDERSON, by unanimous consent, presented a resolution of the Legislature of Kansas, urging the passage of the bill to adjust the grants of lands to certain railroads doing business in the State of Kansas; which was referred to the Committee on the Public Lands. Mr. ANDERSON. I ask that these resolutions be printed in the

RECORD. They are very short. There was no objection, and it was so ordered. The resolutions are as follows:

The resolutions are as follows:

House concurrent resolution No. 10.

Whereas the title to a vast amount of land in the different counties of this State is held in dispute between rallroad corporations and settlers; and Whereas such disputed title has caused many vexatious lawsuits, feuds, bloodshed, and loss, greatly to the detriment of the prosperity and settlement of the counties so situated; and
Whereas a bill is now before the Congress of the United States, which, if passed, it is believed would greatly aid in adjusting these land titles: Therefore, First. Be it resolved by the house of representatives of the State of Kansas (the senate concurring therein). That our Senators be instructed and our Representatives be requested to use their best efforts to secure at the earliest day possible the enactment of such a law as will afford the relief sought.

Second. Resolved, That the secretary of state be directed to forward copies of these resolutions, properly verified, to each of our Senators and Members of Congress.

these resolutions, properly vermed, to each Congress.

I, E. B. Allen, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolution now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal.

Done at Topeka this 12th day of February, A. D. 1885.

[SEAL.]

E. B. ALLEN, Secretary of State.

Mr. BRATTON. A few days ago a resolution which I reported the Whole House on the state of the Union. It is a Senate resolution, authorizing the printing of 3,000 copies of the list of claimants on account of French spoliations. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the report, and that it be recommitted to the Committee of the Union be discharged from the further consideration of the report, and that it be recommitted to the Committee of the Union be discharged from the further consideration of the report, and that it be recommitted to the Committee of the Union be discharged from the further consideration of the report, and that it be recommitted. mitted to the Committee on Printing.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. WILLIS. I move to dispense with the morning hour, and beg to state that at a certain time agreed upon with the Committee on Appropriations I shall yield the floor to them. Upon that understanding, and with that agreement, I move to dispense with the morning hour.

The motion was agreed to (two-thirds voting in favor thereof).

REPORTS OF UNITED STATES GEOLOGICAL SURVEY.

Mr. SPRINGER, by unanimous consent, introduced a joint resolution (H. Res. 338) providing for the printing of additional copies of the sixth and seventh annual reports of the Director of the United States Geological Survey; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

REPORT OF BUREAU OF ETHNOLOGY.

Mr. SPRINGER, by unanimous consent, also introduced a joint resolution (H. Res. 339) providing for printing additional copies of the sixth and seventh annual reports of the Director of the Bureau of Ethnology; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

MONOGRAPH II OF UNITED STATES GEOLOGICAL SURVEY.

Mr. SPRINGER, by unanimous consent, also introduced a joint resolution (H. Res. 340) providing for printing the usual number of Monograph II, of United States Geological Survey; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

WILLIAM M. GARDNER.

Mr. TUCKER. I ask unanimous consent to take from the Speaker's table the bill (H. R. 7585) for the relief of M. Gardner, with amendments by the Senate, for the purpose of moving concurrence in the Sen ate amendments

The SPEAKER pro tempore. This is a political disability bill. The centleman from Virginia [Mr. Tucker] desires to move concurrence in the Senate amendments.

There was no objection.

The amendments of the Senate were read, as follows:

In lines 2 and 3 strike out "M. Gardner" and insert "William M. Gardner."

Amend the title so as to read, "An act for the relief of William M. Gardner."

The amendments of the Senate were concurred in.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. WILLIS. I now move that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. HAMMOND in the chair), and resumed consideration of the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The pending question is on the amendment of the gentleman from Pennsylvania [Mr. BAYNE], which the Clerk will

again report.

The Clerk read as follows:

In line 927 strike out "\$2,800,000" and insert "\$800,000," so that it will read:
"Improving Mississippi River from the head of the passes to the mouth of
the Ohio River, including the rectification of the Red and the Atchafalaya Rivers
at the mouth of Red River, and for keeping open a navigable channel through
the mouth of Red River into the Mississippi River: Continuing improvement,
\$800,000; which sum," &c.

The question being taken on agreeing to the amendment, there wereayes 25, noes 73. Mr. BAYNE. No quorum.

The CHAIRMAN. A quorum not having voted, the Chair will order tellers, and appoints the gentleman from Pennsylvania, Mr. BAYNE, and the gentleman from Kentucky, Mr. WILLIS.

The committee again divided; and the tellers reported—ayes 40,

Mr. BAYNE. Mr. Chairman, I will not insist upon the point of

The CHAIRMAN. The point as to no quorum being withdrawn, the amendment is not adopted.

The Clerk read the next amendment (offered by Mr. HISCOCK), as follows:

In line 926 insert the following:

"But the mouths of said rivers shall not be rectified upon any plan that in the opinion of the Mississippi River Commission will render it necessary to build levees on the Mississippi from the said Atchafalaya River down the Mississippi River."

Mr. HISCOCK. Mr. Chairman, when I offered the amendment a moment since to strike out the lines in this bill providing for the rectification of the mouths of the Red River and the Atchafalaya, and made the assertion that those lines committed the Government to the building and the perpetual support and maintenance of levees from the mouth of Red River down, I was told by some friend of this measure that I was mistaken. To meet that allegation I have offered this amendment, providing that the mouths of those rivers shall not be rectified upon any plan which involves the building of such levees. Everybody knows that for the requirements of navigation there is no need of levees from the mouths of those rivers down; there is plenty of water there; the navigation is perfect; and I have offered this amendment to meet the assertion which was made here on the other side of the House by some friend of this scheme that my statement that it would be necessary to

build and maintain such levees was not true.

I now say to members of this committee more than that; I say that this provision in the bill commits the Government for all time to paying the damages that may be sustained from the chance breaking of those levees or from overflow. It commits the Government to the maintenance of the levees at its own cost and expense, and obligates it for all time to preserve the owners of these alluvial lands from the discharge of water upon their lands on account of the closing of the mouth of one of these rivers and the opening of the other. I do not believe that this committee or that Congress is prepared to commit itself to any such policy, but I shall have done my duty in reference to this matter when I have so distinctly brought the question into this committee that every member can understand precisely the point upon which he is voting and the effect of the adoption of this clause of the bill without amendment.

The CHAIRMAN. The time of the gentleman from New York has

expired.
Mr. BRECKINRIDGE. That is more stuff, as this House well knows.
Mr. ELLIS. Mr. Chairman—

Mr. ELLIS. Mr. Chairman—
The CHAIRMAN. For what purpose does the gentleman rise?
Mr. ELLIS. I rise to offer a substitute for the amendment just proposed by the gentleman from New York [Mr. HISCOCK], and I send it to the Clerk's desk to be read.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read the amendment (officied by Mr. Ellis as a substitute for the amendment offered by Mr. HISCOCK), as follows:

Provided, That no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands by overflows: Provided, however, That the commission are authorized to repair and build levees, if in their judgment it should be done as a part of their plan to afford eace and safety to the navigation and commerce of the river and to deepen the channel.

Mr. ELLIS. Mr. Chairman, after years of consideration we adopted a plan for the improvement of the Mississippi River. That plan has succeeded, and the proofs of it are now visible on the river wherever succeeded, and the proofs of it are now visible on the river wherever that plan has been adhered to. A portion of the plan has failed, while another essential portion of it has been neglected. This bill brings back the commission, and restricts them to the original plan with perfect fidelity. Now, sir, having chosen the plan, having chosen the agents to carry out that plan, why should we seek to fetter their brains? Why should we seek to darken counsel by words without knowledge? Why should we seek to darken counsel by words without knowledge? Why should we seek to fetter the judgment of the men who are in charge of this work, having restricted them to the plan which has succeeded, and which will succeed when adhered to? This provision contains the same language that was used heretofore, and it absolutely prevents the throwing of a single spadeful of dirt for private purposes, for the protection of private property, for the protection of lands from overflow. That is absolutely prohibited; but if they find it necessary for the purpose of deepening the channel of the river and affording ease and facility to the vest commerce that floats upon its become if these and facility to the vast commerce that floats upon its bosom-if these purposes can be subserved by making higher banks, the commendate at liberty to do so. The amendment, I am sure, must commend itself to the judgment of this House, and I trust it will be adopted. [Cries of "Vote!" Vote!"]

Mr. HISCOCK. I move to strike out the last proviso in the substitute just offered by the gentleman from Louisiana [Mr. ELLIS], and I desire to say that the objection which I make to this clause in the bill without my amendment is that the clause itself commits this Government to the building of these levees. The Government would be legally obliged to build them. The moment it turns this immense volume of water into the Mississippi it assumes the liability of protecting the owners of the lands against overflow. That is the purpose of it. It does not depend upon affirmative legislation, but, on the contrary, the Government practically says to the people: We have increased the flood in the Mississippi River and we assume the liability of protecting you from the incursions of that flood.

This scheme is concealed—I do not say it offensively—this scheme is concealed in the simple words of this clause, and therefore I say that no language that can be offered here limiting it will correct the evil if you undertake to rectify the mouths of these rivers in accordance with the plans which have been submitted by the Mississippi River Commission.

The effect of it is to threaten the people upon the line of that river below that point with destruction of houses, villages, and farms by flood; and the Government is compelled to step in and build these levees to protect those people against its own act. Ay, more than that, when damages have been sustained in this way the Government is bound in equity and honor to make compensation to the owners of those allavial

lands for that damage.

Mr. WARNER, of Ohio. I desire to offer an amendment.

Mr. WILLIS. I do not appeal to the rules of this House but to the good faith of members. It was expressly understood that only amendments intended to be substantial and only speeches in support of such amendments were to be allowed in this extended time. I do respectfully appeal to gentlemen on this floor not to violate their agreement.

Mr. WARNER, of Ohio. I have not occupied a minute on this bill.

The CHAIRMAN. The Chair will state that no further amendment

is in order until the pending amendment is voted upon.

Mr. ELLIS. If the House will allow me one minute I will dissipate the fears expressed by the gentleman from New York.

Mr. WILLIS. I must object to any extension of the debate.

Mr. HOLMAN. I call for the reading of the substitute and the proposed amendment.

The substitute and amendment were read.

Mr. HISCOCK. I do not care to press the amendment to strike out the last proviso. I withdraw it so as to let the question come squarely on the substitute.

The CHAIRMAN (having put the question on agreeing to the substitute). In the opinion of the Chair the substitute is adopted.

Mr. HISCOCK. I call for a division.

Mr. WILLIS. In order to save time I ask that tellers be ordered

There being no objection, tellers were ordered; and Mr. WILLIS and Mr. HISCOCK were appointed.

The House again divided; and the tellers reported—ayes 101, noes 63.

So the substitute was adopted.

Mr. WARNER, of Ohio. which I send to the desk. I now ask to have read the amendment

The Clerk read as follows:

Add to the substitute just adopted the following: "Provided, That no existing outlets through which the flood waters are carried off shall be closed."

Mr. WARNER, of Ohio. Mr. Chairman, it will be admitted, I think, that the improvement of the navigation of the Mississippi River is one thing and taking care of the flood waters is a very different thing. I am in favor of the improvement of the navigation of the Mississippi River, and I doubt not that jetties and revetments are valuable in the improvement of navigation; but I do not believe it is within the power of man to confine the flood waters of that gigantic river and keep them within artificial embankments.

There was a time, and that within comparatively recent geological time, when the Gulf of Mexico was where New Orleans now is. At that time the surface of the Mississippi River must have been some sixteen feet lower than it is now all the way up to the first falls, and the bed of the river was then much lower than it is now. Extend the mouth of the river into the Gulf; build walls to hold the flood waters, and the waters will continue to rise and its bottom to follow it up, and you may go on indefinitely without being able to confine within your artificial embankments the floods that will occasionally come. For this reason I am opposed to appropriations for the building of levees to confine the flood waters. If I believed the plan would be a success I should not object to appropriations for it; but I do not believe in the plan, and I do not believe that engineers agree at all upon such a plan. I here I do not believe that engineers agree at all upon such a plan. I believe in more outlet room for flood waters.

[Here the hammer fell.] The question being taken on the amendment of Mr. WARNER, of Ohio, it was not agreed to.

The next amendment (by Mr. WHITE, of Kentucky) was read, as

In lines 923, 924, and 925 strike out the words "including the rectification of the Red and the Atchafalaya Rivers at the mouth of Red River."

THITE, of Kentucky. As will be seen, Mr. Chairman, the on of the committee is to rectify the banks of the Red and the Mr. aya Rivers. It is intended to carry out the Eads plan of closing utlet from the Red River into Grand Lake through the Atchaf-Atchaf up the Now, it is a well-known fact that when the floods come the alaya. ppi River extends at least seventy-five miles wide. To talk osing up the outlet of the Atchafalaya means to build up a Mississ along the southern bank of the Red River. Is there any man uisiana who will deny that? LANCHARD. I do deny it. EWIS. I deny it. from L

Mr.

Mr.

Mr. 7HITE, of Kentucky. Now let me read to these gentlemen. On Ap 15, 1882, General Humphreys was before the Committee on ce, and I desire to read from his testimony taken at that time:

ce, and I desire to read from his testimony taken at that time:

AGAN. In determining, as you did, the necessity of extending the levees
mouth of the Ohio to the mouth of the Mississippi, did you consider
it was practicable or possible to retain the floods of the Mississippi
hin those levees?

I HUMPHREYS. Yes; that was the question. The object of construct
and raising them to certain heights was to confine the river within
terwise it would be a useless expenditure of money. The great object
ig these measurements was to determine the question how high the
lid rise if all the water were kept within its channel, and the observamade because no one had any means of answering that question from the whether River was Generating level them, o

of mak river we tions we before. Mr. H Gener Mr. I! diately Gener place le establis RR. And did you conclude that it could be done?

I HUMPHREYS. Yes, sir.

AGAN. Did you contemplate the construction of a line of levees immenthe banks of the river or at some distance back from them?

I HUMPHREYS. Wherever it was practicable it would be preferable to ees some distance back from the river, leaving the local proprietors to the levees outside.

Mr. R within s channel by levees, did you contemplate putting reverse levees along ints of the Mississippi within the alluvial bed or did you propose to leave the open? General Humphers. The affluents must be leveed also. We contemplated that, the ugh, if I remember aright, we did not include it in our estimates.

Mr. V aya now?

Mr. V arra. For inderstand that the Red River is disposed to run into the Atchafa aya now?

Mr. H. MPHREYS. Yes; at times it discharges entirely through the Atchafalaya.

Mr. V arra. Now, it has been stated that if we levee the Mississippi we shall have to evee also the Red River and the other affluents for some considerable distance back.

General HUMPHREYS. That would be for the protection of the country along tests.

dene those r Mr. V sippi? channe better low lev Gene ers.

HITE. Would that necessitate the raising of the levees on the Missis Dr would it be better to lead the surplus water there off by another say down the Atchafalaya, and levee that also—that is, would it be have a parallel river with low levees, and the Mississippi itself with es, or to have all the water concentrated in one river with high levees! If HUMPHIREYS. I should not think for a moment of closing the Atchafany of those natural bayous. How much that surplus water of the Red I don't know, nor how much the banks would have to be raised by

alaya o River i levees.

[He b the hammer fell.]
The smendment of Mr. White, of Kentucky, was not agreed to.
The sext amendment (by Mr. HEPBURN) was read, as follows:

the word "river," in line 926, insert: "Provided, That no work shall be this point that will make the improvement or increase of levees necesshe banks of the Mississippi River." After sary or

HEPBURN. Mr. Chairman, there are three plans which have abmitted for the rectification of the mouth of the Red River. Mr. been ! one it follows an expenditure of \$10,511,000; the other involves an expenditure of \$8,061,000. The plan favored by the commission involves an expenditure of \$4,800,000. By this rectification of the mouth of Red II ver from throwing its floods into the Mississippi River is involved an expenditure in levees to make secure the present levees below Red R ver, assumed as in previous cases at two feet mean rise, of \$2,872,-000. O provide for the increased discharge below Red River consequent apon the execution of this plan would require the additional raising of grade, which, assumed as in a preceding case at one foot ino mean height, would cost \$1,907,000. There are more than 000 made necessary in building levees alone from this mode, comthe waters which now flow through the Atchafalaya into the \$4,000

pellin Missis Missis ippi.

Nov there is certainly a reason for this. As it is, certain lands contiguous to the Atchafalaya are flooded because of this discharge, and they are over ned by somebody and that somebody desires their protection, through the diversion of the waters which at times flood them, at the

of the Government of more than \$4,000,000.

[He Mr. e the hammer fell.] Mr. BLANCHARD. The commission has adopted no such report. Mr. HEPBURN demanded a division.

committee divided; and there were-ayes 33, noes 81. The

Mr. HEPBURN. No quorum has voted.

The HAIRMAN appointed as tellers Mr. HEPBURN and Mr. WILLIS.
The committee again divided; and the tellers reported—ayes 15, noes 116.

So t is amendment was disagreed to.
The aext amendment (by Mr. White, of Kentucky) was read, as follows:

out the following: for keeping open a navigable channel through the mouth of Red River Mississippi River." Strik

Mr. VHITE, of Kentucky. I want to call the attention of the com-

mittee to the fact that the effect of striking out these lines is to strike out the idea contained in this bill, that you must close up the outlet at the head of the Atchafalaya. The committee goes upon the idea that because Mr. Eads made a success at the mouth of the Mississippi River he can do anything he pleases with the Mississippi River. Now, Mr. Eads never discovered that jetties would be a benefit to the mouth of the Mississippi River. I read from the same document I read from a while ago, where General Humphreys testified before the Committee on Commerce in 1882 as follows:

I was the first person to demonstrate that the use of the jetties would deepen the river at its mouth, because I was the first person to get the facts by measure-

That same gentleman who told us that jetties would be a success and who urged their use and said they could be built at the mouth of the Mississippi River, that same gentleman, Mr. Chairman, utterly opposed the idea that the Atchafalaya should be stopped up. Furthermore, he contended that if you began to close up all such outlets as the Atchafalaya you would have to raise all the levees along the banks of all the

alaya you would have to raise all the levees along the banks of all the affluents emptying into the Mississippi River from Cairo down, and if you began on that system it would cost hundreds of millions of money. Why, sir, \$150,000,000 is not an approximation to the cost of leveeing thousand of miles. Both banks of the rivers must be leveed as a consequence of the adoption of any such theory.

Mr. DUNN. How much money?

Mr. WHITE, of Kentucky. Hundreds and hundreds of millions of dollars. You propose covertly in this bill to have Mr. Eads saddled upon this Government by undertaking to carry out any such theory of tickling the flanks of the Mississipppi River, tickling the flanks of the banks of its affluents, tickling their flanks by building higher levees on both sides, thus incurring an expense, as I have already said, of on both sides, thus incurring an expense, as I have already said, of hundreds of millions of dollars.

[Here the hammer fell.]

The committee divided; and there were—ayes 12, noes 89.

Mr. WHITE, of Kentucky. No quorum.

Mr. WILLIS. I hope that point of order will not be made.

The CHAIRMAN. The Chair can not avoid it. The point of order

Mr. WILLIS. I appeal to the good faith of this House whether

that ought to be done.

The CHAIRMAN. The Chair knows of no way to stop it.

Mr. Breckinginge and Mr. White, of Kentucky, were appointed as tellers.

The committee again divided; and the tellers reported-ayes 24,

So the amendment was rejected.

The next amendment (by Mr. BOUTELLE) was read, as follows:

Amend by striking out from the word "including," in line 923, down to the word "river," in line 926, as follows:

"Including the rectification of the Red and the Atchafalaya Rivers at the mouth of Red River, and for keeping open a navigable channel through the mouth of Red River into the Mississippi River."

Mr. WILLIS. That has been voted on.

Mr. BLANCHARD. Voted on three times.

Mr. BOUTELLE. It is a curious coincidence the amendments should

The CHAIRMAN. The gentleman will proceed.

Mr. BLANCHARD. The point of order has been made on this amend-

Mr. BLANCHARD. The point of order has been made on this amendment that it has already been voted on.

Mr. WILLIS. It has been voted on within the last twenty minutes.

The CHAIRMAN. So far as the Chair knows nothing has been done except adding after the word "river" the amendment proposed by the gentleman from Kentucky [Mr. TURNER] and another addition to that proposition by the gentleman from Louisiana [Mr. Ellis], and therefore as at present advised the Chair would not rule the amendment out.

Mr. WILLIS. The amendment of the gentleman from Iowa [Mr. Hyppurox] as well as other amendments, covered this same point.

HEPBURN], as well as other amendments, covered this same point.

The CHAIRMAN. They were amendments which were voted down.

Mr. WILLIS. I ask for a ruling whether the amendment is in order.

The CHAIRMAN. As at present informed the Chair holds it to be

Mr. WASHBURN. If this amendment had been presented would it now be in order?

The CHAIRMAN. It would not.

Mr. WASHBURN. It is precisely the same as offered by the gentleman from New York [Mr. HISCOCK].
Mr. BOUTELLE. The Chair has ruled my amendment to be in

Mr. WASHBURN. It is precisely the same amendment offered by the gentleman from New York [Mr. HISCOCK], and voted down. Mr. BLANCHARD. That is correct.

Mr. BLANCHARD. That is correct.

The CHAIRMAN. If that be true, that the amendment is precisely the same, the Chair would sustain the point of order, and rule the

Mr. BOUTELLE. I understood the Chair to rule that my amend-

The CHAIRMAN. The Chair ruled if it were not like amendments

already offered it would be received; but that if it were precisely the same as amendments already voted down it would not be in order.

Mr. BOUTELLE. I do not know of anything a man on the floor can do but to submit.

The CHAIRMAN. Submit then, and the Clerk will read the next amendment.

Mr. BOUTELLE. I should not think of appealing from the decision of the Chair.

The next amendment (by Mr. HEPBURN) was read, as follows:

After the word "river," in line 926, insert:
"Provided, That no part of the sums herein appropriated shall be expended in the erection or repair of levees situated on lands not owned by the United States,"

Mr. WILLIS. I make the point of order that that amendment has been already voted upon.
Mr. BRECKINRIDGE.

That whole question has been voted upon by the committee and disposed of.

Mr. WILLIS. And the substitute of the gentleman from Louisiana

[Mr. Ellis] was adopted by the committee.

Mr. HEPBURN. I have not been able to hear the point of order the gentleman makes.

Mr. WILLIS. The point of order is that this whole subject has been

already disposed of. Mr. HEPBURN. I think if the gentleman will compare the language of this amendment with what has been voted upon heretofore he will find that they are not identical in any respect.

Mr. WILLIS. I think the gentleman is mistaken; my recollection

is certainly that way.

The CHAIRMAN. The Chair does not recollect any case where a question pertaining to the levees on lands belonging to private individuals has been considered.

Mr. BRECKINRIDGE. All lands on which the levees are con-

Mr. BRECKINKIDGE. All lands on which the levees are constructed belong to private individuals.

Mr. WILLIS. It is well understood that they are lands belonging to individuals on the banks of that river, and that question having been already raised and voted upon covers this point.

Mr. BRECKINRIDGE. It is impossible to find a square inch of land down there that does not belong to some individual. This whole constitution has been disposed of already.

question has been disposed of already.

The CHAIRMAN. The Clerk will read a paragraph from the Digest

in regard to this subject.

The Clerk read as follows:

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order; for were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress instead of subserving the legislative will.

The CHAIRMAN. The Chair thinks, therefore, that this amendment is in order

Mr. HEPBURN. Mr. Speaker, there is, in my judgment, a strong reason why Congress should not authorize the construction of levees upon the property of private individuals that has not yet been discussed in connection with this bill. The Mississippi River Commission, year after year, has asked for legislation at the hands of Congress by which they could condemn property upon which erections of this character may be necessary in their judgment or where it shall be found necessary to get material for the improvement. They say that

extravagant prices are asked for such things.

Mr. DUNN. Was not that incorporated in the last river and harbor bill?

Mr. HEPBURN. I take it not, because the same demand for legislation is urged in the last report of the commission. They call attention to their frequent requests on this subject. They call attention to the exorbitant sums demanded of them for brush, poles, and piling, which they find necessary to use in connection with their work. They say that they are at the mercy of cormorants all along the river; even the very men I take it upon whose lands the levees are to be built and for whose benefit they are undertaken they say require exorbitant pay for such items. When it comes to the appropriation of a part of their lands or property they make these excessive demands, and, as the com-

mission say, we are completely at their mercy.

It seems to me that until gentlemen on that side of the House are willing to forget some of their notions about strict construction, and are willing to give the Congress of the United States the power to exercise the right of eminent domain in matters of this kind, they come here with very poor grace asking that these extraordinary appropriations for the benefit of private individuals should be made out of the Treasury.

[Here the hammer fell.]

The question being taken on the adoption of Mr. HEPBURN's amendment, there were on a division—ayes 36, noes 86.

Mr. HEPBURN. No quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted the Chair will appoint tellers.

has voted, the Chair will appoint tellers.

Mr. Hepburn and Mr. Breckinkidge were appointed tellers.

The committee again divided; and the tellers reported—ayes 48, noes

So the amendment was not agreed to.

The Clerk read the next amendment (submitted by Mr. BOUTELLE), as follows:

Strike out the entire paragraph commencing with line 922 and ending with

Mr. BOUTELLE. Mr. Chairman, if the gentleman in charge of this bill had not manifested so eager a desire to impede the expression of individual criticisms in regard to it I think some time might have

been saved with respect to the very few remarks I desire to offer.

My principal object in rising is to ask a question of the gentleman from Arkansas [Mr. BRECKINRIDGE], a member of the committee, who spoke on this bill when it was first reported to the House. I desire to ask that gentleman whether this improvement of the Mississippi River, for which this \$2,800,000 is proposed, is a continuation of that system of work advised by the Mississippi River Commission to which he referred the other day as likely to cost \$150,000,000, and which he denounces as a conspicuous failure, and to which he referred in the following language:

Mr. BRECKINRIDGE. Let me answer the gentleman.

Mr. BOUTELLE. Allow me first to quote the language on which I desire to base my inquiry. The gentleman from Arkansas said—

The commission-

have now a plan of operations sketched out to spend, as stated, \$150,000,000. The calculation is a very plain one, and there is not in any of their work a guarantee that it will last twelve months.

Mr. BRECKINRIDGE. I was emphatic in condemning the departures of the commission from the plan originally adopted for the improvement of that river. And therefore we propose to introduce into provement of that river. And therefore we propose to introduce into this bill instructions that the commission shall adhere to the plan of improvement that were set forth in the first report of the commission.

Mr. BOUTELLE. But I beg to state to the gentleman from Arkansas he now tells us something he proposes to introduce—

Mr. BRECKINRIDGE. I do not propose to permit this commission to go on and spend the money in the line of their departures from the original plan.

original plan.

Mr. BOUTELLE. I am endeavoring to discuss this bill as it is laid on our desks and presented to the House. And I find the gentleman from Arkansas made this statement—

Mr. BRECKINRIDGE. If you will read the bill it will answer you fully. Its present provisions are more stringent than we propose now, and we only relax this much under protest.

Mr. BOUTELLE. The gentleman made this statement:

Mr. BOUTELLE. The gentleman made this statement:

They can not point us to any experiments in this departure from the original plan and from reason showing that it will stand twelve months after a single

Mr. BRECKINRIDGE. And that is all perfectly true.

The CHAIRMAN. Debate on this amendment is exhausted.

The question being taken on Mr. BOUTELLE's amendment, it was not agreed to.

The Clerk read the following amendment, offered by Mr. WHITE, of Kentucky:

Strike out lines 926 to 938 and insert as follows:

"Improving Mississippi River from the head of the passes to the mouth of the Ohio River, \$155,000; of which sum \$80,000, or so much thereof as may be necessary, shall be used for the construction of a light-draught side-wheel steamer with dredge attached, and of sufficient power to move from place to place; also, ten wing-dam barges, each one hundred feet in length, enough to make a dam 1,000 feet in length; also, a small light-draught boat to be used in sounding and placing the barges in position on shoal water, and placing the whole under the control of a thoroughly practical river pilot. The said sums appropriated to be expended under the direction of the Secretary of War."

Mr. WILLIS. I make the point of order that that identical amend-

ment was voted on this morning.

Mr. WHITE, of Kentucky. I am glad my colleague has made the point of order. I desire to be heard on it.

Mr. WILLIS. My only desire is in good faith to go on with this bill, and I must make the point of order on this amendment already voted on this morning.

Mr. WHITE, of Kentucky. I do not see where the good faith comes in, when an hour was taken this morning contrary to the agreement of last night.

Mr. WILLIS.

Mr. WILLIS. I ask for a ruling.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky on the left [Mr. White] as to whether this amendment was of-

Mr. WHITE, of Kentucky. I desire to state I had a motion pending

Mr. WILLIS. I withdraw the point of order.

Mr. WHITE, of Kentucky. I thought the gentleman would withdraw the point of order when I stated the facts as they occurred.

Mr. Chairman, I desire to call the attention of the committee to the committee to the state of the tif this amendment should be adopted we will, in all probability of the committee to the commit Mr. Chairman, I desire to call the attention of the committee to the fact that if this amendment should be adopted we will, in all probability, accomplish for the navigation of the Mississippi River with the small sum of \$155,000 what is proposed, even if we still had Mr. Eads in the bill. Here is a communication from a practical river-man, which I shall insert under the general leave, a letter from Mr. T. L. Lee, formerly of Paducah, Ky., now of Memphis, Tenn., and a practical riverman, stating that with this small amount of machinery and with the

small sum of \$150,000 he can prevent the widening of the river, and can keep a navigable channel through the whole year round. And we can save the millions of money which we have been sinking under your commission plan.

Why, sir, think of it. The repairs last year cost two millions of dollars; the repairs the year before cost two millions of dollars. What has your commission done for the Mississippi River? And the end is not yet. We propose, if we follow this committee, if we follow your commission, if we follow Mr. Eads in any of these propositions-we propose

to take millions of money; we—
The CHAIRMAN. The time of the gentleman from Kentucky has

expired.

Mr. WHITE, of Kentucky. This is the cheapest way to improve the navigation of the Mississippi River.

The letter of Mr. T. L. Lee, referred to by Mr. WHITE, of Kentucky, This is the cheapest way to improve the

is as follows:

The letter of Mr. T. L. Lee, referred to by Mr. White, of Kentucky, is as follows:

Dear Sir: As the matter of improvement of the different rivers, and especially the Ohio and Mississippi, will be under consideration under different plans, I ask your aid in getting before the proper committee of Congress a plan of my own conception. It bears no indorsement from any river improvement commission or convention. I tried to reach Congress through the aid of the river improvement convention which met at Saint Louis in 1880, but I suppose the plan was too cheap, and found a burial (like most economical ones have) at the hands of the committee to whom it was referred. I now ask that the plan be considered on its own merits, without the aid of either council, convention, or commission, believing that your honorable body are fully competent to determine whether there is any merit in it or not. You will have enough convention, and commission business to dispose of anyhow. As you are aware, the difficulty of navigation on the Ohio and Mississippi Rivers during low water is due to a great extent to the formation of sand bars; and to the removal of such obstructions is what I desire to call your attention. The plan heretofore adopted has been to construct permanent and costly dams or dikes. These I consider failures to a great extent, as the cutting or wash occasioned by such structures is too great, and removes the difficulty from the point intended only to re-establish it again below and near the point of removal.

Dams and dikes are no doubt excellent improvements where shoals occur on firm bottoms, such as gravel, rock, &c. (such as the improvement now being made in the lower Ohio, at what is known as the Grand Chain, the object being to prevent the main channel flowing among rocks where steamers can not go); but where sand formations are the only trouble, temporary means can be adopted that will accomplish the work, and at a very small cost compared with the present system, and leave no dangerous obstruction when the ri

worst years ago are now no trouble, although no artificial means have been used.

Being somewhat conversant with the cost of building boats and machinery, I give it as my opinion that an outlay of \$150,000 by the Government will be sufficient to make a thoroughand practical test of the plan. Should it fail (of which I have no fears), all the appliances used could be used under the present system of work, except the dredge and gates on barges, which might be removed if not serviceable. The whole cost to the Government (as a loss) would not exceed 25 per cent. of the outlay.

As an experiment, I would suggest the construction of a light-draught side-wheel steamer, with dredge attached, and of sufficient power to move from place to place, ten wing-dam barges, each one hundred feet in length, enough to make a dam one thousand feet in length, and a small light-draught boat to be used in sounding and placing the barges in position on shoal water, and place the whole under the control of a thoroughly practical river-man.

It is well known to you, and to every one else who has paid any attention to such matters, that in many instances the obstructions to navigation caused by sand are not generally of great length; sometimes less than one hundred feet, known as reefs. Start the sand to washing in such places and it goes very rapidly. You will observe that by my plan you have the natural current, the force of the wheels of the steamer and dredge, all working in the proper direction. I think it would be a good idea to try both kinds of dredging, cylinder and water jets.

I have seen the boats constructed by the Mississipin River Commission to water jets.

I think it would be a good idea to try both kinds of dredging, cylinder and water jets.

I have seen the boats constructed by the Mississippi River Commission to wash the banks, and think a similar plan, with the use of my lever frame (used on the cylinder dredge) to keep the nozzles fixed on the bottom as the boat moved over the sand, would induce very rapid washing and accomplish much toward obtaining a uniform depth of water.

I believe on investigation it will be found but little has been accomplished to improve navigation between Louisville, Cairo, Saint Louis, and New Orleans during the last twenty-five years, except by removal of snags and establishing lights, both of which are a great benefit to commerce. I have my doubts of the success of any of the present great schemes for improvement of the Mississippi River, either by jettles or otherwise. If we attempt too much we may fall to do what is necessary, and by grasping at giant schemes lose what good might result from moderate and practical ones. Let us keep up our snagboat and lighthouse system in the most perfect manner—build dams or dikes where we have firm bottoms, and use portable means where sand is the trouble, and we will find the rivers ample to carry all we may produce, and not spend millions of dollars in trying to work up impossibilities.

I have submitted my plan to some very practical river-men, and have never had one to condemn it, and I might have procured a long list of petitioners indorsing it, but I claim the plan is so plain and the expense so little to try it (in comparison with other schemes), that petitions, conventions, and commissions

are not needed. I I therefore submit it on its face value, trusting you and your associates in Congress may deem it worthy of a trial.

Yours, respectfully,

PADUCAH, Ky., November 21, 1881.

The following is a communication from the War Department, with inclosure, in answer to a letter addressed to the Department by Mr. WHITE, of Kentucky:

WHITE, of Kentucky:

WAR DEPARTMENT, Washington City, April 13, 1882.

Sir: I have the honor to acknowledge the receipt of your letter dated the 14th ultimo, inviting the attention of the Department to a communication inclosed by you, containing the views of Mr. T. L. Lee, of Paducah, Ky., in regard to the improvement of the Ohio and Mississippi Rivers.

In reply to your request, that if the Department finds in the suggestions of Mr. Lee anything worth recommending you may be informed, I beg to invite your attention to the inclosed report of the 12th instant, from the Chief of Engineers, and the accompanying copy of a report from Maj. W. E. Merrill, Corps of Engineers, in charge of the improvement of the Ohio River, from which it will be seen that in the use of movable dikes or wing-dams Mr. Lee has been anticipated both in this country and abroad.

Very respectfully,

JOHN TWEEDALE,
Acting Chief Clerk,
(For the Secretary of War, in his absence).

Hon. J. D. WHITE,
Of Committee on Commerce, House of Representatives.

Hon. J. D. White.

Of Committee on Commerce, House of Representatives.

UNITED STAILS Engineer Office, April 5, 1882.

General: I have the honor to return here with the letter of Hon. J. D. White. Member of Congress, to the honorable Secretary of War, regarding the plan of the resement dated March 20, 1882, and to make the following report:

The use of movable apparatus for the removal of shoals is very ancient. There are doubtless many cases of such use of which I have no record, but the following are to be found in some of my books and reports. The earliest mention that I have discovered is in a work entitled Des Travaux du Fleuve du Rhiu, by A. J. Ch. Defontaine (Paris, 1835). On page 37 a certain apparatus of this character is described and the results obtained by using it are given, but there are no drawings of the device itself. These, however, may be found on plate 68 of Coust Constructions of Squarin and Reibell Car M. Minard (Paris, 1831) there is shown, besides the above-mentioned apparatus, another, somewhat similar, that was used on the Garonne.

In the Navigation Intérieure of De Lagrené (Paris, 1871), volume 2, page 174, mention is made of a number of similar devices as having been used on the canal of La Somme, on the Burgundy Canal, on the maritime canal of Abbeville, and in the sewers of Paris.

It should be stated, however, that all of the above are small affairs that are not applieable to rivers of any size, and their use differs from that of movable obstruction of the stream, and the volume of the river passes alongside. The underlying principle, however, is essentially the same.

In 1874 Mr. Julius Rapp, assistant city engineer of Saint Louis, requested my opinion of a movable dike or "patented portable wing-dam," invented by Messrs. Emerson and Doyle of that city, which had done good service in deepening a bar at the upper end of the city wharf. The patentees wished to have their apparatus on the ground of the expense attending it use on a large scale, and the upper end of the city wharf.

"After the spring floods in Russia the rivers fall to their low-water stage in May or June, and they ordinarily remain there with some slight oscillations until the breaking up of the ice in the following spring."

It is evident that a river that changes its level often during the low-water period is not well adapted to the use of movable apparatus of any kind, as the necessary changes in adjustment and the occasional removal of the whole apparatus would be annoying and expensive; it is also clear that the Volga is better adapted to the use of such affairs than the Ohio.

The extract from Michailoff's letter is apparently in favor of the use of these dikes. The only other Russian opinion on them that I have is that of Janicki, which may be found in Non-Tidal Rivers, pages 11 and 12. It will be observed that he refers to the same movable dikes of Yannkowski that are shown in tracing No. 1:

"To make this review complete I have yet to mention two or three secondary processes, whose action is only auxiliary and temporary, such as dredging, mov-

able apparatus for contracting channels, the reticulated dikes of Engineer Yannkowski, &c."

able apparatus for contracting channels, the reticulated dikes of Engineer Yannkowski, &c."

"In regard to temporary contrivances of various names and kinds, trellis-work, basket-work, temporary movable gates, &c., designed to momentarily cor., ract the channels of rivers, when they are properly and reasonably applied to removing bars, they can in certain places give incontestable results; but these results are generally so small, so insignificant, and dependent on so many surrounding circumstances that, in my opinion, no serious importance ought to be given to any of these methods. They can only be employed when the water has nearly reached its lowest stage, and when the bars are therefore exposed, and have already become troublesome to navigation. It only requires a slight rise, a storm, some carelessness in placing the apparatus, a shock, or perhaps a little too hard a knock from a boat or a raft, to disarrange them, and thus destroy the additional depth thus obtained over the bar by the aforesaid contrivances.

"Rivers, besides, have more than one bar in their course, and navigation will always find in one place or another more than one troublesome point, and consequently a gain of a few inches in depth at a small number of bars, and at comparatively great cost, does not in reality constitute a complete remedy for the evil. Such machines, however, have a moral effect, if I may be allowed the term. Boat-owners who have to suffer from low water on the bars complain less if they see that something is being done to relieve them. I know not how better to compare these means of temporary contraction than to the anodynes which a physician prescribes in order to quiet his patient until he can make a diagnosis of the disease and begin a really efficacious treatment."

It is evident, therefore, that even in Russia opinions are divided as to the advantages of movable dikes.

Figure 1 of tracing No. 2 shows that at the bar on the Volga, which is there shown, the dike had to be 4,600 feet, or seven-eighths of a mile, lo

WILLIAM E. MERRILL, Major of Engineers.

Brig. Gen. H. G. WRIGHT, Chief of Engineers.

MINISTRY OF PUBLIC WORKS, St. Petersburg, June 1, 1880.

MINISTRY OF PUBLIC WORKS, St. Petersburg, June 1, 1880.

DEAR SIE: A year ago I received your letter, stating your wish to have some information concerning the dikes and dams on the Volga; but since that time I have been quite ill and therefore unable to give you the desired information.

For twenty years there have been no fixed dikes constructed on the Volga. The reason for this was the failure of the fixed dikes constructed on the Volga. The reason for this was the failure of the fixed dikes constructed on the Volga has been regulated by floating movable dikes.

The most considerable obstructions to navigation are encountered between Rybinsk and the mouth of the river Kama. The works were designed to give, in the lowest stage of the river, a channel depth of 3 feet 9 inches from Rybinsk to the mouth of the Oka, and of 5 feet 3 inches from the mouth of the Chana.

This was attained by the use of floating rafts with movable dikes, the construction of which is shown on the inclosed tracing No. 1. The dikes are disposed in lines parallel to the channel, as is shown in figure 1 of tracing No. 2, and their effect is indicated in figure 2 of the same tracing.

Many shoals have entirely disappeared from the effect of these movable dikes. The annual expense of maintaining these dikes, including necessary repairs and removals, is about 15 per cent. of their first cost.

The engineers in charge of these works have at their disposal eighteen miles of the dikes, together with five steamboats and three dredges, and with these they are able to maintain the indicated depth of channel in the Volga from Rybinsk to the mouth of the Kama.

*

I remain, yours, very truly,

P. MICHAILOFF,

Government Engineer,

P. MICHAILOFF, Government Engineer.

Col. WILLIAM E. MERRILL. United States Engineers, Cincinnati Ohio.

[The following, showing the opinion of General A. A. Humphreys, Chief of Engineers until 1879, is also printed by Mr. White, of Kentucky, in connection with his remarks under the general leave to print:

Chief of Engineers until 1879, is also printed by Mr. WHITE, of Kentucky, in connection with his remarks under the general leave to print:

An outlet is intended for a waste-weir in floods only, and is not designed to discharge any water when the river has returned within its banks. Its opponents have claimed that a high-water outlet so permanently built as to remain always unchanged, and which merely discharged sufficient water during flood as to keep the river within its banks, would raise the bed of the river below, and instead of lowering the floods below would raise the bed of the river below, and instead of lowering the floods below would raise the me. And this they said it would do, because a river always carries an amount of sediment exactly proportioned to the velocity of its current, and if the velocity of that current was reduced sediment would be dropped and a shoal at once be formed.

But, as I have already explained, all the facts ascertained on the Mississippi River disprove this dogma. Indeed, if it was true, and if it was true that the river bed just below the Bonnet Carré crevasse shoaled up thirty feet in 1850 because of that crevase, then the river bed at New Orleans ought to have filled up completely to the top of its banks long ago, since it is determined beyond question by the investigations of General Abbot and myself that the river there in its low stages and least currents often has more sediment in its water than at very much higher stages and swifter currents.

Mr. WASHBURN. But I understood you to say that the Bonnet Carré crevasse did not shoal the main river below the crevasse.

General Humphreys. That is what I said.

Mr. WASHBURN. And I understand you now in answer to Mr. Townsend-to give an opposite opinion as to the effect of an outlet.

General Humphreys. That is what I said.

Mr. WASHBURN. It thought the point you were discussing was the effect that a crevasse would have upon the main channel below.

General Humphreys. That was the point, but the question now is the final re

Mr. Washbuen. But I understood you to say that the Bonnet Carré crevasse did not cause any change in the channel below.

General Humphers. Yes; it did not cause any change at that point or elsewhere in the channel.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. White].

The committee divided; and there were—ayes 2, noes 92.

Mr. WHITE, of Kentucky. I make the point that a quorum has not voted. A provision that carries so many millions of dollars to destruction should be considered by a quorum.

The CHAIRMAN. A quorum not having voted the Chair will order tellers, and appoints the gentleman from Arkansas [Mr. Breckin-ridge] and the gentleman from Kentucky [Mr. White].

Mr. WILLIS. It was agreed with the Committee on Appropriations we should occupy a certain time. That time has now expired; and in pursuance of the agreement I move the committee do now rise.

The metion was agreed to: and the committee accordingly rose.

The motion was agreed to; and the committee accordingly rose. The SPEAKER (Hon. J. G. Carlisle) here assumed the chair after an absence of two weeks on account of sickness. His appearance in the chair was the signal for loud and prolonged bursts of applause from members throughout the whole House

Mr. HAMMOND reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 8130) making appropriations for the construction, repair, and preserva-tion of certain public works on rivers and harbors, and for other pur-

poses, and had come to no resolution thereon.

CHANGE OF REFERENCE.

Mr. McMILLIN. Mr. Speaker, I ask unanimous consent that the reference of the bill (H. R. 8015) for the relief of Edward G. Pendleton be changed, and that it be referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

The SPEAKER. In the absence of objection it will be so ordered.

ORDER OF BUSINESS.

Mr. HUTCHINS. Mr. Speaker, I move that the House do now resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the naval appropriation bill.

Mr. WILLIS. Pending that, Mr. Speaker, I rise to a privileged mo-

tion.

The SPEAKER. The gentleman from New York [Mr. HUTCHINS] moves that the House do now resolve itself into Committee of the Whole moves that the House do now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering a general appropriation bill. Pending that the gentleman from Kentucky [Mr. WILLIS] rises to a privileged question, which he will state.

Mr. WILLIS. I move that at 6 o'clock p. m. to-day the House take a recess until 10 a. m. to-morrow.

Mr. VALENTINE. Mr. Speaker, before that motion is put I desire to ask the gentleman from Kentucky [Mr. WILLS] if he will consent

to ask the gentleman from Kentucky [Mr. Willis] if he will consent that before 11 o'clock to-morrow the committee shall rise in order that

Mr. WILLIS. Yes, sir.

Mr. BROWN, of Pennsylvania. Mr. Speaker, with the understanding that there is to be an adjournment before 11 o'clock to-morrow I have no objection to the motion of the gentleman from Kentucky [Mr. WILLIST

The SPEAKER. The gentleman from Kentucky [Mr. WILLIS] has

so stated.

The motion of Mr. WILLIS was agreed to.

Mr. WILLIS moved to reconsider the vote by which that motion was agreed to; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:
A bill (H. R. 7585) for the relief of William M. Gardner;

A bill (H. R. 7584) for the relief of A. P. Montgomery; and A bill (H. R. 3258) to authorize the construction of a bridge across the Saint Croix River at the most accessible point between Stillwater and Taylor's Falls, Minn.

ORDER OF BUSINESS.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. HUTCHINS], that the House resolve itself into Committee of the Whole House on the state of the Union for the pur-

pose of considering a general appropriation bill.

Mr. KEIFER. Mr. Speaker, before that motion is put I desire to make a suggestion in relation to the discussion that is to take place on I wish to suggest that when the House resolve itself into Committee of the Whole on the state of the Union we go on with the reading of the bill—not the first part of it, the reading of which may be dispensed with—that we go on with the reading of the bill until we come to that part relating to the increase of the Navy, and have the general debate at that time. I think that plan will facilitate the dispatch of business this evening.

Mr. RANDALL. Mr. Speaker, there is no reason that I am aware of why we should depart from the usual course with reference to this bill. There is no disposition on the part of the committee to abridge

debate beyond the necessities of the session.

debate beyond the necessities of the session.

Mr. KEIFER. Mr. Speaker, in answer to the gentleman from Pennsylvania [Mr. RANDALL], let me remark that I am not saying anything about abridging debate or extending it because, so far as I know (speaking for myself and some others on this side of the House) we do not desire to prolong debate. I am speaking of an understanding as to the part of the bill upon which the general debate shall take place, and I have suggested that we go on and read the bill up to that point, and we will try to get through the general debate as rapidly as possible.

Mr. RANDALL. Mr. Speaker, I think general debate had better begin at once.

gin at once

The SPEAKER. There seems to be objection to the suggestion of the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. I am sorry for it.

Mr. THOMAS. Mr. Speaker, I desire to reserve the point of order

on this bill.

The SPEAKER. The point of order has been reserved. The question is on the motion of the gentleman from New York [Mr. HUTCH-

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. Wellborn in the chair), and proceeded to consider the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other

Mr. HUTCHINS. I ask unanimous consent that the first reading

of the bill be dispensed with.

The CHAIRMAN. In the absence of objection it will be so ordered.

Mr. HUTCHINS. Mr. Chairman, I will not detain the committee at this stage of the discussion by any extended remarks, but I will ask for the reading of the report; first stating to the House that the report is full in detail and gives a better explanation of the bill and its provisions than I could give if I should talk for an hour. I now ask that the report be read.

The Clerk read as follows:

The Clerk read as follows:

The Committee on Appropriations, in presenting the bill making appropriations for the naval service for the fiscal year ending June 30, 1886, submit the following in explanation therof:

The estimates upon which the bill is based will be found on pages 103 to 116 of the Book of Estimates, and aggregate \$30,555,899.50, not including \$98,111, which is payable from the naval pension fund, of which sum there is specifically recommended in the accompanying bill \$13,515,837.95, together with \$60,067 for the naval asylum, which is payable from the naval pension fund, being \$1.464,-643.64 less than the appropriations for like purposes for the current fiscal year.

The bill also, by section 2 thereof, makes an indefinite appropriation for the increase of the Navy.

Following is a table showing in detail the estimates for 1886, amounts recommended for 1836, appropriations for 1885, and expenditures for 1884.

Naval establishment.	Estimates, 1886.	Recom- mended, 1886.	Appropria- tions, 1885.	Expenditures, 1884.
Pay of the Navy and miscellaneous Contingent of the Navy. Increase of the Navy. Navigation and supplies, Bureau of Navigation Civil establishment, Bureau of Navigation Contingent, Bureau of Navigation Coean surveys, Bureau of Navigation. Ocean surveys, Bureau of Navigation. Survey of west coast of Mexico, Bureau of Navigation. Compass-testing house, Bureau of Navigation. Publication of professional papers, Bureau of Navigation.	100,000 00 15,071,572 62 130,000 00 6,000 00 5,000 00 20,000 00 10,000 00 7,000 00 12,000 00			1, 839, 266, 75 103, 064, 30 4, 954, 54 4, 306, 93 7, 106, 91 2, 280, 80
Naval-war collège, Bureau of Navigation. Ordnance and ordnance stores, Bureau of Ordnance. Civil establishment, Bureau of Ordnance. Contingent, Bureau of Ordnance. Repairs, Bureau of Ordnance. Torpedo Corps, Bureau of Ordnance. Equipment and recruiting, Bureau of Equipment and Recruiting.	856, 715 00	205,000 00 5,000 00 3,000 00 15,000 00 60,000 00 800,000 00	125,000 00 5,000 00 3,000 00 15,000 00 50,000 00 750,000 00	171, 702 74 4, 990 67 3, 862 39 17, 499 79 77, 919 34 802, 703 14

^{*} By section 2 of the bill an indefinite sum is appropriated for increase of the Navy.

Table showing in detail the estimates for 1886, &c. - Continued.

Naval establishment.	Estimates, 1886.	Recom- mended, 1886.	Appropria- tions, 1885.	Expenditures,
Civil establishment, Bureau of Equipment and Recruiting	\$18, 251 75 20, 000 00	\$9,000 00 15,000 00	\$9,000 00 10,000 00	\$ \$8,837 05 17,849 07
Contingent, Bureau of Equipment and Recruiting. Transportation and recruiting, Bureau of Equipment and Recruiting.	35,000 00	30,000 00	25,000 00	36,503 05
Maintenance of yards and docks, Bureau of Yards and Docks	425, 289 00 45, 929 75	200,000 00	200,000 00	203, 470 55 23, 979 42
Civil establishment, Bureau of Yards and Docks	25,000 00	20,000 00	15,000 00	19, 115 71
Medical department and civil establishment, Bureau of Medicine and Surgery	60,000 00	60,000 00 25,000 00	60,000 00 25,000 00	51, 173 91 16, 188 21
Contingent, Bureau of Medicine and Surgery.	25,000 00 20,000 00	10,000 00	10,000 00	18,595 56
Repairs, Bureau of Medicine and Surgery. Naval-hospital fund, Bureau of Medicine and Surgery. Provisions for the Navy, Bureau of Provisions and Clothing.	30,000 00	30,000 00	30,000 00	29,868 04
Provisions for the Navy, Bureau of Provisions and Clothing	1, 275, 840 62 12, 411 50	1,085,000 00	1,100,000 00	1,057,202 77 5,979 94
Contingent, Bureau of Provisions and Clothing Construction and repair, Bureau of Construction and Repair.	60,000 00	50,000.00	35,000 00	30,803 40
Construction and repair, Bureau of Construction and Repair	1,750,000 00 32,858 75	1,400,000 00	1,000,000 00	1,353,303 46 17,022 36
Civil establishment, Bureau of Construction and Repair		950,000 00	*780,000 00	1.063,744 19
Civil establishment, Bureau of Steam-Engineering	17, 317 25	10,000 00	10,000 00	9,025 56
Contingent, Bureau of Steam-Engineering. Pay of Naval Academy	1,000 00 102,525 45	1,000 00 98,829 45	1,000 00 98,856 09	505 75 97, 789 95
Repairs and improvements, Naval Academy	21,000 00	21,000 00	21,000 00	21,000 00
Heating and lighting, Naval Academy	17,000 00 45,500 00	17,000 00 44,400 00	17,000 00 44,400 00	17,000 00 44,391 75
Pay of Marine Corps	670, 842 00	649, 642 00	650,075 00	633, 756 15
Provisions, clothing, miscellaneous, and contingent, Marine Corps		219,686 50	220, 436 50	215, 187 20
Total naval establishment	30, 555, 899 50	13, 575, 837 95	14, 980, 472 59	†15, 409, 108 12
Naval asylum, Philadelphia, Pa., Bureau of Yards and Docks‡	98, 111 00	60,067 00	59, 813 00	59,813 00

*Also \$140,000 reappropriated from unexpended balance for the monitors.
†In addition to the expenditures for 1884 on account of the enumerated items estimated for 1886, there was expended from the appropriation of "General Account of Advances" during 1884 an excess of expenditures over adjustments of \$588,604.56, which, when the accounts are adjusted, will be added to the various appropriations for which payments were made.

‡Payable from naval pension fund.

New legislation of a general character is contained in the bill, as follows:

"Sec. 2. The President of the United States is hereby authorized to select and appoint a board to consist of three civilians, who shall be skilled in naval architecture and engineering, and three naval officers, one of whom shall be of the line of the Navy above the rank of captain, one a naval constructor, and the third a naval engineer, with the Secretary of the Navy as the seventh member and president of said board.

"Said board shall meet in Washington within thirty days subsequent to their appointment, and, after organization, prepare and cause to be printed and sent to all ex-Secretaries of the Navy, all officers, and retired officers of the line and staff of the Navy, to prominent ship-builders, marine and naval architects, engineers, and others interested in such matters, a circular asking for such suggestions, advice, and information, as they may see fit to offer, within such time as the board may fix, in relation to the types of war vessels necessary for an adequate naval establishment for the United States.

"The board shall, on receipt of replies to such circulars, consider the subject and determine the general classes and character of the vessels to be constructed, and, on approval by the President, shall cause extensive notice to be given calling on marine architects, engineers, inventors, and others skilled in the art of designing and building ships of war for competitive designs for such types of vessels as in the opinion of the board should be first constructed; the designs to consist of exact display and working plans, drawings, specifications, and estimates, accompanied by suitable builder's models, to be presented within a certain day.

"The board shall fairly and equitably consider and determine the relative merits of the various designs and exhibits so presented for competition, and shall make awards for the same for each of the classes of vessels, not exceeding four, that may be deemed worthy of adoption for the

\$5,000.

"The board shall complete its work and report to the President on or before the 1st day of December, 1885, all plans it may deem worthy of notice, and full information of all its acts and awards, for transmission to Congress with such recommendations as he may deem advisable; and said board shall also consider whether the five unfinished monitors are suffering from their present incomplete condition, and whether they should be completed and armed, and shall

embrace their conclusions and recommendations thereon in their report on said classes of vessels to the President, for transmission to Congress.

"One vessels to the President, for transmission to Congress.

"One vessel of each class recommended by the board to be first built, if the recommendation be approved by the President, shall be built of American material and in the United States, by contract by the Secretary of the Navy with the lowest responsible bidder, to be awarded after due advertisement inviting proposals therefor; and such contractor shall execute bond in such penalty and with such security as the Secretary of the Navy shall fix and approve for the faithful execution of the contract. The material used in the construction of said vessels shall be subjected to such tests as the Secretary of the Navy may prescribe, and said vessels shall be built under his supervision.

"The board shall have authority to employ such expects draughtsmen, and

prescribe, and said vessels shall be built under his supervision.

"The board shall have authority to employ such experts, draughtsmen, and cierical assistance as it may deem necessary. The pay of the civilian members of the board shall be \$10 per day and actual traveling expenses; and the pay of its employes shall be suchjas is fixed by law in the Navy Department for like services. The necessary money to pay the expenses of the board and its awards, and for the building of the vessels as herein provided for, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid, under the directions of the President of the United States, by a naval pay-officer to be detailed therefor by the Secretary of the Navy.

"The provisions of this section shall take effect immediately after the passage of this act.

"SEC. 3. That no officer whose name is borne on the retired-list of the Army, Navy, or Marine Corps shall hold position in the civil service or other employment of the Government, and draw the salary or compensation thereof together with his pay as a retired officer of the Army, Navy, or Marine Corps: Provided, That any such retired officer accepting a position in the civil service or other employment of the Government may, at the time of acceptance, elect to take the salary of such position or in lieu to retain his pay as a retired officer: Provided further, That the restrictions of this section shall not apply to any officer below the rank of major in the Army or Marine Corps, or commander in the Navy who has been retired by reason of wounds received in service, or to any retired officer of the Army, Navy, or Marine Corps designated by law to perform civilian duty."

Appropriations for, and balances on account of, pay of the Navy, July 1, 1876, to January 1, 1885.

Year.	Balances con- solidated under act of June 20, 1874 (18 Stat., 110).	Balances July 1, each year.	Appropria- tions each fiscal year.	Amount available (to- tal balances and ap- propriations).	Balances June 30, each year.	Liabilities at end of each period, estimated.
1871. \$\frac{1}{2}\$ 1872	580 72 71 03 144 06 1,294 90					
Total	CONTROL AND SAND				58,086 26	
Fiscal year— 1877. 1878. 1879. 1880. 1881. 1882. 1882. 1883. 1884. First half 1885.		\$58,086 26 13,424 98 599,788 19 209,819 70 1,397,400 78 1,747,521 73 1,629,067 75 2,051,072 59 2,182,550 75	\$6,750,000 00 7,365,592 12 6,868,275 00 6,768,275 00 6,965,075 62 7,078,650 00 7,236,980 00 7,133,980 00 3,566,990 00	\$6, 808, 086 26 7, 379, 017 10 7, 468, 063 19 6, 978, 094 70 8, 362, 476 40 8, 826, 171 73 8, 866, 047 75 9, 185, 052 59 5, 749, 540 75	13, 424 98 599, 788 19 209, 819 70 1, 397, 400 78 1, 747, 521 73 1, 629, 067 75 2, 051, 072 59 2, 182, 550 75 *2, 817, 081 36	\$900,000 1,000,000 1,050,000 1,200,000 1,350,000 2,200,000

^{*} December 31,

NAVY DEPARTMENT, Washington, January 23, 1885.

SIR: I have the honor to transmit herewith, for your information, a statement showing the number of officers of the Navy, in certain grades, allowed by the act of Congress of August 5, 1882, the number on the list at present, and the number yet to be reduced.

The several grades omitted from this statement were not affected by the operations of the act above referred to.

Very respectfully, your obedient servant,

WM. E. CHANDLER.

WM. E. CHANDLER, Secretary of the Navy.

Hon. SAMUEL J. RANDALL, House of Representatives.

[Navy Department, Washington, January 19, 1885. Ensigns on this list have been omitted. Number allowed by law, seventy-five. Act of June 26, 1884, consolidated two grades. The number of senior ensigns, were that grade still extant, would be eighty-two.]

	Allowed under act August 5, 1882.	On list at present.	Yet to be reduced.
Rear-admirals Commodores Captains Commanders Lieutenant-commanders Lieutenants Lieutenants, junior grade. Chief engineers. Passed assistant engineers. Assistant engineers. Pay-diffectors. Pay-diffectors. Pay-inspectors. Pay-masters. Passed assistant paymasters. Assistant paymasters.	45 85 74 250 75 70 60 40 13 13	6 17 45 85 74 256 81 70 87 75 13 13 48 27 19	0 77 0 0 6 6 6 0 277 35 0 0 8 7

Mr. LONG (interrupting the reading). I presume it is not necessary for the Clerk to read that portion of the report which merely recites provisions contained in the bill, as they will be read when we come to

Mr. HUTCHINS. I will not ask for the further reading of the report, as I presume every gentleman has a copy of it before him.

Mr. KEIFER. Having had some consultation with gentlemen on

the other side, I desire to renew my proposition that by unanimous consent we now proceed to the consideration of the bill under the fiveminute rule, dispensing with general debate upon the bill in general, but that when we come to the part of the bill relating to the increase of the Navy we then have discussion on that proposition in the nature

of general debate for two hours on each side.

Mr. HUTCHINS. I presume the gentleman refers to section 2.

Mr. KEIFER. I employed that general expression to indicate sec-

Mr. KEIFER. tion 2 of the bill.

Mr. HUTCHINS. For my part I have no objection to that arrangement, this side of the House taking such portion of the two hours as may be deemed proper, and two hours being allowed to the other side.

The CHAIRMAN. The proposition of the gentleman from Ohio is that this bill be now read by paragraphs under the five-minute rule until section 2 is reached, and upon that section general debate be had for two hours on each side. Is there objection? The Chair hears none.

MESSAGE FROM THE PRESIDENT.

The committee rose informally; and Mr. BAGLEY took the chair as

Speaker pro tempore.

Several messages from the President of the United States were communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed the bill (H. R. 7131) to authorize suits for damages where death results from the wrongful act or neglect of any person or corporation in the District of Columbia.

NAVAL APPROPRIATION BILL.

The Committee of the Whole House on the state of the Union resumed its session, Mr. WELLBORN in the chair.

The Clerk read as follows:

For the completion and test of two breech-loading rifle cannon of the larger calibers now in course of construction for the Navy, with carriages and ammunition for both, \$80,000: Provided, That the test shall be conducted as follows: With battering charges for two hours, and under the most rapid continuous rate of firing, as near as may be like the conditions of a hotly-contested battle; then with the service charge not less than five hours. Permission, with ample notice to be present, shall be given to all persons who indicate a desire to examine the preliminary preparation and witness the firing. Expenditures of public money on all other naval cannon of and above said caliber shall cease until this public test has terminated. And all the facts and incidents of the test shall be reported to Congress by the Chief of the Bureau of Ordnance as soon thereafter as possible.

Mr. HUTCHINS. I am instructed by the Committee on Appropriations to submit the following amendment:

After the paragraph just read insert the following: For completing a 6-inch wire-wound gun, \$4,000.

The amendment was agreed to.

Mr. CURTIN: I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

For testing American armor made of American material, \$25,000.

Mr. HUTCHINS. I reserve a point of order on this amendment. The CHAIRMAN. The gentleman from Pennsylvania [Mr. CURTIN] is entitled to the floor.

Mr. HUTCHINS. I withdraw the point of order.

Mr. CURTIN. Mr. Chairman, I propose this amendment with the expectation that it will be accepted as proper by this House. I do not expectation that it will be accepted as proper by this House. I do not know of any line of discovery or any practical results depending upon the ingenuity of man in which the American people are not equal to those of any part of the world. We propose to build a navy; and I sincerely trust that the incoming administration will be committed to the propriety of such protection to this great country. But I propose we shall build that navy here, and build it of material manufactured in the United States.

We have been buying our armor-plate abroad at immense cost. make to-day a better steel than is manufactured in any part of the world. If you will call at the Ordnance Department the officers will tell you this is the fact. And we can make it cheaper than it is made

abroad.

If we are to build a navy of iron-clad ships, and make them all at home, we make our navy popular. And if war, with its calamities, should ever come upon this country, we shall demonstrate to the world that we are equally prepared for defensive or offensive warfare.

Mr. Chairman, the American people have never failed to assert their

ingenuity and energy and power or their valor upon land and sea. 1812-113 they improvised a navy with which they fought upon the high seas. Our history is illustrated for all time by the heroic conduct of the officers and sailors of that Navy; and when the Army surrendered in Canada and the Capitol of this country was burned, the Navy

dered in Canada and the Capitol of this country was burned, the Navy fought this nation into consequence.

Why, Mr. Chairman, we commenced the late war with muskets loaded at the muzzle by ramrods—many of them flint-locks. We introduced as the first step in progress the Springfield rifle and the Snyder rifle; and at last we gave to the world the Winchester rifle. The guns we thus introduced were adopted by the other nations of the world. Following our example, Germany, in 1866, in her great war with Austria, succeeded by the superiority of her arms; and in the late war between Russia and Turkey, where the Russians failed to take the Turkish forts, the Turks resisted the assaults with American guns.

Mr. Chairman, in three hours down here in Hampton Roads we revo-

Mr. Chairman, in three hours down here in Hampton Roads we revolutionized naval warfare for all the world. The Merrimac and the Monitor taught all the nations that they could only engage in warfare upon the sea with iron-clad ships. But we stopped there. Foreign nations

improved on the examples we set them.
[Here the hammer fell.]

Mr. ELLIS obtained the floor, and said: I yield to the gentleman

from Pennsylvania.

from Pennsylvania.

Mr. CURTIN. Foreign nations improved on what was developed from the brain of the American people, until at last they have navies, while we have no Navy that can contend with them on the high seas or in domestic defense. There is no man in this enlightened presence who, if he has read the condition of things abroad, the unrest in Europe, the coalitions there forming, does not fear (if he is not convinced) that there is a war impending which may shake the commerce, trade, and civilization of all the world. ization of all the world.

If such a calamity should fall on humanity this great nation should be prepared to take her part, if in the providence of God she should be thrown into any such contest, and we should be prepared for it.

Mr. Chairman, when in the history of this wonderful people has there Mr. Chairman, when in the history of this wonderful people has there ever been a discovery or improvement in machinery, in art or science, in the world where if you invite capital and enterprise and ingenuity the American mind is not equal to it. I, sir, amin favor of building a navy that will be formidable in war, respected in time of peace, and equal in its character and force to the dignity and power of this great people. I offer that amendment that we shall satisfy the world if we do build a navy we will do it here with American capital American ingenuity, and American material. [Applause.]

Mr. TALBOTT. Did the gentleman have in view the deflective armor invented by Mr. Clark?

Mr. CURTIN. No matter what kind; my amendment includes that as well as all others.

as well as all others

Mr. KEIFER. I move to strike out the last word. I do not desire, Mr. Chairman, to prolong the debate on this subject. I wish to say, if this bill as a whole should be adopted and become law, it is highly important the amendment of the distinguished gentleman from Pennsylvania should prevail. Now, later on I hope to be able to give the reasons why I am not in favor of certain portions of the bill which provide for the construction of certain vessels for the United States Navy out of American material and in the United States, yet I wish now to say I am in favor of the construction of a navy for the United States, one which will be ample and a needful one, that will meet the requirements of the country, and I am in favor of that Navy being constructed of American material and in the United States. American material and in the United States.

Mr. CURTIN's amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and a message was received from the Senate, by Mr. McCook, its Secretary, announcing the adoption of the conference report on the disagreeing votes of the two Houses on the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, and for other purposes.

NAVAL APPROPRIATION BILL.

The committee resumed its session; and the Clerk proceeded with the reading of the bill. The Clerk read as follows:

For the completion of the New York, \$400,000.

Mr. CANNON. I make the point of order on that paragraph, and I rest it upon two grounds: First, that it is new legislation; and in the second place, that it does not retrench expenditure, but rather involves expenditure. I am informed by a member of the Committee on Naval Affairs that the construction of this vessel never was authorized by law, that it has been in New York from 1865 to the present time. How that may be I do not know, except that such is my information.

Mr. RANDALL. If the gentleman wishes to discuss the measure I

have no objection, provided we can be allowed to be heard in reply.

Mr. CANNON. I will not discuss the paragraph, but confine myself to the point of order.

Mr. RANDALL. If this is subject to the point of order it goes out, and we can not be heard in reply to the gentleman if he makes any remarks on the merits of the case.

Marks on the merits of the case.

Mr. CANNON. Precisely.

Mr. RANDALL. I only ask if the gentleman discusses the merits on his point of order that there may be an opportunity to answer him.

Mr. CANNON. I am not discussing the merits at all.

Mr. RANDALL. I thought you were.

Mr. CANNON. I was stating my point of order and shall confine

myself strictly to it.

Now, I find by referring to Executive Document No. 48, first session Forty-eighth Congress, that the original cost of the New York was \$581,000. When I turned to the law making appropriations for six months of the current year I find a provision in the following language. I have not the law before me, but I read from the current bill, which is a copy of the law:

Provided. That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs, to be appraised by a competent board of naval officers, shall exceed 39 per cent, of the estimated cost, appraised in like manner, of a new ship of the same size and like material.

That has been the law precisely for three years past and is again enacted for the current year. It is existing law, namely, that no money shall be expended for repairs of any wooden ship where the estimated cost of the repairs exceed 20 per cent. of the present value of the ship. It is 30 in the bill but 20 in the law. They propose to enlarge the limit and change the law in that respect. The original cost was half a million dollars, and it is proposed to spend \$400,000 more, they say, for completion. That means for reconstruction, of course. I think it is new legislation, changes the law, and is subject to the third clause of Rule XXI.

Mr. RANDALL. If I understand correctly the point of order the

Mr. RANDALL. If I understand correctly the point of order the gentleman raises against the paragraph in relation to the completion of the New York is that the bill appropriates \$400,000 not in accordance

Now, Mr. Chairman, there has already under appropriations been expended on that vessel \$200,000, and it is therefore a public work in progress of construction. The clause of Rule XXI on which the gentleman relies is as follows:

3. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously author-ized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

There has been a law by which \$200,000 has been expended on this very vessel, and this paragraph proposes to appropriate \$400,000, in compliance with the suggestion of the Chief of the Bureau, to complete

the vessel.

The CHAIRMAN. The gentleman from Illinois claims this is an old ship upon which \$500,000 has already been expended.

Mr. RANDALL. Not \$500,000, but \$200,000.

Mr. CANNON. It is \$500,000 in the document I have here.

Mr. RANDALL. It is not an old ship at all.

The CHAIRMAN. The gentleman from Illinois claims this to be an alled this and that there is convertible and alled the second that there is convertible and alled the second that there is convertible.

old ship, and that there is now existing a law preventing repairs on any wooden vessel when the estimated cost of the repairs exceed 20 per

cent. of its value.

Mr. RANDALL. That means repairs on a vessel that has been in commission. This applies to an incompleted vessel, a vessel that has never been in commission, and is still on the stocks in an unfinished

The CHAIRMAN. The Chair will ask the gentleman with reterence to this point of order whether this vessel has been completed or not?

Mr. RANDALL. I have just stated that it has not been completed.

There has been expended upon it some \$200,000, but it is yet on the

stocks, and this appropriation provided in the bill is to complete it in conformity with the recommendation of the Bureau of Construction.

Mr. LONG. This appropriation is simply for the completion of the

Mr. LONG. This appropriation is simply for the completion of the ship which has never been completed, and not for its repair.

Mr. THOMAS. The point, to put it briefly, is simply this: This ship has never been authorized by law; its construction has never been authorized. Therefore the beginning of the ship by the Navy Department without authority of law will not save it against the point of order, which prohibits the expenditure of money on objects not expressly authorized by law.

Now this provision is obnoxious to the third clause of the twentyfirst rule in this, that it is an attempt made here for the completion of a vessel begun without authority and which never has been authorized

by law. That is the point.

Mr. RANDALL. In response to the gentleman from Illinois, I will say that we have a right to conclude that this vessel was commenced in accordance with law; and the onus is on the gentleman himself to show that it was not so authorized.

Mr. THOMAS. I defy the gentleman to show where it was ever au-

Mr. Phoblas. It dely the gentleman to show where to the three thre informed.

Mr. CANNON. I now send to the desk for the examination of the Chair the executive document of which I spoke a short time ago and

from which I quoted.

I want to say in reply to the gentleman from Pennsylvania that I do not think this appropriation can be sustained under the clause of Rule XXI which has been referred to by him. I will read it:

No appropriations shall be reported in any general appropriation bill, or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Now, sir, this is not a public work in progress; on the contrary, the appropriation under which the expenditure has been made was made appropriation under which the expenditure has been made was made and expended twenty years ago, and there the ship, I am informed, has lain from that day until the present. I grant you if the appropriation had been made last year and the work had been in progress from year to year it would have been a continuing work, and the point of order might be saved under that clause of the rule. So much for that; I mean unless it were affected by the provision of law in reference to the 20 per cent. expenditure to which I have before called the attention of the Chair, and of which the Chair will take notice in ruling upon the resist of order.

Now, in reply to the gentleman, my colleague from Illinois [Mr. THOMAS] has stated that the construction of this ship never was authorized by law. I do not know how that is. If it was authorized by law, then I call on gentlemen to furnish that authority.

Mr. COX, of New York. It was done six years ago.

Mr. TALBOTT. The presumption is that it has been authorized by law; but the burden of proof rests on you.

law; but the burden of proof rests on you.

Mr. CANNON. I do not yield now; but if the gentleman can furnish the authority of law under which this construction was begun I will yield for an answer.

Mr. COX, of New York. And I tell the gentleman that six years

Mr. COX, of New York. I could look it up—
Mr. THOMAS (interrupting). Why it was begun in 1865, twenty

Mr. COX, of New York. Yes; but there was an appropriation made

Mr. COX, of New York.

Tes, satisfied it six years ago.

Mr. CANNON. Six years ago; well, that is exceeding lean. Now, I say it is well fixed, it has been driven home here by points of order by the gentleman from Pennsylvania himself time and again until it has become a part and parcel of the existing law of this country, that no ship can be constructed lawfully until there is authority of law for it.

Mr. TALBOTT. Will you yield for a question?

Mr. CANNON. Not now.

Mr. CANNON. Not now.

Now, if I moved an amendment here to build a new ship, costing \$4,000,000, and appropriating the money, the gentleman could rise in his place, as I have seen him do time and again, and make the point of order that there is no law authorizing the construction, and that it would not be in order, because it was new legislation on the bill increasing expenditures. If it be true that there is no law for the construction, and the construction of this bill and the construction of the construction. ing expenditures. If it be true that there is no law for the construction of this ship, and money was appropriated for the resumption of the work upon it in the absence of a general law, when that money first appropriated was expended that was the end of it; and until the general law is passed further appropriations would not be in order.

Mr. TALBOTT. I desire to give one precedent to the gentleman from Illinois. The Puritan was authorized to be built by a Secretary of the Navy at the expiration of his term and the control of the secretary.

of the Navy at the expiration of his term, and the contract entered into therefor; and there never was a word of law or authority given by any Congress or by anybody except that contract and the ratification of the contract from time to time by the appropriations made by Congress.

Mr. THOMAS. And it has been denounced from one end of the

country to the other as unlawful.

Mr. TALBOTT. It never was denounced on that side of the House.

Mr. THOMAS. I denounced it.

Mr. CANNON. I suggest that we are discussing a question of law and not politics.
Mr. RANDALL.

I submit that the paragraph is in order under the the exception stated in the rule:

Unless in continuation of appropriations for such public works and objects as are already in progress.

Mr. LONG. I do not care for this matter with reference to the completion of the New York. But if the view taken by the gentleman from Illinois is correct, then that portion of the bill which relates to an

increase of the Navy is also subject to the point of order.

I therefore desire to call the attention of the Chair to the fundamental law on this subject. There is existing law for the construction of new vessels. Section 417 of the Revised Statutes reads as follows,

and I call the attention of the Chair to that section:

The Secretary of the Navy shall execute such orders as he shall receive from the President relative to the procurement of naval stores and materials and the construction, armament, equipment, and employment of vessels of war as well as all other matters connected with the naval establishment.

There exists to-day a law by which under that sanction the President can order the Secretary of the Navy to construct, arm, equip, and employ vessels; and an appropriation to meet the expense of such construction is an appropriation to carry out an object contemplated by

existing law.
Mr. HISCOCK. Mr. HISCOCK. I would like to inquire of the gentleman from Massachusetts [Mr. Long], before he takes his seat, if the Secretary of the Navy, unless it is under express law, with the money already appropriated to carry on the work, notwithstanding he should have any number of those orders from the Executive, if he should make a contract involving the Government in a dollar's expense, would not be liable to impeachment?

Mr. LONG. I refer the gentleman to the statute, which says the Secretary shall execute these orders.

Mr. HISCOCK. Oh! the gentleman has read one statute, which has been supplemented by the statute to which I call his attention, and under which the moment the Secretary makes such contracts and involves the Company of th the Government in a dollar of expense he is liable to impeachment. I appeal to my friends on the other side of the House to verify my statement.

Mr. RANDALL. Will the gentleman from New York indicate the date of the law to which he refers?

Mr. HISCOCK. I refer to those general laws which forbid any Department to make a contract to involve the Government in any way beyond the appropriations already made. I apprehend my declaration upon this point will not be questioned by the distinguished chairman

of the Committee on Appropriations.

Mr. DINGLEY. I desire to say one word upon the point of order.

It seems to me it is not important in the discussion and decision of this point of order whether or no there exists to-day authority of law for the construction of this vessel; because under paragraph 3, Rule XXI, this exact instance is provided for. The rule says:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law—

If it stopped there the suggestion of my friend from Illinois would be correct; but it proceeds—although there may not be authority of law—

unless in continuation of appropriations for such public works and objects as are already in progress.

A paragraph or amendment with that object in view is in order. If this is a public work in progress, assuming that there was authority for it to have been entered upon and it is not completed, then a provision may be reported in an appropriation bill for the completion of it.

Mr. KEIFER. Will the gentleman from Maine tell us when this vessel has been in progress—how many years ago?

Mr. DINGLEY. It makes no difference. If it is an incomplete work it is in progress until its completion.

Mr. CANNON. The rule does not say "which has been in progress," but it says "in progress"—in prasenti.

Mr. DINGLEY. The work has been going on. Though there may have been no work during the last week or during the last year, yet if it is incomplete the work is in progress. A paragraph or amendment with that object in view is in order.

it is incomplete the work is in progres

Mr. KEIFER. Although suspended?
The CHAIRMAN. The Chair is ready to rule on the point of order.
Clause 3, Rule XXI, provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Unquestionably the general rule is that no appropriation is in order on a general appropriation bill unless the appropriation be authorized by previously existing law. That is the general rule. But to that general rule there is an express exception:

Unless in continuation of appropriations for such public works and objects as are already in progress.

That is to say, if the work be a public work and it is already in progress, then there need not be any previous legislative authority for the work.

Now, the Chair must believe that the construction of this ship is a public work. The Chair also believes that it is in progress. The mere fact that this vessel begun in 1865 is confessedly still incompleted, the Chair thinks, so far as this rule is concerned, does not show that that work is not now in progress. The fact that the actual construction is temporarily interrupted for want of appropriation or some other reason does not interfere with the idea that the work is in progress. The Chair therefore overrules the point of order.

Mr. HISCOCK. Mr. Chairman, I desire to offer an amendment, which I send to the Clerk's desk to be read.

Mr. KEIFER. I move to strike out the whole provision relating to the appropriation for the completion of the New York.

Mr. HISCOCK. The motion of the gentleman from Ohio [Mr. KEIFER], I apprehend, will be in order first; so I withhold mine for

Mr. KEIFER. Mr. Chairman, I suppose the gentleman from New York [Mr. HISCOCK] desired to offer his amendment to perfect the text of the bill.

The CHAIRMAN. If that is the nature of the amendment it will be first in order, and the Clerk will read it.
The Clerk read as follows:

Add to the paragraph the following proviso:
"Provided, That such completion shall be upon plans and specifications to be prepared by the Navy Department, and by contract by the Secretary of the Navy let to the lowest responsible bidder."

Mr. HISCOCK. Mr. Chairman, I hope there will be no opposition to this amendment. I am sure there is no intention on the part of the Committee on Appropriations to open up work in these navy-yards. We have so long recognized the propriety of doing our work of this kind by contract that I suppose there will be no opposition made to a proviso of this kind.

Mr. BLOUNT. Is not this vessel already in course of construction

in a navy-yard? Mr. HISCOCK. Mr. HISCOCK. Oh, yes; it is over there in the stocks, I suppose; but I will make this further reply to the gentleman's question: Nothing has been done upon this ship, not a dollar has been expended upon her for a period of nineteen years. I desire to say further, Mr. Chairman, that the Book of Estimates does not show that her completion is recommended by the Secretary of the Navy. Year after year the estimates have come in here and have been submitted to this House with-

out containing any such recommendation. The gentleman from Georgia [Mr. Blount] has passed upon that submission time and time again.

No committee has ever reported in favor of this work. Now I ask that the Committee on Appropriations shall accept this amendment which I have offered, and if we are to complete this old ship at all, do which I have observed, and II we are to complete this old ship at all, do not let it be done so as to have the appearance of being designed to furnish work for somebody or give employment to a new force in the Brooklyn navy-yard. I am sure that nothing of that kind is intended by my distinguished colleague from New York [Mr. HUTCHINS], and therefore I trust that he will accept this amendment providing that this

work shall be done in the usual way.

Mr. BEACH, Let us do it in the old way.

Mr. HUTCHINS. I call for the reading of the gentleman's amendment.

The Clerk read as follows:

Provided, That such completion shall be upon plans and specifications to be prepared by the Navy Department, and by contract by the Secretary of the Navy let to the lowest responsible bidder.

Mr. HUTCHINS. The gentleman [Mr. HISCOCK] must be aware of the fact that this ship is about half completed, and has been so far built by the Government. The Chief of the Bureau of Construction and Repair, who certainly could not have had in contemplation that we on this side, or any one, had any intention of employing any particular set of men to do the work, has recommended that it shall be done, and I ask for the reading of an extract from his report upon that subject, which I send to the Clerk's desk.

The Clerk read as follows:

The Clerk read as follows:

The bureau strongly recommends the completion of the frigate New York at the Brooklyn navy-yard. This vessel has been on the stocks in one of the shiphouses since 1855, and from the fact that she was in frame before work was suspended on her and was neither sealed nor planked, the air has freely circulated through her timbers, and to-day they are as hard as bone and probably in better condition than any frame timbers ever put in a ship. If completed with materials that have been preserved by the Thilmany process for preserving ship-timbers she would make a useful and mest efficient ship of her class for twenty years. Although designed in 1865, she is an exceedingly fine model, and if finished will give us a first-class flagship. She can carry a battery as heavy and equally as well arranged for head and stern fire as the new cruiser Chicago has. Her length on the main load-line is 315 feet; extreme breadth of beam 47 feet; depth from lower edge of rabbet of keel to lower port-sill on gun-deck 25 feet 11 inches. She is designed to have a ship's rig, having 24,000 square feet of sail surface in her ten principal sails. Her displacement, at a draught of 18 feet 2 inches forward and 21 feet 5 inches aft, would be equal to 4,527 tons. Her lowest port-sill on the gun-deck would be 8 feet above water. The plans for finishing this vessel are in such a condition that they could be completed in a very shortime, and the work on her, if authorized, could be pushed to completion and the vessel put affont within six months from the time it is resumed.

Mr. HUTCHINS. The committee will perceive that here is a rec-

Mr. HUTCHINS. The committee will perceive that here is a recommendation by the Bureau of Construction and Repair that this vessel be completed. The completion of the vessel is also recommended by the Secretary of the Navy in his estimates. The plans have all been made; the ship is partly constructed under such plans; and this officer tells us in this report that the material has been thoroughly preserved, and that at an expense of \$400,000 a ship of war can be completed equal in efficiency to either the Boston or the Chicago, which are now in course of construction. I believe that in pursuance of the provision of the clause of the bill which has just been read by the Clerk thirty-eight vessels have been stricken from the list of the Navy within the last year, and within two years but very few will remain in commission. for \$400,000 we can finish a partly completed vessel which will be as efficient for all purposes of the future as any of the other ships which are under construction and for which the gentleman is so willing to vote

an appropriation.

Mr. HISCOCK. Mr. HISCOCK. Mr. Chairman, I may be pardoned a word in reply. Certainly some gentlemen upon the other side of the House have cooperated with us in closing these navy-yards, or in limiting them to repair work, and for that reason I thought they approved of our policy. Mr. HUTCHINS. This Brookly navy-yard is not one of that class,

Mr. HUTCHINS. This Brookly navy-yard is not one of that class, as the gentleman knows.

Mr. HISCOCK. Oh, well, the policy in reference to even the Brooklyn navy-yard has been that no new work should be done there.

This is substantially new work; and I say to my friends on the other side that they do not want to drop into that custom or policy which, when the Democratic party went out of power, had brought upon it disgrace and stigma. You remember well all these scandals with reference to the Brooklyn navy-yard and the other navy-yards. The contract system is the better system. Let us have it. Do not now, upon the coming in of a new Democratic administration, reinaugurate this policy which we all attempted to stamp out of existence, of filling the navy-yards with voters, with "strikers," with men to carry caucuses and conventions or to take possession of the polls.

Mr. HUTCHINS. The gentleman is talking to me in an unknown tongue. I do not know what he means.

Mr. HOTCHINS. The gentleman is talking to me in an unknown tongue. I do not know what he means.

Mr. COX, of New York. The language of the gentleman is not unknown to me. I have known it for many years. Since the Republican party has been in power-such language as "strikers," &c., has become quite familiar. Never has that navy-yard opposite New York been used except for Republican "strikers." For twenty-odd years the gentleman's party has had the benefit of that kind of "striking."

I do not rise to answer what he has said, but to say that this vessel, the New York, is under way and should be finished. The work should not be finished by contract, but should be done in the navy-yard by

honest labor day by day, under honest Democratic auspices, and not under the scoundrelism that has prevailed during the last twenty-five years. I think that is enough to say—a good climax. [Laughter.]

Mr. RANDALL. I had hoped that no feeling of partisanship would be aroused in regard to this matter. I wish to say it is not practicable to execute this work in the manner proposed in the amendment of the gentleman from New York [Mr. HISCOCK]. This vessel is now unlaborated the property of such as the proper navy-yard; and to put out by contract the work of finishing her would bring into the yard private persons to do this work, and it would also interfere with the use of the material necessary to complete the vessel and which the Government has on hand. I have never known an instance where any vessel in the Navy has been partly built in a navyyard under the direction of the respective bureaus and partly built under contract.

The question being taken on the amendment of Mr. HISCOCK, it was

of the gentlemen on the amendment of Mr. Hiscock, it was not agreed to.

Mr. CANNON. Mr. Chairman, a policy was agreed upon on this subject and written in the law by the last Congress, by the aid of a portion of the gentlemen on the other side and by the almost unanimous action of this side, a policy which originated with the Committee on Naval Affairs under the lead of a most competent gentleman then a Representative from Massachusetts, Mr. Harris. A step, and a long step, Representative from Massachusetts, Mr. Harris. A step, and a long step, was taken toward doing away with these old expensive wooden ships. The reconstruction and repair of these ships was limited to 30 per cent. of their value, and later to 20 per cent., which is now the law, assented to and continued at this session for the remainder of this fiscal year by this House co-operating with the Senate.

Now the Government has about thirty wooden ships affoat. There is

Now the Government has about thirty wooden ships affoat. There is not one of these upon which you can make repairs to the extent of \$100,000; notwithstanding they are affoat, because it runs counter to the policy we have entered upon. Yet we find the gentleman from Pennsylvania [Mr. RANDALL] and the gentleman from New York [Mr. HUTCHINS] coming in and seeking upon this bill to complete a ship which has stood in the yard for nearly twenty years, and to ex-

pend upon it \$400,000.

Why, gentlemen, if your policy is to be wooden ships, not steel ships, you had better repeal this 20 per cent. law and repair many of these thirty wooden ships—half a dozen of which will go out of commission in the next year—as you can do for less money than you will spend in the manner here proposed; and you will have almost equally good ships as the New York when completed.

The gentleman from New York quotes the recommendation of the Chief of the Bureau of Construction and Repair that this ship, the New

York, be completed. He did not find any recommendation of the Secretary of the Navy or the President of the United States. He did not The matter is withfind any estimate or recommendation to Congress. out recommendation.

Mr. RANDALL. I desire to say that I have in my hand the estimates of the Secretary of the Navy, and among them is an estimate of \$400,000 for this work.

Mr. CANNON. Oh, yes; a formal transmission of the bureau report; a mere submission without recommendation.

Mr. RANDALL. It is like all the other transmissions. Mr. CANNON. A formal transmission of the bureau report, which Mr. CANNON. A formal transmission of the bureau report, all gentlemen on the Committee on Appropriations understand.

[Here the hammer fell.]
Mr. KEIFER obtained the floor, and said: I yield my time to the gentleman from Illinois [Mr. CANNON].
Mr. RANDALL. I submit that these estimates have had the ap-

proval of the Secretary of the Navy.

Mr. CANNON. Now, then, we find gentlemen have suddenly fallen in love with the recommendation of the chief of this bureau. Why, gentlemen, there are other ships of another type which have stood unfinished for almost ten years. You have had to investigate them—five different boards of trained experts of the Navy. Four of those boards have been almost unanimous in recommending their completion. If you will turn over to the next page you will find this very same naval officer you are now following in this matter made the following recommendations.

I can not too strongly urge the completion of these vessels [the monitors] in all respects at an early day, as they will afford us as good vessels of their class as are owned by any nation, and I am of opinion the best type of coast and harbor defense vessels in existence to-day.

Although supplemented by four boards, yet you are silent touching that recommendation.

I wish to state to this committee that the New York is an old type It stood for nineteen years without any work being done

Mr. HUTCHINS. Let me ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. CANNON. If I can get a little more time, yes.

Mr. HUTCHINS. Did not the gentleman advocate and vote them an appropriation for the completion of the Mohican on the Pacific coast which has been completed during the current year under an ap-

coast which has been completed during the current year under an appropriation made last year?

Mr. CANNON. I do not recollect whether I did or not. If I did it was not a specific vote for that ship, but a vote for that ship with other propositions standing with it.

Mr. HUTCHINS. Then I will ask the gentleman whether he did not advocate and vote for an appropriation for the completion of the Mohican on the Pacific coast, which vessel has been completed during the current year by that appropriation made last year?

Mr. CANNON. I say to the gentleman from New York that this

appropriation is not to stand or fall by my consistency or want of it,

appropriation is not to stand or fall by my consistency or want of it, but it is to stand or fall upon its own merits.

Now, Mr. Chairman, this is an old type of ship, and when finished it will be an old-fashioned cruiser of some 4,000 tons. It does not have a compound engine. It will be altogether an old-fashioned type of vessel, costing \$400,000 in addition to what has already been expended upon it. It will be another old tub when completed, and this is the commencement of the naval policy of the Democratic party. This is what is offered to us just as that party is coming into power, the beginning of a policy looking toward the waste of money and the production of vessels not useful. In other words, it is an advancement backward—a retrograde movement; and I hope this Committee of the Whole will not support it and authorize the completion of this old-fashioned vessel.

Mr. TALBOTT. I call the attention of the gentleman to the fact that in the Forty-seventh Congress Mr. Harris, from the Committee on that in the Forty-seventh Congress Mr. Harris, from the Committee on Naval Affairs, reported a list of vessels of the then Navy of the United States, and among others is the New York, of twenty-five guns and 4,000 tons, on the stocks at New York and recommended as worthy of being finished. That was the report made by the chairman of the Committee on Naval Affairs in the Forty-seventh Congress, the same committee which reported to this House the law requiring the sale of vessels when the cert of remains would exceed 20 are cent of their value. sels when the cost of repairs would exceed 20 per cent. of their value. It is the same committee which reported the bill for steel cruisers. This report was made after careful investigation by a committee organized when the Republicans had control of the House. That committee reported that vessel was on the stocks in New York and was worthy of

being completed.
Mr. CANNON. Mr. CANNON. It has been worthy of being completed for nineteen years then, and will my friend inform me why his party did not appropriate for that purpose from 1874 to 1880, when it was in power here?

Mr. TALBOTT. I will ask you why your party did not complete it

from 1865 to 1884?

Mr. CANNON. Because they did not think it was worthy of completion. In conclusion I will say to gentlemen on the other side of the House you can not relieve yourselves by alleged shortcomings of the

Republicans in the past; you now are in power, and you must stand or fall in this and all other matters upon the merits; you can not command the confidence of the country by taking up and completing work that was abandoned by the Republican party twenty years ago because

it was not worthy of completion.

Mr. TALBOTT. In the report of the chairman of the Committee on Naval Affairs in the Forty-seventh Congress, a Republican commit-tee, in a House controlled by a Republican majority, it was considered

to be worthy of completion.

Mr. THOMAS. But the House did not indorse that report.

Mr. TALBOTT. Whether it did or not it made that report. Whether it did or not it made that report.

Mr. HEWITT, of New York. Mr. Chairman, I did not intend to take any part in the discussion of this bill, but the proposition that this any part in the discussion of this oil, but the proposition that this great country shall at this stage of naval development undertake to build or finish the building of a wooden ship seems to me as preposterous as it is ridiculous. There is not the smallest nation in the world, not even one of the South American republics, which to-day would spend a dollar on a wooden ship; that would not if it could expend millions in procuring first-class steel cruisers. All Europe to-day is

millions in procuring first-class steel cruisers. All Europe to-day is busy reconstructing navies on modern principles, and yet here into this House comes coolly a proposition to build a wooden ship, when we have thirty of them for which we have no use and as to which it would be a blessing if they were sunk by coal-barges to the bottom of the sea. It is proposed to put old machinery in this useless hull when done. Does the gentleman know that old machinery consumes from three to four pounds of coal per horse-power, while modern machinery has reduced the consumption to one pound and a half of coal? Why, the extra cost of running that ship for coal alone would be four or five times the amount of the interest on the cost of a good steel cruiser.

times the amount of the interest on the cost of a good steel cruiser.

The whole thing is absurd. It seems to me to be an insult to the intelligence of this people, as it must be to the intelligence of naval authorities, wherever the proposition is presented. I do not know what is behind this proposition, but I know that we might better throw this more view to the except that the desired when the control of money into the ocean than to float such a vessel in this age upon its broad bosom.

Mr. KEIFER. I am much obliged to the distinguished gentleman from New York for coming over to this side of the House and making such a good speech in support of my motion to strike out this clause. I wish to say at one time it was my impression it would be wise to complete this vessel; that I was then entirely misinformed or had statements made to me which were inaccurate in respect to the uses to which

this vessel could be put.

The vessel if completed, if rigged, with all of her machinery in place, with her guns and munitions on board, and manned with her full quota of troops, would not be worth one copper to the United States in time

of war.

Mr. HISCOCK. Allow me to interrupt the gentleman from Ohio by

adding, nor in time of peace either. [Laughter.]

Mr. KEIFER. The suggestion is very pertinent. It could not go upon the high seas, it would be of no service as a war vessel, and I did not know but that possibly the idea was that we might point to it as it went into New York Harbor or Brooklyn under full sail as a type

of days gone by.

Mr. HEWITT, of New York (interrupting). As an example to be avoided. [Laughter.]

Mr. KEIFER (continuing). As a relic of a past age; and, as my friend from New York has well suggested, possibly an example for us to avoid in the future. In this way, as an example, we might possibly get something out of it; but in time of war it would be useless to us; we would not require it for any conceivable purpose, and the money expended

upon it would be thrown away.

It could not be sent upon the high seas for the purpose of meeting armed vessels of war of a foreign nation, because there is not a vessel of war of any foreign nation on earth that could not sweep it from the seas; nor could it be of use for the purpose of harbor defense, because it would be helpless, useless.

Mr. BROWNE, of Indiana (from his seat). Worthless.

Mr. KEIFER. Of no possible service to the Government, and I

Mr. KEIFER. Of no possible service to the Government, and I think a national disgrace.

Now, let me say, in justice to past Congresses of the United States and the distinguished men who have presided over the Navy Department for the last nineteen years at least, that they have not proposed the completion of this vessel. It is true, as the report which was read at the suggestion of the gentleman from New York in charge of the bill [Mr. Hayrum, 1] shows that not being beyond in the last had a least of the suggestion of the gentleman from New York in charge of the bill [Mr. Hayrum, 1] shows that not being beyond in the last had a least of the last o at the suggestion of the gentleman from New York in charge of the bill [Mr. HUTCHINS] shows, that not being boarded up the air has swept through its timbers for the past twenty years, drying and seasoning them until now with the help of some new iron material and some preservatives for the old material they would do for a ship.

Mr. BOUTELLE (from his seat). The suggestion is that the present timbers are thoroughly seasoned, and therefore in better condition.

Mr. KEIFER. There is a question about that; and as Funderstand it, it will be necessary to put some modern material in to help to preserve them so that they may be used for the purposes of ship-building. At all events, if new material should be put in with this old material it would not be in harmony with it for ship construction.

Now, Mr. Chairman, I am told that this vessel when fully equipped,

with all of her machinery and stores on board, is calculated to make in these modern times a speed not exceeding ten knots an hour upon the It could be run down by everything in the shape of a vessel. It could run away from nothing and could catch nothing upon the sea, and it would be in that sense therefore without any possible value. I was surprised a little to see our friends upon the other side of the

House so urgent for this appropriation, and I took pains to look at the six-months' naval appropriation bill, I mean the bill for the first six months of the current fiscal year, and found nothing in that on the subject of the finishing of these wooden vessels.

Mr. RANDALL. Let me interrupt the gentleman to state that in

response to the recommendation of the Department two vessels were recommended for completion, and money was appropriated for the purpose sufficient to build the Mohican.

Mr. KEIFEB. But there has not been a copper appropriated to fin-

ish the New York. Mr. RANDALL. I did not say there had been, but there was to finish the Mohican.

Mr. KEIFER. Fifty thousand dollars was put in the appropriation bill I believe for the purpose the gentleman specifies.

[Here the hammer fell.]
Mr. DINGLEY. Mr. Chairman, it seems to me that this is a practical question, which this committee should look at in that point of view. Here we have at the navy-yard at Brooklyn a frame and other timbers of live-oak for a vessel whose construction was inaugurated nineteen years ago. It has stood there to this day under a roof, carefully protected from the weather, and to-day every timber in that vessel is thoroughly seasoned, and is worth more for purposes of ship construction to-day, double as much, as it was nineteen years ago. Now, in my opinion, when we have a vessel half constructed of this character, notwithstanding it is of wood, in view of the fact that in all the navies of the world there are wooden vessels that may be used and are used for purposes of transportation, for school-ships and training-ships, and for a hundred uses neither offensive nor defensive, but which pertain to the navy, it would be the height of unwisdom to throw this vessel away and not appropriate something to complete it for the many uses to which it may be put.

Bear in mind that it is not an old vessel in the sense that decay has

come upon it; not in the sense that it is a bad model, for it is as good a model of vessel as can be constructed to-day, and for the purpose for which such a vessel may be used. It seems to me that it would be wise to complete it in every sense, not so much for defense or offense, but for the thousand uses to which we can put the vessel. I contend that it should be looked at as a practical question, a question whether or not, if we have a frame of live-oak thoroughly seasoned and partly com-

pleted, it should not be finished for such uses as it may be applied to.

Mr HORR. May I ask the gentleman how long it will continue to grow better?

Mr. DINGLEY. As long as it is under cover and protected from the

Mr. HORR. Then let us wait until it gets to the highest pitch of

Mr. DINGLEY. It has become thoroughly seasoned. man acquainted with the subject understands that live-oak thoroughly seasoned under cover is of infinitely more value than any other timber not so seasoned.

Mr. HORR. You say the vessel is half built? Mr. DINGLEY. I say partly built. Mr. HORR. That is better.

Mr. DINGLEY. I do not know precisely to what extent it has

-Mr. THOMAS. Is it possible at this day and age of the world we are going back twenty years to seek models for constructing naval vessels of war? Have the twenty years that have elapsed since 1865 brought no lessons of wisdom to this Congress and this country? Are we to take up the ribs of this old partly-constructed vessel, through which the winds of twenty years have howled, with all its imperfections of model and of arrangement, and to go on now and build it for a modern vessel of war? The machinery was completed seventeen years ago. All the improvements of those seventeen years are taken no note of and can not be used in the completion of this boat, which can be used successfully neither in peace nor in war.

The smallest schooner that floats either upon fresh or salt water can

ram this vessel and destroy it in one minute. The smallest gun carried by any vessel of war in any navy of the world could sink her in an hour. And are we going on now to rebuild this vessel, and are the Monitor, the Puritan, the Terror, the Amphitrite, the Monadnock, and the Miantonomoh, vessels of modern construction, provided with all the appointments of naval warfare, vessels built of iron and ready to be used as soon as completed—are they to be left out? Are they not to be finished while this old wooden vessel, the frame of which for sooth is built of live-oak, is to be completed? Are we to have another case of the Lancaster rebuilt at an expense of \$1,600,000 and then get a vessel that can be completed. that can go only nine knots an hour, and that can be caught by any first-class three-masted schooner engaged in the coasting trade of this country?

I want to call the attention of the House and the country to the fact that with all the fault found with Republican administration and the last Republican Congress, that Congress was the first to come up and meet the emergency of the time and construct the three new cruisers of steel according to modern plans, and the dispatch boat, which will be a credit, and the greatest credit, that our Navy is entitled to.

The Republican party is entitled to that credit. They authorized the construction of these vessels. We left behind us the prejudices and the methods of other years and came up to a higher plane, to new desires a para prepared to a series of the construction of these vessels.

designs, new machinery, new armament, new armor, and proposed to erect a navy that would be commensurate with the needs of this country and be an honor to the nation.

[Here the hammer fell.] Mr. COX, of New York. No gentleman in this House has had more experience connected with our naval affairs, in a modest, quiet way on committees, than my friend from Illinois [Mr. Thomas]; but he must not forget that some wooden ships are indispensable. Wooden ships committees, than my friend from Hillions [Mr. THOMAS]; but he must not forget that some wooden ships are indispensable. Wooden ships are sometimes useful. Wooden ships are sometimes beneficial. It was a wooden ship that ran down the Tallapoosa. [Laughter].

Mr. THOMAS. Very good; and the Tallapoosa was a new vessel, just two years old, too.

Mr. COX, of New York. Made by the Republican party—one of

their jobs.

And an almighty bad job at that. Mr. COX, of New York. But what I want to say is pertinent to I do not care whether it is made by a Republican or Democratic administration, but there are some wooden vessels yet to be used in our Navy, as the gentleman from Maine [Mr. DINGLEY] well said. Some are to be school-ships; some are to have other functions on the sea; some are to have romances, beyond all experience, in the future. I am not one of those who believe in making wooden ships

hereafter.

I believe in the steel ships and guns, and the steam and the electricities and all the forces to be harnessed hereafter, connected with our Navy, with the chemistry and explosives and what not that speak of

progress.

A MEMBER. You ought to be on the other side.

Mr. COX, of New York. I am not on the other side because I am a progressive man. I believe, however, when we have here a vessel built on a perfect model, but a model which is a mere shell or hull to be filled up hereafter with enginery, such as we will have, of an improved pat-

Mr. THOMAS. I would like to inquire if the gentleman from New York knows that the engines for this vessel have been built already for

seventeen years? Mr. HISCOCK.

Mr. HISCOCK. In other words, there is no "steel" in this.
Mr. COX, of New York. If there was any "steel" in this my
friend from New York would be more anxious about it; he is always very square. T. D. Wilson, chief of the bureau, makes the report which was read by my colleague from New York. What does he say?

This vessel has been on the stocks in one of the ship-houses since 1865; and from the fact that she was in frame before work was suspended on her and was neither ceiled nor planked, the air has freely circulated through her timbers, and to-day they are as hard as bone, and probably in better condition than any ramed timbers ever put in a ship.

That is the hull; that is the shell; put in your timbers. But gentlemen say: "The Democrats are coming into power, and we do not want them to have work on this ship in the Brooklyn navy-yard." That is the wrinkle of my friend from New York over there [Mr. HISCOCK]. [Laughter.] I know him; he is a cunning old politician; he looks at me and smiles, but he knows he means simply this: that no Democrat shall have an opportunity to work in that Brooklyn navy-yard in the construction of any ships hereafter, because, forsooth, this ship has been so long on the stocks worm-eaten by Republican rascality. [Laughter.]

Mr. BOUTELLE. Do I understand my distinguished friend from

Mr. BOUTELLE. Do I understand my distinguished friend from New York to say that this ship's timbers are worm-eaten? [Laughter.] Mr. COX, of New York. No; I said the system there has been a general system of worm-eating all through. [Renewed laughter.] Mr. McADOO. Mr. Chairman, since our friends on the other side by the voice of the people and the will of Providence have found themselves in the minority they have begun to facetiously criticise this side of the House for proposing to complete the New York. I want to ask them why it is that this vessel was not completed long since, and I tell them that there will be grave suspicion in people's minds that the reason she was not completed before is that she was not a vessel contracted for in the yard of John Roach or some other favorite contractor.

Mr. KEIFER. Does the gentleman call the Army and Navy Jour-

nal a scientific journal?

Mr. McADOO. It is a professional journal, written by experts and

mr. McADOO. It is a professional journal, written by experts and read by scientific men.

Mr. HISCOCK. My friend from New Jersey should bear in mind that this bill contemplates the completion of those monitors by a Democratic administration, and he certainly does not want to make a record against that policy.

Mr. McADOO. I ask to have this extract read.

The Clerk read as follows:

As we recently had occasion to show, the thickest side of armor of these vessels will be but seven inches, and it will be applied only to the center of the vessel. The five inches of armor at the ends will be mere pasteboards to the heavy shot fired from a first-class foreign ironclad, and a single well-directed shot fired from the 80-ton iron gun would partially destroy and render the turret of the Miantonomoh wholly useless; while a shot planted on the side armor would sink her. As it is admitted here that the monitors can not resist the heavy broadside ironclads they must meet, why waste further money in the completion of vessels which will serve neither for cruisers nor harbor defense? It matters not what the English ironclads cost; they are in existence, and a couple of them could sweep away the whole of the proposed monitor fleet.

Now, Mr. Chairman, I return to the charge which I made when I began my remarks, and I say again that if this vessel, begun twenty years ago, had been under the care of the favorite contractors who have battened and fattened on the national Treasury, under Republican administrations, a million of dollars, if asked for, would have been gladly voted by the party then in power in this House to complete her. I repeat, too, what I said a while ago, that this vessel when completed will be superior to any of the monitors, and if she were armed with good guns I would much rather (although I am not a professional man in the military sense) take my chances on board of the well-seasoned, easily maneuvered, quick-sailing New York, than on board the Miantonomoh or any other monitor in the service.

Mr. BOUTELLE. Will my colleague on the Naval Committee yield

for a question?

Mr. McADOO. Certainly.
Mr. BOUTELLE. Do I understand you to hold that there is anything in connection with the model of a monitor which prevents her from carrying as much defensive armor as a broadside ironclad?

Mr. McADOO. I do not know. I only state how our monitors are

clad.

Mr. BOUTELLE. But I want a specific answer to my question: Do I understand you to hold that there is anything about the monitor class of vessels which prevents them carrying as heavy armor as the broadside ironclads?

Mr. McADOO. No. All I say is that they are steel-clad, as every-body knows—steel-clad in more ways than one.

Mr. BOUTELLE. Is it not true, on the contrary, that, on account of the low free-board, a vessel of the same displacement, built on the monitor plan, can carry infinitely more armor than a broadside iron-

Mr. McADOO. Mr. Chairman, all I have to say in reply to my nau-cal, scientific, and elaborate friend from Maine [Mr. BOUTELLE] is, that these monitors have seven inches of armor in the center and five inches at the ends; and I say that if this journal from which I have read an extract be correct, that armor would be unable to stand one single, well-directed shot from an 80-ton gun.

Mr. BOUTELLE. Mr. Chairman, I do not wish to press my friend, but I affirm here a very confident belief that a vessel of a certain displacement whose hull is only three feet above the water, and which

needs to be armored only for a surface of two or three feet above water, can certainly carry much more defensive armor than a wall-sided

vessel with a high free-board.

Mr. McADOO. Mr. Chairman, I am not up before the civil-service examiners for a position as a naval engineer [laughter], but I say that these monitors are not worth as much as this New York will be when completed.

Mr. BOUTELLE. Mr. Chairman, I was addressing my remarks to the Scientific Journal from which the gentleman [Mr. McAdoo] has

Mr. HEWITT, of New York. Mr. Chairman, I hold in my hand the latest list which has been published (and it comes down to within one month of the present time) of the ironclads, which are regarded as obsolete by the great powers. They are eighty-five in number—nearly all of them constructed since 1865. Twenty-one of them belong to Great Britain, twenty to France, nine to Italy, and twenty-seven to Russia. Of the twenty-one belonging to Great Britain fourteen are plated with reason she was not completed before is that she was not a vessel contracted for in the yard of John Roach or some other favorite contractor. The gentlemen on the other side have repeatedly advocated the expenditure of three millions and a half of dollars to complete the monitors, yet I say that this ship, the New York, with her well-seasoned timbers, if armed with good guns, will be superior to any of the monitors in the yard of John Roach or elsewhere, completed or otherwise. [Cries of "Oh!" "Oh!" on the Republican side.]

Mr. McADOO. I want to read for the information of gentlemen on the other side—not the opinion of a partisan journal, but the opinion of a scientific publication, the Army and Navy Journal—about these monitors upon which our friends propose to spend three millions and a half. the list beginning with the Héroïne of 5,887 tons. Then follow the Revanche and Savoie of 5,819 tons each, and the Surveillante of 5,758 tons. So I might run through the list, every one of these being a better and faster ship than the one we propose to waste our money upon if we enact this bill.

Italy, which we look upon as a second-rate power, is going to discard nine ships—first the broadside ship Roma, built of wood, displacement 5,700 tons, mean draught 24 | feet, armor 4 | and 4 | inches, with twentytwo heavy gains and twelve light guns, speed thirteen knots, coal capacity five hundred and fifty-eight tons, steam cruising power at ten knots 3,000 miles. This ship upon which we propose to spend our money could not carry coal enough to steam 1,500 miles. Yet here is Italy about to discard this vessel the Roma; and I have no doubt she would gladly sell it to us for one half what we recome to the could be the could b gladly sell it to us for one-half what we propose to spend upon the completion of this ship.

Russia is about to discard twenty-seven ships, beginning with two wooden ships, the Sevastopli, 6,275 tons, and the Petropaulovsk, 6,040 tons

I will not take up time in enlarging upon this subject further, but the proposition here is that at this day this country, which has been complaining that it had no navy, which has declared in the platforms of both parties that it intends to have a navy, shall, upon a proposition from a Democratic committee, spend money in completing an old ship which can float, I have no doubt, but which, if struck with one of the guns of one of these discarded ships, would go straight to the bot-

om. [Applause.]
Mr. TALBOTT. Are not all these vessels which are being discarded

armored vessels? Mr. HEWITT, of New York. Not all of them, but nearly every one

Mr. TALBOTT. This is not to be an armored vessel.

Mr. HEWITT, of New York. Certainly not; and that is an additional reason why it should not be built. There is not a nation in the world to-day that would think of building an unarmored ship except as a fast cruiser, or "commerce-destroyer," as it is called; yet it is proposed to build an unarmored ship that could not get away from any one of these armored ships which other nations are discarding as too If we build unarmored ships they should be the fastest ships

slow. If we build unarmored ships they should be the fastest ships afloat, or they are failures.

[Here the hammer fell.]

Mr. HUTCHINS. Mr. Chairman, I agree with what the gentleman from New York [Mr. HEWITT] has said. He knows perfectly well that it is not our intention to proceed with the policy of building wooden ships. Every word that he has uttered, however, would apply to the proposition to expend 30 per cent. of the value of wooden vessels in repairing them. Will the gentleman tell me whether we have to-day a single vessel afloat that is seaworthy? a single vessel afloat that is seaworthy?

Mr. HEWITT, of New York. I think not; and we do not want any

more of such vessels.

Mr. HUTCHINS. Then should we not take measures to have one good vessel; and when we have a report from the proper Department saying that for a comparatively small sum of money we may have a

wessel good for some purposes, why not complete it?

Mr. Chairman, we must take things as they are. knows perfectly well that England to-day, notwithstanding all her discarded vessels, has an effective tonnage of 345,000 tons; France has 209,000 tons, and Russia comes next with 119,000 tons. The United States has but 22,000 tons; and are we to sit still and refuse to appro-

We do not desire to cut off supplies for repairs of wooden vessels because they are comparatively worthless. His argument is hardly fair. I would not expend any money to construct a new wooden vessels. sel, but until we have steel cruisers, until we have armored battle-ships, until we have something in the shape of a navy which will stand by the side of other navies of the world, I am willing to appropriate a

small sum to complete this ship.

Mr. HEWITT, of New York. Allow me to read to you at that point: "The admiralty count upon the wooden hulls of twenty-three French ironclads as a source of future weakness."

Undoubtedly, and we would discard them under Mr. HUTCHINS. similar circumstances

Mr. HEWITT, of New York. Why then build up weakness? Let

us build up strength.

Mr. HUTCHINS. This is, I am aware, a temporary expedient until we can have time to build war ships which we hope will be the pride of the nation.

I will yield now for one minute to my colleague [Mr. Cox].

Mr. COX, of New York. I want to answer my colleague in one word, and that is this: When he reads from these old statistics with which we are all familiar-

Mr. HEWITT, of New York. This is new; I got it by mail.
Mr. COX, of New York. I got it fresh the other day by mail. It is old now. He simply fails to recognize the fact that the projectiles of the world, the power of explosion, the chemistry of which he is a recognized element, can drive through any ironclad possible, and therefore people are discarding ironclads because the projectiles, the force of powder or something else, is greater than ironclads. In other words, there

is more force in powder and ball and projectile than in the defensive operations of our Government. Therefore they are disposing of their old ironclads. Offensive war is bigger than defensive, and everybody knows it. No one knows it so well as my friend who is engaged in steel and iron manufacture.

Mr. HEWITT, of New York. Does not my colleague know every

ship abroad has heavy iron clad on it now?

Mr. COX, of New York. Because we have artillery, because we have cavalry, shall we discard infantry? Because we have ironclads or torpedoes, shall we give up wooden ships altogether?

or torpedoes, shall we give up wooden ships altogether?
Mr. HEWITT, of New York. Yes.
Mr. COX, of New York. No, sir.
The CHAIRMAN. The gentleman's time has expired.
Mr. RANDALL. The Committee on Appropriations is not a Democratic committee, as has been pushed into this debate by the suggestion of the gentleman from New York [Mr. HEWITT]. We realize that a new navy, a more powerful navy, is required, and we also realize that these vessels which are now unfinished and can be made useful should be completed. We commenced that last year by making an appropriation to finish the Mohican. We realize it and recognize it to-day in recom-mending that the New York shall be completed.

But while as a fighting navy and cruising navy we realize that steel cruisers and heavy-armed vessels are essential to the fighting necessities of war, at the same time we know that this vessel can be made of great service in the Navy, as has been recommended for two years at least by the Secretary of the Navy. Why, you might as well say you would make an army entirely of infantry, and forget cavalry and ar-

tillery altogether.

The whole tenor of this bill goes to recognize, if it had been proper so to state it, the requirements of political platforms. We also know this vessel, as stated by the experts of the Government, can be made

useful and can be finished with due economy to the Government.

Mr. HORR. Did I understand the gentleman to say that the Secre-

taty of the Navy recommended this?

Mr. RANDALL. I say so unqualifiedly.

Mr. HISCOCK. Will the gentleman read where the Secretary recommends it?

Mr. RANDALL. I have the recommendation here.
Mr. HISCOCK. Have one read.
Mr. RANDALL. It is expressed in his report last year and in this, where he estimates for the New York \$400,000.
Mr. HISCOCK. Have that part read.
Mr. RANDALL. I will have it read with plants.

I will have it read with pleasure.

Mr. HEWITT, of New York. I would like to ask my friend from Pennsylvania when the present Secretary of the Navy became an authority for this side of the House?

Mr. RANDALL. I would as soon trust him in authority as you. Mr. HEWITT, of New York. That is a personal remark which the gentleman's own answer will explain.

Mr. KEIFER. I am willing to yield to allow that to be read. The CHAIRMAN. The Clerk will read what the gentleman from Pennsylvania forwards to the desk.

The Clerk read as follows:

Executive Document, No. 1, part 3, Forty-eighth Congress, first session, page 31. Increase of Navy: Completing hulls of the New York and Mohican, \$400,000. Annual report of the Secretary of the Navy for the year 1884, page 40. For completion of the New York, \$590,000.

Mr. RANDALL. These are the reports of the Secretary of the Navy

for the two years to which I have referred.

Mr. HISCOCK. I desire to call the attention of the gentleman from Pennsylvania to the fact that this is precisely what we find in the Book of Estimates, a submission simply under the law and nothing else.

Mr. RANDALL. I take it for granted that the Secretary of the Navy would not put anything in his report that did not meet his ap-

Mr. HISCOCK. We need not have any confusion or misunderstand-

ing about this matter, because the gentleman knows that many items are submitted under the law that are not recommended.

Mr. RANDALL. The gentleman from New York knows that they are recommended. The Secretary submits matters when there is a doubt whether there is law authorizing the expenditure of the money; and I have caused to be read now from his annual reports the amounts that he has estimated for the completion of these vessels.

Mr. KEIFER. I hope this will not be taken out of my time.

I will say to the distinguished chairman of the Committee on Appropriations that 9 to 6, composing the Committee on Appropriations, may not make that committee entirely Democratic, although they are all very distinguished gentlemen, but it gives a very good majority.

Mr. REED, of Maine (from his seat). It creates quite a suspicion, [Laughter].

Mr. KEIFER. Yes, quite a suspicion. Now, these estimates that have been read the gentleman from Pennsylvana claims to afford evidence of a recommendation on the part of the present Secretary of the Navy, or rather he claims that they are entitled to the force of a recommendation on his part, for the completion of the ship New York. That, I claim, is an entire misapprehension.

I happen to know that the present Secretary of the Navy regards the

completion of this vessel as entirely unnecessary in every sense of the word; and that all that is spent on it is worse than thrown away, because it embarks us not in the direction of progress, but rather as indicause it embarks us not in the direction of progress, but rather as indicating a retreating from the little advance position that this nation has taken in the matter of building a navy. It is unfair to the Secretary of the Navy to treat these estimates which he is required by law to make to Congress as committing him to a recommendation that such works shall be carried on; and I want to say that the Committee on Appropriations, not speaking of anything that takes place within its doors, and the House of Representatives, of which I may speak, have not been bound by anybody's recommendations on the subject of paying claims or completing other public works. Why then do they stand up for this? for this?

Now, Mr. Chairman, the most specious, artistic, cunning—ff I might use the word and not violate parliamentary usage—argument that is made in favor of completing the New York in the Brooklyn navyyard comes from the gentleman from Maine [Mr. DINGLEY] and another gentleman from New York [Mr. Cox]. They say they would finish this vessel in order that it might be used in case of necessity for a school-ship. A great war vessel as we pretend, if it be finished at a cost of \$400,000, which would be more than enough to build a good cruiser, to build a good vessel of war, is to be finished solely because they think it might happen that at some place on the coast of this country we might need a school-ship! We have thirty wooden vessels now, and almost every one of them would do for a school-ship and nothing else. They are fit for nothing else in time of war. Some of them may be used for going on surveying excursions, and there are plenty

for that purpose. My friend from New York [Mr. Cox], formerly of Ohio, talked lightly about the Tallapoosa being sunk by a common schooner, and he might have added that it was sunk without any purpose on the part of the schooner to sink it at all. [Laughter.] It was sunk on the part of the schooner to sink it at all. [Laughter.] It was sunk on the coast. This ship, the Tallapoosa, was just about as good as any of these vessels. It was not built only two years ago, but it was rebuilt, as we practically propose to rebuild the New York. That vessel has had twenty years of rest before being used at all, and now you propose to finish it; and it is very remarkable that all at once it becomes extended the recommendation of the part tremely necessary to spend \$400,000 to finish the ship that everybody well versed in all these naval matters says will be thoroughly valueless as a war ship, and nobody claims that it would be of any value in time

of peace unless we wanted to keep school. [Laughter.]
Mr. DORSHEIMER. Mr. Chairman, I have listened to this debate
with great interest and I find myself entirely in agreement with the
Committee on Appropriations, and think that this item should be approved and the vessel finished. My colleague [Mr. HEWITT] seemed
to argue as if only such warshing should be built as the state of the second state of the to argue as if only such war ships should be built as were built upon the idea that the enemy's shot could be kept out of the vessel.

I wish to call it to the attention of the House that our own advisory board has not up to the present time advised the construction of one single new ship upon that theory. The four vessels now in course of construction and the vessels which the Secretary of the Navy this year recommended to be built are all cruisers, unarmored vessels of entirely light construction, and penetrable by the ordinary shot fired from the ordinary guns of foreign ships of war. Those vessels are designed upon the theory upon which all naval vessels have been built in the past and Those vessels are designed upon by which the naval distinction of the different countries of the world has been won.

Lord Nelson never commanded a ship built upon the theory of keep ing the shot of the enemy out; neither did Decatur nor Bainbridge nor Perry ever command such a vessel. But come down to our own times. The most distinguished American naval officer of our generation, with ironclads in his fleet, did not go on board an ironclad when he entered the harbor of Mobile. He stood upon the deck or climbed into the

rigging of a wooden vessel. Now it is by no manner of means a determined thing as to whether to build heavy armored vessels or not. My colleague [Mr. Cox] was entirely correct in his statement that there were evident signs that foreign powers were beginning to doubt the policy of building these heavily armored vessels; for in the contest between the target and the gun which has been going on in foreign countries for almost thirty years the gun has come out the victor; so that targets to resist modern guns can not be built and flotation obtained.

I believe that the future naval battles will be fought in vessels as penetrable to shot as any of the vessels commanded by the great naval captains in the beginning of this century, and that our country will find its safety not in the thickness of defensive armor, but, as it has hitherto done, in the fiery hearts of those who man its ships. [Ap-

If the choice is to be between a penetrable steel vessel and a penetrable wooden vessel, then it is clear enough that the difference between them can not be a very great one, and that there are manifest uses to which wooden ships may still beneficially be put. I here state, and call the attention of my colleague [Mr. Hewitt] to my statement, that there is not now one European power which is not to-day building wooden vessels for its naval service.

[Here the hammer fell.]

Mr. HEWITT, of New York. Will my colleague give me the authority for that statement?

Mr. DORSHEIMER. I will. I will send it to my colleague.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Ohio [Mr. Keifer].

The question being taken, there were—ayes 22, noes 62. So (further count not being called for) the amendment was not agreed to.

The Clerk read to the conclusion of the paragraphs appropriating for the Naval Academy.

Mr. FINDLAY. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 415 insert the following:

"Allowance for reduction of wages under the eight-hour law such sum as may be required in the settlement of all accounts for the services of laborers, workmen, and mechanics heretofore or at present employed by or on behalf of the Government at the Naval Academy at Annapolis, Md., between the 19th day of May, 1869, the date of the proclamation of the President concerning the pay of laborers, workmen, and mechanics under the eight-hour law, and the date of the passage and approval of this act, to settle and pay for the same without reduction on account of the reduction of the hours of labor, as contemplated by the spirit of the act of Congress approved June 25, 1868, commonly known as the eight-hour law. And the money hereby appropriated and necessary to pay such claims shall be made immediately available and be disbursed by the Navy paymaster at said Naval Academy under the direction and supervision of the superintendent thereof.

"Mr. HUTCHINS. I make the point of order on that amendment."

Mr. HUTCHINS. I make the point of order on that amendment. I suggest to the gentleman from Maryland that he let it lie over until to-morrow and I will examine it.

Mr. RANDALL. I suggest that it shall be agreed we may go back to this amendment

The CHAIRMAN. Is there objection to passing over the amend-

The CHAIRMAN. Is there objection to passing over the amendment for the present?

Mr. HEWITT, of Alabama. If the point of order is made on it I think it might be as well to have it decided at once.

Mr. HUTCHINS. I hope the gentleman from Alabama will not take the management of the bill out of my hands.

The CHAIRMAN. Is there objection to postponing the decision on this point of order until to-morrow? The Chair hears none.

Mr. RANDALL. The point of order is reserved.

The CHAIRMAN. The Chair so understands.

Mr. COX, of New York. I ask unanimous consent to have printed in the RECORD a communication I have received relative to this subject. the RECORD a communication I have received relative to this subject.

There was no objection. The letter is as follows:

STATE OF MARYLAND, COURT OF APPEALS, Annapolis, February 10, 1885.

Hon. S. S. Cox,

House of Representatives, Washington, D. C.:

House of Representatives, Washington, D. C.:

My Dear Sirs: I duly received your kind reply of December 18, 1884, to my letter of the 17th of the same month, in reference to the proposed relief measure for the Naval Academy employés residing in this city. Your generous offer to aid the measure, as placed in the hands of Mr. FINDLAY, was met by a due manifestation of appreciation by this worthy class of our people.

Inasmuch, however, as the present session is nearing its close, they are fearful that no relief can come to them through the bill recently introduced by Mr. FINDLAY in their behalf, unless it can be secured by way of an amendment to one of the three appropriation bills yet to be reported, namely: the general naval, sundry civil, or deficiency bills. In view thereof, I have prepared and fowarded to Mr. FINDLAY a draught of an amendment, embracing the substance of his bill (No. 7607), and which, if it can by any possibility of a chance be incorporated in either of said appropriation bills, would secure the attainment of the purposes desired.

(No. 7607), and which, if it can by any possibility of a chance be incorporated in either of said appropriation bills, would secure the attainment of the purposes desired.

I herewith inclose you a copy of said proposed amendment, which is almost a literal transcript—mutatis mutandis—of the provision contained in the act of 1872, and as now codified as section 3689 of the United States Revised Statutes. By reference to the latter, if time will permit, you will see that these very employes (among others) were paid for all the time employed at the academy in excess of eight hours from the date of the President's proclamation, to wit, May 19, 1869, since which date they have received no compensation for the extra hours so employed, the eight-hour law here having been practically ignored by the Navy Department, and per consequence at the Naval Academy.

So familiar are you with all the minutise pertaining to matters of national legislation, it would appear unseemly in me, if not quasi-egotistic, were I to attempt to proffer the least suggestion in regard to the best mode of securing favorable consideration and action in the premises; nevertheless, you, I am sure, will not take it amiss if in my zeal for these worthy people I should earnestly request that you will, should you find it convenient to spare sufficient time from the multiplicity of public and local matters which so heavily and necessarily tax your patience, in conjunction with Mr. FINDLAY or otherwise, bring to bear upon the Committee on Appropriations your kind and generous influence whereby the consent of its members may be obtained, in committee, to permit the incorporation of the inclosed proposed amendment in either one of the three appropriation bills hereinbefore mentioned. You will perceive that the proposed amendment is local in its character, and was drafted in that wise in view of a knowledge of the fact that our friend SaMuell J. Randall seems strongly inclined to oppose large appropriations and exhibits rather a sensitive, if not inggardly,

Hoping and believing that you will do what lies in your power to do in the premises, I can but assure you that there will ascend from hearts who know how to appreciate a kindly act done in their behalf as holy incense to a higher sphere, heartfeltinvocations on the part of these good people and their families.

Mr. HEWITT, of New York. I move to strike out the last word. It is not often that I take notice of any personal remarks in debate having reference to myself. The gentleman from Pennsylvania, the having reference to myself. The gentleman from Pennsylvania, the chairman of the Committee on Appropriations, has chosen to visit me with that heavy club which sometimes he uses to demolish those who have the misfortune to differ with him. At the last session of Congress I happened to be on the same side with that gentleman with regard to monitors and the Secretary of the Navy differed with him. I ask the Clerk now to read the remarks of the gentleman from Pennsylvania [Mr. RANDALL] made then as far as I have marked. And that is all I shall care to say on the subject of the opinion which the gentleman from Pennsylvania now entertains of the Secretary of the Navy man from Pennsylvania now entertains of the Secretary of the Navy and of my humble self.

The Clerk read as follows:

The Clerk read as follows:

Mr. CALKINS. Who is the author of that?

Mr. RANDALL. Mr. Isherwood, formerly Engineer-in thief of the Navy. I might rest the action which we recommend to adhere and not yield to the incorporation of these amounts in the appropriation bill upon the opinion of these two accepted authorities, one now in office and the other formerly at the head of the Engineer Corps of the United States Navy. But I am willing to go further and say if it were necessary that there are not thrown around these propositions those safeguards for the expenditure of the money which circumstances known to the country demand in reference to a Department which is now being investigated.

The next question is as to the monitors. That is a subject which was duly considered in the last Congress, and the Committee on Appropriations of that body did not recommend to the House of Representatives any further appropriation of money in that connection, nor did the House in the passage of the original bill incorporate a dollar for that purpose. The bill went to the Senate, and there the amount was incorporated, and in a sort of coercive way, fit I may be allowed in a parliamentary sense to use such a term, the House was compelled to yield. I want to have read in that connection, that it may be still further impressed upon the minds of the House, the language uttered upon this floor by a gentleman here in debate, whose experience as a business man and as a manufacturer in all the forms of iron and steel which enter into the construction of such vessels is large, and whose capacity to judge of such subjects is unquestioned. I ask the Clerk to read from the Record what was said on the floor a few weeks ago upon this point. This is a part of the language of the gentleman from New York [Mr. Hewrit].

The Clerk read as follows:

"There are other questions behind this on which I am in full accord with the Appropriations Committee. I believe the monitors.

"I also believe we ought not to build any new cruisers until we know whethe

Mr. RANDALL. Mr. Chairman, I think that I have said nothing to-day inconsistent with my expressions then, so far as Mr. Chandler to-day inconsistent with my expressions then, so far as Mr. Chandler was concerned. I have only made the group a little larger in some particulars. I never want to be personally offensive, but the gentleman from New York [Mr. Hewitt] provoked what I said by characterizing the Committee on Appropriations as a Democratic committee—

Mr. REED, of Maine. That was provocation enough. [Laughter on the Republican side.]

Mr. RANDALL (continuing). And then subsequently saying, in substance that that Democratic committee was following the lead of Mr.

stance, that that Democratic committee was following the lead of Mr.

Mr. HEWITT, of New York. Mr. Chairman, I beg leave to say that I uttered nothing of the sort. The RECORD will show what was said. I merely now put in a contradiction, and say that I uttered nothing of

Mr. RANDALL. Well, I so understood it, hearing as well as I can hear, and gentlemen around me also understood that there was an implication in the language of the gentleman from New York [Mr. HEWITT]

which was not respectful to the Committee on Appropriations.

Mr. HEWITT, of New York. I have the most immense respect for the Committee on Appropriations. I have been on that committee

myself.

Mr. RANDALL. Well, whether that is mutual or not is another matter. But there is one thing certain, that as long as I am at the head of that committee, whenever it is assailed, either back are hard on a long. or in a more courageous manner, I will strike back as hard as I know how.

Mr. HEWITT, of New York. Mr. Chairman, I believe that I never attempt anything by innuendo on this floor. I believe that is not my reputation. The question that I asked was, since when did it happen that the Secretary of the Navy had become an authority upon this side of the House?

Mr. RANDALL. Mr. Chairman, if that was not a reflection on the Committee on Appropriations, I do not know what it means.

Mr. HEWITT, of New York. And if that be a reflection upon the gentleman from Pennsylvania [Mr. RANDALL], it must be because the

Mr. RANDALL. Oh, well, Mr. Chairman, I am not going to take any

Mr. HEWITT, of New York. I should suppose not. The offense

Mr. RANDALL. I never take what does not belong to me, and there-

fore I am not going to be offended by such a remark as that; but I do say again that whenever the gentleman will speak as a man should speak, with clean-cut language, and not by inference or insinuation, I will try to answer him in a like manner.

The CHAIRMAN. The Clerk will continue the reading of the bill.

The Clerk resumed and read to the end of section 1 of the bill.

Mr. HOMAS. Mr. Chairman—
Mr. HUTCHINS. Mr. Chairman, I move that the committee rise.
The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. THOMAS. I rise to make the point of order against section 2 of this bill.

Mr. KEIFER. That point can not be made until the section is read.

General debate comes in upon this section at this time.

Mr. THOMAS. Then I shall ask that the point of order be re-

Mr. KEIFER. It is reserved. Mr. RANDALL. Mr. Chairman, I wish that the gentleman from Illinois shall be recognized at the proper time to make the point of

order against the second section.

Mr. KEIFER. The gentleman from Pennsylvania [Mr. RANDALL] will agree that the right time to make the point is when the section is read.

Mr. RANDALL. After the general debate on the first section the second section can be read.

Mr. THOMAS. All I ask is that the point shall be reserved.

The CHAIRMAN. The Chair understands that the point of order is pending. The gentleman from New York [Mr. HUTCHINS] moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BLACKBURN having resumed the chair as Speaker pro tempore, Mr. Wellborn reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, and had come to no resolution thereon.

HOUR OF MEETING.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent that the hour of meeting to-morrow (Friday) be 12 o'clock instead of 11.

Mr. BROWN, of Pennsylvania. If we can have an understanding that we shall adjourn before 12, I have no objection to the change of

Mr. WILLIS. That is the understanding, that the morning hour

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. WILLIS] asks unanimous consent that the hour of meeting to-morrow be 12 o'clock instead of 11. [After a pause.] In the absence of objection it is so ordered.

Mr. WOLFORD. Mr. Speaker, to-morrow night is pension night, and I ask unanimous consent that the hours for the evening session be

changed so that we may meet at 7 and adjourn at 9 o'clock.

The SPEAKER pro tempore. The Chair has been requested by the chairman of the Committee on Invalid Pensions to state to the House that he does not believe that the work that that committee will have on hand for to-morrow evening's session can be accomplished in any limited time.

Mr. CANNON. Then I object.

LEAVE TO WITHDRAW PAPERS.

Mr. MORSE, by unanimous consent, was granted leave to withdraw the papers in the case of the executrix of Daniel Carroll, deceased.

LEAVE TO PRINT.

Mr. LAIRD, by unanimous consent, was granted leave to extend his remarks on the subject of the bill presented by him to-day under the

THE CONGO CONFERENCE.

The SPEAKER pro tempore laid before the House the following message from the President; which, with the accompanying papers, was referred to the Committee on Foreign Affairs, and ordered to be printed: To the House of Representatives :

I transmit herewith, in response to a resolution of the House of Representa-tives of the 5th instant requesting copies of all the communications which have been received respecting the Congo conference, and especially copies of the text of the commissions or powers sent by this Government to each of the three American plenipotentaries or agents, a report of the Secretary of State.

EXECUTIVE MANSION, February 19, 1885.

PROTECTION OF SUBMARINE CABLES.

The SPEAKER pro tempore also laid before the House the following message from the President; which, with the accompanying papers, was referred to the Committee on Foreign Affairs, and ordered to be

To the House of Representatives:

I transmit herewith a report of the Secretary of State, of the 19th instant, recommending the enactment of a law for the protection of submarine cables, in pursuance of our treaty obligations under the international convention in re-

lation to the subject, signed at Paris on the 14th day of March, 1884, and commend the matter to the favorable consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 19, 1885.

FRENCH-AMERICAN CLAIMS COMMISSION.

The SPEAKER pro tempore also laid before the House the following message from the President; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be

To the House of Representatives :

With reference to my communication of the 27th ultimo, transmitting to the House of Representatives a preliminary report of the Secretary of State, dated the 26th of January, 1885, in response to the resolution of the House of the 9th of January, 1885, calling for copies of the accounts and vouchers of the disbursing officers of the French-American Claims Commission and containing other information in relation to the transactions of said commission, I now transmit herewith a further report on the subject by the Secretary of State, dated the 17th instant, which is accompanied by the desired copies of the accounts and vouchers in question.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 19, 1885.

YACAMA INDIAN RESERVATION.

The SPEAKER pro tempore also laid before the House the following message from the President; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed:

referred to the Committee on Indian Analis, and Vice To the Senate and House of Representatives:

I transmit herewith a communication of the 16th instant from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill "to accept and ratify an agreement with the confederated tribes and bands of Indians occupying the Yacama reservation in the Territory of Washington for the extinguishment of their litle to so much of the said reservation as is required for the use of the Northern Pacific Railroad and to make the necessary appropriation for carrying out the same."

The matter is presented for the consideration and action of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 19, 1885.

DEDICATION OF WASHINGTON MONUMENT.

The SPEAKER pro tempore. The Chair desires to call the attention of the House to the fact that, by the arrangements made by the committee having in charge the ceremonies of Saturday next, the desks will have to be removed from the Hall of the House to-morrow night. Mr. McADOO. Mr. Speaker, I would ask by whose authority that is to be done?

The SPEAKER pro tempore. The Chair would state that by the provisions of the concurrent resolution of the two Houses of Congress the

committee has entire charge of the arrangements for the ceremonies.

Mr. McADOO. I ask unanimous consent that that part of the arrangements be set aside. I do not think it is desirable to have our desks removed

desks removed.

The SPEAKER pro tempore. The Chair scarcely thinks that the House by unanimous consent can vacate a concurrent resolution.

Mr. BLAND. Did that resolution authorize the seats to be removed from the Hall of the House?

The SPEAKER pro tempore. The hour of 6 o'clock having arrived, the House stands in recess until to-morrow at 10 a. m.

AFTER RECESS.

The recess having expired, the House reassembled at 10 o'clock a. m. (Friday, February 20), Mr. BLACKBURN in the chair as Speaker pro tempore.

LEAVE OF ABSENCE.

Mr. HURD, by unanimous consent, obtained leave of absence for ten days, on account of important business.

EXPLORATIONS IN NORTHERN ALASKA.

The SPEAKER pro tempore laid before the House the following concurrent resolution of the Senate; which was referred to the Committee on Printing:

Resolved by the Scnate (the House of Representatives concurring), That there shall be printed 5,500 copies of the report of Lieut. George M. Stoney, United States Navy, of his recent explorations in Northern Alaska, with the accompanying charts; 1,500 copies for the use of the Senate, 3,000 for the use of the House, and 1,000 for the use of the Navy Department.

ORDER OF BUSINESS.

Mr. WILLIS. Mr. Speaker, I would be glad if the House would by unanimous consent agree upon some limit as to the debate on the pending paragraph of the river and harbor appropriation bill.

Mr. REED, of Maine. I do not think that ought to be done.

Mr. WILLIS. I would be glad if some arrangement could be made.

Mr. REED, of Maine. I think, Mr. Speaker, the situation of things is such that the gentleman from Kentucky ought not to ask that. We have met here—fifteen or twenty members—this morning. Consent was granted last night, contrary to an understanding which existed while a majority of members were here, extending the present sitting of the House for an hour. I think under all these circumstances we ought not to have any such limitation of debate as is suggested. I believe we ought to go right on.

we ought to go right on.

Mr. O'NEILL, of Pennsylvania. I hope we shall adopt any limitation that may be possible on this bill so as soon to get it out of the way

in some manner. I think the gentlemen who have met here this morning came here to go on with the consideration of this bill—
Mr. REED, of Maine. I have not a doubt of it.
Mr. O'NEILL, of Pennsylvania. And I think we had better do what we can in that direction. I hope the objection will be withdrawn and that we shall go on until we reach some point where there is objection.

Mr. REED, of Maine. I do not think that it is fair to members who

are absent.

are absent.

Mr. WILLIS. I have made this suggestion in good faith. The House is aware of the fact that the time for debate on this section was limited to one hour and a half, and afterward, upon the suggestion of some of the recognized opponents of the bill who stated that it would facilitate the passage of the measure, the time was enlarged to allow three minutes' debate on every bona fide amendment. The enlargement of the time was made in good faith on this side and for the purpose of facilitating the passage of the bill, with the implied understanding certainly, if not the express understanding, that all that was wanted was a vote upon these propositions with a brief time to explain them. We have consumed several hours under this extended time; and I submit that as a matter of good faith we ought now to fix some limit to

We have consumed several hours under this extended time; and I submit that as a matter of good faith we ought now to fix some limit to debate on this paragraph, which has already been discussed two hours; that we ought to agree on some reasonable time within which the discussion shall be concluded.

Mr. REED, of Maine. I say again to the gentleman from Kentucky [Mr. WILLIS] that last night the present sitting of the House was extended beyond what was agreed upon when a full House was present. There was not a quorum present last night when the change was made. I was present, but did not object, because I had no objection whatever to this bill going on under full and free discussion; and I have none to this bill going on under full and free discussion; and I have none now. My impressiou is that the gentleman will accomplish most if he

allows the debate to go right on.

Mr. WILLIS. Well, Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union.

RIVER AND HARBOR APPROPRIATION BILL.

The motion of Mr. WILLIS was agreed to; and the House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. Hammond in the chair), and resumed the consideration of the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for

The CHAIRMAN. When the Committee of the Whole rose yesterday tellers had been ordered on a motion of the gentleman from Kenday tellers had been ordered on a motion of the gentleman from Kentucky [Mr. White] to strike out what is known as the Mississippi River paragraph. The gentleman from Arkansas, Mr. Breckinridge, and the gentleman from Kentucky, Mr. White, had been asked to act as tellers. The gentleman from Kentucky being now absent, the gentleman from Pennsylvania, Mr. Brown, will please act as one of the tellers. The tellers will take their places.

The committee divided; and the tellers reported—ayes 4, noes 19.

The CHAIRMAN. No quorum has voted.

Mr. MILLS. No point is made. Mr. BRECKINRIDGE. No one is insisting on a quorum.

The CHAIRMAN. No quorum being insisted upon, the amendment is rejected.

The next amendment (by Mr. HEPBURN) was read, as follows:

Strike out lines 922 to 938 inclusive and insert the following:
"For the continuation of the improvement of the Mississippi River, \$1,000,000, to be expended in the completion of the Plumb Point and Lake Providence reaches."

Mr. WILLIS. I ask a vote on that amendment.

Mr. REED, of Maine. Mr. Chairman, the strongest ground, the real ground, of opposition on the part of those who are opposed to this bill is the continuance of this Mississippi scheme—a scheme which is objectionable in every point of view. It is objectionable on the ground that it is an expenditure of a large sum of money, which expenditure, by the declarations of the committee itself, has been shown to be useless—a waste of the public money. It is objectionable upon another ground, that the ports and harbors of this country which really need improvement are to-day being robbed of proper appropriations for the sake of this ill-judged expenditure.

Mr. BLANCHARD. Will the gentleman name one?

Mr. REED, of Maine. And it will be noticed that not a single word has been said in defense of this scheme. Not a single argument which has been presented by the gentleman has been as a single word has been presented by the gentleman form.

has been presented by the gentleman from Arkansas has been met by the so-called friends of this appropriation. They have remained under the very scathing denunciation which he has given to this scheme. Now, he himself has not rectified it by proposing that the committee should

stand by the original plan. Mr. BRECKINRIDGE. Mr. BRECKINRIDGE. How can the gentleman state that when it is in plain contradiction of the facts which appear before us?

Mr. REED, of Maine. What is the contradiction?
Mr. BRECKINRIDGE. We denounce the departure from the original plan

Now, Mr. Chairman, I say it is not remedied by the change which the gentleman from Arkansas desires to make.

Mr. BRECKINRIDGE rose.

Mr. REED, of Maine. It is known that the commission are carrying

out the very plan on which they started—
Mr. BRECKINRIDGE. The gentleman can not assert that.
Mr. REED, of Maine. With only such additions as their experience has justified, and those additions seem to be, even according to the suggestion of gentlemen on the other side, in the very line of this appropriation. That is, they involve more expenditure, and that is what the whole thing seems to be.

Mr. BRECKINRIDGE. We can not expect any appreciation from the gentleman from Maine and the railroads, which want only the com-

merce that seeks to go down to the Gulf.

Mr. REED, of Maine. That is part and parcel of the glamour which is intended to be thrown over this question. This is no contest between railroads-it is a question between some gentlemen and the Treasury of the United States.

[Here the hammer fell.] Mr. BRECKINRIDGE. That is all we expect from the gentleman from Maine

The CHAIRMAN. The question before the committee is on the amendment of the gentleman from Iowa [Mr. Hepburn].

Mr. REED, of Maine. Let it be reported again.
Mr. BLANCHARD. I object to that.
Mr. BRECKINRIDGE. No; let it be read again.

The CHAIRMAN. The question is on the amendment of the gentle-man from Iowa [Mr. HEPBURN].

Mr. REED, of Maine. I ask for a division.

The committee divided; and there were—ayes 8, noes 33.

The CHAIRMAN. So the amendment does not prevail.

Mr. REED, of Maine. I raise the point of no quorum.

Mr. WILLIS. It comes too late.

Mr. REED, of Maine. I wish simply to say to the gentleman from Kentucky that I had an amendment which I proposed to offer but in some way has been lost from my seat. I simply desire time to prepare another amendment.

Mr. WILLIS. The last time the gentleman from Maine spoke it was against the order of the House, but we made no objection. Although he was not the gentleman offering the amendment we allowed him to speak upon it.

Mr. REED, of Maine. All I wish to do is to offer the amendment

which I had already in my seat.

The CHAIRMAN. As the Chair understands the gentleman from Maine he desires time to prepare an amendment agreeing to withdraw

his demand for a quorum.

Mr. REED, of Maine. I only made the point for that reason.

The CHAIRMAN. The amendment, then, of the gentleman from

Iowa is rejected, and the Chair hears no objection to the request of the gentleman from Maine. The gentleman from Maine will send up his

Mr. BRECKINRIDGE. The Clerk has other amendments to read, which can be done while the gentleman is preparing his amendment.

The next amendment (by Mr. WASHBURN) was read, as follows: Strike out in line 928, commencing with "together," to "Ohio River," in line 930, inclusive, as follows: "Together with the sums herein appropriated for the Mississippi River from Des Moines Rapids to the mouth of the Ohio River."

Mr. WILLIS. If the gentleman will allow me half a minute I will say that simply takes out the upper part of the river from the charge of the Mississippi River Commission.

Mr. WASHBURN. If the gentleman will allow me to state the ef-

fect of my own amendment—

Mr. WILLIS. I was going to say so far as I knew there was no ob-

jection to it.

Mr. WASHBURN. The gentleman is wholly mistaken. The effect of it is to retain the portion of the river between the Des Moines Rapids and the Illinois River under the management of the Engineer Department, and restore the part from the Illinois River to the Ohio River to the commission. All this work has been done under the control of the Engineer Department, and has been entirely successful and entirely

satisfactory to the people interested.

Mr. THOMAS. I object.

The CHAIRMAN. The Chair will remark that the private colloquy going on between gentlemen cannot be heard by the reporter.
Mr. BLANCHARD. We can not accept that.

Mr. WASHBURN'S amendment was rejected.

Mr. WASHBURN. I move another amendment.

The CHAIRMAN. The amendment of the gentleman from Maine

is now at the Clerk's desk.

Mr. REED, of Maine. Let the gentleman go on and finish up the matter while it is fresh before the House.

Mr. WASHBURN. No; I will withhold my amendment.

Mr. REED, of Maine. I offer the following amendment.

The Clerk read as follows:

Strike out lines 922 to 938, as follows:
"Improving Mississippi River from the head of the passes to the mouth of the Ohio River, including the rectification of the Red and the Atchafalaya Rivers at refers to, to be read.

the mouth of Red River, and for keeping open a navigable channel through the mouth of Red River into the Mississippi River: Continuing improvement, \$2,800,000; which sum, together with the sums herein appropriated for the Mississipi River from Des Moines Rapids to the mouth of the Ohio River, shall be expended, under the direction of the Sceretary of War, in accordance with the plans, specifications, estimates, and recommendations of the Mississippi River Commission, as approved or amended by an advisory engineer of said commission, which office is hereby created, said advisory engineer to be appointed by the President, at a salary of \$3,500 per annum; and James B. Eads is hereby recommended to the President for that position."

And in lieu thereof insert the following:

"Preserving improvements on the Mississippi River, \$500,000; for preserving the improvements made by the commission in the Mississippi River, which commission shall report to the next Congress the results of the improvements already made."

Mr. REED, of Maine. I believe that amendment contains the true treatment this subject ought to receive. I believe the plans which have been presented to the House already show conclusively that this expenditure is not justifiable, except after the completion of the experiment which has already been entered into.

In reply to some observations which I made a moment ago, the gentleman from Arkansas [Mr. BRECKINRIDGE] indulged in some remarks with regard to railroads. Now, I call the attention of the House to the fact that such expressions are used simply to create prejudice, and not for the furtherance of argument upon this question. I admit the right and propriety of the Congress of the United States making appropria-tions to facilitate the transportation of goods by water and thereby exercising a control over the rates which railroads may charge. But like every other business proposition the details of such an arrangement ought to be upon business principles; in other words, if you propose to curb the railroads and bring them within the controlling power of the water ways, it is your duty to do it by an expenditure which will produce that result. But there never has been a time when the Mississippi River would not hold all the commerce that could be put upon it. There never has been a time when this expenditure was necessary even if it would produce the results which are claimed for it by its friends.

But when it has been proved here by the admissions of the commit-tee, by the statements of facts and by the reports of the officers of the Government, that the scheme as attempted is a failure, that it has given every indication of being a failure, I say to continue this under the pretense of regulating railroads is to palter with sound business sense. The commerce of the Mississippi River to-day will demonstrate the truth of what I have said.

[Here the hammer fell.]
Mr. BRECKINRIDGE. I move to strike out the last word.

Mr. WILLIS. I object to that.
Mr. BRECKINRIDGE. I wish to say just a word in reply.
Mr. WILLIS. I must insist upon a strict enforcement of the rule. Mr. REED, of Maine. The gentleman from Arkausas does not understand me as objecting. I earnestly second his effort for a full and

open discussion of this matter.

Mr. BLANCHARD. Yes; to kill the bill if you can.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maine, which has just been read.

The amendment was not agreed to.

Mr. REED, of Maine. I know by experience the thing is too consolidated to hope anything from a division.

The next amendment (by Mr. WASHBURN) was read, as follows: Strike out "Des Moines Rapids," in line 929, and insert "mouth of the Illinois

The question was taken; and on a division there were-ayes 13, noes 10.

So the amendment was agreed to.

The next amendment (by Mr. HEPBURN) was read, as follows:

Insert, after line 927, the following:
"Provided, That the sum last named shall be expended for no other purpose than to complete the work on the Plum Point and Lake Providence reaches."

Mr. THOMAS. I make the point of order upon this amendment

that the same subject has been voted down this morning.

The CHAIRMAN. The gentleman from Illinois makes the point of order that this is the substance of what has been already considered and disposed of. Is it conceded to be the same amendment which has been

Mr. HEPBURN. It is not so conceded by me.
Mr. THOMAS. It is a fact, however, whether the gentleman concedes it or not. I feel satisfied that this amendment has been voted upon already

The CHAIRMAN. The record of the proceedings of yesterday will

Mr. HOLMAN. The other proposition, I think, was to reduce the

The CHAIRMAN. The Chair will deem that it has not been acted upon unless the gentleman will furnish the amendment to which he

Mr. THOMAS. I have not a copy of it before me, but I am satisfied an investigation will show that it is substantially the same.

The CHAIRMAN. The Chair will cause the amendment heretofore

acted upon, and which the Chair presumes the gentleman from Illinois

The Clerk read as follows:

Strike out line 922 to 933, inclusive, and insert:
"For the continuation of the improvements of the Mississippi River, \$100,000, to be expended in the completion of the Plum Point and Lake Providence reaches."

The CHAIRMAN. It is evident to the Chair that the two amendments are not identical.

ments are not identical.

Mr. HEPBURN. Mr. Chairman, I want to call the attention of the committee to the statements which have been made in every report furnished by the Mississippi River Commission, as well as by gentlemen on this floor, to the effect that the improvements now being made on the Mississippi River are entirely in the nature of experiments. No gentleman has yet claimed that these improvements will be successful. Every one who has spoken upon the subject and ventured an opinion, has either said that they were experimental, or, like the gentleman from Arkansas, has said that they were absolutely worthless.

Mr. BRECKINRIDGE. How can the gentleman claim that, when

Mr. BRECKINRIDGE. How can the gentleman claim that, when we are simply seeking in the preparation of this bill to stop that which is only experimental and stick to that which is not experimental?

Mr. HEPBURN. I do not yield for an interruption. I know what the language of the gentleman was.

Mr. BRECKINRIDGE. But the gentleman mistakes my language. We have asked to be relieved of the incubus that rests upon the work.

Mr. HEPBURN. I am aware of no change which is made by the bill imposing any new duties upon the commission as far as this work is concerned.

is concerned.

Mr. BRECKINRIDGE. The bill does not recommend an expenditure of a dollar for experimental purposes. The design is to prevent new methods of procedure.

Mr. HEPBURN. They are simply acting upon the plan, in my judgment, as originally proposed.

Mr. BRECKINRIDGE. Ah! in your judgment.

Mr. HEPBURN. Now, the first plan ever proposed provided for this work of revetments, the work of spur-dikes, the work of artificial embankments in midriver, and the commission have done no other

embankments in midriver, and the commission have done no other work, except upon these three classes of improvements, excepting on

Mr. KING. Will the gentleman from Iowa permit me to ask him

Mr. HEPBURN. I have not time to answer questions in three min-

Mr. KING. I wish to ask just one question.
Mr. HEPBURN. I prefer not to be interrupted.
Mr. KING. I only want to make a correction.
Mr. HEPBURN. I do not want to be corrected. I am satisfied with

my own knowledge of the subject.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. Hep-

BURN] has expired.

Mr. HEPBÜRN. I hope the Chair will remember that I have been interrupted without my consent.

A MEMBER. Let him have two minutes more.

The CHAIRMAN. The Chair will ask if it is the pleasure to extend the time of the gentleman from Iowa for two minutes?

Mr. KING. Give him five minutes.

The CHAIRMAN. Is there objection to extending the time for two

Mr. DUNN. I object. Only half a minute was occupied by inter-

Mr. REED, of Maine. The gentleman from Arkansas [Mr. Breckin-RIDGE] and the gentleman from Louisiana [Mr. KING] seem desirous to discuss this question. I ask unanimous consent be given to allow

Objection was made.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa [Mr. Hepburn].

The question being taken, there were—ayes 21, noes 37.

Mr. HEPBURN. I make the point that a quorum has not voted.

The CHAIRMAN. A quorum not having voted the Chair will order tellers, and appoints the gentleman from Iowa, Mr. HEPBURN, and the gentleman from Kentucky, Mr. Willis.

The committee again divided; and the tellers reported—ayes 55, noes 109

So the amendment was not agreed to.

The Clerk read the next amendment (offered by Mr. WHITE, of Kentucky), as follows:

Amend by striking out lines 922 to 944 inclusive.

Mr. WHITE, of Kentucky. I desire to submit to the Chair a question of order. My amendment is not intended to cut off amendments offered to what has been read. It goes a few lines further than the Clerk has read. The point of order I wish to make is that if I should fail to carry this amendment—

The CHAIRMAN. The committee will come to order; the Chair is make the boar the continuous from Fortune Programment.

unable to hear the gentleman from Kentucky.

Mr. WHITE, of Kentucky. I was stating, Mr. Chairman, that, if I understand correctly, the Clerk has read as far down as line 938.

The CHAIRMAN. The whole section has been read.

Mr. WHITE, of Kentucky. I mean in the second reading.
The CHAIRMAN. The whole section has been read, and the bill is

not being reread.

Mr. WHITE, of Kentucky. The point of order I wish to raise is this, that in case this amendment, which goes to line 944, shall fail, would it then be in order to move to amend any portion of the paragraph ending with line 938?

The CHAIRMAN. It would.

Mr. WHITE, of Kentucky. Then I desire to address myself for the three minutes to the amendment which has been read by the Clerk. I propose to strike out from line 922 down to and including line 944, taking out the whole provision with regard to the Mississippi River Commission and the examination and surveys at the South Pass and the survey of the Mississippi River from the head of the passes to its headwaters. There are \$75,000 in the bill for continuing the survey from the head of the passes to the headwaters of the Mississippi River. There is no necessity for that; and we had better strike out this whole business and let us have a further expression of public opinion on what has been done.

Mr. BUDD. What is the gentleman's amendment?

Mr. WHITE, of Kentucky. To strike out all from line 922 to line 944, inclusive.

Mr. BUDD. That includes all of the three paragraphs?

Mr. WHITE, of Kentucky. It does. Mr. BUDD. All right. Let all friends of the bill vote "ay," and thus save it

Mr. WILLIS. I have no objection to that.

The amendment was adopted.

Mr. WILLIS. I ask for the reading of the next amendment.

The next amendment (offered by Mr. WASHBURN) was read, as fol-

Amend by inserting, at the end of line 950, the following:
"For the completion of the test of the flume invented by M. J. Adams for the improvement of the navigable channel of the Mississippi River between Saint Paul and Des Moines Rapids, provided for by act of Congress approved March 3, 1879, under the supervision and direction of the said M. J. Adams, \$20,000."

Mr. THOMAS. I make the point of order on that amendment. The CHAIRMAN. The gentleman will state the point of order. Mr. THOMAS. That it is new legislation, not authorized by law. Mr. WASHBURN. I do not think it is new legislation. The CHAIRMAN. That is not material. This is not a general ap-

propriation bill, and the point of order is overruled.

Mr. WASHBURN. I simply desire to say that an appropriation was made by Congress heretofore to make a test of this, and the matter was very fully considered in Congress when the gentleman from Texas [Mr. Very fully considered in Congress when the gentleman from Texas [Mr. REAGAN] was chairman of the committee. He has already investigated the matter very fully, and I yield him one minute to be heard. The CHAIRMAN. The gentleman from Texas [Mr. REAGAN] does not appear to be in his seat.

Mr. WILLIS. I ask for a vote. In the judgment of the committee the test has not proved satisfactory.

The question being taken, the amendment was not agreed to.

The next amendment (offered by Mr. NICHOLLS) was read, as follows:

After line 953 insert the following:
"For building and equipping a dredge-boat, and operating said boat for one year in the improvement of the rivers and harbors in the States of Florida, Georgia, and South Carolina, \$100,000."

Mr. BRECKINRIDGE. I desire to say a word about that amend-

The CHAIRMAN. The gentleman from Georgia [Mr. NICHOLLS] is entitled to the floor.

Mr. BRECKINRIDGE. The gentleman from Georgia yields to me.

Mr. HOLMAN. I rise to a question of order.
The CHAIRMAN. The gentleman will state it.
Mr. HOLMAN. There are certainly two amendments to the preced-

ing paragraphs which have not been voted on.

The CHAIRMAN. The Chair will state that the whole of the paragraph for the improvement of the Mississippi River commencing in line 922 and the two succeeding paragraphs have been stricken out without the attention of the Chair being called to any amendments pending. The paragraphs have been stricken out and it is now too late to raise the question of order.

Mr. NICHOLLS. I yield to the gentleman from Arkansas [Mr.

BRECKINRIDGE]

Mr. BRECKÍNRIDGE. For several years General Gillmore has urged that increased facilities be given him for necessary dredging of Charleston and several other harbors. The present dredging plant of the Government is worn out and utterly useless, and it is absolutely necessary for the commercial wants of Charleston, Wilmington, and Savannah that at least one first-class dredge-boat be supplied for use there. I think this is a most meritorious amendment, and I know of no objection to it that has come from any member of the committee who has given the matter any consideration. The chairman and I have conferred about it and we think it ought to prevail.

Mr. BLANCHARD. Mr. Chairman, I also think that amendment ought to prevail. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. Does the gentleman from Georgia [Mr. Nich-olls] desire to be heard upon the amendment? Mr. NICHOLLS. No, sir; I desire a vote.

The amendment was agreed to.

The Clerk read the next amendment (offered by Mr. BUDD), as fol-

After line 953 insert;
"For operating Government dredge-boat on the rivers emptying into the Suisun and San Pueblo Bays, California, \$15,000; the same to be taken from the money now on hand to the credit of the fund for the Sacramento and Feather Rivers."

Mr. BUDD. Mr. Chairman, I desire to call the attention of the committee to this amendment, which I understand is acceptable to them. It does not increase the appropriation at all. Last year, under an appropriation made by Congress, the dredge-boat was built, and this amendment simply makes available for operating that dredge-boat certain funds already on hand to the credit of the rivers named.

Mr. WILLIS. I will ask the gentleman from California [Mr. BUDD]

whether this increases the appropriation?

Mr. BUDD. Not one cent.

Mr. WILLIS. That is my understanding. I understand that the Government has built the dredge-boat, and that this amendment simply provides for running it, out of money already appropriated for those rivers.

Mr. BUDD. Yes; out of the money already appropriated.

The amendment was agreed to.

The Clerk read the next amendment (by Mr. Cook), as follows: Strike out all of line 954, after the word "from," and all of line 955.

Mr. COOK. This amendment proposes to strike out all the appropriation for the improvement of the Missouri River below Sioux City. For years past every Congress, I believe, has appropriated money for the im-provement of the navigation of the Missouri, and yet I hear of no commerce upon it. The bed of the river is but a body of quicksands. You can not tell to-day where the current will be to-morrow. The sides of the river are so unstable that miles of the shore upon the Iowa, Nebraska, and Kansas side are, from year to year, washed into the river, and it is simply an impossibility ever to make the Missouri navigable to any considerable extent. I have inquired of members from Missouri— Mr. COSGROVE. I would like to answer the gentleman on that point

Mr. COOK. And of members from Iowa, who live upon the banks of the river, and they say that it is practically of no commercial use, nor has it been for years, especially from Council Bluffs to the mouth. Whatever traffic there is upon the Missouri is above Sioux City up to Fort Benton. I do not believe there are five boats passing between Sioux City and Kansas City during the whole year.

Mr. COSGROVE. That shows how little the gentleman knows about

the facts.

Mr. COOK. I think the only effect of this provision in the bill is simply to throw \$350,000 into the Missouri River. The gentleman from Kansas now tells me that during the whole of the past year the draw in the bridge at Atchison has been open but eight times for boats either

The gentleman from Missouri is a little excited, but what I assert is a matter of public notoriety. I have frequently been along the river between Kansas City and Sioux City and at every important place, and never have I seen a boat of any kind on the river or tied up at its hard. It seems to me that this is no more nor less than throwing \$250,000 into a river of a little water and much quicksand.

The Clerk read the next amendment (offered by Mr. Pusey), as fol-

After the word "dollar," in line 255, insert:

"Ten thousand dollars of which, or so much thereof as may be required, for survey and improvement of the Missouri River at the mouth of the Nishnebotny River."

Mr. COSGROVE. Mr. Chairman, is that amendment subject to the

point of order?

Mr. Chairman, this amendment does not increase the One of the worst bends in the Missouri River from Saint Joseph to Sioux City is at the mouth of the Nishnebotny (which is a partially navigable stream), and this amendment is simply mandatory upon the commission to spend the amount of money named in removing snags and obstructions at the mouth of that river. The amendment does not increase the appropriation at all, and I believe it is acceptable to the committee.

Mr. WILLIS. The committee has placed this river under the Missouri River Commission. That commission is either competent or incompetent. If incompetent, it ought to be abolished; if competent, it

ought to be permitted to pass on this point.

Mr. PUSEY. I think it is entirely within the power of Congress to

direct what this commission shall do.

Mr. WILLIS. We refused to do this on the lower Mississippi in regard to Natchez and Memphis.

The CHAIRMAN. The gentleman from Iowa [Mr. PUSEY] is en-

titled the floor.

Mr. PUSEY. A similar appropriation of \$5,000 was ingrafted on the bill of last year. But the commission passed over this improve-

ment—did nothing for it. This proposition simply requires the commission to make a survey; it does not increase the appropriation. I hope the House will adopt the amendment.

The question being taken on the amendment of Mr. Pusey, it was

agreed to.

Mr. HEPBURN. I have sent to the desk an amendment.

The CHAIRMAN. Where does the gentleman desire th Where does the gentleman desire the amendment to come in?

Mr. HEPBURN. After the line last read.
The CHAIRMAN. The whole section has been read.
The Clerk read as follows:

After line 953 insert:
"For the improvement of the Mississippi River the sum of \$2,000,000: Provided,
That not more than \$1,000,000 of this sum shall be expended on said river south
of Cairo, and that sum shall be expended on Plum Point and Lake Providence
reaches."

Mr. WILLIS. I am compelled to make a point of order on that nendment. The paragraph to which it relates has been passed.

Mr. HEPBURN. No, sir; I am asking that this be added to the

paragraph last read.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] will remember that yesterday, in trying to arrive at a rule for the solution of the anomalous condition of things, the Chair held that when a paragraph relating to a particular river had been once passed there should be no recurrence to the subject of that river. That ruling was enforced more than once during the last sitting of the committee; and it was only relaxed in the case of the gentleman from Pennsylvania [Mr. CURTIN], who stated that the West Fork of a particular river was known as a distinct stream. The point of order now raised by the gentleman from Kentucky [Mr. Willis] is sustained.

The next amendment (by Mr. Cosgrove) was read, as follows:

Strike out, in line 955, the words "three hundred and fifty" and insert "five hundred;" so that it will read when amended: "Improvement of the Missouri River from its mouth to Sioux City, \$500,000," &c.

Mr. COSGROVE. Mr. Chairman, this amendment would only give one-half of the amount which Major Suter of the commission says is

requisite and can be judiciously expended between the points named. In this connection I wish to say a word or two in reply to the gentleman from Iowa who offered an amendment to strike out this entire appropriation. With his usual inaccuracy as to facts he stated, as I recollect, that there were not more than three or four boats plying between Saint Louis and a point named by him. I want to state to the gentleman that there are one or two lines of packets plying daily on that river and making trips from Saint Louis to Kansas City two or three times per week. But few points along that river are touched by railroad, so that the commerce has necessarily to be done largely by boats; at every railroad point on the river—that is, those points touched by railroads—there are at least one or more boats. At the city where I reside boats are constantly plying during navigable season upon this river. This river passes through one of the most fertile portions of the country—
Mr. Cook rose

Mr. COSGROVE. I decline to yield. The gentleman did not honor me by yielding when I asked him to. I think the gentleman was talking about something he knew nothing about, and probably acting under a misapprehension of the facts furnished to him by one not ac-

quainted with the true state of the case.

I therefore hope this amendment will be adopted. If you are going to spend any money, it is right to spend enough to give the commission an opportunity to do something. It is useless to give them a few dollars—not half enough to accomplish any substantial good in aid of the

commerce of that river.

The question being taken on the amendment of Mr. Cosgrove, it was not agreed to; there being—ayes 20, noes 38.

The next amendment (by Mr. Anderson) was read, as follows:

In line 955, strike out "\$350,000" and insert "\$1,000,000."

Mr. WILLIS. I ask a vote on that amendment.

The amendment was not agreed to.

Mr. WHITE, of Kentucky. words "three hundred and." I move to strike out, in line 955, the

Mr. Chairman, it will be discovered that the money appropriated for the Missouri River is to be spent in accordance with the estimates, specifications, plans, and recommendations of the Missouri River Commission. That commission is but a branch of the Mississippi River Commission. The plans, specifications, &c., for work on the Missouri River are made by a separate department of the Mississippi River Commission, known as the Missouri River Commission.

Now, in the report of the Mississippi River Commission for 1883 we

are told, on page 22-

Within the past year some serious inconvenience has been suffered from ex-orbitant demands made by land-owners for brush and piles. These materials are in most cases worth little or nothing to the owners, and are unsalable to any buyer except the Government at any price; but at the prices some of the owners ask for them they would make a large item of cost.

It strikes me this thing of tickling the flank of the Missouri River is about as objectionable as tickling the flanks of the Missisppi River, when we know the Missouri River Commission is but a subsidiary branch

of the great Mississippi Commission. Although separated by law, they have the same idea about things. One idea seems to have taken control of the entire Democratic party, and that is to put their hands into the Treasury as deep as possible and draw out as many millions as they can. Therefore, if you are going to strike out the Mississippi River Commission, in good faith you ought to strike out the Missouri River Commission, because they are born of the same spirit of this Democratic party, who will stand for years on the principle that they can not appropriate money because the Constitution forbids them to do so when it is to be devoted to any other section of the country, but when it comes to be devoted to their own section then they are for it, if it only takes enough millions out of the Treasury for their purposes.

[Here the hammer fell.] The amendment was rejected.

The next amendment (by Mr. Funston) was read, as follows:

In line 955, after the word "dollars," insert:
"Ten thousand dollars of which shall be expended in the improvement of the harbor at Wyandotte, Kans."

Mr. FUNSTON. Now, Mr. Chairman, I do not offer this amendment merely for the purpose of getting what is called my share in this pot, but I do it because of a public necessity, which ought to be satisfied. It is an appropriation which properly belongs to this locality, because every other town of any importance along the Missouri River has received an appropriation for the improvement of its harbor. I has received an appropriation for the improvement of its harbor. I hold in my hand the report of the Mississippi River Commission, showing the history of all the appropriations along that river, but the few minutes which are allowed to me under the rules will not permit me to go into any detail, and therefore I will say in general that by this Missouri River Commission report it is shown \$2,000,000 have been appropriated for the Missouri River, and that almost every town of any importance along that river has received its share for the improvement of its harbor. Here are specified the amounts for Saint Joseph, for Kansas City, for Atchison, and other towns along the Missouri River, which have been devoted to the improvement of their harbors, each place receiving from \$10,000 to \$50,000, until as I have said \$2,000,000 have been appropriated and expended in that way. Now, on the bank of this same river stands a city in the State of Kansas, with a population to-day of from 10,000 to 11,000, with a densely populated surrounding country, in which are the largest pork-packing establishments west of the Missouri River, and the most extensive machine-shops in the State, and which so far has never received one dollar for the improvement of its harbor. ment of its harbor. Here are specified the amounts for Saint Joseph, provement of its harbor.

I ask this appropriation provided in the amendment which I have moved in the interest of public improvement. It is due to the people of my country that they should have facilities of navigating the stream that goes by their doors, which they are not now able to do because of washes and deposits at and near the banks of the river. I say it is due to this locality that here at this time and in this bill we should have the small appropriation I have asked for to be applied to the improve-

ment of the harbor of that city of Wyandotte.

Mr. DAVIS, of Illinois. Does it increase the appropriation?

Mr. FUNSTON. Not one cent.

Here the hammer fell.]

The committee divided; and there were—ayes 50, noes 71.

So the amendment was rejected. The next amendment (by Mr. Anderson) was read, as follows:

Strike out "\$50,000" and insert "\$100,000;" so it will read:
"For continuation of surveys of the Missouri River from its mouth to its headwaters, now in progress; to make additional surveys and examinations of said river and its tributaries; and to make such additional examinations and investigations, topographical, hydrographical, and hydrometrical, as are necessary for maturing a plan for the permanent improvement of the entire river, \$100,000."

The amendment was disagreed to.

The next amendment (by Mr. Cook) was read, as follows:

Strike out all of line 974 to line 985, inclusive.

Mr. COOK. This paragraph appropriates \$10,000 in a specific manner for improvements at Fort Leavenworth, Kans., and that so much of the appropriation which precedes it for the Missouri River should be there used. If it is specific, it should be limited to that amount. If it is not a limitation to \$10,000, then it should be stricken out and should rest on an appropriation which covers the river from Sioux City

to Saint Louis.

Mr. PERKINS. I desire to offer an amendment increasing the amount

to \$15,000.

The CHAIRMAN. That is in order.

Mr. PERKINS. I desire to say this amount of \$10,000 was inserted in the bill by the committee in order to protect the Government property at Fort Leavenworth. There the Government owns more than 7,000 acres of land, much of which is occupied by the fort and for military purposes. The reservation extends on each side of the river. A bridge spans the river there, but the action of the water is such that it now threatens more than 1,500 acres of this valuable land belonging to the United States and the usefulness of the bridge spanning the river.

It was to protect that land as well as to improve the bank and the regimen of the stream this appropriation was inserted. It is not for the harbor of Leavenworth or for private property. I insisted before

the committee that the sum given was not sufficient; yet in view of the policy adopted by the committee in not making appropriations for particular harbors or localities, but leaving the money to be expended under the direction of the commission, they thought it would not be right to appropriate more than is given; but for the protection of this property of the Government, as well as to improve the navigation of the stream, they consented this amount might be appropriated for the spe cific use mentioned, and under no circumstances should the motion of the gentleman from Iowa prevail. This committee has been charged with sectionalism and with having acted on partisan considerations. In my judgment no such motives influenced the committee in the discharge of its duty. Sectionalism did not actuate or control it, and partisan considerations were forgotten in the appropriations recommended. We have been charged with looking after local interests and in forget-We have been charged with looking after local interests and in forgetting the public welfare, although as a member of that committee I desire to say that my own State, the State of Kansas, is almost the only State in the Union which gets no dollar from this bill. We have not been influenced by any such considerations as have been charged against us. If it shall be the disposition of the House to vote down this paltry sum proposed for the protection of this Government property, all I sum proposed for the protection of this Government property, all can do is to submit; but I present it to the enlightened judgment of the House, believing the provision of the bill will not be stricken out.

Mr. PERKINS's amendment to the amendment was disagreed to. The next amendment (by Mr. LORE) was read, as follows:

Add after line 985: "Improving harbor at Wilmington, Del., \$25,000, which shall include the \$15,000 heretofore passed in this bill for that purpose."

Mr. WILLIS. I am compelled to make the point of order upon that amendment

Mr. LORE. I hope the gentleman will not insist upon the point of

The CHAIRMAN. The Chair will ask the attention of the gentleman from Kentucky and the gentleman from Delaware. Under the order of the House certain lines were postponed until after the reading

of this entire paragraph—

Mr. WILLIS. This does not come within that agreement. It is clearly subject to the point of order.

The CHAIRMAN. The Chair would like to finish its statement. Under the order of the House certain matters were postponed until we reached the end of the section. The end of the section is at the end of line 985, and this is a proposition to add to this section. Prior to that the three other matters which had been passed over would be in order, and without unanimous consent the Chair thinks it is first in order to dispose of these three subjects to which reference has been made.

Mr. WILLIS. There is no doubt about the point of order upon this.

Mr. LORE. I admit if the point of order is insisted upon that it can

be sustained.

The CHAIRMAN. The Chair then understands the amendment to be withdrawn.

Mr. LORE. I will withdraw it, since the point of order is insisted

The CHAIRMAN. The Clerk will now go back to line 332.

Mr. WELLER. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. WELLER. There have been amendments submitted to come in at the end of line 985 that have not been presented to the attention of the committee

The CHAIRMAN. The Chair is aware of that, but there were certain other reserved lines in the section that have not been presented, and in the opinion of the Chart they take precedence of those amendments that come in at the end of the section.

Mr. WELLER. I understand the amendments I have already of-

fered will not be precluded?
The CHAIRMAN. The C The CHAIRMAN. The Chair does not know, of course, what amendment the gentleman has at the desk. The Clerk will read the amendment to line 332.

The Clerk read the amendment (submitted by Mr. WARNER, of Ohio), as follows:

In line 332, strike out "fifteen" and insert "fifty."

Mr. WILLIS. The gentleman from Ohio is absent, and I owe it to him to say, upon examination of the subject now before the committee, that if he will reduce it to \$25,000 there will be no objection. He is attending a committee meeting, and I ask, therefore, that it be reduced to \$25,000, to which the committee will have no objection.

The CHAIRMAN. Does the gentleman move to amend?

Mr. WILLIS. I move to amend by making it \$25,000.

Mr. WILLIS. I move to amend by making it \$25,000.
Mr. JOSEPH D. TAYLOR. Mr. Chairman, I desire to amend by increasing it to \$30,000.

Mr. WILLIS. I hope the gentleman will not do that. There is an agreement between the gentleman from Ohio [Mr. WARNER] and the

committee; and this amount will be satisfactory to both parties.

Mr. JOSEPH D. TAYLOR. Large amounts of money have been thrown away there by reason of the fact that no appropriation has been made to complete the work.

Mr. WILLIS. But in this case the gentleman from Ohio [Mr. WARNER] is satisfied.

Mr. JOSEPH D. TAYLOR. If he is satisfied then I shall not insist upon the amendment.

The amendment of Mr. WILLIS was agreed to. The amendment as amended was agreed to.

Mr. HEPBURN. Mr. Chairman, I rise to a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.
Mr. HEPBURN. I understand certain lines from 923 to 938, inclu-

sive, have been stricken from the bill. There were, as I understand it, pending certain amendments in the hands of the Clerk at that time.

I want to know what becomes of those amendments?

The CHAIRMAN. The Chair has no official knowledge of any amendment to which attention is not called. When the motion to strike out was made by the gentleman from Kentucky, before arguing it he asked a parliamentary question, whether, if his motion failed, other amendments could be voted upon, to which the Chair answered in the affirmative. The motion of the gentleman, however, was carried, and we then passed to other matters and no attention was called to the fact that other amendments had been offered. The Chair had no information of any other amendments pending.

Mr. HEPBURN. Permit me a moment. Under the direction of the

Chair these amendments were forwarded to the Clerk and were in his hands. It was supposed of course by members that they were to be

considered as pending amendments under that order.

The CHAIRMAN. The Chair will state that a member proposing an amendment should have called attention to the fact before we had passed on to a half dozen other propositions.

Mr. BROWNE, of Indiana. If the Chair will allow me I would ask

if these lines, having gone out of the bill, do not necessarily take the amendments with them?

The CHAIRMAN. The Chair supposes that might be the reason affecting the Clerk. But the Chair was not informed in reference to the

Mr. BUDD. Is an amendment pending until it is read?
The CHAIRMAN. The Chair thinks that if gentlemen do not call for the reading of their amendments the Chair is not responsible for their failure to be presented to the committee. The Clerk will report the next amendment.

The Clerk proceeded to read the next amendment (by Mr. WASH-BURN), as follows:

Add to line 774:
"The Secretary of War is hereby directed."

Mr. WILLIS. That is to come in under the head of "surveys."
Mr. WASHBURN. I will withdraw the amendment for the present. The next amendment (submitted by Mr. GUENTHER) was read, as follows:

In line 774, after the word "site," insert:
"Improving the Fox River, Wisconsin: Continuing improvement, \$100,000."

Mr. GUENTHER. Mr. Chairman, I can hardly think it is the intention of this committee to commit so gross a wrong as to fail to make any appropriation for the Fox River.

Mr. WILLIS. I ask my friend to reduce the amount to \$75,000; and I understand the committee under the new report is willing to accept that.

Mr. GUENTHER. In order not to imperil the ultimate passage of the bill I will consent to this reduction to \$75,000, though I should in-sist upon \$150,000. I therefore modify the amendment and make it

The amendment as modified was agreed to.

The CHAIRMAN. The next amendment in order that was passed over was one to the paragraph commencing in line 813 and relating to the Hennepin Canal. That amendment can not be considered until the question of order shall be disposed of. Is it the pleasure of the committee to have that question of order disposed of now or to take up the amendments which have been offered to come in at the end of the

Mr. DAVIS, of Illinois. I ask for a ruling from the Chair now. Mr. WILLIS. I understand the section is concluded with the ex-

ception of the amendment to which the Chair has referred.

The CHAIRMAN. There are amendments at the end of that section still to be disposed of.

Mr. WILLIS. I ask that those amendments may be disposed of. Mr. DUNHAM and other members. Let us have the ruling on the

The CHAIRMAN. The gentleman from Georgia [Mr. TURNER] asked that that part of the bill which begins on line 813 and ends with line 842 be stricken out. They relate exclusively to the "construction of a canal from the Illinois River near the town of Hennepin to the Mississippi River at or near Rock Island," and propose that \$300,000 be appropriated therefor. He claimed that they should be stricken from the bill upon four points of order.

The first was that the Committee on Rivers and Harbors had no juris diction over the subject-matter of that canal. The second was that that committee had no right to put that canal into this bill and thereby give it the precedence allowed to bills making appropriations for the improvement of rivers and harbors by paragraph 8, Rule XI. The third ground was that said lines are practically the same as H. R. 1975 upon

the Calendar, reported last session by the gentleman from Iowa [Mr. Murphy] from the Committee on Railways and Canals. That being true, it is contended that those lines are therefore obnoxious to clause 4 of Rule XXI as to amendments. His last point was that this was "new legislation in the content of the content o new legislation, increasing the amount of expenditure covered by the bill and doing it by a clause not germane to the bill." Allusion was there meant to the familiar third paragraph of Rule XXI.

For convenience the last two points will be disposed of first. In reply to them, it was urged that this bill is not a general appropriation bill and not covered by the third clause of Rule XXI, which in terms applies to "general appropriation bills;" and that clause 4 of Rule XXI is in terms confined to amendments, whereas the lines at-

tacked are in the bill and not offered as an amendment.

In February, 1881, Mr. CARLISLE (our present Speaker), being chairman of the Committee of the Whole House on the state of the Union, considering the river and harbor appropriation bill, held that it was not a general appropriation bill, and that therefore an amendment to add a new work—that is, "an ice-harbor at Dubuque, Iowa, \$40,000"—was not out of order. (See Record, volume 47, page 1634, third session Forty-sixth Congress.) That decision has been followed ever since and upon the letter of the rule is fatal to the fourth point above stated. The third point as put is applicable to amendments only, and as the letter of the rule cited covers only amendments, and this is not an amendment, that letter again kills.

The question of the gentleman from Georgia [Mr. TURNER], put to the gentleman from Illinois [Mr. HENDERSON] in the debate, indicated a broader objection, but it was not otherwise suggested. It, therefore, might be improper for the Chair, under the circumstances, to discuss that view. Besides, its elucidation would require a history of the pres-

ent rule, which would be tedious. The Chair therefore forbears.

Let us now recur to the first and second points of order. Several replies were made to the point that the Committee on Rivers and Harbors had not jurisdiction of the subject-matter of this canal. The first was that several petitions for the construction of this canal had been referred to the Committee on Rivers and Harbors before it reported this bill to the House. It was not claimed that they were referred otherwise than through the petition-box "in the usual and ordinary way."

It was said that by "the rules of the House all bills of this character shall be delivered to the Clerk like petitions and memorials, and thence referred."

Another member said in argument that—

When a petition was placed in the petition-box and referred to that committee a record was made of that fact, and that record was not approved until the next day, when the attention of every member of the House was called to that record, which showed the disposition of such petition; and when that record stands approved by action of the House it is too late in the Committee of the Whole or in the House to say the Committee on Rivers and Harbors has no jurisdiction of the question.

Does this conclusion follow from the facts stated? Clause 5 of Rule XXI requires:

All bills for improvement of rivers and harbors shall be delivered to the Clerk as in case of petitions and memorials for reference to the appropriate committee.

That declares two things: First, that all those bills go to that committee not through the House, but through the petition-box only; second, that the House trusts the Clerk to send such as relate to rivers and harbors to the Committee on Rivers and Harbors. It is confined to bills.

Rule XXII needs to be examined, for it covers petitions and me-morials (except memorials of State Legislatures, which are covered by

clause 1 of Rule XXIV).

Rule XXII plainly shows that the reference of petitions and memorials is not even made by the Clerk, as was erroneously stated in the debate. The Clerk must deliver them to the committee to which the indorsement of the member directs. And if the reference be wrong, that committee may refer them to the proper committee "in the manner originally presented," i. e., through the petition-box. And in that case the Clerk has nothing to do but follow the direction of the committee making the reference. It will be seen that under the rule the House has nothing to do with the reference of petitions. This very fact was urged as an objection to Rule XXII when it was adopted. (See speech of the gentleman from Pennsylvania [Mr. Kelley] on that point.) Sometimes the committee reports them back to the House for reference, but that is not claimed in this case. And that part of the Journal relating to petitions is not usually read in the House. (See Rules and Practice of House of Representatives, first session Forty-eighth Congress, page So far as the Chair knows it is never read in the House.

If such a reference gives jurisdiction any member may give jurisdiction to any committee over any subject-matter by his indorsement; he may give it to every committee by referring one such petition to each. He may refer the reorganization of the Supreme Court to the Committee on Ventilation and Acoustics by simply putting the matter of a bill for that purpose into the form of a petition and so directing it by his indorsement. The Chair does not say that by appropriate action the House might not correct such an abuse. The Chair is only showing to what the claim that jurisdiction can be thus obtained will lead.

For many good reasons Rule XI distributes all business between our fifty committees. That rule imperatively declares that "all proposed"

legislation relating to the improvement of rivers and harbors shall be referred to the Committee on Rivers and Harbors, and all proposed legislation relating to railways and canals, other than Pacific railroads, to the Committee on Railways and Canals." No disregard of that rule by a member's indorsement on a petition or by the retention thereof by a committee, if beyond its jurisdiction, can enlarge the jurisdiction of the

committee fixed by the rules

committee fixed by the rules.

Next, it was contended that the jurisdiction had been conferred by reference to that committee of the Engineer's Report. The RECORD of the 8th of January last states that "a letter from the Secretary of War, transmitting the Report of the Chief of Engineers, with accompanying papers from officers in charge of river and harbor districts," was laid before the House by the Speaker, and referred to the Committee on Rivers and Harbors. This mere recital and the fact that the canal is mentioned in the volumes of that report it is contended agree to the mentioned in the volumes of that report it is contended gave to the Committee on Rivers and Harbors jurisdiction over the proposed canal. It seems to the Chair that a fair construction of that act of the Speaker was to commit to the Committee on Rivers and Harbors only those parts of that report "relating to the improvement of rivers and harbors." The construction opposite to this proves too much for those who invoke its aid. That construction would have given jurisdiction to that committee over the seacoast and lake-frontier defenses, the surveys of the Territories, the improvement and care of public buildings and grounds in and around Washington, the water supply of this District, the fishways at the Great Falls of the Potomac, the control of the Washington Aqueduct, &c.; for all these things are covered in that report. (See pages 5, 2300, 2301, 2339, &c.) The quoted language fairly excluded all but the matter about improving rivers and harbors. The other things mentioned therein belong to our other appropriate committees.

That Congress has provided for the construction of certain other

canals throws no light upon this question without the facts as to each of them. They may have been passed as separate bills; they may have been reported by the Committee on Ways and Means, or on Appropriations, or on Commerce, or on Rivers and Harbors. Each of those committees has reported such bills, and both separately and combined with other matter. The date of the act, the then jurisdiccombined with other matter. The date of the act, the then jurisdiction of the committee reporting it, &c., must all be known. They may have been to connect parts of the same river with each other, ditches around instead of through obstructions to navigation. They may have been provided for as the original survey of the Hennepin Canal was in the first session of the Forty-seventh Congress, or as the other case cited in debate in twenty-first United States Statutes at Large, 189; i. e., without any points of order being made, and in bills research by supposing of all rules.

passed by suspension of all rules

But even if the Committee on Rivers and Harbors had jurisdiction of the subject-matter, the second point of order, that it could not be brought here for consideration in this bill, remains to be answered. Paragraph 8 of Rule XI provides that "the Committee on Rivers and Harbors shall have the same privilege in reporting bills making appropriations for the improvement of rivers and harbors as is accorded to the Committee on Appropriations in reporting general appropriation bills."

And Rule XXIII, clause 4, provides that "in Committees of the Whole House business on their Calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors, which shall have precedence," &c.

The proposed work is simply a canal to connect two distinct rivers at the points to be connected thereby seventy-five miles apart. The Chair does not think that in any fair sense that is for the improvement of either river. Nothing but the appropriations for the improvement of either river. Nothing but the appropriations for the improvement of rivers and harbors have that great privilege of precedence over all other business except bills raising revenue and appropriating it to carry on the Government. That privilege should not be allowed to

anything not clearly entitled thereto.

No answer to this view was made in the debate. The effort seemed to be to avoid that issue by the position that because this bill had been by the House committed to the Committee of the Whole House on the state of the Union containing this provision, no question of order can be here raised, because it is said that this committee can not inquire into the jurisdiction of the committee which brought the bill into the

It is admitted that when the bill was reported to the House, and before and upon its reference to this committee, all points of order were reserved openly in the House and entered into its proceedings. But it is claimed that this precise question has been decided. It is asserted that during the last session of this Congress, when a like bill was in Committee of the Whole House on the state of the Union, the then chairman of the committee, the gentleman from Texas [Mr. Well-Born], held this same canal to be in order under like circumstances, and that on appeal his decision was sustained by the committee by a vote of 103 to 63.

A decision under like circumstances deliberately made by that gentleman would have great weight with the Chair. The vote of the committee on appeal, even though but half the members voted, would add force to the decision were the issues fully understood when that vote was had. It is important, therefore, to examine the facts.

In that case points of order had not been reserved when that bill was referred. That decision did hold that the bill being referred as an entirety must be so considered. The chairman did say that had points of order been reserved he, "with the views he entertains of the question, would hesitate before undertaking to pass upon the original jurisdiction of the Committee on Rivers and Harbors," &c. (See Congressional RECORD, volume 68, 5014.) But when asked to state the ground of the decision he said:

The decision of the Chair is based upon the assumption that points of order were not reserved upon the bill when it was committed to the Committee of the Whole on the State of the Union.—Congressional Record, volume 68, page 4015.

Further down on the same page (4015) he said that even had such general reservation of points of order been made as claimed "he still believes it would not be competent for him to pass upon the question of the jurisdiction of another committee," &c. It was after all that that the committee sustained the decision of the Chair. Considering that these expressions came out in a colloquy, the members of that committee may have differed in their understanding of that decision when they voted on the appeal. Quoting these different expressions, gentlemen in this debate have been diametrically opposed in their views of the true grounds of that decision. Nothing beyond that colloquy has been quoted,

The Chair will pursue it a little further.

A proposition was offered to amend the Hennepin Canal section by providing for a ship-canal "to connect the waters of the Chesapeake and Delaware Bays." It was ruled out of order on the point that the committee had no jurisdiction, and that that was the substance of a pending bill. (*Ibid.*, 5017.) All the foregoing, as to that bill, occurred on the 11th of June, 1884. On the next day the bill was again under on the 11th of June, 1884. On the next day the bill was again under consideration in the Committee of the Whole House on the state of the Union, and the same gentleman was in the chair. The gentleman from Pennsylvania [Mr. O'Neill] moved to amend by providing for a survey of a ship-canal to connect the Delaware River with the Atlantic Ocean. It was objected to upon a point of order. The Chair held that as the Hennepin Canal was then in the bill this other canal was germane, and therefore in order. The Chair will read on page 5068. Observe its purport:

Its purport:

The Chair will further state that on yesterday he refrained from giving expression to his opinion touching the original jurisdiction of the Committee on Rivers and Harbors over the proposition for the Hennepin Canal, for the reason that the bill in its entirety having been referred by the House to the Committee of the Whole, it was not competent for the Committee of the Whole to go behind the reference and pass upon the question of original jurisdiction in the Committee on Rivers and Harbors.

The Chair thinks it needful to a proper understanding of his present ruling to say that in his opinion the Committee on Rivers and Harbors did not have jurisdiction over that subject, and had the point been presented before the House at the proper time and in the proper way the Chair thinks the clause should have been stricken from the bill.

That extract contained a deliberate opinion "that the Committee on Rivers are the Committee on Rivers and Harbors did not have been stricken from the bill.

That extract contained a deliberate opinion "that the Committee on Rivers and Harbors did not have jurisdiction over the subject." It further held that "had the point been presented before the House at the proper time and in the proper way the Chair thinks the clause should have been stricken from the bill." There, as here, jurisdiction was asserted by reason of reference of the Chief Engineer's report, &c., to the Committee on Rivers and Harbors.

That chairman gave no opinion as to what was the proper time and proper way in the House. Doubtless the proper time would have been when the bill was reported and before it was committed to the Committee of the Whole House on the state of the Union. And now about the "proper way." Had the House been informed that this matter as in the bill before it was sent here, action might have been taken in the House other than reserving points of order if its rules and practice allowed consideration in the House before consideration in the tice allowed consideration in the House before consideration in the Committee of the Whole House on the state of the Union. But there is no such practice as to appropriation bills. When this bill was reported its title indicated what it was. It was an original bill reported from the committee, never having been before introduced into the House. By Rule XXI, clause 1, it was then read only by its title and referred to this committee. It was never read in the House except by title. But suppose it be treated as having been so read. Rule XXIII requires that-

All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money or property * * * shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has been commenced.

It seems to the Chair that had it been so read in the House and a point of order had been raised and a motion had been made to strike out this canal provision, the Speaker could but have said that that was a "motion" or "proposition" or "proceeding touching appropriations of money" under Rule XXIII, and all that the House could do was to refer it to the Committee of the Whole House on the state of the Union, where that rule demands that its first consideration shall be had.

Suppose that is not true. Suppose that the House, when for the only time this bill was before it, had instructed this committee first to pass upon this point of order. None would then doubt that this committee could so act. Where is the difference when, pursuant to its ordinary practice, the House allowed all points of order to be reserved and sent the bill here under that disability for the action of this committee?

Paragraph 8 of the same Rule XXIII declares that "the rules of

proceeding in the House shall be observed in Committee of the Whole House so far as they are applicable." Our Digest of Rules, when it states that the chairman of the Committee of the Whole can not rule a proposition in an appropriation bill committed to it out of order, says: Of course it is otherwise where the point was reserved before commitment.— Digest, 265.

The fact that the House allows points of order to be reserved before commitment proves that it virtually instructs that the fact of commitment shall not cut them off. Otherwise the practice of reserving points of order on these bills would be worse than an unmeaning farce. It would operate as a snare and a fraud. Otherwise all the purposes sought by distributing matters among our committees according to their jurisdictions, fixed by the rules, would be thwarted. Otherwise the river and harbor bill would be an omnibus, capable of carrying whatever a majority of the Committee on Rivers and Harbors chose to pack into it, however foreign to its jurisdiction, and that too with a guaranteed "right of way" in preference to all legislation except that necessary to preserve the life of the Government. Such a construction must be wrong. The first and second points of order are sustained and the lines objected to will be stricken from the bill.

Mr. HENDERSON, of Illinois. I am compelled to take an appeal from the decision of the Chair, and upon that appeal I wish to be heard.

Mr. WILLIS. The hour for adjournment has almost arrived. Will

my friend from Illinois yield to me that I may move that the commit-

The CHAIRMAN. The Chair will recognize the gentleman from Illinois when the House again resolves itself into Committee of the Whole House on the state of the Union to consider this bill. The ap-

peal taken from the decision of the Chair will be considered as pending.

Mr. TURNER, of Georgia. As the gentleman from Illinois has submitted an appeal from the decision of the Chair, I desire to submit a

motion relating to that appeal.

Mr. MURPHY. It is understood we reserve all rights of whatever kind we may have, and that in the flurry of the committee rising at this

time no right shall be sacrificed.

The CHAIRMAN. The Chair will state the situation. An appeal is taken from the decision of the Chair. The gentleman taking the appeal has the floor, and, pending that, yields for a motion that the committee rise

Mr. RANDALL. I ask that the gentleman from Kentucky [Mr. WILLIS] may be allowed to waive that motion until this appeal is disposed of. [Cries of "No!" "No!"]

The CHAIRMAN. The question is on the motion of the gentleman

from Kentucky [Mr. WILLIS] that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. Hammond reported that the Committee of the Whole House on the state of the Union having had under consideration the river and harbor bill had come to no resolution thereon.

Mr. WILLIS. I move that the House adjourn.

The motion was agreed to; and accordingly (at 11 o'clock and 59 minutes a. m., February 20, 1885) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. M. CAMPBELL: Petition of citizens of Tyrone borough,

Pa., asking Congress to discontinue the carrying of mails and the dis-tribution of mail matter on the Sabbath—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIN: Papers relating to the claim of Lewis Rothermel-to the Committee on War Claims.

By Mr. ERMENTROUT: Petition of George Scoville, for compensation as counsel in the Guiteau trial-to the Committee on the Judi-

By Mr. HITT: Petition of Rev. F. A. Robinson and 52 others, of Winnebago, Ill., for legislation checking the increase of polygamy-

the same committee

By Mr. HOLMAN: Petition of John A. Plattes Post of Grand Army of the Republic of Indiana, praying Congress to grant to each Union soldier, honorably discharged, one hundred and sixty acres of land, or to their widows or minor children-to the Select Committee on Pay-

to their widows or minor children—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. HOPKINS: Petition of citizens of Pittsburgh, Pa., for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. HOWEY: Papers relating to the claim of Stephen H. Myers, of Somerset County, New Jersey—to the Committee on War Claims.

By Mr. HUTCHINS: Petition of citizens of New York, asking legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. JAMES: Petition of John D. Wells, D. D., and 70 others, citizens of Brooklyn; of Roswell D. Hitchcock, D. D., and 102 others, citizens of New York; and of D. W. McWilliams and 27 others, citizens of Brooklyn, N. Y., praying for legislation to prevent increase of Mormonism—to the same committee.

By Mr. S. H. MILLER: Petition of citizens of Meadville, Pa., urging legislation to suppress Mormonism—to the same committee.

legislation to suppress Mormonism-to the same committee.

By Mr. MORRILL: Petition for the appropriation of \$12,000 for the repair of the roads in the military reservation of Fort Leavenworth, ans .- to the Committee on Appropriations.

By Mr. MURRAY: Petition from ex-soldiers in Washington, D. C.

praying for the purchase of Miss Ransom's life-size portrait of General George H. Thomas—to the Committee on the Library.

By Mr. POLAND: Petition of Henry A. Frost, of New York city, praying relief for being deprived of his liberty in violation of the Constitution, with accompanying papers—to the Committee on the Judiciary.

By Mr. ROBERTSON: Petition of citizens of Breckinridge County, Kentucky, asking for an increase of widows' pensions—to the Committee on Pensions.

By Mr. RYAN: Petition of Joseph Dunlap, for reference of his war claim to the Court of Claims under the act of March 3, 1883—to the Committee on War Claims

By Mr. A. HERR SMITH: Petition of 170 citizens of Lancaster County, Pennsylvania, against the ratification of the reciprocity treaty with Spain—to the Committee on Ways and Means.

By Mr. STEVENS: Petition of Losson W. Mead, Company E, Twenty-first Missouri Infantry, for relief-to the Committee on Invalid Pensions

By Mr. SPOONER: Petition of Boston Handel and Haydn Society, H. H. Darby, of Saint Louis, and many others, citizens of the United States, for the passage of the Dorsheimer bill, or a similar international copyright bill—to the Committee on the Judiciary.

By Mr. WILKINS: Petition of Rev. A. Lehman and 33 others, citizens of Dresden; of J. K. Caldwell and 50 others, citizens of Zanesville; of Levi Knowlton and 110 others, citizens of Utica; and of J. Glover and 60 others, citizens of Coshocton, Ohio, praying for the suppression of Mormonism-to the same committee.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. ANDERSON: Of 18 citizens of Minneapolis; of 91 citizens of Greenleaf, and of 62 citizens of Clyde, Kans.

By Mr. ATKINSON: Of 50 citizens of Franklin County, Pennsyl-

By Mr. CLARDY: Of Charles A. Weber and 132 others, citizens of Perryville, and of 63 citizens of Belgrade, Washington County, Mis-

By Mr. ELLWOOD: Of 150 citizens of Kaneville and of 100 citizens of Plato Centre, Kane County, Illinois.

By Mr. FUNSTON: Of citizens of Weir, of Galena, of Equity, and

of Wellsville, Kans.

of Wellsville, Kans.

By Mr. GRAVES: Of William Marsh and others, of Holden; of J.
O. Dockwell and others, of Independence; of R. Fosset and others, of
Kansas City, and of Samuel Crum and others, of Independence, Mo.
By Mr. HANBACK: Of C. E. Monell and 200 others, of Kirwin; of
James Secrist and 50 others, of Ellsworth County; of Samuel McClary
and 10 others, of Ibaton; of Daniel Truberg and 50 others, of Glen Elder, and of William C. Whitney and 200 others, of Cawker City, Kans.

By Mr. KEIFER: Of A. Richards and 34 others, of Rushsylvania,

By Mr. KEIFER: Of A. Richards and 34 others, of Rushsylvania, Logan County, Ohio.

By Mr. MORRILL: Of George Brooking and 60 others, citizens of Saint George; of W. F. McClain and 48 others, citizens of Wetmore, and of Andrew Card and 41 others, citizens of Laclede, Kans.

By Mr. LACEY: Of J. A. Burchard and 62 others, of Bellevue, Mich. By Mr. ROWELL: Of 90 citizens of Chestnut, Ill.

By Mr. WARD: Of citizens of Hobbs, Tipton County; of Pendleton, Madison County, and of Mason, Clinton, and Noblesville, Hamilton County. Indiana.

By Mr. JAMES WILSON: Of citizens of Marion, Linn County, Iowa.

SENATE.

FRIDAY, February 20, 1885.

The Senate met at 11 o'clock a. m Prayer by Rev. JAHU DE WITT MILLER, of the city of Philadelphia. The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting estimate of appropriation by the Commissioner of Internal Revenue of \$10,500, required under section 3689 of the Revised Statutes, to refund to persons money collected from them without warrant of law under a recent decision of the Court of Claims; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, reporting the allowance of the claim of John Finn, payable from an appropriation which is exhausted; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting estimates of appropriations received from the Secretary of the Navy for the contingent expenses of the Navy Department for the fiscal years 1884 and 1885, and for testing rifled cannon for new cruisers; which, with the accompanying estimates and papers, were referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 14th instant, a report of the Chief of Engineers on the subject of a new lock on the Saint Mary's Falls Canal, in the State of Michigan, and estimates therefor; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT KEY WEST.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the House of Representatives returning a Senate bill with amendments. The message will be read.

The Chief Clerk read as follows:

In the House of Representatives, February 19, 1885.

Resolved, That the bill from the Senate (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., pass with the following amendments:

In line 2 of the bill, after the word "directed," to strike out all down to and including the word "necessary," in line 4, and insert "purchase, at private sale, or by condemnation in pursuance of the statute of the State of Florida, all the land that he may deem necessary."

In line 8 strike out the words "including the purchase of land;" in line 10 strike out the word "fifty" and insert "forty."

The PRESIDENT pro tempore. If there be no objection the bill with the amendments will be referred to the Committee on Public

Buildings and Grounds.

Mr. CALL. The Senator from Virginia [Mr. MAHONE] informs me that there is a clerical error in the bill as it came from the House.

The PRESIDENT pro tempore. The first amendment proposed by the House strikes out certain words from the bill and inserts identically the same words. The Chair thought that it might go to the committee so as to be reported with the correction.

Mr. CALL. Very well.

HOUSE BILL REFERRED.

The bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (H. R. 7585) for the relief of William M. Gardner;

A bill (H. R. 7584) for the relief of A. B. Montgomery; and A bill (H. R. 3258) to authorize the construction of a bridge across the Saint Croix River at the most accessible point between Stillwater and Taylor's Falls, Minn.

PETITIONS AND MEMORIALS.

Mr. LAPHAM. I present a copy of concurrent resolutions of the Legislature of New York, which is as follows:

Hegislature of New York, which is as follows:

Whereas Hon. George F. Edmunds, in January, introduced into the Senate a bill entitled "A bill to authorize an additional appointment on the retired-list of the Army," which bill has passed the Senate and is now awaiting action in the House of Representatives; and Whereas the said bill is intended to create a position upon the retired-list of the Army for that illustrious soldier Ulysses S. Grant: Therefore, Resolved (if the assembly concur), That our Representatives in Congress from this State be, and they are hereby, requested to support the said bill, and to urge a measure which will place General Grant upon the retired-list.

Resolved (if the assembly concur), That the governor be requested to transmit a copy of these resolutions to each of our Representatives in Congress.

I move that the resolutions lie on the table.

The bill having passed the Senate I suppose the resolutions should

The PRESIDENT pro tempore. The Chair will state to the Senator from New York that the paper he sent to the Chair is not an original

from New York that the paper he sent to the Chair is not an original paper. It is a printed copy.

Mr. LAPHAM. I stated that it was a copy.

Mr. MILLER, of New York. The original of the resolution was presented and read several days ago, as I remember.

Mr. LAPHAM. I was not aware of that.

The PRESIDENT pro tempore. If there be no objection the paper will be received, and laid on the table.

Mr. MITCHELL. I present a petition of the Ministerial Association of Erie, Pa., in relation to the Mormon question, praying for the passage of a bill the design of which shall be to check in our Republic the subversive influence of Mormonism on our democratic laws, free institutions, and the morality of the nation. I suppose this petition should go to the Committee on the Judiciary.

go to the Committee on the Judiciary.

The PRESIDENT pro tempore. As that subject has been passed upon by that committee and by the Senate, the petition had probably better

be laid on the table. Mr. MITCHELL. Very well.

The PRESIDENT pro tempore. The petition will lie on the table.

Mr. CULLOM presented a joint resolution of the Legislature of Illinois; which was read, and referred to the Committee on Commerce, as

Preamble and joint resolution adopted by the thirty-fourth General Assembly of Illinois.

Preamble and joint resolution adopted by the thirty-fourth General Assembly of Illinois.

Whereas the Senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and Portage Lake Improvement Company Canal, and also inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes; and
Whereas the honorable Secretary of War designated Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity with said resolution; and
Whereas the honorable Secretary of War did report, on or about January 5, A. D. 1885, that Colonel Poe had made such examination, and on whose report did recommend that Congress take steps to purchase the same and make them free water ways to the commerce of the lakes; and
Whereas the tolis collected by these canals are a serious burden to a numerous people and a very large industry embraced inside the limits of the territory supplied by these canals; and
Whereas these water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific Railroad, that passes through Lake Superior, finding an outlet to the cast and seaboard; and
Whereas the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest and most serious disasters have occurred: Therefore,

Bett resolved by the senate of the State of Illinois (the house of representatives concurring). That our Senators and Representatives in Congress are hereby requested to use their best endeavors to secure such legislation by Congress

J. C. SMITH, President of the Senate.

L. F. WATSON, Secretary of the Senate.

Concurred in by the house of representatives, February 4, A. D. 1885, E. M. HAINES, Speaker,

Teste:

R. A. D. WILBANKS, Clerk House of Representatives,

United States of America. State of Illinois, ss:

State of Illinois, ss:

I, Henry D. Dement, secretary of state of the State of Illinois, do hereby certify that the foregoing is a true copy of a preamble and joint resolution adopted by the thirty-fourth General Assembly of the State of Illinois, and filed in this office February 6. A. D. 1885.

In witness whereof, I hereunto set my liand and affix the great seal of State.

Done at Springfield, the 6th day of February, in the year of our Lord 1885.

HENRY D. DEMENT,

Secretary of State.

Mr. CULLOM presented resolutions of the Board of Trade of Chicago, Ill., favoring certain amendments of the House bill in relation to bills of lading and to determine the liability of ship-owners and others there-

of lading and to determine the liability of ship-owners and others thereunder; which were referred to the Committee on Commerce.

Mr. COCKRELL. I present a petition signed by a number of leading attorneys and citizens of Saint Louis, Mo., praying that a committee of Congress, or a commission outside of Congress, be appointed to prepare a code of procedure for all Federal tribunals of every kind and jurisdiction. Attached to the petition is a memorial stating the reasons why they desire this done. I ask—it is not very long—that the petition may be printed and referred to the Committee on the Judiciary. It will doubtless attract some attention, and I think it would be to the interest of the public service that it should be printed.

The PRESIDENT pro tempore. The Senator from Missouri presents a memorial the nature of which he has stated. He asks that it be printed and referred to the Committee on the Judiciary. That order

printed and referred to the Committee on the Judiciary. That order will be entered, if there be no objection.

Mr. WILSON presented the petition of Elias Jessup, William T. Smith, and Isaac T. Gibson, representing the Iowa Yearly Meeting of the Society of Friends, praying for the establishment of international arbitration for the prevention of war; which was referred to the Committee on Foreign Relations.

Mr. SLATER. I present a petition of citizens of Coos County, Oregon, praying for an appropriation of \$100,000 for the improvement of the mouth of the Coquille River, and setting forth the importance and necessity of such improvement. I move the reference of the petition to the Committee on Commerce.

to the Committee on Commerce.

The motion was agreed to.

Mr. PLUMB presented a concurrent resolution of the house of representatives of Kansas; which was read, and referred to the Committee on Public Lands, as follows:

[House concurrent resolution No. 16, relating to the resurvey by the Government of certain townships in Edwards County.]

Whereas it appears from information in possession of the Legislature, that townships numbered 26, 27, 28, of ranges Nos. 16, 17, 18, 19, and 20, W., 6 P. M., in Edwards County, Kansas, have never been sectionized and subdivided according to law, and that no section corners have ever been established therein; and Whereas a large population has settled upon these lands (the same being known as the Osage trust lands, &c.) according to law, many of whom it is be-

lieved are not in fact actually located upon the several pieces of land upon which they have legally and in good faith filed their ciaims and purchased; and Whereas the Government field-notes of said lands are found to be false and fraudulent, and no section corners, after careful and persistent search, have ever been found in said townships, and as no authority exists under the laws of the State of Kansas by which said lands can be resurveyed and proper lines and corners established; and

Whereas under the laws of the United States as they now exist no such resurvey can be made except at the expense and cost of the settlers upon said lands, which expense said settlers are utterly unable to meet, and as said lands were disposed of by the United States Government under the authority of law, with the express guarantee and said lands had been properly surveyed, sectionized, and the corners distinctly marked according to law; and

Whereas in case of such resurvey, because of the false and fraudulent characters of said field-notes, the United States Government has in fact and law ample security for the cost of such resurvey, in the still existing bonds of the original contractors for the original survey of said township; and as there is good reason to believe that others and similar cases exist in other counties of the State of Kansas inflicting great wrong and hardships upon the settlers upon such lands: Now, therefore,

Be it resolved by the house of representatives of the States of Kansas (the senate concurring), That our Senators in Congress be instructed and our Representatives requested to bring this subject before Congress, and ask the immediate enactment of laws providing—

First, That on the presentation to the Commissioner of the General Land Office that any township or part of township or parts of townships or parts of townships, an

STATE OF KANSAS, Office of Secretary of State:

Office of Secretary of State:

I, E. B. Allen, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolution now on file in my office.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal. Done at Topeka, Kans., this 12th day of February, A. D. 1885.

[SEAL.]

E. B. ALLEN, Secretary of State.

Mr. VANCE presented the petition of certain North Carolina Creek Indians now residing in the Indian Territory praying the confirmation of lands awarded to them in North Carolina under a decree of the circuit court of the United States for the western district of North Carolina; which was referred to the Committee on Indian Affairs.

Mr. SEWELL presented the petition of J. R. Haskell, of New York, praying that an appropriation of \$250,000 be made for the purpose of constructing and testing three of the Haskell multicharge guns; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:
A bill (H. R. 6663) restoring to the pension-roll the name of Caroline

Lewis

ewis;
A bill (H. R. 7094) granting a pension to Samuel M. Bartlett;
A bill (H. R. 7672) granting an increase of pension to Elbert Hewitt;
A bill (H. R. 7722) granting a pension to Almira K. Parker;
A bill (H. R. 7308) for the relief of David Fried;

A bill (H. R. 8104) granting an increase of pension to George S. Haw-

ley; and
A bill (S. 2367) granting a pension to Sarah A. White.
Mr. BLAIR. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 6940) granting a pension to Sarah M. Bissell, who is the widow of Commodore Bissell, who was in the service from 1826 to 1883, to report it adversely by a majority of the commit-tee, and with a minority report recommending the passage of the bill. In the report the facts are set forth. I ask that the bill be placed on

the Calendar.

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). The bill will be placed on the Calendar with the adverse report of the committee, and the views of the minority will be printed, if there be no objection.

The PLATE from the Committee on Pensions to whom was referred.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2028) granting a pension to Sarah M. Bissell, reported adversely thereon; and the bill was postponed indefinitely.

Mr. JACKSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (H. P. 5029) granting a postponed indefinitely:

A bill (H. R. 5838) granting a pension to Henry Ballinger;
A bill (H. R. 3040) for the relief of Mary Tarbell;
A bill (H. R. 5835) granting a pension to J. H. Adams;
A bill (H. R. 5835) granting a pension to Edwin Thomas; and
A bill (H. R. 6182) granting a pension to Edwin Thomas; and
A bill (H. R. 3158) for the relief of Werner Lentz.
Mr. CULLOM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

and submitted reports thereon:
A bill (H. R. 5555) granting a pension to James Frazier;
A bill (H. R. 2068) granting a pension to James H. Reid;

A bill (H. R. 2284) granting a pension to Elizabeth Fowler; A bill (H. R. 3074) to grant a pension to Jasper J. Henry on account of wounds received while acting as guide for the First Arkansas Cavalry Volunteers in the war of the rebellion;

A bill (S. 1612) granting a pension to Bryson R. McCartney; A bill (H. R. 5938) to pension Julia A. Marcum;

A bill (H. R. 5938) to pension Julia A. Marcum;
A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;
A bill (H. R. 7602) to grant a pension to Harriet M. Baily; and
A bill (H. R. 7731) granting a pension to Lois B. Smith.
Mr. CULLOM, from the Committee on Pensions, to whom were referred the bill (S. 1776) granting a pension to James H. Reid, and the
bill (S. 2222) granting a pension to James H. Reid, reported adversely
thereon; and the bills were postponed indefinitely.
Mr. VAN WYCK, from the Committee on Pensions, to whom were
referred the following bills, reported them severally without amend-

referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3749) granting a pension to William Bolwark;

A bill (H. R. 2537) granting a pension to Hugh Ryan;

A bill (H. R. 2539) granting a pension to George W. Kiser;

A bill (H. R. 2539) granting a pension to George W. Kiser;
A bill (H. R. 1046) granting a pension to Mary A. Griffin;
A bill (H. R. 7336) granting a pension to T. A. Morton; and
A bill (H. R. 7338) granting a pension to Chloe A. Whipple.
Mr. MILLER, of New York, from the Committee on Agriculture and
Forestry, to whom was referred the bill (S. 2451) for the protection of
forests on the public domain, reported it without amendment.
Mr. MILLER, of New York. I am also instructed by the Committee on Agriculture and Forestry to report a joint resolution placing a
portion of the Arlington estate, now owned by the United States, under

portion of the Arlington estate, now owned by the United States, under the control of the Commissioner of Agriculture, and I ask for its present consideration.

The joint resolution (S. R. 131) placing a portion of the Arlington estate, now owned by the United States, under the control of the Commissioner of Agriculture was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present con-

sideration of the joint resolution?

Mr. ALLISON. I do not object unless it will lead to debate. If it

does, I shall object.

Mr. INGALIS. Is the morning business concluded?

The PRESIDING OFFICER. The morning business is not con-

Mr. INGALLS. I ask for the regular order.
The PRESIDING OFFICER. Objection being made, the joint resolution will go upon the Calendar.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7262) increasing the pension of Elmira P. Spencer;

A bill (H. R. 3728) granting a pension to Charles P. Mahan;

A bill (H. R. 3605) granting a pension to Eliza Sluss;

A bill (H. R. 7266) granting a pension to John A. Vanderhoff;

A bill (H. R. 7822) granting a pension to Mark Spencer Van Loan;

A bill (H. R. 6018) increasing the pension of George Tapp.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 882) for the relief of William B. Stokes;

A bill (S. 186) granting a pension to Penelope T. Heald;

A bill (S. 186) granting a pension to Penelope T. Heald;
A bill (S. 185) granting a pension to Mrs. Mary S. W. Harris; and
A bill (S. 725) for the relief of Charles Seymour, of Flint, Mich.,
for services in the war of 1812, and for pension.
Mr. MITCHELL. I am directed by the Committee on Pensions, to
whom was referred the bill (S. 358) granting a pension to Thomas E.
Brawner, to report it adversely and move its indefinite postponement.
Mr. COCKRELL. I have been trying to get that bill out of the
Senate for a long time, and I thought I had once before requested that
it should be withdrawn. The pension was granted some time area and

it should be withdrawn. The pension was granted some time ago, and I suppose that is the ground upon which it is reported adversely.

Mr. MITCHELL. That is the ground of the adverse report.

The PRESIDING OFFICER. If there be no objection, the bill will

be indefinitely postponed.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them without amendment, and sub-

mitted reports thereon:

A bill (H. R. 7709) granting a pension to Louisa A. Estes; and
A bill (H. R. 4833) granting a pension to Louisa Earle.
Mr. SLATER, from the Committee on Pensions, to whom were referred

the following bills, reported them severally without amendments, and submitted reports thereon:

A bill (H. R. 3352) to restore the name of Warren Sams to the pen-

A bill (H. R. 5124) granting a pension to Samuel Z. Cooper.

Mr. SLATER. I am directed by the Committee on Pensions to report adversely on the bill (S. 2043) for the relief of Maria L. Strong. I desire to state that this is the report of the majority, there being a minority opposed to the report. I ask that the bill be put upon the Calendar.

The PRESIDING OFFICER. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. SLATER, from the Committee on Pensions, to whom was referred the bill (S. 278) granting a pension to Mary E. McConnell, submitted an adverse report thereon, which was agreed to; and the bill

mitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. SEWELL, from the Committee on Military Affairs, submitted a report to accompany the bill (H. R. 445) authorizing the establishment of a horse-railroad upon and over the island of Rock Island and the bridges erected by the United States connecting the cities of Davenport and Rock Island, previously reported by him.

Mr. McMILLAN. I am instructed by the Committee on Commerce to report favorably with an amendment the bill (H. R. 6760) to authorize the construction of a bridge across the Mississippi River at Rock Island, Ill., and Davenport, Iowa, and to establish it as a post-route; and Island, Ill., and Davenport, Iowa, and to establish it as a post-route; and I ask for the present consideration of the bill.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the bill be now considered. Is there objectively.

Mr. INGALLS. I object.
The PRESIDENT pro tempore. Objection is made.
Mr. McMILLAN. Mr. President—

Debate is not in ord

The PRESIDENT pro tempore. Debate is not in order. Objection is made.

Mr. McMILLAN. Will the Senator from Kansas withdraw his objection for a moment?

Mr. INGALLS. Yes, sir.
Mr. McMILLAN. The amendment is such as the Senate has invariably incorporated in these House bills, and its adoption will require the bill to be returned to the House for consideration there. House, I am sure, if they have an opportunity, will consent to the amendment. It will take but a very brief time to consider the bill if the Senator will withdraw his objection. [A pause.] Silence may be regarded as giving consent, Mr. President.

Mr. INGALLS. I ask for the regular order.

Mr. INGALLS. I ask for the regular order.
The PRESIDENT pro tempore. The bill will be placed on the Cal-

Mr. CAMERON, of Wisconsin. During the last session of the present Congress a bill was introduced for the relief of Juliet Leef and ent Congress a bill was introduced for the relief of Juliet Leef and others. The bill was referred to the Committee on Claims, and reported back adversely. Quite recently the House of Representatives passed a similar bill, the bill (H. R. 737) for the relief of Juliet Leef, widow, and the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia, Brazil. That bill was referred to the Senate Committee on Claims, and I am instructed by that committee to report it back without recommendation. The committee is willing that it should go upon the Calendar. The committee, however, does not withdraw its objection to the bill.

The PRESIDENT pro tempore. The bill will be placed on the Cal-

Mr. COCKRELL. I understand that the committee has not changed its former report.

Mr. CAMERON, of Wisconsin. The committee has not changed its

former report.

CONSIDERATION OF PENSION BILLS.

Mr. MITCHELL. I desire to state that the Committee on Pensions Mr. MITCHELL. I desire to state that the Committee on Pensions will ask the Senate to take up private pension bills on Monday, including not only those favorably reported, but a large number adversely reported. Among the latter bills, those of prominent cases that have attracted the general attention of the country and the special attention of many Senators, are the cases of Mrs. Ann Cornelia Lanman, Mrs. Emma De Long, Mrs. Francis McNeil Potter, Mrs. Emily L. Alvord, Mrs. S. Dana Greene, Mrs. Margaret D. Marchand, Mrs. Margaret B. Harwood, Mrs. Martha C. Breese, Mrs. Emily M. Wyman, Mrs. Sophia A. Morgan, and Mrs. Eliza Willson Thornburgh.

A. Morgan, and Mrs. Eliza Willson Thornburgh.

Senators will please take notice of this proposed action, and I think if we go about the business promptly on Monday we can get through with all the pension bills upon the Calendar.

Mr. BLAIR. There are a number of other contested cases on the Calendar besides those which the Senator has mentioned.

Mr. MITCHELL. There are many other cases of adverse reports on the Calendar, in which of course the Senators who requested those bills to be pleased on the Calendar, in the Calendar in the Cale to be placed on the Calendar are interested. I only mention those which have received attention generally.

SUPREME COURT OPINIONS FOR SENATORS.

Mr. MANDERSON. At the last session of the present Congress there was referred to the Committee on Printing the following resolution:

Resolved. That the Committee on Printing be directed to make provision that printed copies of all opinions given by justices of the Supreme Court be furnished to every Senator as soon as filed.

 ${\rm I}$ am directed by the Committee on Printing to report the following resolution; and I ask for its present consideration:

itesolved. That the Secretary of the Senate be, and he is hereby, directed to obtain 100 copies of each printed decision of the Supreme Court of the United States, and to pay for the same from the contingent fund of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. I suggest to the Senator to amend the resolution by in-

Mr. HOAR. I suggest to the Senator to amend the resolution by inserting "and any dissenting opinions filed with the same." I suppose the purpose was to include dissenting opinions.

Mr. MANDERSON. That was certainly the purpose of the committee. I thought the language used would cover that; but still I have no objection to inserting those words, so that there may be no uncer-

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). The amendment proposed by the Senator from Massachusetts

will be read.

The CHIEF CLERK. In line 4, after the word "States," insert the words "and any dissenting opinions filed with the same;" so as to read:

Resolved, That the Secretary of the Senate be, and he is hereby, directed to obtain 100 copies of each printed decision of the Supreme Court of the United States, and any dissenting opinions filed with the same, and to pay for the same from the contingent fund of the Senate.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the secolution of medical.

resolution as modified.

The resolution as modified was agreed to.

LIST OF TREASURY DEPARTMENT EMPLOYÉS.

Mr. MANDERSON. There was referred to the Committee on Print-Mr. MANDERSON. There was referred to the Committee on Printing a letter of the Secretary of the Treasury, transmitting a list of all persons employed in his Department during the year ending December 31, 1884. I am directed by the Committee on Printing to report in favor of the printing of the report, and I ask that it be so ordered. It requires no resolution. A simple order of the Senate that the report be printed will be sufficient.

The PRESIDING OFFICER. Is there objection to printing the re-

Mr. COCKRELL. Let us hear what the report is. I have been trying to catch what the Senator from Nebraska said, and could not

The PRESIDING OFFICER. The report will be read, or the Senator from Nebraska will state the substance of it.

Mr. MANDERSON. I can state to the Senator from Missouri what it is. The statutes require that the Secretary of the Treasury shall report to Congress a list of the employes of the Treasury Department. In compliance with that law the Secretary of the Treasury has transmitted the list for 1884, and for the first time the list is classified as required by the civil-service act. The Committee on Printing report favorably as to the printing of that report.

The PRESIDING OFFICER. The order for printing the report will

be made if there be no objection.

REPORT ON LABOR AND CAPITAL.

Mr. HAWLEY. A concurrent resolution was referred yesterday to the Committee on Printing which originated in the Senate, went to the House, and was there amended. The committee instructs me to report in favor of concurring in the amendments of the House, and I ask for immediate action upon the matter.

The PRESIDING OFFICER. The amendments of the House of

Representatives will be read.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 19, 1885.

Resolved, That the House concur in the foregoing resolution of the Senate with the following amendments:

In line 6 of the resolution strike out the word "eight" and insert the word "six."

In line 7 of the resolution strike out the word "sixteen" and insert the word "thirteen."

In line 8 of the resolution strike out the words "and one" and insert the word "five;" and strike out the word "copies" in same line.

In line 9 of the resolution strike out the words "Senate Committee on Education and Labor" and insert "Bureau of Labor Statistics, and 1,000 for the use of the Senate Committee on Education and Labor."

The PRESIDING OFFICER. The question is on concurring in the amendments

Mr. COCKRELL. Let the resolution be read as it was amended in the House, and as it will be if it is passed as recommended by the com-

The PRESIDING OFFICER. The resolution as amended by the

The PRESIDING OFFICER. The resolution as amended by the other House and reported by the committee will be read.

The Chief Clerk began to read the resolution.

Mr. HAWLEY. I can relieve the Secretary from embarrassment in reading the resolution. The blue pencil interlineations are incorrectly made, and in engrossing the resolution the clerks will be governed by the written description of the amendments. The resolution as amended gives 6,000 copies to the Senate, 13,000 to the House, 5,000 to the Bureau of Labor Statistics, and 1,000 to the Senate Committee on Education and Labor, who desire to distribute some numbers to the numerous witnesses who were called before that committee. The aggregate is the same as that ordered by the Senate originally, but a little differently distributed.

The PRESIDING OFFICER. The question is on concurring in the amendments made by the House of Representatives.

The amendments were concurred in.

PUBLIC-LAND LAWS.

Mr. DOLPH. I move that the Senate request the House of Representatives to return to the Senate the bill (H. R. 7004) to repeal all laws providing for the pre-emption of the public lands and the laws allowing entries for timber-culture. I will state that I do this for the purpose of moving, when the bill is returned, a conference on the dispurpose of moving, when the our is returned, a consideration of the House it will not be possible to secure in that body a consideration of the bill, and, therefore, if the bill is to become a law at this session it will be necessary that this course should be taken.

The PRESIDENT protempore. The Senator from Oregon asks unanimous consent to move at this time that the House of Representatives be requested to return the bill the title of which he has named, being the bill for the repeal of the pre-emption law. Is there objection to

the motion being received?

Mr. COCKRELL. Let the title of the bill be read.

Mr. DOLPH. It is the bill to repeal the pre-emption law, the timber-culture act, and the desert-land act, and for other purposes, which passed the Senate a few days since.

The PRESIDENT pro tempore. Is there objection to the motion

being entertained?

Mr. SHERMAN. Does the Senator desire simply to move that the

Senate recede from its amendments?

Mr. DOLPH. I simply move at this time that the Senate ask that the bill be returned to the Senate from the House of Representatives, and then I propose when the bill is returned to move for a committee

Mr. SHERMAN. That is an unusual proceeding, I think. I shall have to object for the moment until I can look into the matter.

The PRESIDENT pro tempore. Objection is made.

Mr. DOLPH. I ask if the motion is not in order.

The PRESIDENT pro tempore. It is not in order at this time. It would be in order under the call for resolutions, subject on objection to be carried over one day.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 2652) for the protection of seamen;

which was read the first time by its title.

Mr. HOAR. I desire to have the bill referred to the Committee on Commerce. A bill has come up from the House of Representatives which I am informed undertakes to amend the Dingley act, so called, passed at the last session. The Dingley act prohibited contracts with landlords and with other persons who surround sailors when they are in port by which the sailor should pledge his wages to that class of persons. I understand the bill which has just come up and been referred to the Committee on Commerce repeals that provision, and tends, in the opinion of some humane friends of the sailor, to make the sailor a

the opinion of some humane friends of the sailor, to make the sailor a prey, as he has been in times passed.

The bill which I introduce is a transcript, with the proper changes, of the law of the State of Massachusetts prohibiting all such pledges in advance of the sailor's wages and allowing him only to pledge them for the necessary support of his wife and children during his absence. I hope the Committee on Commerce will consider this bill and report it as a substitute for the House bill, and in that way insure its passage.

The bill was read the second time by its title, and referred to the Committee on Commerce.

Committee on Commerce.

Mr. HARRIS introduced a bill (S. 2653) for the relief of S. S. Webb & Co. for the use of William G. Ford; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 2654) granting a pension to Charles F. Hildreth; which was read twice by its title, and referred to the Com-

mittee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FRYE. Yesterday I submitted a proposed amendment to the river and harbor bill to continue the dredging of the ship-channel in Portland Harbor, Portland, Me. The print has it "Rockland Harbor." I ask leave to change "Rockland" to "Portland," and to reintro-

paper. If it is a misprint it does not need any order. The print will be corrected.

Mr. MILLER, of New York, from the Committee on Agriculture and Forestry, reported an amendment intended to be proposed to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SHERMAN submitted an amendment intended to be proposed

by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DOLPH and Mr. MILLER of California submitted amendments intended to be proposed by them severally to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. BUTLER and Mr. GEORGE submitted amendments intended

to be proposed by them severally to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered

to be printed.

DISTRICT TAXES AND EXPENDITURES.

The PRESIDENT pro tempore. "Concurrent or other resolutions" being in order, the Chair lays before the Senate the resolution which was submitted yesterday by the Senator from Alabama [Mr. Morgan] and which went over under objection. It will be read.

The Chief Clerk read the resolution, as follows:

Resolved. That the commissioners of the District of Columbia be directed to immediately inform the Senate of the causes that have prevented them from complying with the resolutions of the Senate adopted on the 24th of June, 1894, relating to the taxes collected from 1875 to 1884, and to receipts and disbursements on account of the water department or water fund for each year from 1875 to 1884.

The PRESIDENT pro tempore. The question is on agreeing to the

Mr. MORGAN. I ask the chairman of the Committee on the District of Columbia whether he has been informed of any return made by the commissioners'

Mr. INGALLS. I have no objection to the adoption of the reso-

lution.

The resolution was agreed to.

PACIFIC RAILROAD COMPANIES' TELEGRAPH LINES.

Mr. GORMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved. That the Secretary of the Interior be directed to inform the Senate whether the Union Pacific Railroad Company and the other railroad companies affected by the act approved July 1, 1862, granting subsidies in bonds and lands, have constructed and are maintaining and operating their own lines of telegraph, and whether telegraphic messages are accepted and transmitted for all persons and corporations without discrimination as to price, and other conditions, as provided in section 15 of the act above referred to.

GEORGE E. SPENCER.

Mr. HOAR. I desire to call up a resolution in regard to the payment to George E. Spencer, late Senator from Alabama.

Mr. COCKRELL. Regular order.

Mr. COCKRELL. Regular order. Mr. HOAR. This is the regular order

The PRESIDENT pro tempore. It will be the regular order after the call for resolutions is exhausted. Are there further resolutions?

Mr. MITCHELL. I have a resolution to submit.

The PRESIDENT protempore. The Chair will receive it.

STEAMER WILLIAM H. SEWARD.

Mr. MITCHELL. I offer the following resolution:

Resolved by the Senate of the United States, That the Secretary of the Treasury be, and he is hereby, requested to transmit to the Senate any reports or opinions in his Department relating to any legal services performed, and by whom, in defending suits against the United States Government steamer William H.

That information is desirable at an early day, and I should be glad to have the resolution adopted at this time.

Mr. WILSON. I suggest to the Senator that he change the word requested" to "directed." That is the proper form.

Mr. MITCHELL. I accept the suggestion.

The PRESIDENT pro tempore. The resolution will be modified ac-

The resolution was considered by unanimous consent, and agreed to. GEORGE E. SPENCER.

The PRESIDENT pro tempore. If there be no further resolutions

that order is closed.

Mr. HOAR. I call for the resolution which I just now named.

Mr. COCKRELL. I call for the regular order.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate now proceed to the consideration of Order of Business 1236, which is the regular order if the Senator has the floor to make

ness 1236, which is the regular order if the Senator has the floor to make the motion, resolutions being exhausted.

Mr. COCKRELL. But that is setting aside the Calendar.

Mr. HOAR. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Chair overrules the point of order, if the Senator from Missouri makes one, because Rule VIII as modified provides that the Senate shall go to the Calendar "unless the Senate shall at any time otherwise order." The Senator from Massachusetts proposes, according to the constant practice of the Senate, that the Senate shall "otherwise order" by taking up the resolution he has named.

Mr. HOAR. I rise to a parliamentary inquiry. This is a resolution which was reported the other day and went over under the rules to the next day. Now, when "concurrent or other resolutions" are in order, is it not in order to ask to have a resolution of that character laid before the Senate?

The PRESIDENT pro tempore. The Chair does not think that applies to a resolution reported from a committee, but a resolution reported from a committee is like any other resolution or bill of the Senate, and is placed on the Calendar and requires a motion to proceed to its con-

sideration, unless when it is reached in regular order.

Mr. HOAR. This is a Senate resolution.

The PRESIDENT pro tempore. It is a Senate resolution, but it is the report of a committee, the Chair thinks, and has so held constantly. Mr. HOAR. If I may pursue my parliamentary inquiry, I do not wish to displace the ordinary business of the Senate which the Senate

is expected to conduct at this time by a motion to lay aside the Calendar. I rose supposing I was entitled to call up the resolution when resolutions were reached, as of right, it having gone over one day.

The PRESIDENT pro tempore. If it had been a resolution offered by the Senator and objected to, it would have been laid before the Senate the part recoming.

ate the next morning.

Mr. HOAR. Then I ask unanimous consent that I may offer the resolution, in the terms of that, which I will have copied for the purpose, and call it up to-morrow or the next day when resolutions are reached.

The PRESIDENT pro tempore. The Senator from Massachusetts asks leave to offer a resolution which will be read.

The Chief Clerk read as follows:

Resolved, That there be allowed and paid from the contingent fund of the Senate to George E. Spencer, formerly a Senator from the State of Alabama, the sum of \$7,132, being the amount actually and necessarily expended by him in maintaining his title to his seat.

Mr. COCKRELL. Let it be printed and lie over.

The PRESIDENT pro tempore. Objection is made and it goes over.

It will be laid before the Senate to-morrow morning on the call of res-

Mr. LAPHAM. I give notice that at the time of the consideration of that I shall also ask for the consideration of Order of Business 787, being the resolution to pay the expenses of Judge Underwood. The

subjects eight to be disposed of at the same time.

The PRESIDENT pro tempore. The Chair understands the Senator from Massachusetts to withdraw his motion to proceed with the consideration of the resolution on the Calendar.

Mr. HOAR. Yes, sir.

PROCEEDINGS OF TO-MORROW.

The PRESIDENT $pro\ tempore$. The Chair lays before the Senate the Calendar under Rule VIII.

Mr. HOAR. I desire, with the leave of the Senate and of the Chair, before the Senate proceeds to its morning business, that there shall be an understanding about the proceedings to-morrow, whether the Senate expect to proceed with ordinary legislative business after the ceremonial exercises in the other Chamber are over. For one I hope the Senate will proceed with its ordinary business after we return from the Representatives' Chamber, as we have but ten or twelve more working days,

and the time is precious to the country beyond computation.

Mr. SHERMAN. I ask that the order adopted in regard to those ceremonies be read. I think that fixes the matter.

Mr. ALLISON. That order is a very long one. I think we all understand it

Mr. SHERMAN. I do not ask for the whole programme, but there was an order adopted—I have forgotten myself what it was, and I should like to hear it. My impression is that it provides for no session

Mr. HOAR. I should like to ask the Senator from Ohio at what time he thinks it likely the exercises in the House of Representatives

will be completed.

Mr. SHERMAN. I should say not later than 5 o'clock; probably

between 4 and 5.

Mr. ALLISON. Let this matter go over until later in the day. I

call for the regular order.

The PRESIDENT pro tempore. The regular order is Senate bill No.

DES MOINES RIVER LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1886) to quiet title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from New York [Mr. LAPHAM].

Mr. LAPHAM. I ask that that amendment may be now read, and Levil the attention of the Senator to it.

I call the attention of the Senate to it.

The PRESIDENT pro tempore. The amendment will be again read. The CHIEF CLERK. It is proposed to add as a new section the fol-

SEC.3. Before the commencement of any action or actions by the Attorney-General, in pursuance of this act, the person or persons in whose interest and for whose benefit the same is to be prosecuted shall deposit with the clerk of the court a bond or bonds (to be approved by the court, or a judge thereof, as to the form and penalty of the same) conditioned to pay to the person or persons to be prosecuted all costs and expenses of the defense or defenses of such action or actions in case the plaintiff shall fail to recover therein.

Mr. LAPHAM. I ask to amend that by adding "a bond with surety or sureties."

The PRESIDENT pro tempore. Will the Senator repeat his proposed

amendment?

amendment?

Mr. LAPHAM. My amendment is to make it read, "a bond or bonds, with surety or sureties (to be approved by the court, or a judge thereof, as to the form and penalty of the same)."

The PRESIDENT pro tempore. The modification suggested by the Senator from New York will be read.

The CHIEF CLERK. In line 5, after the word "bonds," it is proposed to insert "with surety or sureties."

The PRESIDENT pro tempore. The amendment will be so modified. Mr. LAPHAM. It will be seen that this is the usual form of a bond by way of a security for costs. It is not an uncommon proceeding by by way of a security for costs. It is not an uncommon proceeding by any manner of means; it is a very usual proceeding, especially where insolvent parties or parties against whom costs can not be recovered are authorized to prosecute. I do not want this bill converted into a proceeding authorizing the Government to sue in forma pauperis, as is the practice in some cases. I want somebody to be responsible for the expenses of the litigation that this bill proposes, in case the prosecution fails to receive. fails to recover.

I have not heard a word from any Senator thus far in opposition to this amendment. I doubt the ingenuity of any Senator to state a reason against this amendment which is deserving of serious consideration. The design and purport of the amendment are so obvious, it seems to me, that it should receive the sanction even of the advocates of this bill, unless they want to prosecute and persecute the purchasers whom; represent with numberless actions without any hope of compensation to them for the expenses to which they are to be subjected. On the contrary, in answer to this proposition that we shall have security for costs, the Senators from Iowa who are advocating this bill renew their proposition that this is a bill like the bill we considered yesterday for the forfeiture of a railroad grant. While I was discussing the amendment offered by the honorable Senator from Alabama to that bill, and ment offered by the holoratole Senator from Alabama to that bill, and urging that there should be a preliminary judicial investigation before the lands were opened to settlement, the senior Senator from Iowasenior in service I mean—interjected the expression "the Des Moines River bill;" thus showing that he concurs with his colleague that the Des Moines River bill is a bill to forfeit a legislative grant by the Government, as it in fact is. Now, there is a wide difference between these propositions; and the artillery which the Senators from Iowa aim at me in opposition to this bill is like the muskets described by Trumbull:

Though well aimed at duck or plover, Bear wide, and kick their owners over.

Bear wide, and kick their owners over.

In the proposition submitted by the Senator from Alabama to the Oregon bill some days since and to the Texas Pacific bill yesterday, his object was to provide that the United States should settle all questions of title before it offered the lands to the public. What was the state of things in Iowa? Iowa had a body of public lands about which there was no dispute. The Government gave it to Iowa. There was a defective description of the lands, which the officers decided in the first interest went into the Territory of Minnesota even, which they afterward stance went into the Territory of Minnesota even, which they afterward held only went to the northern boundary of Iowa, and they refused to certify lands to the State of Iowa north of the boundary line of that State. They refused, in fact, as the record shows, to certify any more lands to the State of Iowa unless that State should relinquish all claim to lands in Minnesota. The State refused to do that. That stopped the certification of lands, and that arrested the river improvement. Iowa asked that Congress should make a confirmatory grant of the lands which had thus been certified up to that time, and the resolution of the 2d of March, 1861, was for the express purpose of validating all the titles which had theretofore been conveyed to the State and by the State to the river company and by the river company to purchasers, in whose behalf I appear.

This was all done in the interest of the State of Iowa, for the benefit of the State of Iowa. The State of Iowa obtained over three-quarters of the State of Iowa. The State of Iowa obtained over three-quarters of a million of acres of public land from the United States. Iowa spent three hundred and sixty-odd thousand dollars in the attempt to improve the navigation of the river, and there the work was arrested for the reason I have stated, because she would not relinquish her claim to lands in Minnesota. Then it was changed to a railroad along the banks of the river, and that railroad has been built out of the proceeds of public lands. They spent the \$360,000 for improvements out of moneys that were paid by those who purchased the lands, as those I represent purchased the lands from the State.

Now, sir, I submit with great confidence to the Senate the propo-

Now, sir, I submit with great confidence to the Senate the propo-Now, sir, I submit with great connence to the Senate the proposition, who should pay these unfortunate settlers, if anybody should pay them? It is the State of Iowa who has had this large grant of public lands from the Government. The attempt by this bill to recover them out of honest purchasers whose titles have been confirmed is an attempt which I trust will not succeed. The law which enables them to make the attempt I trust will not be passed without annexing this condition, the condition that security for costs shall be given before any spit is instituted. suit is instituted.

The difference between this bill and the amendment of the Senator The difference between this bill and the amendment of the Senator from Alabama is so obvious that no one can mistake it. As was said on one occasion by a caricaturist, the amendment of the Senator from Alabama proposes to settle all these questions previous before the war; this bill proposes to settle all these questions previous after the war. There is a hiatus between them as wide as the globe; there is no similarity in the two questions; and unless something can be said which commends itself to the judgment of the Senate against the amendment now pending that we shall have this security, I trust the Senate will

wore upon this bill the amendment which I have offered.

Mr. WILSON. Mr. President, this bill has occupied the attention of the Senate so long that I have no doubt all Senators are weary of it, as I am myself, and I must say that it is with a difficulty which I can not

overcome that I endeavored to discover the pertinency of the remarks of the Senator from New York to the amendment which he has pro-

posed.

The bill proposes that a suit shall be instituted by the Attorney-General in the name of the United States for the assertion of the title of the Government to the lands involved. That suit will be in the name of the Government, and the parties for whom the Senator from New York says he appears here will have the same opportunity to co-operate with the Government as will these so-called settlers on the Des Moines lands. The second provision of the bill is:

And in any suits so instituted any person or persons in possession of or claiming title to any tract or tracts of land under the United States involved in such suits may, at his or their expense, unite with the United States in the prosecution of such suits.

That is, they may co-operate; and it does seem to me that it would be unseemly to provide by law that in an action of this kind by the Government in an effort to assert its title to these lands private parties

should be required to come in and give bond for security for costs, and therefore I hope the amendment will be voted down.

Mr. LAPHAM. Mr. President, there is an obvious answer to that suggestion. If the settler and the purchaser unite with the Government in a suit to be commenced under this bill, I should like to know the will be made defendent. who will be made defendant? It is an absurdity on the face of it. Who will be prosecuted? Sir, such is not the design of this bill. The design of this bill is to have the Government unite with these squatters and sue the purchasers, or else there is no design in it. There can be no action commenced without making the claimants to this title under the purchase the defendants in the action.

the purchase the defendants in the action.

I am amazed that the advocates of this bill are driven to such subterfuges as this. Who is to be prosecuted, who is to be made defendant, I repeat, if the claimant of the title unites with the Government, and the settler unites with the Government? How long would such a bill stand in a court on a demurrer? How long would a bill stand in court on demurrer if filed by the United States and one of these settlers who have no community of interest? It is either the land of the Government or the land of the settler or of the purchaser under the river grant. There is no joint interest in it; and a demurrer upon the ground of misjoinder of parties would inevitably defeat any action which can be brought under this bill, as every lawyer knows. It is impossible that we can subvert the principles of law by this bill.

Now, then, the purchasers will be prosecuted, if anybody, under this

Now, then, the purchasers will be prosecuted, if anybody, under this act; and this amendment simply provides that they shall have the ordinary security for costs for two reasons: first, that the settlers are irresponsible, and secondly, that the Government can not be made liable. If we could recover costs against the United States, I would not press this amendment; if the United States was liable for costs, I would not press this control of the cost of the c this amendment; but it is because we shall be compelled to litigate this question at our own expense without any remedy for costs that I

have offered the amendment which is now pending.

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). The question is on agreeing to the amendment of the Senator

from New York.

Mr. LAPHAM. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. DAWES. I should like to inquire of the Senator from New York whether, if the proceedings are to be in the name of the United States, he desires to have a bond filed by the United States?

Mr. LAPHAM. They will be in the name of the United States and

the settlers

Mr. DAWES. Will the United States and the settlers together be sufficient to pay the costs?

Mr. LAPHAM. The United States is not bound; there is the difficulty; the United States is not liable in an action for costs. There is the trouble.

Mr. DAWES. I do not see why they would not be, if judgment were rendered against them. I understand that while the United States Mr. DAWES. can not be called against its will into court, if the United States does of its own accord go into court it has to run the chances of any party. I may be mistaken.

Mr. LAPHAM. The honorable Senator is entirely mistaken. There

can be no judgment for costs against the Government.

Mr. DAWES. Judgment is rendered against the Government in court frequently. I never heard before that it was a judgment without

costs; but I may be mistaken.

Mr. LAPHAM. You are. In the Court of Claims by a special pro-

vision costs may be recovered.

Mr. DAWES. Does the Senator say that in suits against a collector or in any suit the United States brings upon a bond, for instance, and a judgment gets unfortunately rendered against the United Statesis to say, where the balance was on the other side, as it is sometimes—does he mean to say that judgment is rendered for the amount without

Mr. LAPHAM. A party can not have costs against the Government. The honorable Senator will find no case of that kind.

Mr. DAWES. The Senator is more familiar with these proceedings than I am, and I take his construction on that point; but I confess it is a humiliation to state before the Senate that that is news to me.

The Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Indiana [Mr. HARRISON].

The roll-call was concluded.

Mr. VEST. I am requested by the Senator from Louisiana [Mr. Jonas] to announce that he is confined to his house by illness. I have not paired him on this bill.

Mr. CALL. My colleague [Mr. Jones, of Florida] is absent on account of illness, and is not paired.

Mr. BROWN. I desire to state that my colleague [Mr. Colquitt] is confined by sickness at his room to-day. I do not kn would vote, and therefore I have not paired him. The result was announced—yeas 23, nays 29; as follows: I do not know how he

Bayard,	Gibson,	Lapham.	Mitchell.
Blair,	Gorman.	McMillan,	Pike.
Brown,	Groome.	McPherson.	Pugh.
Chace.	Harris.	Mahone,	Sabin.
Fair.	Jackson.	Maxey,	Sherman,
Garland,	Jones of Nevada.	Miller of N. Y.,	MINE CONTRACTOR

NAYS-29,

Allison,	Dawes,	Manderson,	Slater,
Beck,	Frye,	Morrill,	Van Wyek,
Bowen,	George,	Palmer,	Vest.
Butler,	Hale,	Platt,	Williams,
Call,	Hampton,	Plumb,	Wilson.
Cameron of Wis.,	Hawley,	Ransom,	
Cockrell,	Hill,	Saulsbury,	
Coke,	Ingalls,	Sawyer,	

ABSENT-24.

Aldrich,	Dolph,	Jones of Florida.	Pendleton.
Camden,	Edmunds,	Kenna,	Riddleberger.
Cameron of Pa.,	Farley,	Lamar, .	Sewell,
Colquitt,	Harrison,	Logan,	Vance,
Conger,	· Hoar,	Miller of Cal.,	Voorhees,
Cullom,	Jonas,	Morgan,	Walker.

So the amendment was rejected.

Mr. LAPHAM. I offer the following amendment, to add at the end of the second section:

In every action commenced under and in pursuance of the provisions of this act the defendant or defendants if successful shall have judgment for costs against the United States.

It will be seen this differs from the other amendment simply in dispensing with security for costs and making the Government liable for the costs. I ask for the yeas and nays on this.

The yeas and nays were ordered; and the Secretary proceeded to call the roll

Mr. MORGAN (when his name was called). I am paired with the

Senator from Indiana [Mr. HARRISON].

Mr. VANCE (when his name was called). I am paired with the Senator from Illinois [Mr. CULLOM]. I do not know how he would vote. The result was announced-yeas 16, nays 31; as follows:

YEAS-16.

Blair, Brown, Chace,	Garland, Gorman, Groome,	McMillan. McPherson, Mahone,	Miller of N. Y., Mitchell, Sherman.
	Low House I	NAYS-31.	
Allison, Beck, Butler, Call, Cameron of Wis., Coke, Fair, George,	Gibson, Hale, Hampton, Harris, Hawley, Hill, Ingalls, Jackson,	Lamar, Maxey, Morril, Palmer, Platt, Plumb, Pugh, Ransom,	Saulsbury, Sawyer, Slater, Van Wyek, Vest, Williams, Wilson.
	A A	BSENT-29.	
Aldrich, Bowen, Camden, Cameron of Pa., Coekrell, Colquitt,	Dawes, Edmunds, Farley, Frye, Harrison, Hoar,	Jones of Nevada, Kenna, Logan, Miller of Cal., Morgan, Pendleton,	Sabin, Sewell, Vance, Voorhees, Walker.

Conger, Cullom, Jonas, Pike, Jones of Florida, Riddleberger, So the amendment was rejected.

Mr. LAPHAM. I offer the following amendment to come in at the end of section 2:

The provisions of this act shall not apply to such of the lands referred to in the joint resolution of March 2, 1861, as the Supreme Court of the United States has decided validated the titles of bona fide purchasers from the State of Iowa or its grantees prior to the passage of said joint resolution.

A few words, Mr. President. It will be seen that this amendment differs from the amendment, which was lost by one majority only, which I first offered, excepting all the lands which had been conveyed under the river grant to purchasers for value. I have drawn this amendment so as to limit it to those titles which the Supreme Court has decided were rendered valid by the resolution of the 2d of March, 1861, so as to prevent by this legislation a reopening of questions which have already been litigated between the settlers and these purchasers, or between other parties and these purchasers

A large number of cases have been decided; some questions of law have been settled; and my object in this amendment is to prevent this bill from reopening those adjudications and again renewing the contro-

versies which ought to be regarded as having been settled by the decisions which were thus made. I have for that reason limited the exception to the class of cases in which the Supreme Court has decided that by the resolution of the 2d of March, 1861, the titles of the purchasers were rendered valid.

Who can object? If this bill is a bill to quiet titles, shall it be converted into a bill to reopen and disturb the titles already settled? Are Senators willing to vote such consequences as that? Are Senators willing to vote to reopen all the litigations which have been decided? On the contrary, will not Senators, lawyers, say that so far as the Supreme Court has determined these questions this litigation shall not reopen

It seems to me, Mr. President, that this proposition ought to receive the sanction of the Senate. I beg Senators to remember in whose behalf I am standing here, accused as I am of consuming time unnecessarily. I am standing here in behalf of a class of persons who more than twenty years ago paid their money to the State of Iowa, \$350,000, which the State of Iowa has had, and whose titles the Supreme Court has said are valid and binding and can not be disturbed. That is my position. I have been earnest in it, I have been persistent in it. I mean to be earnest and persistent in it to the end. I would defend the title of these purchasers here to the last extremity by every means known to the rules of parliamentary law and practice, as I would defend it if I were standing in a court of justice and they were being pros-That is my duty. It is my pleasure, Mr. President, as well as my duty. If there is any position a Senator can occupy, if there is any position a lawyer can occupy, it is the position of defending titles which have been determined by the highest tribunals of the land to be valid; it is to defend those who in good faith have invested their money at the invitation of the Government of the United States and the at the invitation of the Government of the United States, and whose titles have been ratified by the Congress of the United States and confirmed by the judgments of the Supreme Court.

This is my position; this is the secret of my zeal and earnestness in behalf of the measure, and this is why I press upon the attention of the Senate these amendments in the various forms in which I have offered them. First I offered an amendment providing that we should have security for costs. Then I offered an amendment providing that the Government should be liable to costs. First I offered an amendment that all the purchasers in the Des Moines River grant should be excepted. That was voted down by a bare majority. Now, I ask it, confining it only to those whose titles the Supreme Court has decided are valid under the resolution of the 2d of March, 1861. I submit to Senators that there is nothing unreasonable in this exception. It is not as broad as the exception which was framed by Senator McDonald, which I offered as the first of my amendments. It is narrowed to cases which have been adjudicated, which have been decided, which have been de-termined in favor of these purchasers. Now until this can be done the title of the bill is a misnomer. The bill to quiet the title of the Des Moines River lands is to become a law to reopen and again prosecute the controversies in regard to those lands which the Supreme Court has closed by its repeated decisions, which the courts of Iowa have closed by their repeated decisions, and this bill ought not to become a law

without this exception is ingrafted upon it.

It would, as I said yesterday, instead of quieting titles, reopen the whole flood-gate of litigation in the State of Iowa, and perpetuate it we know not how long, and all the insecurity and turbulence and violence which have prevailed there for so many years would be renewed, and renewed in a form which, according to the refusal of the Senate thus far to ingraft an amendment by way of security, will forever deprive the owners of these lands of any compensation for the expenses of the litigation to which they are to be subjected.

Mr. President, I earnestly urge on the Senate the consideration of the amendment in the form in which I now offer it. I earnestly ask

that the Senate will consider the propriety of this amendment and place it upon this bill, so as to prevent the retrial of questions which have been heretofore adjudicated.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The Senator from New York will suspend. The hour of 1 o'clock having arrived it becomes the duty of the Chair to lay before the Senate the unfinished business of yesterday, being Order of Business No. 872. The title of the bill will be read:
The CHIEF CLERK. "A bill (S. 1652) to provide for the improvement

of the channel between Galveston Harbor and the Gulf of Mexico.

Mr. MORRILL. I move that the Senate proceed to the consideration of the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar. This bill has been partly considered, and the Senator from Ohio [Mr. SHERMAN] is ready to make a brief speech upon the subject, and I trust we may be able to get through with it in a very

The PRESIDENT pro tempore. The Senator from Vermont moves that the Senate now proceed to the consideration of Order of Business 1074. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 4976) for the retirement and recoinage of the trade-dollar."

Mr. HOAR. I ask unanimous consent to address a question to the Senator from Vermont and have his answer before the Senate votes.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent to be heard on this question. The Chair hears no objection.

Mr. HOAR. I desire to ask the Senator from Vermont what is his Mr. HOAR. I desire to ask the Senator from Vermont what is his purpose. I was very desirous of taking up the railroad funding bill, which it has been expected by a very large number of the Senate would follow the question which was disposed of yesterday. Of course a silver debate, such as we have had a good many specimens of in the last few years, is of no importance to the country; but a silver vote stopping superfluous coinage would, in my judgment, be worth not only any possible inconvenience, but an extra session. I should be prepared, for one, to have both Houses assemble here on the 5th day of March to secure the stoppage of the silver coinage, although it would be at the expense, of course, of great personal inconvenience to all of us to have such a session, so that nothing would stand in the way of the accomplishment of that hope. But I desire to ask my honorable friend from plishment of that hope. But I desire to ask my honorable friend from Vermont how soon he believes he will get a vote on the bill if it is

taken up?
Mr. Mr. President, have I liberty to respond to the Senator?

The PRESIDENT pro tempore. Only by unanimous consent.

Mr. HOAR. I yield, if I can, to the Senator to answer my question.

The PRESIDENT pro tempore. The Senator from Vermont will proceed, if there be no objection.

Mr. HOAR. I asked unanimous consent that I might address a ques-

Mr. HOAR. I asked unanimous consent that I might address a question to the Senator from Verment and have his reply.

The PRESIDENT pro tempore. The Chair has asked unanimous consent for the Senator from Vermont, and he has it.

Mr. MORRILL. Mr. President, I do not anticipate a prolonged discussion upon this subject. I understand that the opponents of the amendment proposed by the Finance Committee to the trade-dollar bill are more anxious for a vote upon it than they are for a discussion. I trust that we may be able to get through with it in a very short time.

Mr. HOAR. In an hour?

Mr. MORRILL. No, sir.
Mr. HALE. I ask unanimous consent to be permitted to make 3 statement.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent to be heard on this question. Is there objection? The Chair hears none.

Mr. HALE. There are now two of the general appropriation bills before the Senate reported with amendments from the Committee on Appropriations, and it is desirable in view of the great appropriation bills which have not yet come from the other House, but which will be poured in upon us next week, that these two bills should be passed by the Senate to-day, for the likelihood is that to-morrow there will be no opportunity for doing business. I wish to give notice that if the Senate does not sustain the motion made by the Senator from Vermont I shall then seek to call up for consideration the agricultural appropriation bill, and upon that being finished the Post-Office appropriation bill in charge of the Senator from Kansas [Mr. Plumb] will be called up with the leave of the Senate.

Mr. HILL. Mr. President—
The PRESIDENT pro tempore. Will the Senate grant consent to the Senator from Colorado being heard on this question? The Chair hears no objection.

I desire to say that the opinion expressed by the Sen-Mr. Hill. I desire to say that the opinion expressed by the Sentator from Vermont I think is entirely wrong. Before such an important measure as that which he proposes shall pass this body it will be necessary to lay material before it which will occupy at least several days. It is a measure of great importance which affects the volume of currency, and to seek to accomplish such an end by an amendment to the bill of the House seems to me to be very dangerous legislation, and I assure the Senate that it will require several days at least to get the proper information before the body in regard to it.

Mr. McPHERSON. Mr. President

The PRESIDENT pro tempore. The Senator from New Jersey asks unanimous consent to be heard on this question. The Chair hears no

Mr. McPHERSON. I desire to call the attention of the Senate to the fact that the bill which the Senator from Vermont has asked to have considered now by the Senate contains a provision for the retirement of the trade-dollar or its payment in standard silver dollars, about which I suppose there is but little difference of opinion in the Senate. If other subjects involved in the bill will lead to a more lengthy discussion, I hope at least that the Senate will agree to consider and favorably consider that portion of it relating to the trade-dollar.

Mr. MITCHELL. I ask unanimous consent to be allowed to make very brief statement.

The PRESIDENT pro tempore. If there be no objection the Senator from Pennsylvania will proceed.

Mr. MITCHELL. I suppose most Senators know that Pennsylvania is, perhaps, more greatly interested in the primary question involved in this bill than any other State in the Union. The people of that in this bill than any other State in the Union. The people of that State think a great wrong has been done to them because Congress has not provided for the redemption of the trade-dollar. Therefore, without regard to the importance of the question of coinage and the question

of currency involved in the amendment proposed by the Committee on Finance, I shall vote against that amendment and vote for the passage of the House bill for the redemption of the trade-dollar. I believe many other Senators will do the same; and I trust we shall be able to get a direct vote upon the bill itself as it came from the House. The House passed it to provide for the redemption of the trade-dollar. Then if the question is presented either by a bill from the House or by a bill reported from the Committee on Finance here, I shall be as ready as any Senator to dispose of the whole question. I do not, however, believe it is possible that that question can be disposed of during this session. Therefore I think it impracticable to involve the subject of the redemption of the trade-dollar with the consideration of the coinage question in general. I hope the bill will be taken up.

Mr. CAMERON, of Wisconsin. What is the pending question, Mr.

President?

The PRESIDENT pro tempore. The motion of the Senator from Vermont [Mr. MORRILL] that the Senate proceed to the consideration of the so-called trade-dollar bill.

Mr. CAMERON, of Wisconsin. Would a motion to proceed to the

consideration of an appropriation bill now be in order?

The PRESIDENT pro tempore. The Chair thinks not until after the question is put on the pending motion. It would be merely piling up motions which are not subject to amendment.

Mr. CAMERON, of Wisconsin. I call the attention of the Chair to

Rule IX, and ask that that rule be read.

The PRESIDENT pro tempore. Rule IX will be read, if there be no

Mr. CAMERON, of Wisconsin. The first part of the rule, the first

subdivision.

The Chief Clerk read as follows:

RULE IX.

ORDER OF BUSINESS.

Immediately after the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar next after the last subject disposed of in proceeding with the Calendar; and in such case the following motions shall be in order at any time as privileged motions, save as against a motion to adjourn, or to proceed to the consideration of executive business, or questions of privilege, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which, if carried, shall have the effect to leave such subject without prejudice in its place on the Calendar.

endar.

Fourth. A motion to place such subject at the foot of the Calendar.

Each of the foregoing motions shall be decided without debate, and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Vermont.

Mr. HALE. I ask unanimous consent that the Senate proceed now

to the consideration of the agricultural appropriation bill.

The PRESIDENT pro tempore. The Chair will state in reply to the inquiry which the Chair supposed was intended by the Senator from Wisconsin-

Mr. CAMERON, of Wisconsin. I think I have discovered that this rule applies to business during the morning hour.

The PRESIDENT pro tempore. The Chair thinks it applies to business all the time except when a special order is up; but Rule X as to special orders provides that they shall be laid before the Senate, and there is one now laid before the Senate. Then at the foot of the rule about special orders it is provided:

And all motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

The Chair is under the impression that if the pending measure, the Galveston Harbor bill, were not a special order, the operation of Rule IX would be complete and effective, and that a motion to proceed to the consideration of an appropriation bill would stand next in order to a motion to adjourn or to proceed to the consideration of executive business, and must be put in the order of its precedence, no matter when made, as a preceding motion; but the Senate now having before it a special order, the Chair thinks that the simple motion is to proceed to the consideration of other business, and that the Senator from Vermont

The Chair will now ask the unanimous consent which the Senator from Maine proposes, that the Senate proceed to the consideration of

from Maine proposes, that the Senate proceed to the consideration of the agricultural appropriation bill. Is there objection?

Mr. MORRILL. I shall object, but I will give way by an informal postponement if the bill is taken up.

The PRESIDENT pro tempore. The question recurs on the motion of the Senator from Vermont that the Senate proceed to the consideration of the trade-dollar bill, so called.

Mr. MORRILL called for the yeas and mays; and they were ordered.

Mr. BECK. I understand the Senator from Vermont, after this bill is taken up, is willing to allow the appropriation bill to be considered.

The PRESIDENT pro tempore. Debate is not in order.

Mr. MORRILL. I so said.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Vermont, on which the year and nays have been ordered.

The yeas and nays were taken.

Mr. VEST. I was about to announce the pair of the Senator from
Louisiana [Mr. Jonas] with the Senator from New Hampshire [Mr. Louisiana [Mr. Jonas] with the Senator from Visconsin [Mr. CAMERON],
PIKE] on authority from the Senator from Wisconsin [Mr. CAMERON], presuming that the Senator from New Hampshire would vote "yea; but I see the Senator from New Hampshire is about to vote.

Mr. CAMERON, of Wisconsin. I will pair with the Senator from

Mr. VEST. The Senator from Louisiana is paired with the Senator from Wisconsin.

Mr. CAMERON, of Wisconsin (after having voted in the negative).

I ask leave to withdraw my vote.

The PRESIDENT pro tempore. The vote will be withdrawn if there

be no objection. Mr. VEST. The Senator from Louisiana [Mr. Jonas], if present, would vote "nay."

Mr. PIKE. I am paired with the Senator from West Virginia [Mr.

CAMDEN

Mr. MANDERSON. I am paired with the Senator from Florida [Mr.

Jones]. If he were here, I should vote "yea."

Mr. CAMERON, of Wisconsin. I understand my pair would vote "nay." I also vote "nay."

The result was announced-yeas 27; nays 22; as follows:

	YEA	AS-27.	
Aldrich, Bayard, Beck, Blair, Butler, Chace, Dawes,	Frye, Gorman, Groome, Hale, Hampton, Hawley, Hoar,	Lapham, McPherson, Mahone, Miller of N. Y., Mitchell, Morgan, Morrill,	Palmer, Platt, Saulsbury, Sewell, Sherman, Slater.
	NA.	YS-22.	
Call, Cameron of Wis., Cockrell, Coke, Edmunds, Garland,	George, Gibson, Harris, Hill, Ingalls, Jackson,	Maxey, Miller of Cal., Pendleton, Plumb, Pugh, Sawyer,	Van Wyck, Vest, Williams, Wilson.
	ABSI	ENT-27.	A STATE OF THE REAL PROPERTY.
Allison, Bowen, Brown, Camden, Cameron of Pa., Colquitt, Conger,	Cullom, Dolph, Fair, Farley, Harrison, Jones, of Florida,	Jones of Nevada, Kenna, Lamar, Logan, McMillan, Manderson, Pike,	Ransom, Riddleberger, Sabin, Vance, Voorhees, Walker.

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

The PRESIDENT pro tempore. The pending question is on the mo-tion of the Senator from Kansas [Mr. INGALLS] to strike out section 5

of the amendment of the Committee on Finance.

Mr. MORRILL. I now consent, as I indicated I would, that the Senator from Maine [Mr. HALE] shall bring up the appropriation bill

he mentioned The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that this bill be informally laid aside and that the Senate proceed to the consideration of the agricultural appropriation bill. Is there objection?

Mr. CAMERON, of Wisconsin. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. HALE. I was about to make a motion that the Senate proceed

to the consideration of the agricultural appropriation bill.

The PRESIDENT pro tempore. The Senator from Maine moves that the Senate now proceed to the consideration of the agricultural appropriation bill.

Mr. PLATT. I rise to a parliamentary inquiry. If this motion shall now prevail, will the effect of it be to displace and throw back on the Calendar the bill which has just been taken up?

The PRESIDENT pro tempore. The effect of it will be to leave the trade-dollar bill on the Calendar subject to a motion to take it up again.

Mr. PLATT. Then I hope that the Senator from Maine—

The PRESIDENT pro tempore. Debate is not in order.

Mr. PLATT. I ask unanimous consent to say that I hope—

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent to be heard on the pending question. Is there objection? The Chair hears none.

jection? The Chair hears none.

Mr. PLATT. I hope the Senator from Maine will not press his motion at the present time. I have no doubt that he can get unanimous consent after a little while.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

MARIA G. UNDERWOOD.

Mr. LAPHAM. I ask permission to offer a resolution to lie over until to-morrow.

The PRESIDENT pro tempore. Is there objection to the resolution being received at this time? The Chair hears none. It will be read.

The Secretary read as follows:

Resolved, That there be paid out of the contingent fund of the Senate, to Alice E. Underwood, executrix of the last will and testament of Maria G. Underwood, administratrix of John C. Underwood, deceased, the sum of \$5,000, in full compensation for the time and expenses of the said John C. Underwood in prosecuting his claim to a seat in the Senate as \$ Senator from the State of Virginia.

Mr. ALLISON. I object. That resolution is not in order at this time

The PRESIDENT protempore. The Senator from New York received unanimous consent to present it. The Chair asked for unanimous consent that he have leave to offer the resolution.

Mr. ALLISON. I did not hear the Chair state that.

Mr. ALLISON. I did not hear the Chair state that.

The PRESIDENT pro tempore. The Chair so stated distinctly, and the Chair heard no objection. The resolution is now objected to by the mover of it, and goes over until to-morrow.

Mr. ALLISON. Very well.

The PRESIDENT pro tempore. The agricultural appropriation bill is the business before the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House requested the Senate to return to the House of Representatives the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., to correct an error of engrossment of the House amendments.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, and for other

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:
A bill (S. 305) for the relief of Thomas T. Stratton, assignee of W.

A bill (S. 1031) for the relief of Thomas 1. Statton, assignee of W.

B. Waldran;
A bill (S. 1031) for the relief of W. C. Marsh;
A bill (S. 1347) for the relief of the sufferers by loss of the Government steamer J. Don Cameron;
A bill (S. 1412) authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States. ernment of the United States; and

A bill (S. 1839) for the erection of a public building at Chattanooga,

GEORGE E. SPENCER AND MARIA G. UNDERWOOD.

Mr. HOAR. I ask unanimous consent that the resolution for payment to George E. Spencer of a sum of money for expenses incurred by him in defending his title to a seat, and the resolution just introduced by the Senator from New York [Mr. LAPHAM] in regard to Maria G. Underwood, be referred to the Committee on the Contingent Expenses

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the

Senator include in his request both resolutions?

Mr. HOAR. Yes, sir; both. The PRESIDING OFFICER. The Senator from Massachusetts asks the unanimous consent of the Senate that the resolution introduced by himself this morning, and one introduced on a former day by the Senator from New York, be referred to the Committee to Audit and Con-

ator from New York, be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. Is there objection?

Mr. HOAR. There are two resolutions on each of these subjects. I should like to have them all go to the committee.

The PRESIDING OFFICER. The two resolutions upon each subject will be included in the request—the two resolutions on the Calendar and the two introduced to-day and on the table. Is there objective the control of tion?

Mr. INGALLS. I have no objection to the Spencer resolution going to the committee, but the Underwood resolution I propose shall lie over

The PRESIDING OFFICER. There being objection as to the Underwood resolutions, is there objection to the others being referred?

Mr. MILLER, of New York. I object then to the others being

referred.

The PRESIDING OFFICER. There is objection. The reading of

the agricultural appropriation bill will proceed.

Mr. MILLER, of New York. I ask consent to withdraw my objection to the request of the Senator from Massachusetts to send certain resolutions to the Committee on Contingent Expenses. I am satisfied there ought not to be anything like retaliation in the legislation of this body, and I regret that I made the objection, although I felt somewhat aggrieved at the moment as to the other case which interested a citizen originally of New York. I withdraw my objection.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. North Property his request.]

HOAR] renews his request. The Senator from Massachusetts asks unan-

imous consent that the resolutions referred to by him a moment since, the two in respect to Spencer, be referred to the Committee on Contingent Expenses. If there be no objection that order will be made. Chair hears no objection.

PUBLIC BUILDINGS AT KEY WEST.

The PRESIDING OFFICER laid before the Senate the following resolution from the House of Representatives; which was read:

Resolved, That the Clerk of the House be directed to request the Senate to return to the House the bill of the Senate (No. 229) "to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.," to correct an error of engrossment of House amendments.

The PRESIDING OFFICER. If there be no objection the order returning the bill to the House of Representatives will be entered. Hearing no objection, it is so ordered.

AGRICULTURAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other pur-

Mr. HALE. I ask that the formal reading of the bill be dispensed

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that it be considered by clauses or sections for amendment. The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the bill be read by paragraphs for amendment, and that the amendments reported by the Committee on Appropriations be considered in their order as the reading proceeds. If there be no objection, that order will be made. The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, in the appropriations for the "office of Commissioner of Agriculture," in line 20, after the word "dollars," to insert:

One microscopist, \$1,800; one botanist, \$1,800; one assistant botanist, \$1,200.

The amendment was agreed to.

The next amendment was, in line 35, to increase the total amount of the appropriations for the total compensation of the Commissioner of Agriculture and the clerks and employés in his office, from \$65,480 to \$70,280.

The amendment was agreed to.

The next amendment was, in the heading in line 37, after the word "chemical," to strike out "bureau" and insert "division;" and in line 42, after "chemical," to insert "division;" so as to make the clause read:

CHEMICAL DIVISION.

For compensation of chief chemist, \$2,500; one assistant chemist, \$1,600; one assistant chemist, \$1,400; employment of additional assistance, when necessary, in the chemical division, \$6,000; in all, \$11,500.

Mr. MILLER, of New York. I desire to ask for the reason of the change, striking out "bureau" and inserting "division?" The Agricultural Department uses the word "bureau," and the statistics collected by it go to its bureau of statistics. A year ago we passed a law creating a Bureau of Animal Industry in the Agricultural Department. That, of course, remains as the title was made by law. It seems to me it would be much better to use the title "bureau," in referring to all the special divisions of any Department, rather than to use the word "division." It is more in accordance with the general practice in governmental affairs. I know that the Department itself desires to retain the title "bureau" rather than that of "division."

Mr. HALE. I think the Senator on my explanation will see that the committee are right in this change. The House of Representatives in passing this bill took up each of the little divisions and subdivisions

and called it a bureau. For instance, on page 4, the whole force in the business of the Department under the head of "the microscopical bureau" is one man at \$1,800 a year, and they make that the "microscopical bureau."

Mr. MILLER, of New York. That would be undoubtedly wrong.
Mr. HALE. In the botanical branch there are two men, and they
are made the "botanical bureau;" and so the seeds division is made a
bureau, and so the agricultural statistics division, and so as to this
chemical division where the whole number employed is only seven or eight men and \$11,000 is expended. The House made them all bu-

To the Committee on Appropriations of the Senate that proceeding smacked of absurdity, if I may use that word. A bureau is a great branch of the Government. The Pension Office, with its thousands of employés and the expenditure of tens of millions of money, is a bureau; the Land Office, with its great interests and expenditure and force is a bureau; the Patent Office, with hundreds of clerks ramifying all over the country into every branch of industry and human invention, is a bureau. So in the Treasury Department; the great subdivisions there, the Comptroller's Office, the Customs Office, the various Auditors' offices, the Treasurer's branch, &c., are bureaus; and in those bureaus are subdivisions which are simply called divisions. The Committee on Appropriations did not believe that it was fitting or proper to elevate the sub-divisions of this Department into the scale of bureaus, and so has retained the old arrangement of divisions. A statute of last year created the Bureau of Animal Industry, fixed that in terms, and so the committee

did not seek to interfere with that and has left it, and has left all the rest as they have been heretofore, simply "divisions."

I think this will appeal to the Senator from New York himself. If he were casting the bill he would cast it in this way, I am confident.

Mr. MILLER, of New York. In the main I agree with the Senator from Maine as to what he has said; these small divisions should not be dignified by being made bureaus; but it occurred to me that the change of name might be proper as to the chemical division of the Department of Agriculture, though I am not well informed in regard to that division. In the Treasury Department the Bureau of Statistics is dignified by being called the Bureau of Statistics, and all their statistics are issued by that bureau under that name. In the Agricultural Department statistics are also issued as coming from its bureau of statistics. They use that title, whether legally or not, and it is so on all the publications I have received from the Agricultural Department. I have only to suggest that perhaps in one or two cases the title "bureau" might be retained, but not certainly in all the smaller divisions the Senator has indicated. I have no particular desire or care about it, but there is one bureau, that of animal industry, established by law.

Mr. HALE. That has not been interfered with.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment reported by the Committee on Appropriations to strike out the word "bureau" and insert "division," in line 37 and in line 42.

The amendment was agreed to.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in the heading in line 44, after "entomological," to strike out "bureau" and insert "division;" in line 47, after the word "entomological," to strike out "bureau" and insert "division;" and in line 57, after the word "entomological," to strike out "bureau" and insert "division;" so as to make the clause read:

Entomological division:

For compensation of entomologist, \$2,500; one assistant entomologist, \$1,400; assistants in the entomological division, when necessary, \$4,000; for investigating the history and habits of insects injurious to agriculture and horticulture, experiments in ascertaining the best means of destroying them, and for the promotion of economic ornithology, or the study of the interrelation of birds and agriculture, an investigation of the food, habits, and migration of birds in relation to both insects and plants, and publishing report thereon, for drawings, and for chemicals and traveling and other expenses on the practical work of the entomological division, \$20,000; in all, \$27,900.

Mr. MILLER, of New York. I have no objection to that amendment, but I want to move an amendment.

The PRESIDING OFFICER. The Chair will suggest to the Senator that the order is to act first on the amendments the Committee on Ap-

propriations have reported.

Mr. MILLER, of New York. I supposed we were to offer amendments as the reading went on.

The PRESIDING OFFICER. The Chair understood the order to

be to act first on the amendments reported by the committee, and then the bill will be open to amendment

Mr. MILLER, of New York. I think it will be better to let me offer my amendment now. This is the only amendment I have.

Mr. HALE. I have no objection.

The PRESIDING OFFICER. Does the Senator from New York pro-

ose to amend the amendment of the committee?

Mr. MILLER, of New York. No; let that be acted on.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from New York will now propose his amendment, if there be no objection.

Mr. MILLER, of New York. I am instructed by the Committee on

Agriculture and Forestry to move an amendment, in line 57, to strike out the word "twenty" and insert "thirty;" and also in the same line to strike out "twenty" and insert "thirty;" so as to read:

And other expenses on the practical work of entomological division, \$30,000; in all, \$37,000.

I ask the attention of the Senate for a few moments to this proposition. The action of the Committee on Agriculture and Forestry was had two or three weeks since on this question, and I gave the papers relating to it to the Senator from Kansas [Mr. Plums], a member of the Committee on Appropriations, supposing he would have charge of the agricultural appropriation bill; but it seems in the preparation of these bills it fell to the charge of the Senator from Maine, and I presume his attention was not fully called to this proposition and to the recommendation of the Committee on Agriculture.

The occasion for this increase arises in this wise: In line 51 there has been inserted in this bill a clause including:

And for the promotion of economic ornithology, or the study of the interrela-tion of birds and agriculture, an investigation of the food, habits, and migration of birds in relation to both insects and plants, and publishing report thereon, for drawings, and for chemicals and traveling and other expenses.

Those words have been put into this bill this year, of course resulting in an increase of the labor of the entomological division and largely increasing its expenditures if it is to do the work that has been assigned to it. The reason for this has come about in this wise: There has been organized in this country an ornithological union, composed of the leading naturalists of this country, extending over the entire country and also over Canada. There has also been organized an international orni-

thological union, and these unions of the different civilized countries are acting in connection. Some of them have been at work for several years. The unions of the various countries have applied to their respective governments asking that the governments take up this work to a certain extent—that is, the work of the collation of facts and the publication of facts.

These ornithological unions, which are studying the questions designated in these lines, are doing the work voluntarily for the advance-ment of science and the good of mankind in general. These associations are entirely voluntary, and all their work is done without compensa-tion for love of the cause. They have collected and are collecting large amounts of information upon this subject, which is very valuable and is undoubtedly to be of great value to the agriculturists as a class. They do not feel able to undertake the work of classifying and collating the information which they have obtained, or of publishing it for the benefit of the world, and they have asked for the action indicated in the lines which I read.

During the past two years there have been scattered all over the United States more than a thousand gentlemen engaged in making these observations. Circulars were prepared and sent out to all the various stations by the Smithsonian Institution at the request of the Ornithological Union, of course the expense being paid by the Smithsonian Institution as under the law it had a right to do; but it is not able to go on with the proper publication of these results. A very large amount of information has been obtained. All the light-house keepers in the United States and in Canada have been instructed by the proper department to obtain the information desired; blanks have been furnished them, and they have made regular reports, and these reports have come in in very large num-

The Ornithological Union presented some weeks ago to Congress a memorial fully setting forth the work they were doing, and what they desired the Government to do in the premises. I will not detain the Senate by reading the whole of it, but will simply refer to a few passages in it in order to show that the work they are doing is not only of great scientific value to the country but that it has much of practical advantage to farmers. First, as to their means of obtaining information:

The stations from which returns have come, in addition to those in Spanish America, are scattered over the whole country, extending in the east from Sombrero Key, Florida, to Newfoundland, and in the west from Arizona and Southern California to British Columbia. They are most numerous in New England, the Atlantie district, the Mississippi Valley, and Nova Scotia.

They go on to say:

That material now in hand is of great value, and is so voluminous that the committee can not properly arrange, systematize, and publish it without Government aid. Its value does not consist wholly in its scientific interest, for it has direct bearings upon many of the problems with which the practical agriculturist is concerned.

On that point let me say that this investigation includes a thorough examination into the food and habits of all birds, and they have already discovered that some species of birds which have been supposed to be of injury to the horticulturist and farmer have been found to be their best friend, and instead of being destroyed they ought to be preserved. On the other hand, they have discovered that some birds which were supposed to be of advantage to agriculture are enemies of agriculture and ought to be exterminated. The operations of this union cover the migration of birds, their geographical distribution, and also includes the whole subject of economic ornithology.

The subcommittee on migration has undertaken to ascertain the whereabouts of all our birds during the winter season, and the times of leaving their winter homes; to determine if possible the number and extent of the chief avenues of migration in North America, and the average rate of speed at which the different species travel; to find out the dates of appearance and disappearance of each successive bird-wave for at least a thousand localities, both in spring and fall, for a period of years, together with the causes which influence the same, and to draw therefrom such generalizations and deductions as the material collected will permit.

The inquiry concerning the food of birds is one of much consequence, because it undertakes the solution of many of the problems which beset the practical farmer and sheds light upon many questions concerning which almost universal ignorance prevails.

Primarily, the food of all birds must consist either of animal matter or vegetable matter or both, and its consumption must be serviceable or prejudicial to the interests of mankind. On this basis, all birds may be classed under one of three heads:

I. Birds whose habits render them, on the whole, beneficial.

II. Birds whose habits render them, on the whole, injurious.

III. Birds whose habits, so far as known, make it doubtful whether, on the whole, they are beneficial or injurious.

And it is for the solution of this and other problems that this union has been formed and has been doing this voluntary work. I believe that there is no investigation now being made into natural history which will be of so great value to all our people and to the whole world as the investigations of these various unions of ornithologists who are now pursuing this subject.

In the investigation of economic ornithology still other questions present themselves. Among them may be mentioned:

At what season and for how long a period is the bird with us? How many broods does it rear each season?

Does it inhabit marshes, uplands, cultivated fields, or forests?

Does it take up its abode near the habitations of man, or does it inhabit districts remote from civilization?

What effect does the settlement of a region have upon its bird-life?
What birds, if left to themselves, are likely to become most abundant as the country grows older?
In pursuance of these researches it is evident that much good would result from friendly co-operation with the entomological and botanical divisions of the Department of Agriculture and with the United States Entomological Commission.

They continue:

They continue:

The practical bearings of this investigation are not obscure. When the limitations of the several faunal areas have been ascertained with sufficient exactness and admit of graphic illustration by means of colored maps, it will be possible to predict, with considerable accuracy, the course which an injurious insect will pursue in extending its march from the point where its first devastations are committed, and our farmers may be forewarned, so that those living in districts likely to become infested can plant different crops and thus be saved large pecuniary loss; while those living just outside will derive increased revenue from the cultivation of the particular crop affected. The questions having to do with the distribution of species are referred to the subcommittee on that subject.

Further in regard to the practical value of this work the memorial

It has already been shown (in the sections treating of economic ornithology) that the study of the distribution and food of birds has such direct bearings upon practical agriculture that its importance can hardly be overestimated. There can be no reasonable doubt that the farmers of the United States would profit to the extent of thousands of dollars per aunum by availing themselves of the re-

the extent of thousands of dollars per annum by availing themselves of the results of these inquiries.

In view of the facts herein briefly outlined your memorialists humbly beg to suggest the urgent need of the creation, as a branch of the Department of Agriculture, of an ornithological department or bureaut for the collection and elaboration of data respecting the migration and geographical distribution of our birds and the investigation of all questions of an economic character relating to North American ornithology.

In the event of the immediate establishment of such a bureau by your honorable body, your memoralists pledge the same their hearty support and co-operation,

This is signed by the officers of this Ornithological Union. This matter was laid before the Department of Agriculture and brought to the attention of the Smithsonian Institution, and Professor Baird joined in recommending this action, and of course an appropriation is needed. The result has been that authority to undertake this investigation and the compilation of the statistics and the data which can be furnished and will be furnished by this union has been put into this bill, but there has been no increase of the appropriation for the expenditures of the entomological division. Ten thousand dollars was asked for as being the least sum that can properly do this work. When the bill passed the House and the chief of this division, Dr. Riley, discovered it he came to see me, and not finding me wrote to me a letter, portions of which I will read, and from which the Senate will see that it is necessary to increase this appropriation somewhat; otherwise the work can not be done at all. be done at all:

be done at all:

I regret very much to see that in the bill appropriating for the expenses of this Department, as it passed the House on Saturday, a clause was interpolated in the paragraph making appropriations for the entomological bureau (lines 47-51) requiring certain work in economic ornithology, without making any additional appropriation to meet the additional work required.

By the advice of Commissioner Loring, I beg to call your attention to this fact in the hope that you will urge the Senate Appropriations Committee to so modify the bill by a Senate amendment as to do away with the disadvantages which in its present form it would bring about in my work.

The work of the entomological bureau has all been planned and the force organized on the basis of the present appropriation, and the diversion of any portion of this small appropriation to work hitherto not suggested would seriously affect and cripple the present work of the bureau. In other words, I should be obliged either to disrupt the present organization of the bureau and disappoint the farming community, or, continuing the work already planned, make merely a pretense of pursuing the ornithological work required.

I will say that I am fully in sympathy with the purposes of the Ornithological Union, and that I regret very much having found you out when I called on the present or the present or the property of the prop

Then he goes on to say that this item in the appropriation bill of \$20,000, and in all, for the entire division, \$27,900, is precisely the same appropriation that was made last year, and which of course was used in the work of that division, without any reference to this new work which is to be added to it, and it will be absolutely impossible for the division to do this work properly unless this small sum of \$10,000 be added to it. I trust that the Senate, in the interest of agriculture, in the interest of science, will grant this addition of \$10,000. The large amount of work already done by the union would be placed in the hands of the Department, and by proper clerks it can be classified and generalizations from it made and put in proper shape for publication, that all may have the benefit of the work.

Nearly all the other governments of the civilized world, so far as I know, have taken action on this matter, as I understand from the president and secretary of the American union. In Canada the government has done the same thing. I hold in my hand a circular issued by the department of marine at Ottawa, in which it calls on all the various stations of observation established all over that country to send their communications to the department of marine, by which they are to be taken in charge and collated; and it also gives notice that all their communications are to be post free—that is, franked. It seems to me that our Government ought to do this much for the public benefit.

If any Senator has any question or any suggestion to make I shall

be happy to answer it.

Mr. HALE. I think we can get at this. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

Mr. MILLER, of New York. It is an increase of \$10,000 in line 57.

The CHIEF CLERK. In line 57, page 3, it is proposed to strike out the word "twenty," before "thousand," and insert "thirty;" so as to

For drawings and for chemicals and traveling and other expenses on the practical work of the entomological division, \$30,000.

Mr. HALE. "In all, \$37,900?"

Mr. MILLER, of New York. Yes; that is included.

Mr. HALE. Let me inquire of the Senator from New York if this amendment is nowed under the rules by a compiler of the senator.

amendment is moved under the rules by a committee?

Mr. MILLER, of New York. The amendment is moved by proper authority from the Committee on Agriculture and Forestry

Mr. HALE. I will not, if I can, make the point of order, because I sympathize with the Senator from New York in what he is seeking to accomplish.

Mr. MILLER, of New York. I have no doubt if it had not been on account of my mistake, supposing the Senator from Kansas would have charge of this particular bill, if I had presented the matter to the Senator from Maine and submitted it properly, it would have been put in the bill at once; but I sent it to another Senator, supposing he had charge of the bill, and therefore neglected properly to bring it to the

attention of the Committee on Appropriations.

Mr. HALE. I do not make any point of order; but I wish to make a suggestion to the Senator from the letter of Dr. Riley. There has been certain work added to this division. It is a cognate work to what it has been doing before, but it extends its scope and no additional appropriation has been made for that purpose. I see in the letter of Dr. Riley,

a part of which the Senator read, he says:

In view of the foregoing facts he would beg you either to get the general appropriation to the entomological bureau increased by either \$5,000 or \$10,000, or, what would be preferable, to add the new matter as a separate and independent

And in a postscript he says:

I had a consultation with Mr. Hatch, chairman of the House Committee on Agriculture, last night, and he agreed to support an addition of \$5,000 to the appropriation, and I have little doubt but an explanation to Senator Plums will bring about the desired amendment.

I think if the Senate will put the increase at \$5,000 we shall have no trouble with the House and it will go through easily. I make that

suggestion.

Mr. MILLER, of New York. I hope the Senator will not insist upon that in any way, because in my talk with Dr. Riley I found that even \$10,000 would be scarcely enough, and the suggestion that the addition be either \$10,000 or \$5,000 was made under an apprehension that Congress might not be very favorably disposed to scientific pursuits. I think therein he did us great injustice. My conversation with the president and secretary of the American Union of Ornitholowith the president and secretary of the American Union of Orinthologists leads me to believe that the appropriation ought to be much more for the amount of work now on hand. I have seen some of the work, and it is very voluminous and very valuable, and I do not believe clerks can be set to work upon it to put it in proper shape ready for publication for less than \$10,000. If we appropriate \$5,000, a less number of clerks will be put to work, and it will simply delay the publication of the results, which I believe are very valuable to all of us, for nother year, and certainly I think for expression of the United States. another year, and certainly I think the Government of the United States can afford to give this pittance of \$10,000 in order that we may get at the results, and that whatever benefit may arise to agriculture or to science may not be delayed and postponed to a distant day. The Department of Agriculture is not a very great burden on the public Treasury, and I hope the Senate will simply consent that my amendment for \$10,000 shall be adopted as it stands. Then if there shall be any trouble

with the House, that can be arranged.

Mr. HALE. I do not think the difference is enough to pay for mak-

ing any more fuss about it, and if the Senator insists on his amendment I shall not oppose it.

Mr. MILLER, of New York. The Committee on Agriculture considered this whole matter, and it is the only change that the Committee on Agriculture suggest in the bill. In other respects they leave it as it is.

Mr. HALE.

Mr. HALE. Let us have a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out lines 74, 75, 76, as fol-

Microscopical bureau: For compensation of microscopist, \$1,800.

The amendment was agreed to.

The next amendment was to strike out lines 77, 78, 79, and 80, as follows:

BOTANICAL BUREAU.

For compensation of one botanist, \$1,800; for one assistant botanist, \$1,200; in all, \$3,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 95.

Mr. PLUMB. I do not want to disturb the order of procedure, but inasmuch as the Senator from New York was indulged to propose an amendment prior to the adoption of the amendments of the committee

as a whole, I ask leave to move an amendment at line 94 at this time, if it will not disconcert the Senator having charge of the bill.

Mr. HALE. No, sir; I have no objection to that.

The PRESIDING OFFICER. If there be no objection, the Senator from Kansas will state his amendment.

Mr. PLUMB. In line 94 I move to strike out "twenty" before "thousand" and insert "fifty;" so as to make the clause read:

LABORATORY.

For chemicals and apparatus for the use of the chemists and microscopists, and for the necessary expenses in conducting experiments, including experiments in the manufacture of sugar from sorghum and other vegetable plants, \$50,000.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from Kansas.

Mr. PLUMB. The sum of money proposed by the amendment which
I now offer was appropriated by the last agricultural appropriation bill.

The design of the committee, and of the Senate in providing for that appropriation, was to enable the Commissioner of Agriculture to engage in certain experiments in regard to machinery necessary for the manuin certain experiments in regard to machinery necessary for the manufacture of sugar from sorghum. The whole of the appropriations are illy placed in the bill. In fact, the bill itself in every way is as badly arranged as any bill could possibly be in failing to bring together cognate subjects of inquiry. But following the arrangement which has been perpetuated ever since appropriations have been made separately for the Agricultural Department, under the head of "laboratory" is this item, which as I said before was increased to \$50,000 last year with the design of having these experiments made.

The experiments were especially calculated to be in a certain direction, in the direction of what is called diffusion as applicable to the extraction of the saccharine matter from cane. The ordinary process of crushing and of steaming in connection with it as sometimes applied

I have before me a letter written by a gentleman in Louisiana addressed to Mr. Wiley, the chemist of the Department of Agriculture, under date of December 15, 1883, in which in discussing this question of the amount of juice extracted from the cane, and referring to the date of 1873, at which time certain experiments had been made among the cane-growers of Louisiana in the use of the diffusion apparatus, he says:

We were then still sharing the common belief of our planters, that they could and did, with their more powerful mills at least, extract from seventy to seventy-two pounds of juice out of every one hundred pounds of cane. We only hoped to increase this, by diffusion, to eighty-four or eighty-five pounds, so that by adopting the process our planters should gain about 20 per cent.

You may therefore judge how great must have been our surprise when, by the use of scales, by the measuring of the juice, and by the usual polariscopic tests, we ascertained beyond a doubt that only a very few mills in this country did extract more than fifty-five to fifty-eight pounds of juice; that instead of obtaining only 20 per cent, more juice by diffusion the yield was really increased from 40 to 50 per cent, and that this juice, in spite of the various defects in our primitive machinery, with its unavoidable irregularities and delays, had rather gained than lost in purity.

It is conceded now everywhere that the ordinary crushing machinery applied to the extraction of juice from cane, whether the Louisiana cane or the bastard cane known as sorghum, does not ordinarily result in the extraction of more than 50 to 55 per cent. of the juice. The total amount of juice is supposed to be 88 per cent. of the weight of the cane, and about 37 to 45 per cent. is the range of the amount obtained

by the ordinary processes of extraction.

The question of the manufacture of sugar has recently excited more than usual attention and has resulted in the establishment of works in Illinois and at three different points in Kansas for the manufacture of sugar from sorghum. As the result of that, during the last year from 600,000 to 700,000 pounds of merchantable sugar were made in Kansas from the sorghum plant. I have here a sample of what is called "A sugar," made by the ordinary process, and which I should be glad to have every Senator who has any interest in this matter examine and taste for himself in order to see that the sugar made from sorghum, whatever it may have been heretofore, is as absolutely free from any anti-saccharine substance, from anything which to the taste characterizes it as different from the ordinary sugar, as can be imagined. It is as good in every respect and has taken its place alongside of the best article manufactured out of the Louisiana cane, and has met every expectation of both seller and consumer.

The result obtained in sugar has been supplemented by an equally acceptable result obtained in the manufacture of molasses. It is now made in large supply and of a quality which is nearly as uniform as that which comes from the refineries of the product of the Louisiana

cane.

For the purpose of relieving the manufacturer from the great loss resulting from imperfect machinery, experiments have been adopted in the use of a new process called diffusion, and that is new only in this country, because in France and in Germany, where sugar is made almost wholly from beets, the diffusion process has been in use for many years and with great success. It is estimated in those countries that about 98 per cent. of the saccharine substance is taken from the beet. About two years ago there was set up in a building adjoining the Agricultural Department in this city a small diffusion battery, which was experimented with considerably and I believe satisfactorily, so satisfactorily indeed that the Commissioners of Agriculture second and and

torily indeed that the Commissioner of Agriculture recommended, and

Congress yielded to the recommendation, an appropriation sufficient to erect larger batteries to be used elsewhere for the purpose of more completely testing the ability of this process to extract the juice from cane to an extent which would make the manufacture of sugar from sorghum profitable and which would put that industry upon its feet. By some misadventure the apparatus which was designed to be tried last year was not constructed in time to have the experiment made during the last season. However, it has recently been arranged to send that apparatus to Ottawa, in the State of Kansas, to be set up in connection with a manufactory of sugar already in operation there, and at which favorable results have been already obtained.

The interest in this subject is not, however, confined to Kansas; it is not confined to what is known as the sorghum belt; but the interest is also very great in Louisiana, where by reason of the diminished price at which beet-root sugars have been sold during the last year the industry of sugar-making has been almost prostrated. I think it is safe to say that that industry was carried on in Louisiana this year if not at a loss certainly without any profit, and if the existing condition of things shall continue it threatens the overthrow of the entire sugar-making industry of the United States. But even if there should be a revival and an increase of price sufficient to warrant the continuation of the manufacture under the old condition in Louisiana, there is the constant threat of a diminution of the tariff and also a constant threat of the foreign competition, which has been so disastrous this year, and at any time the operation of either one of these causes will be liable to overthrow the industry entirely.

Thus capital is exceedingly timid about even continuing in the manufacture, and certainly no prudent person would under such circumstances

engage in it very largely.

In the State of Kansas, as I have already said, there are three manufactories of sorghum sugar. At each one of those establishments sugar has been manufactured for two consecutive years, and I think at one of them for three. So far as the quality is concerned the success has been very great. It has removed very largely, and I may say almost wholly, the objections which have heretofore obtained to this product on account of its being of a taste to which people were unused and which

usually made it unacceptable to the consumer.

While this result has been reached, and during the time necessary to bring it about, various important problems connected with the manufacture of sugar from sorghum have been settled, and settled in the right way—that is to say, in the direction of increased economy in manufacture and improvement in the varieties of cane—and if it had not been for the great fall in prices this year the manufacture of this product in Kansas during the past season would have been attended with some As it is, I was informed by the superintendent of one of the works that the sugar made this year cost just about the wholesale selling price. Whether that included the wear and tear of machinery, I ing price.

an not certain.

Notwithstanding the fact that the industry was carried on this year without a profit, there has been found great ground for encouragement in the fact that the experiments made in connection with the manufacture, and stimulated by it, helped to a great extent by the skill and judgment of an agent of the Department, have demonstrated that the manufacturing season can be extended more than twice as long as heretofore supposed possible; that by covering the cane with earth the process or change from ordinary saccharine to glucose in the cane is arrested, and so the manufacturing season can be extended from September until as late as the 1st of February. I do not say that this has been determined beyond any possible doubt, but it seems to have been determined beyond any reasonable doubt, and along with it some other questions incidental to it have also been settled. So these manufacturers during the period of three years in which they have been engaged in the business have settled certain very important problems which have heretofore remained unsettled, and have taken long strides in the direction of their ability to manufacture sugar from sorghum successfully, and thus have opened up to the people of the United States a greater possibility than they have ever heretofore had of their ability to manufacture all the sugar needed for their consumption.

This is not a subject of any minor importance if we have regard to This is not a subject of any minor importance if we have regard to the amount of sugar that is used by the people of the United States, and especially if we regard the amount which they import. The value of the sugar imported during the last three years has never been less than \$100,000,000 annually. It is therefore a subject of very great importance if we can approach it with any hope whatever that by any stimulus or by any process or by any discovery we may be able to so meet the emergency as to produce the supply, or even any considerable portion of the supply, which we are now obliged to obtain from outside.

The chief results which have been obtained during the last few years The center results which have been obtained during the last lew years have been at the expense of private capital. The Government has done something. It has had intelligent chemists at work in the Department of Agriculture; it has made some experiments in the way of machinery. I do not in any wise belittle what has been obtained as the result of these efforts either under the present administration of that Department or under preceding administrations, nor have I any decimal of comparing one with enother, but I say that the chief valueble signs of comparing one with another, but I say that the chief valuable

results which have been obtained have been at the expense of private capital; that the Government has not given that aid to this industry heretofore which I think it ought to have had. When I speak of that I do not speak of it with reference to the possible profit which might have been derived to the manufacturer himself, but I am thinking about it with reference to the advantage to accrue to the entire people of the United States.

No one question of so great national importance could be presented to the people of the United States as that embracing within itself the

to the people of the United States as that embracing within itself the possibility of the relief to the people of the expenditure of \$100,000,000 among foreign people for a product which is absolutely necessary and the supply of which they must keep up at all hazards and at all cost. But the benefit to be derived is not only in the way of relief from the expenditure abroad of a large sum of money. The expenditure of this money at home will give profitable employment to labor. Much the larger portion of the expense attendant upon the production of sugar is the outlay for labor. As is shown by a very intelligent address delivered at a recent convention of the sorghum-makers of Kansas by Professor Swenson, this industry employs more labor or as much labor certainly. Swenson, this industry employs more labor, or as much labor certainly, in proportion to the gross product as any other.

The results are so divided that no considerable portion can go to large

capital. The cane is produced, as experience shows, to the best advantage by small farmers, men who produce cane as they have heretofore produced corn, and men who in its production use their and family domestic labor, cultivating ten, fifteen, twenty, fifty, or a hundred acres of cane, the product of which they sell to the nearest manufacturer, and the capital employed in one factory will rarely exceed fifty to sev enty-five thousand dollars.

The area within which sorghum cane can be raised with profit has not yet been determined; but it is safe to say that, if present results can in any wise be depended upon, it will extend from at least the southern line of Kansas to as far north as a line drawn east and west through the center of Nebraska and the State of Iowa. Undoubtedly Kansas and other States in the same latitude afford the best field for the profit-

and other states in the same latitude abord the best held for the prontable growth of sorghum; but the discovery that cane can be kept in proper condition some months after being cut, thus extending the season of manufacture, opens up possibilities for more northern latitudes. I know it may be said that if this is such an inviting field private capital itself ought to explore it without Government help. This is true as a rule. But the Government has too great an interest in this subject to afford to take the chance that private capital may fail of The general interest is greater than the private or individual success. The general interest is greater than the private or individual interest. And I unhesitatingly say that it is the part of the highest wisdom that the Government should, upon the threshold of this experiment and with a view to the great possible results to be derived, undertake a part at least of the expense of the introduction of new machinery and new methods which private capital will be slow to take hold of, especially in view of the fact that the industry now is in the depressed condition of which I have spoken, and the disposition of cap-

ital already engaged in it to let go rather than to continue, with the doubtful results which now seem likely to follow.

In moving to increase this sum from \$20,000 to \$50,000, it is, therefore, with a view of having the Government continue the experiments which it has already commenced in a small way, and to make them effective, besides entering upon others with the same object in various portions of the country so as to have the advantage of the co-operation of private skill and the advantage of different localities, in order that the experiment may be of the completest possible character. The experiments will be watched with interest, and if they show that success can be made reasonably certain then there will be ample enterprise and capital to enlarge and carry on the business.

With the present competition from abroad, stimulated by the bounty of the German Government, and with the defective machinery now

used in this country, there is little hope for success. The germ of what is needed is probably found in the diffusion apparatus used for the manufacture of beet sugar, but it will have to be modified so as to be perfectly adapted for the extraction of juice from sorghum, and the expense of experiments for this purpose should be borne by the General Government

Capital finds too many fruitful fields in this country on which to enter to warrant it in going where there is doubt and heretofore nothing but failure. The Government with small expenditure can demonstrate the contract of the country of the coun

strate what is lacking and make secure what is now doubtful.

If, therefore, by putting into the hands of the Commissioner of Agriculture and his skilled assistants money sufficient to carry on the necessary experiments they will be able to point the way to the manufacturers of the United States, to those who are already engaged in the manufacture and those who are looking to this industry, we shall, I believe, have set in motion instrumentalities which will result in a very few years in relief from any further necessity of sending money abroad to buy this most necessary article, and one which is going into greater consumption every year.

I ask that the Chief Clerk may read a portion of the address of Professor Swenson which I have mentioned, and which sets out in a very intelligent and detailed manner not only the results heretofore obtained, but a very thorough exposition of what may be expected in the future if the proper encouragement is given.

The PRESIDING OFFICER. If there be no objection the Chief Clerk will read the paper referred to by the Senator from Kansas

The Chief Clerk read as follows:

The past season's work has fully proven that a first-class sugar can be made from sorghum cane. The possibility of making as good an article of sugar from this source as from Southern cane or sugar-beets may be considered a settled

The PHESIDIAC OFFICE. It there he no occurred the Christ Clerk will read the paper referred to by the Senator from Kansas.

The past season's work has follows:

The past season's work has fully proven that a first-class sugar can be made to the past of the past source as from Southern cane or sugar-beets may be considered a settled of the past of the p

make sugar at a less cost. We may, however, look for an increased production of sugars in the factories now in operation. If by improving our method so that we can double our present yield we will have practically reached our present limit, for it will take years to improve the cane. But such a result can not be reached in one or two years. So that it is safe to assume that the average production for the next five years will not exceed 1,000,000 pounds per year. This would tax the State to the amount of \$15,000 per year for the five years. Kansas pays \$1,000,000 per annum as tariff on foreign sugars and at least \$3,500,000 goes out of the State every year to pay for the sugar consumed in the State. With a fair prospect of not only retaining this large amount of money at home, but of making the production of sugar one of the chief industries and sugar one of the staple exports of the State, we sincerely hope that the Legislature may see fit to give us the aid we have asked. What would have been the outcome of the beet-sugar industry of Europe had it not been fostered and cared for by the governments during the early part of its existence?

There were many then that assumed the same attitude toward it that many now do toward the sorghum-sugar industry, claiming that it never could become a commercial success. Fortunately these predictions come from persons who know the least about the matter, and I doubt if there can be found one who has fairly and intelligently studied the matter who does not believe that the problem of supplying our own sugar has been practically solved. I believe the time is not far distant when by improved cane and processes 2,000 pounds of pure sugar will be obtained from an acreof Kansas cane. But to attain to such a result will require renewed efforts on our part and a little timely aid by our State.

If by any reasoning based on facts it can be shown that this industry can not

State.

If by any reasoning based on facts it can be shown that this industry can not become self-supporting, the State will lose nothing by its downfall. If, on the other hand, facts clearly show that it contains every element needful for success, and that wherever failure or but partial success has been the result it has been due to the causes and circumstances that time and experience will remove, then I claim that nothing more disastrous than the downfall of this new industry could befall the commercial interests of this State.

Mr. PLUMB. The amount of money which will be necessary for this purpose so far as now known is very small. Fifty thousand dollars a year is nothing. I look over the agricultural appropriation bill and I find that we are appropriating \$110,000 a year for seeds. Every one knows that if it were not for the fact that these are distributed largely by Senators and Members in a manner which brings to them some degree of favor from those who receive them that provision would not be in the bill, at least to this extent.

No such amount of money can be appropriated in any one year usefully for the purpose of disseminating new varieties of seeds of different kinds. I find also that under the head of "Gardens and grounds" we appropriate \$18,450 for the little experimental gardens we have here, which practically result in nothing except a few nosegays which from time to time we receive at the hands of the gentleman who manages the establishment. Under the head of "Entomological division," for the establishment. Under the head of "Entomological division," for the purpose of investigating bugs, we give \$27,900, and that has just been increased \$10,000 more. I notice in the report of the Commissioner of Agriculture for this year that while he devotes a page and a half under the head of "Gardens and grounds," only seven lines are devoted to the sugar industry. This I do not speak of for the purpose of making a complaint, because I know that we shall find in due time, when the volume comes to be printed, that the chemist has been doing a valuable work, a work in which he has had the considerate support of his chief, but it only indicates that after all this industry has been of his chief; but it only indicates that after all this industry has been under that kind of a ban, has been side-tracked, so to speak, in such a way that it gets only that which is left over; that it does not get the direct attention and the careful nursing and the thorough consideration which any industry with such great possibilities ought to have.

That is because Congress itself has not manifested an interest in it.

The chief of the bureau can not do more than he is bid. He can not spend

more money than we give him; but we have been so engressed in other matters, we have been ourselves so affected by the comparative failures heretofore, we have been so content to let well enough alone, that we have not given to this subject the thought nor the appropriation nor

have not given to this subject the thought nor the appropriation nor the stimulus in any degree which its importance demands.

I hope, Mr. President, that at least this small sum of money may be given, and I shall hope that next year when the result of that will come to be presented to Congress, I shall have the satisfaction of saying that it has not only done a great deal of good, but that we are much further along in the experiment which in time, as I believe, is to put the American people in a condition to produce all the sugar they use.

Mr. HALE. The Committee on Appropriations last year went quite fully into this subject and was a good deal impressed with the importance of this industry, and the sum of \$50,000 was given in the bill of last year. The House this year has put the amount down to \$20,000, and the Committee on Appropriations did not increase it because there was no pressure upon it in that direction.

was no pressure upon it in that direction.

I do not rise for the purpose of opposing the amendment submitted by the Senator from Kansas because the reasons which operated last year and controlled me then, in charge of the bill, are the same now. I only wish to ask the Senator from Kansas if he is entirely satisfied that the appropriation which was made last year has been devoted to such purposes as have stimulated this industry; and further, whether he is entirely confident if the increased amount which he asks shall be given it will be so devoted to practical experimentation or assistance that this growing industry in his State and elsewhere will receive a real benefit in proportion to the money which we give?

Mr. PLUMB. The money that was appropriated last year was not

all spent, but it will be spent between now and the close of this fiscal year. Unfortunately the diffusion apparatus which was designed to be sent to the West was not completed in time to be sent there, but is under contract to go now, so as to be there for the coming season.

I know, however, that many of the persons employed by the Department for the purpose of investigating this subject in the various States have rendered most valuable service. The experiment which I spoke of as having been carried on in Kansas with such favorable results, that of covering the cane and determining by experiment the time in which the cane could remain covered so as to keep it in a condition for manufacture, was carried on by a very intelligent agent of the Department, Mr. Cowgill, and that has done as much as anything else to stimulate the hopes of persons engaged in the manufacture there that the coming ear will enable them to do better than they have done this year.

But back of it all is this question of machinery. It has been demonstrated that not more than one-half the juice is taken from the cane by any present process in use, that is, any process in use now in this country. Something ought to be done, therefore, to devise ways and means whereby all the juice can be extracted. It is believed now that the process of diffusion, substantially as used in France and Germany for the extraction of saccharine from the beet, can be so modified and adapted as to do the same work for sorghum. A firm in Wilmington, Del., the Pusey & Jones Manufacturing Company, I believe, have manufactured an apparatus of that character which they believe, and which is believed by intelligent people who have inspected it, comes near at least to answering this purpose, but the actual fact can only be determined by experiment.

Mr. HALE. Is it expected that this appropriation, or some portion of it, will be devoted to the end of securing an advanced method of ma-

chinery as applied to the sorghum in extracting the juice?

Mr. PLUMB. That certainly is the expectation. The present Commissioner of Agriculture has stated to me that he designed, if this appropriation was made (and no doubt his successor would feel similarly minded), to erect a machine of that kind in Louisiana to be used there in connection with the manufacture of sugar by private apparatus, which would demonstrate, if demonstrate it can, the ability of that machine to meet this great lack.

Mr. GIBSON. If the Senator from Kansas will permit me, I can

give the Senator from Maine some information in respect to this matter. The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Louisiana?

Mr. HALE. Certainly.
Mr. GIBSON. The Commissioner of Agriculture, with the appropriation that was made last year of \$50,000, has done much by scientific experiments and investigations to aid the manufacture of sugar, and has had constructed in Wilmington, Del., a diffusion machine for manufacturing sugar from sorghum cane. It is of American manufacture, and the first of its kind I believe. It has not yet been tested, but will be in readiness for the crop this autumn. The Commissioner desires to contract for a diffusion machine adapted to the ribbon cane that is produced in Louisiana, which is harder and of a tougher texture than sorghum cane. The machine will require certain modifications to suit this cane

This diffusion process was early applied both in France and Germany to the manufacture of beet sugar, and, I may say, it has reached perfection in those countries. Everything that chemical or mechanical science or governmental favor could do to facilitate and stimulate the production of sugar from the beet has been done. And by our laws all ma-chinery for the manufacture of sugar from beets is admitted into our country free of duty, while machinery for the manufacture of sugar from cane is taxed at a very high rate-over 60 per cent. ad valorem, if I re-

member correctly.

It is true, as the Senator from Kansas says, that the producers of sugar in this country are greatly embarrassed. But this embarrassment is not owing so much to natural as to artificial causes. It is owing chiefly to governmental interference—to the Bismarckian policy of Germany. A drawback or bounty is allowed by the German Govern-ment upon every pound of sugar exported, equal to the cost of its pro-duction. This policy has increased vastly the production of sugar in Germany, has enabled the Germans to drive the French sugars out of the English markets, to overwhelm the English refiners, and to gain an undisputed supremacy not only in the English markets but in the sugar markets of the world.

The producers of sugar in all countries have been overwhelmed in a common ruin. The planters in the British possessions in the West Indies, British Guiana, and Honduras have petitioned Parliament for relief and set forth by grand committees their grievances and distresses. Cuba is bankrupt. The Spanish bondholders are also crying out for relief. The producers of sugar are seeking our markets as the only remedy. Sugar is cheaper relatively than any other article of food.

Mr. McPHERSON. How much is the German export bounty About the cost of production in Germany-about 2 Mr. GIBSON. cents a pound. This action of the German Government about two years ago created intense excitement and resentment among the sugar-refiners of England, and threatened to produce a reaction against the free-trade principles which have prevailed since the repeal of the corn laws, and led to a re-examination of the theories of the school of Cobden. English refiners cried out for fair trade.

But Mr. Gladstone took ground against the refiners and insisted that if the German people were willing to tax themselves in order that sugar might be produced in Germany and be sold to the consumers in England below the cost of production, for less than it could be bought in the tropics and refined in England, the English people ought not to complain; they ought rather to rejoice at the cheapness of an article so necessary to their comfort and well-being. This answer might be made on behalf of the people of the United States. I represent a community which is suffering from the cause I have assigned, and not as many persons imagine because sugar can not be profitably cultivated in Louisiana. I do not ask for bounties or for an increase of the tariff to counteract the effects of the action of the German Government, though on principles of international equity this might be done

We already have a fair tariff upon foreign sugars, and I know that We already have a fair tariff upon foreign sugars, and I know that governmental action is powerless to maintain prices or to override the laws of supply and demand. During the Robert J. Walker tariff, from 1846 to 1860, the sugar industry of Louisiana was rapidly developed, enjoyed its greatest prosperity, and supplied over one-half of all the sugar consumed in this country. But what is the condition of this trade to-day? Why, the supply from domestic sources is only about 10 per cent. of the consumption, and we import one hundred millions' worth of foreign sugars a year. Germany is selling sugar to-day in New York for less than it costs to produce it in Cuba and Louisiana.

If she gain a monopoly of our markets and destroy the sugar culture in the West Indies and Louisiana, our dependence will become as absolute as that of England for an article of food which our people can not do without. By derangement of our foreign relations, any accident, any disturbance of our relations with Spain or England or any European nation would place it out of our power to obtain supplies unless we had a navy sufficient to command the seas and keep open the markets of the a navy sufficient to command the seas and keep open the markets of the world and the sources of supply. Under those circumstances I am rejoiced to hear the Senator from Kansas [Mr. PLUMB] give such ample assurances based upon facts well authenticated of the capacity of his and the neighboring States to produce sugar from sorghum, and surely the sample he has presented to the Senate is fit for any table and any taste however fastidious. I believe, sir, that with improved methods of cultivation and manufacture the crop of Louisiana can easily be increased so as to supply again one-half of the sugar consumed in this country.

It is believed by those who have the matter in hand that the diffusion process when successfully applied will increase the yield fully 25 per cent. We already begin to perceive the ill effects of the bounty system in Germany on the Germans themselves, for overstimulation has led to bankruptcy, and I do not believe that a policy originating in resentment against France and that imposes such a tremendous burden upon the German people can long be maintained.

At all events, sir, I feel assured that every Senator will admit the expediency of bringing the aid of scientific experiment to enable us to produce sugar on a larger scale at fair profit and at lower rates for the people of our own country.

I find that for the purposes indicated the sum of \$20,000 has already been appropriated by the bill. The Commissioner told me this morning he would require \$50,000.

I trust the amendment of the Senator from Kansas may be adopted. Mr. McPHERSON. Will the Senator from Louisiana please permit

Mr. McPHERSON. Will the Senator from Louisiana please permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Maine [Mr. HALE] yield to the Senator from New Jersey?

Mr. HALE. Yes, sir.

Mr. McPHERSON. I am addressing myself to the Senator from Louisiana. I wish to know whether I correctly understood the Senator. If I understood him aright, he said that the German Government offered an export bounty of 2 cents per pound upon sugar exported from Germany, and that 2 cents per pound given by way of export duty remaid the cost of production. In the Senator's oninion is it not reason. repaid the cost of production. In the Senator's opinion is it not reasonrepaid the cost of production. In the Schauft sophilor is it has teacher able to suppose that if Germany can raise sugar at 2 cents a pound the United States upon its virgin soil, inexhaustible as it is in fertility, can raise it for even a less price than 2 cents a pound? If that be so, is it not the duty of the Government of the United States in every way it possibly can to encourage the production of sugar in order that the product may be cheapened to our own people and in order that our agricultural interests may be increased?

Therefore, is it not wise, inasmuch as Germany and France, upon soils comparatively barren as compared with our own, can produce beet sugar at 2 cents a pound, that this appropriation should also cover machinery for the preparation of beet sugar as well as sorghum and cane sugar? In other words, if an experiment is to be made, had it not better be made in the direction of experiments heretofore made in other countries which have predicted as the sugar as well as sorghum and cane sugar? which have produced success? If they can raise beets in Germany or France from which sugar can be profitably made at 2 cents per pound, I am quite sure that with the same diligence on the part of our Gov-ernment sugar may be raised and manufactured here from like prod-ucts (as to other products I know nothing, but certainly from like products) at a price even les

If the amendment of the Senator from Kansas does not cover the point I wish to make, which is that it may include machinery for the manufacture of sugar from all products, cane, sorghum, and beets, I should

like to have it so amended.

Mr. HALE. Will the Senator from New Jersey allow me to interrupt him for a moment?

Mr. McPHERSON. Yes, sir.
Mr. HALE. The language of the clause contains nothing whatever about machinery. That is left to the discretion of the administrator of this Department. How this money shall be applied to the encouragement and development of the cultivation of sugar from one vegetable product or another Congress has not sought to settle or decide, but the fund is given. I do not, as I said before, rise to object to the amendment. I am willing the appropriation should be made \$50,000, but I should not like to see any particularization as to how the money should be spent by the Department. If it is to be spent in improving ma-chinery and developing tests, let that be done by the Commissioner of

Agriculture and not by us.

Mr. McPHERSON. Very well; but if I understood the Senator from Louisiana correctly his statement was that it is the purpose of the Commissioner of Agriculture to prepare machinery by which economy may be practiced in the manufacture of the cane sugar of Louisiana. I take it that no very large portion of this country can profitably cultivate the cane sugar that is cultivated in Louisiana. I also believe that sorghum may be cultivated in almost every State of the Union, and profitably. It is profitably cultivated to-day in New Jersey under a bounty offered It is profitably cultivated to-day in New Jersey under a bounty offered by the Legislature of that State. New Jersey pays, I believe, I cent per pound upon all the sugar manufactured from sorghum grown in the State. It pays also \$1 per ton upon all the sorghum cane grown in the State and manufactured into sugar. Under that bounty the sorghum industry has grown to quite large proportions, and it has forcibly demonstrated the fact that sorghum sugar can be cultivated and profitably cultivated in this country. Certainly upon the great Western plains and in the valley of the Mississippi, where the soil is rich and inexhaustible in its fartility, both sorghum and beet sugar can be grown and profit. in its fertility, both sorghum and beet sugar can be grown and profit-ably grown, thus opening another wide field for agriculture.

Relying entirely upon the statement of the Senator from Louisiana that the purpose of this amendment is in order that machinery may be constructed or improved entirely and simply for the manufacture of cane sugar, I think it would be unwise to restrict it to that, if the

amendment proposes to do so.

Mr. HALE. I misunderstood the Senator from Louisiana if he said that the object of this appropriation was exclusively what he referred to, in the direction of experimentation on the sugar-cane of Louisiana. It is only one of the things that the Commissioner of Agriculture will

to solly one of the things that the Commissioner of Agriculture will consider, and I do not think the Senator from Louisiana believes that the appropriation is for that purpose alone.

Mr. GIBSON. By no means. The presumption of the bill itself would exclude that idea, for it says in lines 93 and 94, "including experiments in the manufacture of sugar from sorghum and other vegetable plants," which would include beets.

Mr. ALDRICH. As I understood the Senator from Louisiana, one at least of the objects of the amendment is to enable the Commissioner of Agriculture to purchase machinery to experiment upon a new method of Agriculture to purchase machinery to experiment upon a new method of manufacturing sugar from cane. I am sorry that the Senator has left his seat, because I am anxious to know whether the policy is to be adopted whenever an industry may be depressed of having the Government of the United States purchase machinery for the purpose of experimenting upon new methods of manufacture. The Senator from Massachusetts [Mr. Dawes] asks me why not? I should be glad to have him answer the question he asks. But if it is to apply to the manufacture of cane, why not apply it to all kinds of manufacture? For instance, when the woolen industry happens to be depressed, why should not the Government buy up machinery and establish a woolen manufactory for the purpose of experimenting upon some new methods of manufacture and a second experimenting upon some new methods. of manufacturing woolen goods?

I do not mean to oppose the amendment, but I want to understand

exactly what the gentlemen who are favoring it desire and intend by I want to ask the Senator from Louisiana whether he thinks it is within the legitimate province of the Government to expend the public money in the purchase of machinery to promote an experiment on new methods of manufacture?

Mr. WILLIAMS. Mr. President, I do not want to make a speech, but it does strike me that the amendment offered by the Senator from Kansas to add \$30,000 to this appropriation is a mere bagatelle at which the Senate should not hesitate an instant.

What are the facts in this case? All the industry that we have in the manufacture of sugar from sorghum and beets has received whatever encouragement it has received at the hands of Congress through the Agricultural Department. Before appropriations were made to enable the Commissioner of Agriculture to experiment with the different kinds of cane and the machinery and methods of extracting the saccharine matter from the cane, not a pound of sugar had ever been extracted from sorghum in the United States; but year after year Congress has made small appropriations and experiments have been made by that

Department.

It has now an organized corps of able chemists and experimenters and machinists; it has a laboratory upon the grounds, and from time to time we have encouraged the Commissioner of Agriculture in his experiments. The information which he has collected has been disseminated among our people from one end of the country to the other. He first demonstrated that sugar could be extracted from sorghum, produced in almost every State of this Union, and that information has been sent out to our people until there is now a belief among the farmers of the West that with proper and improved machinery the day is just at hand when we shall manufacture from cane, sorghum, and beets every pound of sugar that the millions of people upon this continent will consume.

Why shall the Senate of the United States hesitate a moment upon an appropriation of \$30,000 additional to continue these experiments which promise results so great, which will save us a hundred million dollars a year? I believe fully in it. We have now a beet-sugar manufactory in the State of California which promises immense results. We all know that the sugar-cane in Louisiana will never produce sugar enough for the consumption of our own people. Louisiana now furnishes but 8 per cent. of that which is consumed in this country. Nobody ever hesitates in protecting Louisiana sugar, because it is always an important question of revenue. Only \$8,000,000 or \$9,000,000 worth are manufactured there as compared to the hundred million dollars' worth that we import from abroad.

In order to still further encourage these experiments let us give the Commissioner of Agriculture \$50,000 or \$100,000, if he wants it, so that he may bring from abroad or have manufactured in our own country such machinery as science may indicate would be necessary to provide better methods of extracting the saccharine matter from the beet or the sugar-cane or from sorghum.

I see nothing wrong in this policy. I do not want to have the appropriation applied specifically to beets or to sugar-cane or to sorghum. Let it, as in the language of the bill, apply to sugar-producing "plants," including all, and leave it in the discretion of the Commissioner of Agriculture, for I have confidence in him.

The results heretofore have shown us that the policy is a wise one. Before this matter was intrusted to the Agricultural Department sorghum had been known only to produce a sour sort of molasses scarcely fit for the table, but under the investigations of science conducted by that Department better methods of extracting the juice have been discovered which have led to the manufacture to-day of the very best molasses and sirup extracted from sorghum found upon the tables of the best hotels and families in the whole United States. There is a sample of sugar extracted from sorghum upon the desk of my friend from Kansas which is as good as any sugar ever made from the beet on the face of the earth.

We have a country which produces to some extent sugar-cane, but we have a country which produces in a universal degree the sorghum; and in large sections of it we find lands proper for the production of beets. Let us give every encouragement in our power to develop the industry and furnish our own people all the sugar they want.

Mr. ALLISON. I intend to vote for the amendment suggested by the Senator from Kansas, and I think the Committee on Appropriations would have reported the increased appropriation if it had been suggested to the committee from any source that it was necessary.

That is about all I wish to say upon this subject, except that last year we appropriated \$50,000 for this purpose, a very small portion of which has yet been expended, and it can not very well be profitably expended until during a portion of the pert fiscal year as these expendences.

expended until during a portion of the next fiscal year, as these experiments of course can only be made during the summer and fall season. But I am in favor, and I think the Committee on Appropriations are in favor, of liberal appropriations for the purpose of making these experiments with sorghum.

With respect to the experiments proposed as to the production of sugar from cane, I did not suppose, and do not now suppose, that any considerable portion of this money will be expended for that purpose. The success of this experiment I think will prove that in the end we can profitably manufacture sugar from sorghum, and I hope it will so prove, in order that we may in our own country manufacture sugar from these plants.

Mr. INGALLS. Succulent roots?

Mr. ALLISON. That we may manufacture sugar from succulent roots, as my friend on my right suggests, by which of course he means the production of sugar from beets. I trust that we may be able to produce our own sugar, and in that way save the large sums that we annually expend in foreign countries for this purpose, amounting on the average to \$100,000,000 per annum, of which about \$48,000,000 is paid

where to \$100,000,000 per allular, or which about \$150,000,000 is paint in the shape of duties upon foreign imports.

Mr. HALE. Everybody seems to be in favor of the amendment. I hope we shall have a vote upon it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas [Mr. Plumb].

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the heading in line 96, after "seed," to strike out "bureau" and insert "division;" and in line 97, after the word "seed," to strike out "bureau" and insert "division; ion;" so as to read:

SEED DIVISION.

For compensation of chief of seed division, \$1,800; one superintendent of seed-room, \$1,600; four clerks at \$1,000 each; one clerk, at \$340; for the purchase and propagation, and distribution, as required by law, of seeds, trees, shrubs, vines, cuttings, and plants, and expenses of putting up the same, to be distributed in localities adapted to their culture, \$100,000; in all, \$108,240.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 106, to

insert:

An equal proportion of two-thirds of all plants, seeds, trees, cuttings, vines, and shrubs shall, upon their request, be supplied to Senators. Representatives, and Delegates in Congress for distribution among their constituents, or shall, by their direction, be sent to their constituents; and the persons receiving such seeds shall inform the Department of the results of the experiments therewith: Provided, That all seeds, plants, and cuttings herein allotted to Senators, Representatives, and Delegates in Congress for distribution remaining uncalled for at the end of the fiscal year shall be distributed by the Commissioner of Agriculture: And provided also, That the Commissioner shall report, as provided in this act, the place, quantity, and price of seeds purchased, from whom purchased, and the date of purchase. But nothing in this paragraph shall be construed to prevent the Commissioner of Agriculture from sending flower, garden, and other seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, propagation, and distribution of improved and valuable seeds, plants, cuttings, and vines: But provided, however, That the Commissioner shall not distribute to any Senator, Representative, or Delegate seeds entirely unit for the climate and locality he represents, but shall distribute the same so that each member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents.

The amendment was agreed to.

The next amendment was, in the heading in line 132, before the word "of," to strike out "bureau" and insert "division;" before the word "thousand," in line 144, to strike out "seventy-five" and insert "one hundred;" and before the word "thousand," in line 145, to strike out "nine" and insert "thirty-four;" so as to make the clause read:

DIVISION OF AGRICULTURAL STATISTICS.

For compensation of one statistician, \$2.500; two clerks of class 4, \$3,600; three clerks of class 3, \$4,800; four clerks of class 2, \$5,600; five clerks of class 1, \$6,000; seven clerks, at \$1,000 cach; four clerks, at \$840 cach; two clerks, at \$720 cach; for collecting foreign and domestic agricultural statistics, and compilling, writing, and illustrating matter for monthly, annual, and special reports, \$100,000; in all, \$134,300.

The amendment was agreed to.

The next amendment was in line 149, after the word "annex," to strike out "six thousand" and insert "seven thousand five bundred;" so as to make the clause read:

FURNITURE, CASES, AND REPÁIRS.

For repairing buildings, heating apparatus, furniture, carpeting, matting, water and gas pipes, and other necessary articles, and painting Department building and annex, \$7,500.

The amendment was agreed to.

The next amendment was, in line 169, to increase the appropriation to establish and maintain quarantine stations, and to provide proper shelter for and care of neat cattle imported, at such ports as may be deemed necessary," from \$25,000 to \$30,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "contingent expenses," before the word "traveling," in line 196, to insert the word "actual;" so as to make the clause read:

For stationery, freight, express charges, fuel, lights, subsistence and care of horses, repairs of harness, paper, twine, and gum for folding-room, and for miscellaneous items, namely, for advertising, telegraphing, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, purchasing supplies, and necessary items, including actual traveling expenses while on the business of the Department, \$15,000.

The amendment was agreed to.

The next amendment was, in section 2, line 1, after the word "hereafter," to strike out "to be;" so as to read:

That no part of the money herein or hereafter appropriated for the Department of Agriculture shall be paid to any person, as additional salary or compensation, receiving at the same time other compensation as an officer or employé of the Government, &c.

The amendment was agreed to.

Mr. HALE. I have one amendment to offer on page 7. At the end of line 145, I move to insert the following limitation:

Provided, That all illustrations for the Agricultural Department shall be made by the Public Printer under the direction of the Joint Committee on Public Printing.

The amendment was agreed to. . Mr. HALE. The committee has nothing further.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 70) for the relief of Joseph M. Cumming, Hamilton J. Miller, and William McRob-

The message also announced that the House had passed the follow-

ing bills; in which it requested the concurrence of the Senate:
A bill (H. R. 441) for the completion of a public building at Council

Bluffs, Iowa; and
A bill (H. R. 7655) granting an increase of pension to the widow of
Maj. Thomas T. Thornburgh, late of the United States Army.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending

June 30, 1886, and for other purposes; and it was thereupon signed by the President pro tempore.

ORDER OF BUSINESS.

Mr. PLUMB. I now move that the Senate proceed to the consider-

Mr. FLUMB. I now move that the Senate proceed to the consideration of House bill 8138, being the Post-Office appropriation bill.

Mr. BAYARD. That, I presume, will be done with the understanding that it does not displace the trade-dollar bill.

Mr. BECK. That was displaced before.

Mr. BAYARD. I meant to say that the present motion should not further postpone the silver bill, which was taken up by a vote this

morning.

The PRESIDING OFFICER (Mr. HARRIS in the chair). will state to the Senator from Delaware that by the action of the Senate will state to the Senator from Delaware that by the action of the Senate this morning the silver bill has gone back to its place on the Calendar. There was a motion to proceed to its consideration, which was determined in the affirmative, immediately after which a motion to proceed to the consideration of the agricultural appropriation bill was made and adopted; which returned the silver bill to its place on the Calendar.

Mr. BAYARD. I was constrained to say what I did in the absence of the Senator from Vermont [Mr. MORRILL], who may be considered in charge of the silver measure, which I rank among the measures of chief importance at the present session.

chief importance at the present session.

The PRESIDING OFFICER. The Chair would state to the Senator from Kansas [Mr. PLUMB] that under the ruling of the President protempore of the Senate, it is the duty of the Chair to lay before the Senate at this time the only remaining special order, after which the Senator's motion will be in order. The Secretary will read the title of Order of Business 113, Senate bill 60.

The CHIEF CLERK. "A bill (S. 60) to declare certain lands subject

to taxation."

Mr. PLUMB. Now I renew the motion which I made before.
Mr. INGALLS. I suggest that, in order to avoid displacing the special order, my colleague ask unanimous consent.
Mr. PLUMB. I ask unanimous consent.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent of the Senate that the special order be informally laid

Mr. HOAR. I object.

Mr. PLUMB. Then I move to take up House bill 8138 at this time.

The PRESIDING OFFICER. The Senator from Kansas moves that the Senate do now proceed to the consideration of the bill indicated by him, the title of which will be read.

The CHIEF CLERK. "A bill (H. R. 8138) making appropriations for

the service of the Post-Office Department for the fiscal year ending

June 30, 1886, and for other purposes."

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 19th instant, approved and signed the following acts and joint resolu-

An act (S. 2158) granting an increase of pension to Jessie V. Harrold;

An act (S. 150) granting a pension to Sarah Denny Ripley; An act (S. 1416) granting a pension to Mrs. Charlotte Hackett; An act (S. 1546) granting a pension to Orin R. McDaniel; An act (S. 2231) granting a pension to Mrs. Kate A. Drummond;

An act (S. 2391) granting a pension to Mrs. Rate A. Drummond,
An act (S. 2398) granting a pension to Cyrus Reeser; and
Joint resolution (S. R. 92) authorizing and requiring the Secretary
of War to deliver to the Eighth New York Heavy Artillery Association the regimental colors which belonged to said artillery and which

are now in the custody of the Secretary of War.

The message also announced that the President had this day approved and signed the act (S. 1251) to authorize the purchase of a wharf for the use of the Government at Wilmington, N. C.

HOUSE BILL REFERRED.

The bill (H. R. 441) for the completion of a public building at Council Bluffs, Iowa, was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

WIDOW OF MAJ. THOMAS T. THORNBURGH.

The bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army, was read twice by its title.

Mr. MITCHELL. I ask that that bill be placed on the Calendar. The Senate Committee on Pensions has reported a bill in the same

The PRESIDENT pro tempore. If there be no objection the bill will be placed on the Calendar.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. HOAR submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the bill (S. 194) to authorize the Secretary of the Treasury to convey land in Providence, R. I., for highway purposes.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1321) for the erection of a public building at Reading,

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.; and A bill (H. R. 4067) to change the limit of appropriations for the pub-

lic building at Louisville, Ky.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other pur-

Mr. PLUMB. I move that the formal reading of the bill be dis-

pensed with and that it be read by paragraphs for amendment.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Kansas asks the consent of the Senate that the first formal reading of the bill be dispensed with and that it be read for amendment. Is there objection? The Chair hears none, and it is so ordered. The reading will proceed.

The Secretary proceeded to read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was in section 1, line 28, to reduce the item of appropriation "for compensation to clerks in post-offices" from \$5,300,000 to \$5,150,000.

Mr. HAWLEY. I ask the attention of the Senator in charge of the bill to this amendment. I have not before me at this moment the estimates. There is a deficiency bill appropriating \$75,000 for compensation to clerks in post-offices for the current year. I have been informed, and I believe that the Postmaster-General in estimating for the compensation to clerks for the coming fiscal year estimates what he really wanted and did not overestimate with the expectation of having a diswanted and did not overestimate with the expectation of having a dis-

wanted and did not overestimate with the expectation of naving a discount made, but believed that the public service required actually the full amount he asked for. I ask for information as to whether the appropriation as the committee would have it is up to the estimate.

Mr. PLUMB. The appropriation as made by the House was exactly the estimate, \$5,300,000. The Senate Committee on Appropriations believed that that might be, and ought to be, reduced. I do not mean by that that the Postmaster-General had not some warrant for his estimate, but the estimate is not by any means conclusive and has never been so regarded. Last year the appropriation was \$4,900,000 and that led to a deficiency of \$75,000. Four million nine hundred and seventy-five thousand dollars, therefore, was the full measure of the expense and the necessary expense for that service last year. The committee did not think that it was proper to add to that amount \$325,000. That was a larger increase than had been made in any year heretofore, and we believe it was in expense of the needs of the Department which and we believe it was in excess of the needs of the Department, which would be of course in excess of those of last year, but there is manifestly some error in the distribution of this money, and we think that a little pressure on the Department would correct these errors and that the addition of the amount we allow will amply provide for this service.

Mr. HAWLEY. I concur with the Senator in believing that there

has been some error of judgment in the distribution of this money. I am satisfied that there has been a lack of sufficient funds. I have had occasion several times within a year or two to beg for additional clerical force under circumstances where I knew it was absolutely required, and in one case where I knew that the postmaster himself sacrificed a portion of his revenue that the public work might be done. I will instance the post-office in my own town of Hartford. The net profits to the Government of the United States of the post-office in the town of Hartford were \$90,000 last year, and the postmaster paid a portion of his salary of \$3,000 towards additional clerk-hire in one case, and he is begging that there be another clerk allowed him. One clerk at \$1,200

begging that there be another clerk allowed him. One clerk at \$1,200 a year is allowed him now.

This increase is not according to the increase of the population of the United States, which is in the neighborhood of 3 per cent. per year. If the appropriation for this kind of service should increase 1½ or 2 per cent. a year, I should not be at all surprised. It would be in accordance with the natural growth of the business of the country, the establishment of new post-offices and the natural increase of the business at the old offices. I shall vote against any reduction of the Postmaster-General's estimate in this respect, for I should like once to see enough appropriated to do the business of the Government decently.

Mr. PLUMB. The committee certainly believe we have given enough for that purpose.

enough for that purpose.

Mr. HAWLEY. I am afraid the committee is wrong.

I ask the sense of the Senate on this amendment proposed by the Committee on Appropriations, and hope the Senate shall disagree to it, for I sincerely believe that the Postmaster-General did not overestimate the necessities of the Department. Every year we have been obliged to appropriate for a deficiency. The estimate in this case was \$5,325,000.

The House struck off \$25,000. The Senate committee, on general principles, struck off \$150,000 more. I do not care how strictly the Department shall be held to account in this matter, but I should like to have it once able to say in response to an urgent demand for a little more help that it had the money but did not think the thing ought to be done, and not be obliged to say, as it does for the last six months of every year, "We know you need it, but we have not the money."

I ask the Senate to disagree to the amendment.

Mr. PLUMB. The Senator from Connecticut made one mistake. He stated that the Department's estimate was \$5,325,000, and that the House had cut it down \$25,000. That is an error. The estimate was \$5,300,000, exactly what the House appropriated. The Senator made another mistake, and that was that the Senate committee had cut it down on general principles. I think that would be in a great many cases ample justification for reducing the appropriations called for by estimates; because in a great many cases estimates are made very much larger than are necessary for carrying on the service; and I do not speak of the Post-Office service particularly; but in all branches of the service the Departments estimate for more than they expect Congress will give them or than they deem absolutely necessary.

Mr. HAWLEY. Will the Senator pardon me a word?

Mr. PLUMB. I will.

Mr. HAWLEY. The Senator can take it for what it is w

The Senator can take it for what it is worth, but the Postmaster-General assured me that he told Congress the truth in this case, that he wanted and believed he absolutely needed \$5,300,000. Whether they all say that or not I do not know. I have known Departments to say that, in order to meet a cutting down which committees would inevitably make in order to show economy, they sometimes overestimated. In this case the Postmaster-General declared that he did not—and I believe him—overestimate a dollar.

Mr. PLUMB. I was coming to that. I was proceeding to say that I think it safe, as a general rule, to cut down the estimates, which are generally from 25 to 50 per cent. more than is appropriated, and I think the Government has been able to get along fairly with the moneys appropriated. While I am about it I will say that I believe if the expenses of this Government were reduced several millions it would be a better machine than it is now; but in regard to this particular item it is not safe to disregard the expenditures heretofore made. Last year we added \$125,000 to the amount appropriated for the year before. That was not enough, but it was all that the Department estimated for. That is to say, the House last year, in the bill which came over, gave precisely the amount that had been appropriated the year before, the Senate added enough to put it up to the estimate, \$125,000 additional, and that was appropriated, and the result was a deficiency of \$75,000. In other words, if we had appropriated last year \$4,975,000 we should have had enough for the service. Now this year the House, repenting of its contracted views of the year before apparently, went to the other extreme and gave an addition of \$400,000 beyond the amount appropriated the year before. \$125,000 to the amount appropriated for the year before.

priated the year before.

Mr. HAWLEY. Remember that it is really only \$325,000 more, because they put \$75,000 into the deficiency bill.

Mr. PLUMB. I will stick to my statement. It is exactly true. They appropriated \$400,000 more than was appropriated the year before. That is what I said, and I repeat it. Now, the Senate Committee on Appropriations did not think that \$400,000 more than the mittee on Appropriations did not think that \$400,000 more than the appropriation of last year, being \$325,000 more than the actual and necessary expenses of the year, was needed. They believed that amount might be contracted. This is to be considered, that if you appropriate \$10,000,000 it will be spent; if you appropriate \$6,000,000 it will be spent. Any sum you appropriate will be spent; and the only control Congress has over this matter at all is in the making of the appropriations, because there is not and can not be in the nature of things any special designation by law of the sum of money to be received by a particular postmaster or at a particular post-office for clerk-hire, must be left to the discretion of the Postmaster-General.

The committee believe—not on general principles, but after investigation—that there are many post-offices which are getting too much; that there is a discrimination in favor of certain post-offices which if

that there is a discrimination in favor of certain post-offices which if remedied would reduce the expenditure for this purpose very largely. The Senator speaks of the poor, pitiful pittance of \$1,200 for a clerk at Hartford. There is not a clerk in a post-office in the State of Kansas that gets \$1,200; there are not, probably, half a dozen who get \$1,000. There is no complaint at all from Hartford by comparison with the complaint that legitimately exists in the Western country.

Our complaint, however, is not so much that Congress does not give enough money as that it is not properly distributed. Of the \$125,000 we added last year to what was appropriated the year before the Postmaster-General gave \$76,000 to four or five large offices and offices at

master-General gave \$76,000 to four or five large offices, and offices at master-General gave \$76,000 to four or five large offices, and offices at places where clerks now are getting salaries that more than double the salaries in any place west of the Mississippi River. We believe that extravagances of that kind are not necessarily put upon this appropriation, and that if we would have a proper distribution and an economical distribution of this fund the only way to do it is to put the amount as small as we think the Department can properly get along with. If we are to add \$150,000 on the theory that it can be spent and that every demand which is to come in for clerk-hire is to be satisfied, then of course we must keep adding and adding and adding every year, because there will never be any cessation of demand. The committee believed that the amount appropriated by their amendment would be

sufficient for the purpose.

Mr. MILLER, of California. The Senator from Kansas has made a charge against the Post-Office Department of the improper distribution of this fund. I am not able to say about that, but I know that in the State which I in part represent there is great complaint that there have not been clerks enough in the post-offices. There has been no complaint about the salaries that I know of, although the salaries are very small; but in that part of our country in our post-offices we have not thad a sufficient number of clerks to properly perform the service, and that is a matter of public notoriety in that State. I do not know whose fault it is, but to be on the safe side I shall vote with the Senator from Connecticut.

The PRESIDING OFFICER. The question is, Will the Senate agree to the amendment recommended by the Committee on Appropri-

ations?

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 36, section 1, to reduce the appropriation "for payment to letter-carriers and the incidental exenses of the free-delivery system " from \$4,535,000 to \$4,485,000.

The amendment was agreed to.

The next amendment was, in line 49 of section 1, after the word that," to strike out "hereafter;" so as to read:

For rent, light, and fuel, \$490,000. That the Postmaster-General may lease premises for use for post-offices of the first and second classes at a reasonable annual rental, to be paid quarterly for a term not exceeding five years; and whenever any building or part of a building under lease becomes unif for use as a post-office, no rent shall be paid until the same shall be put in a satisfactory condition by the owner thereof for occupation as a post-office, or the lease may be canceled, at the option of the Postmaster-General; and a lease shall cease and terminate whenever a post-office can be moved into a Government building.

The amendment was agreed to.

The next amendment was, in line 60, section 1, before the word "office," to insert "safes and other;" and in the same line, after the word "furniture," to strike out "twenty" and insert "thirty;" so as to make the clause read:

For safes and other office furniture, \$30,000.

The amendment was agreed to.

The next amendment was, in line 68 of section 1, to increase the appropriation "for transportation on railroad routes" from \$14,010,000 to \$14,500,000.

The amendment was agreed to.

Mr. BECK. Before the next amendment, beginning on line 106 and extending to line 138, is read, I desire to ask Senators to listen to the extending to line 155, is read, I desire to ask Senators to listen to the reading of it carefully. I speak of it now before it is read so that they may listen to it to prevent its being read two or three times, as it may have to be unless attention is called to it now. That provision was stricken out by the committee in obedience to what we understand to be the rule of the Senate and the requirement of the Senate. The committee obeyed what they understood to be the desire of the Senate and its rule, and have reported accordingly; but a number of members of the committee—I will not say all—desire to retain this provision and as individual members of the Senate expect to vote against the amendment that they have reported in obedience to what they understand to be the rule of the Senate. I mention that now so that the matter may be understood. It is the clause reducing the rate of newspaper postage and increasing the weight of a letter at the single rate from half an ounce to an ounce. That is stricken out pro forma, and call the attention of the Senate to it.

Mr. MILLER, of New York. Do I understand the Senator from Kentucky to say that the committee have stricken out the lines indi-

Actually to say that the committee have stricken out the lines indicated in obedience to a rule of the Senate?

Mr. BECK. We so understand. It is legislation, and we can not insert any legislation ourselves, and so we feel instructed to strike out what is positive legislation inserted by the House, and submit the question to the Senate whether they will have it in the bill or not.

Mr. MILLER, of New York. I understood the Senator to say that it was stricken out in obedience to a rule of the Senate. I know of the senate is the strike out one will which requires a committee of the Senate to strike out one

no rule which requires a committee of the Senate to strike out any matter put into a bill by the House of Representatives.

Mr. BECK. Perhaps I have not been felicitous in the form of my expression, but we have been instructed that legislation should not go upon appropriation bills until we have fall constrained to present the upon appropriation bills until we have felt constrained to present the question to the Senate, reserving our own individual right as Senators to vote as we please. We know that if the clause is stricken out here it can be inserted in a conference committee and will be inserted by the conference committee if the House conferees can convince the Senate conferees that the legislation is good. For myself, believing this to be good legislation, I reserved the right to vote for it here, and so did other members of the committee

The PRESIDING OFFICER. The question is on the amendment recommended by the Committee on Appropriations, which has not been read. The part of the bill proposed to be stricken out will be read.

The CHIEF CLERK. After the word "dollars," in line 106 of section 1, it is proposed to strike out:

That upon all matter of the first class, as defined by chapter 180 of the laws of Congress approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 2 cents for each half-ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established. That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, to bona fide subscribers, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall, on and after July 1, 1885, be entitled to transmission through the mails at 1 cent a pound or a fraction thereof, such postage to be prepaid as now provided by law: Provided, however. That publishers of second-class publications may mail sample copies of such publications at the rate of 1 cent for each four ounces or fractional part thereof, to be prepaid by ordinary stamps affixed thereto; and all acts, so far as they fix a different rate of postage than herein provided upon such first and second class matter, are to that extent hereby repealed on and after July 1, 1885. Any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage.

Mr. MILLER of New York. I trust that this amendment will not

Mr. MILLER, of New York. I trust that this amendment will not be agreed to. The clause proposed to be stricken out contains several separate provisions, as will be seen. The first and most important one is that which increases the weight of letters allowed by law from a halfounce to an ounce, leaving the rate of postage the same upon the full ounce as it heretofore has been upon the half-ounce. I trust that that will become a law. I presume before taking the question upon agreeing to this amendment it will be in order to perfect the clause by moving amendments to it. I desire to strike out several lines in this section before the vote is taken on striking out the whole clause. The proviso in line 129 is:

Provided, however. That publishers of second-class publications may mail sample copies of such publications at the rate of 1 cent for each four ounces or fractional part thereof, to be prepaid by ordinary stamps affixed thereto.

I desire to strike out those words for the express purpose of having only one rate of postage on second-class matter. I believe that to be in the interest of the public, and certainly it is in the interest of an economical management of the Post-Office Department.

Mr. HALE. Will the Senator allow me to ask a question?

Mr. MILLER, of New York. Certainly.

The PRESIDING OFFICER. Will the Senator from New York

repeat what he proposes to strike out?

Mr. HALE. What I am trying to find out is what the Senator is seeking to reach. Does he seek to leave the lines 129, 130, 131, and part of 132 in the bill as the House has left them, thereby exempting them from the striking-out process of the Committee on Appropriations as reported ?

Mr. MILLER, of New York. I desire the Senate to disagree to the amendment of the committee except as to those lines and one or two

others which I shall indicate.

Mr. HALE. The Senator desires to leave in those lines? Mr. MILLER, of New York. I desire to leave those lines out of the bill; I desire the Senate to disagree to the amendment of the committee to strike out all the lines which have been read. That will restore them to the bill. Then, I desire to have these few lines stricken out. The Senator from Kansas suggests that it would be better to act on these important questions separately, taking one step at a time; for instance, act separately on the first part, which increases the weight of letters from a half-ounce to an ounce; but I do not see how parliamentarily we are to do that.

Mr. HALE. That is one of the things I want to find out. Here are several propositions sent us by the House in this bill, and the Committee on Appropriations strikes a line through all of them. They are separate and distinct, raising different kinds of questions. Now, in what way can the Senate, hampered as it is by its rule, modify this clause so that it may strike out a portion and leave the rest remaining

in the bill?

Mr. MILLER, of New York. Allow me to suggest—
The PRESIDING OFFICER. The Chair may be allowed to suggest that the Chair sees no reason why the question may not be divided so far as different parts of the clause refer to different and distinct ob-

Mr. HALE. Can we take a distinct vote on each proposition? The PRESIDING OFFICER. The Chair sees no reason why it may

not be done. Mr. HALE.

Mr. HALE. That would reach it, of course. Mr. SHERMAN. There are here six different substantive propositions that have no necessary connection with each other. I ask for a division of the question upon each of these. The first will extend down to line 117; that is the one which increases the maximum weight, allowed for a letter paying single postage, from a half-ounce to an ounce. Then the next is down to line 121, relating to drop-letters.

The PRESIDING OFFICER. The Senator from Ohio proposes that the first question shall be on striking out down to line 117, ending with the word "thereof."

Mr. MILLER, of New York. Would it be in order to vote now to

disagree

The PRESIDING OFFICER. The Senator from New York will please suspend a single moment. The Chair desires to understand from the Senator from Ohio at what line he begins the striking out of the first proposition he asks for a division upon.

Mr. SHERMAN. I ask for a separate vote upon the proposition to strike out from line 106, beginning "that upon all matter of the first

class," down to and including "ounce or fraction thereof," on line 117.

The PRESIDING OFFICER. The entire amendment of the committee down to the word "thereof," in line 117?

Mr. SHERMAN. Yes, sir. I ask for a separate vote on that ques-

Mr. BECK. I desire to know why the proposition made by the Senator from New York is not perfectly in order. We now have the text of the House bill before us. The proposition of the committee is to strike it out. Pending that motion of the Senate committee to strike out the paragraph, the Senator from New York seeks to amend it by striking out from line 129 to the word "thereto," in line 132, in order to perfect the text of the House bill before the motion to strike out is misidered. Why is not that perfectly in order now?

Mr. SHERMAN. When we reach that point in the paragraph, as a considered.

matter of course that will be proper enough; but as I have asked for a separate vote on each different proposition, the first question will be on

striking out the part I have already indicated.

Mr. BECK. So that this will amount to the same thing. The Senator from New York will still have his right when we reach that part?

Mr. SHERMAN. Undoubtedly when we reach that; I agree with him there.

That is right.

Mr. MILLER, of New York. I have no objection to the course sug-

gested by the Senator from Ohio.

The PRESIDING OFFICER. A division of the question is on the first branch of the amendment recommended by the Committee on Appropriations.

Mr. HALE. Let us have that read.

The PRESIDING OFFICER. The Chief Clerk will read the first branch of the amendment on which the vote is to be taken separately. The CHIEF CLERK. It is proposed to strike out the following words, beginning in line 106 and ending with the word "thereof," in line 117:

That upon all matter of the first class, as defined by chapter 180 of the laws of Congress approved March 3, 1879, entitled, "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 3 cents for each half-ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof.

The PRESIDENT pro tempore. The question is on striking out these

Mr. SAULSBURY. I should like to inquire of the chairman of the committee, or whoever has charge of the bill, how these various provisions are to affect the postal revenues? Before I vote I want to know something about the effect of the proposed legislation.

Mr. PLUMB. I will state the conclusion of the committee on that point. The first provision is not estimated to affect the revenues at

all. That increases the weight which may be sent at 2 cents from a half-ounce to an ounce. It is believed that will not diminish the revenues, and possibly may even increase them, because certain matter which now goes as printed matter unsealed by reason of the fact that it weighs more than half an ounce will be sent sealed, and therefore more matter will be sent sealed because it can go with more security and will be more attractive to the person receiving it-that is, he will

be more likely to read it if it comes sealed at 2 cents postage.

The next item, proposing a reduction on second-class matter, will nominally reduce the revenue of the Government a million dollars, the gross amount received from that service now being about \$2,000,000. There has been a suggestion that to some extent that will be compensated for by reason of the fact that more of this class of matter will go by mail than now, a considerable portion now going by express, and to that extent some portion of the deficiency of a million dollars will be

made up; but that of course is speculation.

The third clause, commencing with line 129, if adopted, would undoubtedly increase the revenue somewhat. That matter now—sample

copies of second-class publications—goes at the pound rate.

Under the law of 1879, being the Post-Office appropriation bill for the fiscal year 1880, publications of the second class were entitled to be transmitted through the mails at 2 cents a pound, the postage being prepaid. That included sample copies. By this provision sample copies are required to pay a cent for four ounces, which is 4 cents a pound—doublet the rate way showed. double the rate now charged.

Mr. BECK. I wish to state with regard to the provision relative to sample copies that unless I change my mind on the argument of the Senator from New York I am disposed to adhere to the provisions of the House bill. It is said that these so-called sample copies are used for many other purposes than as sample copies; that the lotteries use them to a great extent, the patent-medicine people, and everybody who

wants to get his advertisements in at the pound rate, and they are generally not legitimate newspapers nor used by newspaper publishers. They are being sent all over the country at the low rate, not as legitimate publications for use but as advertisements for private speculation. If that is cut off by increasing the rate from 2 cents per pound to 4 cents as this proposes, and the express companies lose a portion of their business, as they will by the lower rate on second-class matter, instead of losing a million the loss will be less than half a million, and perhaps a good deal less even than that. But the sample business

good deal less even than that. But the sample business has been abused enormously, according to the information we have had.

Mr. MILLER, of New York. The discussion seems to be going on upon the whole subject rather than upon the point made by the Senator from Ohio in regard to my proposition to strike out from line 129 to and including line 138. Under this provision all regular publications of the country will be compelled to pay two rates of postage upon the same matter, one rate to their regular subscribers, 1 cent per pound and upon all sample copies which are sent out by all weakly pound, and upon all sample copies which are sent out by all weekly publications, particularly at the close and the beginning of the year, in large numbers, they will be compelled if this provision is left in to pay

postage at the rate of 4 cents per pound.

I do not care to argue the question as to what the rate ought to be, whether it shall be 1 cent or 4 cents, or any other sum; but the ground I take is that there should be one rate of postage for the same class of matter, whether it is going to a regular and permanent subscriber who gets his paper or his magazine by the year, or whether it is sent out as a sample copy for the purpose of inducing subscriptions. I do not believe it wise to make any such distinction.

Now as to the objection raised by the Senator from Kentucky, that if this provision be stricken out it will allow all sorts of matter to go through the mails as second-class, including advertisements, I have only to say that under the present regulations of the Post-Office Department no publication is permitted to be taken in the mails as second-class matter unless it is shown to the Post-Office Department that it is a regular publication; that it is issued regularly weekly, monthly, or quarterly. The publisher must give sufficient and proper evidence to the Post-Office Department to allow it to be mailed as second-class

Undoubtedly under the law as it now stands, and under the law as it will stand if this provision is stricken out, many journals which are called trade journals will circulate large numbers, not only to regular subscribers, but to persons engaged in the trade which the particular journal represents. Those journals contain a great deal of advertising matter, but I imagine that one of the chief duties of the Post-Office Department is to carry advertisements for the commercial community. All of our daily papers, all of our weekly and semi-weekly journals, and all of our quarterlies and magazines contain large numbers of pages of advertisements, and they are carried at these regular rates.

It certainly is a very great convenience to the business community, to all commercial men, and I can imagine no rule which should be applied to the Post-Office Department that will make two rates of postage upon identically the same class of matter. That is what this propos to do. Therefore, after that section of the amendment designated by the Senator from Ohio has been voted upon, I shall, in some parliamentary way, ask that the remainder of the amendment be disagreed to, with the exception which I have named; and if that is done, then there will be the one rate of postage on all second-class matter, whether it goes to an individual subscriber or whether it is sent out as a sample

copy for the purpose of soliciting other subscribers.

I believe it to be unwise to make so many different rates of postage. I venture the assertion that there is not a Senator on this floor to-day who can sit down and write out the different rates of postage which are imposed by the United States laws, not even the members of the Post-Office Committee. I served upon that committee for two years, and I am very sure I could not tell the rates of postage on many kinds of matter without looking at the Post-Office regulations. We ought to

have one rate on letters (2 cents), no matter whether the weight is half an ounce or an ounce. Let us have one rate on all publications.

Mr. PLUMB. In striking out this legislation from line 106 to line 151, inclusive, the committee acted more upon the idea of striking out legislation than of furnishing information as to its own opinion as to the character of the legislation proposed. I think I may safely say that with reference to the first two provisions, the committee as individuals were all of them in favor of them—that is to say, they believed the propositions were wise. I have been running back over the appropriation bills for a number of years, and I find that all the amendments to the rates of postage for the last twenty years have been made in appropriation bills. I find also that in the appropriation bill for the fiscal year 1880 there are twenty-two sections of general legislation regulating the classification of mail matter, and that is the law as it stands to-day except as it was modified in an appropriation bill two years ago when letter postage was reduced from 3 cents to 2 cents. If, therefore, the Senate shall see fit to disagree to the proposition of the committee so far as it relates to the first two subjects down to and including line 128, certainly the committee itself will have no occasion for any feeling at being overruled. In regard to other matters something will remain to be said when they shall be reached.

Mr. SHERMAN. I find that members of the Committee on Appropriations who propose to strike out this clause, substantially agree with me, and other Senators who have spoken think that on the whole, al-though this legislation is in a bad place, it is legislation that probably is justified by public opinion and by good reason. I therefore feel disposed to gratify them by refusing to vote for their amendment. I presume that is what they want us to do, and I am rather inclined to oblige them in that particular.

Mr. President, the first clause of this provision of the bill I think is a very good one, because we know that by the custom of using envelopes, especially envelopes of a large and official character, many letters are of a weight that just goes beyond the half-ounce, and sometimes they are sent without being weighed, as most persons send them, not having the means of weighing them, and they are detained because of an insufficiency of postage.

Then again, we knowevery Senator I presume has had that experience, I have had it—that we have been called upon every month for little contributions to the Post-Office Department to pay the deficiency of postage on letters sent to us from our constituents. I presume all Senators have had the same kind of bills presented to them that I have had. It is rather inconvenient to pay for letters that we do not care about receiving, especially when the bills for postage come in monthly installments in this way. The people really have not the means of telling whether a letter weighs half an ounce or a little more, and it creates embarrassment without any use.

I do not believe that the adoption of the provision will in any way lessen the revenue of the Government, but it may make simplicity, and probably to that extent it will do good, and therefore I am in favor of it. In respect to drop-letters, that is clearly a provision in the right direction. Under the present postal law the Government charges the same postage for a letter dropped in the town in which I live to go to my neighbor a few squares off that it does to carry a letter across to California. It seems to me that it is an unwise and unjust provision

Mr. ALLISON. That is not changed by this provision.
Mr. SHERMAN. I thought it was.
Mr. ALLISON. No.
Mr. SHERMAN. It ought to be. I see, beginning in line 119, the

And I cent for each ounce or fraction thereof where free delivery by carriers is not established.

Mr. ALLISON. That is the law now.

Mr. SHERMAN. In that particular Senators think I am mistaken.

If so, it ought to be changed.

Mr. PLUMB. The only effect of the clause on that point is to accommodate that to the rate established by the preceding paragraph.

Mr. SHERMAN. To the extent it goes it is very well; but I should like to go further. I see no reason why this charge should be made of like to go further. I see no reason why this charge should be made of 2 cents for a drop-letter, while only 2 cents is charged for a letter across the continent; and therefore in this particular I should be very glad if we had the power under our rules to change that, and make that rate 1 cent for each ounce or fraction thereof.

Now in regard to the third clause of this paragraph, the reduction of the rate of postage on publications, reducing it one-half, in my judgment that will tend to throw into the mails a great mass of matter that is now carried by express, and therefore it will tend to swell the mails and tend to make good any deficiency that may occur by the reduction of the rate. Then, besides, the rate of transportation now on all mail matter, especially by railroads, is greatly less than it was when the present scale of postage was adopted. It was adopted a number of years ago, and I have no doubt the rate of transportation of all matter over railroads throughout the country has decreased since the passage of the existing law as much as it is proposed to reduce the rate of postage now upon these publications, and it seems to me, therefore, that if the rate prescribed by the existing law was right when it was fixed, this rate would conform to the proper standard now. So it seems to me there is no objection to that provision which reduces the rate one-half.

Then besides the increase of the number of publications the very great increase, I believe said to be threefold what it used to be, will probably tend still further to make good any deficiency that may be caused by

Now in respect to the proviso I never could see any reason why a discrimination should be made against a publisher sending a single copy of his paper to a particular person. It is no doubt intended by the man who is the publisher as an advertisement, to advertise his paper; but if it tends to induce a subscriber to take the paper we are reimbursed; and to the extent that the number of papers carried in the mails is increased by this provision it will tend to increase the revenues of the Government. If a newspaper by this means gets a new subscriber, we also get some benefit from that new subscription by an increased revenue. So I can see no objection to that.

I do see objection decided by to the provision made in lines 129, 130.

I do see objection decidedly to the provision made in lines 129, 130, and 131, which discriminates between papers sent as samples and papers sent to subscribers. The Senator from Kentucky [Mr. Beck] the only reason I know of, that the motive in the one case is that the publisher may gain a new subscriber, but I do not think we have anything to do with the motive that induces a man to write a letter or send

a paper.

Mr. BECK. Perhaps the Senator from Ohio did not quite catch the objection I had to the provision as to sample copies, which was that a sample copy was not used legitimately for that purpose, but was marked as a sample copy when nine-tenths of it was an advertisement of a lottery or an advertisement of a patent medicine, and not sent out with a view of getting subscribers, but as a cheap mode of advertising a lottery or a patent medicine, and sent all over the country at lower rates than the Government could afford to carry it-not to aid a news-

paper but to aid a private individual in making sale of his goods or getting his lottery tickets sold.

Mr. SHERMAN. If we should discriminate and make different rates of postage according to the character of the communications sent, we should be involved in a labyrinth. We have no right to inquire into the motive of the man sending a paper or the motive of a lettery dealer sending an advertisement. We ought not to charge any more for carrying a lottery advertisement than an advertisement of a sermon or any other good production. We might exclude such things on the ground that they tend to immorality, but we must not make a distinction in the rates.

As a matter of course we ought to make love-letters from young men to young women free. That would be right, and I should be glad to do it, but we can not very well discriminate in their favor. We might make a thousand discriminations for good reasons, but we can not do it; and therefore I think this proviso ought to be stricken out. The rate should be applied to all newspapers or matters of that kind. that exception I am prepared to overrule, no doubt to their satisfaction, the Committee on Appropriations, even if it does not exactly conform

Mr. ALLISON. Mr. President, the Committee on Appropriations examined these provisions with some care, as I have examined them. If they were here as a separate measure from the Committee on Post-Offices and Post-Roads I should be glad to give most of them my assent. I think the latter clause is utterly unnecessary, because I believe it is practically the law now. But we are endeavoring to establish a rule here with reference to legislation on appropriation bills, and I think the honorable Senator from Ohio has been disposed to be quite as vigilant in that regard as the rest of us. Now, if we agree to this legislation upon this bill, I do not see but that we place ourselves in the attitude hereafter of legislating on appropriation bills whenever we think the legislation is right.

Mr. SHERMAN. I will ask my friend from Iowa upon what ground, if that was the view to be taken in all cases, did the committee allow that important legislation on page 3 to be left which authorizes the

Postmaster-General to rent premises for the use of post-offices?

Mr. ALLISON. We did not regard that as legislation in any sense.

The Postmaster-General now leases a building for a post-office for ten years. It is not worth while for me to say on the authority of the Committee on Appropriations, but it is the judgment of the committee that the provision here on that subject is not in the nature of legisla-

Mr. BECK. I should like to ask the chairman of the committee a question if he will yield to me.

Mr. ALLISON. Certainly.
Mr. BECK. After the concession that he and I and all of us make on this floor that this is good legislation and that if it were in a separate bill we would support it, how are we going to get the House conferees to yield it in the face of such confessions as we are making? Is it not better to meet it here than to meet it there, when we know we shall have to yield it, and our own record will convict us if we insist on resisting it

Mr. ALLISON. My answer to the Senator from Kentucky is the when we meet the conference committee, "Sufficient unto the day." When we meet the conference of the House, if the Senate shall conclude that this provision should go out, we shall meet those gentlemen the best way we can. We have met them upon other propositions in a similar way, and the House has receded from its propositions from time

to time at other sessions of Congres

Mr. President, we have a Committee on Post-Offices and Post-Roads whose duty and business it is to propose changes in our postal laws in the first instance where they are needed, and make such recommendations to the Senate. We are now within twelve days of the close of this Congress, and so far as I have any information this Committee on Post-Offices and Post-Roads up to this hour have not given us any advice upon this subject. They have presented no bill to the Senate which we could vote and act upon on this matter.

It seems to me that if we are to have any rule at all with regard to legislation upon appropriation bills, here is a good place to show our virtue with respect to it, because if we place upon these bills legislation where we are in favor of such legislation, very soon we shall be confronted with the idea that most of the legislation in this Senate as well as elsewhere will be in the first instance. well as elsewhere will be in the first instance presented by the Com-

mittee on Appropriations. For one I do not desire to argue this question, but only to say that if this Senate desires that the Committee on Appropriations shall take into

its control and under its direction all the legislation or practically all the important legislation from session to session let it say so by its vote, and the committee will do the best they can with these subjects; but in the nature of things we can not consider these legislative provisions with the care and scrutiny that a committee charged with the particular subject can do, having leisure and time and opportunity for investigation.

Mr. SAULSBURY. I should like to ask the Senator from Iowa if he understands the rule of the Senate to make it incumbent upon the Appropriations Committee to strike out from the House bill this legislation put there by the House? My understanding of our rule is that we can not amend it, but I do not know that there is any obligation on the Committee on Appropriations to strike out legislation put on by the House which the committee itself deems important legislation.

Mr. ALLISON. Of course the Committee on Appropriations can not strike out this legislation; it can only be done by a vote of the Senate. All the Committee on Appropriations can do is to make its

recommendation.

recommendation.

Mr. DAWES. I have been an interested observer of this discussion this afternoon. If there is anything to me which is interesting it is to have some gauge by which I can determine what is the wish of the Senate touching its own rules and its own methods of legislation.

The Committee on Appropriations seem to be the subject of a good deal of discussion from time to time. The Senate will not forget the manner in which they were instructed long before the appropriation bills reached this body. They were told in plain English that they were doing what the Senate has been insisting upon doing itself now that the Committee on Appropriations have determined that they will not do it. I stood tee on Appropriations have determined that they will not do it. I stood up here two days within a week resisting the insertion of independent legislation in an appropriation bill, which legislation itself met my hearty approval. I was compelled to do so by the rules of the Senate and by my own record for consistency, and by a belief that in the end it was wise and would produce the best and healthlest legislation to adhere to the rule that cut out by the vitals most important legislation from an appropriation bill.

The Senate followed the Appropriations Committee in that respect, although I had reason to believe from the sentiment about the Senate that they agreed with me that in the abstract that was excellent legislation; yet in the concrete it was wise to adhere to the rule of the Senate. If now after that appropriation bill has been treated by the Senate under the wisdom and requirement of its rules and stripped of everything but naked appropriations, as it ought to have been, the Senate turns around to-day and forgetful of the rule and looking only at the character of the legislation itself, shall vote to keep it in, I do not know why I should not consider that as instruction to a conference committee to recede altogether. Let the Senate determine what will be its course and make that its rule, and the chairman of the Committee on Appropriations, I give you my word, will hold the Committee on Appropriations to the rule.

on Appropriations to the rule.

Mr. President, it is pretty hard to be called upon to vote against this measure in an appropriation bill; and if it were in a bill by itself I would not vote against it on any account; but I will vote to strike it out of this appropriation bill, because our rules require that appropriation bills shall be free and stripped of independent legislation; and if I do not vote to strike this out, I have no answer to make for the course I pursued here a few days ago. And those who know that heretofore I had advocated strongly legislation which crept into an appropriation bill, and know that two or three days ago I urged the Senate to strike it out, can well call upon me to explain whether I am honest in this

position or not.

Mr. CULLOM. Will the Senator allow me to ask him a question?

Mr. DAWES. Certainly.

Mr. CULLOM. As I understand from the Senator and every member of the committee who has expressed himself on this subject, they believe that this legislation is right and proper separate from an appropriation bill, and the only reason why they are not for keeping it here is because of the rule. Now I should like to ask the Senator whether he has any idea that if it is not kept in, this good legislation that we are talking about will be had at all during this session of Congress?

Mr. DAWES. On whom will the responsibility rest if there is no such legislation? There is time enough to-day for the Post-Office Committees of the two branches to awake from their lethargy. There is

mittees of the two branches to awake from their lethargy. There is time enough for the Senate, independent of its Post-Office Committee, to rally to its own duty. It is not necessary for the Senate to save itself through its Appropriations Committee and by violation of its rules. If the Senate or any other branch of this Government has got apprehensive within ten days of the end of the session that it has slept too long, and that its salvation lies only in a violation of all parliamentary law by its Committee on Appropriations, let it settle that with its constituents. I say that I have been ready and I have been anxious that the Committee on Post-Offices and Post-Roads should not lag behind and only wake up when they see an opportunity to turn over into some-body else's bill that which the rules of the Senate and some other branch of this Government require that they should do.

Am I called upon to abandon all the rules of the Senate and of other

parliamentary bodies because everybody else in the Senate has got to

that pitch that you can put a pertinent question to me that this is the

only way—
Mr. CULLOM. The Senator will allow me to suggest that he will only be following the rules of the Senate as adopted, as I understand, for the last twenty years, because during that time there has been no important legislation in reference to post-office matters that has not been incorporated upon appropriation bills.

Mr. DAWES. Not by the Senate. The Senate had a rule till within

six or eight years allowing this very thing to be done, and they found it worked so that they made a rule that they would do so no longer; and the moment they made that rule some other branch of this Government turned around and made a rule that they would do that very thing which they had never done before. The Senate and some other branch of this Government have changed sides in this matter. It is but a few years ago that this could not be done anywhere but in the Senate; and now it can not be done in the Senate and must be done somewhere else, and all the evils pertainining to it are crowding upon our attention every moment. Why do not our friends, so anxious to wake up in the last days of the session, propose to amend the rules so that they can do it according to the rules, or make a rule that they can suspend the rules?

MEMILIES of New York Lidesiante ask the Senator a question

Mr. MILLER, of New York. I desire to ask the Senator a question. He talks about the rules of the Senate preventing this legislation. I have no knowledge of any rule of the Senate that prevents this body from acting upon general legislation fixed in an appropriation bill by the House of Representatives. If he does, I should like to know what it is. Why this harangue about the Post-Office Committee and the other committee being called upon to wake up and do their duty, on the ground that there is no power in this body under its rules to act on general legislation in an appropriation bill when placed there by the House of Representatives? I do not understand that there is any such rule. I hold that in adopting this legislation we are not violating the rules of the Senate at all. The only rule, as I understand it, is that we can not of our own original action put it in.

I understood the chairman of the committee and the Senator from

Massachusetts to say that the committee had stricken out of this bill everything which was general legislation. I desire to ask the chairman and also the Senator from Massachusetts what sort of legislation is found in this clause, beginning on line 80:

The Postmaster-General is authorized to contract for inland and foreign steamboat mail service, when it can be combined in one route, where the foreign office or offices are not more than two hundred miles distance from the domestic office, on the same terms and conditions as inland steamboat service, and pay for the same out of the appropriation for inland steamboat service.

Is not that new legislation and general legislation?

Mr. PLUMB. According to the instruction the committee have had on this question, that is not general legislation. That is only a direction in regard to the manner in which a particular item of appropriation made for this fiscal year may be spent, and is not a continuous direction at all. Therefore is not general legislation. Its purpose and function is continuous only during the coming fiscal year, and it is not, as I think, obnoxious to the rule.

Mr. MILLER, of New York. I am very glad to have the opinion of the Appropriations Committee on this most important subject, and I hope that the presiding officer of the Senate will concur in the interpretation which they have given to this legislation, because if that is to hold then we can turn over any amount of the money which is appropriated for inland service to the carrying of our foreign mails; we can begin to encourage the establishment of steamship lines to the South American and Mexican ports and to any other foreign ports; and we shall be able under that decision, if it holds, to put any amendment on this bill to that effect that a majority of the Senate may desire to do. I agree fully with the Senator.

Mr. PLUMB. I only want to put this on the proper ground. It is not an invention of anybody, certainly not of the committee. The committee only accept the rule as given to them by the presiding officer of the body. That we understand to have been the ruling in a number of cases, and especially in one which was raised on the Army appropriation bill two years ago, the presiding officer then holding that any direction in regard to the expenditure of the money appropriated by the bill which did not continue longer than the appropriation itself continued, and which was for a service authorized by law, was not general

legislation, and was competent.

Mr. HILL. I wish to say, Mr. President, in regard to the reflection of the Senator from Massachusetts upon the Committee on Post-Offices and Post-Roads that there is no foundation in fact for the statement which has been made. That committee has disposed of every bill of any importance that has been before it one way or another, I believe. has acted upon several of the measures which are proposed in this bill. It has voted in some cases not to report bills embodying the same features. We have repeatedly passed bills in this body and sent them to the other House which they have made part of an appropriation bill. That the Post-Office Committee of the Senate has no control over, but I think the Post-Office Committee has done its duty fully in regard to ery measure that has been before it.

Mr. CONGER. If, as the Senator from Massachusetts says, we have

being considered by the Senate, the President of the Senate should have applied that rule and ruled them out without the report of the committee at all. If it is subject to the action of the committee, and they may report to have the legislation stricken out and the Senate may vote to strike it out or to keep it, we violate no rule in keeping it in

or in striking it out. It must be so.

Now, sir, we find in the bill coming from the House this legislation, which even the committee that moves to strike it out (not being required to do it by any rule of the Senate, except by the general feeling of the Senate that legislation is bad on an appropriation bill) concedes to be good. We have no rule by which the President of the Senate can on a point of order refuse to permit it to remain in the bill. We have no rule which requires the Committee on Appropriations to strike have no rule which requires the Committee on Appropriations to strike it out or to move to strike it out, or to report to the Senate that it should be stricken out. There is nothing to regulate their conduct either way except the general feeling which the Senate may have against legislation in appropriation bills.

When the Committee on Appropriations report any amendment to this or any other bill, if they have done it in the discharge of their

duty, and the Senate may vote upon it, then they are free from any rule except their own judgment. So I feel free when such a proposition is made to vote for retaining the legislation which the House put in, or to vote to strike it out. I know of no rule that can control me in that. I do not agree with the Senator from Massachusetts that we are compelled by some rule to vote contrary to our own judgment when the matter is properly before the Senate and not subject to be ruled out on a point of order.

That is my view of the condition of this question. I am in favor of these propositions which are by the division of the question to be voted upon separately-every one of them. I shall vote in favor, in whatever form the question comes, of retaining them as a part of the bill. I have received petitions, as every Senator has, not only from the publishers of papers in my own State, but from other States all over the country, asking this kind of legislation; and when I have in the strict performance of my duty, and violating no rule of the Senate, the opportunity to vote as my constituents desire me to do, I shall vote that way. I am not to be deterred from expressing my judgment on the propriety of legislation when it is in a bill and can not be ruled out on a point of order; when it is in a bill, and is submitted to me to say whether I approve of that legislation, I am not to be prevented by a mere sentiment that the Senate does not desire to have upon appropriation bills any legislation from giving my vote, if I am free to vote as I choose under the rules, in favor of the legislation, and to keep it in the bill.

Sir, I believe this legislation that is proposed to be stricken out is all good, unless it be the proviso that has been referred to. I am in favor

of increasing the weight of the letter under the same postage; especially I am in favor of decreasing the postage on second-class mail matter. have received from my State scores and scores of letters requesting me as their representative to use my best influence and my votes in favor of that measure. If the rules of the Senate forbid me voting upon that proposition at all, if they forbid me expressing my preference, I am bound by the rules. I regret it, but I shall be bound by them if that is the necessity of the case. But when I am free to say yea or nay on keeping in or striking out legislation which the President of the Senate can not rule out on a point of order, and upon which I am to ex-press my sentiments, I will vote as my judgment and the wishes and interests of my constituents require me to do.

Now one word in regard to the parliamentary situation of these propositions. I understand that while the President of the Senate was not occupying the chair it was proposed to divide these different propositions and vote upon them separately. The motion made by the Senator from New York in regard to one of them was to strike out of this section one of these propositions before we vote upon it all.

In my judgment the motion to strike that out is one way of leaving it in, to be adopted contrary perhaps to what the Senator desires. It seems to me, and I ask therefore the opinion of the President whether the question put in a proper parliamentary way would not be on these several clauses, Will the Senate concur in the recommendation of the committee as to striking out this paragraph? If the Senate non-concur, that remains then as part of the bill, and so of each of the others.

Mr. MILLER, of New York. The Senator will understand me.

As I understand the situation by unanimous consent we agreed to do

just that thing, to take a vote on each proposition separately.

Mr. CONGER. Yes, but that does not touch the point I am speaking of. We agreed to vote on each of these propositions separately; but if there be a motion to strike out of the section one proposition and it is voted to strike out of the section that one and the others are not stricken out, then only those that are not stricken out can be sub-

ject to a motion to agree or disagree. I think that the proper way, and I wish the Chair would state that proposition.

The PRESIDENT pro tempore. Although the question is not now presented for action, the Chair has no hesitation in saying that as these phrases are in the body of the bill and the Committee on Appropriations have reported an appropriation of the committee of th tions have reported an amendment to strike them all out, so far as they are susceptible of division the question may be taken piecemeal, so to speak, on the separate divisions that are capable of being made. If the any rule which prevents a vote on these propositions and prevents their | Senate refuses to strike them out, they stand as part of the bill and will

be before the Senate accordingly. Whatever the Senate does strike out as in Committee of the Whole will have then been stricken out, and the question will be, when the bill is reported to the Senate, on agreeing to the action of the Senate as in Committee of the Whole striking out such and such parts of the text of the bill. It is in these respects executed the senate of the bill.

actly like any other bill.

Mr. CONGER. Yes, Mr. President, but there seems to be a motion to strike out upon a motion to strike out.

The PRESIDENT pro tempore. The Chair does not so understand.

Mr. HARRIS. The Senator from Michigan will allow me to say that the occupant of the Chair at the time the question was raised ruled that the amendment reported by the committee was susceptible of division, and that the question could be taken and should be taken, if demanded by any Senator, upon each substantive and distinct proposition contained in the amendment. That was the ruling of the Chair,

Mr. CONGER. I understood that to be the ruling.

The PRESIDENT pro tempore. That was the ruling the present occupant of the Chair would have made.

Mr. CONGER. There is pending a motion to strike out one of these

The PRESIDENT pro tempore. There is pending a recommendation of the committee to strike them all out. The question on striking them all out has been divided under the rules of the Senate so as to take the question on the particular, separate, and independent parts of the propositions proposed to be stricken out.

Mr. CONGER. The Chair does not quite understand me. The rec ommendation of the committee, and therefore the question to be acted on, is the striking out of the whole. The motion of the Senator from

New York is to amend that recommendation by striking out a part.

The PRESIDENT pro tempore. The Chair does not understand any such motion to have been made. The Senator from New York simply demanded a division of the question on striking all out.

Mr. CONGER The Chair probably did not understand.

tion was to strike out one clause

Mr. HARRIS. If the Senator from Michigan will again allow me a single word, the Senator from New York indicated his disposition to make the motion that the Senator from Michigan refers to, when the Chair suggested to him that the question was divisible so far as the amendment reported by the committee contained distinct and substantive propositions, and the then occupant of the chair understood the Senator from New York to acquiesce in that suggestion, and the Senator

Senator from New York to acquiesce in that suggestion, and the Senator from Ohio demanded a vote upon each substantive provision.

The PRESIDENT pro tempore. The Chair could not have entertained a motion, in the present state of the bill, to strike out a part of that which the committee recommend the striking out of, because that would be a repetition in substance of precisely the same thing. Therefore the matter stands on the recommendation of the committee to strike all out and the demand by the Senator from New York that the ques-

tion be divided.

Mr. CONGER. That report was made subsequently. ask this question: On each of these propositions those who desire it to stand in the bill will vote against striking out, as I understand?

The PRESIDENT pro tempore. The Chair so supposes.

Mr. CONGER. That is all I wish to get at, because the other motion would have made it difficult to tell what the result would be.

Mr. WILLIAMS. I want to understand this subject a little better It strikes me that it is bad policy usually to ingraft general legislation or permanent laws upon an appropriation bill, and we have a rule of the Senate on that subject which governs us and can not govern the House. I do not think it is competent for us to offer amendments to a House bill which embrace permanent legislation upon an

appropriation bill.

But if the House, which is independent as we are, sends us an appropriation bill with general legislation pertinent to the subject, germane to it, I do not think it is in violation of our rule for us to vote for that legislation just as it comes from the House. Our rules govern us, but House is obligatory on both; and when general legislation comes from the House upon an appropriation bill, which is proper and right and germane to the subject of the bill, I intend to vote for it, feeling that I have not violated any rule of the Senate.

I can not see for my life why we are bound to object to the legislation that comes from the House even if that legislation is ingrafted upon an appropriation bill, for there are exceptions even to the general rule of its being bad policy to put general legislation on appropriation bills. A vast amount of the most important legislation of this country has been upon such bills; and when an appropriation bill comes with proper legislation, germane to the subject for which the appropriation is made, I am prepared to vote for it, our rules to the contrary not-withstanding. They bind us but do not bind the House. Nothing but a joint rule can bind both.

LAND TITLES IN NEW MEXICO.

Mr. HILL. I ask the unanimous consent of the Senate to be allowed to offer a resolution at this time.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent to be allowed to offer a resolution at this time. Is there objection?

Mr. ALLISON. Let it be read first.

The PRESIDENT pro tempore. It will be read for information, after which the Chair will ask for objection.

The Chief Clerk read the resolution, as follows:

Resolved. That the portion of the resolution directing the Secretary of the Interior to furnish to the Senate copies of the reports of F. D. Hobbs and A. R. Green, &c., which passed the Senate February 4, 1885, embracing the following words, "and also copies of all papers on file in the Interior Department relating to this subject," is hereby rescinded.

The PRESIDENT pro tempore. Is there objection to this resolution being now received?
Mr. ALLISON.

being now received?

Mr. ALLISON. I ask that it go over until to-morrow morning.

The PRESIDENT pro tempore. Objection is made to the reception of the resolution. It can not be received.

Mr. ALLISON. No; I do not object to its reception.

The PRESIDENT pro tempore. Is there objection to the resolution being received? The Chair hears none. Objection is made to its present consideration. It will be printed and go over.

Mr. HILL. Will the Senator allow me one word of explanation?

It is a matter of some importance that the resolution should be adopted at once to save expense. I am informed by the Commissioner of the General Land Office that a compliance with the resolution of the 4th instant will involve the necessity of copying 1,500 pages of papers which I do not deem material, and to save that expense this resolution is offered.

Mr. ALLISON. I withdraw my objection.

The PRESIDENT pro tempore. Is there objection to the present consideration? The Chair hears none.

The resolution was considered by unanimous consent, and agreed to. POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and

for other purposes.

Mr. MILLER, of California. It appears very probable that the Senate is about to reverse itself on the question of adopting general legislation on appropriation bills. I desire to ask the Senator in charge of this bill, or the chairman of the Committee on Appropriations, whether the committee have given sufficient attention and consideration to the clause which proposes to raise the weight of letters to one ounce to be able to state whether a loss to the revenue derived from letters will be

incurred or not?
Mr. PLUMB. Mr. PLUMB. We had before us the Postmaster-General and we gave this subject all the consideration we had within the limited time allowed us and arrived at the conclusion, which I stated some time ago to the Senate, that there will be no loss of revenue by reason of the adoption of that provision.

Mr. MILLER, of California. I understand the Senator, then, to

Mr. PLUMB. No appreciable loss; probably none at all.
Mr. MILLER, of California. I understood the Senator, then, to
state that the expert officers of the Post-Office Department, the Postmaster-General, and the committee are of opinion that there will be no substantial loss in the revenue derived from letter postage by the adoption of this clause. I desire to have that assurance before voting upon this matter. There seems to be a disposition now to retain this legislation in this bill.

A few days ago the Senate could not bear the proposition to do justice to a few obscure individuals for whose benefit there were certain provisions in the Indian appropriation bill; but the case now seems provisions in the Indian appropriation bill; but the case now seems to be very different. Other parties are interested in these provisions who are of higher and greater consideration, and I suppose that the rule will be abandoned in this case. It looks like it. To be consistent I should not object, because the other day I contended very strenuously that certain just and equitable and proper legislation should be retained in an appropriation bill. But it is a little interesting to see the performances of the Senate on this subject.

The PRESIDING OFFICER (Mr. Harrison in the chair). The question is on the first branch of the amendment of the Committee on Appropriations, proposing to strike out the words from line 106 to and

Appropriations, proposing to strike out the words from line 106 to and including the word "thereof," in line 117.

Mr. HAWLEY. I am not sure that I understand the purpose of this discussion. I thought we were about to say what we liked in this prodiscussion. I thought we were about to say what we like it in his proposed legislation, and then to raise the point of order upon it and strike it all out; and that the Committee on Appropriations would meet the House conferces with the point of order striking it all out, but nevertheless would have the opinion of the Senate as to such legislation as it might yield to. I shall not give up the point of order against legisla-

Mr. MILLER, of New York. What is the point of order? I think

the Senator has entirely misconceived the object of this debate.

Mr. HAWLEY. Will the Senator please explain to me whether we are to raise the point of order on this legislation and strike it all out?

Mr. MILLER, of New York. I do not understand that there is any point of order that lies against it. It is impossible to raise any point of order. We must decide by a vote affirmatively or negatively whether this shall stay in or go out. In other words, we are to vote now whether to concur in the amendment of the Committee on Appropriations strik-

ing this out. If we disagree, this provision remains in.

Mr. HAWLEY. I see what the Senator is aiming at, but the Committee on Appropriations very properly brings in a bill with black lines drawn across certain portions of it because it is obnoxious to the rule against legislation on an appropriation bill. I shall raise the point of order if nobody else does that this is a change of existing law, and that these paragraphs have no right here under the rule of the Senate. At the same time I am perfectly willing to express my opinion on these different points made here, because I know very well what the result will be, that in cases like this, where the Appropriations Committee and the Senate really believe in the justice of certain legislation, they will not precipitate an extra session on the country for the sake of adherence to our rules. That is just all there is of it.

Mr. CONGER. I ask the Senator under what rule he can raise any point of order against this?

Mr. HAWLEY. That it is general legislation on an appropriation

bill.

Mr. CONGER. Is there any Senate rule on that point? The rule is only as to amendments moved in the Senate, not as to a bill that comes from the House.

Mr. HAWLEY. For what reason, then, does the Appropriations Committee report this bill with certain clauses in it marked out that they believe in and would like to have go into the statutes if it were not for the objection to legislation on an appropriation bill?

Mr. CONGER. Because there is a kind of sentiment in the Senate

that we are trying to govern the House in accordance with Senate

rules, which we have never been able to do yet.

Mr. HAWLEY. I have sufficiently made my point, and now I will express my opinion on these different propositions. I would have confined it to the proposition which the Senator from Ohio desired to have first acted upon except for the fact that everybody talking on this subject has talked on the whole matter. I like that. I like the second except the words in lines 123 and 124, which qualify the reduction of postage on newspapers. It reads now:

That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, to bona fide subscribers, or when sent from a news agency to actual subscribers thereto.

I do not like the words "bona fide subscribers," for the reason that I fear they will compel publishers to assort their mails in different bags and different lots. A considerable percentage of the mail sent out from every newspaper office is composed of papers sent to exchanges. I think it possible that under this clause it might be required of the publishers to make separate bags of the papers sent to the exchanges, but if it should be held that the paper sent to a neighboring publisher with whom you exchange is one which is paid for by his paper to you, then that might be considered as a bona fide subscription. But I would just as lief strike that out and make certain of that construction. I should like to know what the Senator from Kansas thinks of that point.

Mr. PLUMB. I wish to say, in the first place, that I hope the Senate will, in justice to itself and in justice to the committee, vote its own sentiments on this bill, and not leave to the Committee on Appropriations or the committee of conference to be held on this bill in all probability the determination of this question. It is not fair to the committee and it is not fair to the Senate that the committee of conference should have the responsibility thrust upon it of saying there shall be an extra session or we will yield to various influences that may be brought to bear upon us by the House conferees in regard to the merits of this proposition.

Mr. HOAR. Allow me to ask the Senator from Kansas how much

general legislation have we put on appropriation bills this year?
Mr. PLUMB. Practically none.
Mr. HOAR. Have we not left some?

Mr. PLUMB. We have left one lonesome, solitary provision on the pension appropriation bill, which is the only one I know of of any moment. That was about the presumption of soundness at the time of enlistment.

We legislated last year in that bill about the fees of Mr. HOAR.

attorneys.

Mr. PLUMB. That was stricken off this year's bill and that bill

is in conference.

Mr. HOAR. I am very desirous for one to vote for the provision reducing the postage on newspapers, and I do not want to be put in the position of opposing that if the Senate is going to leave on these bills other legislation.

Mr. PLUMB. Certainly the Senate itself had better exercise the discretion of what shall go on the bill than a committee of conference. If there is an overwhelming desire here to put it on, they ought to put it on; or if they do not have it on, let them say they will proceed in the exhibition of this Roman virtue even to standing to the extent of having it an instruction to the committee of conference that they are to

resist even at the cost of an extra session of Congress if necessary. reports of conference committees will come into the Senate when the Senate will not have a quorum probably; it will never be fuller than it is now, and the vote of a handful of the Senate, even if the question were submitted by a conference committee, will not amount to that expression on the part of the Senate which it ought to have on a question which has been the subject of so much discussion and so much decision on the part of the Senate.

Mr. HOAR. On the third page of this bill there is a change of the

law in regard to leasing premises for post-offices.

Mr. PLUMB. That might be called legislation by some, and there is a good deal of doubt in regard to it, but the Postmaster-General is doing that thing now, and we only regulate the manner in which he shall exercise the discretion he is now exercising.

Mr. FRYE. That is, you make that law which hitherto was not law.
Mr. PLUMB. No, I am not certain that it is not law now; but at the same time there is no law that directs him to attach certain conditions to these leases, which we here provide that he may. The merit or demerit of that proposition is not in the fact that he may make leases for five years, because he makes them for ten, but it is in the fact that we provide that a certain equipment shall be put into the particular buildings he leases and that he was not in a condition perhaps to insist upon before

Mr. CONGER. I do not see any prospect of finishing this bill to-night. ["Oh, yes!"]

Several SENATORS. We are ready to vote.

Mr. CONGER. I desire to move that the Senate proceed to the consideration of executive business

The PRESIDING OFFICER. Does the Senator from Michigan make

that motion?

Mr. CONGER. If Senators do not expect to finish the bill to-night, it is important that we should have an executive session.

Mr. CULLOM. I hope the Senator will not make that motion until we get through with this amendment. It has been thoroughly dis-

Cussed and we are ready to vote.

Mr. CONGER. Just about the time we are ready to go into executive session Senators will have gone. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the

Senator from Michigan. The motion was not agreed to, there being on a division-ayes 13,

Mr. CONGER. I think it so important that I shall call for the yeas

and nays unless there is some understanding that after disposing of this amendment we shall have an executive session.

Mr. SHERMAN. Let us have it after that.

The PRESIDING OFFICER. Does the Senator call for the yeas and navs

Mr. CONGER. With the understanding that at half past 5, as some Senator suggests, I shall move to go into executive session, I shall not press the motion now.

The PRESIDING OFFICER. The question is on the first branch of the amendment, to strike out from line 106 to 117.

Mr. SHERMAN. I do not care anything now about the division,

finding from the debate that there is a general concurrence in the whole of this clause except the proviso. It will properly expedite matters if I withdraw my demand for a division. ["No!" "No!"] Very

well, let us vote separately.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Committee on Appropriations, to strike out from the words "that upon," in line 106, to the word, "thereof,"

in line 117.

Mr. VAN WYCK called for the yeas and nays, and they were ordered. Mr. WILLIAMS. I understand the vote we are now about to take is on agreeing to the amendment reported by the Committee on Appro-

The PRESIDING OFFICER. The Senator from Kentucky is right, but the question has been divided. The first vote is, Will the Senate agree to the amendment proposed by the committee from line 106 to

Mr. WILLIAMS. On that point I wish to state the principle which will govern my vote. The House has sent up a bill which proposes to reduce the postage on all second-class matter. I believe that the Senate is really in favor of that, but it is said we have a rule of the Senate that interferes with our agreeing to the bill of the House. I have been here nearly six years, and I have never known the Senate to have any rule except the rule of courtesy, that rule which governs gentlemen in their intercourse with each other, and I want it distinctly understood that I shall vote against the amendment of our own committee based upon the alleged rule, because they keep the postage as high as it is, and

I am in favor of a lower postage.

Mr. MITCHELL. I desire simply to say that while I am in favor of the proposition contained in the bill I shall vote against it because I do not believe in legislation on appropriation bills.

Mr. COCKRELL. As I understand, the question now is on the recommendation of the committee to strike out from line 106 down to line

117—in other words, to strike out the provision which increases the weight of letters to an ounce instead of a half ounce. ["That is it."] I hope and trust the Senate will vote down the proposed amendment

of the Committee on Appropriations, and not strike out this legitimate and proper legislation upon this bill, and for the striking out of which there is no rule of the Senate.

Mr. EDMUNDS. Mr. President, I do not know whether this proposed legislation is good or bad. There are two sides to that. As I am charged the next ten days with executing the rules of the Senate I wish to recall to the attention of the Senate the fact that, on two or

wish to recall to the attention of the Senate the fact that, on two or three recent occasions in respect of important and apparently necessary legislation on appropriation bills, the Senate has held, in harmony with its own rules in respect of its own bills, that it would not accede to legislation proposed by the House on an appropriation bill that was purely legislation, as everybody agrees that this is, and upon the broad ground that I need not restate, for we all understand it now.

I should be glad, as one Senator, to have the Senate preserve a reasonable degree of consistency, and not refuse to amend the pension laws, for instance, the other day where on a former appropriation bill a gross error to say the least of it had been committed, and then on a Post-Office appropriation bill to reverse its action and decide that, because it liked that legislation a little better than it did the other, it would allow it to stay on. We ought to be consistent, and we ought, therefore, to be just, because justice and consistency usually go together.

If the Senate has not courage enough to adhere to one principle, then If the Senate has not courage enough to adhere to one principle, then we ought to know it long enough in advance, so that it may become in every case a question of whether the Senate likes the legislation on an appropriation bill or not. If it thinks it is good legislation, and is, therefore, willing to have it on an appropriation bill, it ought to apply universally and fairly, so that on the legislative and executive and judicial appropriation bill the Committee on the Judiciary can report many amendments that they have presented in the form of separate bills, necessary to the good order and administration of justice as the country ones on, and yet we do not do it for that reason. goes on, and yet we do not do it for that reason.

Now, why can we not be consistent and either repeal our rules and our practice altogether and say that we will put on to every appropriation bill everything that we think is good and strike off, as we do on all other bills, everything that we think is bad; or adhere consistently to the idea that a general appropriation bill for carrying out the existing laws of the Government and carrying on its operations shall be that

thing and nothing more.

I only recall this matter to the attention of the Senate in order that if possible we may preserve our consistency for at least a week at a time.

Mr. BECK. While the Senator from Vermont is on the floor I desire
to suggest to him the same difficulty that I did to the chairman of the
Committee on Appropriations, and I shall be very glad to hear how we
can get out of this difficulty.

I shall be one of the conferees, perhaps, on this bill—I may be at least, having been on the subcommittee in charge of it. I am looking to that possibility. The President of the Senate knows that the House has a right to insert anything that it chooses. It has inserted this. We can not strike it out so as to keep it out. It will come before us again in conference.

again in conference.

Most of the members of the Committee on Appropriations have already confessed that it is legislation which they would be willing to vote for as a separate measure. That is part of the record. That the House knows. That the House conferees understand. Then, with that admission staring us in the face, when we meet in conference, knowing it is good legislation, and admitting that it is, how can we refuse to pass necessary appropriations for the Government and force an extra session, which nearly all of us deplore, by standing up to a rule that we can not control, because we can not prevent the House from inserting legislation there, nor can we prevent their conferees from adhering to it after we admit that the legislation is good? That is the difficulity I have.

is the difficulty I have.

Mr. EDMUNDS. That to my unsophisticated mind is no difficulty at all practically. I was once a member of the Committee on Appropriations and I do not know but that I should have been there since, but for the fact that at that time the river and harbor bills went to the Committee on Appropriations, and I committed the gross sin of being opposed to a certain appropriation in it, and I discovered the next Congress that I was no longer than the committee of the committee opposed to a certain appropriation in it, and I discovered the next Congress that I was no longer a member of the Committee on Appropriations. But on other bills than those for rivers and harbors the Committee on Appropriations then found when the Senate was unwilling to put on an appropriation bill any piece of legislation, either because it thought it was not good, or because it thought that it was better to have it in a separate bill even if good, and the Senate conferees said to the House conferees, "You have a right to put all your bills into an appropriation bill if you want to; we have nothing to do with your rules; you are an absolutely independent body of us; we have no right to criticise your rules—they belong to yourselves—any more than Her Majesty's Govrules—they belong to yourselves—any more than Her Majesty's Government of Great Britain has any right to criticise our rules about the public lands, or anything else; it is none of our business; we are equally independent," and when we told the House conferees, "The Senate is of opinion that this sort of thing ought not to be on this bill 2 for either

reason, because it was not good of itself as far as we could see, or because we did not wish to have it in an appropriation bill, good or bad, and said to them, "If you wish to take the responsibility of saying that you will not have any appropriations at all to carry on the Government under existing laws, because the Senate is unwilling to agree to something additional that you believe in and we do not—for whatever reason; you take your responsibility; it is your right;" they never took it and they never will, because they are patriotic and upright and independent as we are, and they know that they stand in exactly the same attitude that we would stand if our rules authorized us to put separate and independent legislation on an appropriation bill and the House rules did not, and we sent over an amendment of our own and said to the House of Representatives, "We will not have any appropriations unless you will agree to this legislation; your conferees admit that it is probably good legislation, but you will not have it on this bill; if you will not, then we will not have any appropriations at all."

We have always thought that such a position was totally untenable, as it is, and it never was maintained. So that there is no practical difficulty about it at all. If the Senate of the United States is really size.

culty about it at all. If the Senate of the United States is really sincere in saying that it will not put on appropriation bills general legislation that changes permanently the permanent laws of the United States, but will keep them free, so that they can be sent to the President of the United States for his approval of the items within the laws, and not embarrass him by a thousand questions that may be presented if you present one, then there is no difficulty in carrying on your Government without the slightest trouble or friction even between the two Houses of Congress. They are equally independent, and I repeat, if the Senate is sincere in believing that it is vicious to legislate on appropriation bills, and will not give way to the temptation, when something that appears to be good is presented, of agreeing to it, and then stultifying itself, there is no difficulty at all in having an appropriation bill go through in due time and in good order.

The only trouble is that two years have gone by since this Congress culty about it at all. If the Senate of the United States is really sin-

The only trouble is that two years have gone by since this Congress assembled, and these various matters of useful legislation that are germane to every appropriation bill, or some one of those bills have not assembled, and these various matters of useful legislation that are germane to every appropriation bill, or some one of those bills have not been brought forward as separate measures and brought to their passage, and when we run down to the end of the session and appropriation bills come in then, as they always do at that time, then we are tempted to say, "why here is something good that is germane to this one; let us put it on; and here is something that a majority of us think is good, let us put that on," so as to vitiate the security and safety of legislation that we all, I believe, agree in the Senate ought to be had in respect of keeping bills entirely separate from each other, and having appropriation bills what they purport to be, bills providing for the payment of money out of the Treasury to carry on the regular objects of the various Departments of the Government.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired upon this question with the Senator from Louisiana [Mr. Jonas].

Mr. MANDERSON (when his name was called). I am paired on questions generally with the Senator from Florida [Mr. Jones]. Understanding that he would vote against this amendment I feel privileged to vote. I vote "nay."

The roll-call was concluded.

Mr. FRYE. The Senator from Texas [Mr. Coke] is called out from the Senate for a couple of hours, and I think he understands I am paired with him.

the Senate for a couple of hours, and I think he understands I am paired

Mr. MAXEY. My colleague [Mr. Coke] would vote "nay" if he

were present.

Mr. FRYE. I think he understands that I am paired with him, and therefore I refrain from voting.

Mr. RANSOM. The Senator from Arkansas [Mr. GARLAND] is paired with the Senator from Illinois [Mr. LOGAN].

The result was announced—yeas 18, nays 33; as follows:

	YI	EAS-18.	
Allison, Bayard, Butler, Dawes, Dolph,	Edmunds, Hale, Harris, Hill, Hoar,	Jones of Nevada, Lapham, Mahone, Mitchell, Morrill,	Pike, Platt, Wilson.
es to		AYS-33.	The second second
Beck, Blair, Bowen, Brown, Call, Cockrell, Conger, Cullom, George,	Gorman, Hampton, Hawley, Ingalls, Jackson, McMillan, Manderson, Maxey, Miller of N. Y.,	Morgan, Palmer, Pendleton, Plumb, Pugh, Ransom, Sabin, Savjer, Savyer,	Sherman, Slater, Vance, Van Wyck, Vest, Williams,
Aldrich, Camden, Cameron of Pa., Cameron of Wis., Chace, Coke, Coloquitt.	Fair, Farley, Frye, Garland, Gibson, Groome, Harrison,	Jonas, Jones of Florida, Kenna, Lamar, Logan, McPherson, Miller of Cal.,	Riddleberger, Sewell, Voorhees, Walker.

Mr. CONGER. Now I move that the Senate proceed to the consideration of executive business.

The question being put, there were on a division—ayes 23, noes 26. Mr. CONGER. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. CAMERON, of Wisconsin. I move that the Senate do now adjourn.

Mr. CONGER. On that I call for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. I hope the Senator from Michigan and the Senator from Wisconsin will withdraw their several motions for a little while so that we may go on for a time with this bill. We can have no legislation to-morrow, and it seems to me we ought to finish this bill, or very nearly so, to-night.

Mr. CONGER. I can not state the reasons why we should go into

executive session for a few moments to-night, because the rules forbid.

The PRESIDING OFFICER. Debate is not in order on either motion. Does the Senator from Wisconsin withdraw his motion to ad-

Mr. CAMERON, of Wisconsin. If the motion to go into executive ssion shall be withdrawn I am willing to withdraw the motion to

The PRESIDING OFFICER. On the motion to go into executive session the yeas and nays have already been ordered.

Mr. HARRISON. And also on the motion to adjourn.

The PRESIDING OFFICER. Does the Senator from Wisconsin withdraw his motion? If not, the question is, Will the Senate adjourn?

Mr. CAMERON, of Wisconsin. I withdraw the motion to adjourn.

The PRESIDING OFFICER. The motion to adjourn is withdrawn.

The question is on the motion of the Senator from Michigan that the

Senate now proceed to the consideration of executive business, upon which the yeas and nays have been ordered. The roll will be called.

Mr. CAMERON, of Wisconsin. Unless the motion to go into executive session can be withdrawn, I shall renew my motion to adjourn.

The PRESIDING OFFICER. The Senator from Wisconsin moves

Bayard,

that the Senate do now adjourn.

Mr. CONGER. I thought the first name had been called.

The PRESIDING OFFICER. There had been no response. The question is on the motion of the Senator from Wisconsin that the Senator from Wisconsin the ate do now adjourn. [Putting the question.] The ayes appear to have it.

Mr. CONGER. I call for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. FRYE. I am paired with the Senator from Texas [Mr. Coke]. The result was announced-yeas 12; nays 38; as follows:

> YEAS-12. Cameron of Wis., Jones of Nevada, Saulsbury,

Call,	Hampton,	Ransom,	Van Wyck.	
	min intermines	NAYS-38.		
Allison, Beck, Blair, Butler, Conger, Cullom, Dawes, Dolph, Edmunds, George,	Gorman, Harris, Harrison, Hawley, Hill, Hoar, Ingalls, Jackson, Lamar, Lapham,	McMillan, Mahone, Manderson, Maxey, Miller of Cal., Miller of N.Y., Mitchell, Morrill, Palmer, Pike,	Platt, Pugh, Sabin, Sawyer, Sherman, Vest, Williams, Wilson.	
	NOT	VOTING-26.		
Aldrich, Bowen, Camden, Cameron of Pa.	Fair, Farley, Frye, Garland.	Jonas, Jones of Florida, Kenna, Logan.	Riddleberger, Sewell, Vance, Voorbees.	

Morgan, Pendleton, Plumb, Groome, Hale, Colquitt,

Gibson,

So the Senate refused to adjourn.

The PRESIDENT pro tempore. The question recurs on the motion of the Senator from Michigan that the Senate proceed to the consideration of executive business.

Walker.

Mr. SHERMAN. I trust the Senator will allow me to make a mo-tion as to the order of business. I move that when—

The PRESIDENT pro tempore. Does the Senator from Michigan withdraw his motion?

Mr. CONGER. No, sir, I do not withdraw it. Mr. SHERMAN. For a moment.

Mr. CONGER. For what purpose? Mr. SHERMAN. I move that when the Senate adjourn to-day it adjourn to meet at 1 o'clock to-morrow in order to have as much of the

day as possible.

The PRESIDENT pro tempore. The Senator from Ohio moves that when the Senate adjourn to-day it be to meet at 1 o'clock in the afternoon to-morrow. The question is on agreeing to that motion.

The motion was agreed to.

The PRESIDENT pro tempore. The question recurs on the motion of the Senator from Michigan that the Senate proceed to the consideration of executive business, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted—yeas 24, nays 31; as follows:

	YE.	AS-24.	
Bowen, Brown, Cameron of Wis., Chace, Conger, Cullom,	Dawes, Dolph, Hale, Harrison, Jones of Nevada, Lapham,	McMillan, Mahone, Manderson, Miller of Cal., Miller of N. Y., Mitchell,	Morrill, Palmer, Platt, Sabin, Sawyer, Sherman.
	NA'	YS-31.	
Allison, Bayard, Beck, Blair, Butler, Call, Cockrell, George,	Gorman, Groome, Hampton, Harris, Hawley, Hoar, Ingalls, Jackson,	Lamar, McPherson, Maxey, Morgan, Pike, Plumb, Pågh, Ransour,	Saulsbury, Slater, Vance, Van Wyck, Vest, Williams, Wilson.
	NOT VO	OTING-21.	
Aldrich, Camden, Cameron of Pa., Coke, Colquitt, Edmunds.	Fair, Farley, Frye, Garland, Gibson, Hill,	Jonas, Jones of Florida, Kenna, Logan, Pendleton, Riddleberger,	Sewell, Voorhees, Walker.

So the motion was not agreed to.

Mr. CONGER. I move that the Senate adjourn.

Mr. PLUMB. I hope the Senate will not adjourn until we dispose

of these amendments.

The PRESIDENT pro tempore. Senators will please resume their seats and cease conversation. If the Senator from Michigan will withdraw his motion for a moment the Chair will receive a message from the President of the United States.

Mr. CONGER. Certainly.

[A message, in writing, was received from the President of the United States, by Mr. PRUDEN, one of his secretaries.]

Mr. CONGER. Has intervening business occurred so that I may renew the motion to go into executive session?

The PRESIDENT pro tempore. It is in order to make that motion.

Mr. CONGER. I move that the Senate proceed to the consideration of executive business

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate proceed to the consideration of executive business. [Putting the question.] The noes appear to have it.

Mr. CONGER. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 29, nays 24; as follows:

ad, mays at, as	lollows.		
	YE.	AS-29.	
Aldrich, Blair, Bowen, Brown, Cameron of Wis., Chace, Conger, Cullom,	Dawes, Dolph, Edmunds, Harrison, Hill, Hoar, Jones of Nevada, Lapham,	McMillan, Mahone, Manderson, Miller of Cal., Miller of N. Y., Mitchell, Morrill, Palmer,	Platt, Sabin, Sawyer, Sherman, Wilson.
AND TO THE RE	NA.	Mahone, S. Manderson, S. Manderson, S. Miller of Cal., S. Miller of N. Y., Mitchell, Morrill, Palmer, S. Marey, S. Morgan, Y. Plumb, Y. Pugh, ABSENT—23. Jones of Florida, R. Kenna, Lamar, Logan, Y. Logan, Y. Logan, Y. Logan, Y. V.	
Allison, Bayard, Beck, Call, Cockrell, George,	Gorman, Groome, Hampton, Harris, Hawley, Ingalls,	McPherson, Maxey, Morgan, Plumb,	Ransom, Saulsbury, Slater, Vance, Vest, Williams.
all by the same of	ABSI	ENT-23.	
Butler, Camden, Cameron of Pa., Coke, Colquitt,	Farley, Frye, Garland, Gibson, Hale,	Kenna, Lamar, Logan, Pendleton,	Riddleberger, Sewell, Van Wyck, Voorhees, Walker.

So the motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-two minutes spent in executive session the doors were reopened, and (at 6 o'clock and 16 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 20, 1885. The House met at 12 o'clock m. Prayer by the Chaplain, Rev. J. S. LINDSAY, D. D.

THE JOURNAL.

The Journal of yesterday was read.

Mr. STEELE. I desire to know what is meant by an entry in the Journal which says that a certain statement in the RECORD shall be made to conform to a statement in the Journal. As I understood the motion of the gentleman from Kentucky [Mr. Thompson] it was to reconsider the vote by which the House agreed not to consider the pension bill (S. 2511), and there was nothing said about having the bill withdrawn from the House Calendar. And I understand that it so appeared in the RECORD.

The SPEAKER. The Clerk will read that part of the Journal to

which reference has been made; the Journal of the previous day's proceedings has been sent for.

The Chair understands the House by a yea-and-nay vote refused to consider a bill which came from the Senate and that it went to the House Calendar. Afterward the gentleman from Kentucky [Mr. Thompson] entered a motion to reconsider the vote by which the House had refused to consider the bill and it so stands.

Mr. STEELE. But that does not take the bill from the House Cal-

The SPEAKER. It does not. It is now on the House Calendar, and will remain there unless the vote of the House is reconsidered.

Mr. HORR. I wish to say to the Chair that the House did not by any vote refer the bill to the House Calendar. It was sent there by the Chair. The vote was on the question whether the House would consider the bill.

consider the bill.

The SPEAKER. Does the gentleman from Michigan claim that the bill was on the Speaker's table?

Mr. KEIFER. No, sir; it was reported by the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

Mr. HORR. The bill having been reported, a motion was made by myself raising the question of consideration. That question was decided in my favor by the House on a yea-and-nay vote; whereupon the Chair sent the bill to the Calendar. There was no motion made about it. It went there by direction of the Chair.

The SPEAKER. Of course a report from a committee, unless some other disposition be made of it, goes to one of the Calendars under the rules of the House.

rules of the House.

rules of the House.

Mr. KEIFER. I want to say a word about this matter, which is of some importance. The point I make with reference to it is this: that there was no motion, as appears on the Journal, entered by the gentleman from Kentucky [Mr. Thompson] to reconsider the vote by which the bill was referred to the House Calendar. No such motion was made. But that gentleman did enter a motion, and the RECORD of yesterday morning shows it, that the House should reconsider the vote by which the House refused to consider the bill when it was reported. It was a privileged report. The Select Committee on Payment of Pensions. The Select Committee on Payment of Pensions, privileged report. The Select Committee on Payment of Pensions, Bounty, and Back Pay was authorized by order of the House to report that bill back at any time, which made it privileged, and privileged for consideration. But the House refused to consider it, and the gentleman from Kentucky entered a motion late in the evening to reconsider the vote by which the House refused to consider the bill. I ask, in order that we may get into no confusion hereafter about this matter, that the Clerk shall read exactly what took place and Lamanthair. privileged report. Clerk shall read exactly what took place and I am authorized to say that the reporter's notes agree with the RECORD and show exactly what did

The SPEAKER. The Chair will call on the Clerk to read what the Journal shows upon this subject, because that is the question now under consideration.

The Clerk read as follows:

The Clerk read as follows:

Mr. John H. Rogers, as a privileged question, under authority to report at any time thereon, from the Select Committee on the Payment of Pensions, Bounty, and Back Pay, to which was referred the bill of the Senate No. 2511, relating to claim agents and attorneys in pension cases, reported the same without amendment, accompanied by a report in writing thereon.

Mr. Keifer made the point of order that the said bill, under clause 3 of Rule XXIII, must receive its first consideration in a Committee of the Whole.

The Speaker protempore overruled the said point of order; that it did not appear that any provision in the said bill either appropriated money out of the Treasury or required such appropriation to be hereafter made; when Mr. Horr raised the question of consideration; and the same being put, namely, Will the House now consider the said bill? When the yeas and nays were demanded thereon and the same were refused.

Mr. William H. Hatch moved to reconsider the vote by which the yeas and nays were refused; which motion was agreed to.

The question recurring on ordering the yeas and nays, and being put, the same were ordered. The question being again put, to wit, Will the House now consider the said bill? it was decided in the negative—yeas 116, nays 136, not voting 72.

72.
So the House refused to consider the said bill at the present time.
Ordered, That the said bill and report be referred to the House Calendar and printed.

Mr. KEIFER. There has never been any controversy about that

The SPEAKER. Later in the Journal of that day a further entry appears, which the Clerk will read.

The Clerk read as follows:

Mr. Thompson, as a privileged question, entered a motion to reconsider the votes by which the House refused to consider the bill of the Senate No. 2511, relating to claim agents and attorneys in pension cases, and referred the same to the House Calendar; which said motion was passed for the present.

Mr. HORR. That last part did not occur here.

Mr. KEIFER. Now, Mr. Speaker, I ask that the portion of the Record which contains the proceedings as they occurred, in exact accordance with the reporter's notes and with the recollection of gentlemen all around me, shall be read in order to show what did actually take

The SPEAKER. The Clerk will read the portion of the RECORD indicated.

The Clerk read as follows:

Mr. Reed, of Maine. I move that the House do now adjourn.
Mr. Thompson. I rise to a question of the highest privilege.
The Speaker pro tempors. The gentleman from Maine moves that the House

do now adjourn, pending which the gentleman from Kentucky states that he rises to a question of the highest privilege, which he will state.

Mr. Thompson. I rise to enter a motion to reconsider a vote taken to-day, which is a question of the highest privilege.

The Speaker pro tempore. The Chair will recognize the motion.

Mr. Thompson. I enter a motion to reconsider the vote by which the House refused to consider Senate bill No. 2511.

Mr. Keiper. That would not avail anything if it was done now.

Mr. Thompson. I enter the motion, at any rate.

Mr. Keiper. A motion to reconsider would not bring it up for consideration this evening.

Mr. KEIFER, A motion to reconsider would not bring it up for consideration this evening.

Mr. THOMPSON, I am aware of that fact,
Mr. KEIFER. It would not bring it up for consideration.

The Speaker pro tempore. The Chair is hardly called upon to decide what would be the effect of the motion.

Mr. THOMPSON, I enter the motion to reconsider the vote on the bill the number of which I have stated. I refer to the bill of the Senate in relation to claim agents.

agents.

The SPEAKER pro tempore. The motion will be entered.

Mr. WILLIS. I move that the House take a recess until to-morrow at 10 o'clock, and will state that if this is done I will move an adjournment before 11 o'clock.

Mr. KEIFER. Mr. Speaker, that includes everything that took place, and you will notice from what was said on each side that there place, and you will notice from what was said on each side that there was nothing, and could have been nothing said that related to a reconsideration of the vote, or of the order of the Speaker, by which the bill was referred to the House Calendar. We had some controversy as to what would be the effect of a reconsideration of the vote by which the House had refused to consider the bill.

The SPEAKER. The Chair thinks that the latter part of the entry upon the Journal really amounts to nothing, because the House had not, by any vote, sent the bill to the House Calendar; and that the parliamentary effect of the motion is simply to reconsider the vote by which

liamentary effect of the motion is simply to reconsider the vote by which

the House refused to consider the bill.

Mr. KEIFER. With that we are satisfied.

Mr. WARNER, of Ohio. But, Mr. Speaker, I ask where does that leave the bill?

Mr. THOMPSON (to Mr. WARNER, of Ohio). That question will come up later. When the question of reconsideration is passed upon, if the House reconsiders the vote, then the whole case will be laid be-

if the House reconsiders the vote, then the whole case will be laid before the Speaker as to the condition of the bill.

The SPEAKER. The Chair simply gives his interpretation as to the parliamentary effect of the motion made yesterday afternoon.

Mr. WARNER, of Ohio. But I wish to say that my understanding of the motion to reconsider as entered by the gentleman from Kentucky corresponds exactly with the Journal, and it was talked of before the enter was made. entry was made.

The SPEAKER. Still there was no motion referring the bill to the

House Calendar.
Mr. HORR. It could not have occurred.

Mr. VALENTINE. No such words were spoken.

The SPEAKER. Is there objection to approving the Journal? If

The SPEARER. Is there objection to approving the Journal? If not, it will be approved as read.

Mr. KEIFER. Before passing from this matter, pardon me a minute. What I object to is not the Journal of this morning but the Record of this morning, which undertakes to correct the Record of yesterday morning. The suggestion of the gentleman from Ohio [Mr. WARNER] would make it appear there were two motions made, one a motion to reconsider the vote of the House refusing to consider the House bill 2511, and the other a motion to reconsider the vote by which the hill was referred to the House Calendar. We think they should be the bill was referred to the House Calendar. We think that should be corrected

Mr. WARNER, of Ohio. I asked unanimous consent to correct the RECORD so as to make it correspond exactly with the Journal and exactly with what I think took place.

The SPEAKER. The correction will be made.

Mr. WARNER, of Ohio. The correction was ordered yesterday.
The SPEAKER. The Chair thinks there can be no motion to reconsider anything except a vote taken by the House.

Mr. HORR and Mr. VALENTINE. That is right.

HOUR OF MEETING FOR TO-MORROW.

Mr. DORSHEIMER. Mr. Speaker, I move that when the House

Speaker on the arrival of the procession at the Capitol.

The SPEAKER. The Chair thinks this motion would have to be made by unanimous consent, as it fixes no particular hour at which the House will meet. Is there objection? The Chair hears none. It will be so ordered.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BURNES. I desire to make a privileged report, which I ask the Clerk to read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

as follows:
That the Senate recede from its amendments numbered 12, 13, 19, 20, 22, 23, 24, 43, 48, 51, 52, 62, 63, and 64.
That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 41, 42, 45, 46, 47, 49, 50, 53, 54, 55, 56, 57, 58, 60, 61, and 65, and agree to the

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"For salary of envoy extraordinary and minister plenipotentiary to Turkey,

"For salary of envoy extraordinary and minister plenipotentiary to Turkey, \$10,000.

"For salary of envoy extraordinary and minister plenipotentiary to the United States of Colombia, \$7,500."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,000." and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$48,880;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the word stricken out by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "And provided further. That no allowance shall be made for the keeping or feeding of any prisoner who is able to pay or does pay the above sum of 75 cents per day; and the consular officer shall certify to the fact of inability in every case;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

JAS. N. BURNES.

R. W. TOWNSHEND,

W. D. WASHBURN,

Managers on the part of the House.

W. B. ALLISON,

EUGENE HALE,

JAS. B. BECK,

Managers on the part of the Senate.

ence report. I ask that the accompanying statement of the House conferees be read. Mr. HOLMAN. Very little information is furnished by the confer-

The Clerk read as follows:

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, submit the following written statement in explanation of the conference report herewith presented.

Aside from certain verbal changes in the text of the bill and the manner of its arrangement, the bill as agreed upon by the conferees compared with the bill as it passed the House presents the following changes:

The salary of the minister to Turkey is increased from \$7,500 to \$10,000.

A minister-resident and consul-general is provided for at \$8,500 to Roumania, Servia, and Greece.

Five thousand dollars are provided for extending the commerce of the United States in the Congo Valley.

The salary of the secretary of legation in Turkey is increased from \$1,500 to \$1,800.

\$1,800.

An interpreter at \$1,000 is provided for to the legation in Corea.

Five thousand dollars are appropriated for the expenses that may occur in complying with the act regulating fees and the practice in extradition cases. For rent of buildings for legation and other purposes in China \$3,100 are given. The salaries of the consuls-general at Constantinople and Rome are increased from \$2,000 to \$3,000 each.

The salary of the consul at Hankow is increased from \$1,500 to \$3,500.

The salary of the consul at Jerusalem is increased from \$1,500 to \$2,000.

For salaries of interpreters to consulates in China and Japan \$12,000, instead of \$10,000, are given.

One thousand dollars are given for interpreters and guards at the consulate in Constantinople.

Constantinople.

Constantinople.

The allowance for a steam-launch for the official use of the legation at Constantinople is increased from \$500 to \$1,000, and \$500 are given for hire of a boat for use of the consulate as an an Higgo.

For the expense of a prison and prison-keeper at the consulate in Bangkok, Siam, \$1,000 are given.

For relief and protection of American seamen in foreign countries an increase of \$10,000 is given.

Five thousand dollars are appropriated for a preliminary search of the records of the French prize courts for evidence touching the French spoliation claims.

Twenty-five thousand dollars are appropriated to enable the President to meet unforeseen emergencies arising in the diplomatic and consular service and to extend the commercial and other interests of the United States.

The entire bill as agreed upon appropriates and \$1,242,255, being \$73,340 more than the amount of the bill as it passed the House; \$23,535 more than the law for the current year; \$48,100 less than as it passed the Senate; and \$380,251.75 less than the estimates submitted by the State Department for the year ending June 30, 1866.

JAMES N. BURNES, R. W. TOWNSHEND, W. D. WASHBURN, ors on the part of the House Manager

Mr. BURNES. I move the previous question on the adoption of the conference report.

The previous question was ordered; and under the operation thereof the report was adopted.

Mr. BURNES moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

WIDOW OF MAJ. THOMAS T. THORNBURGH.

Mr. WOLFORD. I call up the motion to reconsider the vote by which House bill 7655, to increase the pension of the widow of Major

Thornburgh, was rejected.

The SPEAKER. The gentleman from Kentucky [Mr. Wolford], as a privileged matter, calls up the motion to reconsider the vote by which the House refused to pass the bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army.

Mr. WARNER, of Ohio. I will inquire whether that is in order at

The SPEAKER. It is.

Mr. HEWITT, of Alabama. I move to lay the motion to reconsider on the table.

The question being taken on the motion of Mr. HEWITT, of Ala-

bama, there were—ayes 54, noes 93.

Mr. WARNER, of Ohio. It was agreed unanimously—

The SPEAKER. The Chair has not announced the result of the

Mr. WARNER, of Ohio. I rise to a point of order. When this bill was considered in the House last Friday evening it was agreed unanimously that there should be a vote upon it by yeas and nays. I think the RECORD will show that.

The SPEAKER. Was that agreement made in Committee of the

Whole?

Mr. WARNER, of Ohio. In the House.

The SPEAKER. An agreement among members may bind them individually, but unless there was an order of the House the Chair can not recognize any agreement.

Mr. WARNER, of Ohio. An order to that effect was entered, I under-

It was to be entered, and I ask whether it was not?

The SPEAKER. The gentleman claims that an order was made that the yeas and nays should be taken—on what?

Mr. WARNER, of Ohio. On the passage of the bill.

The SPEAKER. The Chair will announce the result of the vote just taken. The ayes are 54, the noes 93. So the motion to reconsider is not laid on the table.

What is now the condition of the bill? Mr. MILLS.

The SPEAKER. The motion to lay on the table is not agreed to. Mr. MILLS. What is the present condition of the bill?

The SPEAKER. The House by a vote has refused to pass the bill. The gentleman from Kentucky entered a motion to reconsider that

vote. This morning he called that up.

Mr. WARNER, of Ohio. It is now subject to amendment.

The SPEAKER. There is nothing now pending except the motion to reconsider the vote.

Mr. RANDALL. Let me correct the Chair. The gentleman from Illinois [Mr. SPRINGER] who voted with the majority moved to reconsider

The SPEAKER. The Chair supposed the gentleman from Kentucky made the motion. The gentleman from Kentucky calls it up, as he has a right to do under the rule. The question now recurs on the motion of Mr. Springer to reconsider the vote by which the House refused to pass the bill. The House will be in order, as it is impossible for the Chair to hear what gentlemen are saying on the floor.

Mr. HEWITT, of Alabama. Irise to debate— [Cries of "Order!"]

The SPEAKER. The previous question has been ordered, and the question of reconsideration is not debatable. The question is on the motion to reconsider the vote by which the bill was rejected.

The motion was agreed to.

The SPEAKER. The question now recurs on the passage of the

Mr. WOLFORD. I demand the previous question on the passage of the bill.

The House divided; and there were—ayes 96, noes 42.

So the previous question was ordered.

Mr. WARNER, of Ohio. I rise to a parliamentary inquiry. There being no debate before the previous question, is it not debatable under the new rule for thirty minutes?

Mr. RANDALL. It was debated in the Committee of the Whole

House on the Private Calendar, and therefore does not come under the

Mr. WOLFORD. I move to reconsider the vote by which the previous question was ordered; and also move the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. WARNER, of Ohio, rose. [Cries of "Regular order!"]
Mr. WARNER, of Ohio. Let me have five minutes.
Mr. KEIFER. I make the point that debate is not in order.
Mr. RANDALL. I rise to a point of order. This bill was discussed

at some length in the Committee of the Whole House on the Private to the House of facts I submit to the House of facts I submit to the House it does not come under the special rule.

The SPEAKER. The Chair will examine the RECORD.

Mr. RANDALL. The previous question having been ordered on that

evening, it does not come under the special rule.

The SPEAKER. The Chair will cause to be read from page 1660 of

the CONGRESSIONAL RECORD what occurred in Committee of the Whole House in reference to this bill, which, perhaps, will amount to an agreement among members as to the proceedings of the House.

The Clerk read as follows:

Mr. RANDALL. The gentleman from Ohio has made a suggestion that the friends of this measure will agree to, that the previous question prevail in the engrossment and third reading of the bill, and that there be allowed on each side five minutes for debate.

Mr. Warner, of Ohio. I have no objection to that.

Mr. PERKINS. And that the vote shall not be taken until a quorum is present.

Mr. Warner, of Ohio. That is the understanding.

Mr. Rogers, of Arkansas. Can the House be bound by any agreement made in Committee of the Whole?

Mr. Randall. This agreement can be made after the committee rises to-night in the House.

in the House.

Mr. CONVERSE. And made a matter of record on the Journal.

Mr. PERKINS. Let me ask if any agreement made in this manner in Committee of the Whole will have any binding effect upon the House?

The CHAIRMAN. The gentleman from Arkansas has just made the same inquiry. It is suggested that the agreement be made in the House when it comes before the House after the committee rises.

Mr. WARNER, of Ohio. That is satisfactory to me.

The bill was accordingly laid aside to be reported to the House with the recommendation that it do pass and with the understanding above recorded.

Mr. RANDALL. That takes it out of the special rule.

Mr. KEIFER. That agreement should be carried out.

The SPEAKER. The Chair thinks that agreement should be adhered to.

Mr. RANDALL It will be

Mr. HEWITT, of Alabama. I thought I was recognized. The bill comes from my committee.

The SPEAKER. There will be five minutes on each side for debate.

Mr. HEWITT, of Alabama. I am opposed to the bill.

The SPEAKER. There will be five minutes for and against the bill. Mr. WARNER, of Ohio. I made the point in the House and it was agreed I should have five minutes.

The SPEAKER. The Chair recognized the gentleman from Ohio because the agreement in regard to the debate seems from the RECORD

to have been made by that gentleman.

Mr. WARNER, of Ohio. This is a bill to increase the pension of the

widow of Major Thornburgh from \$25, to which she is entitled under the law and which she now draws, to \$50 a month. If the House passes this bill, then I hold it should increase the pension of the widow of every major, of every lieutenant-colonel, of every colonel, of every brigadier-general, and of every major-general who was killed in battle in any war, to \$50 a month.

Further still, why draw the line at the rank of major? Why give their widows \$50, while the widows of captains and lieutenants are allowed but \$22 or \$17? Or why stop there? There are 75,000 widows of private soldiers, who were killed in battle or died from disease or wounds incurred in the service, who are receiving but \$8 a month. There are 75,000 more claims of widows on file waiting adjudication, asking even for \$8 per month, which has not yet been allowed them. Passing these all by, it is proposed in this bill to make an exception in one case out of a large number of cases probably just as worthy, just as meritorious as this. In my notion of things this is not right, it is not equitable, it is unjust to all who are equally deserving and equally entitled to the beneficence of the Government. beneficence of the Government.

beneficence of the Government.

And I do not believe, Mr. Speaker, that we can do this without breaking down all principles upon which pensions are granted. It is establishing a new and unwarranted precedent. Can this Government say to the widow of one officer who was killed in some battle, "You shall have a pension of \$50 a month," and to the widow of another officer of the same rank who was killed in another battle or perhaps in the same battle, "You shall have a pension of but \$25 a month?" I do not think, sir, that we can afford to do that. But if this bill passes we do that very thing, unless all widows of officers are granted like pensions. By the passage of this bill, I say the House will be taking that position. It becomes, therefore, a precedent entirely new, and one which will vex Congress in future.

There are some 7.500 pensioners on the rolls drawing \$25 a month.

will vex Congress in future.

There are some 7,500 pensioners on the rolls drawing \$25 a month. I do not know how many are the widows of officers who would be as justly entitled to \$50 as the widow of Major Thornburgh. Is it possible that because an officer was educated at West Point his widow becomes entitled to more than the widow of a volunteer officer? That Major Thornburgh was a brave and gallant officer none will dispute. But there were other officers who lost their lives on battlefields who were just as true and worthy as he, and whose widows are as needy and are as much entitled to the consideration of this Government as is the widow of Major Thornburgh.

I appeal to the House to do equal justice to all; not to take up one

of Major Thornburgh.

I appeal to the House to do equal justice to all; not to take up one case from the top of the pension-roll and raise that higher, while we leave the great majority of pensioners—the 75,000 widows of private soldiers, many of them killed in battle while bravely doing their part—to draw but \$8 a month, out of which they must support and educate their families. The average pension to disabled soldiers is but about \$4 a month. The place to begin to raise pensions is from the bottom ranks, not from the top. Begin with the widows who get but \$8 a month, not with those who get \$25; and then treat all alike. The essence of justice is equality. I have entered my protest against the passage of all bills of this kind. I would not, with my view of pensions, be consistent if I did not.

Mr. HEWITT, of Alabama. Will the gentleman let me ask him a question?

question?

Mr. WARNER, of Ohio. Very good.

Mr. HEWITT, of Alabama. I wish to ask the gentleman if the House has not refused to increase the pension of Mrs. Cushing?

Mr. RANDALL. Yes; and it did very wrong in so refusing.

Mr. WARNER, of Ohio. And it has refused to grant pensions to other widows of officers of like rank in the Army and Navy.

I yield now the remainder of the time to the gentleman from Kansas [Mr. MORRILL.], if he desires to occupy it.

The SPEAKER. The gentleman has one minute of his time remain-

ing.

Mr. MORRILL. I desire to say, Mr. Speaker, that this is simply establishing a precedent never established before. Hundreds of officers of the rank of major, lieutenant-colonel, and colonel fell while leading their regiments in battle, but their widows are allowed only from \$25 to \$30 a month. Here was a man who was educated at the expense of the Government, who for thirteen years was drawing a liberal salary, and, happening to be killed on an Indian raid, they now propose to increase his widow's pension from \$25 to \$50, and all the time the widows of the hundred thousand soldiers who perished on the battlefields or in the hospitals are receiving but \$8 a month.

Mr. WARNER, of Ohio. And let me add in this connection that this is a report adversely from the committee.

Mr. MORRILL. The committees of the House and the Senate both report adversely upon it.

Mr. WOLFORD. The gentleman is entirely mistaken. The House committee did not report adversely upon the bill.

Mr. HEWITT, of Alabama. The House committee did.

Mr. WOLFORD. I will not yield to you now. I state facts, and I want my own time in this discussion. I repeat they did not report adversely but favorably upon the bill. The only change was that the amount was reduced from \$50 to \$30. That was the exact report of the House committee.

Everbody admits, as has been admitted by the distinguished gentleman from Ohio [Mr. WARNER], that this is an exceptional case.

Mr. WARNER, of Ohio. Yes, very exceptional, it seems you are

trying to make it.

Mr. WOLFORD. Everybody admits who has read the history of the gallant Thornburgh, a man who was sent out on a dangerous expedition with fewer men than were requisite for protection, and who gave up his life in the discharge of his duty—I repeat everybody admits that this pension should be granted to his widow. There is no man who has read the history of his gallant efforts in behalf of his country who

has read the history of his gallant efforts in behalf of his country who will doubt that he made one of the most daring, chivalrous, and gallant charges that has ever been made on this earth, and no person who has examined into this case with proper care will doubt that it is one demanding consideration at our hands.

But the gentleman from Ohio comes up here and says that this man who went as a mere boy into the Army of the United States, who went out on the plains to fight the Indians, who fell beneath his glorious colors distinguished for his gallantry, who won faster than any other man in the United States service distinction and rank, who at his own request went into the line of the regular Army instead of into the Quartermaster's Department—I say that everybody who has read that history, who has read Sherman's report or read Schofield's report or the reports of General Crook, must see that this man has accomplished more great things, brave, noble, manly, ambitious as he was, and that he had a prominent future before him, with rank and honors waiting him at no distant day. But what do you see here? The gentleman him at no distant day. But what do you see here? The gentleman from Ohio says that you do injustice to the private soldiers because you recognize the gallantry of this man. Does anybody believe that our fathers thought the time would ever come, or will it ever come in

you recognize the gallantry of this man. Does anybody believe that our fathers thought the time would ever come, or will it ever come in this country's history, when the widow of a private soldier expects to receive the same pension that a gallant officer's widow does?

Mr. HOLMAN. I hope so. Why not?

Mr. WOLFORD. They did not do as much. The order of God Almighty is that he who has done much shall receive much. [Applause.] That is the rule which will be observed at the great day of accounts when we shall all stand before the great White Throne. Then those who have done much good shall receive much. Major Thornburgh did much. He did more than any other man could have done unless he was placed in the same situation. God Almighty placed him in that situation, and he died a martyr for his country. I say you will spend millions of dollars to educate the children of the Indians who murdered him, but you will not educate the great Thornburgh's children. You will give money to educate the children of the red man, the man who scalped him and murdered him, but you will not give money to educate Thornburgh's children.

And I want to call the attention of the House to the fact that no one of these special pleaders has ever introduced a bill to increase the pension of the widows of the privates.

Mr. MATSON. I beg the gentleman's pardon; he is mistaken. I have myself introduced and reported a bill to increase the pensions of the widows of private soldiers from \$8 to \$12 a month.

Mr. WOLFORD. I can not yield for interruptions.

The SPEAKER. The time of the gentleman from Kentucky [Mr. WOLFORD] has expired.

Mr. MATSON. I move to recommit the bill with the instructions

WOLFORD] has expired.

Mr. MATSON. I move to recommit the bill with the instructions which I send to the desk.

The Clerk read as follows:

Recommit the bill to the Committee on Pensions, with instructions to inquire into the question whether a general bill to increase the pensions of the widows of all officers and soldiers killed in battle to \$50 a month shall be reported by said committee.

Mr. VALENTINE. I make the point of order that that is an instruction to convert a private bill into a general bill, which is not in order.

The SPEAKER. The Chair thinks the point of order is well taken. Mr. MATSON. Then I move to recommit the bill without instruc-

The question being taken on the motion to recommit, there wereayes 80, noes 104.

Mr. MATSON and Mr. HEWITT, of Alabama, called for the yeas and

The yeas and nays were ordered, 52 members voting therefor.

The question was taken; and there were-yeas 119, navs 126, not voting 79; as follows:

YEAS-119.

Adams, G. E.	Davidson,	Houseman,	Rogers, J. H.
Alexander,	Davis, G. R.	Howey,	Rosecrans, *
Anderson,	Davis, L. H.	Jones, B. W.	Rowell.
Bagley,	Deuster,	Jones, J. H.	Seymour,
Ballentine,	Dockery,	Jones, J. K.	Shively,
Barksdale,	Dorsheimer,	Lanham,	Skinner, T. G.
Belmont,	Dowd,	Long,	Smalls,
Bennett,	Dunn,	Lovering,	Steele,
Blackburn,	Eaton.	Lowry,	Stevens,
Blount,	Eldredge,	McMillin,	Stockslager,
Bowen,	English,	Matson,	Taylor, J. M.
Buckner,	Ermentrout,	Maybury,	Thomas,
Burnes,	Forney,	Miller, J. F.	Tully,
Cabell.	Funston,	Miller, S. H.	Turner, H.G.
Campbell, Felix	Fyan.	Mills,	Turner, Oscar
Campbell, J. M.	Geddes,	Money,	Van Alstyne,
Candler,	Gibson,	Morrill,	Vance,
Cannon.	Graves.	Moulton,	Van Eaton,
Carleton,	Green,	Muldrow,	Warner, A. J.
Clements,	Halsell,	Muller,	Warner, Richard
Cobb,	Hammond,	Mutchler,	Wellborn,
Cook.	Hancock,	Oates,	Weller,
Cosgrove,	Hardeman,	O'Ferrall,	Wilkins,
Covington,	Hatch, H. H.	Peel,	Williams,
Cox, S.S.	Hatch, W. H.	Perkins,	Willis,
Cox, W. R.	Hemphill,	Peters,	Winans, E. B.
Crisp,	Hewitt, G. W.	Pierce,	Winans, John
Culberson, D. B.	Hitt,	Price,	Wise, G. D.
Culbertson, W. W. Cullen,	Hoblitzell, Holman,	Pryor, Reid, J. W.	Yaple.
TOTAL STORY OF THE			

NAYS-126.

Aiken,	Fiedler,	Libbey,	Singleton,
Arnot,	Findlay,	Lyman,	Skinner, C. R.
Atkinson,	Finerty,	McAdoo,	Smith, H. Y.
Barbour,	Follett,	McComas,	Spooner,
Barr,	George.	McCormick,	Stephenson,
Bayne,	Glascock,	Millard,	Stewart, J. W.
Beach,	Goff,	Morse,	Stone,
Bingham,	Guenther,	Murphy,	Strait,
Bisbee,	Hanback,	Murray,	Sumner, D. H.
Boyle,	.Hardy,	Nelson,	Swope,
Brainerd,	Harmer,	Ochiltree,	Talbott,
Bratton,	Hart,	O'Hara,	Taylor, J. D.
Breitung,	Haynes,	O'Neill, Charles	Tillman,
Brewer, J. H.	Henderson, T. J.	O'Neill, J. J.	Valentine,
Brown, W. W.	Hepburn,	Paige,	Wadsworth,
Budd,	Hewitt, A. S.	Parker,	Wait,
Burleigh,	Hiscock,	Patton,	Wakefield,
Caldwell,	Holmes,	Payne,	Wallace,
Clardy,	Hopkins,	Payson,	Washburn,
Converse,	Horr,	Pettibone,	Weaver,
	Houk,	Phelps,	White, J. D.
Craig, Curtin,	Hunt,	Poland,	White, Milo
	Jeffords.	Post,	Whiting,
Dargan, Davis, R. T.	Johnson,	Pusey,	Wilson, James
	Kean.	Randall.	Wilson, W. L.
Dibble,	Keifer,	Ranney,	Wolford,
Dibrell,	Kelley,	Ray, G. W.	Wood,
Dixon,	Ketcham,	Ray, Ossian	Worthington,
Dunham,	King,	Robertson,	York,
Elliott,	Lawrence,	Rockwell,	Young.
Ellwood,	Le Fevre,	Rogers, W. F.	Toung.
Evans,	Lewis.	Russell.	

NOT VOTING-79

Adams, J. J. Belford, Blanchard, Bland, Boutelle, Breekinridge, Brewer, F. B. Broadhead, Browne, T. M. Brumm, Buchanan, Campbell, J. E. Cassidy, Chalmers, Clay, Collins,	Ferrell, Foran, Garrison, Greenleaf, Henderson, D. B. Henley, Herbert, Hill, Holton, Hooper, Hurd, Hutchins, James, Jones, J. T. Jordan, Kellogg,	Lore, McCoid, Milliken, Mitchell, Morgan, Morrison, Neece, Nicholls, Nutting, Potter, Rankin, Reagan, Reed, T. B. Reese, Rice, Riggs,	Shaw, Slocum, Slocum, Smith, A. Herr Snyder, Spriggs, Springer, Stewart, Charles Storm, Struble, Sumner, C. A. Taylor, E. B. Thompson, Throckmorton, Townshend, Tucker, Ward,
Connolly, Cutcheon, Dingley,	Kleiner, Lacey, Laird.	Robinson, J. S. Robinson, W. E. Ryan,	Wemple, Wise, J. S. Woodward,
Ellis	Lamb.	Seney.	noodward.

So the motion to recommit was not agreed to.

Mr. TALBOTT. . I ask unanimous consent to dispense with the read-

ing of the names.

Mr. PAYSON objected, but subsequently withdrew the objection, and it was then renewed by Mr. Weller.

The Clerk read the names of members voting.

The following members were announced as paired on all political questions until further notice:

Mr. Morrison with Mr. John S. Wise,
Mr. Shaw with Mr. Laird.

Mr. RANKIN with Mr. KELLOGG.

Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.

Mr. JORDAN with Mr. HENDERSON, of Iowa.

Mr. HURD with Mr. RICE.

The following members were announced as paired for this day:

Mr. REESE with Mr. LACY.

Mr. Springer with Mr. Cutcheon.

Mr. HANBACK with Mr. SNYDER.

Mr. CONNOLLY with Mr. BREWER, of New York.

Mr. NICHOLLS with Mr. HOOPER

Mr. SUMNER, of California, with Mr. CHALMERS.

Mr. HERBERT with Mr. HOLTON.

Mr. Stewart, of Texas, with Mr. Struble. Mr. Burleigh with Mr. Jones, of Alabama.

The following members were announced as paired on this vote:

Mr. Townshend with Mr. Brumm.

Mr. HARDEMAN. I desire to say that my colleague, Mr. REESE, is detained at his room by sickness.

The result of the vote was then announced as above stated.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question now is, Shall the bill pass?

Mr. WARNER, of Ohio. Considering the vote already taken as a test vote I shall not insist myself on the execution of the order of the House requiring a yea-and-nay vote on the passage of the bill.

The SPEAKER. There was no order of the House as to a yea-and-nay vote on the passage of the bill. It was an agreement simply as to debate, and the question is on the passage of the bill.

The bill was passed.

The bill was passed.

Mr. WOLFORD moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

MRS. MARIE LOUISE CRAVEN.

MRS. MARIE LOUISE CRAVEN.

Mr. HEWITT, of New York. Mr. Speaker, pursuant to the same arrangement as in the last case, I now call up the bill (S. 1228) to increase the pension of Mrs. Marie Louise Craven.

The SPEAKER. Is there a motion to reconsider?

Mr. HEWITT, of New York. On Friday night last, at the same time when the agreement as to the Thornburgh bill was made, it was arranged that the House should at its next regular session for private bills consider the bill for increasing the pension of Mrs. Marie Louise Craven, and that a yea-and-nay vote should be taken upon it if required.

The SPEAKER. Was the bill reported to the House by the Committee of the Whole?

mittee of the Whole?

Mr. HEWITT, of New York. It was, by the same agreement and at the same time as the Thornburgh bill. The SPEAKER. Then the question is on ordering the bill to be read

a third time Mr. RANDALL. Let us have it read by title. The Clerk read the bill by title, as follows:

A bill (S. 1228) granting an increase of pension to Mrs. Marie Louise Craven.

A bill (8. 1228) granting an increase of pension to Mrs. Marie Louise Craven.

Mr. MATSON. I desire to call the attention of the gentleman from
New York [Mr. Hewitt] to the agreement that was made in relation
to debate—that there should be five minutes on each side.

Mr. HEWITT, of New York. That was the understanding. Does
the gentleman from Indiana [Mr. MATSON] desire to occupy the five
minutes in opposition to the bill?

Mr. MATSON. The gentleman from Alabama [Mr. Hewitt] is, I
presume, entitled to the time, as the bill comes from his committee.
[After a pause.] I will undertake to control the time.

The SPEAKER. Does the gentleman from Indiana [Mr. MATSON]
desire to be heard upon this bill?

Mr. MATSON. I suppose that the gentleman from New York [Mr.
HEWITT] desires to be heard in its favor.

Mr. HEWITT, of New York. Mr. Speaker, under the practice of
the House I suppose that the first five minutes belongs to the gentlemen on the other side.

Mr. MATSON. Mr. Speaker, this is a bill to increase the pension of

men on the other side.

Mr. MATSON. Mr. Speaker, this is a bill to increase the pension of the widow of Commander Craven, and is very similar in character to the bill which has just passed the House. This is the case of an officer of the rank of commander, below the rank of a general officer. The precedent has been made in this House, and well established, of increasing the pensions of the widows of general officers to \$50 a month. There have been some exceptions to that rule; among the number the bill that has just passed the House; but the general practice has been to limit these increased pensions of \$50 a month to the widows of general officers, and whenever you go beyond that the question is, Can this Government afford to give \$50 a month to the widows of all its soldiers? That is the question.

Government afford to give \$50 a month to the widows of all its soldiers? That is the question.

Mr. WARNER, of Ohio. That is the question.

Mr. MATSON. It is a very plain practical question, Mr. Speaker, and I ask any gentleman who favors this bill to consider how he could resist an application from the widow of a soldier to have her pension increased to \$50 a month when he is willing to increase the pension of the widow of this officer to that amount. How could he refuse? Our pension laws have been made in such a way as to discriminate in relation

to rank. That may have been right, or it may have been wrong; but the laws are fixed, and without some precedent the law itself ought to control in regard to the rate of pension to be allowed to the widows of officers and soldiers. If this House embarks upon this new policy of increasing pensions indiscriminately, there is no telling where it will

The effect of it is to legislate for favorites; that is the proposition, to do that for some which you refuse to do for all. Now, if that is right, if gentlemen representing their constituencies here can afford to vote for the constituents of others what they know they can not get for the widows in the communities they represent, let them go ahead. I can not afford to do it; nor do I believe that any gentleman who represents a soldier constituency upon this floor can afford to vote for a bill that will give larger pensions to the constituents of others than he could possibly get for his own.

The SPEAKER. There are two minutes remaining of the time in

opposition to the bill.

Mr. MATSON. I reserve the remaining time.

Mr. HEWITT, of New York. The proposition of the gentleman from Indiana is that the law grants pensions in accordance with rank, and that no exceptions should ever be made except by a change in the general law; in other words, that no circumstances can occur to take a pensioner out of the general category fixed by law. But this House has been in the habit of making such exceptions. It made one only the other day in the case of the widow of General George H. Thomas; it made one only two weeks ago in the case of the widow of Lieutenant Greene, a lady who was entitled under the law to a pension of \$25 a month, which was raised to \$50 a month. There are therefore exceptions to the gentleman's rule, and on this very day this House has made, and justly made, an exception in the case of the widow of Lieutenant Thornburgh.

The practice of the House, then, having been established, it only remains for me to bring the case of Mrs. Craven within the rules under

which the House acts.

Lieutenant Craven was a commander in the Navy of the United States. At the time of his death he was in command of the ship Tecumseh. Admiral Farragut was about to enter the harbor of Mobile with that fleet whose achievements have made his name glorious—Farragut, to whose widow Congress voted a pension of \$2,000 a year. He waited for the Tecumseh to arrive from New York before he would attempt to enter the bay of Mobile, and he announces her arrival in this language:

The Tecumseh, Commander Craven, arrived on the evening of August 4, and everything being propitious I proceeded to the attack on the following morning, the Tecumseh having been given the leading position.

Again Admiral Farragut says:

The attacking fleet steamed steadily up the main ship-channel, the Tecumseh firing the first shot at forty-seven minutes past 6 o'clock a. m.

The Tecumseh was struck by a torpedo and sunk, carrying down with her nearly all the crew and her gallant commander. . This is how

When the monitor Tecumseh was sunk at the battle of Mobile Bay her gallant captain, Commander T. A. M. Craven, of the Navy, went down in her. At the moment of the explosion Craven and the pilot, Mr. John Collins, were in the iron tower, or pilot-house, directly over the turret, steering the ship to attack the confederate iron-clad Tennessee. Seeing the inevitable fate of the vessel, Craven and the pilot scrambled down into the turret and met at the foot of the tron ladder leading to the top of the turret through a narrow scuttle, the only exit now left for escape from the doomed vessel. At that point Craven drew back in a characteristic way and said, "After you, pilot!" "There was nothing after me," relates Mr. Collins, who fortunately escaped to tell the tale of heroism. "When I reached the topmost round of the ladder the vessel seemed to drop from under me."

Finally, when Admiral Farragut announced to the Department that the Tecumseh had been lost and that her brave commander had met death like a hero, as he was, the Admiral received the following reply from the Secretary of the Navy:

Great results in war are seldom attained without great risks, and it was not expected that the harbor of Mobile would be secured without disaster. The loss of the gallant Craven and his brave companions, with the Tecumseh, by a concealed torpedo, was a casualty which no human foresight could guard.

Now listen! The Secretary continues:

While the nation awards cheerful honors to the living, she will ever hold in grateful remembrance the memory of the gallant dead who periled their lives for their country and died in her cause.

That was the pledge given by the Secretary of the Navy to the gallant Craven who lost his life in the cause of his country—the pledge that that country would provide for his widow and his children. They are now in poverty, and they come here to ask that their pittance of \$30 a month shall be increased to \$50, in accordance with the repeated aca month shall be increased to \$50, in accordance with the repeated action of this House in dealing with the families of men by whom heroic deeds have been performed. I appeal to the House to redeem the pledge made by Secretary Welles in the hour of victory when death deprived Mrs. Craven of her heroic husband. Death under such circumstances ought to be equivalent to promotion of the single grade which would have entitled her to the pension proposed in this bill.

Mr. MATSON. I yield the remainder of my time to the gentleman from Georgia [Mr. HAMMOND].

Mr. HAMMOND. Mr. Speaker, the reading of the words "grateful remembrance" recalled to my mind a law in regard to soldiers passed some years ago by Congress. I ask the Clerk to read from the fifteenth

volume of the Statutes at Large a portion of an act approved March 3,

The Clerk read as follows:

And be it further resolved, That in grateful recognition of the services, sacrifices, and sufferings of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits to give them the preference for appointments to remunerative situations and employments.

Mr. HEWITT, of New York. Craven is dead. Mr. HAMMOND. I have had this provision of the law read for the purpose merely of showing how absolutely ridiculous Congress makes itself on the subject of the soldier. There is an advertisement such as is inserted in the daily papers at so much a line. And Congress is making itself quite as ridiculous in granting pensions every day in "exceptional" cases. Every case is "exceptional" because these gentlemen fear to vote against the soldier.

[Here the hammer fell.]

The SPEAKER. The question is on ordering the bill to be read a

Mr. WARNER, of Ohio. Is the bill now open to amendment?
The SPEAKER. It is not. The previous question has been ordered.
[Having taken the vote.] The ayes are 60, the noes 92. The noes have it, and the bill is rejected.
Mr. GEORGE D. WISE. I move to reconsider the vote just taken; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. HOLMES, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 305) for the relief of Thomas T. Stratton, assignee of W. B. Waldran;

A bill (S. 1347) for the relief of the sufferers by loss of the Government steamer J. Don Cameron;
A bill (S. 1412) authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States; and

A bill (S. 1839) for the erection of a public building at Chattanooga,

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:
A bill (S. 1031) for the relief of W. C. Marsh.

CORRECTION.

The SPEAKER. A mistake having been made in the engrossment of an amendment to a Senate bill, the Chair asks unanimous consent to lay before the House for consideration a resolution which will be

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to request the Senate to return to the House the bill of the Senate No. 229, to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., to correct an error of engrossment of the House amendment.

There being no objection, the resolution was considered and adopted. WITHDRAWAL OF PAPERS.

Mr. JOHN S. WISE, by unanimous consent, obtained leave for withdrawal of papers in the case of Phœbe A. Ross

LEAVE OF ABSENCE.

Mr. RAYMOND, by unanimous consent, obtained leave of absence indefinitely, on account of a death in his family.

ORDER OF BUSINESS.

Mr. RANDALL. I would like to make a motion that all private business for to-day be dispensed with.

Mr. VALENTINE. Will that affect the hour under the new rule?

Mr. RANDALL. No, sir.

Mr. PETERS. Will it dispense with the session this evening for

pension business?

Mr. McMILLIN. I understand that session has already been dispensed with and a session on Monday night substituted.

Mr. PETERS. If it does not interfere with the Friday night session for pension business, I will not object.

The SPEAKER. In the opinion of the Chair it would not affect that session. An order of this kind has not been so construed hereto-

Mr. RANDALL. That might take the whole day.
Mr. HOPKINS. No; the previous question has been ordered.
A MEMBER. What is the bill?
Mr. HOPKINS. The bill for the relief of Captain Bigley.
Mr. KEIFER. That can be taken up some other time.
The SPEAKER. The question is on the motion made by the gentleman from Pennsylvania that private business for to-day be dispensed

Mr. DUNHAM. Will that interfere with the evening session for pension business

The SPEAKER. It does not.

The question being taken, the motion of Mr. RANDALL was agreed

to (two-thirds voting in favor thereof).

Mr. WILLIS. I understand that the House has now dispensed with all private business for to-day except at the evening session.

The SPEAKER. That has been done.

Mr. WILLIS. Now I move that at 10 o'clock to-night the House take a recess until to-morrow morning at 10.

Mr. MORRILL. Say half past 10 o'clock to-night.

The SPEAKER. An order was made this morning, upon the motion of the gentleman from New York [Mr. DORSHEIMER], that when the House adjourns to-day it adjourn to meet upon the call of the Speaker to-morrow. The motion of the gentleman from Kentucky [Mr. WILLIS] would not interfere with that at all, because it does not contemplate an adjournment.

Mr. DORSHEIMER. What is the motion?

The SPEAKER. The gentleman from Kentucky moves the House this evening at 10 o'clock will take a recess until 10 o'clock to-morrow

morning.
Mr. VALENTINE.

Mr. VALENTINE. That ought not to be done. Mr. DORSHEIMER. I wish to say, Mr. Speake Mr. DORSHEIMER. I wish to say, Mr. Speaker, the employés of the House will be busy taking out the desks to-night, and it will be impossible to have an evening session if we are to carry out the proceedings which have been arranged by the joint committee of the two Houses. I venture to suggest instead of a session this evening a session

be held some evening next week.

Mr. WARNER, of Ohio. Say Monday.

Mr. DUNN. I think that order has been made.

The SPEAKER. It was suggested yesterday evening, but was not

Mr. DORSHEIMER. If the employes of the House can have possession of this Hall to remove the desks this evening there will be then no inconvenience in taking a recess until to-morrow morning at 10 o'clock; but the members at that time will not have their desks.

Mr. MATSON. The proposition made by the gentleman from New York will not be objected to by anybody, if it were certain a session could be held Monday evening or any other evening next week. There is but one more night necessary, but that night is absolutely necessary to the passage of a number of Senate bills which ought not to be allowed to the passage of a number of senate bulls which ought not to be allowed to die and would die unless another night session is given. I apprehend the employés of the House can begin after adjournment and have his work completed before midnight.

A MEMBER. Let them have a sufficient force.

Mr. ANDERSON. I wish to inquire of the gentleman from New York whether in the event that a session were held to-night the employed the latter of the second that a session were held to-night the employed the latter of the second that a session were held to-night the employed the latter of the second that a session were held to-night the employed the latter of the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the employed the second that a session were held to-night the second that a session were held to-night the employed the second that a session were held to-night the second that a session were held to-night the second that a session were held to-night the second that the second that

ployés of the House could not have time enough to remove the desks

session to-night and a session for rivers and harbors to-morrow.

Mr. DORSHEIMER. I will say in response to the gentleman that the Architect of the Capitol has informed us it is necessary for him to have the active evening not only for the purpose of representations. the Architect of the Capitol has informed us it is necessary for him to have the entire evening, not only for the purpose of removing the desks, but arranging the platform and rearranging the seats for to-morrow, if this Hall is to be rearranged to give seats for eight hundred people on the floor to-morrow. And the time will not be too long the Architect of the Capitol will have if he can work here at once.

Mr. ANDERSON. Can not we do that to-morrow if we are not to have every exercise.

have any session?

Mr. WILLIS. I suggest this is the condition of things: Under the rule of the House we have to-night a session for pensions. That rule can not be dispensed with except by unanimous consent. Unanimous consent has been refused, and the motion I make is not in conflict with any suggestion as to the convenience of the officers for to-night. You can not dispense with the night session, it being the order of the House, except by unanimous consent. except by unanimous consent.

Mr. DORSHEIMER. In answer to the suggestion made by the gentleman from Kentucky I have to say that the arrangement by which to-morrow's proceedings are to be had is in pursuance of a law of Congress, and those arrangements, under full authority from both Houses of Congress made by the joint commission, require this room shall be in pos-

session of the employés of the House this evening.

Mr. MATSON. Unless we have our session for pensions to-night there is probability no session can be had to-night, and therefore I shall

be obliged to insist.

Mr. RAY, of New Hampshire. If we have an evening session at 7 and get through at 9, then the employés can have the benefit of an hour or two we should otherwise occupy by taking a recess until 8, as usual.

The SPEAKER. The question now before the House is on the mo-

tion of the gentleman from Kentucky that the House, at 10 o'clock

this evening, will take a recess until 10 o'clock to-morrow morning.

Mr. RAY, of New Hampshire. I ask by unanimous consent the evening session shall commence at 7 and close at 9.

Mr. WILSON, of Iowa. The House, by a concurrent resolution, has agreed with the Senate to give up the use of this Hall to-night.

The SPEAKER. There is no order of the House heretofore made

in reference to any proceeding to-day; it is only for to-morrow.

Mr. WILSON, of Iowa. Does not the agreement of the Senate provide for removing the seats on this floor?

The SPEAKER. It does; but it does not provide when it shall be

done.

Mr. McMILLIN. The motion of the gentleman from New Hampshire will meet every necessity of the case.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent the session this evening shall begin at 7 and close at 9.

There was no objection, and it was ordered accordingly.

Mr. WILLIS. I now, Mr. Speaker, modify my motion to the effect that the House shall take a recess at 9 o'clock to-night to meet at 10 o'clock to-morrow morning.

Mr. VALENTINE. Then if that prevails the House will be in ses-

Mr. VALENTINE. Then if that prevails the House will be in session during the ceremonies at the monument?

Mr. WILLIS. Yes, sir.

Mr. VALENTINE. I trust the motion will not prevail.

The question being taken on the motion of Mr. WILLIS, on a division there were—ayes 59, noes 91.

So the motion was not agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the amendments of the House of Representatives to the resolution of the Senate of July 14, 1884, to print the report of the Senate Committee on Education and Labor and the rela-

tions between labor and capital, with accompanying testimony.

Also, that the Senate had passed with amendments, in which the concurrence of the House of Representatives was requested, the bill (H. R. 3933) to declare forfeited land granted to the Texas Pacific Railroad

Company, and for other purposes

ALLEGED FRAUDS IN OFFICIAL-ENVELOPE CONTRACTS.

Mr. BINGHAM. I wish to make a privileged report. Mr. Speaker, I am directed by the Committee on Post-Offices and Post-Roads to report back a resolution of inquiry referred to that committee.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

The Clerk read as follows:

Whereas sundry newspapers in the country published notices during the summer of 1884 concerning alleged great frauds in the supply of official envelopes to the Post-Office Department, whereby many thousands of dollars were lost to the Government:

Resolved, That the Postmaster-General be, and is hereby, requested to communicate to the Committee on the Post-Office and Post-Roads all the facts, with papers or copies thereof, connected with the annullment in August, 1884, of the contract with P. P. Kellogg & Co., of Springfield, Mass., for the supply of official envelopes for the fiscal year ending June 30, 1885; also how the cost of envelopes under the said contract compared with the cost of the same in the contract subsequently made; also whether envelopes inferior to contract-requirements were furnished under any other contract than the said one of P. P. Kellogg & Co.; also whether any officer or employé of the Government was at fault in connection with the supply of any such inferior envelopes; and also what action has been taken by the Postmaster-General to protect the interests of the Government in connection with the supply of such inferior envelopes.

Mr. VALENTINE. I think this resolution is scarred warviveleged in

Mr. VALENTINE. I think this resolution is scarcely privileged in its present form. If information is sought by the House it would be proper, but this is a request that the Committee on Post-Offices and Post-Roads be informed of these facts.

Mr. BINGHAM. I will change that at the suggestion of the gentle-

an. This is unanimously requested by the committee.

Mr. VALENTINE. Let the information come to the House and not to the committee.

The SPEAKER. The rule of the House requires all communications from heads of Departments to be addressed to the House itself.

Mr. BINGHAM. I will change that, so it will read:

That the Postmaster-General be, and he is hereby, requested to communicate to the House of Representatives, &c.

Mr. VALENTINE. This should be done. I noticed a day or two ago that a resolution of that kind appeared by the RECORD to have been passed; but I think in all cases they should be made to conform to the

The resolution as modified was agreed to.

Mr. BINGHAM moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The hour under the special rule begins at nine

minutes past 2 o'clock.

Mr. WILLIS. I wish to ask what is probably in the nature of a parliamentary question. Under the order of the House is there not a session required to-morrow?

The SPEAKER. There is; but it will not begin until the House

shall be called to order by the Speaker after the procession has arrived at the Capitol.

CUSTOM-HOUSE LOT, PROVIDENCE, R. I.

Mr. SPOONER. Mr. Speaker, I ask to take up, under the special rule, from the Speaker's table Senate bill 194, to authorize the Secretary of the Treasury to convey land in Providence, R. I., for highway purposes, and put it upon its passage.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury is hereby authorized to convey to the city of Providence, in the State of Rhode Island, for highway purposes, such portion of the old custom-house lot, so called, owned by the United States, situated on the southwest corner of South Main street and Custom avenue, in said city, as may be required for the widening of said South Main street upon the application for such widening now pending in the supreme court of Rhode Island.

SEC. 2. That the Secretary of the Treasury is authorized to agree with the city of Providence upon the amount of compensation to be paid the United States for said land and damages to the building on said lot, and to receive such amount in full payment therefor.

Mr. SPOONER. I desire to move an amendment to the Senate bill by striking out the word "southwest," in the seventh line of the printed bill, and inserting in place thereof "northwesterly." This is to correct a misdescription of the location of the lot in question.

Mr. MILLS. Is the Government to be paid for this land? Mr. SPOONER. The Government is to be paid.

Mr. MILLS. How is the value to be arrived at?

Mr. SPOONER. By agreement with the Secretary of the Treasury.
Mr. MILLS. What does he know of the value of lands in Rhode
Island? Would it not be better that there should be some commis-

sioner appointed to ascertain and report the value of the land?

Mr. SPOONER. I suppose the Secretary of the Treasury could easily ascertain through inquiry of the officers of the United States the value

of the property.

Mr. MILLS. It seems to me it would be better to have it ascertained by some person familiar with the value of property in that city.

Mr. WELLER. Let me ask the gentleman from Rhode Island if

these lands are not required for the use of the public buildings there

Mr. SPOONER. No; not more than this, as stated very fully in the report of the committee: The lot in question is the old custom-house lot, upon which an ancient building now stands about 40 by 40 feet in extent, which building is used now for store-house purposes, the custom-house business being transacted in the new custom-house building

erected some twenty or more years ago.

Mr. WELLER. I desire to inquire further of the gentleman if the sale of this lot will not necessitate the buying of other lands to accommodate the public buildings in that locality; and I would like to add also to the question if that is not the purpose of the parties who have

Mr. SPOONER. That is not at all the purpose of this bill, nor of those moving in it. As is well understood, probably, in our Eastern cities, and peculiarly so in Providence, the streets laid out in early days were many of them very crooked and narrow. With the extension of business and the increase of population it has been necessary to

widen and straighten a great many of our streets, and the project of widening and straightening this particular street, which is one of the principal streets in the city, has been a consideration for many years.

Proceedings are pending in the supreme court of Rhode Island under the Rhode Island law for the appointment of commissioners and to provide for the straightening and widening of this street. Under the law all of those who are injured or damaged by reason of what is being

all of those who are injured or damaged by reason of what is being done, or whose property is damaged by reason of widening or straightening the streets, are compensated by the city, and the amount of such compensation is arrived at in the first instance by commissioners appointed by the supreme court, and if their decision is deemed insufficient or unsatisfactory, by an appeal to the court itself.

It seems to me that the bill is perfectly guarded, and there is no design or intent on the part of the city of Providence to do otherwise than to pay a fair value for the land taken and the damages occasioned. If it is thought better by the House the amount of damages should be ascertained in the same manner as damages to private property by proceedings in court, I will offer a section to that effect; but I do not think it necessary.

The SPEAKER. The time for debate in support of the bill has expired.

Mr. WELLER.

I call for the reading of the report in my time in

opposition to the bill.

The SPEAKER. The gentleman from Iowa rises to oppose the bill, and asks for the reading of the report in his time.

Mr. SPOONER. I send to the desk the report made by the House committee on identically the same bill which they have reported to

The Clerk read the report (by Mr. HOPKINS, from the Committee on Public Buildings and Grounds), as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 2703) to authorize the Secretary of the Treasury to convey land in Providence, R. I., for highway purposes, respectfully report:

That said city of Providence has an application pending in the supreme court

of the State of Rhode Island, under the laws of said State, to enable said city to widen and straighten South Main street, in said city, and thereby to make an improvement demanded by the business interests of that locality.

The "old custom-house lot," so called, belonging to the United States, is situated on the northwesterly corner of said South Main street and Custom avenue, measuring about forty feet on South Main street and about sixty-four feet in depth. The "old custom-house," an ancient brick building, about forty by forty feet in width and depth, and two and one-half stories in height, and now used as a storehouse, stands upon the front portion of said lot, and on the present westerly line of South Main street.

For the purpose of said proposed widening and straightening, a small portion of the front part of said lot is required.

Your committee are of the opinion that the bill sufficiently protects the Government interests involved; and, as the payment of damages to said lot and to the building thereon is provided for in said bill, they recommend the passage thereof.

Mr. WELLER. I am of the opinion there should be objection offered to the consideration of this bill, with the suggestion that it be referred back to the committee, with instructions to make an amendment, creating a commission to appraise this property instead of leaving it to the judgment of the Secretary of the Treasury.

Mr. SPOONER. I hope that will not be done.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WELLER. I object.

Further objections being called for, only three members rose-not a sufficient number.

The SPEAKER. If there be no objection, the amendment proposed by the gentleman from Rhode Island [Mr. Spooner] will be adopted.

There was no objection.

Mr. WELLER. I now move the bill be recommitted with instructions to report an amendment that a commission be instructed to appraise the property in question.

The question being taken on the motion of Mr. WELLER, it was not

agreed to.

The bill as amended was ordered to a third reading; and it was ac-

cordingly read the third time, and passed.

Mr. SPOONER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING AT READING, PA.

Mr. ERMENTROUT. I call up the bill (H. R. 1321) for the erection of a public building at Reading, Pa.
The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office, internal-revenue offices, and other Government offices, at the city of Reading, in the State of Pennsylvania. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$80,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Pennsylvania shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. ERMENTROUT. It has never been my good fortune to have an opportunity to present any claim from the district I have the honor to represent until now; and I therefore beseech a patient hearing while I make a brief statement of the merits of this bill. The city of Reading is in point of population the fortieth city in the United States, and it is the fourth city in Pennsylvania, having a population now of between 55,000 and 60,000 people. During the last four years the average number of buildings constructed annually has been over four hundred. In 1880 there was a registration of 10,000 voters; in 1884 there was a registration of 13,000 voters, which, under the ordinary rules, indicates a population of 60.000.

dicates a population of 60,000.

The city is situated fifty-eight miles from Philadelphia, thirty-six miles from Pottsville, fifty-four miles from Harrisburg, and is the center of a rich manufacturing and agricultural region. It has at its door the anthracite-coal regions of the Schuylkill and of the Lehigh. There are two systems of railroad now running through it, the Pennsylvania Central and the Philadelphia and Reading. Its public business is large. The postal money-order business amounted in the last year at Reading to over \$100,000. The gross income of the post-office was over \$42,000; the net income over \$21,000; the total business of the office to over \$250,000. There is much more to be said in favor of the measure, but in case there are any objections to the measure, I will reserve the bal-

The SPEAKER. Five minutes are allowed for debate in opposition if any gentleman desires to occupy that time. [After a pause.] Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and heing engrossed, it was accordingly read the third time, and passed.

PUBLIC BUILDING AT COUNCIL BLUFFS, IOWA.

Mr. WILSON, of Iowa. I call up for consideration the bill (H. R. 441) for the completion of a public building at Council Bluffs, Iowa.

The bill was read, as follows:

Be it enacted, de., That the additional sum of \$100,000 is hereby appropriated to erect a post-office, court-room, and internal-revenue building at Council Bluffs, Towa, to be expended by the Secretary of the Treasury, subject to the requirements of an act for that purpose approved May 25, 1832, and the limit of cost prescribed in said act is hereby extended.

Mr. STORM. I ask if this bill has not been offered once before?
Mr. ANDERSON. That makes no difference.
Mr. WILSON, of Iowa. It has not been offered since the rule was amended so as to admit of explanations.
The SPEAKER. This bill was called up by another gentleman from Iowa who was recognized on the first day of the operation of the new rule when all these motions were objected to. Afterward the rule was

Mr. STORM. I make the point that no gentleman should be recognized to call up a bill once objected to until all other members have the privilege of calling up bills.

The SPEAKER. The rule does not make any provision as to that.

Mr. WILSON, of Iowa. I yield to my colleague from Iowa [Mr.

Mr. PUSEY. I desire to make a brief statement in reference to this measure. It is recommended by the Secretary of the Treasury that this additional appropriation be made. The Forty-sixth Congress appropriated a sum of money out of which the site was purchased and the excavation was commenced last fall. The superintendent struck quicksand and there was great difficulty in getting a foundation for the building.

building.

We have sunk some \$18,000 in building a proper foundation. We have built the wall up to the grade line of the street, and the Secretary of the Treasury asks this additional appropriation in order to complete this fire-proof building. We have to bring our material for the construction of this building five hundred miles. I settled in that town when we had but two mails a week, brought to us on buckboards, and I think there is something due to the people that go out on our frontiers and build up towns and cities, and thus change the postal service from a burden upon the Government into a source of revenue. The revenue of the post office there is now between \$35,000 and \$40,000; we have a circuit court and a district court; the town is an important business center, and I do not think there is a single gentleman on this floor who will object to the additional appropriation that is asked. [Cries of "Vote!"]

Mr. WARNER, of Ohio. I wish to ask the gentleman what amount has already been appropriated for that building.

Mr. PUSEY. One hundred thousand dollars.

Mr. WARNER, of Ohio. And this is \$100,000 more? Mr. PUSEY. Yes, sir.

Mr. WARNER, of Ohio. I will offer an amendment to reduce the I will not make objection to the consideration of the bill, but I ask the gentleman from Iowa [Mr. PUSEY] to accept the amendment which I send to the Clerk's desk to be read in my time.

The Clerk read as follows:

Add the following:
"And no plan shall be approved which will involve the expenditure for site and building complete, including the approaches, of any sum greater than the limits herein fixed."

Mr. WARNER, of Ohio. This amendment expressly prohibits the Secretary of the Treasury from accepting or approving any plan for this building which will involve a larger expenditure than the amount fixed in the bill.

Mr. PUSEY. I accept the amendment.

The SPEAKER. The gentleman from Iowa [Mr. Pusey] states that he will accept the amendment. Is there objection to the consideration of this bill? [After a pause.] If not, the amendment will be adopted and the bill ordered to be engrossed and read a third time.

Mr. WARNER, of Ohio. Mr. Speaker, I offer another amendment. The SPEAKER. The bill has been ordered to its third reading.

Mr. WARNER, of Ohio. Mr. Speaker, I understand that under the

Mr. WARNER, of Onlo. Mr. Speaker, I understand that under the rule a bill is open to amendment after debate.

The SPEAKER. This bill has been ordered to its third reading. The gentleman may move to reconsider, if he desires.

Mr. WARNER, of Ohio. I think the amount ought to be reduced. Several Members. No, no!

The bill was ordered to be engrossed and read a third time; and being

engrossed, it was accordingly read the third time, and passed.

Mr. WILSON, of Iowa, moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the

The latter motion was agreed to.

Mr. TILLMAN. Mr. Speaker, I call up from the Speaker's table the bill (S. 70) for the relief of Joseph M. Cumming, Hamilton J. Miller, and William McRoberts.

The bill was read, as follows:

Be it enacted, &c., That Joseph M. Cumming, Hamilton J. Miller, and William McRoberts, late copartners in the business of commission merchants and bonded warehousemen in the city of New York, be permitted to sue in the Court of Claims; which court shall pass upon the law and facts as to the liability of the United States for the acts of its officer, Joshua F. Bailey, by reason of the seizure, letention, and closing up of the commission houses and bonded warehouses

of said copartners, for the breaking up and interruption of their said business, and for the seizure and detention of the property, books, and papers in and connected with said business, by Joshua F. Bailey, collector of internal revenue for the fourth internal-revenue district of said State, or by said Bailey and other internal-revenue officers. The United States shall appear to defend against said suit, and either party may appeal to the Supreme Court as in ordinary cases against the United States in said court, and said suit may be maintained, any statute of limitation to the contrary notwithstanding.

The House Committee on Claims approve this bill, Mr. TILLMAN. The House Committee on Claims approve this bill, which has passed the Senate. In the last Congress the Committee on Claims in each House reported favorably upon a bill similar to this; but there was no opportunity to take it up in either body. As a member of the Committee on Claims, after thoroughly investigating the facts connected with this case, I have, in the exercise of my privilege as a member under the rule lately established by the House, called up this bill and asked that it be passed, in order to correct one of the greatest wrongs ever committed, within my knowledge, by any officer or agent of the Government. The parties who suffered this wrong were the members of a firm of merchants in New York city. Mr. TILLMAN. of a firm of merchants in New York city.

Mr. REED, of Maine. What was the date of the transaction?

Mr. TILLMAN. The transaction occurred in the latter part of 1867 and the forepart of 1868. Mr. REED, of Maine.

What was the nature of it?

Mr. TILLMAN. Joseph Cummings & Co. were commission mer-chants and exporters and importers in the city of New York, engaged in a large whisky and wine business; their sales amounting to over \$3,-000,000 a year. It was perhaps on account of the large extent and success of their business operations that they were selected for a "raid" made by an internal-revenue collector named Bailey, in order that he might levy "blackmail." He shut up their warehouse, took charge of their books and papers, and would not permit them to carry on any business whatever whatever.

Mr. PAYSON. Under what pretext? Mr. TILLMAN. Upon a general c Mr. TILLMAN. Upon a general charge of fraud without ever making any specification. After a couple of months these partners in trade, finding they could get no relief from Bailey, came to the Treasury Department here and asked whether there were any charges against their firm. They were told there were none. They then asked for an investigation. The Secretary of the Treasury sent an officer of his Department to New York, who, in company with two deputy collectors, made an investigation, and found the books, papers, and goods all right. Yet this man Bailey, persisting in his general charge of fraud, refused to surrender control of the books, papers, and goods belonging to the firm firm.

After three or four months more these merchants demanded a second investigation, which was had; and every package of goods, whether in the store or bonded warehouse, in either bottles or in wooden vessels, was examined and found to correspond precisely with the books. A report to this effect was made to the Treasury Department. When the goods were finally given up to the merchants six months had elapsed; the business season was over; the price of their goods had fallen, and the firm was ruined. The evidence is convincing that if they had been promitted by correct to fill contracts. permitted to export to fill contracts

A MEMBER. What became of Bailey?
Mr. TILLMAN. Bailey in the mean time took "leg bail."
The SPEAKER. The time of the gentleman from South Carolina

has expired.

Mr. REED, of Maine. I rise to oppose the bill, and yield my time to the gentleman from South Carolina [Mr. TILLMAN]. I desire that he may complete his explanation.

Mr. TILLMAN. I thank the gentleman. The counsel of this business firm advised them that they should first institute proceedings ness firm advised them that they should first institute proceedings against Bailey, and after getting judgment against him appeal to the Government, from which they hoped to get redress by having recourse to the sureties of Bailey. But Bailey fied. They then waited, by advice of their counsel (Mr. Allen, of the New York bar), in the hope that Bailey would return, and upon a solemn assurance of Bailey's counsel (Mr. Runkle, another member of the New York bar) that he would re-

turn. Thus time went on until their right of action was barred by the

This bill merely provides that these parties may go to the Court of Claims and that the Government or the claimant may appeal to the Supreme Court. No appropriation of money is provided in the bill, and if the case should go to the Supreme Court and should there be decided against the Government the case would have to come here for an appropriation, and all the facts and circumstances could then be re-examined here. I assure the House, after a thorough and extensive investigation, that I think the bill ought to be passed.

Mr. FINDLAY. Will the gentleman state why Bailey fled the

Mr. TILLMAN. He fled the country because he was a defaulter to the Government to the amount of about \$180,000; and although the Government officers had notice of the monstrous wrong done to these merchants—one of whom died in the poor-house a year or two ago, the other of whom, a man ruined in fortune, is now on a sick bed—although the Government officers had notice of the monstrous wrong done to these merchants and of the rascally conduct of this man toward the Govern-

ment, they compromised with his sureties for \$50,000. The point of law involved is merely the question of notice.

Mr. PAYSON. Has this matter ever been investigated by any com-

mittee of either branch of Congress?

Mr. TILLMAN. It has been examined by committees of both

Mr. TILLMAN. It has been examined by committees of both branches, and favorable reports made.

Mr. PAYSON. I mean has the proposed plaintiff ever made any application to Congress for direct relief in the form of an appropriation?

Mr. TILLMAN. Never.

Mr. McMILLIN. He never has; and this bill simply gives the right to bring a suit in the Court of Claims.

Mr. PAYSON. I understand that. I did not know but perhaps there

might have been some previous application and some adverse report.

Mr. TILLMAN. There has never been any adverse report.

Mr. TILLMAN. There has never been any adverse report.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. RAY, of New York. I object.

The SPEAKER. Gentlemen who object to the consideration of this bill will rise. [After a pause.] Only one gentleman rises; and the bill is before the House for consideration.

The bill was ordered to a third reading, read the third time, and

Mr. TILLMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

PUBLIC BUILDING, CLARKSBURG, W. VA.

Mr. GOFF. I call up for present consideration the bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase a suitable site, and cause to be erected thereon, at Clarksburg, in the State of West Virginia, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the United States courts and post-office and for other Government uses. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$50,000; and for the purposes herein mentioned the sum of \$50,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to said site shall be vested in the United States, and the State of West Virginia shall cede to the United States exclusive jurisdiction over the same during the time the United States shall be the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

Mr. GOFF. Mr. Speaker, I will not detain the House for any length of time in discussing this matter. For a great many years the courts of the United States have been held at this place, and during all these years they have used the county court-house, the county furnishing the building free to the Government of the United States, and all the necessary expenses connected with heating and lighting the same. The rapid increase of the population of that county, the extension of business, and increase of litigation have been such as to occupy it all the time by the courts of the county until it has become virtually no place where United States courts can be held. Over 300,000 people in the surrounding counties transact their business there. There is no safety to the records. Over fifty years of records of decrees of titles to to the records. Over fifty years of records, of decrees, of titles to property are kept in a frame building, without security at all. I practice in that court, and my attention has been called to this matter by citizens of Massachusetts, New York, Pennsylvania, and Maryland to the insecurity of these records. This bill has been considered by the committee and unanimously reported, and I do not desire to detain the House further.

Mr. HOLMAN. I wish to make two suggestions to the gentleman from West Virginia. One is that the whole sum should be appropriated by this bill. The provision of the statute which imposes a duty upon the Supervising Architect of the Treasury touching the construc tion of public buildings does not operate effectually until the whole

sum is appropriated.

Mr. GOFF. There is only \$50,000 for the whole amount.

Mr. HOLMAN. Then the whole amount is appropriated by this

Mr. GOFF.

Yes, sir.
AN. I misunderstood the bill from the reading. Then Mr. HOLMAN.

it is all right.

The other matter is this: Will the gentleman have objection to the limitation imposed in some of the other bills being put upon this-that the site shall first be purchased?

Mr. GOFF. It is there now.

Mr. HOLMAN. Will the gentleman consent to the provision being inserted that the Secretary of the Treasury shall not approve the plan if it involves a larger expenditure than the appropriation?

Mr. GOFF. It says the cost of the lot and building shall not exceed the cost of \$50,000 all told.

the sum of \$50,000 all told.

Mr. HOLMAN. The House having declined to adopt this provision on one bill, I do not wish to press it now, but I think my friend will find it to his advantage to have this limitation included.

Mr. GOFF. I think it is there already, and I claim nothing more.

Mr. HOLMAN. It will come in the way of a proviso which I ask the Clerk to read.

The Clerk read as follows:

Provided, That it shall be the duty of the Secretary of the Treasury after the site for said building shall have been purchased to cause plan and specifications of said building sto be prepared, which said plan and specifications shall not involve an expenditure in the erection and completion of said building and purchase thereof exceeding the portion of said \$50,000 remaining after the site of said building shall have been paid for; and no plan shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum so remaining after paying for the site of said building.

Mr. HOLMAN. I wish to say that I do not insist on this, but I think

it ought to be adopted.

Mr. WARNER, of Ohio. I ask the gentleman from West Virginia to accept it.

Mr. GOFF. Very well; let it be adopted.

Mr. WARNER, of Ohio. How far is the location of this building to the nearest point where a United States court is held?

Mr. GOFF. One hundred and twenty-five miles.
Mr. WARNER, of Ohio. At Parkersburg?
Mr. GOFF. I thoughtyou said district court. It is about one hundred miles.

Mr. McMILLIN. What is the population of this town?
Mr. GOFF. I do not know, and for this reason: The corporate limits of this town, like those of others, do not include the whole population.

Mr. McMILLIN. What about is the population?
Mr. GOFF. Five thousand.
Mr. McMILLIN. Quite small.
Mr. GOFF. The courts are held there.
There was no objection, and the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GOFF moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC BUILDING, LOUISVILLE, KY.

I call up for present consideration the bill (H. R. 4067) to change the limit of appropriation for the public building at Louisville, Ky.

The bill was read, as follows:

Be it enacted, &c., That the act entitled "An act for the erection of a public building at Louisville, Ky.," approved May 25, 1882, be amended by making the limit for said building \$1,000,000, and that sum is hereby fixed as the limit of cost

thereof.

SEC. 2. That the Supervising Architect and the officers of the United States Government having charge of the erection of public buildings are authorized and required to be governed by the limitation hereby prescribed in making contracts for the erection of said building.

Mr. WILLIS. Mr. Speaker, I have already personally explained this bill to nearly all the members of this House, and I respectfully call their further attention to the facts connected with it. Three years ago Congress passed an act to construct a public building at Louisville, Ky. The site was bought, but the architect declined to go ahead because the amount fixed in the act was as the limit of cost inadequate to the public business of that city. The Secretary of the Treasury, in a communication which I hold in my hand, recommends \$1,500,000, and we are only asking \$1,000,000, which is the amount recommended by the unanimous vote of the Committee on Public Buildings and Grounds. As introductory to some facts which I wish to present I will read the letter of the Secretary of the Treasury and the report of the committee:

COMMITTEE:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 4, 1885.

Sie: I have the honor to inclose herewith a copy of a communication from the
Supervising Architect of this Department, recommending that the limit of cost
of the proposed public building at Louisville, Ky., be extended to \$1,500,000, and
to state that I concur in the recommendation.

Very respectfully,

H. MCCULLOCH, Secretary.

To the Speaker of the House of Representatives.

TREASURY DEPARTMENT, OFFICE OF THE SUPERVISING ARCHITECT, February 2, 1885.

Sir: I have the honor to call your attention to the fact that the limit of cost fixed for the proposed public building at Louisville, Ky., is \$500,000. This amount is totally insufficient to provide accommodations for the proper transaction of the public business at this time. In view of the fact that the post-office business has more than doubled in the last ten years, and as the collections for internal revenue for the year ending December 31, 1834, and the quarter ending March 31, 1834, are more than \$10,000,000, and for corresponding dates for 1844 and 1835, will, according to the estimate of the collector, exceed \$13,000,000, I respectfully recommend that to provide for present needs, and to make proper provision for the future growth of the public business in Louisville, the limit of cost for the building be increased to \$1,500,000.

Very respectfully,

M. E. BELL.

M. E. BELL, Supervising Architect.

The honorable SECRETARY OF THE TREASURY.

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 4067) to increase the limit of appropriation for the public building at Louisville, Ky., respectfully report:

Upon a full presentation of the facts, the last Congress recognized the propriety and necessity for additional accommodations for the Federal offices at Louisville by the passage of an act for that purpose, which was approved May

25,1882. With the appropriation already made a site for the building has been secured, but no further steps have been taken. The Supervising Architect, being of the opinion that no building adapted to the increased and increasing wants of the Government service at that point can be erected within the present limit, declines from a sense of public duty to make out the plans until Congress has had further opportunity to express its judgment.

Louisville, the metropolis of Kentucky, occupies an area of eighteen square miles. Its population at the census of 1870 was 100,753; its population according to the last census was 123,758. The rapidity of its increase may be seen from the fact that since 1850 its population has trebled, and it now ranks as the sixteenth city of the Union.

But while the size and prospective growth of a city should receive due consideration, the amount of public business should, in the opinion of your committee, be the chief factor in determining the necessity and character of Government buildings to be established.

The ordinary revenues of the United States from all sources for the fiscal year ended June 30, 1883, were \$399,287,581. Of this sum \$359,428,865 were received from customs and internal revenue. In other words, over nine-tenths of all the revenues which are paid to the Government at cities where public buildings are located come from these two sources. The amount of these, therefore (customs and internal revenue), affords a criterion, at least so far as the receipts of public money are concerned, for determining the size and value of the public building to be erected.

THE INTERNAL-REVENUE OFFICE.

The collections of internal revenue at Louisville for the fiscal year ended June 30, 1883, were \$7,550,481. The amount collected for the fiscal year 1881 was \$3,489,672. In two years the receipts from this source have more than doubled, and every year hereafter they will continue to increase. By the law of 1878, whiskies are permitted to remain in bond three years before paying the tax. In districts like that of Louisville, where fine whiskies that require age to make them valuable are chiefly manufactured, a large per cent. of the product, since the passage of the law, has been left in bond, and the amount of revenue from this source has thus temporarily been diminished. The last report of the Commissioner of Internal Revenue shows that 28,107,472 taxable gallons of whisky were in bond at Louisville on the 30th June, 1833, which is 23,132,374 gallons more than any district in the country, or more than all the remaining eighty-two districts combined, excluding the Kentacky districts. During the seasons of 1881-82, comprising one year, over 20,000,000 taxable gallons of spirits were produced in that district, the tax upon which would amount to \$18,000,000 per annum. The amount of internal revenue collectible at Louisville will, therefore, hereafter average over \$12,000,000 per annum.

Upon the last official report of the Department, Louisville, as compared with the other \$4 collectors' offices in the United States, ranks fourth in importance, Chicago, Cincinnati, and Peoria being the only cities which exceed it. Onetwentieth of all the revenues from this source is collected at Louisville.

There are employed in this district 1 collector, 25 deputy collectors and clerks, 48 gaugers, and 184 storekeepers, making a total of 258 officers. Of these, 140 are on duty at Louisville.

CUSTOMS RECEIPTS.

In the custom-house at Louisville there are permanently enrolled 56 vessels, of 17,664.61 tons.

The rapid increase of customs duties may be seen from the following statement, covering a period of five years:

Amount of duties collected—
During year 1878.

During year 1879.
During year 1880.

During year 1881.

During year 1882.

During year 1883. 58, 788 75, 053

The increase of business as will be seen, has been more than 100 per cent. The transportation of foreign goods to inland ports without appraisement is destined to revolutionize the methods of collecting revenue in the United States, and the extension of the system renders it necessary for the Government to materially enlarge her interior custom-houses, as the examination and appraisement of imported goods are now performed at the interior ports instead of being made at the seaboard.

POSTAL RECEIPTS.

Next in importance to customs and internal revenue is the postal business. The postal receipts at the Louisville office for year ended June 30, 1881, were \$200,000. Of the 50,000 post-offices in the United States, Louisville is the thirteenth city in amount of business and sixteenth in receipts. Of the one hundred and nine free-delivery offices, eighty-two of them do not return one-half as much and sixty-seven of them do not return one-third as much in receipts as the Louisville office, and yet in all of them the buildings in which their business is transacted are, upon an average, fifty times larger and more expensive than the one in Louisville. It has forty carriers and thirty-five postal clerks and route agents. The total employés are ninety-four. The clerical force has more than trebled in twenty-five years.

PENSION OFFICE.

The public business of the country embraces not only receipts, but expenditures; of these the pension claims are the largest which affect this question. The pension business, at first transacted by fifty-eight officers, has since been limited to seventeen, and one of these is at Louisville. The following statement shows the amount of business in this direction:

Statement showing amount of business transacted at United States pension agency, Louisville, Ky., for the calendar years ending December 31, 1882, and December 31, 1883.

Year.	Number of payments.	Amount paid.
1882, Army pensions	24, 526 101	\$1,365,555 30 7,377 15
Army pensions	26, 884 *208	1,623,902 22 6,965 95

No surgeons paid since July, 1883, owing to exhaustion of appropriation for

A correct statement according to records of this agency.

R. M. KELLY

UNITED STATES COURTS.

The whole State of Kentucky constitutes one judicial district, in which the district and circuit courts, located at Louisville, transact four-fifths of the busi-

ness. The offices of district attorney and his assistants, of the judges of the district and circuit courts and their clerks, together with the rooms for petit and grand juries, should all be located in the same building, a result which is not now possible.

The aggregate amount of public business, besides that of the United States circuit and district courts, attended to at Louisville, Ky., would be therefore as follows:

Internal revenuereceipts	\$7,550,481
Customsdo	95,119
Post-officedo	200,000
Pension businessexpenditures	1, 630, 868
est a transfer and the second of the first transfer to the second of the second of the second of the second of	PLOT III CONTRACTOR

In view of these facts, it is the opinion of your committee that the sum of \$500,000 is not sufficient for the erection of a suitable Government building at Louisville. The estimate of the Supervising Architect of the Treasury is the sum of \$1,500,000. But inasmuch as an eligible site has been secured at the extremely low price of \$140,000, your committee recommend that the limit be raised to \$1,000,000. This will leave about \$850,000 available for the erection of the building.

Your committee therefore beg leave to report in favor of the passage of the interest of \$100,000.

Your committee therefore beg leave to report in favor of the passage of the bill, with the following amendment, namely: Strike out the words "five hundred thousand," in lines 6 and 7 of the first section, so that the limit of cost shall be \$1,000,000.

I might, Mr. Speaker, content myself with the case as presented in these two official reports, but to do so would be less than justice to the city whose claims I am now urging. What I mean to say is that, accepting the statements of the Secretary of the Treasury, the public business of Louisville the present year instead of being \$9,476,468, as stated in the report of the committee, will be \$16,925,987, or, deducting the pension disbursements and confining the public business to the three items, namely, the customs receipts, the internal-revenue receipts, and the post-office receipts, the aggregate amount would be \$15,295,120. How

	tion? I will give the public business of a few of the leat the country. I give as to these cities the three items which	ling cities of
9	nine-tenths of the public business that is transacted:	
	Philadelphia:	
	Post-office receipts	\$1,581,791
•	Internal-revenue receipts	2, 955, 174
	Customs receipts	12, 900, 078
	Total	17, 437, 043
	Cost of public building at Philadelphia, \$6,072,391.	AND Sevilany.
	Chicago:	
1	Post-office receipts	\$1, 949, 180
	Internal-revenue receipts	8, 447, 053
ì	Customs receipts	3, 850, 343
,		
	Total	14, 246, 576
3	Cost of public building at Chicago, \$5,873,746.	
	Cincinnati:	
ij	Post-office receipts	\$638, 624
	Internal-revenue receipts	9, 826, 123
	Customs receipts	815, 956
		11, 280, 703
•	Cost of public building at Cincinnati, \$5,800,000.	11, 200, 100
ı		
1	Saint Louis:	****
•	Post-office receipts	\$843, 730
3	Internal-revenue receipts	4, 995, 427
	Customs receipts	1, 530, 902
1	Total	7, 370, 059
	Cost of public building at Saint Louis, \$6,055,000.	., ,
	Baltimore:	
	Dattimore.	2000 000

2, 306, 287 Customs receipts ___ 6,001,790 Total _ Limit to cost of public building and site, \$2,555,000. Pittsburgh: \$344, 859 1, 929, 035 488, 508 Post-office receipts . Internal-revenue receipts Customs receipts.....

Post-office receipts -

Internal-revenue receipts

\$540, 503 3, 155, 000

2, 762, 393 Limit of cost of public building at Pittsburgh fixed by present Congress at \$1,500,000.

Detroit: \$314, 549 1, 207, 549 Post-office receipts_ Internal-revenue receipts.... 148, 535 Customs receipts____

1,670,595 Limit of cost of public building at Detroit fixed by present Congress, \$900,000:

The public business of Louisville for last year (the year which the preceding calculations cover) is as follows:

Louisville: Post-office receipts ... \$250, 377 Internal-revenue receipts 8, 626, 352 Customs receipts ... 119, 829 8, 996, 558

But for the present and future years (as the Secretary of Treasury But for the present and future years (as the Secretary of Treasury shows in his letter) the internal-revenue receipts will be \$15,000,000. Hence the public business of Louisville will be, as I first stated, for the current year, over fifteen millions. Upon either of these estimates it will be seen that the limit of \$1,000,000 is far, very far, within what the judgment of either this or preceding Congresses has fixed as a proper limit for a public building.

Taking the first and smaller estimate, it will be seen that the port business of Louisville was last year over three times as great as Pittsburgh and over five times as great as Detroit, and yet the pending bill

business of Louisville was last year over three times as great as Pittsburgh and over five times as great as Detroit, and yet the pending bill asks you to give it only \$100,000 more than you have given Detroit and \$500,000 less than you have given Pittsburgh. Ivoted with pleasure for both of these cities, and I refer to them now not in any complaining spirit, but simply to show the very reasonable request that my own district is now making. If this Congress applies the same rule to Louisville as to Detroit and Pittsburgh, it will fix a limit of \$4,500,000 instead

of \$1,000,000.

So much for the leading cities of the Union. If time permitted I could show from a tabular statement before me that if the same ratio were observed at Louisville as at six-sevenths of the cities of the United States it would now, averaging the whole list upon the same basis, be entitled to an appropriation of \$125,000,000. This is a startling but an easily demonstrated statement. Can any city in the United States, Mr. Speaker, make out a stronger case than this? The mere statement. of the figures is, I submit, a conclusive argument in favor of the bill now before the House.

It should be remembered also that the whole State of Kentucky constitutes but one judicial district, and four-fifths of the business of the Federal courts is transacted at Louisville. Connected with this are the offices of United States district attorney and his assistant, United States marshal and deputies, clerk of circuit and district court, commissioner for the court, &c. One of the seventeen pension agencies of the United States, an agency disbursing many millions of dollars, is also located there. This is not included in the total estimate of public business which I have stated.

The collector's office is there-an office which during the last year

collected over \$10,000,000.

Mr. COOK. May I ask the gentleman a question?

Mr. WILLIS. Certainly.

Mr. COOK. Is this amount, \$500,000, to be appropriated in addition to what has been heretofore appropriated?

Mr. WILLIS. Yes, sir; this bill passed the committee in the Fortysixth Congress when no limit was prescribed. Afterward, after the bill had been acted on in committee, the general clause as to limit was adopted, and without further consideration \$500,000 was inserted as the limit. This is in addition to that amount.

Mr. COOK. That makes \$1,000,000 in all?
Mr. WILLIS. Yes, sir; \$100,000 more than at Detroit. The Secre-

tary of the Treasury recommends \$1,500,000.

Mr. COOK. You spoke of the amount of revenue collected there; how much would that be reduced if the tax was taken off tobacco and

whisky?

Mr. WILLIS. We would still be among the leading cities in the Union in point of public business. The gentleman knows that that tax constitues in Louisville, as it does in Chicago, Cincinnati, Saint Louis, and other large cities, the greater part of the public revenues. All these matters have been fully considered by the committee and

All these matters have been fully considered by the committee and by their unanimous vote this has been recommended. I therefore respectfully ask the vote of the House for it. I will append several statements in further support of this request.

Mr. WARNER, of Ohio. Let me ask the gentleman from Kentucky how much has been expended for the site of this building.

Mr. WILLIS. One hundred and forty thousand dollars.

Cities.	1870.	1880.	Increase per cent.
Saint Louis. Cincinnati Louisville.	310, 864	350, 518	12.75
	216, 239	255, 139	17.98
	100, 753	123, 758	22.83

The growth of Louisville as a city dates substantially from the close of the war. The decade from 1870 to 1880 is the first decade in which Louisville can be said to have fairly embarked in her career as a live and progressive city, and though her great transportation facilities have nearly all been attained since 1880, and her manufacturing development has been more than twice as rapid since that date as it was before, yet the progress from 1870 to 1880 is quite gratifying, and is an earnest of what may be expected during the present decade, with her vastly increased opportunities and abilities.

The growth in population of the three principal cities of the Mississippi and Ohio Valleys from 1870 to 1880, as shown by the United States Census Reports, is as follows:

Louisville leads in growth of population in the race of three cities whose competition is most direct for the trade of the Southern and Southwestern States. Could an enumeration be had to-day it would show this city in a much more favorable light, relatively, than does the census of 1880, for the increase rate of growth since 1880 has been very marked. Persons acquainted with the city's history, and not over sanguine, but practical business men, believe, from experience and observation, that the increase of population for this decade will be fully double that of the last.

Bank clearings in leading cities of the United States.

	For the years ending—				
	Dec. 31, 1879.	Dec. 31, 1880.	Dec. 31, 1881.	Sept. 30, 1882.	Sept. 30, 1883.
New York	\$29, 235, 646, 530 00	\$38, 614, 448, 223 00	\$49, 679, 823, 678 00	\$46,552,846,161 34	\$40, 293, 165, 257 6
Boston	2, 674, 429, 499 00	3, 326, 343, 166 00	4, 233, 240, 201 00	3, 753, 496, 901 00	3,540,980,659 0
Philadelphia	2,627,743,334 00	2, 354, 840, 429 00	2,716,828,851 00	2,760,946,905 49	2,794,181,748 9
hicago	1, 257, 750, 124 00	1,725,684,895 00	2, 252, 261, 407 00	2, 373, 903, 487 00	2,507,022,178 0
Incinnati.	574, 924, 104 00	729, 850, 500 00	903, 149, 100 00	971, 900, 000 00	972, 375, 700 0
aint Louis	, 559, 685, 128 00	711, 459, 489 00	832, 631, 830 00	878, 549, 184 00	874, 272, 698 0
New Orleans	388, 878, 043 00	468, 927, 894 00	592, 726, 081 00	484, 615, 412 00	515, 655, 203 0
Baltimore	598, 172, 321 00	682, 904, 049 00	734, 617, 211 00	700, 464, 508 35	695, 499, 933 0
an Francisco	553, 953, 966 00	486, 725, 954 00	598, 096, 832 00	635, 787, 678 51	615, 618, 573 9
filwaukee	325, 288, 547 00	316, 309, 008 00	359, 885, 130 00	388, 170, 946 06	174, 911, 297 4
ouisville	255, 856, 816 00	299, 114, 426 00	398, 085, 835 00	392, 189, 934 00	407, 161, 516 0
Pittsburgh	217, 982, 849 00	297, 804, 747 00	389, 170, 370 00	433, 689, 238 82	538, 134, 071 5
Providence	155, 328, 100 00	199, 629, 300 00	217, 293, 800 00		
Kansas City	68, 200, 251 00	101, 330, 000 00	134, 931, 300 00	178, 044, 500 00	126, 753, 450 0
ndianapolis	64, 169, 990 00	85, 951, 025 00	109, 509, 000 00	112,000,000 00	
Reveland	65, 115, 849 00	84, 613, 179 00	103, 113, 648 00	116, 481, 767 00	110,756,380 0
Iartford				88, 493, 000 00	92, 785, 885 47
New Haven	38, 075, 930 00	50, 361, 513 00	58, 855, 601 00		64, 135, 000 6
demphis		48, 855, 302 00	45, 937, 851 00	43, 693, 882 07	54, 671, 255 4
Columbus					
Peoria				54, 828, 517 00	50, 961, 493 0
Vorcester	25, 417, 258 00	33, 648, 550 00	39, 224, 752 00	42, 769, 666 00	44, 243, 340 0
pringfield	25, 582, 512 00	31, 847, 911 00	37, 568, 608 00	41, 450, 006 06	40, 861, 119 2
owell	15, 483, 387 00	19, 981, 950 00	22, 951, 836 00	28, 502, 573 08	36, 752, 968 36
yracuse	14, 908, 455 00	17, 296, 588 00	19, 110, 241 00	21, 929, 316 97	22, 903, 350 99
Saint Joseph					5, 826, 852 00
Total	39, 333, 216, 952 00	50, 688, 934, 098 00	64, 409, 580, 867 00	61, 054, 353, 584 75	54, 876, 394, 946 83
Outside of New York	10,007,574,322 00	12, 074, 485, 875 00	14, 729, 758, 288 00	14, 501, 507, 423 41	14, 583, 229, 689 1

Unless the withdrawals for export are very excessive, I think the collections for corresponding dates for 1884 and 1885 will far exceed the figures given above, and will amount probably to \$15,000,000.

Respectfully,

LEWIS BUCKNER,

WILLIAM A. ROBINSON, Chairman,

LOUISVILLE CLEARING-HOUSE		
	LE, KY., Apr	11.17, 1884.
CLEARING.		\$107 249 17
877		114, 548, 24
O(O	*****************	401, 400, 01
879		149 502 01
880		
882		193, 662, 49
883		
CIA	INTON McCI	Manager.
The clearing for the quarter ending 31st March, 188 he same proportion of increase is maintained during	4, were \$55,97 the year the	7,400.24. I increase o
884 over 1883 will be slightly over \$20,000,000.	INTON McCI	ARTY, Manager.
	landing Way 1	7.0 1004
UNITED STATES POST-OFFICE, Louis My DEAR SIR: I herewith inclose the last two annu	-1	
f the Louisville post-office, in compliance with your r	equest. I fea	r, however
hat my delay in sending them may cause the reports	to fail of the	eir purpose
our letter found me in the midst of my quarterly account buried underneath some papers on my desk, and	was thus ove	rlooked fo
everal days. I judge from the tenor of your letter th	nat these are	the report
for the Louisville post-office, in compliance with your reat my delay in sending them may cause the reports our letter found me in the midst of my quarterly according to buried underneath some papers on my desk, and syeral days. I judge from the tenor of your letter the outderneam of the last two quarterly reports. Then early 18 per cent, in the sales of stamps, stamped enterween the first quarter of 1883 and first quarter of 1882.	re has been a	decrease o
etween the first quarter of 1883 and first quarter of 188	4.	posiai cara
Very truly, yours,		TULEY.
Hon. A. S. WILLIS,	33, 13,	TODEL.
Washington, D. C.		
I sincerely hope you may succeed in getting us not	only a hand	some, large
uilding, but that the ground extending to Third ar	nd Chestnut r	nay also b
I sincerely hope you may succeed in getting us not uilding, but that the ground extending to Third as dided to the Government building space. The present on have to have a wing added to it on the south si	t post-office b	mow badle
camped for working space.	,	LION DEGI
Business of the Louisville post-office for the		
[Furnished by Mr. E. S. Tuley, assistant p	postmaster.]	
RECEIPTS.		
amp sales	\$187, 294 06	
amped envelope salesequest envelope sales	33, 198, 70	
ewspaper and periodical sales	22, 325 74	
ostage-due stamp sales	30,524 20 33,198 70 22,325 74 2,131 01	
ox rents	870 80 178 32	
ollection drafts	100 14	
	179 14	
eposits from other post-offices		
eposits from other post-offices	42,551 54	6 210 052 5
eposits from other post-offices.	42,551 54	\$319, 253 5
eposits from other post-offices	42,551 54	\$319, 253 5
Total DISBURSEMENTS,	42,551 54	\$319, 253 5
Total	42,551 54	\$319, 253 5
Total DISBURSEMENTS, mount deposited with assistant treasurer United States, Cincinnati, Ohio mount paid railway postal cierks	\$207,180 84 31,497 01 33,020 00	\$319, 253 5
Total	\$207,180 84 31,497 01 33,020 00	\$319, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00	\$319, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80	\$319, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77	\$319, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46	
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46 81,379 62 263,016 08 2,299 09 3,955 81 52 86	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46 \$1,879 62 263,016 08 2,299 09 3,965 81 52 86 1,733 28	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 502 80 1, 804 46 \$1, 379 62 2263, 016 08 2, 299 09 3, 965 81 52 86 1, 733 28 31 20 8, 673 37	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 52 86 1, 733 28 8, 673 37 236 80	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46 \$1,379 62 263,016 08 2,299 09 3,955 81 1,733 28 8,673 37 236 80 11,493 87	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 1, 733 28 8, 673 37 236 80 11, 493 87 208 80 1, 868 28	819, 253 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46 \$1,379 62 263,016 08 2,299 09 3,965 81 52 86 1,733 28 31 20 8,673 37 236 80 11,493 87 208 80 1,493 87 208 80 1,568 29 1,868 29 1,868 29 1,31 05	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 52 86 1, 733 28 8, 673 37 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 493 87 208 80 2, 2001 80	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 52 86 1, 733 28 8, 673 37 208 80 11, 493 87 208 80 11, 493 87 208 80 1, 688 28 31 05 2, 001 80 32 70 826 89	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 1, 733 28 8, 673 37 236 80 11, 493 87 208 80 1, 868 28 31 05 2, 001 80 32 70 826 89 15 00	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 1, 733 28 8, 673 37 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 493 87 208 80 1, 868 28 31 05 2, 010 80 3 270 826 99 15 90 3 41 3 41 25	\$319, 253 5 319, 253 5 199, 751 6
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 52 86 1, 733 28 8, 673 37 208 80 11, 493 87 1, 868 28 2, 001 80 3, 208 80 1, 868 28 2, 001 80 3, 208 80 1, 868 28 2, 001 80 3, 208 80 1, 868 28 2, 001 80 3, 208 80 1, 868 28 2, 001 80 3, 411 208	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 52 86 1, 733 28 8, 673 37 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 868 28 31 05 2, 001 80 32 70 826 89 15 00 3 41 25 74 26 1 20	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 52 86 1, 733 28 8, 673 37 236 80 11, 493 87 236 80 11, 493 87 208 80 11, 493 87 208 80 1, 868 28 2, 001 80 3 411 74 26 1 20 672, 000 00	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 52 86 1, 733 28 8, 673 37 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 493 87 208 80 11, 868 28 31 05 2, 001 80 32 70 826 89 15 00 3 41 25 74 26 1 20	819, 253 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 965 81 , 52 86 1, 733 28 8, 673 37 236 80 11, 493 87 1, 868 28 2, 001 80 32 70 826 89 15 00 3 3 41 74 26 1 20 672, 000 00 846, 263 79 199 15	319, 253 5 199, 751 6
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 52 86 1, 733 29 8, 673 37 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 15 00 3 41 296 72, 000 846, 263 79 199 15	1, 816, 398 5
Total	\$207, 180 84 31, 497 01 33, 020 00 37, 679 63 3, 525 00 1, 502 80 1, 043 77 1, 804 46 \$1, 379 62 263, 016 08 2, 299 09 3, 955 81 52 86 1, 733 29 8, 673 37 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 11, 493 87 286 89 15 00 3 41 296 72, 000 846, 263 79 199 15	1, 816, 398 5
Total	\$207,180 84 31,497 01 33,020 00 37,679 63 3,525 00 1,502 80 1,043 77 1,804 46 \$1,379 62 263,016 08 2,299 09 3,965 81 52 86 1,733 28 31 20 8,673 37 236 80 11,493 87 208 80 11,493 87 208 80 11,493 87 208 80 11,493 87 208 80 11,493 87 208 80 15 00 3 41 574 26 574 26 572 000 00 846,263 79 199 15	319, 253 5 199, 751 6

381 30 589 99 531 39 883 90 109 07	\$1,774,3	3y 110,478 domestic orders paid
883 90	22,5	
883 90		2 And poster hotes partitioned in the second
100 07	1,5	by 52 Pritish orders paid
	61	Ry 172 German orders paid
428 39	4	y 11,504 postal notes paid. y 93 Canadian orders paid. yy 53 British orders paid. yy 172 German orders paid. yy 172 German orders paid. 3y 18 Swiss orders paid. 3y 8 Italian orders paid. 3y 8 Italian orders paid.
278 03	2	By 8 Italian orders paid
254 29	. 2	By 13 French orders paid
15 85		By I Jamaica order paid
60 38		Sy 3 New Zealand orders paid
29 22 524 12	0.5	Sy 166 demostic orders paid
65 00	. =,0	Ry 2 German orders repaid
45 31	S III CI	sy 8 Italian orders paid 3y 13 French orders paid 3y 13 French orders paid 3y 1 Jamaica order paid 3y 2 Victoria orders paid 3y 2 Victoria orders paid 3y 166 domestic orders repaid 3y 3 German orders repaid 3y 3 German orders repaid 3y 3 incidental expenses 3y amount naid post-office inspector on youchers
12 00	WILDIE IS	By incidental expenses
337 52		
549 45	4,5	By clerks' salaries
375 00		by postmaster's commissions
877 15	1 9	By auditor's circulars
011 10		by balance precentate of, 1995
\$1,816,398		Total
		REGISTER DEPARTMENT.
4.168		Chroneh registered nonches received for oits
4, 248		Through registered pouches in transit
4,531		Through registered pouches in transit. Chrough registered pouches dispatched
12,9		
1. 264		Total number registered pouches handled
1, 264 1, 456		Registered cases in transit
2,7		Total number of cases handled
00 004	100	tegistered package envelopes received in pouches
86, 884		Pagistared neckage anyelenes received in neuchan
09, 928	10	Registered package envelopes received in pouches and by R. P. O. Registered package envelopes received in pouches and by R. P. O. in transit. Registered package postage-stamps received in pouches and R. P. O. in transit.
00,000		Registered package postage-stamps received in
2,712		pouches and R. P. O. in transit
THE RESERVE		Registered package stamped envelopes received in
2,188		pouches and by R. P. O. in transit
1,048	ours to	Registered package stamped envelopes received in pouches and by R. P. O. in transit
21010		
202, 7		Total number of pieces handled
00 740		Registered letters and fourth-class packages received
99,746		for delivery
54 780		patched
49,930		Registered package envelopes dispatched
-		patched
		2 out and out of process initiated initiation in process in proces
422,8		Total number registered matter handled
E-IIII	EMENT	LETTER-CARRIERS' ANNUAL STATE
20.5		Registered letters delivered
5,687,1	************	Mail letters delivered
684 9		Prop letters delivered
1,357.4		fail postal cards delivered
	***************************************	Mail postal cards delivered Drop postal cards delivered
2,903(8		apers, &c., delivered
3,519,6		Postal conde collected
1,423,9		Paners &c. collected
		Prop postal cards delivered. Appers, &c., delivered. Letters collected. Postal cards collected. Appers, &c., collected. Letters returned to post-office.
\$31,857		local postage
		Number carriers employed
8975 479		Stamp sales, 1883
\$275, 473 131, 949		Stamp sales, 1873
		Sales in 1883—excess over 1873
143,524	***************************************	ALCO IL AND CACCOS OFCI 1010 A MINIMALIANI
., 11th April, 1884.	LE, KY.	Louisvill

business of this market for the year 1883. Being the regular statistician of this market, it affords me great pleasure in complying with your request; am only sorry I did not have more time. As it is I can only give you the business of the warehouses, tobacco sold at public sale for the year 1883, which foots up in round numbers \$7,652,911. This does not include all of our private operators who buy in the country and handle here privately, which would increase at least \$500,000 more for the year 1883. For the first three months of this year we have sold at public sale, as shown by warehouse books, \$2,24,883, and at private sale \$410,000, which shows a large increase over any year. In 1873, ten years back, we sold in this market through the warehouse, at public sale, \$5,883,426; so you can see a large increase. This we predict the largest year, as the crop both in quality and quantity is far ahead of any year.

Friend WILLIS, I will take great pleasure at any time in making you up a complete statement of the leaf-tobacco business, with comparison or any other information I can give you about our coming great city, which is certain, with such men as yourself to represent it. Keep on in the good work, and God bless you.

ARCHIE JOHNSON.

ARCHIE JOHNSON, Secretary Louisville Tobacco Trade.

Hon. A. S. WILLIS, Washington, D. C.

Annual sales of leaf tobacco at Louisville, Ky., from 1851 to 1883. [Revised by Mr. Falconer, secretary Tobacco Board of Trade.]

For year ending with November—	Hogshead
1851	11, 2
1852	23. 2
1853	16, 6
1854	10, 1
1855	11,5
1856	14,9
1857	9,0
1858	18, 9
1859	18, 4

Hog	sheads.
1860	17,505
1861	
1962	
1863	
1864	
1865	44, 210
1866	35, 927
1867	
1868	
1969	39,419
1870	43,002
871	48,008
872	
1873	
1874	
1875	
1876	. 61,000
For year ending January 1-	
1877	56, 219
1878	71,080
1879	
1880	65,001
1881	Am. 460
1982	
1883	

Receipts, sales, and stocks of leaf-tobacco (in hogsheads) in the six principal leaf-tobacco markets of the West.

[From the reports of Col. William H. Chilton.]

Years.	Louisville.	Cincin- natí.	St. Louis.	Paducah.	Hopkins- ville,	Clarks.	Total.
RECEIPTS.		1010					
1883	71,866	61,823	10,800	15, 261	8,793	18,097	186, 640
1882	53,075	50, 182	8,859	10,561	8,085	14,732	145, 495
1881	54, 469	57, 197	22,042	9,339	9,416	12,577	166, 256
1880	52,609	49, 402	14,034	10,444	8,954	16,566	152,009
1879	48,870	34, 393	15,522	8, 377	7,955	14,489	130,012
1878	60,016	35, 203	16, 354	19,818	18,408	22, 241	180, 962
1877	50,532	37, 150	19,057	12,772	4,140	11,585	135, 239
1876	54,883	32, 176	16,091	20,834	10,908	16,737	151,626
SALES.						3/11	
1883	88, 911	90, 595	8,714	14,957	11,331	17, 981	232, 489
1882	61,440	48, 531	7, 358	9,999	8,763	14,649	150,740
1881	67, 408	48,519	8,842	8,716	10,532	12,475	156, 494
1880	65, 281	45, 797	2,591	10,362	11, 246	16, 296	151,573
1879	58,035	31, 425	5, 221	8,474	9,895	14,051	127, 101
1878	71,028	37, 296	10,972	17,805	16,387	21,605	175, 903
1877	76, 218	35, 268	18,574	12,843	5,604	13, 220	141,728
1876	61,352	32, 197	12, 217	20, 987	13,608	14, 221	154, 581
STOCKS END OF EACH		The last	This.				The Name of
YEAR.		10000		- /100	- seed	200	19513-1
1883	3, 294	11, 213	3,597	476	218	798	19,596
1882	4,912	12, 155	3,892	177	384	461	21, 991
1881	4, 882	9,469	6,847	188	797	574	22, 207
1880	7,639	3,885	7,835	211	286	569	20, 425
1879	13, 355	4,324	8,210	272	1,109	851	28, 921
1878		2,935	4,999	1,035	910	888	24, 122
1877		7,388	2,955	208	620	329	17,518
1876		5,405	845	611	150	2,040	14,937

Mr. WARNER, of Ohio. That will leave about \$850,000 to be applied to the building.

Mr. WILLIS. Yes, sir; \$860,000 exactly.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The question being taken on the amendment of the committee to strike out the words "five hundred thousand," in lines 6 and 7 of the

first section of the bill, it was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WILLIS moved to reconsider the vote by which the bill was ssed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WASHINGTON'S HEADQUARTERS, MORRISTOWN, N. J.

Mr. KEAN. I ask to take up House joint resolution 197, authorizing the Secretary of War to assist in canceling the debt and in enlarging and improving the grounds and collections of Washington's head-quarters in Morristown, N. J., and in securing suitable ground in which to gather the remains of Revolutionary soldiers there buried, and in erecting a monument over the same, and put it upon its passage. The joint resolution was read, as follows:

The Joint resolution was read, as follows:

Whereas Morristown was occupied for two winters by the Continental Army, and its headquarters was for this long period the home of General Washington, and from time to time the home of many of his most famous generals; and i Whereas the Washington Association of New Jersey has from private funds bought, and the State of New Jersey, by annual appropriation of \$2,500, has assisted the association to adorn and keep these headquarters for the use and enjoyment of the people of the United States; and

Whereas a wise patriotism suggests that additional grounds should be added to this national memorial, and that certain desirable additions and improvements should be made to this property; and

Whereas it is especially becoming and proper that the soldiers who died in the great cause, and who lie in scattered and unnoted graves in the vicinity, should be gathered into a common and designated resting-place: Therefore, Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of War be, and he hereby is, authorized and directed to pay for the purposes named the sum of \$25,000, to be paid to the treasurer of the Washington Association of New Jersey, for the purpose of enlarging and improving the grounds, collections, and buildings of Washington's headquarters at Morristown, N. J., and for the purchase of ground in which to place the remains of Continental soldiers, and to mark the spot with a suitable monument.

Mr. KEAN. Mr. Speaker, as the resolution sets out fully and clearly all of the facts, and the object of the appropriation of \$25,000 which is asked, I will not occupy the time of the House by explaining it further, but will reserve my time to answer any questions that may be

made in opposition.

Mr. McMILLIN. Did I correctly hear the bill—there was some confusion here when it was read—that it provides that the Government shall make an appropriation of \$25,000, which is to be paid to some private association in the State of New Jersey?

Mr. KEAN. Yes, sir. This association, I will say, has been chartened by the State for the prepared of hearing and these grounds.

tered by the State for the purpose of keeping up these grounds.

Mr. STORM. Is there a report accompanying this?
Mr. KEAN. Yes, sir.
Mr. McMILLIN. Let the report be read.
The report (by Mr. KEAN) was read, as follows:

Mr. McMillin. Let the report be read.

The report (by Mr. Kean) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the joint resolution (H. Res. 197) authorizing the Secretary of War to assist in canceling the debt, and in enlarging and improving the grounds and collections of Washington's headquarters in Morristown, N. J., and in securing suitable ground in which to gather the remains of Revolutionary soldiers there buried, and in erecting a monument over the same, beg leave to report it favorably and to recommend its passage.

The resolution gives to a patriotic association which has for years had the premises in charge \$25,000, with which to improve and enlarge the famous Washington's headquarters at Morristown, N. J.

Morristown is the last, though its merits would entitle it to be first, of those spotssacred to Revolutionary memories which have asked the aid of the National Government in the patriotic task of commemoration. Spots memorable as the theater of a single heroic act, or of a single dramatic seene, have all received aid from the national Treasury. Groton has received \$5,000; De Kalb, \$10,000; The Cowpens, \$20,000; Monmouth, \$20,000; Newburg, \$25,000; Saratoga, \$30,000; Bennington, \$40,000; Yorktown, \$100,000; but Morristown, where Washington and his army spent the two long winters of 1776-77 and 1779-780, now ask aid for the first time. It asks it under circumstances which entitle the request to special favor. Congress is asked to complete a work which private munificence and State aid have fostered. Ten years ago citizens of New Jersey contributed \$17,000 and bought the headquarters and the plat of land appurtenant. They repaired the house, filled it with furniture and relies of the times that were past, and gaveit to the public of all the States. To assist in its maintenance the State of New Jersey contributed \$17,000 and bought the headquarters and the plat of land appurtenant. They repaired the house, filled it with furniture and relies of the times tha

Mr. KEAN. I yield now such time as I may have to my colleague. Mr. PHELPS. Mr. Speaker, this resolution proposes to give \$25,000 to inclose Washington's headquarters at Morristown, in the State of New Jersey, to be expended mainly for two objects.

Mr. COBB. I rise to a question of order. It seems to me the time

has expired for debate.

Mr. PHELPS. I understood the report was read in opposition to

the proposition.

The SPEAKER. The gentleman from Pennsylvania controlling five minutes in opposition asked for the reading of the report. The gentleman from New Jersey is entitled to the floor.

Mr. PHELPS. This bill asks \$25,000 with which to free from debt and to improve Washington's headquarters at Morristown, and to buy and to improve Washington's headquarters at morristown, and to buy he gathered from neighboring and and to improve washington's headquarters at horristown, and to buy a piece of ground, into which may be gathered from neighboring and unmarked graves hundreds of Revolutionary soldiers who now sleep about it. Yorktown, Bennington, Saratoga, Newburg, and many other spots have properly received aid from the national Treasury. But Morristown has this special merit: It was the scene not of one, but of many incidents. Here Washington's army spent two winters, and under the roof of the old mansion came to visit their great commander nearly all the heroes of the Revolution the heroes of the Revolution.

But aside from its national historical value New Jersey asks aid because she as a State and her citizens have already done much. More than twelve years ago private citizens bought and refitted these

They contributed over \$20,000, and ever since the assoheadouarters. ciation, which was formed for the purpose, has kept them open as a source of pleasure and instruction to all their countrymen. The State now aids them by contributing annually to the cost of maintenance \$2,500. And this application is now made to the National Government because the citizens and the State of New Jersey have done their part in buying and keeping for the nation this great memorial.
[Here the hammer fell.]

The SPEAKER. The hour under the special rule has expired.

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:
A bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30,

1886, and for other purposes.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

Mr. HATCH, of Missouri, by unanimous consent, from the Committee on Agriculture, reported a joint resolution (H. Res. 341) providing for printing the second annual report of the Bureau of Animal Industry for the year 1885; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

AGRICULTURAL REPORT FOR 1885.

Mr. HATCH, of Missouri, from the Committee on Agriculture, also reported a joint resolution (H. Res. 342) providing for printing the annual report of the Commissioner of Agriculture for the year 1885, and for other purposes; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

COMMERCIAL NATIONAL BANK OF CHICAGO.

Mr. BUCKNER, by unanimous consent, from the Committee on Banking and Currency, reported back with a favorable recommenda-tion the bill (S. 2375) to authorize the increase of the capital stock of the Commercial National Bank of Chicago; which was referred to the House Calendar, and, with the accompanying report, ordered to be

ORDER OF BUSINESS.

Mr. HUTCHINS. I move to dispense with the morning hour, my object being to proceed to the consideration of the naval appropriation

Mr. STORM. I ask for a division, because that cuts out the hour assigned for reports of private bills.

Mr. RANDALL. It cuts out private bills but promotes the public

business

The SPEAKER. The Chair will state to the gentleman from Pennsylvania [Mr. STORM] that the consideration of private business has already been dispensed with for this day.

Mr. STORM. By what action?

already been dispensed with for this day.

Mr. STORM. By what action?

The SPEAKER. By the vote of the House.

The motion to dispense with the morning hour was agreed to (two-thirds voting in favor thereof).

Mr. ROGERS, of New York. I desire to make a privileged report. I am instructed by the Committee on Printing to report back with a favorable recommendation the joint resolution (S. R. 114) to provide for printing the annual report of the Smithsonian Institution.

The SPEAKER. That is not a privileged report.

Mr. HUTCHINS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose

mittee of the Whole House on the state of the Union for the purpose of considering general appropriation bills.

The motion was agreed to.

NAVAL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. Wellborn in the chair), and resumed the consideration of the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and

for other purposes.
The CHAIRMAN. The CHAIRMAN. At the last sitting of the Committee of the Whole-House on the state of the Union in the consideration of the pending bill section 2 was reached. By unanimous consent general debate was postponed until this section should be reached, and by like consent debate was limited to four hours, two in favor of and two against the section. The Clerk will now report the section, after which the general debate will be in order.

Mr. KEIFER. I think the committee will be disposed to dispense

with the formal reading of the section.

The CHAIRMAN. Is there objection to dispensing with the read-

ing of the section?

Mr. TALBOTT. I understand it is still open to amendment.

Mr. HUTCHINS. Certainly.

The CHAIRMAN. The first formal reading of the bill has been dispensed with, and it is now being read for amendments. Does the gentleman from Maryland insist on the reading of the second section Mr. TALBOTT. I do not.

Mr.THOMAS .. I reserved the point of order on this section.

The CHAIRMAN. The Chair so understood.

Mr. THOMAS. And before amendments are offered I want that point of order disposed of.

Mr. HISCOCK. Do I understand the point of order has been re-

The CHAIRMAN. The Chair will state the situation. The general debate was postponed till this section should be reached. Had it taken place before the reading of the bill for amendments of course the point of order would have been determined when the section was reached, and the postponement does not interfere with what otherwise would be the regular order. The point of order is reserved, and will be deter-

mined after the conclusion of the general debate.

Mr. THOMAS. That is all I want.

The CHAIRMAN. But the Chair is informed by the Clerk there was an amendment pending to the preceding section, which was not

disposed of yesterday.

Mr. HUTCHINS. That was an amendment offered by the gentleman from Maryland [Mr. FINDLAY] in relation to the eight-hour law,

and I made a point of order on it.

The CHAIRMAN. The Clerk will report the pending amendment, which is an amendment to section 1.

The Clerk read as follows:

After line 415 insert the following:

"Allowance for reduction of wages under the eight-hour law such sum as may be required in the settlement of all accounts for the services of laborers, workmen, and mechanics heretofore or at present employed by or on behalf of the Government at the Naval Academy at Annapolis, Md., between the 19th day of May, 1889, the date of the proclamation of the President concerning the pay of laborers, workmen, and mechanics under the eight-hour law, and the date of the passage and approval of this act, to settle and pay for the same without reduction on account of the reduction of the hours of labor, as contemplated by the spirit of the act of Congress approved June 25, 1868, commonly known as the eight-hour law. And the money hereby appropriated and necessary to pay such claims shall be made immediately available, and be disbursed by the Navy paymaster stationed at said Naval Academy under the direction and supervision of the superintendent thereof.

Mr. HUTCHINS. I am compelled to insist on my point of order. This amendment is new legislation, and makes an indefinite appropriation. It may be very meritorious, but it should be in a separate bill. Mr. FINDLAY. Of course it is only proper to discuss the question which arises on the point of order. It is not proper now to go into the merits of the case, and I shall not depart from the rules of propriety in this discussion.

The point of order, of course, arises upon this much-quoted paragraph 3 of Rule XXI, and, I suppose, arises under the first clause of that par-

agraph, which reads:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

Now, of course if this amendment provides for an expenditure which has not been previously authorized by law, it is amenable to the point of order. If it does not, it is not so amenable. We must then see what the law is.

If you will refer, Mr. Chairman, to section 3738 of the Revised Statutes, which codified the act of the 25th of June, 1868, you will find as to all laborers, mechanics, and employes in the employ of the United States, when they do a day's work, which is a day of eight hours and no more, this section prescribes in terms that eight hours shall constitute a day's work for the class of persons I have described. The law was dormant until the 19th of May, 1869, when the President of the United States undertook to give it effect by executive proclamation. In that proclamation President Grant, referring to the act and citing the terms of the act. I have quoted said. the terms of the act I have quoted, said:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby direct that from and after this date—

The 19th day of May, 1869-

no reduction shall be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of such reduction of the hours of labor.

Well, sir, on May 18, 1872, there was ingrafted on an appropriation bill an amendment precisely similar in terms, almost in totidem verbis, to the one I have sent to the desk. That amendment was adopted, and it required the auditing officers of the Treasury Department of the United States to ascertain the balances due the workmen, mechanics; and laborers of the United States by reason of the fact that they had been working more than the legal day prescribed by the statute, which was eight hours. Under that act of the 15th of May, 1872, the laborers in the employ of the United States received the difference to which they were entitled for a period measured from the date of the original they were entitled for a period measured from the date of the original act, the 25th of June, 1868, down to the date of the proclamation of

act, the 25th of June, 1868, down to the date of the proclamation of the President, the 19th of May, 1869.

Now, sir, if that is true, with all deference to the distinguished gentleman from New York [Mr. Hutchins] who has raised this point of order, "the boot is on the other leg." It is not my amendment that seeks to change existing law. My amendment simply seeks to carry out the law as it is. But if his point of order should be successful he would defeat the law as it is. Now, sir, I have offered this amendment in good faith, believing that it does not change existing law within the meaning of this rule. With all due deference, Mr. Chair-

man, there seems to be a hazy notion about the effect of this Rule It seems to be taken for granted that if an amendment makes any change of law whatever the rule becomes operative. Not so. The rule becomes operative only by reason of the fact that there is not merely a change of law, but that that change carries with it some appropria-tion which is not provided for by existing law, or carries with it some increase in expenditures. If these conditions do not concur the rule is not operative. Now, I humbly submit that, in this case, these condi-tions do not concur, for, while there will be an increase of expenditure there will be no change in existing law—this being an amendment efformed in good faith for the purpose of expressing out the law as it is

offered in good faith for the purpose of carrying out the law as it is.

Mr. RANDALL. Mr. Chairman, I have grave doubts whether this proposition is germane to the bill, and certainly there is no law now existing in relation to the object sought to be reached, because if there were this amendment would not appear here. In addition to that, the amendment is retroactive in its character. It proposes to provide upon this bill a mode of adjusting claims against the Government under the eight-hour law. I clearly, in my own mind, adjudge this proposition to be subject to the point of order that it is new legislation, and that it does not propose to reduce any expenditure. The proposition in itself may be just and right, and, as a separate measure standing alone, I am free to say to the gentleman from Maryland [Mr. FINDLAY] that I would be in favor of making provision for adjusting these claims, but not here, and not in the manner proposed by his amendment to this

Mr. FINDLAY. Mr. Chairman, that is always the way when anything is to be done to which gentlemen object—it is not to be done in this way or at this time, but in some other way and at some other

Mr. RANDALL. Well—
Mr. FINDLAY. And that other time is never; and the consequence is that it is never done. Now, what if this is retroactive? Is there anything in the rule against an amendment being retroactive?

Mr. RANDALL. The gentleman surely admits that the retroactive

feature of the amendment must be in the nature of new legislation. Mr. FINDLAY. But is there anything in the rule which provides

that an amendment shall not be retroactive?

Mr. RANDALL. The rule says that no new legislation shall be permitted upon an appropriation bill unless it retrenches expenditures.

Mr. FINDLAY. The rule provides that any amendment is legiti-

mate unless it changes existing law, and at the same time

Mr. RANDALL. Read the rule.
Mr. FINDLAY. Oh, I have read the rule, and heard it discussed a thousand times

Mr. RANDALL. You had better read it once more.

MESSAGE FROM THE SENATE.

The committee rose informally. A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had returned, in compliance with the request of the House, the bill (S. 229) to au-

thorize the Secretary of the Treasury to erect a public building at the city of Key West, Fla.

The message further informed the House that the Senate had passed with amendments the bill (H. R. 8030) making appropriations for the Agricultural Department for the fiscal year ending June 30, 1886, and

for other purposes

NAVAL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. FINDLAY. Mr. Chairman, there is a very narrow point involved here, a point that does not permit of any varied or extended discussion. I have already said, and can only repeat, that the vital, essential, fundamental question in this case is: Does this amendment change exist-For if it does not, it is not within the operation of the rule. Now I say that this amendment does not change existing law, because we already have a law upon our statute-book which provides that eight hours shall constitute a day's work—a law which lay dormant from 1868 until it was revived for a short time by the act of 1872, but which is as much law as any other act upon the statute-book. The object of this amendment is simply to carry out that law and to carry it out now-to do what the gentleman from Pennsylvania [Mr. RANDALL] says ought to be done, but which he is not willing to have done at this time and in this place.

Mr. RANDALL. On this bill—

Mr. FINDLAY. At this time and on this bill, but on some other

impossible bill.

Mr. RANDALL. No, sir.

Mr. FINDLAY. On some other occasion that will never arise, then according to the gentleman this ought to be done; and I suppose if possible it will be done.

Mr. RANDALL. Existing law can not be changed on an appropriation bill, unless the provision retrenches expenditures.

The CHAIRMAN. The Chair understands the gentleman from

The CHAIRMAN. The Chair understands the gentleman from Maryland to hold that this does not change existing law.

Mr. RANDALL. I consider that it does.

Mr. FINDLAY. I would like to hear an argument on that—not a

judgment.

Mr. RANDALL. If a provision of this kind was not necessary to make the law as the amendment proposes, it would not be offered.

Mr. FINDLAY. The argument seems to be that if this did not

change existing law it would not be offered. Do we not constantly pass declaratory laws? In this amendment we propose simply to declare what the law is, and provide means of carrying it out. It is not It is not

a change of existing law.

Mr. RANDALL. The amendment, in my judgment, is not germane to this bill. If there be any appropriation bill to which it is germane,

it is the deficiency bill.

Mr. FINDLAY. Oh, of course; it must be some other bill.

Now, I submit that this amendment proposes a Mr. RANDALL. change in the law as to the manner of adjusting these claims. I wish the Chair to make inquiry whether there is not already pending in this House in a separate bill a proposition of substantially the same nature as this amendment. If there is, I submit that as an additional point.

Mr. BLOUNT. Mr. Chairman, it seems to me quite important that be should not vary the practice of this House and the character of this bill by permitting this amendment to go upon it. This is the naval appropriation bill, providing for the pay of officers and men of the Navy, for the construction of ships, &c. I have never before known a proposition made to pay by a provision in the naval appropriation bill a debt of any kind. Such provisions have uniformly been confined to the sundry civil bill and the deficiency bill; and even with respect to those bills the provisions admitted have, I believe, related solely to the auditing of accounts. But this amendment, if anything, is a claim, and does not belong to any of these appropriation bills. The Committee on Ap propriations would have no jurisdiction of it under the rules. It should properly have gone to the Committee on Claims. It trust we are not going to convert each of these appropriation bills into a vehicle for carrying through every possible claim that any gentleman may see fit to bring before the House.

Mr. FINDLAY. I would like to have read at the Clerk's desk a provision of the law of May 18, 1872.

The CHAIRMAN. The Chair was going to direct the attention of the gentleman from Maryland to the provision of that act, which the gentleman says is identical with this. Does not this amendment propose a change as to the method of adjusting these accounts? Does it not in that respect change what has been the law heretofore?

Mr. FINDLAY. It makes no change, Mr. Chairman, so far as concerns the mode of adjustment—

The CHAIRMAN. Then what is the necessity—the Chair is asking for information—what is the necessity for this legislation?

Mr. FINDLAY. I say that it makes no change so far as concerns the mode of adjustment provided in the act which I was about to ask the Clerk to read.

The CHAIRMAN. Does it make any change whatever in existing

Mr. FINDLAY. It simply makes provision—
Mr. BUDD. I would like to ask the gentleman—
Mr. FINDLAY. One at a time! I will first answer the question of the Chair.

The CHAIRMAN. Does the amendment in the view of the gentle-

man from Maryland change existing law in any particular?

Mr. FINDLAY. I do not see that it does—that is to say, it does not

change existing law in the sense contemplated by the rule.

The CHAIRMAN. Does it in any sense?

Mr. FINDLAY. Yes, sir; because it makes a new provision—

Mr. RANDALL. That is it.

Mr. FINDLAY. But it does not change existing law.

Mr. REED, of Maine. It merely makes a new provision for payment.

Mr. FINDLAY. That is all.
Mr. REED, of Maine. I desire to suggest to the Chair that this amendment merely makes provision for payment; and that is what an appropriation bill is for. If there is existing law under which this amendment proposes to make appropriation the amendment would seem to be proper. A bill of this kind is the proper place to make an appropriation in accordance with existing law; and in making the appropriation it is competent for the House to accompany the appropriation with each limitations as it may choose to make

such limitations as it may choose to make.

The CHAIRMAN. And those additional conditions, to which the gentleman from Maine refers, would not, in the judgment of the gentleman, change to that extent the law as it now exists?

Mr. REED, of Maine. Not within the sense of the rule.
Mr. FINDLAY. Mr. Chairman, it seems to me we have lost sight of the main point in this case. We may admit that an amendment changes existing law, and still it is not amenable to the rule if it does nothing more.
Mr. RANDALL. It must retrench.

Mr. FINDLAY. An amendment is not amenable to the rule unless it does something more than change existing law. If it simply asks a change in the existing law and does not in any way increase expenditure, then it is not amenable to criticism. Now we have the eighthour law, and those men who have worked one minute beyond eight

hours a day are entitled pro rata for that moment which they have worked. We are making provisions to give them that to which they are entitled under existing law.

It does not in point of fact change existing law; it is simply addition to the law as it now is for the purpose of carrying out that law.

Mr. BUDD. While there is a law known as the eight-hour law prowhile there is a law known as the eight hour in providing simply for eight hours of labor, is there any law providing for the payment of any labor in excess of eight hours?

Mr. FINDLAY. Beyond a doubt no. That question is answered easily. The law does not fix the price.

easily. The law does not fix the price.

Mr. LONG. I understand the gentleman to say they are entitled now by law to this money

Mr. FINDLAY. I think so.

Mr. LONG. Are they entitled to sue in the Court of Claims?

Mr. FINDLAY. No.
Mr. LONG. If they are entitled by existing law why can not they go to the Court of Claims?
Mr. FINDLAY. There was a suit brought in the Court of Claims

by a man by the name of Martin.

Mr. LONG. Have they brought suit in the Court of Claims?
Mr. FINDLAY. No, sir. There was a suit, I will answer my friend from Massachusetts, brought by a man of the name of Martin. You will find it in 94 United States

Mr. LONG. What was the result?
Mr. FINDLAY. The result was that the claimant in that case got, under the act of 1872, all the award to which he was entitled between the date of the passage of the act and the proclamation of the President. As to all after the proclamation of the President down to the date of his discharge he lost the action.

Mr. LONG. Then under existing law he is not entitled.

Mr. FINDLAY. He is entitled under existing law if you admit the existing law is that eight hours constitutes a day's work. I say there is an ample assumpsit there that he is entitled to be paid for every

minute beyond eight hours.

Mr. HISCOCK. Mr. Chairman, this is not a new question, but we can say most emphatically in reference to it, there are millions in it. [Laughter.] The principle to be settled by this amendment was discussed in a bill pending here in the House at the last session. As I remember the statutes (and, Mr. Chairman, I hope you have them before you and will correct me if I misstate them) under the eight-hour law it is still competent for the Government to employ men at so much an hour or something of that kind. Special contracts can be made. Under contracts men have been employed and have been paid. My recollection is there has been a judgment of some court holding they had no claim against the Government.

Mr. HAMMOND. There was a decision by the Supreme Court. Mr. TILLMAN. The Supreme Court of the United States has de-

cided it twice.

Mr. HISCOCK. It has been decided twice by the Supreme Court of the United States. It has been decided there was no claim what-

Mr. FINDLAY. If my friend will permit I will tell him about that decision

Mr. HISCOCK. Under these special contracts the Supreme Court decides no claim exists. Therefore you must have a law from the very foundation, recognizing a claim decided by the court to have no existence. And you have to go further than that even and provide for the adjustment and payment of the claims. It is therefore clearly new

legislation.

I have made remarks on the floor perhaps of a partisan character, but, thank God, I have not the feeling against the Democratic party as to desire to see it commit itself to this legislation. I remember that my friend from South Carolina [Mr. TILLMAN] made a speech on this subject in which he presented the figures giving the amount involved, and I think it is somewhere between twenty-five and fifty millions of dollars. It includes men on the public works. To a certain extent it covers those engaged on river and harbor improvement. It is far-reaching in its influence and extent. It is no trifling question, and if it is the intention of Congress to pass a law giving the value of ten hours' labor for eight hours' work in cases where there have been special contracts made and the contracts have been discharged, it is due to the country, and I say it in the interest of economy, after the manner of gentlemen on the other side, that we should do it with our eyes open,

so there may be no doubt what is intended.

Mr. BLAND. I desire to make this remark: I think the spirit of our rule, if it means anything, is that every committee appointed by the House shall have jurisdiction over certain subjects and that the subjects belonging to that committee shall be considered by it. The Appropriations Committee is not a committee on claims. It is simply a committee organized for the purpose of reporting appropriations here clearly and indisputably authorized by laws.

Now we have a proposition before us that belongs exclusively to the Committee on Claims, and is not germane to any appropriation bill, not more so than a thousand other claims pending here would be. If we are to refer every claim on all subjects, no matter how the claim may originate or what its purpose may be, to the Committee on Appropria-

tions, and thus hastily consider them, you can ascertain in what confusion the House would soon be placed. I say it is the duty of the Speaker of this House and the chairman of the Committee of the Whole to scrutinize these subjects and not permit to go on these appropriation bills one single item except such as are clearly authorized by law and within the rules of the House

This is but a claim, and I have no doubt is pending before that committee now, and if they report in favor of the claim no doubt the amount will be appropriated and it will be paid; but do not undertake to ring it in here on an appropriation bill and take the committee by surprise

in this manner.

The CHAIRMAN. The Chair thinks that this amendment is new legislation in the contemplation of clause 3 of Rule XXI, and being new legislation is not in order unless it retrenches expenditures. It is not claimed that its operation would be to retrench expenditures; and

on claimed that its operation would be to retrench expenditures; and consequently the Chair sustains the point of order.

Mr. KEIFER. Mr. Chairman, the proposition contained in section 2 of this bill is one to provide a mode of constructing and to appropriate money to build a navy. I propose to speak to this question as briefly as possible. It is called a proposition to increase the Navy.

I believe the United States should have a navy. It is now practi-

cally, in the light of the improvements and advancement in the matter of constructing vessels of war and their armament and armor, without any. It is not a jest to say that with the splendid corps of highly educated and experienced naval officers the United States has, and the superabundance of deep water it owns, that it would have a great navy if we only had war ships for these officers to command upon this water.

I am going to speak to-day for a navy, and I shall therefore be obliged to oppose the plan contained in this bill for an increase of the Navy.

The bill, or rather the proposition in the bill for an increase of the Navy, if it should become a law, and its provisions were fully executed, would not, as we shall see before I close, give us a vessel that we would

dare to put in the water.

Mr. Chairman, the importance of this great subject to our Republic can not be magnified. The great statesman, Daniel Webster, speaking of the extent of the British Empire, said of its morning drum-beat, that it "follows the sun in its course, keeps pace with the hours, and circles the earth with one continuous strain of the martial airs of England." While this can not be said of the widespread extent of the United States, it may be said that our territory infolds a continent, and the length of our exposed coast-lines on our boundary is more than one and

two-third times the distance around the world at the equator.

The total length of the Atlantic and Gulf coast line of the United States, including bays and harbors, but not the small indentations, is 13,000 statute miles. I speak of the coast line from near Saint Johns, New Brunswick, on the northeast around with the Atlantic coast and the Gulf of Mexico to Brownsville at the mouth of the Rio Grande. The Pacific coast line along the west of the States of California, Oregon, and Washington Territory, measured in the same way, is 3,750 statute miles; that of Alaska, without including the indentations, is nearly 21,000 statute miles. The shore lines of the archipelago of Alexandria from 54° 40′ to the head of Chatham Straits alone includes 8,500 statute miles. The American coast line from Duluth to the mouth of the Saint Lawrence River, measured along the coast of Lakes Superior, Huron, Saint Clair, Erie, and Ontario, including one hundred and sixty-two miles of connecting rivers and straits, is 3,782 miles, and the Saint Lawrence River from Lake Ontario to its mouth, measured on the map of the United States, is seven hundred and thirty miles; a total coast line on the great lakes and rivers of the north of 4,512 statute miles.

The whole exterior United States coast line is thus found to be 42,262

miles in length, equal to about one and two-thirds times the circumference of the earth at the equator. And, Mr. Chairman, this does not compass the whole of the water defense required in time of war. Great interior rivers, bays, straits, and sounds, such as the Mississippi River, the Chesapeake, Delaware, and Mobile Bays, and the Straits of Juan de Fuca and Puget Sound-all these coast and interior lines to-day are defenseless in ships, in guns, and in forts; for whatever we have would not stand for an hour before the great war vessels of some of the third and fourth rate nations of the earth. We have no forts for coast defense, I may say, in which American soldiers would dare be taken. As has been said by some of the distinguished officers of our Army, they would prefer to take them outside of these old and now worthless and obsolete forts, and take them along the gravel and sand of the seashore at the water's edge, rather than risk the dangers that would be incurred by

being within the so-called fortifications while under fire.

We are then, Mr. Chairman, in the situation of an overgrown, extremely tender child; whenever we are touched we are to be hurt, and without power of striking back. We need sea-going vessels, line-ofbattle ships, cruisers to police the high seas, gunboats, torpedo-boats, &c., for coast defense. We should protect American shipping in foreign ports and on the high seas to secure that now much-needed extension of American commerce. We should, in order to preserve the dignity of our great, progressive nation, have ships that would be fit to be sent into foreign ports to command the respect that is due to our flag and to secure the protection that is due to the American citizen when he is in

foreign lands or upon foreign seas.

The people who cry out against a navy now would be the first to cry out against the Government and the inefficiency of Congress if war were to come. I pray we shall have no more war; I have seen enough of it and my country has seen enough of it; but the way for this country to have a foreign maritime war is to keep on in her fatal course of remaining without the means of adequate defense and the power of aggressive resistance. "In peace prepare for war" is an ancient saying, and it is well enough. But our national policy should rather be to in peace so prepare that no nation or combination of nations or despotisms of the earth will ever dare declare war against us. We should keep pace with the spirit of the age and maintain the respect of the other nations of the world. Other nations are preparing and have prepared for conflicts upon the sea and to protect their coasts, their cities, and

their people.

There has been much said in times gone by about our nation being extravagant in paying out money to build a navy. My curiosity was excited, and I looked to the amounts we have expended since the close of the war of the rebellion in constructing ships.

made a comparison with the expenditures by other nations that rank among the first of the world, and also by other nations that rank far below the United States. In looking at this I found some things worth referring to by way of comparison.

England, France, Germany, Sweden, Italy, Russia, all those countries, have been struggling to keep in the advance in the matter of the best and most improved vessels and armament that can be put affoat. They have since 1865 expended large sums of money. England in the matter of making appropriations for the maintenance of her navy alone, matter of making appropriations for the maintenance of her navy atone, since the time named, has appropriated—I state it in round numbers—\$806,000,000. The United States in the same period has appropriated \$263,000,000 in round numbers. The expenditures for the construction of new vessels since 1865 up to the year 1884 in England were \$91,000,-000; in France, \$121,000,000; in Russia, \$83,000,000; in Italy, \$38,000,-000; in Sweden, \$15,000,000; in Germany, \$27,000,000. The United States has expended \$4,907,000 in the completion of perfected ships of States has expended \$4,907,000 in the completion of perfected ships of war. In the same time Sweden, feeble in point of numbers and population, feeble in the matter of great material resources, could outnumber us almost ten times in that which goes to make efficiency in time

I here give a table of comparative expenditures of certain nations, taken from Admiral Porter's report of November 12, 1884

Tabulated form showing the expenditures of foreign nations for the maintenance of their navies during the last fifteen years, as well as the amounts expended for the construction of new ships since 1865; also a statement of the expenditures by the United States for the same purposes during the same periods of time.

Countries.	Approximate ex- penditures for maintenance of the navy, 1869-'84.	Expenditures for construc- tion of new vessels, 1865-'84.
England	\$805, 946, 430 00	\$91,000,000
France	.630,000,000 00	121,000,000
Russia	345, 000, 000 00	83, 583, 180
Italy	142,500,000 00	38,000,000
Sweden		14, 804, 689
Germany		26, 978, 731
United States	253, 796, 613 82	4, 907, 454

Chili, a small strip of country supposed to be poor in resources, on the west coast of South America, had a single ship afloat that could go from San Diego, the southwestern point of California, to Juan de Fuca Straits, on the north of Washington Territory, and take every fort and every ship and every town and city belonging to the United States along that coast, and we could not pretend that we would be able to resist the power of that single vessel of this fourth-rate power of South America. I allude to the ship Esmeralda, owned by Chili. And now we see this proposed bill looks to building a hull and putting it on the stocks at a period not less than two and a half years from this time not even to putting it in the water.

Mr. Chairman, before I come to the provisions of the bill, I feel constrained to refer to a matter that has often been quoted in one way or another, and that is that in our last war we got along with such ships as we then had; that we blockaded a great coast line, and in that way succeeded in doing something with a navy.

But, Mr. Chairman, we blockaded a would-be confederacy that had not

in the beginning a boat even, not to say anything of a ship of war. And yet the very existence of our Government was almost staked-for on that depended the recognition by foreign powers of the confederacy— when the Monitor and the Merrimac came in conflict in Hampton Roads. If it had turned out that the Monitor under the heroic Worden had been disabled and not the Merrimac of the confederacy, England and France and other nations of the world were ready to recognize the Southern Confederacy. Fortune and the blessing of God shone on us in that conflict and in others. There was not only the Merrimac as a rebel ram, but there was also the Albemarle, that, after an unsuccessful attempt to get

to sea, went back and was chained up to the bank of the Roanoks River at Plymouth, and the whole of our Navy was breathless, believing danger impending to it and to the Government until that most gallant hero Lieut. William B. Cushing, in the dark hours of the night her up. We were in danger from that.

Mr. BOUTELLE. Will the gentleman permit me to interrupt him.

for one moment?

Mr. KEIFER. Certainly.

Mr. BOUTELLE. Simply in the interest of history and as a matter of historical justice, I desire to correct the suggestion made by the gentleman [Mr. KEIFER] that the Navy of the United States was in fear and trembling from the ram Albemarle after she had been tied up to the wharf at Plymouth. On the contrary, that ironclad, formidable as she was, had been met in the open waters of Albemarle Sound by three of the wooden gunboats of the United States Navy of the same class referred to almost contemptants by vesterday by the distinsame class referred to almost contemptuously yesterday by the distinguished gentleman from New York [Mr. Cox]—three wooden gunboats of the Tallapoosa class—and, in a fair fight upon open water, was defeated by those wooden gunboats, disabled and sent back to Plymouth in such a condition that she never attempted to escape until she was destroyed by Cushing.

Mr. KEIFER. Mr. Chairman, I have been willing to give way to the distinguished gentleman from Maine [Mr. BOUTELLE], who is nat urally very jealous of the reputation of the Navy, and especially as to its exploits in the late war, but I can not give time to the repetition of history in the short period of sixty minutes allotted to me to-day. It have said that that vessel was defeated and taken back to Plymouth on the Roanoke River, where it was blown up after the most extraordinary preparations on the part of the United States, rather than risk its coming out to meet the three great powerful wooden ships that were waiting. The Tennessee was a rebel ram at Mobile, and it did not get to sea. The Atlanta was below Savannah and it did not get to sea. The Nashville was at Mobile and was driven up into the Alabama River at the time of the capture of Mobile. This ends the list of the rebel rams. Not one of them, I may say, ever got out to sea. If they ever had got out (and some of us know the anxiety the country felt at that time) it would have secured at least the recognition of the would-

be Southern confederacy by foreign powers.

Now, Mr. Chairman, I come to the bill. I will not stop to read the provisions of the second section consecutively, but in general I may say that the bill undertakes to abolish the present Naval Department of the United States, and to substitute for it something that is a little hermaphroditical in character, made up in part of the Navy, but of civilians in larger part. The Secretary of the Navy is to preside over a board of seven, consisting of three persons to be selected by the President of the United States from the Navy and three others from civil life; and when I read this bill I feel that although I live in the central West, far away from any portion of our seacoast, I am at liberty to talk about naval. from any portion of our seacoast, I am at liberty to talk about naval affairs, because hereafter we are to have civilians to determine what sort of a navy we shall build. The proposition is not to consult the wisdom that has accumulated in the naval service—old admirals and commodores and captains and other distinguished naval officers—but to resort to other sources. The board is to be appointed by the President of the United States, and is to consist of six persons besides the Secretary of the Navy, who is to be its president.

By the terms of the bill this board "shall meet in Washington within thirty days subsequent to their appointment, and after overnigation.

thirty days subsequent to their appointment, and, after organization, prepare and cause to be printed and sent to all ex-Secretaries of the Navy, all officers and retired officers of the line and staff of the Navy, to prominent ship-builders, marine and naval architects, engineers, and others interested in such matters, a circular asking for such suggestions, advice, and information as they may see fit to offer." And this is to be furnished within such time as the board may fix. Now, I wish to observe that in the first incipient step toward getting a vessel—not a ship, because this bill does not provide for one completed at all—these civilians are not even asked to furnish advice as to what shall go into the vessel in the way of boilers or other machinery. Nothing in the way of equipment is to be furnished. Nothing is to be advised about in reference to armament, which is regarded in time of war as rather important for a war ship. If we are to have an armored vessel, nothing is to be advised about that will resist the shot of the swiftest projectiles now hurled by the improved heavy guns of the world. We are to have then only under this bill a vessel built without armor; for armor is not a part of the building of a ship in a naval point of view.

are to have no advice furnished with reference to the machinery, the equipment, the armament, or the armor of a perfect vessel. What a vessel of war this would be! And when are we to get even that?

Now we come to another thing: After replies to these circulars are received, this civilian board—for I must so call it—is to determine, from such advice as may come to it, the general classes and character of the vessels to be constructed.

Right here let me observe, that if there should not be any responses from distinguished people familiar with ship-building; if the responses come from those most indifferently qualified, from those who maintain for instance that we should build a wooden navy, then it would come

to pass that we have only a plan here for building obsolete wooden ships. I am not going astray on this point; for, twenty-four hours only ago, I heard from the voice of the eloquent and distinguished gentleman from New York [Mr. DORSHEIMER] the prediction, if not the expression of a hope, that the time would come when we would wage our maritime wars in wooden vessels. Suppose that a distinguished man like the gentleman from New York should be called upon to send advice in reply to a circular, and should advise building a wooden ship!

Others say, speaking of a hundred years ago or three-quarters of a century ago, that naval warfare was then waged in wooden ships. The gentleman from New York further says that Nelson fought only with gentleman from New York further says that Nelson fought only with wooden ships. Ah, it is true that great naval hero at the siege of Calvi, in Corsica, in 1793, where he lost an eye, and at the battle of Trafalgar in 1805, where he lost his life and won a place in Westminster Abbey, fought in a wooden ship. But, Mr. Chairman, the time has gone by when vessels are to be lashed together, and men are to fight on shipboard with short hand implements of war. Marines no longerneed guns in their hands. The improvements in explosives and projectiles, in cannon, in the means of projecting at high velocity heavy ball or shot have put an end to the possibility of naval warfare ever being carried on again as it was in thedaysof Lord Nelson. He never saw a ship that would have resisted the shot from a modern payal gun on a ship that would have resisted the shot from a modern naval gun on board of one of the improved line-of-battle ships of to-day for twenty minutes at a league's distance. Such vessels as he fought in would now disgrace the age in which we live. Projectiles are now thrown with such force as to penetrate the most highly improved steel armor for resistance eighteen inches in thickness and through 2-foot iron or composite armor plate. Again, this civilian board is to act upon the advice it may get in the manner specified, not on what it might get if it were left to seek information in such methods as it might choose. And I may say here, in passing, that whatever is known in the way of improvements in the building of cruisers, gunboats, turret-vessels, rams; whatever belongs to the armored ship and the vessel that is to police the sea; whatever belongs to vessels that are needed in the defense of our harbors and our coasts; whatever is now known the world over in reference to these matters is now to be found on file in the Navy Department. And all that is known by the maritime powers of the earth about machinery, equipment, armament, and armor for all classes of the most highly improved ships of war is also known there and in other Departments of our Government.

When this board has read the answers to its circulars and decided upon a class, and accepted one of each of four classes and awarded a premium of \$10,000 for the best of each of four classes, and \$5,000 for the second best of each of four classes, then these vessels must be ordered to be built, although at that very hour it may be known that there are other better plans and classes of vessels which it would be wise The draughtsman of this section had a good gambling idea, if I may be allowed the expression, for he looked out for the second horse. It is proposed to give \$10,000 for the plan of the best vessel of each class that is accepted, and that we are required to build, and then \$5,000 for the next best plan of each which we reject, and never

Allow me to say with much deference, but upon competent information, that a perfect plan and specifications, which would comprehend the structure of a good ship with armament and machinery and armor and everything requisite, could not be procured for \$10,000. But I think this board will receive some propositions. There are plenty of old plans of ships lying about the Navy Department; and I venture the suggestion that there are plenty of geniuses—we sometimes call them "cranks"—within the sound of my voice who have old plans which they have been carrying around under their arms for years, and which they have been carrying around under their arms for years, and they will now have an opportunity to file them. Somebody may bring here the plans and specifications of the Esmeralda, the great Chilian vessel. Somebody may obtain and file the plans and specifications of the great Italian ironclad Le Panto, now being built, the greatest vessel now constructing in respect to the depth of water it will draw, or the iron-clad Riachuelo, belonging to Brazil. You may get plenty of plans and specifications from the Clyde and file them; but when you have all these before your board you have nothing there but what is already in the Navy Department, with all the additional improvements that could be combined with the originals.

But, as I have already observed, we are to set aside the present naval

But, as I have already observed, we are to set aside the present naval advisory board and go on with a new one. What a great calamity it would be if after this civilian board has decided upon a plan and ordered a vessel built, or rather the hull built, without armament or machinery or armor, some Congress should criticise the board and set aside its work,

and order something else! In that way we shall never get a ship.

There are three civilians, besides the Secretary of the Navy, on the proposed new board. We have now an advisory board. I believe there posed new board. We have now an advisory board. I believe there are two civilians required to be on it, and for many weeks and months there has been a vacancy in that advisory board because the Secretary of the Navy could not find a man qualified who would accept the place. Ah! gentlemen shake their heads. They can find plenty of men who will accept the place, but are they to be indifferent fellows like some of us? We have not been able to keep the present advisory board full, although the salary fixed by law is \$5,000 per year, because we could

not get men skilled and qualified for the place. The new board is to fix the designs and determine the relative merits, and so on, as I have already said. And they are to complete this herculean work and report to the President of the United States by the 1st day of December

Then it has another office to perform. That board is supplemented with responsibility by being directed to consider whether the five unfinished monitors now in process of construction or already partly constructed are suffering from their present incomplete condition, and whether they should be completed and armed. It is to review the work of the highly experienced officers of the present board. If this bill be passed we are to say to the country that we are going to wait for the report of a civilian board to find out whether these vessels are

What if they are? Then I suppose we are to try to apply something to stop their suffering. But they may report they ought to be completed and armed. Then we have lost precious time. We are serving notice on the country that the vessels we have already put large sums of money in, and which are being built in accordance with the most improved plans and specifications in the world, some of them combining the best improvements, in point of construction, machinery, armament, armor, and equipment, of the best ships now in process of construction by England, by Germany, and by Italy—we are giving notice that what we have already done is to be stopped, and we are not to engage in the work of completing anything that can be put afloat. One of these monitors is partly completed in the navy-yard, as I understand it, on the Pacific coast, and there is nothing else there for the protection of

We do not even order that completed. Mr. ELLIS. Will my colleague allow me to interrupt him right

Mr. KEIFER. For a question, but I can not allow the gentleman

to make a speech.

Mr. ELLIS. I wish you to call by name those ships whose types fill out the idea of an American navy.

Mr. KEIFER. Very well; the gentleman will have his way about the order of things. I can say, without being very familiar with this, that the Chicago, a ship of 4,500 tons displacement, is built in accordance with some of the best improved plans of a ship of that class in the world.

Mr. ELLIS.

Mr. ELLIS. What is her speed?
Mr. KEIFER. Sixteen or more knots per hour.
Mr. ELLIS. How much armor?

Mr. KEIFER. I will give all the monitors, if the gentleman desires; but I prefer to go through in my own way.

Mr. ELLIS. You refer to American ships now being built?

Mr. KEIFER. Certainly. I have said they are built partly after the best and most improved plans, or class if you choose to use the word, of ships in the world. I do not believe the gentleman disputes that

proposition.

Mr. ELLIS. I do not dispute it. The idea I wish to draw out is this: The gentleman thinks we may safely copy those in further in-

crease of the Navy.

Mr. KEIFER. The gentleman undertakes to draw his own conclusion without being justified in it. I undertake to say if this country needs a navy we must finish something, and inasmuch as we have the best class of ships the world now knows anything about in process of construction, I would finish those before I would send circulars around the country hunting information on which to make a report at a distant day in reference to vessels which are to be built some years hence.

Mr. ELLIS. Then the gentleman regards those vessels now being constructed as the very best vessels in the world? That is what I wish

Mr. LONG. Has not an appropriation been made for the completion of these cruisers?

Mr. KEIFER. I have already answered that question by saying that these monitors, the bill itself provides in effect, are not to be finished.
Mr. LONG. Cruisers?

Mr. KEIFER. Some are being finished.

Mr. LONG. All of them.
Mr. RANDALL. The money is given for all.
Mr. THOMAS. Not by this bill.

Mr. RANDALL. No; not by this bill.
Mr. KEIFER. And there is no provision in any law or bill to comlete any of the five monitors.
Mr. ELLIS. Provision is made, I understand, for finishing those

essels.

Mr. THOMAS. And armament, too.
Mr. KEIFER. Not the monitors; for by this very bill it is provided that the new board is to examine and report on the propriety of their

The unfinished monitors are the Monadnock, at Mare Island, on the Pacific coast; the Puritan, at Chester, Pa.; the Terror, at Wilmington, Del.; the Amphitrite, at Philadelphia; and the Miantonomoh, at Brooklyn.

I was speaking, when I was interrupted by the gentleman from Louisiana, of the armored vessels unfinished, the monitors. We are

to look, according to the bill, to see whether they "are suffering" or not, in order to determine whether they shall be completed or not, and this board is to report on that subject by the 1st day of December, 1885.

Now, Mr. Chairman, there are many objections to the scheme in this bill. We are to set up a new naval establishment. We are to have a new class of clerks—of civilians—under the direction of this civilian board. They are to be paid by this bill in accordance with the allowance made to experts and clerks in the Navy Department. Another class of men entirely is to come in. We are to build up a new establishment, and at last we have come to the day when we would be startled and dazed even if we were not hourly looking for astounding We have come to the time which of all others would astonish us, and that is when the Democratic party presents to the Congress of the United States a proposition to appropriate an indefinite sum of money for the construction of a navy. I have witnessed my colleagues on the Committee on Appropriations on the floor of this House, and everywhere, cry out against an indefinite appropriation for a poor employé of the Government when the sum that was possible under the appropriation was less than \$100. But we have by this bill a different condition of affairs in this language:

The necessary money to pay the expenses of the board and its awards-

That is, \$60,000; we can determine on that

and for the building of the vessels as herein provided for, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid under the directions of the President of the United States, &c.

The President and Secretary of the Navy may expend \$5,000,000 on a vessel or \$10,000,000, just as they please. They may go to the uttermost limits; there is nothing to check them; they have the United States Treasury behind them. I am not here, Mr. Chairman, to congratulate Democracy upon taking this advance step in the matter of making unlimited and indefinite appropriations, for I do not believe in it. Some on that side of the House have contended for limited appropriations in the smallest affairs connected with the Government; and now when we are in the closing hours—ay! the closing hours of a Republican administration, and a Republican Executive is about to go out—Democracy sends forth its proclamation that hereafter we are to have unrestricted and indefinite appropriations from the public Treasury. Is that Democratic? Is that the way to launch an incoming administra-

But the President to come in is to have control of this after all. ought to have said in its proper connection that if we have a favorable report by this board for four classes of vessels or ships to be made the President of the United States is yet to come in and become the law as to whether the vessels recommended to be built shall be built, or rather whether any vessel shall be built at all. He is to say whether anything is to be done or not. After the board has gone through with all of its travails and brought forth whatever it may of perfection or monstrosity the President is to look at it and say whether it shall be allowed to come to anything or not in the world. The whole thing is finally to be determined by him as to whether we are to have not a navy but a ship

on the stocks. Nothing nearer a navy is proposed.

Now in order that this indefinite appropriation may be easily reached, it remains entirely within the power of the President, by the terms of this proposed bill, to direct a pay officer of the Navy Department to be detailed, and then he can say in a note to the Treasurer of the United States, "Hand over to my detailed officer \$10,000,000 or \$20,000,000 to be used by us." All of the ordinary forms of paying out money from States, "Hand over to my detailed officer \$10,000,000 or \$20,000,000 to be used by us." All of the ordinary forms of paying out money from the Treasury of the United States, with all of the checks and guards about it, are set aside by the provisions of this bill; and it simply says that the President of the United States shall detail some pay officer of the Navy who shall take whatever money is ordered to be taken out of the Treasury for the purposes herein provided. Is not that advancement? Is not that looking to the matter of getting the money out of the Treasury which my friend from Colorado [Mr. Belford] so greatly hopes may be accomplished by the incoming Democracy? Here is another method without check at all to reach the money in the Treasury other method without check at all to reach the money in the Treasury. Mr. Chairman, it is without a parallel in legislation, and I may say that it is so unprecedented that it is suggestive of great danger to the Treasury of the United States.

Last of all in this remarkable section we find:

The provisions of this section shall take effect immediately after the passage of this act.

The Democracy is to come into power a few days or a few hours after this bill takes effect and then it shall become a law!

the public money in this loose way is to begin promptly.

We have had advisory boards. By a law passed on the the 5th of August, 1882, we had an advisory board. It was made up of the accomplished, trained, and educated officers of the Navy, with the exception, I believe, of two persons; but it was scientific in its character. That board has labored with all these questions. The Secretary of the Navy was directed by the same act to send out circulars for advice and upon the subject of new ships, &c., and he sent them out, I think, about the 5th of August, 1882; and also later supplemental circulars were sent out, asking for advice upon the matters to come before them. The Navy the subject of new ships, &c., and he sent them out, I think, about the 5th of August, I882; and also later supplemental circulars were sent out, asking for advice upon the matters to come before them. The Navy, who is astute, ready, and always alive to give prompt attention to what-

ever belongs to progress in the Navy and the Navy Department, has gathered up in this and other ways all the information that can be obtained upon this subject, and it is all in that Department now.

This advisory board is incomplete now simply because one civilian

member resigned and another could not be obtained at \$5,000 a year to take his place, but it is one which possibly might be made complete. This advisory board is to be set aside for a new-fangled one. And those gentlemen, those three distinguished men, as we suppose they are to be learned in engineering, skilled in the science of maritine ship-building, are to be paid the enormous sum of \$10 a day and railroad fare; it is not proposed even I believe to pay for their dinners if they should happen to go to New York. They are to have \$10 a day for their summer's work and for their deliberations and their business. All the accumulations of science and of learning and of skill and of experience that these persons are to have are to be paid for at the rate of \$10 a day. Mr. Chairman, the draughtsman of the bill may have known well what he was about and may have proposed to pay them all they are to be worth. I do not know who they are to be, and therefore I

may say that.

It is absurd, Mr. Chairman, and entirely unheard-of, to have a competition in furnishing detailed drawings and specifications for naval vessels. When the general features and essential requisites of a vessel specifications, and skilled draughtsmen in the Navy Department can do this. We have all possible information to determine what kind of vessels should be built, as I have already stated, now in the Navy Department. What is wanted is a determination of the authority to de-

cide in the competition in drawings, specifications, and models.

I have some queries to put that I hope the gentlemen who are responsible for this bill will answer. Are foreign designers to be allowed to compete for the awards? If any person brings exact copies of the plans of foreign or home vessels—for instance, those of the Italian Le Panto or the Brazilian Riachuelo as an ironclad, or the Esmeralda as a cruiser, built on the Clyde for Chili—is he to be allowed with those plans to enter into competition? Who is to be regarded as the proprietor of the plans and receive the prize?

Under this plan, Mr. Chairman, four vessels are to be built, but no limit is fixed as to the cost. A five-million-dollar ironclad may be ordered.

All the requirements of existing legislation regulating alterations in plans and requiring the supervision of the board are omitted. If we should adopt some plan that was the best we had and yet not the best, and commence the building of a ship, the law would be such that unless it was changed we could not vary the construction of the vessel in any part, and we would have to complete the thing we started out with. In the two years or more which it would take to finish the vessel, even before we put machinery into her, we would find ourselves in a condi-tion that we should have to build that which we did not want.

If this supposed perfect proposition were adopted, as I have said repeatedly, it would give us a vessel on the stocks without machinery in it, without equipment on it, and if it was an armored vessel, without armor, and if it was to carry guns, an essential for war-ships, we might assume without armament. So that at the end of the time and at the assume whould attain the solution at the end of the time and at the end of the discretion, notwithstanding the indefinite appropriation, we should have a structure upon the stocks somewhere in a navy-yard or somewhere else where it was built by contract that we would not dare to launch, that we could not put into the water because it would have no machinery to run it or manage it. Therefore the whole plan is no machinery to run it or manage it. utterly imperfect and should be rejected.

utterly imperfect and should be rejected.

Mr. Chairman, when, on yesterday, the majority of this committee voted to leave an appropriation of \$400,000 in the first section of this bill to finish a ship now twenty years old, finish a ship that has only been partially built, and its timbers not even planked over, we had notice served upon us that the thing was to spend money not to make a navy; for, as I have shown, no part of a navy would be completed under this bill without further legislation. If we carried out all the provisions of this bill, if we finished the ship New York, now, as for twenty years, on the stocks in the Brooklyn navy-yard, we would have a vessel, if war should come, we should never dare to launch or take out a vessel, if war should come, we should never dare to launch or take out of the harbor. You would hear the people of the city of New York cry aloud for appropriations to build stone-boats to take down to the Narrows and sink there, so as to prevent the New York from getting out where it could be captured, and to prevent vessels outside getting in where they could capture New York city and this old hulk of a ship, the New York; and that would be the only way to protect either. The New York, when completed, could not catch anything that was on the sea that was less powerful than itself. It could not run away from anything that belongs to marine naval warfare. Speed in a naval ship is as important as strength. But we are to spend \$400,000; and then there is no person who has temerity and courage enough to claim it would be worth anything or be needed for any possible purpose except, as stated on yesterday by the distinguished gentleman from New York

I would like to ask gentlemen to tell me what four classes of vessels are most needed. What four among the score or more of classes of ships that are now built for naval war purposes—what four are we to select? Are we to have cruisers, monitors, gunboats, or one or more of the dozen different kinds of turret vessels? I would like gentlemen to tell me whether there are to be different classes of cruisers and different classes of gunboats, or whether we are to have torpedo-boats. If I had time I would be able to show that a maritime power that boasts of its strength upon the sea, the power before which all the maritime nations of the world tremble, to wit, Great Britain, is armed strongest for defense through her torpedo-boats.

If we should ever be able to build and complete four good war ships under this bill when a law, which I deny, the country would have but little toward an adequate navy to protect its long coast lines or to

maintain war on the high sea.

Besides the completion of the cruisers and monitors now in process of construction I would build and in all respects complete the new vessels of the several classes recommended by the present Secretary of the Navy, Mr. Chandler. With these our country would be so armed as probably to avert war, and if a maritime war came we would in some part be ready to maintain it with a power commensurate with our greatnes

[Here the hammer fell.]

Mr. McCOID. Mr. Chairman, I wish to occupy a moment.
The CHAIRMAN. Does the gentleman from New York [Mr. HUTCH-INS] yield?

Mr. HUTCHINS. On which side does the gentleman desire to be heard?

Mr. McCOID. In opposition to the bill—just for a moment. I simply wish to send up and have read from the Clerk's desk a remonstrance relating to this subject

The Clerk read as follows:

To the honorable Senate and House of Representatives in Congress assembled:

We respectfully protest against appropriations for the increase of the Navy, and the manufacturing of large guns and other munitions of war, as a means of preserving peace with other nations.

We earnestly pray your honorable body to spare no expense or effort that may be necessary in providing courts of arbitration and other humane and civilized methods of promoting and maintaining friendly relations with foreign countries; for which we will ever pray.

ELIAS JESSUP.

ELIAS JESSUP,
WILLIAM P. SMITH,
ISAAC T. GIBSON,
On behalf of Iowa Yearly Meeting of Friends.

1st month, 2, 1885.

Mr. HUTCHINS. Mr. Chairman, I now yield fifteen minutes of my time to Mr. Long, of Massachusetts.

Mr. Long. Mr. Chairman, I doubt if I shall want all the time allotted me, for I rise merely to declare myself with regard to this section of the bill. As I listened to the gentleman from Ohio [Mr. Keifer] and heard bill. As I listened to the gentleman from Ohio [Mr. Keifer] and heard his fervid and eloquent statement of the need of a navy and the exposure of our coast, and then heard him argue so strenuously against the proposed and only means of providing for its needed defense, I was reminded of the old story told of a distinguished citizen of my native State, who said he was "in favor of the Maine law, but agin its execution." [Laughter and applause.] There was a great deal of force in many of the objections which the gentleman from Ohio urged against the measure, but they are objections to details in the bill, which are open to amendment. With reference to many of them I fully agree with him, but they can be corrected by the touch of a pen. But I do with him, but they can be corrected by the touch of a pen. But I do not agree with him in opposing the general legislation proposed.

The question before the country and the House is the undamental

one whether we shall have a navy at all sufficient for the necessities of the country. That, sir, is an elementary question. It is a question which answers itself. If one of the corner-stones of a man's house has begun to crumble, he does not deliberate; he acts, and makes the foundation secure. One of the corner-stones of our Republic has the foundation secure. One of the corner-stones of our Republic has crumbled. The time has not yet come, sir, when physical power and prowess are not an element of national strength. No nation can steadily hold its own that does not carry with it not only the impression but the fact of its ability to assert and defend itself. It is to that impression and to that fact that little England owes her self-respect and the respect of the world. She may not be holding her own to-day, but she would be holding her own if she were fighting on the sea in defense of her own institutions and not in the invasion of others.

of her own institutions and not in the invasion of others.

A national flag is a splendid thing, though it be but a broom, so long as it rocks at the masthead; but it is a very poor thing, no matter how gaudy its colors or fine its texture, when it trails in the slime. The very recognition of national power, the consciousness that a nation is able to defend itself and to strike back, is in itself, and without firing a gun, the best protection. It is the very protection and peace which the petition just read at the Clerk's desk, from the Society of Friends, aims to secure protection at home and abroad—protection to the mer-chant who builds his warehouse on the seaboard, and to the interior farmer whose interests depend upon the maintenance of relations with

the export markets of the coast.

All this is elementary. Yet what, in respect to our seacoast defenses, is the condition of our country which is to-day intrusted to our

hands? It is very well for the gentleman from New York [Mr. Dors-HEIMER] in his eloquent address to say we have sufficient defense in the hearts of our people, our brave soldiers and sailors. They have brave hearts indeed. So there were never braver hearts than those of the three hundred Spartans who stood at the pass of Thermopyle and resisted the hosts of Xerxes. But the paltriest coward in the Persian ranks, standing a mile from their swords with a Hotchkiss rifle before him, would have laughed at them, and anon moved on in derision over their riddled bodies.

To-day on our ocean border our country is like an unarmed giant, mighty in resources but surrounded by an armed soldiery who hold him at the very point of their bayonets. Our harbors are defenseless; nim at the very point of their bayonets. Our harbors are defenseless; our seacoast is at the mercy of foreign ironclads; our ocean cities are a temptation to the exaction of a ransom of half their value; our Navy is an alphabet of floating wash-tubs. There is scarce a nation so poor as to do it reverence. We have but one ship, the Tennessee, which ranks as first rate; and even as to her the Secretary of the Navy says in his report that as soon as she shall be examined she will be condemned as not worth remaining.

demned as not worth repairing.

On such wooden ships as we have there is not a single piece of ordinance of more value in modern warfare than a child's pop-gun. This picture has been drawn over and over again, till we are tired of its coloring. Our people ridicule their own navy, and even come to relish as a joke the running down of the Tallapoosa by a coal-barge. They laugh at our naval array as a sort of marine Falstaffian burlesque. And what have we done about it? I have sat here through one session and heard have we done about it? I have sat here through one session and heard a wrangle between members on one side and the other as to which party is at fault, meantime nobody caring a row of pins about the quarrel and the people indifferent to it. Is it not time to get above this fish-woman's scolding?

The CHAIRMAN. If the gentleman from Massachusetts will suspend the Chair desires to call the attention of the Committee of the Whole to the fact that the House, under its standing order, this being Friday, is to take a recess at 5 o'clock to reassemble this evening at 7 o'clock, though ordinarily the hour of reassembling is 8.

Mr. THOMAS. I thought the hour for the recess had been extended till 6 o'clock.

A MEMBER. There was no extension

A MEMBER. There was no extension.

Mr. THOMAS. There ought to be.

Mr. RANDALL. I move that the committee rise.

The motion was agreed to.

The motion was agreed to.

The committee accordingly rose; and Mr. Thompson having taken the chair as Speaker pro tempore, Mr. Wellborn reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, and had come to no resolution thereon.

Mr. RANDALL. I move that the House continue in session until 6 o'clock for debate in Committee of the Whole on the naval appropriation bill and that then the recess he taken until this evening.

priation bill, and that then the recess be taken until this evening.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks that the recess be taken at 6 o'clock instead of 5. Is there objection? Mr. PRICE. I object.

Mr. RANDALL. Then I move that we now take a recess.

The SPEAKER pro tempore. The hour of 5 o'clock having arrived, a recess is now declared until 7 o'clock this evening in accordance with previous order. The gentleman from New York, Mr. BAGLEY, will previous order the evening recession. preside at the evening session.

EVENING SESSION.

The recess having expired, the House reassembled at 7 o'clock p. m., Mr. BAGLEY in the chair as Speaker pro tempore.

ORDER OF BUSINESS

The SPEAKER pro tempore. The Clerk will read the order under which the House meets this evening.

The Clerk read as follows:

The Clerk read as follows:

That until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 8 p.m., at which evening sessions bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

February 13, 1885.—Amended so as to include bills for the removal of political disabilities reported by the Judiciary Committee and Senate bills on the Speaker's table for the removal of political disabilities.

February 20, 1885.—Amended by providing that to-night's session for pension business shall be from 7 till 9 o'clock.

THOMAS M. M'CHESNEY.

Mr. MATSON, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 7863) granting a pension to Thomas M. McChesney; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LEONORA A. BOYDEN.

Mr. STRUBLE (by Mr. Wilson, of Iowa) reported back favorably from the Committee on Pensions the bill (S. 1709) granting a pension to Leonora A. Boyden; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ANDREW FRANKLIN.

Mr. STRUBLE (by Mr. WILSON, of Iowa) also reported back favorably from the Committee on Pensions the bill (S. 2272) granting a pension to Andrew Franklin, alias Andrew McKee; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. MATSON. I move that the House now resolve itself into Committee of the Whole House on the Private Calendar to proceed with business under the order for Friday evening's session.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the Private Calendar, Mr. HATCH, of Missouri, in the chair. The CHAIRMAN. The House is now in Committee of the Whole

House for the consideration of bills upon the Private Calendar, under the special order heretofore made, which has just been read.

Mr. MATSON. I ask unanimous consent that the order of business be so fixed that members may call up such bills as they may select, the Chair alternating in recognition from side to side in the House, and that the bills reported favorably from the two committees—the Committee on Pensions and Invalid Pensions—where favorable reports are made, shall be given preference and disposed of, and if afterward any time remains the adverse reports may be taken up.

The CHAIRMAN. Is there objection to the request of the gentleman

from Indiana?

There was no objection, and it was ordered accordingly.

WILLIAM LOCKHART.

Mr. HEWITT, of Alabama. Mr. Speaker, I call up the bill (S. 357) granting a pension to William Lockhart.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Lockhart, late a soldier in the Black Hawk war.

Mr. HEWITT, of Alabama. This man is 80 years old, and was wounded in the Black Hawk war. I think he ought to have a pension. The bill was laid aside to be reported to the House with the recom-

mendation that it do pass.

ALEXANDER WEIDE.

Mr. DAVIS, of Illinois. Mr. Chairman, I ask consideration of House bill 7485, granting a pension to Alexander Weide.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Alexander Weide, late captain of Company C, Third West Virginia Cavalry, subject to the provisions and limitations of the pension laws.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

NEWTON J. BURRIS.

Mr. MATSON. Mr. Chairman, I call up Senate bill 1655, found on page 52 of the Calendar, granting a pension to Newton J. Burris.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Newton J. Burris, late a private in Company I, Sixty-eighth Regiment Indiana Volunteer Infantry.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LEONORA A. BOYDEN.

Mr. WILSON. Mr. Chairman, I ask consent in behalf of the gentleman from Wisconsin, who presented this bill, to consider Senate bill 1709, granting a pension to Leonora A. Boyden.

The bill is as follows:

Be itenacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Leonora A. Boyden, mother of Charles F. Putnam, late a master in the United States Navy, lost in the Arctic Ocean, and pay her a pension of \$30 per month from and after the passage of this act.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOSEPH SANSOM.

Mr. HALSELL. Mr. Chairman, I ask to call up the bill (H. R. 7990) granting a pension to Joseph Sansom.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Joseph Sansom, late of Company F, Twenty-sixth Regiment Kentucky Volunteers, on the pension-roll, subject to the provisions and limitations of the pension laws.

The bill was laid aside to be reported to the House with the recom-, mendation that it do pass.

MRS. F. M. NORTON.

Mr. CANNON. Mr. Chairman, I call up the bill (H. R. 8189) granting a pension to Mrs. F. M. Norton, and put it upon its passage

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. F. M. Norton, widow of James H. Norton, deceased, late a private in Company G. Eighty-sixth Regiment New York Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE A. WASHBURN.

Mr. EATON. I move to take up Senate bill 1803, granting an increase of pension to George A. Washburn, and put it upon its passage. The bill was read. It is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of George A. Washburn, late major of the Sixteenth Regiment Connecticut Volunteers, and brevet brigadier-general, to \$45 per month.

Mr. HEWITT, of Alabama. It is proposed to increase the pension. I ask therefore that the report be read, so as to show the grounds on which the increase is recommended.

The Clerk proceeded to read the report.

Mr. HEWITT, of Alabama. I have been informed that this is a very meritorious case, and I shall not insist upon the further reading of the report, but ask that it be printed in the RECORD.

The report (by Mr. FYAN) is as follows:

As the Senate report covers the facts and evidence in the case, it is adopted by this committee:

As the Senate report covers the facts and evidence in the case, it is adopted by this committee:

[Senate Report 1183, Forty-eighth Congress, second session.]

The claimant, George A. Washburn, late major of the Sixteenth Connecticut Volunteers, was pensioned for gunshot wound of left thigh at \$12.50 per month from January 17, 1863, the date of discharge. This pension was increased to \$25 per month from October 7, 1869. No further claim appears to have been made before the Department.

The claimant now asks that this amount be increased, and presents the following affidavit, made by his attending physician:

"This is to certify that I have made examination of General G. A. Washburn, late major Sixteenth Connecticut Volunteers; that I am familiar with his condition and habits for the past year, and I am of opinion that he is totally incapacitated for all forms of manual labor. By reason of wounds received in battle his left leg is of little use, interfering with riding, getting in and out of a carriage, &c., necessitating the constant use of a stick. At frequent periods he can not for days together go out of doors. His rest at night is disturbed by great pain, which requires the attendance of another person to nurse him, and the use of large amounts of pain-quieting medicine. When absent from home he requires the attendance of another, and he is daily in requirement of health-supporting measures. My opinion is that were he to return to his home in the North the nature of his bronchitis and asthma are such that they would speedily prove fatal, at least exceeding dangerous to life. From the painful existence and permanency of his disorders of wound, lameness, asthma, bronchitis, and their complications, as well as his need of support, I would earnestly recommend the case of General Washburn to your consideration.

"C. S. MAY, M. D." "C. S. MAY, M. D."

Senator Platt also indorses the statements made by Dr. May, and states that in his opinion the applicant is entitled to an increase of pension.

A. S. Warner, late surgeon Sixteenth Regiment of Connecticut Volunteers, certifies as follows:

"I have examined Col. George A. Washburn, formerly major of the Sixteenth Regiment Connecticut Volunteers, and I find he received a wound, the ball passing very near the junction of the filum with the sacrum, passing through the pelvis, badly comminuting the ischium, a part of the ball (a triple one) passing through the scrotum and out, and a part was lodged in the left testes. I am of opinion the disability occasioned by the wound is permanent and total."

Unquestionably this soldier is equitably entitled to an increase of pension, but as the rate of \$50 is now the highest allowed for total disability, requiring constant attendance of another person, except in cases covered by the act of June 16, 1880, and inasmuch as this soldier does not require constant attendance, your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass

CHRISTIAN ARNDT.

Mr. STRAIT. I ask consent to call up the bill (H. R. 7992) for the relief of Christian Arndt and put it upon its passage.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Christian Arndt, late of Company, H, Ninth Minnesota Infantry, on the pension-roll, subject to the rules and limitations of the pension laws.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM D. FARNSWORTH.

Mr. SHIVELY. Mr. Chairman, I ask consent to take up the bill (H. R. 8152) for the relief of William D. Farnsworth and put it upon its passage.
The bill is as follows:

Whereas on or about the 23d day of May, 1882, by an act of Congress entitled "An act for the relief of Almira Farnsworth," approved May 23, 1882, a pension was granted said Almira Farnsworth; and Whereas said Almira Farnsworth died on the 6th day of June, 1882, without having received her pension certificates, and left a husband surviving her, one William D. Farnsworth, who is old and feeble, being eighty-three years of age;

William D. Farnsworth, who is the secretary of the Interior be, and is hereby, authorized and directed to place the name of William D. Farnsworth on the pension-roll in lieu of Almira Farnsworth, said pension to date from the 23d day of May, 1882, but in all other respects subject to the provisions and limitations of the pension laws.

The committee recommend the adoption of the following amendments: Strike out allaster the word "Farnsworth," in line 4, and insert "dependent father of Edward Farnsworth, late of Company E, Twentieth Indiana Volunteers, on the pension-roll, subject to the provisions and limitations of the pension laws;" also strike out the preamble.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM STANSBERRY.

Mr. PRICE. I call up for consideration the bill (H. R. 7993) for the relief of William Stansberry

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William Stansberry, late of Company A. Third West Virginia Cavalry, on the pension-roll, subject to the rules and limitations of the pension laws.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ANNA GINN.

Mr. BAGLEY. I call up for consideration the bill (S. 2350) granting a pension to Anna Ginn.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Anna Ginn, widow of Benjamin Ginn, late a private in Company F, Fiftieth Regiment Enrolled Missouri Militia.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES L. ALDEN.

Mr. WHITE, of Minnesota. I call up for consideration the bill (H. R. 6960) for the relief of Charles L. Alden.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized to place the name of Charles L. Alden, of Company C, Second Minnesota Infantry, on the pension-roll at a rate commensurate with his present disabilities.

The Committee on Invalid Pensions reported the bill with the following amendment:

In lines 5 and 6, strike out the words "a rate commensurate with his present disabilities" and insert "the rate of \$30 per month."

Mr. HEWITT, of Alabama. I desire to ask the gentleman who calls up this bill what pension this soldier is entitled to under the general law. Thirty dollars is the highest pension known under the general law except in special cases.

Mr. STRAIT. The man is entirely blind now.

Mr. STOCKSLAGER. For the loss of both eyes he would be en-

titled to \$72

Mr. STRAIT. The committee did not think he was entitled to \$72

and recommended a pension of \$30.

The amendment was adopted; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

EDGAR L. DUTTON.

Mr. HOLMAN. I call up the bill (S. 1790) granting a pension to Edgar L. Dutton.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions of the pension laws, the name of Edgar L. Dutton, late a private in Company K, Twenty-second Regiment Indiana Volunteers, at the rate of \$16 per month, in lieu of the \$5 per month heretofore allowed him, as specified in pension certificate 116435.

Mr. HEWITT, of Alabama. I should like to know why it is proshort the will, of Alabama. I should like to know why it is proposed to increase the rate of pension in this case from \$8 a month to \$16? There ought to be some reason assigned for it.

Mr. HOLMAN. I have sent for the report.

The CHAIRMAN. The report is on the desk. The Clerk will

The report (by Mr. MATSON) was read, as follows:

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1790) granting an increase of pension to Edgar L. Dutton, having had the same under consideration, beg leave to report as follows:

A careful examination of this case enables us without hesitation to adopt the Senate report and ask for the passage of said bill. The said report is as follows:

"That the Commissioner of Pensions, in his letter transmitting the papers in this case to the committee, makes the following remarks concerning it, namely:

"The soldier was pensioned March 1, 1872, for hernia of right side, at \$4 per month, from May 13, 1865, the date of his discharge; at \$8 per month from April 16, 1874. His claim for increase on account of heart disease is inadmissible, because there is no record or medical testimony showing existence of alleged disability in the service, nor medical estimony showing existence of alleged disability in the service, nor medical or other satisfactory testimony showing existence at and since discharge."

"The claimant testified in his application for increase that he could not furnish the medical testimony required as to existence of the disability from heart disease while in the service, because it was contracted while absent from his regiment, and states in an explanatory affidavit filed with the Commissioner of Pensions that—

"The disease of the heart, upon which his claim for increase is based, was incurred in the service while a prisoner at Andersonville, Ga., and Florence, S. C., between July 19, 1864, when he was taken prisoner at Peach Tree Creek, in front of Allanta, Ga., and the middle of December, 1864, when he, with about 10,000 other sick and wounded prisoners, was released on special parole, and never afterward returned to his regiment, and was discharged at Indianapolis, Ind., May 11, 1865."

May 11, 1865.'
"He further says that, even though he had been returned to his regiment, it

would still be impossible for him to furnish the testimony of the surgeon or assistant surgeon of his regiment as to his condition subsequent to his release on parole as a prisoner, for the reason that both of those officers are dead. But he furnishes evidence establishing beyond all reasonable doubt that at the time of his enlistment he was not only free from heart disease but was a sound and able-bodied man, and other testimony in the case supports the declaration of the soldier that his disease of the heart was contracted as he alleges it was, and that it has continued since the close of the war to the present time.

"He was examined by a board of examining surgeons in April, 1879, and again in September, 1889, and the reports in both instances rate him total for hernia and total for heart disease, and certify that: 'We find his disability, as described above, to be equal to and entitling him to \$16."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. LUCRETIA G. RIPLEY.

Mr. WAIT. I call up the bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lucretia G. Ripley, widow of Edward F. Ripley, deceased, who enlisted as a private in Company H, Eighteenth Regiment of Connecticut Volunteers, and was afterward detailed as night hospital steward at New Haven, Conn., and died on the 10th day of September, 1875, leaving surviving said widow, and issue under the age of 16 years, one child, to wit, Grace A., born January 18, 1875; and that the said Lucretia G. Ripley be paid during her widowhood the sum of \$8 per month, to commence on the 11th day of September, 1875.

The Committee on Invalid Pensions recommend the following amend-

Strike out all after the words "Connecticut Volunteers," in line 8.

The amendment was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass

CLARINDA HUNT.

Mr. SEYMOUR. I call up the bill (S. 1804) granting a pension to Clarinda Hunt.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Clarinda Hunt, the foster-mother of Edwin W. Hunt, deceased, who enlisted in the United States Navy September 15, 1864, and was discharged September 1, 1865, for disability, from which he never recovered.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

PATRICK FURLONG.

Mr. BROWN, of Pennsylvania. I call up for consideration the bill (S. 2610) granting a pension to Patrick Furlong. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the 'name of Patrick Furlong, late a private in Company G, Fourteenth Regiment Vermont Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

FERDINAND HUSCHER.

Mr. STOCKSLAGER. I call up the bill (H. R. 8048) to increase the

pension of Ferdinand Huscher.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that the copy of the bill sent to the Clerk's desk is not the regular Calendar bill.

Mr. STOCKSLAGER. I have sent to the document-room for it.

The CHAIRMAN. The bill will be reported, and the Chair will direct the attention of the chairman of the Committee on Invalid Pen-

sions to the reading of the bill. The bill was read, as follows:

Be it enacted, &c., That the pension of Ferdinand Huseher, late a hospital steward in the United States Army, be, and the same is hereby, increased to \$24 per month, in lieu of the pension now allowed him.

Mr. MATSON. The Committee on Invalid Pensions was discharged from the consideration of this bill, and it was referred to the Committee on Pensions.

Mr. STOCKSLAGER. That statement is correct, and the bill was mr. STOCKSLAGER. That statement is correct, and the bill was reported to the House with a favorable recommendation by the Committee on Pensions on Wednesday.

The CHAIRMAN. Was there any amendment reported?

Mr. STOCKSLAGER. No amendment except to change the name from "Huscher" to "Herscher."

Mr. HEWITT, of Alabama. I reserve the right to oppose the bill until my friend from Indiana [Mr. STOCKSLAGER] shall give some explanation of it.

Mr. STOCKSLAGER. Mr. Chairman, I would much prefer to have

Mr. STOCKSLAGER. Mr. Chairman, I would inten proceed the report here.

The CHAIRMAN. The Chair suggests that the gentleman [Mr. STOCKSLAGER] withdraw his bill for the present, and meanwhile he may be able to find the report.

Mr. STOCKSLAGER. The report, they say, has not been printed.

The CHAIRMAN. The bill will be passed for the present. The Chair recognizes the gentleman from Kansas [Mr. MORRILL].

CHANCEY G. DARRAH.

Mr. MORRILL. Mr. Chairman, I call up the bill (H. R. 8187) granting a pension to Chancey G. Darrah.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll, subject to the restrictions and limitations of the pension laws, the name of Chancey G. Darrah, late of Company E, Sixteenth Regiment New York Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SYDNEY L. SKAGGS.

Mr. ROGERS, of Arkansas. Mr. Chairman, I desire to call up the bill (S. 1268) for the relief of Sidney L. Skaggs.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sidney L. Skaggs, late scout of the Second Arkansas Infantry.

The report (by Mr. HOLMES) was read, as follows:

The report (by Mr. Holmes) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1268) for the relief of Sydney L. Skaggs, having considered the same, report as follows:
Claimant was a pilot, guide, and scout, serving as such with the Union Army in the State of Arkansas in 1864 and the early part of 1865. That while serving as such he was seriously wounded by the enemy.
Your committee agree with and adopt the report made to the Senate by Mr. Jackson, of the Committee on Pensions, upon said bill, and incorporate it herewith as a part of their report, as follows:
"The Committee on Pensions, to whom was referred the bill (S. 1268) for the relief of Sydney L. Skaggs, having examined the same, make the following report:

The Committee of Pensions, to whom was referred the bill (8, 1268) of the report:

"That said Skaggs, in 1894 and during the early part of 1865, acted as pilot and guide for the different Federal commanders at the post of Clarksville, Johnson County, Arkansas. That in January, 1865, while out with a scouting expedition, under the command of Lieutenant Pitts, of Company A, Second Arkansas Infantry, the party were attacked by rebels or bushwhackers, and during the fight said Skaggs was wounded in each shoulder. The wound in the right shoulder necessitated amputation of the right arm near the shoulder joint. This amputation was made by the regimental surgeon, and he was treated in the regular Army hospitals. He filed his application for pension, which was rejected by the Pension Office on the ground that he was not an enlisted man in the millitary service of the Government, and because the general law made no provision for volunteer scouts and pilots, although regularly employed. Skaggs was between 16 and 17 years of age while serving as scout and when wounded, as aforesaid, in an actual engagement with the enemy.

"Your committee have, in several instances, recommended relief in cases of this character, where the disability or injury was received by the scout in an actual engagement with the enemy. They think such cases constitute a proper exception and come within the spirit of the law. The committee accordingly report back the bill to the Senate with the recommendation that it be passed."

Your committee therefore report the bill back with the recommendation that it do pass.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS M. M'CHESNEY.

Mr. KEAN. Mr. Chairman, I desire to call up a bill reported this evening (H. R. 7863), granting a pension to Thomas M. McChesney, with amendments.

The amendments were read, as follows:

The committee propose to strike out the preamble, and to make the bill read

thus:
"Be it enacted, &c., That Thomas M. McChesney, of the township of Cranberry, in the county of Middlesex, in the State of New Jersey, shall be placed upon the list of invalid pensioners, subject to the provisions and limitations of the pension laws, as though he had been regularly mustered into the service as an enlisted man in Company N, Ninth New Jersey Volunteers."

The amendments were agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

CORYDON MILLARD.

Mr. SUMNER, of Wisconsin. Mr. Chairman, I call up the bill (H. R. 6505) granting a pension to Corydon Millard. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Corydon Millard, formerly a chaplain in the United States heavy artillery, at the rate of \$20 per month, subject to the provisions and limitations of the pension laws.

The report (by Mr. Sumner, of Wisconsin) was read, as follows:

The report (by Mr. Sumner, of Wisconsin) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (II. R. 6505) granting a pension to Corydon Millard, having had the same under consideration, hereby submit the following report:

The claimant, Corydon Millard, enlisted and acted as chaplain of the Fourth United States Heavy Artillery Volunteers, from 1861 to 1866, when he was honorably discharged. He was in active service about four years.

He had a broken leg when he enlisted—that is, his leg had been broken—and he had so far recovered that he appeared to be entirely well, but his application for enlistment was held in abeyance on that account for about two weeks before he was accepted. At various times during his service he suffered from lameness and severe pains in the broken limb, resulting several times in running sores and great prostration, on account of long-continued and severe exertion and exposure. These conditions grew upon him until his disability was quite marked, and of an aggravated character at the time of his discharge. This disability has never left him, and he is now greatly if not totally disabled. He is 65 years of age, entirely without means of support, and unable to earn his living by manual labor.

The Pension Office can not grant him a pension, on account of his prior unsoundness, and therefore he asks relief by special act of Congress.

While his disability had its origin in the injury received before his enlistment, we are of the opinion that his four years of constant service, with the consequent exposure and hardships, must have added greatly to his disability.

Wherefore your committee recommend the passage of said bill, provided, however, that the same be amended by inserting therein the words "twenty dollars," after the word "of," in line 6 thereof.

Mr. HEWITT, of Alabama. Mr. Chairman, I would like to ask the gentleman in charge of this bill why this claimant could not obtain a pension under the general law? Why was it necessary to come here and ask a special bill?

Mr. SUMNER, of Wisconsin. The claimant enlisted in 1861 and served until 1866, over four years. While a boy one of his limbs was broken. He recovered entirely, apparently, from that injury, enlisted and was accepted by the Army surgeons, and served the period I have mentioned. But from the fact that he had received this injury before he collisted the Pension Office can not grant him a pension: hence the he enlisted the Pension Office can not grant him a pension; hence the necessity for this act.

Mr. HEWITT, of Alabama. It is put upon the ground that he was

injured before he went into the service.

Mr. SUMNER, of Wisconsin. Yes; but he was accepted and served four years. The disability is unquestioned.

The amendments recommended by the committee were agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARIA SPELLEN.

Mr. SMITH, of Iowa. Mr. Chairman, I call up the bill (H. R. 7418) for the relief of Maria Spellen.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-roll the name of Maria Spellen, widow of Barnard Spellen, late a member of Company M, Ninth Regiment New York Cavalry Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE W. BEAN.

Mr. BAGLEY. Mr. Chairman, I call up the bill (H. R. 1710) granting a pension to George W. Bean.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Bean, late a private in Capt. P. W. Connover's company of Utah militia.

The report (by Mr. STRUBLE) was read, as follows:

in Capt. P. W. Connover's company of Utah militia.

The report (by Mr. STRUBLE) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1710) granting a pension to George W. Bean, beg leave to submit the following report:

The evidence in this case shows, to the entire satisfaction of the committee, that about July, 1849, one Capt. P. W. Connover organized in Utah Territory a militia company for the purpose of defending the people of that section of the conntry against attacks from Indians which were then threatened.

The company elected officers and was armed in part and by order of Brigham Young, then assuming to be and to act as governor of said Territory, with an iron field-piece, six pound caliber. This company is shown to have co-operated with the Inited States troops then under command of Captain Stansbury, To-pographical Engineers, United States Army, and Lieut. J. W. Gunnison, United States Army, and was part of the time at least under the command of one or both of said officers; that while said company was thus co-operating with said United States troops, and under the direction and command of its officers, fight occurred with the Indians at or near Fort Provo, lasting about three days; that subsequent thereto there were several other fights with the Indians, in which said company participated, and lost two killed and several wounded. That about August, 1849, said militia company built a basilion on an elevated place within Fort Provo, and mounted it with their six-pound gun. That about September 1, 1849, while said militia company was occupying said bastion at Fort Provo, the Indians opened fire upon some men in the settlement, and gave evidence of a purpose to attack the settlement and fort. This solder, Bean, was detailed to assist in manning the cannon, and at the second discharge it exploded, wounding him daugerously in the arms and thigh aid of the provision was performed by Surgeon Blake, United States Army, then with the company. In December, 1882, Bean applied f

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

DAVID T. HOOVER.

Mr. CULLEN. Mr. Chairman, I call up the bill (S. 2514) granting a pension to David T. Hoover.
The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of David T. Hoover, late a private in Company H, Fifty-sixth Pennsylvania Volunteer Infantry.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

EDWARD KRAEMER.

Mr. HITT. I call up the bill (H. R. 1873) for the relief of Edward Kraemer.

The bill was read, as follows:

Be it enacted, de., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Edward Kraemer, formerly a member of Company F, Twelfth Regiment, Illinois State Volunteers, to \$24 per month.

The report (by Mr. CULLEN) was as follows:

The report (by Mr. Cullen) was as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1873) for the relief of Edward Kraemer, having had the same under consideration, would make the following report:

Edward Kraemer enlisted as a private in Company F, Twelfth Regiment II-linois Volunteers, August 3, 1861. On or about February 25, 1855, at Sister's Ferry, Ga., he was injured while detailed on fatigue duty by the falling of a tree, which broke his left arm, four of his ribs, and injured his head and left shoulder. He was unable to perform military duty afterward on account of said injuries, and was discharged from service June 30, 1865. He was pensioned at \$8 per month, and afterward reduced to the rating of \$4 per month. He filed requisite proof of soundness prior to enlistment and injury received in service, and records show his treatment in hospital during service. His application for increase was rejected December 24, 1879.

The affidavit of Dr. August Weirich shows that he treated him some time; that said Kraemer is a temperate man; that his right frontal bone was fractured and depressing on his brain, causing neuralgic pains constantly; that he is affected with paralysis of the arm; has several ribs fractured, and is subject to severe, incurable ophthalmia.

The affidavit of Dr. Edward D. Kiltoe, late medical inspector of the United States Army, shows that he has been the family physician of said Kraemer since discharge, and he has now become partially insane; that his right side is paralyzed, and he is for the most part confined to his bed and is entirely disabled from work.

The affidavit of Dr. B. F. Fowler, late examining surgeon, shows total disability of said Kraemer.

Your committee have to report that, inasmuch as the law allows a pension of \$72 per month to a man totally disabled and confined to his bed, needing attention, this claimant should receive the amount asked for in the bill, which is only one-third of that sum. The affidavits of these physicians show that he

There being no objection, the bill was laid aside to be reported to the House with a recommendation that it do pass.

JOHN K. COOKE.

Mr. HEWITT, of Alabama. I call up the bill (H. R. 7231) to remove the disabilities of John K. Cooke.

The bill was read.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

FERDINAND HUSCHER

Mr. STOCKSLAGER. I again call up the bill (H. R. 8048) to increase the pension of Ferdinand Huscher. The bill has already been read this evening.

The amendment reported by the Committee on Invalid Pensions, to strike out in the body of the bill and in the title the word "Huscher" and insert "Hercher," was read and agreed to.

Mr. HEWITT, of Alabama. I hope the gentleman from Indiana [Mr. STOCKSLAGER] will give some reason for the passage of this bill.

Mr. STOCKSLAGER. This man served sixteen years in the Army three years during the war and almost continuously afterward in the regular Army. He is drawing a very small pension for a gunshot wound. During his service he contracted a disease of the liver from which he is now suffering. He is in a very dangerous condition. I know the man very well. I have seen him within the last ten days.

know the man very well. The CHAIRMAN. If If there be no objection the bill will be laid aside to be reported to the House with a recommendation that it do pass.

There being no objection, it was ordered accordingly.

STEPHEN SAUER.

Mr. HOUK. I call up the bill (H. R. 7417) for the relief of Stephen Sauer.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Stephen Sauer, father of George Sauer, deceased, who was formerly a private in the Fourth Battery Wisconsin State Volunteers.

The report (by Mr. HOLMES) was as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7417) for the relief of Stephen Sauer, having considered the same, report as fol-

lows:
Stephen Sauer, the applicant, asks a pension as the dependent father of George
Stephen, who enlisted as a private in the Fourth Battery, Wisconsin Volunteers,
on the 18th of September, 1861, and died in the service of typhoid fever, at Fortress
Monroe, in September, 1864. At the time of his death the soldier had never been

married. There is no question that the soldier died in the service in the line of duty. He enlisted when about twenty years of age. The application of the father, Stephen Sauer, was rejected by the Pension Office on the ground that "at the time of the soldier's death the claimant was not dependent upon the son for support, as he had enough means for that purpose, and did support himself and family before and after the son enlisted." The mother of the deceased soldier, and wife of the applicant, died about a year after the soldier's birth. Claimant was married the second time.

The evidence in this case shows that the claimant is possessed of from \$725 to \$1,000 worth of property; that his income has not exceeded from \$75 to \$100 per year, and that for twenty-four years he has been suffering from disease of the heart, rendering him almost entirely incapacitated for the performance of manual labor. It is shown by the record also that the soldier remitted money to his father at different times as the result of his labor before enlistment, and as part of his pay while in the service, which is corroborated by the testimony of the farmer for whom the son worked and the agent of the express company who received it and delivered it to the father. It now appears that the second wife of the claimant is obliged to do washing to assist in supporting the family, as well as other manual labor. At the time the evidence was taken he had one sick daughter at home.

In the opinion of your committee the case presented by the claimant is one that should be favorably considered. The evidence is somewhat conflicting as regards his age, making it anywhere from 70 to 80 years. The necessities that compel his wife to do washing and support him in addition to herself appeal to your committee strongly as one presenting strong equities, and after giving the son to the service of his country, and who served about three years and died in the service, thus depriving him of the staff of his old age, your committee think that the Government sh

The amendment reported by the Committee on Invalid Pensions, to insert before the word "father," in line 6, the word "dependent," was read and agreed to.

There being no objection, the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

THEODORE LEVERON.

Mr. WINANS, of Michigan. I call up the bill (H. R. 301) granting pension to Theodore Leveron. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Theodore Leveron, late a private in Company M, Third Regiment Kentucky Cavalry Volunteers.

The report (by Mr. MATSON) was as follows:

The report (by Mr. MATSON) was as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 301) granting a pension to Theodore Leveron, respectfully report:

That Theodore Leveron eulisted in the military service of the United States as a private in Company M, Third Regiment Kentucky Volunteer Cavalry, October 11, 1861, and was honorably discharged August 3, 1865.

May 2, 1874, he filed a declaration for pension, alleging gunshot wound of left arm, received at Hopkinsville, Ky., July 20, 1863—was also thrown from his horse at Cadiz, Ky., in the fall of 1863, causing injuries of the bead—which was rejected February 27, 1883, as to gunshot wound, on the ground that soldier was not in line of duty at the time of receiving said injury, and no pensionable disability from injury to head since discharge.

It appears from the evidence in the case that the soldier had an altercation with a citizen at a place of amusement in Hopkinsville, Ky., on or about the 20th day of June, 1863. The next day after this, as soldier was passing the place of business of the citizen, Savage by name, he came out and caught the soldier by the collar, and shot him with a pistol which he held in his right hand. At the time of the shooting soldier was detailed as messenger at the military telegraph office, and was on his way to his breakfast at the time he was assaulted and shot. The citizen was arrested by the military authorities, but whether he was placed on trial for the offense is not disclosed by the evidence.

Capt. Albert Slov, of Vincennes, Ind., testifies (November 9, 1882) that he was captain of claimant's company in the service, and corroborates the statements of claimant from facts gathered at the time of the shooting, and to seeing the wound after its infliction.

John P. Kullehn, of Wheatland, Knox County, Indiana, testifies (November 9, 1882) to the fact that he was a member of claimant's company and regiment, and to the shooting of the soldier by Savage at the time and in manner above detailed; did no

rence.

C. P. Hollingsworth, of Bruceville, Knox County, Indiana, testifies (November 9, 1882) that he was the first lieutenant of claimant's company, and to the fact of the wounding of the soldier by Savage at Hopkinsville, as indicated by other witnesses; that the shooting was without provocation on the part of claimant; that he believes that said shot was given solely because Leverson was a Federal

Claimant was on detached duty at the time he was shot, and under regular

orders.

We think the evidence in the case justifies the conclusion that the soldier was shot by the citizen, Savage, while in the-line of duty, and that the controversy was not provoked or encouraged by the soldier, and that the injury to the claimant is clearly due to his military service, and that he should receive a pension, and therefore recommend the passage of the accompanying bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

LIEUT, NATHANIEL JOHNSON COFFIN.

Mr. HAYNES. I call up the bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be paid, out of any money in the United States Treasury not otherwise appropriated, arrears of pension to Nathaniel Johnson Coffin, late first lieutenant of Company K, Thirteenth New Hampshire Volunteer Infantry in the late war of the rebellion, in accordance with section 4701, pension laws, and that this act shall be construed as extending to the time of his discharge at Fort Adams, Rhode Island, as a sergeant of Company H, Ninth United States Infantry, in the war with Mexico, on the 22d day of August, 1848.

The report is as follows:

The committee on Pensions, to whom was referred the bill (H. R. 4293) for the relief of Lieut. Nathaniel Johnson Coffin, submit the following report:

Lieutenant Coffin is a hero of two wars, and his physical and mental condition entitles him to the kind consideration of his country. May 4, 1847, he enlisted for service in the Mexican war. He served as a private until the war ended, and received a medal for gallant conduct at the storming of Chaputtepec. An honorable discharge was given him August 2, 1848. Lieutenant Coffin again enlisted, September 27, 1862, as a private in Company K (Capt. M. T. Betton), Thirteenth Regiment New Hampshire Volunteers, to serve in the late rebellion. He was promoted to be first lieutenant of said Company K early in 1863. Afterward, in May, 1863, while stationed with his company on the banks of the Nansemond River, in Virginia, to check the enemy's advance on Norfolk, he received a wound on the skull, which probably caused a pressure of bone on the brain.

the brain.

This wound, it is claimed, induced severe and continued pains in the head, mental confusion, and a partial loss of memory for several years. At any rate, in consequence thereof, Lieutenant Coffin resigned his command and was honorably discharged June 9, 1863, at Fortress Monroe.

There is in evidence an affidavit of Captain Betton, commanding Company K, Thirteenth New Hampshire Volunteer Infantry, who states that Lieutenant Coffin was of sound body and mind at the time he was mustered into service; that

Coffin was of sound body and mind at the time he was mustered into service; that—

"When he was discharged he was subject to insanity, and other ways sick in quarters, from injuries received while in the performance of his duties on picket on Nansemond River, in Virginia, in May, 1863, when Norfolk was threatened by the enemy; that said N.J. Coffin, then promoted to first lieutenant under my command, was seriously wounded on the head at the above-mentioned time while in the performance of his duty in actual service."

Benjamin F. Winn swears that he—

"Was a subordinate officer under Lieut. Nathaniel J. Coffin while picketing on the Nansemond River, in Virginia, and herein state that said lieutenant was wounded on the head in an engagement on the picket line in the month of May, A. D., 1863."

The Senate Committee on Pensions, during the first session of the Forty-

wounded on the head in an engagement on the picket line in the month of May, A. D. 1883."

The Senate Committee on Pensions, during the first session of the Forty-seventh Congress, made an extended report on this worthy case, the voluminous facts thereof being well condensed. The Senate report concludes as follows:

The fact seems to be that claimant is demented to an extent of incapacity; that there appears to be reliable evidence of his being sound mentally and physically at the time he was mustered into service, and became demented while in such service from his wounds in the head or otherwise. The medical evidence regarding his wounds is to the effect that he bears sears on the spot of the alleged wound, but the physicians are unable to say how such sears were received, whether from a wound in battle or not; that a portion of the bone seems to press on the brain, and that the claimant is very sensitive to any pressure upon this spot. There is an uncertainty existing as to how he received his wounds, as the claimant himself can only say that he was wounded in some way while on the above-stated picket duty, and became insensible at that time; can give no particulars in the premises as to how the wound was received, but alleges having been wounded at the time and place designated.

There is a mass of affidavits and other facts which leave no doubt of the justice of Lieutenant Coffin's claims. He lost his health in the service, and now in his old age is entirely unable to earn a living. The committee therefore recommend the passage of the bill, with an amendment increasing his pension to \$20 a month.

The substitute reported by the Committee on Invalid Pensions was

The substitute reported by the Committee on Invalid Pensions was read and agreed to, as follows:

That the pension now granted to Nathaniel Johnson Coffin, late first lieutenant of Company K, Thirteenth New Hampshire Volunteer Infantry, in the late war of the rebellion, be, and the same is hereby, increased to \$20 per month.

There being no objection, the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JAMES BEDELL, SR.

Mr. ROSECRANS. I call up the bill (H. R. 2327) for the relief of James Bedell, sr.

The bill was read, as follows:

Be it enacted, &c., That the claim of James Bedell, sr., for a pension on account of the death of Samuel Umstead, a soldier of Company G, Sixty-seventh Regiment Indiana Infantry Volunteers, shall be heard and determined by the Commissioner of Pensions in all respects as if the said Samuel Umstead had been the son of said James Bedell, sr., as for the purposes of said pension application he shall be taken to be.

The report (by Mr. MATSON) is as follows:

The report (by Mr. MATSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill S. 2327, having had the same under consideration, beg leave to report as follows:

The effect of the Senate bill as passed is to give to the claimant arrears of pension. He has never had any title to a pension. This committee and the House have refused to give arrears by special act in all cases except where it has been shown that by some fault or negligence of an officer of the Government the right to arrears has been taken away from the claimant. We believe James Bedell, sr., should be pensioned as the dependent father of Samuel Umstead, as he was, to use the language of the Senate report, to all intents and purposes his father; but to avoid giving arrears in a case where we think it would not be proper to give arrears, we report back the said Senate bill and ask the adoption of the accompanying amendment in the nature of a substitute.

Mr. MATSON. There is an avendment to the hill in the form of

Mr. MATSON. There is an amendment to that bill in the form of a substitute

The CHAIRMAN. It is not in the possession of the Clerk. The bill will for the present be passed over informally, to be taken up again when the substitute has been found.

ISABELLA TURNER.

Mr. BINGHAM. I call up the bill (S. 2009) granting a pension to Isabella Turner.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Isabella Turner, widow of Oscar D. Turner, late a sergeant of Company I, Twenty-third Regiment of Maine Volunteers, on the pension-roll, and to pay her a pension from the death of her husband, March 14, 1882, subject to the general pension laws should she again marry, and as to the rate of pension.

The report (by Mr. RAY, of New Hampshire) is as follows:

The Committee on Invalid Pensions, to whom was referred Senate bill 2009, granting a pension to Isabella Turner, widow of Oscar D. Turner, late sergeant

Company I, Twenty-third Regiment Maine Volunteers, have examined the same, and report favorably, recommending the passage of the same, with an amendment by striking out the words "and to pay her a pension from the death of her husband, March 14, 1882."

The evidence shows that the soldier contracted chronic diarrhea and other disability in the service, in line of duty, which ruined his constitution, and that ever afterward he was greatly enfectbed and disabled from manual labor; that his power to resist disease was diminished thereby, so that he yielded to a slight attack of cold, which resulted in pneumonia, of which he died March, 1882.

The widow is left without means of support, and the evidence satisfies your committee that the real cause of his death was contracted in the service. It is a just case for relief.

The amendment reported by the Committee on Invalid Pensions to strike out the words "and to pay her a pension from the death of her husband, March 14, 1882," was read and agreed to.

There being no objection, the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MARGARET B. HARWOOD.

Mr. BREWER, of New York. I call up the bill (H. R. 7513) granting a pension to Margaret B. Harwood.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret B. Harwood, widow of Rear-Admiral Andrew A. Harwood, late of the United States Navy, and pay her a pension of \$50 a month from and after the passge of this act.

The report (by Mr. ROBINSON, of New York) is as follows:

The Committee on Pensions, to whom was referred bill H. R. 7513, after duly considering it, reported it back, recommending its passage on the following statement of facts:

Rear-Admiral Andrew A. Harwood entered the Navy January I, 1818, and died August 28, 1884, having been over sixty-six years in the service, during which period the Department states that "his personal and official records are unblemished."

The Navy Register shows that he was on active duty, either affoat or on shore,

The Navy Register shows that he was on active duty, either anoator on shore, forty-one years.

Early in his career he attracted the attention and secured the esteem of two of the most distinguished and gallant officers in our naval history.

As a midshipman, under the command of the celebrated Commodore David Porter, he assisted in the capture of a piratical schooner and her barge in the West Indies. The present head of the Navy, Admiral Porter, then a boy of ten, was with his father at the time, and authorizes the statement that his favorable knowledge of Admiral Harwood began at that time, and continued through the whole course of a service always useful and efficient, and in many respects highly creditable and valuable in its character.

The details of that service are given in the subjoined papers, which include the memorial of his widow asking for a pension, marked A, supported by statements from the Navy Department, B and C; from Commodore Luce, D; Admiral Porter, part of D; Medical Director Lansdale, E; and Lieutenant Kimball, F.

the memorial of his widow asking for a pension, marked A, supported by statements from the Navy Department, B and C; from Commodore Luce, D; Admiral Porter, part of D; Medical Director Lansdale, E; and Lieutenant Kimball, F.

From these papers it appears that Admiral Harwood was a lineal descendant of Benjamin Franklin. That, inheriting from his ancestor industrious habits and a thirst for knowledge, he devoted himself at an early period in his professional life to the ordnance branch of the service with so much zeal and efficiency that he was sent to Europe in 1844 as a member of commission to visit the foundries and dock-yards of England and France; was afterward member of a board to prepare ordnance instructions for the Navy, and to make the necessary investigations and experiments. With occasional intermissions he continued on ordnance duty, having charge of the Bureau of Ordnance and Hydrography during the first years of the war, until assigned to a more active sphere in command of the Washington navy-yard, and of the Potomac flotilla, which held the long line of the Potomac against the confederate forces.

Of the value of his ordnance services the naval officers whose testimony is subjoined speak in strong terms. "There is no doubt," says Commodore Luce, "that the high character of the ordnance of the United States Navy and of the gunnery of that day (1858-'61) was due in a very great degree to the labors of the board of which he was an active member." Many details showing the nature and value of his ordnance services appear in the statement of Lieutenant Kimball.

Subsequently, while employed on light-house duty, and after he had been placed on the retired-list, he devoted his leisure hours to the preparation of his book on "Naval Courts-Martial," which, in the language of Commodore Luce, "at once took a high position as a standard authority." It "is followed in all military trials in the Navy, "says Lieutenant Kimball, who regards it as the beginning of a new era in such trials.

The thorough knowledge

To the Senate and House of Representatives of the United States:

The memorial of the undersigned, Margaret B. Harwood, respectfully showeth—

That she is the widow of the late Rear-Admiral Andrew A, Harwood, of the

That she is the widow of the late Rear-Admiral Andrew A. Harwood, of the United States Navy.

That the said Harwood was born on the 8th October, 1802; entered the Navy. as midshipman on the 1st of January, 1818, and died on the 28th August, 1884.

That during his unbroken connection of sixty-six years with the service his official and personal records were, in the language of the official order announcing his death, "unblemished."

That the Navy Register shows that he was employed in active service more than forty-one years.

That the several papers herewith submitted show:

1. That while a midshipman he was on duty, first, in suppressing the slave trade on the coast of Africa, and afterward, under the late Commodore David Porter, in cruising against pirates in the West Indies, having assisted in the capture of a piratical schooner and her barge.

2. That early in his professional career he devoted himself to the study of ordnance, beginning when that branch of the naval service was in its infancy, and adhering to it and becoming identified with it to such an extent that when

the late war commenced the Ordnance Bureau of the Navy was committed to

the late war commenced the Ordnance Bureau of the Navy was committed to his charge.

While on ordnance duty, in 1844, he was member of commission to visit the dock-yards and foundries of England and France, and to report on improvements in naval gunnery. As a consequence of the report of this commission, he was appointed member of a board to prepare the ordnance instructions of the Navy, and to make the necessary investigations and experiments.

He was subsequently member of a board to revise ordnance instructions of the Navy, and to make the necessary investigations and experiments.

Referring to this latter duty, an officer well qualified to judge says: "There is no doubt that the high character of the ordnance of the United States Navy, and the excellence of the gunnery practice of that day was due in a very great measure to the labors of the board of which he was an active member." (See outline, subjoined, No. 3.)

During the first year of the war he was Chief of the Bureau of Ordnance, from which he was transferred to the then important command of the Washington navy-yard, and of the Potomac flotilla, holding in the latter capacity the long line of the Potomac against the confederate forces.

3. He was subsequently assigned to duty on the Light-House Board, on which he continued nearly five years.

4. From the Light-House Board he was taken to perform the duties of Judge-Advocate General of the Navy, a position he held until 1st October, 1871.

While on light-house duty, after he had been placed on the retired-list, he devoted his leisure hours to the preparation of his work on naval courts-martial, which is referred to in the accompanying documents (Nos. 3 and 5) as a "work which is referred to in the accompanying documents (Nos. 3 and 5) as a "work which is referred to in the accompanying documents (Nos. 3 and 5) as a "work which is not took a high position as a standard authority," "followed in all military trials in the Navy.

Your memorialist respectfully calls attention to the fact that her late husb

1. General order of the Navy Department announcing the death of Admiral

Harwood.

2. Transcript from records of Navy Department, indicating services of Admiral

Harwood.

3. Outline of Admiral Harwood's official career, prepared by Commodore S. B. Luce, and indorsed by Admiral Porter.

4. Statement of Medical Director Philip Lansdale, U. S. N.

5. Statement of Lieut, W. W. Kimball, U. S. N.

And your memorialist will ever pray, &c.

MARGARET B. HARWOOD

MARGARET B. HARWOOD.

B.

GENERAL ORDER.

CENERAL ORDER.

NAVY DEPARTMENT, Washington, September 3, 1884.

The Department announces with regret to the Navy and Marine Corps the death, on the 28th ultimo, at Marion, Mass., of Rear-Admiral Andrew A. Harwood, United States Navy, in the eighty-second year of his age.

Rear-Admiral Harwood was born October 9, 1802; appointed a midshipman from the State of Pennsylvania January 1, 1813; commissioned a lieutenant March 3, 1827; a commander, October 2, 1848; a captain, September 14, 1855; a commodore, July 16, 1862; and a rear-admiral, on the retired-list, February 16, 1869.

1869.

He was appointed Chief of the Bureau of Ordnance and Hydrography August 6, 1861, and served as such until July 22, 1862, when ordered to command the Washington navy-yard. While holding the latter position he also commanded, until December 18, 1863, the Potomac flotilla. In these, as in other positions to which he was assigned, on account of his special fitness, he served with credit and efficiency. His official and personal records are unblemished.

As a mark of respect to his memory it is hereby ordered that, on the day after the receipt hereof, the flags of the navy-yards and vessels in commission be displayed at half-mast from surrise to sunset, and thirteen minute-guns fired at noon from the navy-yards and flag-ships on stations.

EARL ENGLISH.

EARL ENGLISH, Acting Secretary of Navy.

C.

Abstract of Admiral Harwood's record, taken from Navy Department records. Andrew A. Harwood was appointed a midshipman in the Navy January 1, 1818.

818. April 20, 1818, was ordered to the Saranac, April 20, 1818, was ordered to duty in Philadelphia. February 28, 1822, was ordered to duty in Philadelphia. December 30, 1822, was detached and ordered to Norfolk, Va. September 10, 1823, was ordered to Philadelphia. March 15, 1824, granted six months' leave of absence. July 26, 1824, ordered to the Constitution. October 23, 1827, detached and ordered to examination preliminary to promocomposition.

October 23, 1827, detached and ordered to examination preliminary to promotion.

December 12, 1827, granted leave of absence.

February 21, 1828, was commissioned as a lieutenant from March 3, 1827.
October 27, 1828, ordered to the receiving-ship at Philadelphia; March 18, 1830, he was detached and granted six months' leave.

August 23, 1831, ordered to the navy-yard, New York; May 30, 1832, he was detached and ordered to the United States; August 27, 1833, he was detached and granted leave of absence.

June 10, 1834, ordered to the Erie; June 19, 1834, the previous order was revoked, and granted furlough for one year.

July 31, 1835, was ordered to the Constitution for duty on board the Shark; January 25, 1838, was detached and granted leave of absence.

April 3, 1840, ordered to special duty under Capt. M. C. Perry.

May 3, 1843, ordered to duty in the Bureau of Ordnance and Hydrography; October 7, 1848, was commissioned as commander from October 2, 1848.

October 18, 1852, detached from ordnance duty and ordered to the Mediterranean squadron; July 2, 1855, detached from command of the Cumberland and granted leave of absence.

October 8, 1855, was commissioned as a captain from September 14, 1855.

September 10, 1858, ordered as inspector of ordnance at navy-yard, Washington, vil. 24, 1851, detached, and ordered as temporary we high of Pursay of Ordered as Inspector of ordnance at navy-yard, Washington, vil. 24, 1851, detached, and ordered as temporary we high of Pursay of Ordered as Inspector of ordnance at navy-yard, Washington, vil. 24, 1851, detached, and ordered as temporary we high of Pursay of Ordered as Inspector of ordnance and ordered of Ordered as Inspector of ordnance and ordered of Ordered as Inspector of ordnance at navy-yard, Washington, vil. 24, 1851, detached, and ordered as temporary we high of Pursay of Ordered as Inspector of ordnance and ordered of Ordered ordered as Inspector of ordnance at navy-yard, Washington, vil. 24, 1851, detached, and ordered as Inspector of ordnance and ordered o

April 24, 1861, detached and ordered as temporary chief of Bureau of Ord-

nance.

August 19, 1861, was appointed chief of the Bureau of Ordnance; July 22, 1862, detached and ordered to command the navy-yard, Washington, D. C.

August 4, 1862, promoted to commodore on the active-list from July 16, 1862.

December 7, 1863, detached from command of the navy-yard, Washington, 31st instant.

December 18, 1863, detached from command of the Potomac flotilla.

July 6, 1864, ordered as secretary of the Light-House Board.
October 9, 1864, was placed on the retired-list.
February 20, 1869, commissioned as rear-admiral on the retired-list.
March 29, 1869, detached from the Light-House Board and placed on waiting orders; March 30, 1869, ordered as member of a court at Washington, D. C.; September 20, 1869, detached and ordered to special duty at the Department; September 29, 1870, detached.
October 11, 1870, appointed Judge-Advocate of the Navy.
October 1, 1871, detached and placed on waiting orders.
He died at Marion, Mass., on the 28th of August, 1884.

Outline of Admiral Harwood's official career, by Commodore S. B. Luce.

Harwood, Rear-Admiral Harwood's official career, by Commodore S. B. Luce.

Harwood, Rear-Admiral Andrew Allen, United States Navy. Son of John Edmund Harwood and Elizabeth Franklin Bache, granddaughter of Dr. Benjamin Franklin. Born in 1802, in Bucks County, Pennsylvania.

Appointed midshipman in the United States Navy in 1818, his first vessel being the gunboat Saranac.

His next service was on board the sloop of war Hornet, from 1819 to 1821, engaged in cruising in the West Indies, for the suppression of piracy and the slave trade.

In 1823 he was on heard the Section.

His next service was on board the sloop of war Hornet, from 1819 to 1821, engaged in cruising in the West Indies, for the suppression of piracy and the slave trade.

In 1823 he was on board the Sea Gull, serving with the barges belonging to the expedition of Commodore David Porter against the pirates. On July 3 of that year assisted in the capture of the piratical schooner Catalina, of three guns, and her barge, by the barges of the Gallinipper and Mosquito.

In 1844 he was on ordnance duty, during which time he was appointed member of a commission to visit the dock-yards and foundries of England and France, and to report on improvements in ordnance and naval gunnery. As a consequence of the report of the commission he was appointed member of a board to prepare the ordnance instructions for the United States Navy and to make the necessary investigations and experiments. Subsequently, 1858-61, he was again on ordnance duty and member of a board to revise ordnance instructions and to prepare a new edition, with a view to bringing the work up to the times. There is no doubt that the high character of the ordnance of the United States Navy and the excellence of the gunnery practice of that day was due in a very great measure to the labors of the board of which he was an active member.

August 6, 1851, he became chief of the Bureau of Ordnance and Hydrography; 1862, in command of Washington navy-yard and Potomac flotilla.

Again, he was secretary of the Light-House Board, member of examining board, and for a time occupied an office analogous to that of Judge-Advocate-General. It was while on light-house service that he produced his work on Naval Courts-Martial, in which he presented, in a "collective and concise form, the leading principles of military jurisprudence, together with the distinguishing laws and regulations which govern the practice of United States naval courts-martial." This work, which at once took a high place as a standard authority, is noted for its scholarly style and thoroughness of construction

I cheerfully subscribe to the above, and am of the opinion that no officer's widow is better entitled to a pension than Mrs. Harwood.

DAVID D. PORTER, Admiral,

E.

WASHINGTON, D. C., December 1, 1884.

I was intimately acquainted with the late Admiral A. A. Harwood for about forty years. He was a thorough gentleman in every sense of the word, a consistent Christian, a most loyal citizen, and, as an officer of the Navy, one who set a worthy example in his strict attention to duty as a subordinate, and an intelligent and temperate exercise of his authority as a commanding officer.

Admiral Harwood inherited from his grandfather, Benjamin Franklin, a love of study and an aptitude for scientific knowledge which made his services of peculiar value to the Navy. After having attained, by voluntary training, an education much beyond that of the naval officers of his generation, he made a special study of ordnance, and was one of the earliest and most efficient of the officers who aided in the development of that most important branch of scientific warfare. His distinguished services in that direction caused him to be selected as Chief of the Ordnance Bureau.

In his work on courts-martial, now a standard authority, he has left a monument which will be a worthy memento of his intelligence and industry.

During the late civil war Admiral Harwood held a most important position—that of commandant of the Potomac flotills, holding the long line of the Potomac against the confederate forces.

Having thus served his country most actively and efficiently, both in peace and in war, during a long life, he has died, leaving his family very insufficiently provided for.

P. LANSDALE, Medical Director, U. S. N.

Letter from Lieut. W. W. Kimbull.

U. S. S. TENNESSEE, New York, December 15, 1884.

My Dear Mr. Luce: To me it is apparent that even such a brief and imperfect summary of his record as I can give from references at hand will show that the Government of the United States is deeply indebted to the late Rear-Admiral A. A. Harwood for his continuous, brilliantly able, and entirely unselfish efforts in behalf of his country during the fifty-four years he served her on duty in the Navy.

efforts in behalf of his country during the fifty-four years he served her on duty in the Navy.

Entering upon his naval career as a midshipman January 1, 1818, he was at once ordered to arduous and dangerous duty in cruising on the coast of Africa, where, escaping the worst effects of the deadly climate, he served three years, and was then selected as one of the officers of Porter's expedition against the West India pirates, an expedition that in suppressing the horrors of piracy on and near our own coast was of almost inestimable value to the commerce of the United States and of the world.

It was during the two years of this service that Midshipman Harwood distinguished himself in the action at Signapa Bay, which resulted in the capture of the piratical schooner Catalina and her barge by the barges Gallinipper and Mosquito.

For the succeeding ten years he was doing routine duty afloat and ashore, but doing it in such a way that he was marked among his associates for his extraordinary abilities and unswerving devotion to duty, and was in 1833 distinguished by his flag officer by being detailed as special messenger to take to the United States from Naples the ratified treaty with that power.

A few years later he began the work of improving the material and reorganizing the service of the ordnance of the Navy, a work which he followed unremittingly for twenty years, and which resulted in the greatest benefit to the country.

In 1840 the ordnance of the Navy was crude, lacked power for weight of metal carried, and the guns were served very much according to the ideas of the individual commanding officers; and it was mainly by the efforts of Lieutenant Harwood that this condition of affairs was remedied. He first experimented upon the guns and projectiles until he attained a standard that determined the composition of ships' batteries, and fixed a rule of inspection, and it was during this work that he was sent to Europe to investigate and report upon the condition of ordnance there. Afterward, associated with Farragut, he prepared a system of ordnance instructions, which made exercises, drills, and inspections uniform, and vastly improved the service of the guns. To Harwood the Navy owes that system of ordnance which, later on, further developed by Dalhgren and others, showed such wonderful results as were attained during the war of the rebellion. His extraordinary abilities as an ordnance officer were recognized by the Navy Department, and when that war came he was the man selected in those trying times to devise, procure, and arrange the arms with which the ships of the United States were to fight.

How well that duty was performed is now a matter of history. But the difficulties he overcame, and the pressing necessities of the country he successfully met, can hardly be imagined, much less overestimated.

After he had organized this work, and as soon as the strain brought on the Department by the first year of the war was relieved, his services were spared from the Bureau of Ordnance because they were required more directly against the enemy.

In July, 1862, he was placed in command of the Potomae flotilla and the Wash-

Department by the first year of the war was relieved, his services were spared from the Bureau of Ordnance because they were required more directly against the enemy.

In July, 1862, he was placed in command of the Potomae flotilla and the Washington navy-yard, and it was to his efforts that was due that condition of things on the Potomac which made the flotilla such a terror to its enemies, and such a reliable defense for the national capital.

In 1864 Admiral Harwood was placed on the retired-list, in accordance with law, but his services were so valuable that he was employed on various special duties till 1872, eight years after retirement, when the law putting all retired officers off duty deprived the Department of his labors. It was during this latter part of his service that he wrote the work on courts-martial, which is at present the accepted authority followed in all military trials in the Navy. Before Harwood's work was published it was almost impossible in the time allowed for naval courts to properly inform themselves on points of law, precedent, and principle, and as a natural consequence much injustice resulted, sometimes in the direction of too great severity, and, again, in treating breaches of discipline with too great leniency.

It is to Harwood chiefly that the Navy of to-day owes that state of affairs which makes marked injustice in military matters impossible, gives every man, whatever his rank, his legal rights, and almost inevitably brings adequate punishment for military erime.

I have endeavored to designate in this letter some of the more prominent achievements of his extraordinary career; some of the successful efforts entirely above and beyond those in the line of duty that might have been expected of him in his character of an officer of the Navy, but I find it impossible to properly express the effect of his example upon the service.

Still, this may be imagined when one remembers that during his long naval career he always gave himself, and required from others, the strictest atte

WM. W. KIMBALL, Lieutenant, United States Navy.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass

SARAH B. JACKSON.

Mr. CURTIN. There is a bill on the Speaker's table returned from the Senate with amendments. It is House bill 5800, for the relief of Sarah B. Jackson, which I would like to take up and put on its passage.

Mr. MATSON. That is a House bill on the Speaker's table returned with Senate amendments; and although I should like to have it con-

sidered, it can not be done this evening under the order of the House.

The CHAIRMAN. Only bills on the Private Calendar reported favorably from the Committee on Invalid Pensions or the Committee on Pensions can be considered at this evening session.

JANE BRENT.

Mr. WOLFORD. I ask to take up for consideration the bill (H. R. 7248) to increase the pension of Jane Brent.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to increase the pension of Jane Brent, widow of James Brent, late captain of Company —, —— Regiment of the Regular Army of the United States, to a rating of \$50 per month.

The amendments of the committee were read, as follows:

In line 4, insert "D." after "Jane." In line 5, strike out "James" and insert Thomas L;" also after word "Company." in same line, insert the word "Pourth;" and after the word "Regiment," in the sixth line, insert the word Artillers, "Artillers, as to read: "A bill to increase the pension of Jane D. Brent."

Mr. HEWITT, of Alabama. I should like to ask the gentleman from Mr. HEWITT, of Alabama. I should report.
Mr. WOLFORD. This is a unanimous report.
Mr. HEWITT, of Alabama. I think not. I never the Mr. WOLFORD. Read the report.
The report (by Mr. WOLFORD) was read, as follows:

I never voted for it.

The report (by Mr. WOLFORD) was read, as follows:

The Committee on Pensions, having under consideration the bill (H. R. 7248) to increase the pension of Jane D. Brent, widow of Thomas L. Brent, beg leave to make the following report:

Capt. Thomas L. Brent graduated with honor at the Military Academy of the United States at West Point in 1835, and after this served in the Army twenty-three years, filling many offices with great distinction. He was engaged in the State of North Carolina in removing the Creek Indians; he was in the Florida war, and in the war with the Seminole Indians; in all of which he performed dangerous and laborious duties with credit and faithfully. He was in the war with Mexico, and at the battle of Buena Vista he greatly distinguished himself. General Scott had ordered almost all the troops away from General Taylor, believing that there would be no more fighting on that line, and a messenger with

a secret dispatch from General Scott to General Taylor, explaining why it was done, was killed, and the dispatch fell into the hands of the Mexicans.

Making no doubt of his ability to capture General Taylor, Santa Anna concentrated 22,000 soldiers and surrounded Taylor's 4,000 soldiers. He commenced his attack on Washington's battery, where Brent was in charge. The battery did great service, and, after considerable slaughter, repulsed the Mexicans and changed their direction. They were afterward repulsed by Davis and others, and, when in full retreat, Hardin of Illinois followed too far out of supporting distance, and was surrounded by the whole Mexican army. McKee of Kentucky went to his assistance, and both regiments were cut to pieces. Hardin, McKee, Clay, and a great many other officers and privates were killed, and the Illinois and Kentucky regiments would have been lost but for the wonderful exertions and great gallantry of Captain Brent. Our men were fighting their way back through the Mexicans, which brought them under the edge of Washington's battery; Captain Brent, with almost superhuman exertion, fired his gun with his own hand so fast and with such deadly aim that they were repulsed again.

ington's battery; Captain Brent, with almost superhuman exertion, fired his gun with his own hand so fast and with such deadly aim that they were repulsed again.

As our men came in squads through the Mexican ranks and gained the open space, Brent would mount on his gun, motion to them with his hands to fall down, and fire over them, putting the match to the gun with his own hands. The enemy was fairly driven back, and our men were safe; and it is certain that none of them would have been saved but for that battery. For his gallant conduct, Captain Brent was promoted, but his wonderful exertions, and lying on the cold ground the following night, cost him his life; he was never well afterward, and the proof is clear that he died of disease contracted at hat time in the line of his duty. He was afterward placed on easier duty and lingered until 1858, when he died in the service, at his post and while discharging his duty. His widow, a lady in every way worthy of him, in the war with the seceding States, following the example of the "aagels of Buena Vista," in 1861 left her father's home, who was a judge of the United States court and had plenty, and went into the hospitals, without receiving or desiring any compensation. Like a ministering angel, and with motherly care and Christian tenderness, day and night she nursed the sick and wounded soldiers until 1866. Many soldiers, kept alive by her gentle nursing and kind attention, will bless her, and ask God to bless her while they live, and dying will enjoin upon their children to remember her gratefully.

A petition is sent from Detroit, Mich., signed by many veteran soldiers, many United States officials, and many State officers, asking for an increase of pension for her, and speaking of her services to her country and to its soldiers as prompted by love of country and goodness of heart, and as without a favorable mention of these services. Soldiers write, saying, "God bless Mrs. Brent for her attention and care; we love her as we do our own mothers."

Mrs. Brent

Mr. HEWITT, of Alabama. As I understand it, this increase is based on the long and faithful service as nurse for this claimant.

Mr. WOLFORD. Certainly.

The amendments of the committee were agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JULIA T. SCOTT.

Mr. STRUBLE. I call up an act (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy, and for forty-six years in the active service. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to cause to be placed on the pension-roll the name of Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral and for forty-six years in the active service of the United States Navy, and to pay to the said Julia T. Scott, out of the naval pension fund, the sum of \$50 per month, subject to the rules and regulations of the Pension Office in like cases.

The report (by Mr. STRUBLE) was read, as follows:

The Committee on Pensions, to whom was referred the bill (8,526) granting a pension to Julia T. Scott, beg leave to submit the following report:
That they reaffirm the statement of facts as to the services of Rear-Admiral Scott presented by the Senate Committee on Pensions in the following lan-

Scott presented by the Senate Committee on Pensions in the following language:

"Gustavus II. Scott was appointed midshipman in the United States Navy on August 1, 1828; was promoted to passed midshipman June 14, 1834, and on February 25, 1841, was advanced to the rank of lieutenant. December 27, 1856, he was promoted to commander. November 4, 1863, he was promoted to captain and assigned to the command of the De Soto. In 1864 he was placed on ordnance duty, then assigned to duty on the South Atlantic blockading squadron. On the 10th of February, 1869, he was commissioned as commodore, and on February 14, 1873, he was promoted to the rank of rear-admiral and ordered to the command of the North Atlantic Station. June 13, 1874, detached and placed on waiting orders, and on same date was placed on the retired-list. He died at Washington, D. C., on the 23d March, 1822. On the 1st of April, 1882, his widow, Julia T. Scott, filed her application for pension, alleging that her said husband had died "of disease contracted in the line of duty," and April 1, 1882, her application was allowed."

The services of this officer from the time he was appointed midshipman until he was placed on the retired-list, a period of nearly half a century, was faithful and honorable, and inasmuch as it was thus lengthy and creditable, and because, further, that the widows of other naval officers of similar rank, as your committee understand, have been granted similar favors at the hands of the Government, your committee think the Senate bill should become law, and therefore recommend its passage.

There being no objection, the bill was laid aside to be reported to the

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES BEDELL, SR.

Mr. ROSECRANS. I call up again the bill (S. 2327) for the relief of

Mr. MATSON. There is no necessity of reading that bill as it has already been read once this evening. I move the following amendment in the nature of a substitute for the bill.

The Clerk read as follows:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:
"That the Secretary of the Interior be, and he is hereby, authorized and di-

rected to place on the pension-roll the name of James Bedell, sr., as dependent father of Samuel Umstead, subject to the provisions and limitations of the pen-

The amendment was adopted; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

VIRGINIUS FREEMAN

Mr. LIBBEY. I ask to take up the bill (H. R. 8032) to relieve the political disabilities of Virginius Freeman, of Virginia. The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That all political disabilities imposed by the fourteenth amendment to the Constitution of the United States be, and the same are hereby, removed from Virginius Freeman, of Virginia.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

COL. SAMUEL M. THOMPSON.

Mr. STEVENS. I call up for consideration the bill (S. 2570) granting an increase of pension to Col. Samuel M. Thompson.
The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Samuel M. Thompson, a private in the Mexican war under Col. E. D. Baker, and colonel of the Fourth Illinois Regiment of Volunteers in the Black Hawk war, and pay him a pension of \$25 per month, in lieu of that which he now receives.

The report (by Mr. HEWITT, of Alabama) was read, as follows:

The Committee on Pensions, to whom was referred the bill (8. 2570) granting an increase of pension to Col. Samuel M. Thompson, adopt the report of the Senate committee, and recommend favorable consideration of the same, as

The Committee on Pensions, to whom was referred the bill (S. 2070) granting an increase of pension to Col. Samuel M. Thompson, adopt the report of the Senate committee, and recommend favorable consideration of the same, as follows:

"The papers on file in the Pension Office show that Samuel M. Thompson enlisted in Company D, Fourth Regiment Illinois Volunteers, at Springfield, Ill., on June 9, 1846, for service during the Mexican war, and was with its regiment until left at Matamoras on account of sickness, December 14, 1846. The records include a certificate of disability given by Surgeon William M. P. Quinn, United States Army, dated at 'Camp near Matamoras, December 11, 1846,' and recommending the soldier's discharge on account of 'debility from chronic rheumatism, jaundice, &c.' It is shown that the soldier was a sound, healthy man at enlistment, and that he has been disabled ever since his service in the Mexican war, having been unable to do any work much of the time, and having been pronounced incurable in 1857, about twenty-eight years ago. For the period of thirty-eight years the soldier has been lame, and not able to rest on the side of this lame hip. At no time since his discharge has he been able to do more work than half the labor of a man in ordinary health. As a result of his disability his heart has become affected.

"For years past the soldier has been dependent on his step-children for support. He did not understand his rights under the pension laws, and did not apply for a pension until 1879. His claim was allowed the following year, and he has drawn a pension at the rate of \$12 per month since October 4, 1880. He is now nearly 84 years old, and his days are numbered. In view of his long-standing and increasing disability, clearly resulting from his military service, of his dependent condition, and of his advanced age, the committee are disposed to regard favorably his application for an increase of pension, with a view to providing him with the ordinary comforts of life during his last days,

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JONATHAN C. HARRISON.

Mr. JOSEPH D. TAYLOR. I ask to take up for consideration a bill (H. R. 5998) granting an increase of pension to Jonathan C. Har-

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, at the rate of \$30 per month, the name of Jonathan C. Harrison, late a private in Company B, Fifty-second Ohio Volunteers.

Mr. WARNER, of Ohio. This is a bill fixing the rate of pension. I thought the rate of pension was always to be fixed in the Pension Office, unless there was something in the case beside disability. I think the report had better be read to show what it is.

The report (by Mr. LE FEVRE) was read, as follows:

The report (by Mr. Le Fevre) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5998)
granting an increase of pension to Jonathan C. Harrison, having considered the
same, report as follows:

Jonathan C. Harrison, while serving as private of Company B, Fifty-second
Regiment Ohio Volunteer Infantry, had his arm amputated below but within
one and a quarter inches of the elbow, for which wound he draws \$24 per month
pension. Had the amputation been made at or above the elbow the pension
would have been \$30 per month. There appears no issue between the claimant
and the Commissioner of Pensions as to the uselessness of the stump, and as to
the fact that an elbow amputation would not in any wise have been of greater
injury to him for all practical and personal purposes than at the point amputated. But the Commissioner rules that he can not grant an increase because
estopped by the words of the present law, which requires absolute incapacity for
manual labor as a precedent to increase from \$24\$ to \$30 per month, a requirement not demanded in any case from those suffering from amputations at or
above the elbow.

In view of the facts, your committee are of the opinion that claimant Harrison should be put on the same footing with this class of wounded soldiers, and
sliould not be held to the rule of incapacity for manual labor no more than they,
and are therefore of the opinion that he is clearly entitled to the desired inferase of \$6 per month, and recommend that the bill pass.

There being no objection, the bill was laid aside to be reported to the

There being no objection, the bill was laid aside to be reported to the Pouse with the recommendation that it do pass.

J. J. B. WALBACH.

Mr. HEWITT, of Alabama. I ask to take up for consideration the bill (H. R. 7229) to relieve the disability of J. J. B. Walbach.

The bill was read, as follows:

Be it enacted, &c., That the disabilities imposed upon and incurred by J. J. B. Walbach, of Baltimore, in the State of Maryland, by virtue of the provisions of the fourteenth amendment of the Constitution of the United States, shall be, and are hereby, removed.

The report (by Mr. TUCKER) was read, as follows:

The Committee on the Judiciary, to whom has been referred House bill No. 6124, beg leave to report as follows:

The petition of the citizen J. J. B. Walbach, of Baltimore, Md., is hereto annexed, and the committee see no reason that it should not be granted, and therefore report the accompanying bill as a substitute for the bill referred, and recommend that the said substitute do pass.

All of which is respectfully submitted.

To the Senate and House of Representatives in Congress assembled:

I hereby pray that my civil and political disabilities may be removed.

And in duty, &c.,

BALTIMORE, June 1, 1884.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES DYE

Mr. PERKINS. I ask consent to call up the bill (H. R. 8229) to grant a pension to James Dye.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James Dye, late an assistant surgeon in the service of the United States, of the Twenty-first Regiment of Missouri Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS FERGUSON.

Mr. ENGLISH. I call up the bill (H. R. 7303) to restore the name of Thomas Ferguson to the pension-roll.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas Ferguson, late a member of Company B, Ninety-first Regiment Indiana Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM H. H. GILLEY.

Mr. DAVIS, of Illinois. Mr. Chairman, I call up Senate bill No. 2587, granting a pension to William H. H. Gilley.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William H. H. Gilley, late a private in Company G. Forty-second Regiment Indiana Infantry Volunteers, said pension to commence from the date of the passage of this act.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HUGH O'NEIL.

Mr. STOCKSLAGER. I call up the bill (S. 1183) granting a pension to Hugh O'Neil.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, instructed to place the name of Hugh O'Neil on the pension-roll, said Hugh O'Neil being the dependent father of John O'Neil, late a private in Company I, Mounted Riflemen of the Indian wars.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM PAUGH.

Mr. BAGLEY. I desire to call up House bill 5581, granting a pension to William Paugh.
The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the conditions and limitations of the pension laws, the name of William Paugh, late a private in Company A, Sixty-ninth Regiment Pennsylvania Volunteers, at the rate of \$6 per month.

The committee recommend the adoption of the following amendment: Strike out in line 7 all after the word "volunteers."

The amendment was agreed to.

The bifl as amended was laid aside to be reported to the House with the recommendation that it do pass.

MARY A. GRENNON.

Mr. PARKER. I offer a bill and report for present consideration, which I send to the desk and ask to have read.
The CHAIRMAN. The bill will be read.
The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authored and directed to place on the pension-roll the name of Mary A. Grennon, idow of William H. Grennon, late of Company M, Fourteenth New York

Heavy Artillary, at the rate of \$16 per month, from and after the passage of this act, subject to all other provisions and limitations of the pension laws.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

A. W. STARK.

Mr. HEWITT, of Alabama. I ask consideration of the bill (H. R. 8186) to remove the political disabilities of A. W. Stark, of Virginia. The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That all political disabilities imposed by the fourteenth amendment to the Constitution of the United States be, and the same are hereby, removed from A. W. Stark, of Virginia.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. MATSON. I desire to inquire whether there are any more favorable reports that have not been acted upon by the committee?

Mr. MORRILL. I would like to make a report if the committee will rise, and we can then go right back into committee again.

Mr. PRICE. I have a bill that I will send up which is favorably

The CHAIRMAN. The gentleman will send it to the desk

ANDREW FRANKLIN, ALIAS ANDREW M'KEE.

Mr. PRICE. I ask consideration of the bill (S. 2272) granting a pension to Andrew Franklin, alias Andrew McKee.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Andrew Franklin, alias Andrew McKee, late a private in Capt. M. Armstrong's company of Ohio militia, from August 22, 1812, to March 7, 1813, and from July 23, 1813, to August 18, 1813, in the war of 1812, to take effect from the time of filing his application for

The committee recommend the adoption of the following amendments:

In line 7 strike out "March 7" and insert "February 22."
In lines 11 and 12 strike out "time of filing his application for a pension" and insert "passage of this act."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. RAY, of New Hampshire. I have an adverse report—that is, I should say rather that the committee are divided thereon, which I desire to call up for consideration from the table. My friend from Kansas stated that he desired to have the committee rise for the purpose of making a favorable report in a case. I therefore yield to him for that

motion.

Mr. MORRILL. I move that the committee do now rise.

Mr. WARNER, of Ohio. I hope that will not be done.

Mr. MORRILL. My idea is that we will go back immediately into committee after making the report.

The motion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the Chair as Speaker pro tempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole House having had under consideration the Private Calendar had instructed him to report various bills with sundry recommendations.

CATHARINE HELTON.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 8069) granting a pension to Catharine Helton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

I move that the House resolve itself into Commit-Mr. MORRILL. tee of the Whole House on the Private Calendar for the purpose of considering bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. HATCH, of Missouri, in the chair.

CATHARINE HELTON.

Mr. MORRILL. I now call up the bill just reported from the Committee on Invalid Pensions, being the bill (H. R. 8069) granting a pension to Catharine Helton.

The bill was read, as follows:

Be it enacted, dc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Catharine Helton, mother of Calvin Helton, as shown by claim numbered 250535, on file in the Pension Office.

The committee recommend the following amendments:
In the sixth line, after "Helton," insert "dependent;" so it will read "dependent mother," &c. Strike out of the bill all after the word "Helton" where it occurs the second time, in line 6, and insert "late of Company I, Twenty-fourth Regiment Volunteers."
The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. WARNER, of Ohio. In the absence of the gentleman who reported it, I call up the bill (H. R. 8244) granting a pension to John A. Landon.

The bill was read.

Mr. HEWITT, of Alabama. This is a bill reported by the Select Committee on the Payment of Pensions, Bounty, and Back Pay. I submit it does not come within the order for the business of this evening, which is set apart for the consideration of reports from the Committees on Pensions and Invalid Pensions and bills removing political

The CHAIRMAN. The point of order is well taken.

Mr. WARNER, of Ohio. It is unfortunate for the man for whose

benefit this bill has been reported.

Mr. HEWITT, of Alabama. I will not insist on the objection.

Mr. WARNER, of Ohio. Would it be in order to ask unanimous consent for the consideration of this bill?

The CHAIRMAN. The Chair thinks not. It is the duty of the Chair to observe the terms of the order under which the House meets.

The gentleman from Arkansas [Mr. ROGERS] is recognized.
Mr. ROGERS, of Arkansas. The bill which I desire to call up is also reported from the Committee on the Payment of Pensions, Bounty, and Back Pay, and therefore does not come within the order.

Mr. RAY, of New Hampshire. I call up the bill (S. 2204) granting arrears of pension to Nancy B. Leach.

The bill, which was reported with an adverse recommendation by the Committee on Invalid Pensions, was read, as follows

Whereas Nancy B. Leach, mother of Bradford Leach, late of Company I, Twelfth New Hampshire Volunteers, was placed on the pension-roll on the 25th day of June, 1881, and from which date payment of said pension was made: Therefore,

Therefore,

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, or cause to be paid, to the aforesaid Nanoy B. Leach a pension at the rate prescribed by law from the date of the death of the said Bradford Leach: Provided, That all sums previously paid on account of pension to the said Nancy B. Leach be deducted,

Mr. MORRILL. I call for the reading of the report.

The CHAIRMAN. The Chair will state that as the hour is so near at hand when the committee must rise pursuant to the order of the House, there is not time for the reading of the report.

Mr. MORRILL. Then I ask that the report be printed in the Record, and that the gentleman from New Hampshire [Mr. RAY] be permitted to make a statement and that I be permitted to reply.

The CHAIRMAN. The Chair calls the attention of the chairman of the Committee on Invalid Pensions to this bill.

Mr. RAY, of New Hampshire. If there be no objection let the reports of the majority and minority of the committee be printed in the RECORD, and the gentleman from Kansas [Mr. MORRILL] and myself can each make a statement.

There was no objection.

Mr. MATSON. I shall have to object to the passage of that bill.

The CHAIRMAN. The Chair has suggested that there was not time to read the report.

Mr. MATSON. Then let the committee rise.
Mr. RAY, of New Hampshire. I hope the gentleman [Mr. MATSON]
ill give me an opportunity to state briefly the facts in this case, so that it may be considered by the committee to-night. It is not necessary that these lengthy reports should be read. They can be printed in the RECORD.

The report of the Committee on Invalid Pensions (by Mr. MORRILL) is as follows:

is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2204) granting arrears of pension to Nancy B. Leach, submit the following report:

We find that claimant is receiving a pension at the rate of \$8 per month, as dependent mother of Bradford Leach, a deceased soldier of the war of the rebellion, said pension commencing June, 1881. This bill provides for the payment of a pension at the same rate from the death of her son up to June, 1881, or the time from which the original pension was granted. The act of March 3, 1879, provides:

"All pensions which have been, or which may hereafter be, granted in consequence of death occurring from any cause which originated in the service since March 4, 1881, or in consequence of wounds or injuries received or disease contracted since that date, shall commence from the death or discharge of the person on whose account the claim has been or is hereafter granted, if the disability occurred prior to discharge, and if such disability occurred after the discharge, then from the date of actual disability or from the termination of the right of party having prior title to such pension, provided the application for such pension has been, or is hereafter, filed with the Commissioner of Pensions prior to the 1st day of July, 1889, otherwise the pension shall commence from the date of filing the application."

The application for pension in this case was received at the Pension Office in Washington, June 25, 1881, nearly a year after the expiration of the time fixed by law under which arrears of pensions could be allowed.

It is claimed that the application was actually made and executed in proper form February 11, 1879, or more than sixteen months prior to the expiration of the limitation; that this application was executed at the office of David H. Hill, in Sandwich, Carroll County, New Hampshire, and by claimant left with said Hill, who was her duly authorized attorney, to be placed in the United States mail; that through his neglect and gross careless

dentally discovered and placed in the mail. Your committee are of the opinion that claimant should be held responsible for the neglect of her attorney. The simple fact that she executed the papers, and never filed them, does not entitle her to any more consideration than is extended to hundreds of others who, from ignorance of the law or from unforeseen casualities, failed to make their applications within the required time.

The rule of the committee has been to afford no relief by special act unless it could be clearly shown to be the fault of the Government that the papers were not filed in time. Where it has been proven that the papers were actually received before the expiration of the limitation at the Department and afterward lost relief has been granted, and in the Agnel case Congress went still further, and said where the Commissioner of Pensions had, prior to the expiration of the limitation, erroneously instructed a claimant that her case was not a pensionable one under the existing law, it was proper to afford relief by special act. But Congress has uniformly refused such relief in cases where it was shown that claimants had forwarded their applications to their attorneys in Washington in time to reach that city before the expiration of the limitation, and such attorneys had failed to receive them, or receiving them had neglected to file. To allow the relief asked for in this case would open the doors for thousands of similar cases arising under almost all conceivable circumstances.

1 After the expiration of the limitation in the arrears of pensions act, and before this claimant's application was ever received or filed in the Pension Office, more than 30,000 other claimants, with cases doubtless as meritorious, had filed their claims. Shall all these cases be passed by and their rights disregarded to give relief in this particular case?

**The views of this committee upon the question of arrears of pensions have been so clearly stated that they can not be misunderstood. In the report made May, 1894

The views of the minority (submitted by Mr. RAY, of New Hampshire) are as follows:

The minority of the Committee on Invalid Pensions, to whom was referred the bill (8, 2204) granting arrears of pension to Nancy B. Leach, have considered the same, and respectfully report:

The following facts are established beyond controversy:

1. That Mrs. Leach was lawfully entitled to a pension, as the dependent mother of a deceased soldier, from the time of his death.

2. That she employed a competent and reliable attorney, Judge David H. Hill, of Carroll County, New Hampshire, to make, and with his assistance she duly made and executed, as early as February 11, 1879, a proper application for her pension.

pension.

3. Judge Hill put the application in an envelope properly stamped, sealed, and directed, and supposed this letter, with other letters, was taken by a law student in his office to the post-office and duly mailed.

4. Afterward, and before July 1, 1880, the date when arrears of pension were cut off by act of Congress unless the application had previously been filed in the Pension Office, Judge Hill repeatedly and in good faith informed Mrs. Leach and her friends that her claim for pension had been filed, and it appears that she relied on this information.

5. The mistake was not discovered until June, 1881, when Mr. Fosker, the law student, found the envelope containing Mrs. Leach's application in a package of papers which had been put away in Judge Hill's office as being no longer of any use. Judge Hill's attention was immediately called to the document, and he at once forwarded it to his friend, Mr. George N. French, of the Treasury Department, requesting him to file the application forthwith at the Pension Office.

6. From the records of the Pension Office it appears this original available.

he at once forwarded it to his friend, Mr. George N. French, of the Treasury Department, requesting him to file the application forthwith at the Pension Office.

6. From the records of the Pension Office it appears this original application was actually filed June 25, 1881, upon which Mrs. Leach has been allowed a pension from that date only.

It appears to us to be a case of accident, mistake, or misfortune, rather than of negligence on the part of the attorney. Clearly no actual negligence or want of eare can be charged against Mrs. Leach. If it is urged that by the strict rules of law her attorney might be held liable in an action for negligent conduct in regard to the non-delivery of the letter containing the application at the post-office, we answer that such remedy is impracticable and uncertain, for an attorney is bound to the exercise of ordinary care only in such a case. A suit at law against the attorney, even if he is responsible, would probably fail, because a lack of ordinary care is not clearly established in the present case. Besides, Mrs. Leach does not possess the means to fight a lawsuit against the attorney, and this great Government ought not to require it of a good soldier's mother, even if the attorney were liable and had the means to pay.

It is urged that to allow the relief asked for here "would open the doors for thousands of similar cases, arising under almost all conceivable circumstances," and yet the committee are all of the opinion that the act of March 3, 1879, limiting arrears of pension to cases filed prior to July 1, 1880, discriminates unjustly, and ought to be repealed. The passage of this act, where a poor old lady is shown to have been without actual fault, and where it is absolutely beyond question her papers were fully prepared and completed long before the limitation act took effect, and her pension was granted upon the identical application lost or mislaid, as aforesaid, certainly can have no unfavorable influence against a repeal of the law referred to.

The minority

this unjust discrimination.

Again, the experience of Congress and of the Pension Office since July 1, 1880, shows that very few cases just like the present one exist, and for which this act, if passed, would afford a precedent, while the waiver of the strict statutory provisions, cutting off arrears, has been exercised by Congress in numerous instances where the equities in favor of the claimant have been no stronger than this claim presents. We think the bill ought to pass.

This bill is fully sustained by a number of recent precedents, among which are the following:

Special acts granting arrears.

an act for the relief of Benjamin F. Dobson, corporal in Company I, Nine-

teenth Indiana Volunteers, approved April 25, 1882, first session Forty-seventh Congress (chapter 104, page 858, volume 22, U.S. Stat. at Large).

An act for the relief of Jacob Humble, private in Company F, Sixth Indiana Cavalry, approved July 24, 1882, first session Forty-seventh Congress (chapter 347, page 722, volume 22, U.S. Stat. at Large).

An act for the relief of James F. Cullen, sergeant in Company A, Fifth Kentucky Volunteers, approved August 8, 1882, first session Forty-seventh Congress (chapter 483, page 739, volume 22, U.S. Stat. at Large).

An act for the relief of William M. Meredith, captain in Seventieth Indiana Volunteers, approved March 2, 1883, second session Forty-seventh Congress (chapter 75, page 798, volume 22, United States Statutes at Large).

An act granting an increase of pension to N. J. Ingersoil, private in Company F, Forty-eighth Illinois Volunteers, approved July 7, 1884, first session Forty-eighth Congress (chapter 348, page 83, United States Statutes).

An act for the relief of the widow of Edward M. Wilkens, private in Company Q, First Rhode Island Militia, approved July 7, 1884, first session Forty-eighth Congress (chapter 330, page 86, United States Statutes).

An act granting arrears of pension to Emily Agnel, approved February, 1885, second session Forty-eighth Congress.

Restorations to pension-roll, granting arrears from time of suspension by special acts.

Restorations to pension-rol!, granting arrears from time of suspension by special acts.

Restorations to pension-roll, granting arrears from time of suspension by special acts.

An actgranting a pension to Angus McAuley, soldier in Creek Indian war, approved June 19, 1882, first session Forty-seventh Congress (chapter 232, page 710, volume 22, U. S. Stat. at Large).

An act to restore to the pension-roll the name of Frederick A. Garlick, sergeant in Company K, Seventy-sixth New York Volunteers, approved June 27, 1882, first session Forty-seventh Congress (chapter 250, page 712, volume 22, U. S. Stat. at Large).

An act granting a pension to Erastus Crippen, fourth sergeant in Company G, One hundred and forty-ninth Pennsylvania Volunteers, approved August 5, 1882, first session Forty-seventh Congress (chapter 404, page 728, volume 22, U. S. Stat. at Large).

An act granting a pension to Sarah C. Hall, widow of Capt. John Hall, of the Fourth New York Cavalry, approved July 7, 1884; first session Forty-eighth Congress (chapter 356, page 85, U. S. Stat.).

APPENDIX.

SENATE REPORT.

Mr. Blair, from the Committee on Pensions, submitted the following report:
The Committee on Pensions, to whom was referred the bill (8, 2204) granting arrears of pension to Nancy B. Leach, mother of Bradford Leach, have examined the same and report recommending the passage of the same.

The committee desire to submit the exact point involved in this case. The original application was duly made and executed February 11, 1879. It was actually filed June 25, 1881, and the proof sustaining the claim. It was allowed, and certificate No. 20523 issued to the dependent mother, carrying pension at the rate of \$8 per month. The claimant supposed that her application was on file until long after the 1st day of July, 1880, the period of limitation under the arrears-of-pension act. The claimant has no practical remedy unless relieved by special act.

act.

Mr. Hill, the attorney employed, is a reputable citizen, who has held responsible positions of public trust, and an honest attorney at law in good standing in the profession.

The affidavits of Hon. James E. French and of Hon. David H. Hill are herewith submitted, which establish all the remaining facts necessary to be stated.

I, James E. French, of Moultonborough, in the county of Carroll, State of New Hampshire, make oath and say, am well adquainted with Nancy B. Leach, holder of pension certificate No. 205323. I well remember the time she made her application for a pension, because it was at my suggestion that she applied to Hon, David H. Hill, of Sandwich, to assist her, and it was in the winter of 1879; said Hill afterward informed me that said claim was filed, and said claimant was so informed several times prior to July 1, 1880.

I have no interest in said claim for a pension.

JAMES E. FRENCH.

JAMES E. FRENCH.

Sworn to and subscribed before me this 9th day of December, A. D. 1884, and I hereby certify that I have no interest in the prosecution of this claim.

[SEAL.] W. A. HEARD, Clerk of Supreme Court,

I. David H. Hill, of Sandwich, in the county of Carroll, and State of New Hampshire, depose and say that I acted as attorney for Nancy B. Leach in matter of pension for her as dependent mother. The declaration was drawn by me and taken to William A. Heard, clerk of supreme court, to be executed, as I now remember it.

I think we returned to my office, and I put the declaration in an envelope and put stamp on for postage. It was understood that it was to go by that mail. I supposed for a long time that it went that day, and so informed Mrs. Leach. The papers were thus completed, and sealed and stamped at the time of their date. I had no doubt of it until a student in my office called my attention to an envelope thus sealed and stamped, which he said he had found among other papers which he thought he had packed away as papers no longer useful, and asked me if there was not something that had been overlooked. I at once sent them to George N. French, a clerk in Treasury Department, to file at the Pension Office. Within ten days he wrote to me that they were filed, and they were sent to said French just a few days before I was informed that they were filed. I can not be positive how they were first overlooked, but believe that my student, A. B. Fosker, of said Sandwich, took some letters to the mail for me, and Mrs. Leach and myself both supposed he had taken the Leach papers with them, and continued so to think until they were discovered by said Fosker, as above described.

My post-office address is Sandwich Center, Carroll County, and State of New Hampshire, and I have no present interest in the pension claim of Mrs. Leach. DAVID H. HILL.

Sworn to and subscribed before me this 9th day of December, A. D. 1884, and I hereby certify that I have no interest in the prosecution of this claim.

[SEAL.]

W. A. HEARD,

Clerk of Supreme Court.

Mr. RAY, of New Hampshire. Mr. Chairman, this bill has passed the Senate. It gives arrears to an old lady whose son became disabled in the Army and died in February, 1879. She executed her papers in proper form before the judge of probate in Carroll County, New Hampshire, and left them with him to be mailed to the Pension Office in Washington. The judge put them in a letter, properly directed and sealed, and gave it to a student in his office to carry to the post-office. In some way, which does not very clearly appear, the letter got mislaid among a file of papers, and was laid away in a pigeon-hole in the probate office, and was not discovered till after the 1st of July, 1880, when

the right to arrears was cut off by act of Congress. Indeed, the papers were not found until some time in June, 1881, nearly a year afterward. In the mean time Judge Hill in good faith, supposing the fact to be so, had informed the old lady and her friends that the application had gone to the Pension Office and was there on file awaiting consideration. in its order. In looking over some of the papers in the probate office for another purpose, this letter, sealed and directed, was found, but too late to enable Mrs. Leach to get arrears. The identical document, which had thus been seasonably prepared and executed, was sent to the Pension Office and the applicant obtained a pension upon it.

Now, the only question is whether Mrs. Leach shall have arrears. The majority of the committee have reported adversely on the ground

that the temporary loss of her papers was due to the carelessness or negligence of her attorney, and that her remedy ought to be against her lawyer instead of seeking relief by a special act of Congress. The minority of the committee, composed of the gentleman from Ohio [Mr. Le Fevre] and myself, are of opinion that inasmuch as her application was made in season, and as no actual fault is attributed to her, it is unjust to refuse to grant her these arrears. And in order to show that our Committee on Invalid Pensions and Congress would be taking no new departure in passing this bill, I desire to call the attention of the committee to several recent precedents which I think fully cover the principle involved.

I call attention to the case of Benjamin F. Dobson, of the Nineteenth Regiment of Indiana Volunteers, reported by my friend from Indiana [Mr. Matson] from the Committee on Invalid Pensions in the Fortyseventh Congress—a case in which Congress by special act granted ar-rears of pensions (22 United States Statutes at Large, chapter 104, page

Mr. DAVIS, of Illinois. When did that pass?
Mr. RAY, of New Hampshire. That act passed in the first session of the Forty-seventh Congress, and was approved April 25, 1882. The facts in Dobson's case were that he sent to his member of Congress, December 6, 1879, his application for a pension by mail, requesting that it be filed in the Pension Office, and the Representative acknowledged its receipt, stating that he would cause it to be done. By some blunder or neglect on the part of the Congressman, the application, as well as evidence in support thereof, received afterward from Dobson, were filed with the Committee on Invalid Pensions.

were filed with the Committee on Invalid Pensions.

From December 6, 1879, until April 11, 1881, Dobson supposed his claim was pending in the Pension Office, instead of in Congress. He then applied for, and obtained, a pension without arrears through the regular channels. This was a plain case of "inadvertence," as the report by my distinguished friend, the chairman of our committee [Mr. MATSON], called it, on the part of a Congressman, while in the case now before the House substantially the same thing, according to the majority report, has grown into "neglect and gross carelessness" on the part of a reputable attorney.

Another case where Congress has granted arrears of pension by special act, approved March 2, 1883, is that of William M. Meredith, of Company E, Seventieth Indiana Volunteers (22 United States Statutes at Large, chapter 75, page 798).

The report, also made by our respected chairman [Mr. Matson], shows that Captain Meredith executed his application for a pension on or about June 24, 1879, and gave it to his attorney, one House, of Indianapolis, to be mailed to the Commissioner of Pensions. House afterward apolis, to be mailed to the Commissioner of Pensions. House afterward made an affidavit that he mailed it the next day after receiving it. The papers, however, never reached the Pension Office, and their loss it is said was not discovered by the claimant until after July 1, 1880, too late to obtain arrears at the Pension Office. It is not altogether improbable that Captain Meredith's papers by some accident or mistake, like those of Mrs. Leach, got into a pigeon-hole in a lawyer's office instead of being mailed. Judge Hill and his law student would have testified in good faith that Mrs. Leach's application was mailed, until convinced of their error by subsequently finding the papers mislaid in his

office.

Again, there is the case of Jacob Humble, of Company F, Sixth Indiana Cavalry, where, by special act approved July 24, 1882 (22 United States Statutes at Large, chapter 347, page 722), arrears were allowed. The chairman of our committee [Mr. Marson] also reported this case favorably in the Forty-seventh Congress. The facts are, briefly, that Humble, about August 1, 1879, made his application for a pension and sent it by a neighbor to be delivered to his attorney at Spencer, Ind. The neighbor and the attorney, by affidavit before the Committee on Invalid Pensions, testified that the application was inclosed in an envelope, properly directed and sealed, and the attorney stated that he welope, properly directed and sealed, and the attorney stated that he put the letter into the post-office. It was never heard from afterward. Humble did not know that his application had been lost until some time in 1881—about two years after his papers were executed.

The suggestion is made in the last two cases that the papers were lost

in the mails, and therefore that the fault, if any, is chargeable against the Government alone, not against the claimant. It seems to me a sufficient answer to this is that the Government in no case undertakes to warrant or insure the safe carriage and delivery of mail matter at the place of its destination. Nor does the Government hold itself out as responsible for the carelessness or negligence of its employés in the

mail service. A Government officer in the mail service is liable to the injured party for loss arising from his own neglect or carelessness in the performance of his duty, the same as other people. In principle these cases can not be distinguished from the one now under considera-

these cases can not be distinguished from the one now under considera-tion and are precedents for the passage of this bill.

Another precedent in favor of the bill is the act for the relief of the widow of Edward M. Wilkens, passed July 7, 1884 (United States Statutes, chapter 348, page 83), reported from our committee by the gentleman from Massachusetts [Mr. LOVERING], by which Mrs. Wilkens obtained arrears denied her under the general pension laws. Her husband during his last illness executed his original application for a pension a few days before his death, which occurred March 27, 1879, but it was not sent to the Pension Office on account of his illness until some time after his death, Mrs. Wilkens not being aware that it was necessary to have her husband's application filed in the Pension Office during his lifetime in order to obtain arrears. This Congress, in her ase, granted the arrears without opposition.

Then again only the other night we granted arrears to Mrs. Emily

Agnel, the widow of a professor at West Point, notwithstanding the fact that it was conceded she made no application for a pension whatever until long after July 1, 1880. She was advised, it is true, by her member of Congress that it was of no use for her to apply to the Pension Office because in his opinion she was not pensionable under existing laws. Afterward, and since July 1, 1880, an opinion was obtained from the Attorney-General that she was entitled to a pension, and the pension was granted, and this House the other night passed a bill giv-

ing her arrears.

Mr. HEWITT, of Alabama. If the gentleman will allow me, I want to remind him of the facts in that case. While I think that bill ought not to have passed at all, yet he will remember that the passage of it was urged upon the ground that the Commissioner of Pensions, when the application was presented—

Mr. RAY, of New Hampshire. It never was presented until after

the act of Congress cutting off arrears took effect, namely, July 1, 1880.

Mr. HEWITT, of Alabama. That bill was urged upon the ground

that when the application was presented the Commissioner of Pensions informed her agent, or her member of Congress, that there was no law

authorizing a pension in her case.

Mr. RAY, of New Hampshire. If my friend [Mr. Hewitt, of Alabama] will take the trouble to read the report he will find that was not the fact. There was nobody connected with the Pension Office that said anything about it until after July 1, 1880.

Mr. HEWITT, of Alabama. The gentleman is wrong about that.
Mr. STOCKSLAGER. There was a letter of the Commissioner of
Pensions received after the report was made, which was submitted to

Mr. RAY, of New Hampshire. Yes; the letter was dated March 26, 1884, nearly four years after the time for obtaining arrears had expired. The report made by the gentleman himself [Mr. STOCKSLAGER] from the Committee on Pensions in Mrs. Agnel's claim, beginning near the bottom of the first page, expressly states

That it was after the last day of June, 1880, when, under the advice of friends and an attorney, she resolved to apply to the Pension Office with the sole idea of getting the case before the Attorney-General for an opinion, and that it was, as she anticipated, rejected by the Commissioner, but a favorable opinion finally rendered by the Attorney-General.

Mrs. Agnel never consulted the Commissioner of Pensions nor filed her claim in the Pension Office till December 16, 1880, several months too late for arrears. Her pension, at the rate of \$30 per month, from the time of filing the application was finally allowed June 12, 1882, after a favorable opinion was obtained from the Attorney-General.

Mr. Chairman, I have found eleven cases where Congress has recently

allowed arrears of pension by special acts and have appended them to

the minority report.

The only point here is—and as our time is limited I will come to it directly—the only point is, whether or not this old lady, lawfully entitled to a pension, having made out the necessary papers, and having left them with her attorney, to be sent to the Pension Office, and the attorney, in good faith, supposing his clerk had delivered them at the post-office with other mail matter, but subsequently finding them mislaid among probate papers in a pigeon-hole in his office—whether or not she, being without any actual fault, shall be allowed her arrears. I do The principal objection made by the majority of the committee is that it will be establishing an unsafe precedent. I can not regard it in that light. The precedents abundantly justify us in passing this bill. If there is any other case like it, I am willing to vote in its favor.

Now, Mr. Chairman, in conclusion, it seems to me to be unjust to require Mrs. Leach to look to her attorney for the recovery of arrears equit-

quire Mrs. Leach to look to her attorney for the recovery of arrears equitably belonging to her, on the assumption of negligence on his part—which is by no means clearly proved.

Mr. MATSON. The gentleman from New Hampshire [Mr. RAY] has very fairly presented this case, and I have only a word to say in reply. The clear distinction between the cases he cites as having passed this House and the one he asks the House now to pass is that in the present case it is not alleged that any official of the Government was in

any way to blame, but the whole blame rests upon the woman's attorney. Now, if Congress or the Government undertakes to relieve perney. Now, it Congress or the Government undertakes to relieve persons against the wrongs practiced upon them by their attorneys, it undertakes a very large contract. It is popularly supposed that the Government already has on hand a pretty good contract in paying the pensions that it ought to pay; but to pay arrears to parties who have failed to receive their pensions through the neglect or wrong of attorneys is, I think, more than any fair-minded man would say the Government ought to undertake. But, sir, I apprehend we have not time to do justice to this old woman, even from the standpoint of the gentleman from New Hampshire, and at the same time to do justice to these other claimants, whose cases have been favorably passed upon by this Committee of the Whole. Our session of this evening must close in a very few minutes, as under the order of the House it can not be extended

beyond 9 o'clock. I move, therefore, that the committee now rise.

Mr. PARKER. Before the question is taken upon the motion of
the gentleman from Indiana, I wish to say that in the case of Mary A. Grennon, which I presented and which was passed without especial notice, there was an adverse report. I infer from remarks which have been made that it was understood nothing would be presented except favorable reports. I would not wish the Committee of the Whole to fall into any error as to the state of the case from the lack of any explanation on my part. I shall therefore, if there be any objection to that case, ask to withdraw it when it comes before the House.

Mr. BAGLEY. That is the case of a soldier who is supposed to have been killed by the enemy while going to a spring. Although there was an adverse report, I think the case a good one. I hope that when we take up the case in the House it may be favorably considered.

Mr. MATSON. We have not time now to talk about mistakes. I

move that the committee rise. The motion was agreed to.

The notion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker pro tempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole House on the Private Calendar had, according to order, had under consideration sundry bills on the Private Calendar reported by the Committee on Pensions and the Committee on Invalid Pensions; and also bills for the removal of political disabilities, and had directed him to report the same back to the House with various recommendations.

BILLS PASSED.

Bills of the following titles were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed (two-thirds voting in favor thereof):

A bill (H. R. 7231) to remove the disabilities of John K. Cooke, of

A bill (H. R. 8032) to remove the political disabilities of Virginius Freeman, of Virginia; and
A bill (H. R. 7229) to remove the disabilities of J. J. B. Walbach,

of Baltimore, Md.

On motion of Mr. HEWITT, of Alabama, by unanimous consent the bill (H. R. 8186) to remove the political disabilities of A. W. Stark, of Virginia, was laid on the table; and the bill (S. 2623) to remove the political disabilities of Alexander W. Stark was taken from the Speak-

er's table, read three times, and passed.

Bills of the following titles were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the

read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 7485) granting a pension to Alexander Weide;
A bill (H. R. 7990) granting a pension to Joseph Sansom;
A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton;
A bill (H. R. 7992) for the relief of Christian Arndt;
A bill (H. R. 7993) for the relief of William Stansberry;
A bill (H. R. 8187) granting a pension to Chancey G. Darrah;
A bill (H. R. 7418) for the relief of Maria Spellen;
A bill (H. R. 1710) granting a pension to George W. Bean;
A bill (H. R. 1773) for the relief of Edward Kraemer;
A bill (H. R. 301) granting a pension to Theodore Leveron;
A bill (H. R. 5998) granting an increase of pension to Jonathan C. Harrison; Harrison:

A bill (H. R. 8229) to grant a pension to James Dye; and A bill (H. R. 7303) to restore the name of Thomas Ferguson to the pension-roll.

the Private Calendar with a favorable recommendation was the bill (H. R. 3735) granting a pension to Mary A. Grennon.

The SPEAKER pro tempore. This is the case on which there was an adverse report by the Committee on Invalid Pensions.

Mr. PARKER. This bill proposes to place on the pension-roll the widow of a private. During the way, while on the picket line he started.

chairman of the Committee on Pensions, who no doubt also desires to return his thanks to the House.

The next bill reported from the Committee of the Whole House on the Private Calendar with a favorable recommendation was the bill (H. 2, 3735) granting a pension to Mary A. Grennon.

The SPEAKER pro tempore. This is the case on which there was a adverse report by the Committee on Invalid Pensions.

Mr. PARKER. This bill proposes to place on the pension-roll the vidow of a private. During the war, while on the picket line, he started for a spring. A shot was heard. He did not return, and has never been the teard of since. It was the belief of his comrades, from the circumtances connected with the case, that he was killed by the enemy. Is sk that the bill be passed; but if any member objects I will not press he request.

The question being taken, the bill was ordered to be engrossed for a widow of a private. During the war, while on the picket line, he started for a spring. A shot was heard. He did not return, and has never been heard of since. It was health field not feeting, and has heeter oven stances connected with the case, that he was killed by the enemy. I ask that the bill be passed; but if any member objects I will not press

third reading; and being engrossed, it was accordingly read the third time, and passed.

BILLS PASSED.

Amendments to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time,

bill (H. R. 8152) for the relief of William D. Farnsworth;

A bill (H. R. 6960) for the relief of Charles L. Alden; A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;

A bill (H. R. 3536) granting a pension to Mrs. Lucretia G. Ripiey;
A bill (H. R. 7863) granting a pension to Thomas M. McChesney;
A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
A bill (H. R. 7417) for the relief of Stephen Sauer;
A bill (H. R. 6505) granting a pension to Corydon Millard;
A bill (H. R. 7513) granting a pension to Margaret B. Harwood;
A bill (H. R. 5581) granting a pension to William Paugh;
A bill (H. R. 8069) granting a pension to Catharine Helton.

A bill (H. R. 5581) granting a pension to William Paugh;
A bill (H. R. 8069) granting a pension to Catharine Helton;
A bill (H. R. 8048) to increase the pension of Frederick Huscher; title amended by striking out "Huscher" and inserting "Hercher;" and
A bill (H. R. 7248) to increase the pension of Jane Brent; title amended by inserting "D." after "Jane."
Senate bills of the following titles were severally ordered to a third reading, were accordingly read the third time, and passed:
A bill (S. 357) granting a pension to William Lockbart:

A bill (S. 357) granting a pension to William Lockhart; A bill (S. 1655) granting a pension to Newton J. Burris; A bill (S. 1709) granting a pension to Leonora A. Boyden;

A bill (S. 1803) granting an increase of pension to George A. Washburn;

A bill (S. 2350) granting a pension to Anna Ginn;
A bill (S. 1790) granting an increase of pension to Edgar L. Dutton;
A bill (S. 1804) granting a pension to Clarinda Hunt;
A bill (S. 2610) granting a pension to Patrick Furlong;
A bill (S. 2510) granting a pension to Patrick Furlong;
A bill (S. 2514) granting a pension to David T. Hoover;
A bill (S. 2514) granting a pension to David T. Hoover;

A bill (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy, and for forty-six years in

active service: A bill (S. 2570) granting an increase of pension to Samuel M. Thomp-

bill (S. 2587) granting a pension to William H. H. Gilley; and

A bill (S. 1183) granting a pension to Witham H. H. Gthey; and A bill (S. 1183) granting a pension to Hugh O'Neil.

Amendments to the following Senate bills were severally agreed to, and the bills as amended were ordered to be read a third time; and they were accordingly read the third time, and passed:

A bill (S. 2009) granting a pension to Isabella Turner;

A bill (S. 2327) for the relief of James Bedell, sr.; and

A bill (S. 2272) granting a pension to Andrew Franklin, alias Andrew

McKee.

JAMES D. JOHNSTON.

Mr. HEWITT, of Alabama. I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 1915) to remove the disabilities of James D. Johnston, of Georgia, incurred under the fourteenth amendment of the Constitution.

There being no objection, the bill was taken from the Speaker's table,

read three times, and passed.

Mr. MATSON. I move to reconsider the votes by which these various bills have just been passed; and I also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON. Mr. Speaker, I believe that completes the business of the evening, and in the moment or two left I beg leave to say that the Committee on Invalid Pensions during this Congress, after careful consideration, have reported on twelve hundred and twenty-three cases, and that six hundred and sixty-eight bills, favorably reported, have been passed by the House. Indeed, I might add without egotism, so far as we are informed every bill reported favorably by that committee has been passed by the House, and, as this is our last appearance before the House, we return thanks for the courteous treatment extended to us.

I now give way to the gentleman from Alabama [Mr. Hewitt], the chairman of the Committee on Pensions, who no doubt also desires to

Mr. WHITE, of Kentucky: Oh, yes; provided it has Black Hawk Indians in it; but we want it with Union soldiers in it.

Mr. HEWITT, of Alabama. But we do not want to pension Black

Hawk Indians.

Mr. WHITE, of Kentucky. But the gentleman wants to pension all who served during the time of any Indian disturbance.

Mr. HEWITT, of Alabama. The gentleman is mistaken now, as he

often is in the House

Mr. WHITE, of Kentucky. I will take the bill including the Union soldiers, and without those who served during Indian disturbances.

The SPEAKER pro tempore. It is now 9 o'clock, and, in compliance with previous order, the House stands adjourned until to-morrow, when it will be called to order by the Speaker on the return of the procession from the Washington Monument.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAGLEY: Resolution of the Legislature of the State of New York, recommending that General U. S. Grant be placed upon the retired-list-to the Committee on Military Affairs.

By Mr. BRAINERD: Petition of Western Pennsylvania Improve-

ment Company, for the improvement of the Allegheny River—to the Committee on Rivers and Harbors.

By Mr. BRENTS: Remonstrance of citizens of Pacific County, Washington Territory, against any legislation for the purpose of prohibiting trap-fishing in the Columbia River—to the Committee on Commerce.

Also, remonstrance of members of the board of pilot commissioners for the Columbia River, Washington Territory, against any legislation for the purpose of prohibiting trap-fishing in the Columbia River—to the same committee

By Mr. CASSIDY: Petition of G. C. White, postmaster at Carson City, Nev., praying passage of a law making the Government payrent of third-class post-offices—to the Committee on the Post-Office and

By Mr. DINGLEY: Petition of citizens of Greenwood, Me., for an

increase of widows' pensions—to the Committee on Pensions.

By Mr. FIEDLER: Concurrent resolution of the Legislature of New Jersey, opposing construction of railroad bridges across Staten Island Sound—to the Committee on Commerce.

By Mr. GEORGE: Petition of citizens of Oregon asking for further appropriation for improving Coquille River—to the Committee on Rivers

By Mr. D. B. HENDERSON: Petition of C. C. Warden and 323 others, citizens of Ottumwa, Iowa, urging Congress to place U.S. Grant on the retired-list of the Army, with the rank and pay of general, because of his distinguished services—to the Committee on Mili-

tary Affairs.

By Mr. McCORMICK: Petition of 28 citizens of Adams County, Ohio, against Mormonism—to the Committee on the Judiciary.

By Mr. MORSE: Petition of Alex. McKenzie and others, of Cam-

bridge, Mass., relative to the Mormon question-to the same commit-

By Mr. J. J. O'NEILL: Petition of Addie M. Ramsey, George W. Lubke, W. P. Mullen, D. H. Evans, and others, of Saint Louis, Mo., for the suppression of Mormonism—to the same committee.

By Mr. STEELE: Petition of citizens of Marion, Grant County, Indiana, asking that every honorably discharged soldier and sailor of the late war be granted a land-warrant of one hundred and sixty acres of land, without condition of settlement-to the Committee on the Public Lands

By Mr. A. J. WARNER: Petition of J. W. Andrews, Luther Edgerton, and 15 others, citizens of Marietta, Ohio, for legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. WILKINS: Petition of Rev. T. S. Huggart and 100 others, citizens of Ostrander, Ohio, praying for the suppression of polygamy—to the suppression of polygamy—

to the same committee.

By Mr. J. S. WISE: Petition of Virginia school superintendents, for the passage of the Blair bill-to the Committee on Education.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. R. T. DAVIS: Of citizens of New Bedford, and of Sandwich,

By Mr. McCOID: Of citizens of West Chester, of Mt. Sterling, of Keokuk, of Mediapolis, of Washington, of Birmingham, and of New London, Iowa.

By Mr. A. J. WARNER: Of J. F. Hopkins and others, of Vincent; of Philip Mattern and others, citizens of Lowell; of D. H. Merrill and others, of Barlow, Washington County; of Samuel Barnhill and others, citizens of Shade, Athens County; of Thomas E. Ham and others, citizens of Malta, Morgan County; of B. F. Fellows and others, citizens of Long Bottom, Meigs County; of Thomas Smith and others, citizens of current resolutions "being in order, the Chair lays before the Senate a

Cutler, Washington County; and of Joseph Mays and others, citizens

of Grand View, Washington County, Ohio.

By Mr. WEAVER: Of E. L. Hall and 26 others, citizens of Goodland, Ind.

SENATE.

SATURDAY, February 21, 1885.

The Senate met at 1 o'clock p. m.
Prayer by Rev. Jahu De Witt Miller, of the city of Philadelphia.
The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore laid before the Senate a communica-tion from the Secretary of the Treasury, transmitting a deficiency esti-mate received from the Commissioner of Fish and Fisheries; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a deficiency estimate of \$5,000 in the appropriation for defense of the United States in the Court of Claims for the current fiscal year, submitted by the Attorney-General; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation received from the Secretary of the Interior to pay Miss Emma Dowell \$29.35 for services rendered in July, 1882; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed. He also laid before the Senate a communication from the Secretary

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate received from the Secretary of the Interior to pay George T. Newman for beef delivered at the Blackfeet agency; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of the 5th instant, a report of the Commissioner of the General Land Office and sundry papers on the subject of the Moquelemos grant in the State of California, the surveys thereof, and the status of the settlers thereon. If there be no objection, the letter of the Secretary, together with the letter of the Commissioner of the General Land Office, will be printed, and, with the accompanying papers, General Land Office, will be printed, and, with the accompanying papers, which are very voluminous, referred to the Committee on Printing.

CUSTOM-HOUSE LOT IN PROVIDENCE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 194) to authorize the Secretary of the Treasury to convey land in Providence, R. I., for high-

way purposes.

The amendment was, in line 4, to strike out "southwest" and insert "northwesterly.

The PRESIDENT pro tempore. The Chair was informed yesterday by the Senator from Rhode Island [Mr. Aldrich] that he desired the Senate to concur in this amendment, there having been a clerical error in the Senate bill. If there be no other suggestion, the Chair will put the question on concurring in the House amendment.

The amendment was concurred in.

HOUSE BILLS REFERRED.

The following bills received from the House of Representatives yesterday were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 1321) for the erection of a public building at Reading,

Pa.; and

A bill (H. R. 4067) to change the limit of appropriations for the public building at Louisville, Ky.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a communication from the Secretary of War, transmitting sundry petitions received from infantry officers of the Army, praying for the passage of the bill (S. 2442) to increase the efficiency of the infantry branch of the Army; which was ordered to be printed, and, with the accompanying petitions, referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Claims, to whom was referred the bill (S. 2087) for the relief of Henry Frank, submitted an adverse report thereon, which was agreed to; and the bill was postponed in-

resolution submitted yesterday by the Senator from New York [Mr. LAPHAM], which will be read.

The resolution was read, as follows:

Resolved, That there be paid out of the contingent fund of the Senate, to Alice E. Underwood, executrix of the last will and testament of Maria G. Underwood, administratrix of John C. Underwood, deceased, the sum of \$5,000, in full compensation for the time and expenses of the said John C. Underwood, in prosecuting his claim to a seat in the Senate as a Senator from the State of Virginia.

Mr. LAPHAM. I move that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. Is there objection to the reference of the resolution?

Mr. INGALLS. I object.
The PRESIDING OFFICER. The question then is on agreeing to the motion of the Senator from New York to refer the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate.
Mr. LAPHAM. The President of the Senate has decided that under

the rule such a resolution musuce.

remember the number of the rule.

Then it does not need any motion to the rule such a resolution must be referred to that committee. I do not

The PRESIDING OFFICER. The Chair holds that under the rule the resolution must go to that committee, and it will be so referred.

POST-OFFICE APPROPRIATION BILL.

Regular order.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under the eighth rule, beginning with Order of Business 396,

Senate bill 1886.

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for

Mr. ALLISON. I ask the Senator from Kansas to request unanimous consent to proceed with the appropriation bill. I suppose that will be granted. What will be the effect of the motion of the Senator from Kansas to lay aside the pending order? Will it come up regularly on Monday, or will it require a motion?

The PRESIDENT pro tempore. Order of Business 396 will come up

to-morrow morning.

Mr. ALLISON. Or this morning, if the appropriation bill is disposed of during the morning hour?

The PRESIDENT pro tempore. If disposed of before whatever time

under the new adjournment it would be in order.

Mr. WILSON. I ask the Senator from Kansas to withdraw his mo-tion that I may ask the unanimous consent of the Senate to take up for

present consideration a bill that will take no time.

Mr. PLUMB. I insist on my motion that the appropriation bill shall be taken up. If the Senate is then minded to indulge the Senate. tor from Iowa a moment or two in regard to his bill, I do not know

tor from Iowa a moment or two in regard to his bill, I do not know that I shall object; but I can not consent to postpone the motion I have made, as I wish to bring the appropriation bill before the Senate.

Mr. WILSON. Very well.

The PRESIDENT pro tempore. Debate is not in order. The question is on agreeing to the motion of the Senator from Kansas that the Senate now proceed to the consideration of the Post-Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal

year ending June 30, 1886, and for other purposes.

The PRESIDENT pro tempore. The pending question is on striking out, as recommended by the Committee on Appropriations, all after the word "thereof," in line 117, to the end of line 151.

Mr. MILLER, of New York. No; the understanding yesterday was that we were to vote on these propositions separately, and we voted upon the first down to the word "thereof," in line 117. The next division would proposely be to the end of line 128 perhaps

vision would properly be to the end of line 128, perhaps.

The PRESIDENT pro tempore. The Chair stands corrected. The Senator from New York is right. The words proposed by the committee to be stricken out down to the end of line 128, will be read.

The Secretary. After the word "thereof," in line 117, it is pro-

The SECRETARY. After the we posed to strike out the following:

And drop-letters shall be mailed at the rate of 2 cents per ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established. That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, to bona fide subscribers, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall, on and after July 1, 1885, be entitled to transmission through the mails at 1 cent a pound or a fraction thereof, such postage to be prepaid as now provided by law.

Mr. WILSON. I now ask unanimous consent that the appropriation

Mr. WILSON. I now ask unanimous consent that the appropriation bill may be informally laid aside, and that the Senate proceed to the consideration of House bill 483. It will not create any discussion. If it should, of course I shall withdraw the request. It is a bill which has passed the House and has been reported by unanimous consent from the Committee on Public Buildings and Grounds of the Senate. I should like very worth to have it presed this morning. like very much to have it passed this morning.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the pending bill be informally laid aside and that the Senate proceed to consider the bill (H. R. 483) for the erection of a public building at Keokuk, Iowa. Is there objection to the request of the Senator from Iowa?

Mr. MAXEY. I think, as we are in the midst of the consideration of the Post-Office appropriation bill, which is certainly a matter of national importance and ought to be disposed of, we should finish that

bill before taking up anything else.

The PRESIDENT pro tempore. Objection is made.

Mr. WILSON. I hope the Senator from Texas will withdraw the

objection.

Mr. HARRIS. If the Senator from Texas will allow me, I will state that the very question now pending on the Post-Office appropriation bill will lead to a division of the Senate, and if the Senator from Texas will look over the Chamber he will find quite a sufficient reason, I think, to withold his objection.

Mr. WILSON. I hope the Senator will withold the objection.
Mr. MAXEY. I am not in the custom of making objections about anything; I only stated a practical proposition of common sense; but as that seems to be met by the Senator from Tennessee, I withdraw the objection.

PUBLIC BUILDING AT KEOKUK.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Iowa that the pending order be informally laid aside and that the Senate now consider the bill the title of which has been

Mr. BAYARD. That retains, I understand, the present order in its

Mr. BAYARD. That retains, I understand, the present order in its position of precedence.

The PRESIDENT pro tempore. Subject to call. Is there objection to the request of the Senator from Iowa? The Chair hears none.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 483) for the erection of a public building at Keokuk, Iowa.

Mr. HOAR. I wish the Secretary to read again the sentence beginning "provided."

The Secretary read as follows:

Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys.

Mr. HOAR. It provides that "the site shall leave the building unexposed;" but it is a House bill, and I do not care to interfere.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time without amendment, ordered to

a third reading, read the third time, and passed.

JOHN W. MARTIN.

Mr. JACKSON. I ask that the Post-Office appropriation bill may be informally laid aside, and that unanimous consent may be given to take up the bill (H. R. 5452) for the relief of John W. Martin.

The PRESIDENT pro tempore. Is there objection?

Mr. INGALIS. I object.

The PRESIDENT pro tempore. Objection is made.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purpos

The PRESIDENT pro tempore. The pending question is on the amendment of the Committee on Appropriations proposing to strike out the clause after the word "thereof," in line 117 to line 128, inclusive.

Mr. PLUMB. I thought the division would be on that part between the word "thereof," in line 117, and the word "established," in line 117.

121. That clause is not connected in any way with the sentence which follows, but is designed to simply accommodate the question of postage on drop letters to the rule established in the preceding sentence for letters transmitted.

The PRESIDENT pro tempore. The Chair thinks that the matter is capable of a division in that way, and if the Senator asks it, the question will be first taken on that part.

tion will be first taken on that part.

Mr. PLUMB. I ask for a division.

The PRESIDENT pro tempore. The question then is on agreeing to the recommendation of the Committee on Appropriations to strike out after the word "thereof," in line 117, to and including the word "established," in line 121, being the following words:

And drop-letters shall be mailed at the rate of 2 cents per ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established.

The amendment was rejected.

The amendment was rejected.

The PRESIDENT pro tempore. The next clause recommended to be stricken out by the Committee on Appropriations will be read.

The SECRETARY. In line 121, after the word "established," the committee report to strike out the words:

That all publications of the second-class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, to bona fide subscribers, or when sent from a news agency to actual subscribers thereto, or to other agents, shall, on and after July 1, 1885, be entitled to trans-

mission through the mails at 1 cent per pound or a fraction thereof, such postage to be prepaid, as now provided by law.

Mr. MILLER, of New York. I rise to a parliamentary question rather than to discuss this provision, because I discussed it yesterday, and I thought the Senate had finished the discussion of it. Judging from the action on the part of the Senate yesterday, beginning with line 129 to the end of line 138, I believe that the Senate will agree that the amendment of the committee shall be agreed to, and that that language shall be left out of the bill. If that is done, as I have no doubt it will be done by the Senate, and we shall now by a vote disagree with the amendment of the committee striking out from line 121 to line 128, it will be necessary then to make a slight amendment in that portion of the bill. As I understand, we can only do that by unanimous con-

Mr. HOAR (to Mr. MILLER, of New York). Make your meaning more clear

Mr. MILLER, of New York. I will put it in this shape then: Will it be in order to ask unanimous consent to make any change in the lines which we are now about to vote upon? That, I suppose, will be in order.

The PRESIDENT protempore. The Chair thinks it is in order to ask

The PRESIDENT pro tempore. The Chair thinks it is in order to ask unanimous consent to change the bill in almost any way.

Mr. MILLER, of New York. Then I will ask unanimous consent, in line 123, to strike out the word "and," or that it be eliminated in some way so that when we come to vote it will not be in, and then, at the end of that line and the beginning of line 124, to take out the words "to bona fide subscribers," and in place of the words "to bona fide subscribers" to insert "including sample copies."

The PRESIDENT pro tempore. The Senator from New York will suspend. The Chair will receive the committee of the House of Pen-

suspend. The Chair will receive the committee of the House of Representatives.

WASHINGTON MONUMENT CEREMONIES.

Representatives Dorsheimer, Tucker, and Cannon appeared at the bar of the Senate

Mr. DORSHEIMER. Mr. President—
The PRESIDENT pro tempore. Gentlemen of the committee.
Mr. DORSHEIMER. We are directed to inform the Senate that the House of Representatives is now in session and awaits the coming of the Senate in order to proceed with the ceremonies which are appointed to be held in the Hall of the House.

The PRESIDENT pro tempore. The Chair will state to Senators that the Chair is informed that the President of the United States is still reviewing the procession at the east front of the Capitol. The order of s adopted by the Senate provides that the President and his Cabinet, the judges of the Supreme Court, &c., the diplomatic corps, and the Senate, shall go together, in that order, to the Hall of the House; and it will be, perhaps, ten or fifteen minutes before it will be convenient for the House of Representatives, according to this joint order, to receive the Senate. If there be no objection, therefore, the business of the Senate will proceed.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

Mr. MILLER, of New York. I renew my request to change lines

123 and 124 by unanimous consent as I have indicated.

Mr. HOAR. Why not, instead of that, strike out from the word "act" down to the word "agents," inclusive? If you are going to have second-class matter go at that rate, let everything go in.

Mr. MILLER, of New York. In answer to the suggestion of the Senator from Massachusetts, I desire to say that the changes which I have indicated will make the law, if it should become a law, precisely the same as the present law and in the same language with the exception that the rate of postage will be reduced one-half. The present law reads:

Publications of the second class except as provided in section 25, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall be entitled to transmission through the mails at 2 cents a pound or fraction thereof, such postage to be prepaid, as now provided by law.

Mr. HOAR. Why not have the same rate on transient papers sent from one office to another?

Mr. MILLER, of New York. There is but one rate upon second-ass matter now. If the language as proposed here should be conclass matter now. curred in, it would make two rates of postage upon second-class matter.

Mr. HARRIS. If the Senator from New York will allow me, I desire to ask him if his motion to amend line 123 is not premature.

Mr. MILLER, of New York. It is premature.

Mr. HARRIS. As I understand it, upon the demand of the Senator from Kansas the pending question is to strike out after the word "thereof," in line 117, to and including the word "established," in line 121.

Mr. PLUMB. Let me say to the Senator from Tennessee that he is mistaken about that. Those words have been retained by the vote of the Senate. The question now is on the amendment of the committee

recommending to strike out from the word "established," in line 121 to and including line 128.

Mr. HARRIS. Then I withdraw my inquiry. The Senator from New York is quite right, if that question has been decided.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The Chair will state that the request of the Senator from New York is for unanimous consent to make certain changes. He does not move to amend, as the Chair understands.

Mr. MILLER, of New York. I understand that it can only be done by unanimous consent, and it is absolutely necessary that it shall be done unless we now propose to make a reform backward in our postoffice matters and have two rates of postage upon second-class matter. Originally there were two rates upon second-class matter, and that led to a great deal of complaint by publishers throughout the country. Some years ago the law was changed, and all second-class matter now goes at one rate; that is, a rate of 2 cents a pound. Now it is proposed to change that rate to 1 cent a pound, but the language here employed divides second-class matter into two distinct classes, you may say, and divides second-class matter into two distinct classes, you may say, and makes two distinct rates-on one reducing the postage to 1 cent a pound, and raising the rate upon the other portion of second-class mat-

ter to 4 cents a pound, doubling its present rate.

Mr. DAWES. May I inquire of the Senator from New York what is the force of the words he proposes to leave in—"except as provided in section 25 of said act?"

Mr. MILLER, of New York. That is a section which permits county newspapers to be circulated free in the county where published, and some few other little things connected therewith.

Mr. DAWES. So that leaving those words and striking out the rest of the clause will make a uniform rate for all second-class matter?

Mr. MHLER, of New York. For all second-class matter. The present law is that all second-class matter goes at 2 cents a pound. If the amendment I have suggested be adopted all second-class mail matter will be carried through the mails at 1 cent a pound. If it is not adopted second-class matter will go through the mail, a portion of it at I cent a pound and the rest at 4 cents a pound, doubling the present rate, which I imagine we do not want to do.

Mr. DAWES. What part will go at 4 cents a pound? Mr. MILLER, of New York. I will explain. All sample copies which are sent out by publishers of newspapers, particularly weekly newspapers, religious papers, and all the large weeklies, especially at the end of pers, rengious papers, and an the large weeknes, especially at the end of the year, by hundreds of thousands of copies, and all sample copies sent out separately by individuals, except where bona fide subscribers, if we leave this as it stands in the bill, will be compelled to pay not 2 cents a pound, but 4 cents a pound. The entire publishing interests of this country, so far as I have been able to hear from them, and I have heard from hundreds, desire that whatever the rate shall be upon second-class matter it shall be uniform, that there shall be only one rate, and we pro-

pose to make it 1 cent a pound.

If these suggestions of mine are adopted, the law will be left precisely as it is to-day except that the rate will be reduced from 2 cents to 1 cent a pound.

Of course it depends also upon the Senate agreeing with the amendment of the committee, commencing with line 129 down to line 138, inclusive, which I will speak to when we come to it. The PRESIDING OFFICER. Is there objection to the suggestion made by the Senator from New York?

Mr. ALLISON. Let it be read from the desk, that we may hear what it is

The PRESIDING OFFICER. It will be read.

The SECRETARY. In line 123, after the word "thereof," it is proposed to strike out "and;" in the same line, after the word "publication," to strike out "to bona fide subscribers" and insert "including sample copies;" so that the clause will read:

That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall, on and after July I, 1885, be entited to transmission through the mails at I cent a pound or a fraction thereof, such postage to be prepaid as now provided by law.

The PRESIDING OFFICER. Is there objection to the proposed modification?

Mr. PLUMB. I object to the amendment in that shape. If the Senator will confine his amendment to striking out the words "to bona fide subscribers" and inserting "including sample copies," I shall not object; but if he does not do that he will introduce an element of discord and possible loss to the revenues of the Post-Office Department which I do not think he contemplates and certainly I will not concern to if I I do not think he contemplates, and certainly I will not consent to if I can avoid it.

Mr. MILLER, of New York. I think the Senator is mistaken in his objection to striking out the word "and," because I have made my suggestion to correspond precisely with the present law, I will read it

Publications of the second class, except as provided in section 25, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a newsagency to actual subscribers thereto, or to other news agents, shall be entitled to transmission through the mails at 2 cents a pound or fraction thereof, such postage to be prepaid as now provided by law.

I see that I was mistaken; the word "and" is there. I had marked that out yesterday. That word should remain in. Then the only I had marked change is, at the end of line 123, and the beginning of line 124, to strike out the words "bona fide subscribers" and insert the words "including sample copies;" that makes it correspond exactly to the present law

The PRESIDING OFFICER. The Secretary will again report the modification as now suggested by the Senator from New York. Secretary did not understand the suggestion of the Senator from New

Mr. MILLER, of New York. It is to leave in the word "and;" not strike that out.

The Secretary. In line 123, after the word "publication," it is proposed to strike out "to bona fide subscribers" and insert the words "including sample copies."

The PRISIPAGE OF SECRETARY.

The PRESIDING OFFICER. Is there objection to the suggestion made by the Senator from New York as to the modification of the amendment? The Chair hears none, and it is agreed to.

Mr. MILLER, of New York. Now the question is on agreeing or disagreeing to those lines.

The PRESIDING OFFICER. The question now recurs on striking

out, as recommended by the Committee on Appropriations, the portion that has been read, beginning with the word "that," in line 121, down to and including the word "law," in line 128.

Mr. SAULSBURY. Before the amendment is adopted I wish to

know what the effect will be as to sending through the mail papers for advertising purposes alone. The Department ought not to be burdened with that class of advertising papers. There is a grocer's paper; I remember that there has been some discussion as to whether it should go through the mails.

Mr. MILLER, of New York. Allow me to suggest to the Senator that his question does not properly come up now. It will come up when we consider the striking out or retaining lines 129 to 138. That point comes in there. When we reach it I think I shall be able to answer his question to his entire satisfaction; but this language that we are now acting upon is the present law absolutely word for word without any change whatever except that we reduce the rate of postage on second-class matter from 2 cents to 1 cent a pound. The question as to what kind of matter shall go comes up under those other lines, but I can discuss it now if that is deemed desirable.

Mr. ALLISON. I suggest to the Senator from New York that he has already inserted here "sample copies," which includes the idea that I think the Senator from Delaware is trying to arrive at.

Mr. SAULSBURY. I have some doubt about the propriety of this

reduction of the revenues of the Post-Office Department to the extent we are going. That Department, while it may not be self-sustaining, ought not to be very expensive to the Government. We are reducing its revenue, and now it is proposed that we shall reduce the revenue derived from sample copies. I doubt very much whether we ought to do that. When papers are sent to bona fide subscribers, that is one thing; but where a publisher sends out broadcast through the country copies for the purpose of soliciting subscribers to his paper, to make it

copies for the purpose of soliciting subscribers to his paper, to make it a profitable business to himself, he ought to be willing to pay something to the Department for the privilege he enjoys. I doubt very much whether we ought to reduce the postage on sample copies.

Mr. MILLER, of New York. Certainly, the sending out of sample copies by all regular and legitimate publishing houses who are publishing regular papers weekly, semi-weekly, or monthly, or magazines, tends to increase the revenue of the Post-Office Department. There ought certainly to be no objection on the part of the Government to doing that kind of business. All the great religious weeklies, all the semi-week-lies, and all the monthly publications, and even the weekly editions of all our leading daily papers throughout the length and breadth of this country, which circulate millions upon millions of copies, are accus-tomed at the end or near the end of the year to send out large numbers of sample copies of their papers to the names of people that may be given to them in various towns scattered throughout the land. The result is that those sample copies bring back to the publishers a large number of permanent subscribers to increase their circulation, and of course increase the revenues of the Post-Office Department. course increase the revenues of the Post-Office Department. It is believed and held that if this law is enacted the increased circulation of newspapers, magazines, and periodicals of various kinds will be so great that the Department will lose little, if any, revenue by it. That is the judgment of the Post-Office Department itself.

It is the law to-day, and has been for years, that all regular publications can send out sample copies at the regular legal rate of 2 cents a pound. Now we propose to reduce the rate on second-class matter from 2 cents to 1 cent a pound. Certainly we ought not to go backward and change the classification and make a greater division than there is at the present time and more confusion. Certainly it is not for the best interests of the Department to do it, for instead of increasing the revenues it will largely reduce them unless we give them this privilege, and this leaves the law precisely where it is to-day, and I

have read it repeatedly.

The question which the Senator from Delaware and the Senator from Iowa raise as to the class of publications which shall be considered sections are senator from the senator from Iowa raise as to the class of publications which shall be considered sections and the senator from Iowa raise as to the class of publications which shall be considered sections as the senator from Iowa raise as the senator from Io ond-class has nothing whatever to do with the question before the Senate at the present moment. That will come up when we consider the

amendment from line 129 to line 138, and then I will read the present law, which explains and defines what is second-class matter and what matter can go through the mails at second-class rates. If there is any abuse such as the Senator from Delaware speaks of, the abuse comes from a failure to enforce the present statute in the Post-Office Department, and not from the law itself.

I do not care to go further into that discussion, because it seems to

I do not care to go further into that discussion, because it seems to me unnecessary until that portion of the amendment is acted upon, but if any further explanation is desired, I am ready to make it.

Mr. SAULSBURY. I desire to say that so far as the revenue from publications, papers, and periodicals is concerned, I think it is about as expensive to the Government as all the profit it gets from it. We are paying the railroad companies by weight. This bill contains an appropriation of over \$14,000,000 to pay railroad companies for the transportation of the mail. Much of the weight is caused by periodicals and newspapers. The letter postage has long since paid its way, but icals and newspapers. The letter postage has long since paid its way, but the second-class matter does not pay very liberally, and I do not know that the increase of the number of periodicals and newspapers carried through the mails will tend to increase revenue when you take into consideration the additional expense which will be thrust on the Department for transportation.

We are appropriating in this bill \$14,500,000 to railroads for the transportation of the mails, made up largely of papers and periodicals and that class of matter. In addition to that, we are paying over a million dollars for postal cars, so that it is becoming a very expensive business to transport these papers and periodicals throughout the country. While there may be some additional number of subscribers, perhaps large additional numbers of subscribers obtained by sending out these sample copies through the country, I do not know that that will add anything to the revenues of the Postal Department. If these men want to do business, if they want to circulate their papers and invite subscriptions for their papers, they ought to be willing to contribute to the revenue of the Department through which they propose to send

out sample copies.

Mr. MAXEY. The only legitimate ground for the adoption of the proposition as it came from the House is that the general spread of intelligence through newspapers would justify a reduction of postage on second-class matter from 2 cents to 1 cent a pound. It is a perfectly well-known fact that for years past the postage on newspapers has been far less than the expense of carrying them. On postal cards and letters we receive millions more than the cost of transmission. Newspapers we receive millions more than the cost of transmission. Newspapers and third-class mail matter absorb the surplus, because they do not pay their way. No question has been presented to the Post-Office Committee which has caused more trouble than the determination of what is a sample copy. Beginning with the chairmanship of a very distinguished gentleman from Maine [Mr. Hamlin], who was chairman of the Post-Office Committee when I entered the Senate ten years ago and who is now in the Chamber, up to the present time we have had sample copy after sample copy of what purported to be newspapers laid before us, and it would take an expert to settle whether they were advertisements or newspapers, they having the form of newspapers.

Mr. SHERMAN. If the Senator will yield I will submit a motion

that the Senate proceed, in pursuance of its previous order, to the House of Representatives

Mr. PLUMB. Before that is done—
Mr. MAXEY. I will yield the floor; but when the question comes up again I will resume.

The PRESIDING OFFICER. The Chair would suggest to the Senator from Ohio that the President pro tempore of the Senate is at the present time in the President's room, and the Chair will ask that the motion be withheld for a few moments.

Mr. SHERMAN. Very well; I will do so.
Mr. MAXEY. I will complete what I was saying.

The striking out of the expression "bona fide subscribers," as it came in the bill from the House, I think was bad policy. I think it ought not to be stricken out, because if that expression "bona fide subscribers" is there, then at 1 cent a pound actual bona fide newspapers would be carried, the object we have in view being the spread of intelligence by means of bona fide newspapers. Strike out that expression, and as certainly as we pass this clause thousands and hundreds of thousands of advertisements will come in the shape of newspapers, in the form of newspapers, and be scattered over the country, spreading no intelligence, but simply advertising different kinds of wares. That will be the effect

of it. That is all I wish to say about it. I think the view of the Senator from New York is entirely wrong upon that, and that the bill as it came from the House is right.

The PRESIDENT pro tempore. The question is on agreeing to the recommendation of the Committee on Appropriations to strike out the words which have been read from line 121 to line 128 inclusive as amended.

The amendment was rejected.

The PRESIDENT pro tempore. The next question is on the amendment of the Committee on Appropriations to strike out from line 129 to to line 138 inclusive. The words proposed to be stricken out will be

The Secretary read as follows:

Provided, however, That publishers of second-class publications may mail sample copies of such publications at the rate of 1 cent for each four ounces or fractional part thereof, to be prepaid by ordinary stamps affixed thereto; and all acts, so far as they fix a different rate of postage than herein provided upon such first and second class matter, are to that extent hereby repealed on and after July 1, 1885. And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage.

Mr. HARRISON. I desire to ask the Senator from New York, who seems to have given special attention to this matter, whether the last sentence, which gives liberty to mark an article in a newspaper, is the existing law.

Mr. MILLER, of New York. The existing custom is that an article

may be marked.

Mr. HARRISON. If it is not the existing law, I suggest that the question be divided by putting the vote on striking out that part, closing with the word "five," in line 136. The other is a distinct proposition.

Mr. MAXEY. Will the Senator yield to me?

Mr. HARRISON. Yes, sir.

Mr. MAXEY. My recollection is—I will not speak of it with certainty—that we had the very point which he has stated before the Committee on Post-Offices and Post Roads; and I think that a year or two ago the committee reported favorably a proposition to authorize the

marking of an article, without putting in any words, in print or writing. I am under the impression that that became a law.

Mr. HARRISON. It is certainly a very innocent and a very useful practice, as all of us who have had newspapers sent to us for the purpose of calling our attention to a particular article have discovered. It is quite convenient to have some mark which will call attention at once to the purpose of sending the paper, rather than to have to look the whole paper through. I ask that the question be divided as I have in-

Mr. MILLER, of New York. I see no objection to dividing it, and I see no objection to leaving the lines from 136 to 138 in the bill, although in the regulations of the Post-Office Department that thing is now permitted to be done and is done constantly without any question on the part of the Post-Office Department, and if it is deemed desirable to put in permission I see no objection.

Mr. DAWES. The purpose of that provision is to enable those who desire to send a marked copy to leave their order at the printing office, and the mark is put on when the paper is printed in such a manner as to call attention to it, and it relieves any one who desires to have a marked copy sent out from the labor of doing it himself and paying the postage on it. It is in the same interest as all this legislation.

Mr. MILLER, of New York. I will ask then, in connection with the Senator from Indiana, that the question be taken on striking out from line 129 to the word "five," in line 136.

The PRESIDENT pro tempore. The Senator from Indiana demands

The PRESIDENT pro tempore. The Senator from Indiana demands a division of the question so as to exclude from the present action of the Senate all after the word "five," in line 136, to and including the word "postage," in line 138. The Chair thinks that division may properly be made. The question is on agreeing to the recommendation of the Committee on Appropriations to strike out, beginning with line 129, to and including the word "five," in line 136.

Mr. MITCHELL. I desire to ask what is the question before the Senator 2. I have been detained from the session this morning.

Mr. MITCHELL. I desire to ask what is the question before the Senate? I have been detained from the session this morning.

The PRESIDENT pro tempore. The Chair has just stated it. It is on striking out, on pages 6 and 7 of the bill, from line 129 to line 136, including the word "five."

Mr. MITCHELL. I desire to say in reference to that that I am in favor of striking out that portion of the clause inserted by the House, but I understand that a division of the question has been called for.

The PRESIDENT pro tempore. The question has been divided so that the present question is on striking out, beginning with line 129, to and including the word "five," in line 136.

Mr. WILLIAMS. I understand that the committee have proposed.

Mr. WILLIAMS. I understand that the committee have proposed to strike out the whole. Now, is the question on supporting the com-

The PRESIDENT pro tempore. The question is on agreeing to the recommendation of the committee to strike out the words which have been stated.

Mr. WILLIAMS. Oh, yes; I see.
Mr. MITCHELL. I am in favor of striking out those words. I am opposed to legislation on appropriation bills, and as this proposed action accords with the rules of the Senate, I shall vote to strike out the clause.

The PRESIDENT pro tempore. The question is on the amendment The PRESIDENT pro tempore. The que of the committee to strike out these words.

The amendment was agreed to.

The PRESIDENT pro tempore. The next question is on striking out after the word "five," in line 136, to and including the word "postage," in line 138. The words proposed to be stricken out will be read. The Chief Clerk read as follows:

And any article or item in any newspager or other publication may be marked for observation, except by written or printed words, without increase of postage.

Mr. PLUMB. The Senate has proceeded apparently upon the theory

that it was willing to reduce postage upon second-class matter and to do that without changing in any sense existing law, except in that par-ticular. Section 22 of the law of 1879, chapter 180, provides:

That mailable matter of the second class shall contain no writing, print, mark, or sign, thereon or therein in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent, and index figures of subscription book, either written or printed, the printed title of the publication, the printed name and address of the publication, the printed name and address of the publication, the printed ame and address of the publication the subscription to such matter will end.

If the clause which is found between lines 136 and 138 is retained, we shall have entered upon a new change in the postal laws beyond that contemplated and effected by what has been left in the bill by the action of the Senate; and it seems to me, without something to show precisely what the effect of it is to be, we ought not to enter upon this, but ought to concur with the report of the committee in striking out the provision.

Mr. HARRISON. Will the Senator from Kansas allow me to ask him again, does this in any way affect the postal revenue? Is there any way by which it could have any effect to reduce the postal revenue

to allow a blue or red pencil mark to be put above an article?

Mr. PLUMB. I think it would, because matter of that kind now pays an increased postage. I do not know that I am able to state fully the scope of it; but there are large numbers of papers in this country whose chief pabulum grows out of the printing of special editions containing advertisements of insurance companies, banks, and so on, the value of which is largely enhanced by being able to mark them and send them without increased postage, not to subscribers, but to persons whose attention it is desirable to invite to these advertisements. It seems to me that observing the line heretofore drawn between advertising publications and bona fide newspapers as such, we ought not to insert that paragraph.

If we intend to obliterate it all and say simply that if a man prints a thing which he calls a newspaper, and as an inducement to get advertisements says "I will print large editions in addition to that," or "I will draw a red or black line, or put some other distinctive mark on the paper, so that if you send it to a man it will obviate the necessity of your paying circular postage on matter which amounts to the same thing"—if we are going to do that, we ought at least to have the recommendation of the Department and the action of the proper committee. It is entirely different from the proposition the Senate has heretofore voted upon, simply to reduce postage, leaving the general law precisely as it is now. I am in favor, so far as we properly can, of discriminating in favor of legimate newspapers, newspapers that have legitimate subscription lists, and newspapers whose revenue is not derived chiefly from expedients of that kind.

Mr. MILLER, of New York. I am not convinced from the statement made by the Senator from Kansas that we ought to agree with the committee to strike out these words. I do not think we have sufficient information to warrant us in leaving them in the bill. Certainly we make a great departure from what I am seeking to do. What I think the people desire is simply that there should be a reduction of 50 per cent. in the rate of postage on second-class matter. Senate have now entirely agreed to; and without more information I shall concur with the committee in this particular amendment.

Mr. BECK. The Senator from New York will allow me to say that

after the amendment already made in lines 123 and 124, I do not see why we ought not to strike out all after the word "provided," in line

129, down to the word "thereto," in line 132.

Mr. MILLER, of New York. We have already agreed to strike that We agreed with the committee and have stricken out from line 129 to line 132.

Mr. BECK. Why should we strike out-

And all acts so far as they fix a different rate of postage than herein provided upon such first and second class matter are to that extent hereby repeated on and after July 1, 1885?

That seemed to be a part of the motion.

Mr. MILLER, of New York. That was done at the suggestion of the Senator having this bill in charge.

Mr. BECK. I am not quite sure that I desire to do that. Will the

Senator from Kansas be kind enough to explain it?

Mr. HOAR. I rise to a privileged question. I desire to inquire of the Chair what is the condition of the formation of the procession to proceed to the House. We received a message from a committee of the House of Representatives some thirty minutes since, I think, that they were ready to receive the Senate; and it seems to me we are in danger of being guilty of a discourtesy to that body.

The PRESIDENT pro tempore The Chair will state that the order of the Senate adopting the procedure as agreed upon by the commission is, that "the House being in session and notification to that effect having been given to the Senate, the Senate in a body, preceded by the President, ex-Presidents, the Cabinet, the President elect, the Vice-President-elect, the judiciary, and diplomatic corps will proceed to the

House of Representatives."

The Chair has delayed asking the Senate to proceed to the Hall of the House because he was informed that the President of the United States was reviewing the procession, which is part of the programme; but the Chair is now informed that within two or three minutes the President of the United States will be ready to proceed to the House

of Representatives

of Representatives.

Mr. MILLER, of New York. In answer to the Senator from Kentucky I will say that this clause was allowed to go out without any particular consideration, because it was believed that if this became a law of course it would succeed all other postal laws affecting this matter, and it was not necessary. I see no harm in leaving it in, and I am not sure when I come to read it through to line 135 but that perhaps it ought to have been left; otherwise this change of rate will take place as soon as the bill passes instead of the 1st of July.

Mr. BECK. It would not hurt to keep it in.

Mr. MULLER, of New York. It would not hurt.

Mr. MILLER, of New York. It would not hurt.
Mr. BECK. I would rather leave it in to be sure about it.

WASHINGTON MONUMENT CEREMONIES.

The PRESIDENT pro tempore. The Senate will now proceed to the Hall of the House of Representatives.

The Senate thereupon (at 2 o'clock and 18 minutes p. m.) proceeded to the Hall of the House of Representatives, preceded by the President of the United States, the Cabinet, the judiciary, and the diplomatic

rps.

The Senate returned to its Chamber at 5 o'clock and 5 minutes.

The Senate resumes its sitting. The

The PRESIDENT pro tempore. The Senate resumes its sitting. The pending question is on agreeing to the recommendation of the Committee on Appropriations to strike out, on page 7 of the Post-Office appropriation bill, after the word "five," in line 136, all down to the word "spectage "inchesive in line 139. postage," inclusive, in line 138.

Mr. MILLER, of New York. I move that the Senate do now adjourn. The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.)

the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 21, 1885.

The House was called to order at seventeen minutes past 1 o'clock p. m. by the Speaker.

Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of yesterday's proceedings was read and approved.

DEDICATION OF THE WASHINGTON MONUMENT.

Mr. DORSHEIMER. I offer the resolution which I send to the desk. The Clerk read as follows:

Resolved, That a committee of three be appointed by the Chair to inform the Senate the House is now ready to receive the Senate and proceed with the ceremonics which are appointed to take place in the Hall of the House.

The resolution was adopted.

The Speaker appointed as such committee Mr. Dorsheimer, Mr. Tucker, and Mr. Cannon.

At 2 o'clock and 27 minutes p. m. the members of the Senate, following their President pro tempore and their Secretary, and preceded by their Sergeant-at-Arms, entered the Hall of the House of Representa-tives and occupied the seats reserved for them on the right and left of the main aisle.

The President pro tempore occupied the Speaker's chair, the Speaker of the House sitting at his left.

The Chaplain of the House, Rev. John S. Lindsay, D. D., and Rev. S. A. Wallis, of Pohick church, near Mount Vernon, Va., sat at the Clerk's desk

The President of the United States, with the members of his Cabinet, the Justices of the Supreme Court of the United States, the Admiral of the Navy, the Lieutenant-General of the Army, the diplomatic corps, and all others present were seated in accordance with the order of ar-

and all others present were seated in accordance with the order of arrangements of the Congressional Commission heretofore published.

The PRESIDENT OF THE SENATE. Gentlemen of the Senate and House of Representatives, you are assembled, pursuant to the concurrent order of the two Houses, to celebrate the completion of the monument to the memory of the first President of the United States. It is not only a memorial but an inspiration that shall live through all the generations of our posterity, as we may hope, which we this day inaugurate and celebrate by the ceremonies that have been ordered by the two House

Mr. DORSHEIMER. Mr. President, it appears that there are some unoccupied seats upon the floor of the House. I therefore ask, by unanimous consent, that the ladies members of the families of Senators and Representatives be admitted to occupy those seats during these pro-

ceedings.
The PRESIDENT OF THE SENATE. Without objection that order

will be made.

There was no objection, and it was ordered accordingly.

Rev. S. A. WALLIS, of Pohick church, near Mount Vernon, Va., then

offered the following prayer:
Almighty and everlasting God, Lord of heaven and earth, who alone rulest over the nations of the world and disposest of them according

to Thy good pleasure, we praise Thy holy name for the benefits we com-

memorate this day.

Wonderful things didst Thou for us in the days of our fathers, in the wonderful things didst I not for us in the days of our fathers, in the times of old. For they gat not the land in possession by their sword, neither did their own arm save them, but Thy right hand and the light of Thy countenance, because Thou hadst a favor unto them. Especially do we render Thee our hearty thanks for Thy servant George Washington, whom Thou gavest to be a commander and a governor unto this people, and didst by him accomplish for it a great and mighty deliverance. And as we are now gathered before Thee in these Hells. And as we are now gathered before Thee in these Halls deliverance. we bless Thee for the government and civil order Thou didst establish we bless Thee for the government and civil order Thou didst establish through him. Grant that it may be upheld by that righteousness which exalteth a nation, and that this place may evermore be the habitation of judgment and justice. Let Thy blessing rest upon our Chief Magistrate and his successors in all generations. Grant each in his time those heavenly graces that are requisite for so high a trust; that the laws may be impartially administered to the punishment of wickedness and vice, and to the maintenance of Thy true religion and virtue. We also humbly beseech Thee for our Senate and Representatives in Congress assembled that Thou wouldst be pleased to direct all their Congress assembled that Thou wouldst be pleased to direct all their consultations to the advancement of Thy glory, the good of Thy Church, the safety, honor, and welfare of Thy people, that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety may be established among us for all generations. We pray Thee for our judges and officers that they may judge the people with just judgment, be no respecters of persons, and hear both the small and the great in his cause. O, Lord God of Hosts, be pleased to save and defend our Army and Navy, that each may be a safeguard to these United States. our Army and Navy, that each may be a safeguard to these United States, both by land and sea, until Thou dost fulfill Thy word, that nation shall not lift up sword against nation, neither shall they learn war any more. Be with those who have been appointed to speak unto us this day as they recount the deeds of old time, Thy marvelous works, and the judgments of Thy mouth. Give them grace to utter such words as may stir us up to emulate the virtues of our forefathers, so that we may transmit the

Republic to our posterity high in praise and in name and in honor.

Let Thy richest blessings rest upon our country at large; may we lend a true obedience to the laws cheerfully and willingly for conscience' sake. Let no causeless divisions weaken us as a nation, but grant that we may be knit together more and more in the bonds of peace and we may be knit together more and more in the bonds of peace and unity. Preserve us from the dangers now threatening society, and enable each of us, high and low, rich and poor, to do his duty in that state of life unto which Thou hast called him. So we that are Thy people and sheep of Thy pasture shall give Thee thanks forever, and will always be showing forth Thy praise from generation to generation. These and all other benefits of Thy good providence we humbly beg in the name and through the mediation of Jesus Christ our most blessed.

Lord and Saviour. Amen.

After the prayer the Marine Band, stationed in the vestibule, played

appropriate national airs.

The PRESIDENT OF THE SENATE. Gentlemen of the Senate and House of Representatives, the first proceeding in order is the oration by Hon. Robert C. Winthrop, of Massachusetts. The Chair is sorry to announce that Mr. Winthrop, from indisposition, is unable to attend. According to the arrangements of the committee the oration will be now read by Hon. John D. Long, a member of the House of

Representatives from the State of Massachusetts. [Applause.]
The oration by Mr. Winthrop was read, as follows, by Mr. Long:
PRESIDENT ARTHUR, SENATORS AND REPRESENTATIVES OF THE UNITED STATES: By a joint resolution of Congress, you have called upon me to address you in this Hall to-day on the completion of yonder colossal monument to the Father of his Country. Nothing less imperative than your call could have brought me before you for such an effort. Nearly seven and thirty years have passed away since it was my privilege to perform a similar service at the laying of the corner-stone of that monument. In the prime of manhood, and in the pride of official station, it was not difficult for me to speak to assembled thousands in the open air, without notes, under the scorching rays of a midsum-mer sun. But what was easy for me then is impossible for me now. I mer sun. But what was easy for me then is impossible for me how. I am here to-day, as I need not tell you, in far other condition for the service you have assigned me—changed, changed in almost everything except an inextinguishable love for my country and its Union and an undying reverence for the memory of Washington. On these alone I rest God, which I devoutly invoke, they will be sufficient to sustain me in serving as a medium for keeping up the continuity between the hearts and hands which laid the foundation of this gigantic structure and those younger hearts and hands which have at last brought forth the capstone with shoutings. It is for this you have summoned me. It is for this

alone I have obeyed your call.

Meantime I can not wholly forget that the venerable ex-President John Quincy Adams-at whose death-bed, in my official chamber beneath this roof, I was a privileged watcher thirty-seven years ago this very day—had been originally designated to pronounce the corner-stone oration, as one who had received his first commission, in the long and brilliant career at home and abroad which awaited him, from the hands

of Washington himself. In that enviable distinction I certainly have of Washington himself. In that enviable distinction I certainly nave no share; but I may be pardoned for remembering that, in calling upon me to supply the place of Mr. Adams, it was borne in mind that I had but lately taken the oath as Speaker at his hands and from his lips, and that thus, as was suggested at the time, the electric chain, though lengthened by a single link, was still unbroken. Let me hope that the magnetism of that chain may not even yet be entirely exhausted, and that I may still catch something of its vivifying and quickening power, while I attempt to bring to the memory of Washington the remnants of a voice which is failing and of a vigor which I am conscious

is ebbing away.

It is now, Mr. President, Senators, and Representatives, more than half a century since a volunteer association of patriotic citizens initiated the project of erecting a national monument to Washington in the city which bears his name. More than a whole century ago, indeed—in that great year of our Lord which witnessed the treaty of peace and Independence, 1783—Congress had ordered an equestrian statue of him to be executed, "to testify the love, admiration, and gratitude of his countrymen;" and again, immediately after his death, in 1799, Congress had solemnly voted a marble monument to him at the capital, "so designed as to commemorate the great events of his military and political life." But our beloved country, while yet in its infancy, and I may add in its indigency, with no experience in matters of art, and heavily weighed down by the great debt of the Revolutionary war, knew better how to vote monuments than how to build them, or, still more, how to pay for them. Yorktown monuments and Washington monuments, and the statues of I know not how many heroes of our struggle for Independence, made a fine show on paper in our early records, and

were creditable to those who ordered them; but their practical execution seems to have been indefinitely postponed.

The Washington Monument Association, instituted in 1833, resolved that no such postponment should longer be endured, and proceeded to organize themselves for the work, which has at length been completed. They had for their first president the great Chief-Justice, John Marshall, the research friend and chosen his great Chief-Justice, John Marshall, the personal friend and chosen biographer of Washington, whose impressive image you have so recently and so worthily unveiled on yonder western terrace. They had for their second president the not less illustrious James Madison, the father of the Constitution of which Marshall was the interpreter, and whose statue might well have no inferior place on the same terrace. Among the other officers and managers of that association I can not forget the names of William W. Seaton, whose memory is deservedly cherished by all who knew him; of that grand old soldier and patriot Winfield Scott; of Generals Archibald Henderson and Nathan Towson; of Walter Jones, and Peter Force, and Philip R. Fendall, together with that of its indefatigable general agent, honest old Elisha Whittlesey. To that association our earliest and most grateful acknowledgments are due on this occasion. But of those whom I have named, and of many others whom I might name, so long among the honored and familiar figures of this metropolis, not one is left to be the subject of our congratulations. We all rejoice, one is left to be the subject of our congratulations. We all rejoice, however, to welcome the presence of one of their contemporaries and friends, whose munificent endowments for art, education, religion, and charity entitle him to so enviable a place on the roll of American philanthropists, the venerable William W. Corcoran, now, and for many

years past, our senior vice-president.

Nearly fifteen years elapsed before the plans or the funds of this association were in a state of sufficient forwardness to warrant them association were in a state of sunctent forwardness to warrant them even in fixing a day for laying the first foundation-stone of the contemplated structure. That day arrived at last—the 4th of July, 1848. And a great day it was in this capital of the nation. There had been no day like it here before, and there have been but few, if any, days like it here since. If any one desires a description of it, he will find like it here since. If any one desires a description of it, he will find a most exact and vivid one in the columns of the old National Intelligencer—doubtless from the pen of that prince of editors, the accomplished Joseph Gales. I recall among the varied features of the long procession Freemasons of every order, with their richest regalia, including the precious gavel and apron of Washington himself; firemen, with their old-fashioned engines; Odd-Fellows from a thousand ladder to the precious gavelands and other associations. neen, with their old-lasmoned engines; Odd-Fellows from a thousand lodges; temperance societies and other associations innumerable; the children of the schools, long ago grown to mature manhood; the military escort of regulars, marines, and volunteer militia from all parts of the country, commanded by Generals Quitman and Cadwalader and Colonel May, then crowned with laurels won in Mexico, which long ago were laid upon their graves. I recall, too, the masses of the people of all classes and excess and colors assessed the people of all classes and excess and colors assessed. of the people, of all classes, and sexes, and ages, and colors, gazing from the windows, or thronging the sidewalks, or grouped in count-less thousands upon the Monument grounds. But I look around in vain for any of the principal witnesses of that imposing ceremonial; the venerable widows of Alexander Hamilton and James Madison; President Polk and his Cabinet, as then constituted—Buchanan, Marcy, John Y. Mason, Walker, Cave Johnson, and Clifford; Vice-President Dallas; George Washington Parke Custis, the adopted son of the great chief; not forgetting Abraham Lincoln and Andrew Johnson, both then members of the House of Representatives, and for whom the liveliest imagination could hardly have pictured what the future had in store for them. Of that whole Congress there are now but a

handful of survivors, and probably not more than two or three of them present here to-day—not one in either branch of Congress, nor one, as I believe, in any department of the national service.

To those of us who took part in the laying of that first stone, or who witnessed the ceremonies of the august occasion, and who have followed the slow ascent of the stupendous pile, sometimes with hope and some-times with despair, its successful completion is, I need not say, an unspeakable relief, as well as a heartfelt delight and joy. I hazard little in saying that there are some here to-day, unwearied workers in the cause, like my friends Horatio King and Dr. Toner—to name no others—to whose parting hour a special pang would have been added had they died without the sight which now greets their longing eyes on yonder

plain.

I dare not venture on any detailed description of the long intervening agony between the laying of the first stone and the lifting of the last. It would fill a volume, and will be sure hereafter to furnish material for an elaborate monograph, whose author will literally find "sermons in stones"-for almost every stone has its story if not its sermon. Every year of the first decade certainly had its eventful and noteworthy experiences. The early enthusiasm which elicited contributions to the amount of more than a quarter of a million of dollars from men, women, and children in all parts of the land, and which carried up the shaft more than a hundred and fifty feet almost at a bound; the presentation and formal reception of massive blocks of marble, granite, porphyry, or freestone from every State in the Union and from so many foreign nations, beginning, according to the catalogue, with a stone from Bunker Hill and ending with one from the Emperor of Brazil; the annual assemblies at its base on each succeeding Fourth of July, with speeches by distinguished visitors; the sudden illness and sad death of that sterling patriot President Zachary Taylor, after an exposure to the midday heat at the gathering in 1850, when the well-remembered Senator Foote, of Mississippi, had indulged in too exuberant an address—these were among its beginnings; the end was still a whole generation dis-

Later on came the long, long disheartening pause, when—partly owing to the financial embarrassments of the times, partly owing to the political contentions and convulsions of the country, and partly owing to unhappy dissensions in the association itself—any further contributions failed to be forthcoming, all interest in the monument seemed to flag and die away, and all work on it was suspended and practically abandoned. A deplorable civil war soon followed, and all efforts to re-

new popular interest in its completion were palsied.

How shall I depict the sorry spectacle which those first one hundred and fifty-six feet, in their seemingly hopeless, helpless condition, with that dismal derrick still standing as in mockery upon their summit, presented to the eye of every comer to the capital for nearly a quarter of a century! No wonder the unsightly pile became the subject of pity or derision. No wonder there were periodical panies about the security of its foundation, and a chronic condemnation of the original design. No wonder that suggestions for tearing it all down began to security of its foundation, and a chronic condemnation of the original design. No wonder that suggestions for tearing it all down began to be entertained in many minds, and were advocated by many pens and tongues. That truncated shaft, with its untidy surroundings, looked only like an insult to the memory of Washington. It symbolized nothing but an ungrateful country, not destined—as, God be thanked, it still was—to growth and grandeur and imperishable glory, but doomed to premature decay, to discord, strife, and ultimate disunion. Its very presence was calculated to discourage many hearts from other things, as well as from itself. It was an "abomination of desolation standing where it ought not." All that followed of confusion and contention in our country's history seemed foreshadowed and prefigured in that buour country's history seemed foreshadowed and prefigured in that humiliating spectacle, and one could almost read on its sides in letters of blood, "Divided! Weighed in the balance! Found wanting!"

blood, "Divided! Weighed in the balance! Found wanting!"
And well might that crude and undigested mass have stood so forever, or until the hand of man or the operation of the elements should
have crushed and crumbled it into dust, if our Union had then perished.
An unfinished, fragmentary, crumbling monument to Washington would
have been a fit emblem of a divided and ruined country. Washington
himself would not have had it finished. He would have desired no
tribute, however imposing, from either half of a disunited republic. He
would have turned with abhorence from being thought the father of

would have turned with abhorrence from being thought the father of anything less than one country, with one constitution and one destiny.

And how cheering and how inspiring the reflection, how grand and glorious the fact, that no sooner were our unhappy contentions at an end, no sooner were Union and Liberty, one and inseparable, once more and, as we trust and believe forever, reasserted and reassured, than this monument to Washington gave signs of fresh life, began to attract new interest and new effort, and soon was seen rising again slowly but steadily toward the skies—stone after stone, course upon course, piled up in peace, with foundations extended to the full demand of the enormous weight to be placed upon them, until we can now hail it as complete! Henceforth and forever it shall be lovingly associated, not only with the memory of him in whose honor it has been erected, but with an era of assured peace, unity, and concord, which would have been dearer to his heart than the costliest personal memorial which the toil and treasure of his countrymen could have constructed. The Union is itself the all-sufficient and the only sufficient monument to Washington. The Union was nearest and dearest to his great heart. "The Union in any event," were the most emphatic words of his immortal Farewell Address. Nothing less than the Union would ever have been accepted or recognized by him as a monument commensurate with his services and his fame. Nothing less ought ever to be accepted or recognized as such by us, or by those who shall rise up, generation after generation, to do homage to his memory!

For the grand consummation which we celebrate to-day we are in-

debted primarily to the National Government, under the successive Presidents of the past nine years, with the concurrent action of the two branches of Congress, prompted by committees so often under the lead of the veteran Senator MORRILL, of Vermont. The wise decision and emphatic resolution of Congress on the 2d of August, 1876, inspired by the Centennial Celebration of American Independence, and adopted, as it auspiciously happened, on the hundredth anniversary of the formal signing of the great Declaration, that the monument should no longer be left unfinished, with the appointment of a joint commission to direct and supervise its completion, settled the whole matter. To that joint commission, consisting of the President of the United States for the time being, the senior vice-president of the Monument Associa-tion, the Chief of Engineers of the United States Army, with the Architects of the Capitol and the Treasury, the congratulations and thanks of us all may well be tendered. But I think they will all cordially agree with me that the main credit and honor of what has been accomplished belongs peculiarly and pre-eminently to the distinguished officer of engineers who has been their devoted and untiring agent from the The marvelous work of extending and strengthening the foundations of a structure already weighing, as it did, not less than thirty-two thousand tons—64,000,000 pounds—an operation which has thirty-two thousand tons—64,000,000 pounds—an operation which has won the admiration of engineers all over the world, and which will always associate this monument with a signal triumph of scientific skill, was executed upon his responsibility and under his personal supervision. His, too, have been the ingenious and effective arrangements by which the enormous shaft has been carried up, course after course, until it has reached its destined height of five hundred and fifty-five feet, as we see it at this hour. To Col. Thomas Lincoln Casey, whose name is associated in three generations with valued military. whose name is associated in three generations with valued military service to his country, the successful completion of the monument is due. But he would not have us forget his accomplished assistant, Capt. George W. Davis, and neither of them would have us fail to remember Superintendent McLaughlin and the hard-handed and honest-hearted mechanics who have labored so long under their direction.

Finis coronat opus. The completion crowns the work. To-day that work speaks for itself, and needs no other orator. Mute and lifeless as it seems, it has a living and audible voice for all who behold it, and as it seems, it has a hving and addition voice for all who behold it, and no one can misinterpret its language. Nor will any one, I think, longer cavil about its design. That design, let me add, originally prepared by the Washington architect, Robert Mills of South Carolina, and adopted long before I had any relations to this association, was commended to public favor by such illustrious names as Andrew Jackson, John Quincy Adams, Albert Gallatin, Henry Clay, and Daniel Webster. A colonnade encircling its base, and intended as a sort of pantherer responsed described from the release the service of t theon, was soon discarded from the plan. Its main feature, from the first, was an obelisk, after the example of that which had then been recently agreed upon for Bunker Hill. And so it stands to-day, a simple sublime obelisk of pure white marble, its proportions, in spite of its immense height, conforming exactly to those of the most celebrated obelisks of antiquity, as my accomplished and lamented friend, our late minister to Italy, so hannily pointed out to us. It is not in our late minister to Italy, so happily pointed out to us. It is not, in-deed, as were those ancient obelisks, a monolith, a single stone cut whole from the quarry; that would have been obviously impossible for anything so colossal; nor could we have been expected to attempt the impossible in deference to Egyptian methods of construction. We might almost as well be called on to adopt as the emblems of American progress the bronze crabs which were found at the base of Cleopatra's Needle! America is certainly at liberty to present new models in art as well as in government, or to improve upon old ones; and, as I ventured to suggest some years ago, our monument to Washington will be all the more significant and symbolic in embodying, as it does, the idea of our cherished national motto, *E pluribus unum*. That compact, consolidated structure, with its countless blocks, inside and outside, held firmly in position by their own weight and pressure, will ever be an instructive type of the national strength and grandeur which can only be secured by the union of "many into one."

Had the fine arts indeed made such advances in our country forty

years ago as we are now proud to recognize, it is not improbable that a different design might have been adopted; but I am by no means sure it would have been a more effective and appropriate one. There will always be ample opportunity for the display of decorative art in our land. The streets and squares of this city and of all our great cities are wide open for the statues and architectural memorials of our distin-

wide open for the statues and architectural memorians of our distinguished statesmen and soldiers, and such monuments are everywhere welcomed and honored. But is not—I ask in all sincerity—is not the acknowledged pre-eminence of the Father of his Country, first without a second, more fitly and adequately represented by that scaring shaft, rising high above trees and spires and domes and all the smoke and stir

of earth—as he ever rose above sectional prejudices and party politics and personal interests—overtopping and dominating all its surroundings, gleaming and glistening out at every vista as far as human sight can reach, arresting and riveting the eye at every turn, while it shoots triumphantly to the skies? Does not-does not, I repeat, that colossal unit remind all who gaze at it, more forcibly than any arch or statue could do, that there is one name in American history above all other names, one character more exalted than all other characters, one example to be studied and reverenced beyond all other examples, one bright particular star in the clear upper sky of our firmament, whose guiding light and peerless luster are for all men and for all ages, never to be lost sight of, never to be unheeded? Of that name, of that character, of that example, of that glorious guiding light, our obelisk, standing on the very spot selected by Washington himself for a monument to the American Revolution, and on the site which marks our national meridian, will be a unique memorial and symbol forever.

For oh, my friends, let us not longer forget, or even seem to forget,

that we are here to commemorate not the monument but the man. That stupendous pile has not been reared for any vain purpose of challenging admiration for itself. It is not, I need not say it is not, as a specimen of advanced art, for it makes no pretension to that; it is not as a signal illustration of engineering skill and science, though that may confidently be claimed for it; it is not, certainly it is not, as the tallest existing structure in the world, for we do not measure the greatness of men by the height of their monuments, and we know that this distinction may be done away with here or elsewhere in future years; but it is as a memorial of the pre-eminent figure in modern or in ancient history the world over—of the man who has left the loftiest example of public and private virtues, and whose exalted character challenges the

admiration and homage of mankind. It is this example and this char-

acter-it is the man, and not the monument, that we are here to commemorate!

Assembled in these legislative halls of the nation, as near to the anniversary of his birth as a due respect for the day of our Lord will allow, to signalize the long-delayed accomplishment of so vast a work, it is upon him in whose honor it has been upreared, and upon the incomparable and inestimable services he has rendered to his country and to the world, that our thoughts should be concentred at this hour. Yet what can I say, what can any man say, of Washington, which has not already been rendered as familiar as household words, not merely to those who hear me, but to all readers of history and all lovers of liberty throughout the world? How could I hope to glean anything from a field long ago so carefully and lovingly reaped by such men as John Marshall and Jared Sparks, by Guizot and Edward Everett and Washington Irving, as well as by our eminent living historian, the ven-

Washington Irving, as well as by our eminent living historian, the venerable George Bancroft, happily here with us to-day?

Others, many others, whom I dare not attempt to name or number, have vied with each other in describing a career of whose minutest details no American is ever weary, and whose variety and interest can never be exhausted. Every stage and step of that career, every scene of that great and glorious life, from the hour of his birth, one hundred and fifty-three years ago—"about 10 in the morning of ye 11th day of February, 1731-2," as recorded in his mother's Bible—in that primitive Virginia farm—house in the county of Westmoreland, of which the tive Virginia farm-house in the county of Westmoreland, of which the remains of the "great brick chimney of the kitchen" have been identified only within a few years past—every scene, I say, of that grand and glorious life, from that ever-memorable hour of his nativity, has been traced and illustrated by the most accomplished and brilliant pens and

tongues of our land.

His childhood, under the loving charge of that venerated mother, who delighted to say that "George had always been a good son," who hapdelighted to say that "George had always been a good son," who hap-pily lived not only to see him safely restored to her after the exposures and perils of the Revolutionary struggle, but to see him, in her eighty-second year, unanimously elected to be the President in Peace of the country of which he had been the Saviour in War; his primary educacountry of which he had been the Saviour in War; his primary education in that "old-field school-house," with Hobby, the sexton of the parish, for his first master; his early and romantic adventures as a land-surveyor; his narrow escape from being a midshipman in the British navy at 14 years of age, for which a warrant had been obtained and his luggage actually put on board a man-of-war anchored in the river just below Mount Vernon; his still narrower and hairbreadth escapes from Indian arrows and from French bullets, and his survival-the only mounted officer not killed—at the defeat of Braddock, of whom he was an aid-de-camp; together with that most remarkable prediction of the Virginia pastor, Samuel Davies, afterward president of Princeton College, pointing him out—in a sermon, in 1755, on his return, at the age of 23, from the disastrous field of the Monongahela—as "that heroic youth Colonel Washington, whom I can not but hope Providence has preserved in so signal a manner for some important service to his country" who has forgotten, who can ever forget these most impressive incidents who has forgotten, who can ever forget these most impressive incidents of that opening career by which he was indeed so providentially preserved, prepared, and trained up for the eventful and illustrious future which awaited him?

Still less can any American forget his taking his seat, soon afterward, in the Virginia House of Burgesses—with the striking tribute to his modesty which he won from the Speaker—and his subsequent elec-

tion to the Continental Congress at Philadelphia, where, on the 15th of June, 1775, at the suggestion of John Adams and on the motion of Thomas Johnson, afterward governor of Maryland, he was unanimously appointed "General and Commander-in-Chief of such forces as are, or appointed "General and Commander-in-Chief of such forces as are, or shall be, raised for the maintenance and preservation of American liberty." Nor can any of us require to be reminded of the heroic fortitude, the unswerving constancy, and the unsparing self-devotion with which he conducted through seven or eight years that protracted contest, with all its toils and trials, its vexations and vicissitudes, from the successful siege of Boston, his first great triumph, followed by those masterly movements on the Delaware, which no less celebrated a soldier than Frederick the Great declared "the most brilliant achievements of any recorded in the annals of military action," and so along, through all the successes and reverses and sufferings and trials of Monmouth and Braudywine and Germantown and Valley Forge, to the siege of Yorktown, in 1781, where, with the aid of our generous and gallant allies, under the lead of Rochambeau and De Grasse and La Fayette, he won at last that crowning victory on the soil of his beloved Virginia.

Nor need I recall to you the still nobler triumphs witnessed during all this period-triumphs in which no one but he had any share-triumphs over himself: not merely in his magnanimous appreciation of the exploits of his subordinates, even when unjustly and maliciously contrasted with disappointments and alleged inaction of his own, but in repelling the machinations of discontented and mutinous officers at Newburg, in spurning overtures to invest him with dictatorial and even kingly power, and in finally surrendering his sword and commission so simply, so sublimely, to the Congress from which he had received them.

Or, turning sharply from this summary and familiar sketch of his military career, of which, take it for all in all, its long duration, its slender means, its vast theater, its glorious aims and ends and results, there is no parallel in history—turning sharply from all this, need I recall him, in this presence, presiding with paramount influence and authority over the convention which framed the Constitution of the United States, and then, with such consummate discretion, dignity, and wis dom, over the original administration of that Constitution, when the

or that constitution, when the principles and precedents of our great Federal system of government were molded, formed, and established?

It was well said by John Milton, in one of his powerful defenses of the people of England, "War has made many great whom peace makes small." But of Washington we may say, as Milton said of Cromwell, that, while war made him great, peace made him greater; or rather that both war and peace alike gave opportunity for the display of those incomparable innate qualities which no mere circumstances could create

But his sword was not yet quite ready to rest quietly in its scabbard. Need I recall him once more, after his retirement from a second term of the Chief Magistracy, accepting a subordinate position, under his successor in the Presidency, as Lieutenant-General of the American armies in view of an impending foreign war, which, thank God, was so

happily averted?

Nor can any one who hears me require to be reminded of that last scene of all, when, in his eight-and-sixtieth year, having been overtaken by a fatal shower of sleet and snow in the midst of those agricultural pursuits in which he so much delighted at Mount Vernon, he laid himself calmly down to die—"not afraid to go," as he whispered to his physician—and left his whole country in tears such as had never flowed before. "Mark the perfect man and behold the upright, for the end of that man is peace!"

Eighty-five years ago to-morrow-his sixty-eighth birthday-was solemnly assigned by Congress for a general manifestation of that over-whelming national sorrow, and for the commemoration, by eulogies, addresses, sermons, and religious rites, of the great life which had thus addresses, sermons, and religious rites, of the great life which had thus been closed. But long before that anniversary arrived, and one day only after the sad tidings had reached the seat of Government in Philadelphia, President John Adams, in reply to a message of the House of Representatives, had anticipated all panegyrics by a declaration, as true to-day as it was then, that he was "the most illustrious and beloved personage which this country ever produced;" while Henry Lee, of Virginia, through the lips of John Marshall, had summed up and condensed all that was felt, and all that could be or ever can be said, in those imperishable words, which will go ringing down the centuries. in those imperishable words, which will go ringing down the centuries, in every clime, in every tongue, till time shall be no more, "First in war, first in peace, and first in the hearts of his countrymen!"

But there are other imperishable words which will resound through

the ages, words of his own not less memorable than his acts, some of them in private letters, some of them in official correspondence, some of them in inaugural addresses, and some of them, I need not say, in that immortal Farewell Address which an eminent English historian has pronounced "unequaled by any composition of uninspired wisdom," and which ought to be learned by heart by the children of our schools, like the laws of the Twelve Tables in the schools of ancient Rome, and never forgotten when those children grow up to the privileges and re-

sponsibilities of manhood.

It was a custom of the ancient Egyptians, from whom the idea of our monument has been borrowed—I should rather say, evolved—to cover their obelisks with hieroglyphical inscriptions, some of which

have to this day perplexed and baffled all efforts to decipher them. Neither Champollion, nor the later Lepsius, nor any of the most skillful Egyptologists, have succeeded in giving an altogether satisfactory reading of the legends on Pompey's Pillar and Cleopatra's Needle. And those inscriptions, at their best, engraved, as they were, on the granite or porphyry, with the letters enameled with gold, and boasted of as illuminating the world with their rays, tell us little except the dates and doings of some despotic Pharaoh, whom we would willingly have seen drowned in the ocean of oblivion, as one of them so deservedly was in the depths of the Red Sea. One row of the inscriptions on Cleopatra's Needle, as it so strangely greets us in the fashionable promenade of our commercial capital, informs us, in magniloquent terms, of Thothmes III, who lived in the age in which Moses was born, the age which saw the Exodus of the Israelites. He is set down as a "Child of the Sun, endowed with power, life, and stability." Other inscriptions style him, or some other Pharnoh to whom they relate, the "Chastiser of Foreign Nations," "The Conqueror," "The Strong Bull."

Our Washington Needle, while it has all of the severesimplicity, and Our Washington Needle, while it has all of the severesimplicity, and far more than all of the massive grandeur, which were the characteristics of Egyptian architecture, bears no inscriptions whatever, and none are likely ever to be carved on it. Around its base bas-reliefs in bronze may possibly one day be placed, illustrative of some of the great events of Washington's life; while on the terrace beneath may, perhaps, be arranged emblematic figures of Justice and Patriotism, of Peace, Liberty, and Union. All this, however, may well be left for future years, or even for future generations. Each succeeding generation, indeed will take its own pride in doing whatever may be wisely done in deed, will take its own pride in doing whatever may be wisely done in deed, will take its own pride in doing whatever may be wisely done in adorning the surroundings of this majestic pile, and in thus testifying its own homage to the memory of the Father of his Country. Yet to the mind's eye of an American patriot those marble faces will never seem vacant—never seem void or voiceless. No mystic figures or hieroglyphical signs will, indeed, be descried on them. No such vainglorious words as "Conqueror," or "Chastiser of Foreign Nations," nor any haughty assumption or heathen ascription as "Child of the Sun"

be deciphered on them. But ever and anon, as he gazes, there will come flashing forth in letters of living light some of the words, and grand precepts, and noble lessons of principle and duty which are the matchless bequest of Washington to his country and to mankind.

Can we not all read there already, as if graven by some invisible finger, or inscribed with some sympatheticink, which it requires no learning of scholars, no lore of Egypt, nothing but love of our own land, to draw out and make legible, those masterly words of his letter to the governors of the States in 1783:

governors of the States in 1783:

There are four things which, I humbly conceive, are essential to the well-being—I may even venture to say, to the existence—of the United States as an independent power: First, an indissoluble Union of the States under one Federal head; second, a sacred regard to public justice; third, the adoption of a proper peace establishment; and, fourth, the prevalence of that peafic and friendly disposition among the people of the United States which will induce them to forget their local prejudices and policies, to make those mutual concessions which are requisite to the general prosperity, and, in some instances, to sacrifice their individual advantages to the interest of the community. These are the pillars on which the glorious fabric of our independency and national character must be supported.

Can we not read, again, on another of those seemingly years to the community of the community of the community of the community.

Can we not read, again, on another of those seemingly vacant sides, that familiar passage in his Farewell Address—a jewel of thought and phraseology, often imitated, but never matched—"The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations?" and, not far below it, his memorable warning against party spirit—"A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume?" it should consume?'

Still again, terser legends from the same prolific source salute our eager gaze: "Cherish public credit;" "Observe good faith and justice towards all nations; cultivate peace and harmony with all;" "Promote, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened."

should be enlightened."

And, above all—a thousand-fold more precious than all the rest—there will come streaming down from time to time, to many an eager and longing eye, from the very point where its tiny aluminium apex reaches nearest to the skies—and shining forth with a radiance which no vision of Constantine, no labarum for his legions, could ever have eclipsed—some of those solemnly reiterated declarations and counsels, which might almost be called the confession and creed of Washington, and which can never be forgotten by any Christian patriot—

and which can never be forgotten by any Christian patriot—
When I contemplate the interposition of Providence, as it was visibly manifest in guiding us through the Revolution, in preparing us for the reception of the General Government, and in conciliating the good-will of the people of America toward one another after its adoption, I feel myself oppressed and almost overwhelmed with a sense of Divine munificence. I feel that nothing is due to my personal agency in all those wonderful and complicated events, except what can be attributed to an honest zeal for the good of my country. * * * No people can be bound to acknowledge and adore an Invisible Hand which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of Providential agency. * * * Of all the dispositions and habits which lead to political prosperity, religion and morality

are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and of citizens.

And thus on all those seemingly blank and empty sides will be seen, from time to time, in his own unequaled language, the grand precepts and principles of peace, justice, education, morality, and religion, which he strove to inculcate, while encircling and illuminating them all, and enveloping the whole monument, from corner-stone to capstone, will be read with rapture by every patriotic eye, and be echoed by every patriotic heart, "The Union, the Union in any event!"

But what are all the noble words which Washington wrote or uttered,

But what are all the noble words which Washington wrote or uttered, what are all the incidents of his birth and death, what are all the details of his marvelous career from its commencement to its close, in comparison with his own exalted character as a man! Rarely was Webster more impressive than when, on the completion of the monument at Bunker Hill, in describing what our country had accomplished for the welfare of mankind, he gave utterance, with his characteristic terseness, and in his inimitable tones, to the simple assertion, "America has furnished to the world the character of Washington!" And well did he add that, "if our American institutions had done nothing else, that alone would have entitled them to the respect of mankind."

that alone would have entitled them to the respect of mankind.'

The character of Washington! Who can delineate it worthily?
Who can describe that priceless gift of America to the world in terms which may do it any sort of justice, or afford any degree of satisfaction to his hearers or to himself?

Modest, disinterested, generous, just—of clean hands and a pure heart—self-denying and self-sacrificing, seeking nothing for himself, declining all remuneration beyond the reimbursement of his outlays, scrupulous to a farthing in keeping his accounts, of spotless integrity, scorning gifts, charitable to the needy, forgiving injuries and injustices, brave, fearless, heroic, with a prudence ever governing his impulses and a wisdom ever guiding his valor—true to his friends, true to his whole country, true to himself—fearing God, believing in Christ, no stranger to private devotion or public worship, or to the holiest offices of the Church to which he belonged, but ever gratefully recognizing a Divine aid and direction in all that he attempted and in all that he accomplished—what epithet, what attribute, could be added to that consummate character to commend it as an example above all other characters in merely human history!

From first to last he never solicited or sought an office, military or

From first to last he never solicited or sought an office, military or civil. Every office stood candidate for him, and was ennobled by his acceptance of it. Honors clustered around him as if by the force of "first intention." Responsibilities heaped themselves on his shoulders as if by the law of gravitation. They could rest safely nowhere else, and they found him ever ready to bear them all, ever equal to discharge them all. To what is called personal magnetism he could have had little pretension. A vein of dignified reserve, which Houdon and Stuart have rightly made his peculiar characteristic in marble and on canvas, repressed all familiarities with him. His magnetism was that of merit—superior, surpassing merit—the merit of spotless integrity, of recognized ability, and of unwearied willingness to spend and be spent in the service of his country. That was sufficient to attract irresistibly to his support not only the great mass of the people, but the wisest and best of his contemporaries in all quarters of the Union, and from them he selected, with signal discrimination, such advisers and counselors, in war and in peace, as have never surrounded any other American leader. No jealousy of their abilities and accomplishments ever ruffled his breast, and with them he achieved our Independence, organized our Constitutional Government, and stamped his name indelibly on the age in which he lived as the Age of Washington!

Well did Chief-Justice Marshall, in that admirable preface to the biography of his revered and illustrious friend, sum up with judicial precision the services he was about to describe in detail. Well and truly did he say:

As if the chosen instrument of Heaven, selected for the purpose of effecting the great designs of Providence respecting this our Western Hemisphere, it was the peculiar lot of this distinguished man, at every epoch when the destinies of his country seemed dependent on the measures adopted, to be called by the united voice of his fellow-citizens to those high stations on which the success of those measures principally depended.

I do not forget that there have been other men, in other days, in other lands, and in our own land, who have been called to command larger armies, to preside over more distracted councils, to administer more extended governments, and to grapple with as complicated and critical affairs. Gratitude and honor wait ever on their persons and their names! But we do not estimate Miltiades at Marathon, or Pausanias at Platæa, or Themistocles at Salamis, or Epaminondas at Mantinea or Leuctra, or Leonidas at Thermopylæ, by the number of the forces which they led on land or on sea. Nor do we gauge the glory of Columbus by the size of the little fleet with which he ventured so heroically upon the perils of a mighty unknown deep. There are some circumstances which can not occur twice; some occasions of which there can be no repetition; some names which will always assert their individual pre-eminence, and will admit of no rivalry or comparison. The glory of Columbus can never be eclipsed, never approached, till our New World shall require a fresh discovery; and the glory of Washington will remain unique and peerless until American Independence shall require to be again achieved, or the foundations of constitutional liberty to be laid anew.

Think not that I am claiming an immaculate perfection for any mortal man. One Being only has ever walked this earth of ours without sin. Washington had his infirmities and his passions like the rest of us; he would have been more or less than human had he never been overcome by them. There were young officers around him, in camp and elsewhere, not unlikely to have thrown temptations in his path, whether he ever yielded to them or not. There were treacherous men, too, whose words in council, or conduct in battle, or secret plottings behind his back, aroused his righteous indignation, and gave occasion for memorable bursts of anger. Now and then there was a disaster, like that of St. Clair's expedition against the Indians in 1791, the first tidings of which stirred the very depths of his soul, and betrayed him into a momentary outbreak of mingled griefand rage, which proved how violent were the emotions he was so generally able to control.

He made no boast of virtue or of valor, and no amount of flattery ever led him to be otherwise than distrustful of his own ability and merits. As early as 1757, when only 25 years of age, he wrote to Governor Dinwildia.

That I have foibles, and perhaps many of them, I shall not deny; I should esteem myself, as the world also would, vain and empty were I to arrogate perfection.

On accepting the command of the Army of the Revolution, in 1775, he said to Congress:

I beg it may be remembered by every gentleman in the room that I this day declare, with the utmost sincerity, I do not think myself equal to the command I am honored with.

And, in 1777, when informed that anonymous accusations against him had been sent to Laurens, then President of Congress, he wrote privately to beg that the paper might be at once submitted to the body to which it was addressed, adding these frank and noble words:

Why should I be exempt from censure, the unfailing lot of an elevated station? Merit and talents which I can not pretend to rival have ever been subject to it. My heart tells me it has been my unremitted aim to do the best which circumstances would permit; yet I may have been very often mistaken in my judgment of the means, and may, in many instances, deserve the imputation of error.

And when at last he was contemplating a final retirement from the Presidency, and in one of the draughts of his Farewell Address had written that he withdrew "with a pure heart and undefiled hands," or words to that effect, he suppressed the passage and all other similar expressions, lest, as he suggested, he should seem to claim for himself a measure of perfection which all the world now unites in according to him. For I hazard little in asserting that all the world does now accord to Washington a tribute, which has the indorsement of the Encyclopædia Britannica, that, "of all men that have ever lived, he was the greatest of good men, and the best of great men." Or, let me borrow the same idea from a great English poet, who gave his young life and brilliant genius to the cause of liberty in modern Greece. "Where," wrote Byron—

Where may the wearied eye repose
When gazing on the great,
Where neither guilty glory glows,
Nor despicable state!
Yes, one—the first, the last, the best,
The Cincinnatus of the West,
Whom envy dared not hate—
Bequeathed the name of Washington,
To make men blush there was but one!

To what other name have such tributes ever been paid by great and good men abroad as well as at home? You have not forgotten the language of Lord Erskine in his inscription of one of his productions to Washington himself:

You are the only being for whom I have an awful reverence,

You have not forgotten the language of Charles James Fox, in the House of Commons:

Illustrious man, before whom all borrowed greatness sinks into insignificance.

You have not forgotten the language of Lord Brougham, twice uttered, at long intervals, and with a purpose, as Brougham himself once told me, to impress and enforce those emphatic words as his fixed and final judgment:

Until time shall be no more will a test of the progress which our race has made in wisdom and virtue be derived from the veneration paid to the immortal name of Washington!

Nor can I fail to welcome the crowning tribute, perhaps from our motherland, reaching me, as it has, at the last moment of revising what I had prepared for this occasion, in a published letter from Gladstone, her great prime minister, who, after saying in casual conversation that Washington was "the purest figure in history," writes deliberately, "that if, among all the pedestals supplied by history for public characters of extraordinary nobility and purity, I saw one higher than all the rest, and if I were required at a moment's notice to name the fittest occupant for it, I think my choice, at any time during the last forty-five years, would have lighted, and it would now light, upon Washington!"

But if any one would get a full impression of the affection and veneration in which Washington was held by his contemporaries, let him turn, almost at random, to the letters which were addressed to him, or which were written about him, by the eminent men, military or civil, American or European, who were privileged to correspond with him, or who ever so casually found occasion to allude to his career and char-

acter. And let him by no means forget, as he reads them, that those letters were written a hundred years ago, when language was more measured, if not more sincere, than now, and before the indiscriminate use of the superlative, and the exaggerations and adulations of flatterers and parasites, sending great and small alike down to posterity as patterns of every virtue under heaven, had tended to render such tributes as suspicious as they often are worthless.

What, for instance, said plain-speaking old Benjamin Franklin?

My fine crab-tree walking-stick, with a gold head curiously wrought in the form of the cap of Liberty-

These are the words of his will, in 1789-

I give to my friend and the friend of mankind George Washington. If it were a scepter, he has merited it, and would become it.

Happy, happy America-

Wrote Gouverneur Morris from Paris, in 1793, when the French revolution was making such terrific progress-

Happy, happy America, governed by reason, by law, by the man whom she loves, whom she almost adores. It is the pride of my life to consider that man as my friend, and I hope long to be honored with that title.

I have always admired-

Wrote to him Count Herzburg, from Berlin, where he had presided for thirty years over the Ministry of Foreign Affairs, under Frederick the

I have always admired your great virtues and qualities, your disinterested patriotism, your unshaken courage and simplicity of manners—qualifications by which you surpass men even the most celebrated of antiquity.

Wrote Patrick Henry, then Governor of Virginia, in allusion to the accusations of one of the notorious faction of 1777—

I am sorry there should be one man who counts himself my friend who is not

Thomas Jefferson, who, we all know, sometimes differed from him, took pains, at a later period of his life, to say of him in a record for posterity:

His integrity was most pure; his justice the most inflexible I have ever known; no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, indeed, in every sense of the word, a wise, a good, and a great man.

If I could now present myself-

Wrote Edmund Randolph, who had made injurious imputations on Washington before and after his dismissal from the Cabinet in 1795— If I could now present myself before your venerated uncle

He wrote most touchingly to Judge Bushrod Washington in 1810-

It would be my pride to confess my contrition that I suffered my irritation, let the cause be what it might, to use some of those expressions respecting him, which, at this moment of indifference to the world I wish to recall as being inconsistent with my subsequent conviction. My life will, I hope, be sufficiently extended for the recording of my sincere opinion of his virtues and merit in a style which is not the result of a mind merely debilitated by misfortune, but of that Christian philosophy on which alone I depend for inward tranquillity.

And far more touching and more telling still is the fact that even Thomas Conway, the leader of that despicable cabal at Valley Forge, but who lived to redeem his name in other lands, if not in our own when believing himself to be mortally wounded in a duel, in 1778, and "just able," as he said, "to hold the pen for a few minutes," employed those few minutes in writing to Washington to express his "sincere grief for having done, written, or said anything disagreeable" to him, adding these memorable words:

You are, in my eyes, the great and good man. May you long enjoy the love, veneration, and esteem of these States, whose liberties you have asserted by your virtues!

From his illustrious friend Alexander Hamilton I need not cite a word. His whole life bore testimony, more impressive than words, to an admiration and affection for his great chief, which could not be ex-

ceeded, and which no momentary misunderstandings could shake.

But listen once more, and only once more, to La Fayette, writing to Washington from Cadiz in 1783, when the glad tidings of the treaty of peace had just reached him:

Were you but such a man as Julius Cæsar, or the King of Prussia, I should almost be sorry for you at the end of the great tragedy where you are acting such a part. But, with my dear general, I rejoice at the blessings of a peace in which our noble ends have been secured. * * * As for you, who truly can say you have done all this, what must your virtuous and good heart feel in the happy moment when the Revolution you have made is now firmly established!

Rightly and truly did La Fayette say that his beloved general was of another spirit and of a different mold from Cæsar and Frederick. Washington had little, or nothing, in common with the great military heroes of his own or any other age—conquering for the sake of conquest—" wading through slaughter to a throne"—and overrunning the world at a countless cost of blood and treasure to gratify their own ambition, or to realize some mad dream of universal empire. No ancient Plutarch has furnished any just parallel for him in this respect. No modern Plutarch will find one. In all history, ancient and modern alike, he stands, in this respect, as individual and unique as yonder majestic needle.

their ideas of greatness. * * * The splendor of power, and even the name of conqueror, had grown dim in their eyes. * * * They knew and felt that the world's wealth, and its empire too, would be a bribe far beneath his acceptance." Yes, they all saw that he bore ever in his mind and in his heart, as he said in Philadelphia on his way to Cambridge, in 1775, that "as the sword was the last resort for the preservation of our liberties, so it ought to be the first thing laid aside when those liberties were firmly established." And they saw him lay down his sword at the earliest moment, and retire to the pursuits of peace, only returning again to public service at the unanimous call of his country, to preside for a limited period over a free constitutional republic, and then eagerly resuming the rank of an American cit-izen. That was the example which changed the ideas of mankind as to what constitutes real greatness. And that example was exhibited for all nations and for all ages, never to be forgotten or overlooked, by him who was born one hundred and fifty-three years ago to-morrow in that primitive little Virginia farm-house.

I am myself a New Englander by birth, a son of Massachusetts, bound by the strongest ties of affection and of blood to honor and venerate the earlier and the later worthies of the old Puritan Commonwealth, jealous of their fair fame, and ever ready to assert and vindicate their just renown. But I turn reverently to the Old Dominion to-day, and salute her as the mother of the pre-eminent and incomparable American, the Father of his Country, and the foremost figure in all merely human history. In the words of our own poet, Lowell:

Virginia gave us this imperial man,
Cast in the massive mold
Of those high-statured-ages old
Which into grander forms our mortal metal ran;
She gave us this unblemished gentleman:
What shall we give her back but love and praise?

Virginia has had other noble sons, whom I will not name, but whom do not forget. When I remember how many they are, and how great they have been, and how much our country has owed them, I may well exclaim, "Felix prole virûm." But, as I think of her Washington—of our Washington let me rather say—I am almost ready to add, "Lata Deûm partu!"

A celebrated philosopher of antiquity, who was nearly contemporary with Christ, but who could have known nothing of what was going on in Judea, and who alas! did not always "reck his own rede"—wrote thus to a younger friend, as a precept for a worthy life:

Some good man must be singled out and kept ever before our eyes, that we may live as if he were looking on, and do everything as if he could see it.

Let me borrow the spirit, if not the exact letter, of that precept, and address it to the young men of my country: "Keep ever in your mind and before your mind's eye the loftiest standard of character. You have it, I need not say, supremely and unapproachably, in Him who spake as never man spake and lived as never man lived, and who died for the sins of the world. That character stands apart and alone. But of merely mortal men the monument we have dedicated to-day points out the one for all Americans to study, to imitate, and, as far as may be, to emulate. Keep his example and his character ever before your eyes and in your hearts. Live and act as if he were seeing and judging your personal conduct and your public career. Strive to approximate that lofty standard, and measure your integrity and your patriotism by your nearness to it or your departure from it. The prime meridian of universal longitude, on sea or land, may be at Greenwich, or at Paris, or where you will. But the prime meridian of pure, disinterested, patriotic, exalted human character will be marked forever by yonder Washington obelisk!"

Yes, to the young men of America, under God, it remains, as they rise up from generation to generation, to shape the destinies of their country's future; and woe unto them if, regardless of the great example which is set before them, they prove unfaithful to the tremendous responsibilities which rest upon them!

Yet, let me not seem even for a moment to throw off upon the children the rightful share of those responsibilities which belongs to their fathers. Upon us, upon us it devolves to provide that the advancing generations shall be able to comprehend and equal to meet the demands which are thus before them. It is ours, it is yours especially, Senators and Representatives, to supply them with the means of that universal education which is the crying want of our land, and without which any intelligent and successful free government is impossible, We are just entering on a new olympiad of our national history—the

We are just entering on a new olympiad of our national history—the twenty-fifth olympiad since Washington first entered on the administration of our Constitutional Government. The will of the people has already designated under whom the first century of that Government is to be closed, and the best hopes and wishes of every patriot will be with him in the great responsibilities on which he is about to enter. No distinction of party or of section prevents our all feeling alike that our country, by whomsoever governed, is still and always our country, to be cherished in all our hearts, to be upheld and defended by all our hands!

In his eulogy on Washington before the Legislature of Massachusetts the eloquent Fisher Ames, my earliest predecessor in Congress from the Boston district, said, eighty-five years ago, that in contemplating his career and character, "Mankind perceived some change in to the Constitution), giving, as it would, a much-needed extension to

the short sessions of Congress, and letting the second century of our constitutional history begin where the first century began.

But let the date be what it may, the inspiration of the centennial anniversary of that first great inauguration must not be lost upon us. Would that any words of mine could help us all, old and young, to resolve that the principles and character and example of Washington, as he came forward to take the oaths of office on that day, shall once as he came forward to take the oaths of office on that day, shall once more be recognized and reverenced as the model for all who succeed him, and that his disinterested purity and patriotism shall be the supreme test and standard of American statesmanship! That standard can never be taken away from us. The most elaborate and durable monuments may perish. But neither the forces of nature, nor any fiendish crime of man, can ever mar or mutilate a great example of public or private virtue.

Our matchless obelisk stands proudly before us to-day, and we hail it with the exultations of a united and glorious nation. It may or may not be proof against the cavils of critics, but nothing of human construction is proof against the casualties of time. The storms of winter must blow and beat upon it. The action of the elements must soil and discolor it. The lightnings of heaven my scar and blacken it. An earthquake may shake its foundations. Some mighty tornado, or resistless cyclone, may rend its massive blocks asunder and hurl huge fragments to the ground. But the character which it commemorates and illustrates is secure. It will remain unchanged and unchangeable in all its consummate purity and splendor, and will more and more command the homage of succeeding ages in all regions of the earth.

God be praised, that character is ours forever!

The reading of the above was frequently interrupted by general applause.

Then followed music by the Marine Band.
The PRESIDENT OF THE SENATE. Gentlemen, an oration will now be delivered by Hon. John W. Daniel, of Virginia. [Applause.]

ORATION.

Mr. JOHN W. DANIEL. Mr. President of the United States, Senators, Representatives, Judges, Mr. Chairman, and my Countrymen, alone in its grandeur stands forth the character of Washington in history; alone like some peak that has no fellow in the mountain range of

greatness.

"Washington," says Guizot: "Washington did the two greatest things which in politics it is permitted to man to attempt. He maintained by peace the independence of his country, which he had conquered by war. He founded a free government in the name of the principles of order and by re-establishing their sway." Washington did indeed do these things. But he did more. Out of disconnected fragrents he molded a whole and made it a country. He achieved his ments he molded a whole and made it a country. He achieved his country's independence by the sword. He maintained that independence by peace as by war. He finally established both his country and its freedom in an enduring frame of constitutional government, fashioned to make liberty and union one and inseparable. These four things toto make liberty and union one and inseparable. These four the gether constitute the unexampled achievement of Washington.

gether constitute the unexampled achievement of Washington.

The world has ratified the profound remark of Fisher Ames, that "he changed mankind's ideas of political greatness." It has approved the opinion of Edward Everett, that he was "the greatest of good men, and the best of great men." It has felt for him, with Erskine, "an awful reverence." It has attested the declaration of Brougham that "he was the greatest man of his own or of any age." It is matter of fact to-day as when General Hamilton, announcing his death to the Army, said:

The voice of praise would in vain endeavor to exalt a name unrivaled in the lists of true glory.

America still proclaims him, as did Col. Henry Lee in the House of Representatives:

The man first in war, first in peace, and first in the hearts of his countrymen.

And from beyond the sea the voice of Alfieri, breathing the soul of all lands and all peoples, still pronounces the blessing:

Happy are you who have for the sublime and permanent basis of your glory the love of country demonstrated by deeds.

Tell me, ye who have unrolled the scrolls that bear the records of the rise and fall of nations; ye before whose eyes has moved the pano-rama of man's struggles, achievements, and progression, find you any-where the story of one whose life work is more than a fragment of that which in his life is set before you?

Conquerors who have stretched your scepters over boundless territories; founders of empires who have held your dominions in the reign of law; reformers who have cried aloud in the wilderness of oppres sion; teachers who have striven to cast down false doctrine, heresy, and son; teachers who have striven to cast down has doctrine, heresy, and schism; statesmen whose brains have throbbed with mighty plans for the amelioration of human society; scar-crowned vikings of the sea, illustrious heroes of the land, who have borne the standards of siege and battle, come forth in bright array from your glorious fanes, and would ye be measured by the measure of his stature? Behold you not in him a more illustrious and more venerable presence? Statesman, soldier, patriot, sage, reformer of creeds, teacher of truth and justice, achiever and preserver of liberty, the first of men, founder and saviour of his

country, father of his people-this is he, solitary and unapproachable

in his grandeur!
Oh, felicitous Providence that gave to America our Washingtou! THE MONUMENT.

High soars into the sky to-day, higher than the pyramid or the dome of St. Paul's or St. Peter's—the loftiest and most imposing structure that man has ever reared—high soars into the sky to where

Earth highest yearns to meet a star,

the monument which "We the people of the United States" have uplifted to his memory. It is a fitting monument, more fitting than any statue. For his image could only display him in some one phase of his varied character. So art has fitly typified his exalted life in yon plain lofty shaft. Such is his greatness, that only by a symbol could it be represented. As Justice must be blind in order to be whole in contemplation, so History must be silent that by this mighty sign she may disclose the amplitude of her story.

MASSACHUSETTS AND HER ORATOR.

It was fitting that the eminent citizen who thirty-seven years ago spoke at the laying of the corner-stone should be the orator at the consummation of the work which he inaugurated. It was Massachusetts that struck the first blow for Independence; it was her voice that made the stones of Boston to "rise in mutiny;" it was her blessed blood that sealed the covenant of our salvation. The firmament of our national life she has thickly sown with deeds of glory.

JOHN ADAMS.

John Adams of Massachusetts was among the first to urge the name of Washington to the Continental Congress when it commissioned him as Commander-in-Chief of the American forces; it was upon her soil that he drew the sword which was sheathed at Yorktown, and first gave to the battle-breeze the thirteen stripes that now float in new galaxies of stars.

And meet it was that here in the Capitol of the Republic, at the distance of more than a century from its birth, the eloquent son of that illustrious State should span the chasm with his bridge of gold, and emblazon the final arch of commemoration.

And I fancy, too, that in a land where the factious tongues of the elder nations are being hushed at last, and all rival strains commingled in the blood of brotherhood, the accomplished mission of America finds fitting illustration in the Sage descended from the Pilgrims crowning the Hero sprung from the Cavaliers.

VIRGINIA

It has seemed fitting to you, Mr. Chairman and gentlemen of the commission, that a citizen of the State which was the birthplace and the home of Washington; whose House of Burgesses, of which he was a member, made the first burst of opposition against the stamp act, although less pecuniarily interested therein than their New England brethren, and was the first representative body to recommend a general congress of the Colonies; of the State whose Mason drew that Bill of Rights which has been called the Magna Charta of America; whose Jefferson wrote, whose Richard Henry Lee moved, the Declaration that those Colonies be "free and independent States;" whose Henry condensed the Revolution into the electric sentence, "Liberty or death;" of the State which cemented union with the vast territorial dowry out of which five States have been carved, having now here some ninety Representatives; of that State whose Madison was named "the Father of the Constitution," and whose Marshall became its most eminent expounder; of the State which holds within its bosom the sacred ashes of Washington, and cherishes not less the principles which once kindled them with fires of Heaven descended—it has seemed fitting to you, gentlemen, that a citizen of that State should also be invited to deliver an address on this occasion.

Would with all my heart that a worthier one had been your choice. Too highly do I esteem the position in which you place me to feel aught but solemn distrustfulness and apprehension. And who indeed might not shrink from such a theater when a Winthrop's eloquence still thrilled all hearts, with Washington the theme?

Yet, in Virginia's name I thank you for the honor done her. She deserved it. Times there are when even hardihood is virtue; and to such virtue alone do I lay claim in venturing to abide your choice to be her spokesman.

None more than her could I offend did I take opportunity to give her undue exaltation. Her foremost son does not belong to her alone, nor does she so claim him. His part and her part in the Revolution would have been as naught but for what was done so gloriously by his brothers in council and in arms and by her sister Colonies, who kept the mutual pledge of "life, fortune, and sacred honor."

GREETINGS TO SISTER STATES

New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, South Carolina, Georgia—your comrade of the days that tried men's souls salutes you in honor and affection! No laurel could be plucked too bright for Virginia's hand to lay upon your brows!

And ye, our younger companions, who have sprung forth from the wilderness, the prairie, and the mountain, and now extend your em-

pire to the far slopes where your teeming cities light their lamps by the setting sun, what grander tribute to the past, what happier assurance of the present, what more auspicious omens of the future could Heaven vouchsafe us than those which live and move and have their being in your presence? What heart could contemplate the scene and not leap into the exclamation, "I, too, am an American citizen!"

WASHINGTON A VIRGINIAN BEFORE AN AMERICAN.

But may I not remind you that Washington was a Virginian before he became an American, to tell his countrymen that "the name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations?" And may I not seek the fountains from which sprung a character so instinct with love of country?

THE PUBITANS AND THE CAVALIERS

The Puritans of England, who from the landing at Plymouth in 1620 to the uprising against Charles I in 1640, "turned to the New World," in the language of Canning, "to redress the balance of the Old," were quickly followed to America by a new stream of immigration that has left as marked an impress upon our civilization between the South Atlantic and the Mississippi as the sons of the Pilgrims have made between the North Atlantic and the Lakes.

When Charles I was beheaded in 1649, and when his son, the second Charles, was beaten at Worcester in 1651, multitudes of the King's men

Charles, was beaten at Worcester in 1651, multitudes of the King's men turned their faces also to the new land of hope, the very events which checked the emigration of the Puritans to New England giving impulse to the tide which moved the Cavaliers to the Old Dominion.

Intense loyalists were these new Virginians, who "would defend the crown if it hung upon a bush;" and when indeed its substance vanished with the royal head that wore it, these "faithful subjects of King and Church" held allegiance to its phantom and to the exiled claimant. But they were not inattentive to their liberties. And if Virginia was the last of all the countries belonging to England to sub-Virginia was the last of all the countries belonging to England to submit to Cromwell, yet she was also "the first state in the world com-posed of separate boroughs, diffused over an extensive surface, where

representation was organized on the principle of universal suffrage."

As in New England the Pilgrim Colony grew apace, so in Virginia prospered that of the Cavaliers. With the love of landed estates which is an instinct of their race, they planted their homes in the fertile lowlands, building great houses on broad acres, surrounded by or-

namental grounds and gardens.

The family became a government within itself—the mistress a rural queen, the master a local potentate, with his graziers, seedsmen, gardeners, brewers, butchers, and cooks around him. Many of the heads of families were traveled and accomplished men. The parishes were ministered to by the learned clergy of the Established Church. In the old college of William and Mary ere long were found the resources of classic education, and in the old capital town of Williams. burg the winter season shone resplendent with the entertainments of a refined society.

Born almost to the saddle and to the use of fire-arms, they were keen hunters, and when the chase was over they sat by groaning boards and drank confusion to the Frenchman and Spaniard abroad and to Roundhead and Prelatist at home. When the lurking and predatory Indian became the object of pursuit, no speed of his could elude their fiery and gallantly mounted cavalry.

VIRGINIA AND VIRGINIANS OF OLDEN TIME.

This was the Virginia, these the Virginians, of the olden time. even in retrospect their somewhat aristocratic manners touch the sensitive nerve of a democratic people, it may at least be said of them that nothing like despotism, nihilism, communism, or dynamite was ever found amongst them; that they cherished above all things honor and courage, the virtues preservative of all other virtues; that their homes became the nurseries of men, and leaders of men, who could cope with great forces, resolve great problems, and assert great principles. And it is at least true that their habits of thought and kiving never proved more dangerous to "life, liberty, and the pursuit of happiness" than those of others who in later days corrupt the suffrage in the rank growth of cities; build palaces and pile up millions amid crowded paupers; monopolize telegraphic and railway lines by corporate machinery; spurn all relations to politics, save to debauch its agencies for personal gain; and know no Goddess of Liberty and no Eagle of Country save in the images which satire itself has stamped on the Almighty Dollar.

LINEAGE OF WASHINGTON. In 1657, while yet "a Cromwell filled the Stuart's throne," there came to Virginia with a party of Carlists who had rebelled against him John Washington, of Yorkshire, England, who became a magistrate and member of the House of Burgesses, and who distinguished himself in Indian warfare as the first Colonel Washington on this side of the water. He was the nephew of that Sir Henry Washington who had led the for-lorn hope of Prince Rupert at Bristol in 1643, and who, with a starving and mutinous garrison, had defended Worcester in 1649, answering all calls for surrender that he "awaited His Majesty's commands."

And his progenitors had for centuries, running back to the Norman

Conquest, been men of mark and fair renown.

Just pride and modesty of individuality alike forbid the seeking from any source of a borrowed luster, and the Washingtons were never studious or pretentious of ancestral dignities. But "we are quotations

from our ancestors," says the Philosopher of Concord—and who will say that in the loyalty to conscience and to principle, and to the right of self-determination of what is principle, which the Washingtons have ever shown whether as loyalist or rebel, was not the germ of that deathless devotion to liberty and country which soon discarded all ancient forms in the mighty stroke for Independence?

ANGLO-SAXON TRAITS.

Two traits of the Anglo-Saxon have ever been equally conspicuous:

respect for authority, resistance to its abuse.

A very Tempe had Virginia been, sheltering the loyal Cavaliers in their reverence for authority. The higher trait of the Anglo-Saxon was about to receive more memorable illustration, and she uprose, Olympuslike, in her resistance to its abuse.

And the instrument of Providence to lead her people and their brethren, had he lived in the days when mythic lore invested human heroes with a godlike grace, would have been shrouded in the glory of Olym-

pian Jove.

MOUNT VERNON.

One hundred and fifty-three years ago, on the banks of the Potomac, in the county of Westmoreland, on a spot marked now only by a memorial stone, of the blood of the people whom I have faintly described, the fourth in descent from the Col. John Washington whom I have named, there was born a son to Augustine and Mary Washington. And not many miles above his birthplace is the dwelling where he lived and now lies buried.

Borne upon the bosom of that river which here mirrors Capitol, dome, and monumental shaft in its seaward flow, the river itself seems to reorse its current and bear us silently into the past. Scarce has the vista of the city faded from our gaze when we behold on the woodland height that swells above the waters—amidst walks and groves and gardens—the white porch of that old colonial plantation home which has become the shrine of many a pilgrimage.

Contrasting it as there it stands to-day with the marble halls that we have left behind us, we realize the truth of Emerson: "The atmosphere of moral sentiment is a region of grandeur which reduces all material magnificence to toys, yet opens to every wretch that has reason

the doors of the universe.

The quaint old wooden mansion, with the stately but simple oldfashioned mahogany furniture, real and ungarnished; the swords and relics of campaigns and scenes familiar to every school-boy now; the key of the Bastile hanging in the hall incased in glass, calling to mind Tom Paine's happy expression, "That the principle of the American Revolution opened the Bastile is not to be doubted, therefore the key comes to the right place;" the black velvet coat worn when the farewell address to the Army was made; the rooms all in nicety of preparation as if expectant of the coming host—we move among these memorials of days and men long vanished, we stand under the great trees and watch the solemn river, we gaze upon the simple tomb whose silence is unbroken save by the murmur of the waters or the wild bird's note, and we are enveloped in an atmosphere of moral grandeur which no pageantry of moving men nor splendid pile can generate. By the tumulus of Marathon the Greeks have the tradition that in the gloom of night may yet be heard the neighing of horses and the clash of arms. In the spell that broods o'er the sacred graves of Vernon, patriotism, honor, courage, justice, virtue, truth seem bodied forth—the only imperishable realities of man's being.

YOUTH OF WASHINGTON.

There emerges from the shades the figure of a youth over whose cradle had hovered no star of destiny, nor dandled a royal crown—an ingenuous youth, and one who in his early days gave auguries of great powers; the boy whose strong arm could fling a stone across the Rappahannock; whose strong will could tame the most fiery horse; whose just spirit made him the umpire of his fellows; whose obedient heart bowed to a mother's yearning for her son and laid down the midshipman's warrant in the British navy which answered his first ambition's dream; the student transcribing mathematical problems, accounts, and business forms, or listening to soldiers and seamen of vessels in the river as they tell of "hair-breadth scapes by flood and field;" the early moralist in his thirteenth year compiling matured "Rules for behavior and conversation;" the surveyor of sixteen, exploring the wilderness for Lord Fairfax; the incipient soldier studying tactics under Adjutant Muse, and taking lessons in broadsword fence from the soldier of fortune, old Jacob Van Braam; the major and adjutant-general of Virginia frontier forces at nineteen—we seem to see him yet as there he stood, a model of manly beauty in his youthful prime, a man in all that makes a man ere manhood's years have been fulfilled standing on the threshold of a grand career, "hearing his days before him and the trumpet of his

THE SEVEN YEARS' WAR.

The scene changes. Out into the world of stern adventures he passes, taking as naturally to the field and the frontier as the eagle to the air. At the age of twenty-one he is riding from Williamsburg to the French post at Venango, in Western Pennsylvania, on a mission for Governor Dinwiddie which requires "courage to cope with savages and sagacity to negotiate with white men"—in that mission which Edward Everett recognizes as "the first movement of a military nature which resulted in the establishment of American Independence." At twenty-two he has "fleshed his maiden sword," has heard the bullets whistle, and found "something charming in the sound;" and soon he is colonel of the Virsometiming charming in the sound;" and soon he is colonel of the Virginia regiment in the unfortunate affair at Fort Necessity, and is compelled to capitulate and retreat, losing a sixth of his command. He quits the service on a point of military etiquette and honor, but at twenty-three he reappears as volunteer aid by the side of Braddock in the ill-starred expedition against Fort Duquesne, and is the only mounted officer unscathed in the disaster, escaping with four bulletholes through his garments, and after having two horses shot under him. The prophetic eye of Samuel Davies has now pointed him out as "that heroic youth, Colonel Washington, whom I can but believe Providence has hitherto preserved in so signal a manner for some important service to his country." Soon the prophecy is fulfilled. The same year he is in command of the Virginia frontier forces. Arduous conflicts of various fortunes are ere long ended, and on the 25th of November, 1759, he marches into the reduced fortress of Fort Du-

November, 1759, he marches into the reduced fortress of Fort Duquesne—where Pittsburgh now stands, and her Titans of industry wage the eternal war of toil—marches in with the advanced guard of his troops, and plants the British flag over its smoking ruins.

That self-same year, Wolfe, another young and brilliant soldier of Britain, the Wolsely of his time, has scaled and triumphed on the Heights of Abraham—his flame of valor quenched as it lit the blaze of victory. Canada surrenders. The Seven Years' War is done. The French power in America is broken. The vast region west of the Alleghanies, from the Lakes to the Ohio, embracing its valley and tributary streams, is under the scepter of King George. America has been made whole to the English-speaking race, to become in time the Greater Britain.

RETIREMENT.

Thus, building wiser than he knew, Washington had taken no small part in cherishing the seed of a nascent nation. Mount Vernon welcomes back the soldier of twenty-seven, who has become a name. mestic felicity spreads its charms around him with the "agreeable partner" whom he has taken to his bosom, and he dreams of "more partner" whom he has taken to his bosom, and he dreams of "more happiness than he has experienced in the wide and bustling world." Already, ere his sword had found its scabbard, the people of Frederick County had made him their member of the House of Burgesses. And the quiet years roll by as the planter, merchant, and representative superintends his farm, ships his crops, posts his books, keeps his diary, matures schemes of internal improvement, leaps on his horse and chases the fox for amusement, or rides over to Annapolis and leads the dance at the Maryland capital—alternating between these private pur-suits and serving his people as member of the Legislature and justice of the county court.

REVOLUTION.

But ere long this happy life is broken. The air is electrical with the currents of revolution. England has launched forth on the fatal policy of taxing her colonies without their consent. The spirit of liberty and resistance is aroused. He is loth to part with the motherland which he still calls "Home." But she is deaf to reason. The first Colonial Congress is called. He is a Delegate, and rides to Philadelphia with Henry and Pendleton. The blow at Lexington is struck. The sons of the Cavaliers spring to the side of the sons of the Pilgrims.

liers spring to the side of the sons of the Figures.

He becomes Commander-in-Chief of the American forces. After another Seven Years' War he is the deliverer of his country. another Seven Years' War he is the deliverer of his country. The old Confederation passes away. The Constitution is established. He is twice chosen President of the United States and renounces further service. Once again Mount Vernon's grateful shades receive him, and there the world-crowned hero now becomes again the simple citiand there the world-crowned hero now becomes again the simple citizen, wishing his fellow-men "to see the whole world in peace and its inhabitants one band of brothers, striving who could contribute most to the happiness of mankind," without a wish for himself, but "to live and die an honest man on his farm." A speck of war spots the sky. John Adams calls him forth as Lieutenant-General and Commander-in-Chief to lead America once more. But the cloud vanishes.

PEACE-DEATH. Peace reigns. The lark sings at heaven's gate in the fair morn of the new nation. Serene, contented, yet in the strength of manhood, though on the verge of three-score years and ten, he looks forth—the quiet farmer from his pleasant fields, the loving patriarch from the bowers of home—looks forth and sees the work of his hands established in a free and happy people. Suddenly comes the mortal stroke with severe cold. The agony is soon over. He feels his own dying pulse—the hand relaxes—he murmurs, "It is well;" and Washington is no more. While yet Time had crumbled never a stone, nor dimmed is no more. While yet Time had crumbled never a stone, nor dimmed the lustrous surface, prone to earth the mighty column fell!

Washington, the Friend of Liberty, is no more!

The solemn cry filled the universe. Amidst the tears of his people, the bowed heads of kings, and the lamentations of the nations, they laid him there to rest upon the banks of the river whose murmurs were his boyhood's music—that river which, rising in mountain fastnesses among the grandest works of nature, and reflecting in its course the proudest works of man, is but a symbol of his history—which in its ceaseless and ever-widening flow is but a symbol of his eternal fame.

CHARACTER OF WASHINGTON.

No sum could now be made of Washington's character that did not exhaust language of its tributes and repeat virtue by all her names. No sum could be made of his achievements that did not unfold the history of his country and its institutions—the history of his age and its progress—the history of man and his destiny to be free. But, whether character or achievement be regarded, the riches before us only expose the poverty of praise. So clear was he in his great office that no ideal of the leader or ruler can be formed that does not shrink by the side of the reality. And so has he impressed himself upon the minds of men, that no man can justly aspire to be the chief of a great free people who does not adopt his principles and emulate his example. We look with amazement on such eccentric characters as Alexander, Cæsar, Cromwell, Frederick, and Napoleon, but when Washington's face rises before us, instinctively mankind exclaims, "This is the man for nations to trust and reverence and for rulers to follow."

Drawing his sword from patriotic impulse, without ambition and without malice, he wielded it without vindictiveness and sheathed it without reproach. All that humanity could conceive he did to suppress the cruelties of war and soothe its sorrows. He never struck a coward's blow. To him age, infancy, and helplessness were ever sacred. He tolerated no extremity unless to curb the excesses of his enemy, and he never poisoned the sting of defeat by the exultation of the conqueror.

Peace he welcomed as a Heaven-sent herald of friendship; and no country has given him greater honor than that which he defeated; for England has been glad to claim him as the scion of her blood, and proud, like our sister American States, to divide with Virginia the

honor of producing him.

Fascinated by the perfection of the man, we are loth to break the mirror of admiration into the fragments of analysis. But, lo! as we attempt it every fragment becomes the miniature of such sublimity and beauty that the destructive hand can only multiply the forms of immor-

Grand and manifold as were its phases, there is yet no difficulty in understanding the character of Washington. He was no Veiled Prophet. He never acted a part. Simple, natural, and unaffected, his life lies before us—a fair and open manuscript. He disdained the arts which wrap power in mystery in order to magnify it. He practiced the profound diplomacy of truthful speech—the consummate tact of direct attention. Looking ever to the All-Wise Disposer of events, he relied on that Providence which helps men by giving them high hearts and hopes to help themselves with the means which their Creator has put their service. There was no infirmity in his conduct over which Charity must fling its veil; no taint of selfishness from which Purity averts her gaze; no dark recess of intrigue that must be lit up with colored panegyric; no subterranean passage to be trod in trembling lest there be stirred the ghost of a buried crime.

A true son of nature was George Washington—of nature in her bright-est intelligence and noblest mold; and whatever difficulty, if such there be in comprehending him, is only that of reviewing from a single standpoint the vast procession of those civil and military achievements which filled nearly half a century of his life, and in realizing the magnitude of those qualities which were requisite to their performance—the difficulty of fashioning in our minds a pedestal broad enough to bear the towering figure, whose greatness is diminished by nothing but the perfection of its proportions. If his exterior—in calm, grave, and respectively. olute repose—ever impressed the casual observer as austere and cold, it was only because he did not reflect that no great heart like his could have lived unbroken unless bound by iron nerves in an iron frame. The Commander of Armies, the Chief of a People, the Hope of Nations could commander of Armies, the Chief of a People, the Hope of Nations could not wear his heart upon his sleeve; and yet his sternest will could not conceal its high and warm pulsations. Under the enemy's guns at Boston he did not forget to instruct his agent to administer generously of charity to his needy neighbors at home. The sufferings of women and children, thrown adrift by war, and of his bleeding comrades, pierced his soul. And the moist eye and trembling voice with which he bade farewell to his veterans bespoke the underlying tenderness of his nature, even as the storm-wind makes music in its under-tones.

Disinterested patriot, he would receive no pay for his military services. Refusing gifts, he was glad to guide the benefaction of a grateful State to educate the children of his fallen braves in the institution at Lexington which yet bears his name. Without any of the blemishes that mark the tyrant, he appealed so loftily to the virtuous elements in man, that he almost created the qualities of which his country in man, that he almost created the qualities of which his country needed the exercise; and yet he was so magnanimous and forbearing to the weaknesses of others, that he often obliterated the vices of which he feared the consequence. But his virtue was more than this. It was of that daring, intrepid kind that, seizing principle with a giant's grasp, assumes responsibility at any hazard, suffers sacrifice without pretense of martyrdom, bears calumny without reply, imposes superior will and understanding on all around it, capitulates to no unworthy triumph, but must carry all things at the point of clear and blameless conscience. Scorning all manner of meanness and cowardice, his bursts of wrath at their exhibition heighten our admiration for the noble passions which were kindled by the aspirations and exigencies of virtue. sions which were kindled by the aspirations and exigencies of virtue.

Invested with the powers of a Dictator, the country bestowing them

felt no distrust of his integrity; he, receiving them, gave assurance that, as the sword was the last resort of Liberty, so it should be the first thing laid aside when Liberty was won. And keeping the faith in all things, he left mankind bewildered with the splendid problem whether to adabove all his virtues was the matchless manhood of personal honor, to which Confidence gave in safety the key of every treasure—on which Temptation dared not smile, on which Suspicion never cast a frown. And why prolong the catalogue? "If you are presented with medals of Cæsar, of Trajan, or Alexander, on examining their features you are still led to ask, what was their stature and the forms of their persons; but if you discover in a hour of wint the best of their persons; but if you discover in a heap of ruin the head or the limb of an antique Apollo, be not curious about the other parts, but rest assured that they were all comformable to those of a god."

THE GENERAL.

As a general, great; as a commander, it may not be said of him as of Marlborough, that "he never formed the plan of a campaign that he did not execute; never besieged a city that he did not take; never fought a battle that he did not gain." But it can be said of him that, at the head of raw volunteers, hungry to the edge of famine, ragged almost to nakedness, whose muniments of war were a burlesque of its necessities, he defeated the trained bands and veteran generals of Europe; and that, when he had already earned the name of the American Fabius, destined to save a nation by delay he suddenly displayed the daring of a Marto save a nation by delay, he suddenly displayed the daring of a Marcellus, It can be said that he was tried in a crucible to which Marlborough was never subjected—adversity, defeat, depression of fortune bordering on despair. The first battle of his youth ended in capitulation. The first general engagement of the Revolution at Long Island opened a succession of disasters and retreats. But with the heroic energy that remolds broken opportunities into greater ones, with "the firmness of mind that can not be unlocked by trifles but which when unlocked displays a cabinet of fortitude," he wrenched victory from stubborn fortune, compelling the reluctant oracle to exclaim as to Alexander, "My son, thou art invincible." So did he weave the net of war by and and sea, that at the very moment when an elated adversary was about to strike the final blow for his country's fall, he surrounded him by swift and far-reaching combinations, and twined the Lilies of France with the Stars and Stripes of America over the ramparts of Yorktown. And if success be made the test of merit, let it be remembered that he conducted the greatest military and civil enterprises of his age, and left no room for fancy to divine greater perfection of accomplishment.

WASHINGTON IN ACTION.

Great in action as by the council board, the finest horseman and knightliest figure of his time, he seemed designed by nature to lead in those bold strokes which needs must come when the battle lies with a single man—those critical moments of the campaign or the strife when if the mind hesitates or a nerve finches, all is lost. We can never forget the passage of the Delaware that black December night, amidst shricking winds and great upheaving blocks of ice which would have petrified a leader of less hardy mold, and then the fell swoop at Trenton. We behold him as when at Monmouth he turns back the retreational control of the passage of the passage of the petrol of the passage of the petrol of the passage of the petrol of the passage of the passage of the petrol of the passage of the pa ing lines, and galloping his white charger along the ranks until he falls, he leaps on his Arabian bay, and shouts to his men: "Stand fast, my boys, the Southern troops are coming to support you!" And we hear La Fayette exclaim, "Never did I behold so superb a man." We see him again at Princeton dashing through a storm of shot to rally the wavering troops; he reins his horse between the contending lines, and cries: "Will you leave your general to the foe?" then bolts into the thickest fray. Colonel Fitzgerald, his aid, drops his reins and pulls his hat down over his eyes that he may not see his chieftain fall, when, through the smoke he reappears waving his hat, cheering on his men, and shouting: "Away, dear colonel, and bring up the troops; the day is ours." "Cour de Lion" might have doffed his plume to such a chief—for a great knight was he, who met his foes full till in the shock of battle and hurled them down with an arm whose sword flamed with righteous indignation.

WASHINGTON AS A STATESMAN.

As children pore over the pictures in their books ere they can read the words annexed to them so we linger with tingling blood by such inspiring scenes, while little do we reck of those dark hours when the aching head pondered the problems of a country's fate. And yet there is a greater theater in which Washington appears, although not so often has its curtain been uplifted.

It was as a statesman that Washington was greatest. Not in the sense that Hamilton and Jefferson, Adams and Madison, were statesmen; but in a larger sense. Men may marshal armies who can not drill divisions. Men may marshal nations in storm and travail who have

not the accomplishments of their cabinet ministers. Not so versed as they was he in the details of political science.

His pen did not possess the facile play and classic grace of their pens, but his vigorous eloquence had the clear ring of our mother tongue. 'I will not say that he was so astute, so quick, so inventive as the one or another of them—that his mind was characterized by the vivacity of wit, the rich colorings of fancy, or daring flights of imagination. But with him thought and action like well-trained coursers kept abreast in

the chariot race, guided by an eye that never quailed, reined by a hand that never trembled. He had a more infallible discrimination of circumstances and men than any of his contemporaries. He weighed facts cumstances and men than any of his contemporaries. He weighed acts in a juster scale, with larger equity, and firm equanimity. He best applied to them the lessons of experience. With greater ascendency of character he held men to their appointed tasks; with more inspiring virtue he commanded more implicit confidence. He bore a truer divining-rod, and through a wilderness of contention he alone was the unerring pathfinder of the people.

GENIUS. There can, indeed, be no right conception of Washington that does There can, indeed, be no right conception of Washington that does not accord him a great and extraordinary genius. I will not say he could have produced a play of Shakespeare or a poem of Milton, handled with Kant the tangled skin of metaphysics, probed the secrecies of mind and matter with Bacon, constructed a railroad or an engine like Stephenson, wooed the electric spark from heaven to earth with Franklin, or walked with Newton the pathways of the spheres. But if his genius were of a different order, it was of as rare and high an order. It dealt with man in the concrete—with his vast concerns of business stretching over a continent and projected into the ages; with his seething passions; with his marvelous exertions of mind, body, and spirit to be free. He knew the materials he dealt with by intuitive perception of the heart of man; by experience and observation of his aspirations and his powers; by reflection upon his complex relations, rights, and duties as a social being. He knew just where between men and states to erect the monumental mark to divide just reverence for authority from just resistance to its abuse. A poet of social facts, he interpreted by his deeds the harmonies of justice.

by his deeds the harmonies of justice.

Practical yet exalted, not stumbling in the pit as he gazed upon the stars, he would "put no man in any office of consequence whose political tenets were opposed to the measures which the General Government was pursuing." Yet he himself, by the kingliness of his nature, could act independently of party, retain the confidence and affections, use the brains and have thrust upon him the unanimous suffrage of all parties—walking the dizzy heights of power in the perfect balance of every faculty, and surviving in that rarefied atmosphere which lesser frames could only breathe to perish.

Brilliant I will not call him, if the brightness of the rippling river exceed the solemn glory of old Ocean. Brilliant I will not call him, if darkness must be visible in order to display the light; for he had none of that rocket-like brilliancy which flames in instant corruscation

if darkness must be visible in order to display the light, for he had none of that rocket-like brilliancy which flames in instant corruscation across the black brow of night and then is not. But if a steady unflickering flame, slow rising to its lofty sphere, high hung in the heavens of contemplation, dispensing far and wide its rays, revealing all things on which it shines in due proportions and large relations, making right, duty, and destiny so plain that in the vision we are scarce conscious of the light—if this be brilliancy, then the genius of Washington was as full-orbed and luminous as the god of day in his

THE WORK OF WASHINGTON.

The work of Washington filled the rounded measure of his splendid faculties. Grandly did he illustrate the Anglo-Saxon trait of just refaculties. Grandly did he illustrate the Anglo-Saxon trait of just resistance to the abuse of power, standing in front of his soldier-husbandmen on the fields of Boston, and telling the general of carth's greatest empire, who stigmatized them as "rebels" and threatened them "with the punishment of the cord," that "he could conceive of no rank more honorable than that which flows from the uncorrupted choice of a brave and free people, the original and purest fountain of all power," and that, "far from making it a plea for cruelty, a mind of true magnanimity and enlarged ideas would comprehend and respect it." Victoriously did he vindicate the principle of the Declaration of Independence, that to secure the inalienable rights of man "govern-Independence, that to secure the inalienable rights of man "governments are instituted amongst men, deriving their just powers from the consent of the governed, and that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it." By these signs he conquered. And had his career ended here none other would have surpassed, whose could have equaled, it?

TRANSIT TO CIVIL LIFE.

But where the fame of so many successful warriors has found conclu-But where the lame of so many successful warriors has found conclusion, or gone beyond only to be tarnished, his took new flight upward. If I might venture to discriminate, I would say that it was in the conflicts of opinion that succeeded the Revolution that the greatness of Washington most displayed itself; for it was then that peril thickened in most subtle forms; that rival passions burned in intestine flames; that crises came demanding wider-reaching and more constructive faculties than may be exhibited in war, and higher heroism than may be avouched at the cannon's mouth avouched at the cannon's mouth.

And it was then that the soldier uplifted the visor of his helmet and disclosed the countenance of the sage. Passing from the fields of martial fame to the heights of civil achievement still more resplendent, he became the world-wide statesman; like Venus in her transit, sunk the light of his past exploits only in the sun of a new-found glory.

POINTS OUT DEFECTS OF CONFEDERATION

First to perceive and swift to point out the defects in the Articles of Confederation, they became manifest to all long before victory crowned

the warfare conducted under them. Charged by them with the public defense, Congress could not put a soldier in the field; and charged with defraying expenses, it could not levy a dollar of imposts or taxes. It could indeed borrow money with the assent of nine States of the thirteen, but what mockery of finance was that when the borrower could

not command any resource of payment!

The States had indeed put but a scepter of straw in the legislative hand of the Confederation. What wonder that it soon wore a crown of thorns! The paper currency ere long dissolved to nothingness; for four days the Army was without bread, and whole regiments drifted from the ranks of our hard-pressed defenders. "I see," said Washington, "one head gradually changing into thirteen; I see one army gradually branching into thirteen, which, instead of looking up to Congress as the supreme controlling power, are considering themselves as dependent upon their respective States." While yet his sword could not slumber the hour respective states. ber, his busy pen was warning the statesmen of the country that unless Congress were invested with adequate powers or should assume them as matter of right, we should become but thirteen States pursuing local interests until annihilated in a general crash; the cause would be lost and the fable of the bundle of sticks applied to us.

In rapid succession his notes of alarm and invocations for aid to union followed each other to the leading men of the States North and South. Turning to his own State, and appealing to George Mason, "Where," he exclaimed, "where are our men of abilities? Why do they not come forth and save the country?" He compared the affairs of this great-continent to the mechanism of a clock, of which each State was putting its own small part in order, but neglecting the great wheel or spring which was to put the whole in motion. He summoned Jefferson, Wythe, and Pendleton to his assistance, telling them that the present temper of the States was friendly to lasting union, that the moment should be improved and might never return, and that "after gloriously and successfully contending against the usurpation of Britain we may fall a prey to our own folly and disputes."

How keen the prophet's ken, that through the smoke of war discerned the coming evil; how diligent the patriot's hand, that amidst awful responsibilities reached future-ward to avert it!

By almost a miracle the weak Confederation, a "barrel without a hoop," was held together perforce of outside pressure; and soon Amer-

ica was free!

FOLLIES AND DISSENSIONS.

But not yet had beaten Britain concluded peace, not yet had dried the blood of Victory's field ere "follies and disputes" confounded all things with their Babel tongues and intoxicated Liberty gave loose to license An unpaid army with unsheathed swords clamored around a poverty-An unpaid army with unsheathed swords chamored around a poverty-stricken and helpless Congress. And grown at last impatient even with their chief, officers high in rank plotted insurrection and circu-lated an anonymous address, urging it "to appeal from the justice to the fears of government, and suspect the man who would advise to longer forbearance." Anarchy was about to wreck the Arch of Triumph; poor, exhausted, bleeding, weeping America lay in agony upon her bed of

Not a moment did Washington hesitate. He convened his officers, and going before them he read them an address, which, for home-thrust argument, magnanimous temper, and the eloquence of persuasion which leaves nothing to be added, is not exceeded by the grandest utterance of Greek or Roman. A nobler than Coriolanus was before them, who needed no mother's or wife's reproachful tears to turn the threatening steel from the gates of Rome. Pausing as he read his speech he put on his spectacles and said: "I have grown gray in your service and now find myself growing blind."

This unaffected touch of nature completed the master's spell. late fomenters of insurrection gathered to their chief with words of veneration; the storm went by; and, says Curtis in his History of the Constitution, "Had the Commander-in-Chief been other than Washington, the land would have been deluged with the blood of civil war."

PEACE AND APPEALS FOR UNION.

But not yet was Washington's work accomplished. Peace dawned upon the weary land, and parting with his soldiers he pleaded with them for union. "Happy, thrice happy, shall they be pronounced," he said, "who have contributed anything in erecting this stupendous fabric of freedom and empire; who have assisted in protecting the rights of human nature, and establishing an asylum for the poor and oppressed of all nations and religious." But still the foundations of the stupendous fabric templed and no compare the latter than the statement of the stupendous fabric templed and no compare the latter templed. dous fabric trembled, and no cement held its stones together. It was then that with thickening peril Washington rose to his highest stat-Without civil station to call forth his utterance, impelled by the interpid impulse of a soul that could not see the hope of a nation per-ish without leaping into the stream to save it, he addressed the whole people of America in a circular to the Governors of the States: "Convinced of the importance of the crisis, silence in me," he said, "would be a crime. I will therefore speak the language of freedom and sincerity." He set forth the need of union in a strain that touched the quick of sensibility, he held up the citizens of America as sole lords of a vast tract of continent, he portrayed the fair opportunity for political happiness with which Heaven had crowned them; he pointed out the blessings that would attend their collective wisdom; that in their fate

was involved that of unborn millions; that mutual concessions and sacrifices must be made, and that supreme power must be lodged somewhere to regulate and govern the general concerns of the Confederate Republic, without which the Union would not be of long duration, and he urged that happiness would be ours if we seized the occasion and made it our own.

In this, one of the very greatest acts of Washington, was revealed the heart of the man, the spirit of the hero, the wisdom of the sage, I might

almost say the sacred inspiration of the prophet.

But still the wing of the Eagle drooped; the gathering storms baffled his sunward flight. Even with Washington in the van the column wavered and halted—States straggling to the rear that had hitherto been foremost for permanent union, under an efficacious constitution. And while three years rolled by amidst the jargon of sectional and local contentions, "the half-starved Government," as Washington depicted it, "limped along on crutches, tottering at every step." And while monarchical Europe with saturnine face declared that the American hope of union was the wild and visionary notion of romance, and predicted that we would be to the end of time a disunited people, suspicious and distrustful of each other, divided and subdivided into petty commonwealths and principalities, lo! the very earth yawned under the feet of America, and in that very region whence had come forth a glorious band of orators, statesmen, and soldiers to plead the cause and fight the battles of Independence—lo! the volcanic fires of rebellion burst forth upon the heads of the faithful, and the militia were leveling the guns of the Revolution against the breasts of their brethren. "What, gracious God! is man?" Washington exclaimed:

It was but the other day that we were shedding our blood to obtain the constitutions under which we live, and now we are unsheathing our swords to overturn them.

But see! there is a ray of hope. Maryland and Virginia had already entered into a commercial treaty for regulating the navigation of the rivers and great bay in which they had common interests, and Washington had been one of the commissioners in its negotiation. now, at the suggestion of Maryland, Virginia had called on all the States to meet in convention at Annapolis to adopt commercial regulations for the whole country. Could this foundation be laid, the eyes lations for the whole country. Could this foundation be laid, the eyes of the nation-builders foresaw that the permanent structure would ere long rise upon it. But when the day of meeting came no State north of New York or south of Virginia was represented, and in their help-lessness those assembled could only recommend a constitutional convention, to meet in Philadelphia in May, 1787, to provide for the exigencies of the situation.

THE DARK HOUR AND THE DAWN.

And still thick clouds and darkness rested on the land, and there lowered upon its hopes a night as black as that upon the freezing Delaware; but through its gloom the dauntless leader was still marching on to the consummation of his colossal work, with a hope that never died, with a courage that never faltered, with a wisdom that never yielded that "all is vanity."

It was not permitted the Roman to despair of the Republic, nor did he our Chieftain. "It will all come right at last," he said. It did. And now let the historian, Bancroft, speak:

From this state of despair the country was lifted by Madison and Virginia. Again he says:

We come now to a week more glorious for Virginia beyond any in her annals or in the history of any republic that had ever before existed.

It was that week in which Madison, giving effect to his own longcherished wishes and the still earlier wishes of Washington, address enershed wishes and the still earlier wishes of washington, addressing: s it were the whole country and marshaling all the States, warned them "that the crisis had arrived at which the people of America are to decide the solemn question whether they would reap the fruits of Independence and of Union, or would renounce the blessings prepared for them by the Revolution," and conjuring them "to concur in such further concessions and provisions as may be necessary to secure the objects for which that Government was instituted, and make the United States as happy in peace as they had been glorious in war."

THE UNION AND THE CONSTITUTION.

In such manner, my countrymen, Virginia, adopting the words of Madison and moved by the constant spirit of Washington, joined in convoking that Constitutional Convention, in which he headed her delegation and over which he presided, and whose deliberations resulted in the formation and adoption of that instrument which the Premier of Great Britain pronounces "the most wonderful work ever struck off at a given time by the brain and purpose of man."

In such manner the State which gave birth to the Father of his Country, following his guiding genius to the Union, as it had followed his sword through the battles of Independence, placed herself at the head

of the wavering column.

In such manner America heard and harkened to the voice of her Chief; and now closing ranks, and moving with reanimated step, the thirteen Commonwealths wheeled and faced to the future on the line of the Union under the sacred ensign of the Constitution.

THE REPUBLIC.

Thus at last was the crowning work of Washington accomplished.

Out of the tempests of war and the tumults of civil commotion the ages bore their fruit, the long yearning of humanity was answered. "Rome to America" is the eloquent inscription on one stone of your colossal shaft-taken from the ancient Temple of Peace that once stood hard by the Palace of the Cæsars. Uprisen from the sea of Revolution, fabricated from the ruins of battered Bastiles, and dismantled palaces of unrighteous, unhallowed power, stood forth now the Republic of republics, the Nation of nations, the Constitution of constitutions, to which all lands and times and tongues had contributed of their wisdom, and the priestess of Liberty was in her holy temple.

THE FIRST CITIZEN IN THE GREAT REPUBLIC OF HUMANITY.

When Marathon had been fought and Greece kept free each of the victorious generals voted himself to be first in honor, but all agreed that that Miltiades was second. When the most memorable struggle for the rights of human nature of which time holds record was thus happily concluded in the muniment of their preservation, whoever else was second unanimous acclaim declared that Washington was first. Nor in that struggle alone does he stand foremost. In the name of the people of the United States, their President, their Senators and their Representatives, and their Judges do crown to-day with the grandest crown that veneration has ever lifted to the brow of glory him whom Virginia gave to America, whom America has given to the world and to the ages, and whom mankind with universal suffrace has received to the ages, and whom mankind with universal suffrage has proclaimed the foremost of the founders of empire in the first degree of greatness; whom Liberty herself has annointed as the first citizen in the great Republic of Humanity.

LONG LIVE OUR COUNTRY.

Encompassed by the inviolate seas stands to-day the American Republic which he founded—a freer, Greater Britain—uplifted above the powers and principalities of the earth, even as his monument is uplifted over roof and dome and spire of the multitudinous city.

Long live the Republic of Washington! Respected by mankind, beloved of all its sons, long may it be the asylum of the poor and oppressed of all lands and religions-long may it be the citadel of that liberty which writes beneath the eagle's folded wings, "We will sell to no man; we will deny to no man right and justice."

Long live the United States of America! Filled with the free magnanimous spirit, crowned by the wisdom, blessed by the moderation, hovered over by the guardian angel of Washington's example, may they be ever worthy in all things to be defended by the blood of the brave who know the rights of man and shrink not from their assertion; may they be each a column, and all together, under the Constitution, a perpetual Temple of Peace, unshadowed by a Cæsar's palace, at whose altar may freely commune all who seek the union of liberty and brotherhood

Long live our country! Oh, long through the undying ages may it stand, far removed in fact as in space from the Old World's feuds and follies, alone in its grandeur and its glory, itself the immortal monument of him whom Providence commissioned to teach man the power of truth and to prove to the nations that their redeemer liveth.

The delivery of the above was repeatedly interrupted with loud ap-

The PRESIDENT OF THE SENATE. In accordance with the programme, benediction will now be pronounced by Rev. Dr. Lindsay, Chaplain of the House of Representatives.

The Chaplain of the House then pronounced the benediction, as fol-

The blessing of God Almighty, the Father, the Son, and the Holy Ghost, be among you and remain with you always. Amen.

At 5 o'clock p. m. the President of the United States, the Supreme

Court, the Senate, and the invited guests retired from the Hall.

ORDER OF BUSINESS.

The SPEAKER (at 5 o'clock and 5 minutes p. m.) called the House

to order.
Mr. DORSHEIMER. I move that the House do now adjourn. Mr. WILLIS. I hope the gentleman will withdraw that motion.

Mr. WILLIS. I hope the gentleman will withdraw that motion. I desire to move that the House take a recess till Monday morning at 10 o'clock. [Cries of "Regular order!"]

The SPEAKER. Is the motion to adjourn withdrawn?

Mr. DORSHEIMER. No, sir. I prefer the House should adjourn.

Mr. WILLIS. If that motion is voted down I will move a recess.

The question being taken on the motion to adjourn, the Speaker stated that the "ayes" seemed to have it.

Mr. WILLIS. I call for a division. I am satisfied my motion was misunderstood. It is to take a recess until Monday at 10 o'clock. [Cries of "Regular order!"]

The House divided; and there were—ayes 87, nocs 61.

Mr. WILLIS. I call for tellers.

Tellers were ordered, 39 members voting therefor—more than one-fifth of a quorum.

fifth of a quorum.

Mr. WHITE, of Kentucky. I move that the House do now adjourn.

The SPEAKER. That is the question pending. The Chair appoints as tellers the gentleman from Kentucky, Mr. WILLIS, and the gentleman from New York, Mr. DORSHEIMER.

The House again divided; and the tellers reported—ayes 76, noes 88.

Mr. WHITE, of Kentucky. I call for the yeas and nays. The yeas and nays were not ordered, only 11 members voting there-

So the House refused to adjourn.

Mr. WHITE, of Kentucky. I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. WHITE, of Kentucky. I see on the programme under which we have been acting, adopted by the Congressional Commission, the last item is "music;" and it is added, "during which the assemblage shall

The SPEAKER. That is not a question of order. The gentleman from Kentucky [Mr. Willis] moves that the House do now take a recess until 10 o'clock on Monday morning.

Mr. BROWN, of Pennsylvania. With the understanding that we

will adjourn before 11.

Mr. HEPBURN. I move to amend the motion for a recess, so that it shall be taken until 7 o'clock this evening.

Mr. WELLER. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WELLER. If there is a recess until 10 o'clock on Monday morn-

ing, I ask the gentleman from Kentucky at what time there will be an adjournment on Monday?

The SPEAKER. That is not a parliamentary inquiry.

Mr. WILLIS. I beg to state that at two minutes before 11 I will

make a motion to adjourn.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa [Mr. HEPBURN].

The question being taken, there were—ayes 11, noes 96. Mr. HEPBURN. No quorum.

Mr. POST, of Pennsylvania. I move that the House do now adjourn. The question being taken on the motion to adjourn, there wereayes 67, noes 65.

Mr. BUDD and Mr. WILLIS called for tellers.

Tellers were ordered, 37 members voting therefor-more than onefifth of a quorum.

The SPEAKER. The Chair appoints as tellers the gentleman from Kentucky, Mr. WILLIS, and the gentleman from Pennsylvania, Mr.

The House again divided; and the tellers reported-ayes 55, noes 70. So the House refused to adjourn.

Mr. WILLIS. I now renew my motion.

The SPEAKER. The motion of the gentleman is pending.
Mr. ANDERSON. I move that the House take a recess until 8
o'clock this evening.
The SPEAKER. The pending question was on the amendment pro-

osed by the gentleman from Iowa [Mr. Hepburn] that the Horse should take a recess until 7 o'clock this evening. The gentleman from Kansas [Mr. Anderson] moves to amend that amendment so as to make the recess be till 8 o'clock this evening.

The question being taken, the Speaker stated that the "noes"

seemed to have it.

seemed to have it.

Mr. ANDERSON. I call for a division.

The House divided; and there were—ayes 5, noes 73.

Mr. ANDERSON. No quorum.

The SPEAKER. A quorum not having voted the Chair will order tellers, and appoints the gentleman from Kansas, Mr. ANDERSON, and the gentleman from Kentucky, Mr. WILLIS.

Mr. WHITE, of Kentucky. I move that the House do now adjourn.

The question being taken on the motion to adjourn, there were—ayes 50, noes 55.

50, noes 55.

Mr. WHITE, of Kentucky. I call for tellers.

Tellers were not ordered, only 1 member voting therefor.

So the House refused to adjourn.

So the House refused to adjourn.

Mr. WHITE, of Kentucky. I move a call of the House.

The motion was not agreed to.

Mr. DUNHAM. I move that the House do now adjourn.

The question being taken, there were—ayes 53, noes 55.

So the House refused to ajourn.

The SPEAKER. The question is on the amendment of the gentleman from Kansas [Mr. Anderson] that the House take a recess until 8 o'clock this evening. The gentleman from Kentucky, Mr. Willis, and the gentleman from Kansas, Mr. Anderson, will take their places as tellers.

The House again divided; and the tellers reported-ayes 6, noes 34. So (further count not being called for) the amendment was not agreed

Mr. HEPBURN. I move that the House do now adjourn. The question being taken on the motion to adjourn, there were—ayes 62, noes

62, noes 57.

Mr. WILLIS. I call for tellers.
Tellers were ordered, 42 members voting therefor.
The SPEAKER. The Chair appoints as tellers the gentleman from Kentucky, Mr. WILLIS, and the gentleman from Iowa, Mr. HEPBURN.
Mr. WILLIS. If I may be allowed to make one statement—
[Cries of "Regular order!"]
The House again divided; and the tellers reported—ayes 48, noes 51.
So the House refused to adjourn.

The SPEAKER. The question now recurs on the amendment proposed by the gentleman from Iowa [Mr. HEPBURN] to the motion made by the gentleman from Kentucky [Mr. WILLIS], the amendment being that the House take a recess until 7 o'clock this evening.

Mr. ANDERSON. I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. ANDERSON. I offered an amendment that the House should

take a recess until 8 o'clock.

The SPEAKER. But that amendment was defeated.

Mr. ANDERSON. A quorum did not vote.

The SPEAKER. The Chair did not hear the point as to a quorum insisted on upon that amendment. That point was made on the amend-

ment of the gentleman from Iowa.

Mr. DUNHAM. I move that when the House adjourns to-day it be

to meet on Tuesday next.

Mr. WHITE, of Kentucky. I move to amend that motion. I move that when we meet on Tuesday it be exclusively to consider the Mexican pension bill. [Laughter.]
The SPEAKER. That motion is not in order.

The question was taken on the motion of Mr. DUNHAM, and it was

not agreed to.

Mr. WILLIS. Mr. Speaker, recognizing the condition of affairs, not desiring to keep gentlemen here, and with the view of continuing Monday, I now move that the House adjourn.

The motion was agreed to; and accordingly (at 5.35 p. m.) the House

adjourned.

SENATE.

Monday, February 23, 1885.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

The Journal of the proceedings of Saturday last was read and approved.

CREDENTIALS.

The PRESIDENT protempore presented the credentials of James K. JONES, chosen by the Legislature of Arkansas a Senator from that State for the term beginning March 4, 1885; which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. McMILLAN. I present a petition of ship-owners of Boston, Mass., praying for an amendment of the bill (H. R. 5692) to adopt the revised international regulations for preventing collisions at sea, now pending in the Senate. The bill has been reported from the Committee on Commerce, and I move that the petition lie on the table.

The motion was agreed to.

Mr. McMILLAN. I also present a petition of marine insurance companies of Boston, Mass., to the same effect, which I move lie on the table.

The motion was agreed to.

Mr. WILLIAMS presented a petition of the Tobacco Board of Trade of Hopkinsville, Ky., praying that the report of Col. J. B. Killebrew on tobacco be published in full in the census reports; which was referred

on tobacco be published in full in the census reports; which was referred to the Committee on Printing.

Mr. SHERMAN. I present the petition of a number of citizens of Deerfield, Ohio, praying for such legislation as will prohibit the manufacture and sale of counterfeit dairy products, if such can be made constitutional; if not, for a high license on the manufacturer and seller, and a high tax on each pound manufactured and sold, with severe penalties, including imprisonment, for any violation of the law. I move that the petition be referred to the Committee on Agriculture and Ecorestry. Forestry.

The motion was agreed to.

Mr. MILLER, of California. A dispatch has been sent to me by the Grand Army of the Republic of California, in the nature of a petition to Congress, which I ask may be read.

There being no objection, the petition was read, and ordered to lie on the table, as follows:

SAN FRANCISCO, CAL., February 20, 1885.

Senator John F. Miller, Washington, D. C.:

In obedience to instructions, I telegraph resolutions this day unanimously and enthusiastically adopted by annual encampment of Grand Army of the Republic, Department of California, now in session.

JAS. A. WAYMER.

Resolved, That it is highest duty free people to honor and support those who have imperiled their lives in struggle for national perpetuity; that it is imperative duty people United States provide for comfort and welfare our great soldiers, successful generals in their declining years, and that wish General Grant to be placed on retired-list United States Army should be gratified without delay as small return for and as evidence our appreciation those illustrious services performed by him for our country that have made this and all succeeding generations his debtors.

Resolved, That these resolutions be telegraphed to General JOHN F. MILLER, with request that he furnish each Senator and Congressman with copy forthwith. JAS. A. WAYMER.

REPORTS OF COMMITTEES.

Mr. PLUMB, from the Committee on Public Lands, to whom was | mond, Va.;

referred the bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas, reported it without amendment

Mr. INGALLS, from the Committee on Indian Affairs, to whom was referred Senate Executive Document No. 14, on the 19th of December, 1883, on the subject of the "Old Settler" on Western Cherokee Indians and their claims against the Government, submitted a report thereon accompanied by a bill.

The bill (S. 2656) to refer the claims of the Eastern and Western

bands of Cherokee Indians to the Court of Claims was read twice by

Mr. PIKE, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 3235) relating to acknowledgments of conveyances of land in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. PIKE. I move that the bill (S. 1104) relating to acknowledgments of conveyances of land in the District of Columbia, now on the

Calendar, heretofore reported from the Committee on the District of Columbia, be postponed indefinitely.

The motion was agreed to.

JOHN G. ROBINSON.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, to whom was referred the bill (S. 864) for the relief of William G. Ford, administrator of John G. Robinson, deceased, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 864) for the relief of William G. Ford, administrator of John G. Robinson, deceased, be referred (in accordance with the provisions of article 1 of section 1059 of the Revised Statutes of the United States) to the Court of Claims of the United States, together with the vouchers, papers, proofs, and documents appertaining thereto.

ALLEGED POTOMAC LAND PATENT.

Mr. INGALLS. The Committee on the Judiciary, to which was referred a resolution offered by the Senator from Rhode Island [Mr. ALD-RICH] concerning what is known as the Kidwell claim upon the Potomac Flats, instruct me to make a report in writing thereon, accompanied by certain exhibits, together with the draught of a bill; which I ask may be twice read and placed upon the Calendar. I give notice that to-morrow morning, at the close of the morning business, I shall ask for the consideration of the bill.

The bill (S. 2655) to provide for protecting the interests of the United States in the Potomac River Flats in the District of Columbia, was read

twice by its title.

The PRESIDENT protempore. If there be no objection the committee will be discharged from the further consideration of the resolution

and papers.

Mr. INGALLS. I ask that the printing of the report, together with the exhibits, may be completed by to-morrow morning.

The PRESIDENT pro tempore. The report and the accompanying papers will be printed.

INVESTIGATION OF INDIAN AFFAIRS.

Mr. DAWES. I am instructed by the Committee on Indian Affairs to report a resolution, and I ask that it may be considered at the present time.

The resolution was read, as follows:

Resolved, That the Committee on Indian Affairs be authorized to continue during the recess the investigations authorized by the resolutions of the Senate of June 11 and of December 3, 1884, in the manner and to the extent and with the same authority contained in said resolutions, and with the further authority to inquire what changes, if any, are necessary and proper in the boundary lines of any of the reservations therein described; and that they report the result of such examinations to the next regular session of Congress.

By unanimous consent, the Senate proceeded to consider the resolu-

Mr. COCKRELL. I should like to ask the Senator from Massachu-

setts whether this includes the lease question?

Mr. DAWES. It does. I will say that the matter of investigation of leases has been continued by the committee during almost the entire session, but at great expense by bringing witnesses from a great distance and under very great limitations. It is impossible to thoroughly investigate the matter unless we go upon the ground.

The PRESIDENT pro tempore. The question is on agreeing to the

resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its

A filessage from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the following bills:

A bill (S. 357) granting a pension to William Lockhart;

A bill (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy, and for forty-six years in

A bill (S. 1117) for the erection of a public building at Macon, Ga.; A bill (S. 1183) granting a pension to Hugh O'Neil; A bill (S. 1268) for the relief of Sydney L. Skaggs; A bill (S. 1473) to enlarge the United States custom-house at Rich-

- A bill (S. 1655) granting a pension to Newton J. Burris; A bill (S. 1709) granting a pension to Leonora A. Boyden; A bill (S. 1790) granting an increase of pension to Edgar L. Dutton; A bill (S. 1803) granting an increase of pension to George A. Washburn:
- A bill (S. 1804) granting a pension to Clarinda Hunt; A bill (S. 1915) to remove the political disabilities of James D. Johnston, of Georgia, incurred under the fourteenth amendment of the
- A bill (S. 2272) granting a pension to Andrew Franklin, alias An-

- drew McKee;
 A bill (S. 2250) granting a pension to Anna Ginn;
 A bill (S. 2514) granting a pension to David T. Hoover;
 A bill (S. 2570) granting an increase of pension to Samuel M. Thompson:
- A bill (8, 2587) granting a pension to William H. H. Gilley;
 A bill (8, 2610) granting a pension to Patrick Furlong; and
 A bill (8, 2623) to remove the political disabilities of Alexander W.
- The message also announced that the House had passed the follow-ing bills with amendments; in which it requested the concurrence of the Senate:
- A bill (S. 2009) granting a pension to Isabella Turner; and Λ bill (S. 2327) for the relief of James Bedell, sr.

 The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

- A bill (H. R. 301) granting a pension to Theodore Leveron;
 A bill (H. R. 1710) granting a pension to George W. Bean;
 A bill (H. R. 1873) for the relief of Edward Kraemer;
 A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;
 A bill (H. R. 3735) granting a pension to Mary A. Grennon;
 A bill (H. R. 4303) for the relief of Lieut. Nathaniel Johnson Coffin;
 A bill (H. R. 5581) granting a pension to William Paugh;
 A bill (H. R. 5998) granting an increase of pension to Jonathan C.

- A bill (H. R. 6505) granting a pension to Corydon Millard;
 A bill (H. R. 6960) for the relief of Charles L. Alden;
 A bill (H. R. 7229) to remove the disabilities of J. J. B. Walbach,
 of Baltimore, Md.;
 A bill (H. R. 7231) to remove the disabilities of John K. Cooke, of
- Virginia;
- A bill (H. R. 7248) to increase the pension of Jane D. Brent; A bill (H. R. 7303) to restore the name of Thomas Ferguson to the pension-roll;

- ension-roll;
 A bill (H. R. 7417) for the relief of Stephen Sauer;
 A bill (H. R. 7418) for the relief of Maria Spellen;
 A bill (H. R. 7485) granting a pension to Alexander Weide;
 A bill (H. R. 7513) granting a pension to Margaret B. Harwood;
 A bill (H. R. 7863) granting a pension to Thomas M. McChesney;
 A bill (H. R. 7990) granting a pension to Joseph Sansom;
 A bill (H. R. 7992) for the relief of Christian Arndt;
 A bill (H. R. 7993) for the relief of William Stansberry;
 A bill (H. R. 8032) to remove the political disabilities of Virginius reeman, of Virginia: A bill (H. R. 8032) to remove the political disabilities of Virginia;

 A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;

 A bill (H. R. 8069) granting a pension to Catharine Helton;

 A bill (H. R. 8152) for the relief of William D. Farnsworth;

 A bill (H. R. 8187) granting a pension to Chancey G. Darrah;

 A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton; and

 A bill (H. R. 8229) to grant a pension to James Dye.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported two amendments intended to be proposed to the sundry civil appropriation bill; which were referred to the Committee on Appro-

priations, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PIKE submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PACIFIC RAILROADS.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the bill (H. R. 6771) to amend an act entilled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; which was ordered to lie on the table and be printed.

roll, executrixes of the said Daniel Carroll of Duddington, from the files of the Senate.

ASTRONOMICAL AND METEOROLOGICAL OBSERVATIONS.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the annual volumes of Astronomical and Meteorological Observations of the Naval Observatory for the years 1881 and 1882 be printed, and that 2,000 additional copies of each volume be printed, of which 400 copies shall be for the use of the Senate, 800 copies for the use of the House, and 800 copies for the use of the Navy Department, or for sale at the cost of paper and printing, in accordance with section 432 of the Revised Statutes of the United States.

INDIAN EDUCATION.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to furnish to the Senate the information in possession of the Commissioner of Education showing the progress of Indian education and civilization.

DES MOINES RIVER LANDS.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under Rule VIII, the first bill in order being Senate bill 1886. The title of the bill will be read.

The CHIEF CLERK. "A bill (S. 1886) to quiet title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes." The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole. The pending question is on the amendment proposed by the Senator from New York [Mr. LAPHAM] to add to section 2 what will be read. tion 2 what will be read.

The CHIEF CLERK. It is proposed to add to section 2 the follow-

The provisions of this act shall not apply to such of the lands referred to in the joint resolution of March 2, 1861, as the Supreme Court of the United States has decided validated the titles of bona fide purchasers from the State of Iowa or its grantees prior to the passage of said joint resolution.

Mr. LAPHAM. I desire to modify that amendment, putting it in a little different form, which I now send to the desk.

The PRESIDENT pro tempore. The Senator from New York modi-

fies his amendment. The proposed modification will be read.

The CHIEF CLERK. It is proposed to add as an additional section:

SEC. —. The provisions of this act shall not apply to those lands covered by the joint resolution of March 2, 1861, which the Supreme Court has decided by that resolution rendered valid the title to bona fide purchasers from the State of Iowa or its grantees prior to the adoption of said joint resolution.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

Mr. DAWES. I ask the Senator from New York to yield to me a moment that I may ask unanimous consent to consider a House bill that it will be necessary to send back to the other branch if it passes here at all. It will not take any debate.

Mr. McMILLAN. What is the bill?

Mr. INGALLS. Regular order.

The PRESIDENT pro tempore.
asks unanimous consent for what?
Mr. DAWES. To consider Orde The Senator from Massachusetts

To consider Order of Business 1271.

Mr. DAWES. To consider Order of Business 1271.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the pending order be informally laid aside and that the Senate now consider Order of Business 1271. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation, in the States of Nebraska and

the Sac and Fox Indian reservation, in the States of Nebraska and Kansas, and for other purposes."

The PRESIDENT pro tempore. Is there objection?

Mr. ALLISON. I object.

The PRESIDENT pro tempore. Objection is made. The Senator from New York [Mr. LAPHAM] is entitled to the floor.

Mr. LAPHAM. Mr. President, the object of this amendment in the form in which I have now presented it is to prevent this legislation from having the effect, provided it shall become a law and be carried into operation, of interfering with the solemn judgments of the Supreme Court which have already been pronounced.

It would hardly seem necessary for me to stand here in the advocacy.

It would hardly seem necessary for me to stand here in the advocacy of a proposition so self-evident as the one I have advanced in support of this amendment. In the interesting proceedings which took place in the Hall of the House of Representatives on Saturday last my attention was attracted especially, in view of this very bill, to the extract embodied by Mr. Winthrop in his eloquent oration from the letter of General Washington to the governors of the States in the year 1783:

There are four things-

Said Washington-

which, I humbly conceive, are essential to the well-being—I may even venture to say, to the existence—of the United States, as an independent power: First, an indissoluble Union of the States under one Federal head; second, a sacred regard to public justice.

which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. BAYARD, it was

Ordered, That the attorney for the estate of Daniel Carroll of Duddington have leave to withdraw papers in the case of Maria C. Fitzhugh and Ann C. Car
I need read no further. I am addressing these considerations to the most august legislative tribunal in the world. We should tread carefully when we are asked to legislate in a manner which will in any way trench upon or interfere with the adjudications of our highest judicial tribunal. No motive of policy or expediency or favoritism should re-

ceive any consideration at our hands in determining a question of this grave character. We ought to look solely, impartially, and exclusively to the effect of our legislation, uninfluenced by any considerations other

than the certain and inevitable effect of our enactments.

Sir, if the repeal of the joint resolution of March 2, 1861, as is con-Sir, if the repeal of the joint resolution of March 2, 1861, as is conceded on all hands, as was stated in the letter of Senator Wright from which I have read and in the letter of Mr. Carpenter from which I have read, would not affect in any way the rights of those who purchased from the grantees of the State of Iowa the lands in question, can we by indirection, as this bill proposes, not only disregard the force of that enactment but practically reverse the decisions already made by the Supreme Court as to its effect? Unless we can do that this amendment ought to be enacted upon the bill. I indulge the hope that Senators will pause and reflect before they decide to pass the bill without exempting from its operation the class of cases upon which the Supreme

exempting from its operation the class of cases upon which the Supreme Court has pronounced its solemn judgments.

The sole purpose of this amendment, and the only purpose which induced me to offer it, is to preserve in full force the judicial determinations already made, and to subject all prosecutions under the bill to that wholesome and necessary restriction.

In considering a question of this magnitude the Senate should not In considering a question of this magnitude the Senate should not act hastily or inconsiderately, but with great deliberation and care. It it be the office of this bill to thus interfere with adjudications, then it ought not to receive our sanction. If it be not in the power of the Senate to interfere with the adjudications, then above all other considerations it ought not to receive our sanction. For us to undertake to burden the public Treasury and to charge the officials of the Government with the exercise of a power which must in the end prove abortive is a proposition, it seems to me, too plain to need any discussion when I say that we ought to reject any effort of that kind.

I have, therefore, in the modified form of the amendment drawn it expressly so that in the event of the passage of the bill litigations

raye, therefore, in the modified form of the amendment drawn it expressly so that in the event of the passage of the bill litigations which are to take place in pursuance of it, if any, shall be in subordination to the legitimate effect of the joint resolution of March 2, 1861, and the decisions of the Supreme Court.

Mr. President, I can not dwell longer upon this subject. I am addressing those to whom I am sure considerations of the nature I have

now suggested will have their due weight in the votes which they are to cast. I trust the amendment which I have now offered will receive

the sanction of the Senate.

The PRESIDING OFFICER (Mr. HARRISON in the chair). question is upon the amendment proposed by the Senator from New

Mr. BROWN. Let it be read.

The PRESIDING OFFICER. The amendment will be again read by the Secretary.

The SECRETARY. It is proposed to add as an additional section:

SEC. —. The provisions of this act shall not apply to those lands covered by the joint resolution of March 2, 1861, which the Supreme Court has decided by that resolution rendered valid the title to bona Red purchasers from the State of Iowa or its grantees prior to the adoption of said joint resolution.

Mr. LAPHAM. I ask for the yeas and nays upon the amendment. The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. VANCE (when Mr. RANSOM's name was called). My colleague [Mr. RANSOM] is paired with the Senator from Illinois [Mr. LOGAN].

The roll-call was concluded.

Mr. VEST. I am requested by the Senator from Louisiana [Mr. Jonas] to state that he is detained from the Senate by sickness. I have not paired him on this amendment, for I do not know how he would vote on it.

The result was announced-yeas 14, nays 38; as follows:

	YE.	AS-14.	
Bayard, Blair, Brown, Chace,	Garland, Groome, Harris, Lapham,	McMillan, McPherson, Miller of N. Y., Morgan,	Pendleton, Pike.
	NA'	YS-38.	
Allison, Beek, Butler, Camden, Cameron of Wis., Cockrell, Coke, Conger, Cullom, Dawes,	Frye, George, Gibson, Gorman, Hale, Hampton, Harrison, Hawley, Hill, Ingalls,	Jackson, Jones of Nevada, Manderson, Maxey, Mitchell, Morrill, Palmer, Platt, Plumb, Pugh,	Saulsbury, Sawyer, Sewell, Slater, Vance, Vest, Voorhees, Wilson.
	NOT V	OTING-24.	German and
Aldrich, Bowen, Call, Cameron of Pa., Colquitt, Dolph,	Edmunds, Fair, Farley, Hoar, Jonas, Jones of Florida,	Kenna, Lamar, Logan, Mahone, Miller of Cal., Ransom,	Riddleberger, Sherman, Sabin, Van Wyck, Walker, Williams.

So the amendment was rejected.

The bill was reported to the Senate.

The PRESIDING OFFICER. There was one amendment made

in Committee of the Whole. The question is on concurring in that amendment.

The amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time

the third time.

The PRESIDING OFFICER. This bill having been read three times, the question is, Shall it pass?

Mr. LAPHAM. On that question I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. WALKER. I am paired with the Senator from Virginia [Mr. RIDDLEBERGER], or I should vote "nay."

The results of the re

The result was announced—yeas 32, nays 24; as follows:

	YE	AS-32.	starting in but o
Allison, Beck, Bowen, Butler, Call, Cameron of Wis., Chace, Coke,	Conger, Cullom, Dawes, Frye, George, Hale, Harrison,	Ingalls, Kenna, Manderson, Maxey, Mitchell, Platt, Plumb, Pugh,	Saulsbury, Sawyer, Sewell, Slater, Vance, Vest, Voorhees, Wilson.
	NA	YS-24.	
Bayard, Blair, Brown, Camden, Dolph, Edmunds,	Fair, Garland, Gibson, Gorman, Groome, Harris,	Hawley, Jackson, Lapham, McMillan, McPherson, Mahone,	Miller of N. Y., Morgan, Morrill, Pendleton, Pike, Sabin.
	NOT V	OTING-20.	
Aldrich, Cameron of Pa., Cockrell, Colquitt,	Hampton, Hoar, Jonas, Jones of Florida,	Lamar, Logan, Miller of Cal., Palmer,	Riddleberger, Sherman, Van Wyck, Walker,

So the bill was passed.

So the bill was passed.

The PRESIDENT pro tempore. The Chair lays before the Senate under the special order passed on the 14th of February Order of Business 542, the title of which will be read.

The CHIEF CLERK. "A joint resolution (H. Res. 170) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made."

pensation has been made."

Mr. PLUMB. I move to proceed to the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other pur-

Mr. CONGER. In regard to the bill the title of which was announced, I wish to enter an objection to its consideration.

Mr. ALLISON. What became of the pre-umble to the Des Moines bill; has that been agreed to? I think that had better be agreed to or struck out.

The PRESIDENT pro tempore. The Chair was not advised that there was a preamble to the bill just passed. The preamble will be read. The Chief Clerk read the preamble to Senate bill 1886.

The PRESIDENT pro tempore. The question is on agreeing to the

The preamble was rejected.

Mr. HOAR. I should like to have the bill examined to see whether

there is anything in the bill referring to the preamble.

The PRESIDENT protempore. The Secretary will examine the bill, and the Chair will again call the attention of the Senate to the bill if it is found to contain a reference to the preamble.

Mr. ALLISON. I will look at it.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and re-

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 301) granting a pension to Theodore Leveron;
A bill (H. R. 1710) granting a pension to George W. Bean;
A bill (H. R. 1873) for the relief of Edward Kraemer;
A bill (H. R. 3735) granting a pension to Mary A. Grennon;
A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;
A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
A bill (H. R. 5581) granting a pension to William Paugh;
A bill (H. R. 5998) granting an increase of pension to Jonathan C. Harrison; Harrison

A bill (H. R. 6505) granting a pension to Corydon Millard; A bill (H. R. 6960) for the relief of Charles L. Alden; A bill (H. R. 7248) to increase the pension of Jane D. Brent; A bill (H. R. 7303) to restore the name of Thomas Ferguson to the pension-roll;

A bill (H. R. 7417) for the relief of Spencer Sauer;
A bill (H. R. 7418) for the relief of Maria Spellen;
A bill (H. R. 7485) granting a pension to Alexander Weide;
A bill (H. R. 7513) granting a pension to Margaret B. Harwood;
A bill (H. R. 7863) granting a pension to Thomas M. McChesney;

- A bill (H. R. 7990) granting a pension to Joseph Sansom; A bill (H. R. 7992) for the relief of Christian Arndt; A bill (H. R. 7993) for the relief of William Stansberry;

- A bill (H. R. 7993) for the relief of William Stansberry;
 A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;
 A bill (H. R. 8069) granting a pension to Catharine Helton;
 A bill (H. R. 8152) for the relief of William D. Farnsworth;
 A bill (H. R. 8187) granting a pension to Chancey G. Darrah;
 A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton; and
 A bill (H. R. 8229) to grant a pension to James Dye.
 The following bills were severally read twice by their titles, and re-

- The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

 A bill (H. R. 7229) to remove the political disabilities of J. J. B. Walbach, of Baltimore, Md.;

 A bill (H. R. 7231) to remove the political disabilities of John D. Cooke, of Virgina; and

 A bill (H. R. 8032) to remove the political disabilities of Virginius
- Freeman, of Virginia.

JAMES BEDELL, SR.

The PRESIDING OFFICER (Mr. HARRIS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2327) for the relief of James Bedell, sr., which was to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll the name of James Bedell, sr., as dependent father of Samuel Umstead, subject to the provisions and limitations of the pension laws.

The amendment was referred to the Committee on Pensions.

ISARELLA TURNER

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2009) granting a pension to Isabella Turner; which was to strike out all after the word "pension-roll," in line 6, down to and including the words "eighteen hundred and eighty-two," in line 8 of the bill.

The amendment was referred to the Committee on Pensions.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments

Clerk, announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia; and

A bill (H. R. 3933) to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other purposes.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The Senator from Kansas moves that the Senate proceed to the consideration of the Post-Office appropriation bill. The question is on agreeing to that motion.

Mr. CONGER. Properly in the order of business a bill was laid before the Senate and that was the time for objection to its consideration under the eighth rule. I rose to make objection to that, because I may not be in my seat when it shall be called up again.

The PRESIDENT pro tempore. The Senator from Kansas [Mr. PLUMB] had risen previously, however, and had been recognized to make a motion that was in order; therefore the Chair recognized his motion as being the one to be put. If the Senator from Kansas will withdraw his motion-

Mr. PLUMB. I have no objection to withdrawing the motion for a

The PRESIDENT pro tempore. The Senator from Kansas withdraws his motion, and the Senator from Michigan objects to the consideration of Order of Business 542, being House joint resolution 170.

Mr. MORGAN. I move that the Senate proceed to the consideration of that joint resolution, notwithstanding the objection.

The PRESIDENT pro tempore. The Senator from Alabama moves that the Senate proceed to the consideration of this joint resolution notwithstanding the objection.

Mr. INGALLS. What is the title of it?

The PRESIDENT pro tempore. The title has been read. It will be

The CHIEF CLERK. A joint resolution (H. Res. 170) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made.

Mr. PLUMB. Will it be in order for me, pending that motion, to move to proceed to the consideration of House bill 8138?

The PRESIDENT pro tempore. The Chair thinks it will..

Mr. PLUMB. I move, then, that the Senate proceed to the consideration of House bill 8138.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT pro tempore. Pending the motion of the Senator from Alabama, the Senator from Kansas moves that the Senate proceed to the consideration of the Post-Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the

Whole, resumed the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, the pending question being on the amendment proposed by the Committee on Appropriations to strike out all after the word "five," in line 136, to and including the word "postage," in line 138, as follows:

And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage.

I stated on Saturday that my recollection was that the Post-Office Committee had recommended, and the Senate had concurred in, an amendment to the law authorizing the marking of an

article in a paper sent by one individual to another.

Mr. PLUMB. I should be glad to have order in the Chamber; I can not hear a word the Senator says.

The PRESIDENT pro tempore. Senators will please cease conversation.

Mr. MAXEY. I was just saying that I had on Saturday, when this same question was up, not having the book then before me, given my recollection of the passage of such an act as is contained here. I find by reference to the laws this:

And the sender of any article of the third class of mail-matter may write his or her name or address therein, or on the outside thereof, with the word "from" above or preceding the same, or may write briefly or print on any package the number and names of the articles inclosed.

That embraces every character of mail matter of the third class sent by one person to another. It did not extend to newspapers forwarded from the office of publication, but then we gave them this right in the next following clause:

Publishers of newspapers and periodicals may print on the wrappers of newspapers or magazines sent from the office of publication to regular subscribers the time to which subscription therefor has been paid.

That was as far as we thought it necessary or proper to go; and I think the law now goes just as far as it ought to go. There is no reason for giving to an office of publication the right to mark articles. There is a reason where an article is sent from one person to another to give the right to mark it, because the only object of sending the paper is on account of the particular article. Hence I see no reason for the clause now moved to be stricken out.

The PRESIDENT pro tempore. The question is on agreeing to the recommendation of the Committee on Appropriations to strike out the words which have been read.

The amendment was agreed to.
Mr. MAXEY. I call the attention of the Senator in charge of the bill,
before we leave the part we are now at, to lines 106 to 117. I wish to

avoid what is evidently a confusion.

Mr. PLUMB. I will say to the Senator from Texas that the proper way I think would be to go through with the committee's amendments, and then we can return to this, and in the mean time I will have an opportunity to examine what is there.

Mr. MAXEY. Very well; I only want to have the confusion re-

moved.

Mr. FRYE. I desire to inquire whether or not the order made or the understanding is that the committee amendments shall first be acted on

The PRESIDENT pro tempore. That is the understanding. The reading will proceed.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, in section 1, to strike out the following clause, from line 139 to line 151, inclusive:

That at the future lettings of contracts for the manufacture of postage-stamps, stamped envelopes, postal cards, and other postal securities, the Secretary of the Treasury be, and he is hereby, required to submit bids for the manufacture of said stamps, stamped envelopes, postal cards, and other postal securities by the Bureau of Engraving and Printing of the Treasury Department, which bids shall be considered in competition with bids from private parties: But provided, That the Postmaster-General may reject any and all the bids of private parties, and award the contracts, or any of them, upon the bid of the Secretary of the Treasury, if, in his judgment, it shall be for the best interests of the Government to do so.

Mr. GORMAN. Mr. President, I trust this provision will not be stricken out. It simply provides that the Secretary of the Treasury may put in propositions from the Bureau of Engraving and Printing for the printing of postage-stamps, stamped envelopes, &c. The reason for it is manifest. The cost of printing stamps and stamped envelopes is estimated at \$1,300,000. The history of the Department work has shown that without a provision of this sort there is a combination made by engravers throughout the country which largely enhances the cost of this work. The Government has an immense establishment here with a corps of efficient employés able to do this work, and if they are permitted to put in a bid it will prevent combination and save hundreds of thousands of dollars.

A similar provision was made in an appropriation bill one year ago in regard to blanks for the Post-Office Department, by which the Government Printing Office was enabled to put in a bid, and the result was a very large saving to the Government.

From my examination of this matter I believe that two or three hundred thousand dollars will be saved to the Government if you permit your own engraving department, which is already organized with skilled mechanics, now half the time without employment, to compete with private parties for this work. That is all there is in the provision, and I trust it will be retained in the bill

trust it will be retained in the bill.

Mr. PLUMB. The committee recommended the striking out of this provision for two reasons: In the first place because it is legislation, and in the next place because, as they believe, it is bad legislation. I hope every Senator will take the bill and read this provision now in order to understand fully its scope. I will read it:

That at the future lettings of contracts for the manufacture of postage-stamps, stamped envelopes, postal cards, and other postal securities.

I hope the Senate will note the full scope of the provision. It not only refers to the manufacture of postal stamps, but of stamped envel-opes, postal cards, and other postal securities:

The Secretary of the Treasury be, and he is hereby, required to submit bids for the manufacture of said stamps, stamped envelopes, postal cards, and other postal securities by the Bureau of Engraving and Printing of the Treasury Department, which bids shall be considered in competition with bids from private parties: But provided, That the Postmaster-General may reject any and all the bids of private parties, and award the contracts, or any of them, upon the bid of the Secretary of the Treasury, if, in his judgment, it shall be for the best interests of the Government to do so.

It will be observed that that is a very peculiar provision. In the first place it would commit the Government, if a contract was awarded for the manufacture of envelopes, not to the mere printing of a stamp upon them but to the manufacture of the envelopes and the manufacture of postal cards and of every other form of postal security, as well as postage-stamps. In addition to that it requires that the Secretary of the Treasury shall make a bid not stating the cost to the Government of doing this work, but he shall make such bid as he sees fit, and after he has made the bid the Postmaster-General, without considering the question of the relative cost to the Government under the bid of the Secretary of the Treasury and under bids of private parties, may, if in his judgment he thinks it best, without reference to the question of cost at all, or considering that also if he pleases, give the bid to the Secretary of the Treasury instead of to private parties. In other words, the Postmaster-General is to pass upon the general question of public policy as to whether he thinks it is a good idea for the Government to erect paper-mills and enter on the manufacture of envelopes. There is not to be found so wide a discretion in the statute-book conferred on

any executive officer.

But, Mr. President, it is obnoxious even if it were guarded on that point. In the first place there is practically no way of telling exactly what the cost of any article is that is manufactured at the Bureau of Engraving and Printing. We can tell the gross cost of all the work done there, but no estimate can properly be made by the head of that bureau or by anybody else which will state to a fraction the cost of doing any part of that work, because all the elements can not be separated. The elements of cost on account of the use of capital, the wear and tear of machinery engaged in the manufacture of a particular thing covering a brief period of time can not be told; and even if it could be told there is no guarantee that it will be told in a bid of this kind. The Secretary of the Treasury might inadvertently or designedly bid onehalf the price that private parties would bid for this work, and the Government would not be the gainer thereby, because that one-half the cost would have to be made up by appropriations which would nominally go into the expense of printing other securities of the Government

that that bureau is engaged in printing now.

Mr. President, I think I speak for the entire committee when I say that not a single member of it believed, in the absence of any allegation that we were paying too much for the postal securities we are getting now, in the absence of any allegation that we are paying too much for stamped envelopes which are being furnished the Government now, it was wise for the Government to enter upon this experiment under any circumstances whatever. I believe I may go further and say that committee is unanimously of the opinion that the Government ought not to undertake the manufacture of this or any other thing where private capital and private skill are willing and able to do a good job at a fair price. I do not see any reason why the Government should manufacture paper in competition with private capital carrying on that same business, and neither did any other member of the committee; and so, for all these reasons, any one of which is conclusive to my mind, the

committee reported in favor of striking out the provision.

Mr. GORMAN. Mr. President, I have but a word to say in answer to the Senator from Kansas. As to the policy of this Government engaging in this work of engraving and printing, I suggest that it is too late a day to raise that question. The fact is the Government has found it necessary on the score of economy to establish an immense printing-office, in which all the printing for the Government Departments is now being done. It permitted that office, by the action of this body and with the consent of the Senator from Kansas and the unanimous report of the Committee on Appropriations one year ago, to enter into competition with all the private establishments in this country to do the printing for the Post-Office Department. The result of that legislation on an appropriation bill one year ago has decreased the cost of printing of the ordinary blanks used by the Post-Office Department.

You have in addition to that established a Printing and Engraving

Bureau for the purpose of printing notes and bonds and all the various stamps used by the Internal Revenue Bureau. It is here, with a well organized corps of thorough and efficient men, with an expensive building, and with machinery already paid for by the Government. There is not sufficient work now to keep those employés constantly engaged or the machinery constantly in motion. The proposition as it comes from the House is to enable the Bureau of Engraving and Printing to converte for postage-stamps and stamped envelopes precisely as you not compete for postage-stamps and stamped envelopes precisely as you permit the Government Printing Office to compete for blanks used in the

Post-Office Department.

The suggestion of the Senator from Kansas that the Secretary of the Treasury would put in a bid much below the cost I think is without force. The fact is that every bid that has ever been made by any printing department of the Government has been based on the exact cost, and they would not attempt to put in a bid for less. act cost, and they would not attempt to put in a bid for less. It this provision is adopted, judging by the experience in the Printing Department, it will prevent a combination of engravers and printers to add largely to the price paid by the Government. The effect of this provision is that it operates as a check, and prevents the combination of a few engravers of this country to rob the Government, to use a strong expression, as has been done before.

It is not a new question. When you printed the immense quantity of greenbacks that were issued by the Treasury Department and the national-bank notes and revenue stamps the same condition of affairs existed, and it was of such an extraordinary character that Congress determined to construct a building for engraving and printing Government securities and to establish this corps. The only question now is whether you shall use that organization already provided for by law to prevent extortion on the Government.

Mr. HAWLEY. I hope the Senate will give some attention to this provision, because I regard it as one of considerable importance. I am heartily in favor of striking it out. In the first place, upon the ground of general policy it is not well for the Federal Government to enlarge its already vast number of employés—of workmen alone, I mean. The necessary enlargement due to the growth of the country is quite sufficient. The proposition is here to let the Government be a bidder against private manufacturers in a matter which private manufacturers understand perfectly well and in which there is no difficulty whatever.

The Senator from Maryland referred to the fact that we have estab-The Senator from Maryland referred to the fact that we have classished a Bureau of Printing and Engraving where we print bank notes and bonds. Other considerations come in there. It is not a mere question of economy there; it is one of safety to the securities of the Government of the complete of affairs neither is the ernment. But the envelope is not a complicated affair; neither is the engraving upon it. That is a contemptible trifle of the cost, just preparing the die for the little stamp on the corner of the envelope. The main business is a simple one, the manufacturing, of course expensive when you reflect on the hundreds of millions of envelopes that are The Government can not be a fair competitor in private business in the first place. The Government may just as well say now first as last we will take this whole business of manufacturing envelopes, a very simple business, into the Government office, as to pretend to bid against private manufacturers.

The Government officers in making this bid will take no account of rent, and yet there will be really a charge against this work of rent, or should be. They will find it necessary to enlarge their public buildings in order to do it. The officers of the Treasury in making a bid ings in order to do it. The officers of the Treasury in making a bid will take no account of insurance. The Government is its own insurer It will take no account of taxes; it will take no account of the depreciation of machinery, which is 10 per cent. a year upon a very costly set of machinery. It will take no account of the percentage of the compensation of supervising officers that ought to be charged to the envelope agency. The Government can not be holden to any particular sum if it bids to do the work at a certain rate, because it must go on and finish the work whether it costs twice that or not. There is nearly to specify to specify the specific product to be compensation of supervision of the product to the pr

nobody to sue upon a bond, nobody to keep within certain fixed limits. The result of this thing will be to destroy very largely the business of

making envelopes in the country. The chief thing will be the envelope and not the little security stamped on one corner of it.

There are many large manufacturing establishments in the country that make envelopes. The result of the Government printing the stamped envelope will be that the stamped envelope will be put on the market for a less price than any private person can make an envelope, because the Government will not take into account the proper elements of cost; therefore all Government envelopes, unless they be the fanciful, the elegant ones that are intended for purely social purposes, will be made at the Government works. It will absorb those establishments that now require many thousands of workmen in various large manufacturing establishments. The demand in one year for stamped envelopes would be such that there would be no envelopes going into the mail practically except those made at the Government works and a few invitations to parties and announcements of funerals and various things that people would want to send in an envelope of a peculiar pattern. What would be the result? Several hundred thousand dollars' worth of machinery would be useless, and an honest private business, in which there is no necessity in the world for you competing, would be destroyed.

I know something of these establishments. I know one that does some Government work. I know of several of them; one that has \$130,000 worth of envelope machinery. That would not be one-half what the Government would require if it went into the business. They charge 10 per cent. a year for depreciation and repairs of that machin-ery. Then they have the salaries of their officers to pay, and they exery. Then they have the salaries of their officers to pay, and they expect to make a dividend. The Government would not expect to make any dividend. There is 5 or 6 or 7 per cent. of the capital involved, in favor of the Government. There is no necessity for this in the world. You might just as well go to work and make all the paper you want, instead of opening bids as you do every year for the Government Printing Office; you might as well set up the whole range of manufacturing industry in this city of Washington to the destruction of many private concerns in order to carry on business under the Government. The result is that the Government does not make as cheenly, and as a rule result is that the Government does not make as cheaply, and as a rule it can not make as cheaply as a private establishment. It works only it can not make as cheaply as a private establishment. It works only eight hours a day in the first place. I find no fault with that, but private establishments that give heavy bonds to do work do work more hours than that and get the work done.

Everybody knows that as to certain branches of Government work it

is necessary that the Government do them anyhow whether they cost the same or not, for security and for convenience. For the security of the bonds and the notes of the Government, the valuable moneyed securities, it is right that it should do its own engraving. So, too, we must have a Government Printing Office rather than sublet the work to forty establishments, because it is a very large work and you could hardly get private capital to put in so heavy a plant as is required. It is the largest printing office in the world, and we must have something at our command from which we can order a job to be finished over night. No private actal schole work was a second or the second order and the second order and the second order and the second order as the second order or the second order as the second order or the second order order or the second order or the second order or the second order or the second order or vate establishment, unless you gave it three or four or five million dollars capital, would undertake to do the work that the Government Printing Office does, in my opinion. I do not know the exact worth of the plant; but it has done what has never been done by any establishment in the world anywhere else, and I do not think it could be done by any two establishments in the world put together. It took this great volume, the Revised Statutes, printed and bound and laid it on the table of the Speaker in twenty-four hours. It is necessary to the carrying on of this great Government that it should own some such things; but the making of an envelope, a simple matter of folding with the insignificant work of stamping the money value on one corner, is a purely mechanical operation. It requires costly machinery. I think it is a great mistake for the Government to go into this line of business.

Mr. MORGAN. I hold to the doctrine that where the Government

is the only customer of certain descriptions of work the Government ought always to have some arrangement by which it can come into competition for that work; and that is the doctrine which pervades almost all the statutes where public work is done under act of Congress. For instance, in the river and harbor bill we provide always, or at least we always should provide, that the Government may let out contracts to bidders, or in the event that bidders can not be found at a suitable rate that the Government should be enabled to do the work. I can recall instances in my own State where 50 per cent. of the money was saved upon contracts where lettings were made on the work in the bay of

It is true throughout the country. If we should take the whole river and harbor improvement bill and let it out alone to private contract, without reserving to the Government a right to interpose and have the work done on its own account, we should not get perhaps more than 50 or, at most, 75 per cent. of the same amount of work done for the same money. So in making ships and in making guns the Government desires to have its work, for which it is the only customer, done for a reasonable sum of money. It should keep down combinations among manufacturers. It has to resort to this system of allowing itself or its own institutions to bid for these contracts.

The words of this bill that are proposed to be stricken out by the

That at the future lettings of contracts for the manufacture of postage-stamps, stamped envelopes, postal cards, and other postal securities, the Secretary of the Treasury be, and he is hereby, required to submit bids for the manufacture of said stamps, stamped envelopes, postal cards, and other postal securities by the Bureau of Engraving and Printing of the Treasury Department, which bids shall be considered in competition with bids from private parties.

Every one of these designated stamps, stamped envelopes, postal cards, and postal securities stand in the place of money. They are a description of currency by which postage is paid on the letters and other mail matter that traverses the country. It seems to me that the Government of the United States being the only party that can possibly have any demand for this description of money or this description of stamps, it ought to have the privilege of putting in a bid through its own organized department in order to create the spirit of competition that is necessary to have the Government treated fairly. Nobody desires anything more than that; nobody wishes to cut down the prices below a fair and legitimate standard, but still we ought not to put the Government in the power of combinations among those who happen to have the money or the machinery that may be necessary for the manufacture of these articles. We have our establishments here; they have been organized at great expense; we have the machinery; we

have every facility for manufacturing these articles, so far as I am informed. I do not understand that we should have to enlarge our estab-

lishments in order to make this bid.

Mr. HAWLEY. Will the Senator allow me? Mr. HAWLEY.

Mr. MORGAN. Certainly

Mr. HAWLEY. It would take a very large sum of money to buy all the envelope-folding machines needed. They would take a large space. It would be necessary to have buildings and a heavy investment for machinery, and a very large roll of employés to make the hundreds or thousands of millions of envelopes that would be required.

Mr. MORGAN. Then they can not bid because we have not any appropriation for it. Nothing in this bill would authorize any expenditure of that kind, and of course the Government would only bid for those things it was competent to do. I grant you that the Government has not any establishment here for the manufacture of envelopes, but that is not what is meant by this clause as I understand: it is nutting the is not what is meant by this clause as I understand: it is putting the

impress, the imprimatur of the Government upon an envelope.

Mr. HAWLEY. Oh, no; the manufacturing of the envelopes, the

folding of them. Mr. MORGAN.

It reads:

That at the future lettings of contracts for the manufacture of postage-stamps, stamped envelopes, &c.

Not envelopes without stamps, not envelopes to be sold in the gen-

eral market of the country.

Mr. HAWLEY. I dislike very much to interrupt the Senator; but it would be supremely ridiculous to fold the envelope by private contract and bring it here and have a little insignificant stamp put upon it. It had better all be done at one establishment. There can be no doubt the contemplation of this provision is to have the envelope made

here.

Mr. MORGAN. I suppose we are not fully equipped to manufacture these envelopes. I suppose it would require an additional expenditure. Then, of course, the Secretary of the Treasury would not put in a bid for that part of the work; he would separate it and put in a bid for the parts he is able to do with the machinery we have already on hand. But, as I remarked before, there is no appropriation here for the incresse of the establishment in any way; none is required by this bill, and none will be brought up, I dare say, on the sundry civil or any other bill.

The whole question resolves itself, in my judgment, into this proposition: Shall the Government, being the only consumer, the only party that can have a demand for this work, be permitted through its established agencies and institutions to compete for the work?

Mr. DAWES. Mr. President, a stamped envelope is made precisely

Mr. DAWES. Mr. President, a stamped envelope is made precisely as any other envelope is, by a single motion of a machine. The paper comes from blank paper in the ordinary sheet into a stamped envelope by one single, solitary motion of a machine, and when the Government proposes to make a stamped envelope it must have all the machinery that is required to make envelopes without stamps with the only difference of attaching to that machinery a die. When the Government makes that kind of envelope without putting into the cost of the envelope the express of the plant precessary or the interest upon the velope the expenses of the plant necessary or the interest upon the plant, or the insurance upon the plant, or the rent of the plant or any other incidental expense, being nearly 40 per cent. of the whole expense, no private establishment can compete with it. When the Government makes an envelope without taking these items into account, the Government must make all the envelopes, for nobody else can make envelopes in competition with the Government when the Government furnishes a stamped envelope at less than half the difference between the stamp and the envelope that would be necessary, if you bought an unstamped envelope. So then it involves necessarily the extinguishment of the private manufacture of envelopes of any kind, unless it may be possibly those alluded to by the Senator from Connecticut. Therefore the Government must understand that if it undertakes to manufacture all the stamped envelopes it must manufacture all the envelopes that go into commerce and that at this moment there are more than 5,000 men at that work, and it is importing into the city of Washington and around the Bureau of Engraving and Printing that number

I have always understood it to be considered a matter of regret that we were under the necessity of maintaining such a vast establishment as the Printing Office; but the considerations that enter into the main-tenance of that are such that it can not be obviated, and it is a neces-sity to carry on that vast establishment because of the nature of the work. But none of those considerations enter into this matter. The stamped envelopes, the postal cards, and the stamps themselves that are made separately can be, so far as convenience or necessity or use is are made separately can be, so far as convenience or necessity or use is concerned, made at one place as well as another. It is only a question of cost. Now, the Government does not save at all, because it does not charge to the cost of the manufacture of an envelope the cost of the plant, or the interest on the plant, or the insurance, or anything like that. It does not save that because it pays it in another way; it all comes out of the Treasury, although it is not charged off against the cost of each envelope. So while the Government by thus disregarding what must in the end come out of the Treasury as an element of cost can put upon the market envelopes so much cheaper than the private person can that the market envelopes so much cheaper than the private person can that they at once must take the whole business and must, as I have said.

gather all this plant. There are to-day hundreds of these plants fully

employed to supply the demand of the country.

The Senator from Alabama says that as to that of which the Government is the sole consumer the Government should be a bidder or should be able to manufacture. The Government is the sole consumer of the materials out of which the uniforms of the Army are made, the uniforms of the cadets at West Point and at Annapolis. The Government is the sole consumer of very many things that it has no idea of man-ufacturing; as establishing a woolen-mill to manufacture the cloth, or a tailor's shop to make up the clothes, or a button factory to manufacture the buttons. As to that which from the nature of the thing itself it is wisest and safest that the Government alone should manufacture, like its bond paper and like its postal securities (and it may possibly be like the engraving of the separate postage-stamps), the Senator from Alabama is correct, but as to that which can just as well be made in of the Government a paternal character and a universality of business that is quite out of the question; and in the end, after having broken down all private enterprise in this kind of business, it would result disastrously. But this the Senator had not alluded to, nor did the Senator from Maryland. the country at large by private enterprise, it is assuming on the part

Mr. MORGAN. I wish to inquire of the Senator from Massachusetts for what purposes the Bureau of Engraving and Printing was established? What do we expect to do with it if it is not to be used for

business like this?

Mr. DAWES. It was not established to see how large we could make it. It was not established to see how many homes could be made in it. It was established to perform that kind of work which in its nature ought to be performed by the Government under safeguards and ure ought to be performed by the Government under safeguards and exclusiveness, in the making of which there was no propriety in letting all the world participate, because all the world would be likely to throw upon the markets the products of such industry. That I always considered was the reason why we created it. First it originated with the greenback. It is perfectly apparent that the Government could not let out to all the world the engraving pertaining to the greenback. From the greenback it became enlarged into other matters, the engraving of the stamps of the Government and things of that kind. It does not do the greenoack it became emarged into other matters, the engraving of the stamps of the Government and things of that kind. It does not do private work. It does not do any kind of engraving unless it may be the heads of Senators at some time, except that which the Government itself uses and ought to have entirely within its control, so that it may have in itself all safeguards and prevent all liability of counterfeiting.

But I wish to know what the last clause in the paragraph means if it does not mean that you offer to the public an invitation to bid for the doing of this work, and you invite them to put themselves down to the lowest possible point and to accommodate their machinery, their capital, and their investment to it, and when it is done we will do as we

have a mind to; we will crush you out entirely and go into the manufacture of private productions along with you.

The Senator from Alabama is mistaken when he says the Govern-The senator from Alabama is mistaken when he says the Government is the sole consumer of stamped envelopes. The people are the consumers of stamped envelopes. The stamp is all that the Government furnishes. The stamped envelope, like every other envelope, is for the use of the people, and the people are to pay the cost of it, and it is wise and proper that no more than the cost and a decent profit upon that cost should be attached to the envelope. It should be brought as low as it possibly can be and continued. It seems to me that when you whealt in the meanifest upon full these nexts leaders and embark in the manufacture of all these postal cards and envelopes and work of that kind you might just as well set up a woolen-mill, a hatter's shop, a shoemaker's shop, and turn the city of Washington into a grand center of manufacturing of which the Government will furnish the capital and the Government will furnish the employés.

Mr. PLUMB. It ought to be understood that if we commence this thing we shall never quit it. The Government has never entered upon a domain or manufacture or a creation of anything that it has ever a domain or manufacture of a creation of anything that it has ever ceased it. If this year the Treasury Department should bid to do this work at half the cost and supply itself with the plant and go on to do it, next year it will do the work if it costs twice or even three times as much as private enterprise would do it for. We would simply be entering upon a new scope and system and plan of operations in regard

to carrying on this business

It is not cognate to that of the public printing generally, because there after great experience Congress determined that it would be practicable to always have on hand the facilities to do the work and not to submit to the general scuffle of bidding; but in this case there has been no complaint anywhere either of the quality of the work or the price at which it was done. Private parties have not only been ready and willing to do this work, as they have been to carry the mails and do other things, at a reasonable price, but there have been built up great establishments which the Government now would practically break up if it were to enter upon the matter in this way. I do not mean to say that necessarily it would result in that being done by the Government, but by the dangerous power vested in the Secretary of the Treasury and the Postmaster-General by this section, it does not limit them to accepting the lowest bid or the best bid, but simply says to the Postmaster General, "If you think on the whole, without reference to what private parties may have bid, that the Government ought to enter upon

this manufacture as a public policy, then you can give the bid to the Secretary of the Treasury and reject those of all the private parties."

Mr. GORMAN. I can not allow the vote to be taken without say-

ing a word further in reply to the Senators from Kansas and Connect-It seems to me that it is too late to raise the question as to the

propriety of the Government entering upon this work

The history of this bureau, as I have once before stated, is perfectly The history of this bureau, as I have once before stated, is perfectly well known. When we began printing the greenbacks and the stamps used in the Internal Revenue Bureau, it was found that a combination of engravers in the country, comparatively a few establishments, it is true, had been made, and they so extorted upon the Government that it was found absolutely necessary to establish a Bureau of Engraving and Printing for the purpose of preventing the Government from being robbed. The work of that department heretofore has been confined to the manufacture of greenbacks and national-bank notes and the stamps used in the Internal Revenue Bureau. One year ago, when the law was changed affecting the Post-Office Department so as to require an entirely different stamp, it is perfectly well known that a combination was made, and extraordinary prices have been paid by the Government for the stamps and stamped envelopes that are now used.

It is a mistaken idea to suppose that the Government will of necessity, if this provision is retained, be compelled to bid for all this work. I grant that it has not facilities to-day to make the stamped envelopes entirely, but it has the facilities for making the stamps, which is more than half of the amount that is covered by this item, or, in other words,

about \$750,000.

The effect of the provision, if it is passed, will be to prevent the combination of outside parties, and, in the judgment of many who have examined the question, it will save the Government a large amount of money without increasing the cost of our plant or without increasing the expenditures of the department a dollar; but on the other hand would we several hundred thousand dollars.

Mr. HAWLEY. Mr. President, just a word. The Senator says extraordinary prices are being paid for stamped envelopes. I traverse that. It is wholly a mistake. It is a kind of business that can not be got into the hands of monopolists, because it is a simple thing to buy the folding-machine and set up the envelope manufactory. It is not the folding-machine and set up the envelope manufactory. It is not as it was in the case of engravers. The engravers of fine bond plate or fine plates for bank notes are few in number. Very few men can do that, and it is easy for them to combine. The other is a simple branch of manufacture.

As my friend from Massachusetts says, you might just as well set up a tailor-shop as to go into the envelope manufacture. I make the prophecy that if you enter upon this branch of business you will have a great building within three years and many hundreds, perhaps a thousand or more, employés, and in three years from that time you will be paying more money for your stamped envelopes and postal cards than you pay

Mr. BECK. Mr. President, I did not examine this question with very great care because it impressed me in committee, as I believe it did the whole committee, that the work was being done pretty cheaply We heard of no combinations. It seems there was fair competinow. We neared of no combinations. It seems there was fair competition and very open competition in regard to all these matters, and it was thought we should not undertake it, especially under the latter clause of the paragraph, which provides "that the Postmaster-General may reject any and all the bids of private parties, and award the contracts, or any of them, upon the bid of the Secretary of the Treasury, if, in his judgment, it shall be for the best interests of the Government to do so." That would be giving a power to the Secretary of the Treasury. to do so." That would be giving a power to the Secretary of the Treasury and to the Postmaster-General to increase the employés of this

Government almost ad infinitum.

I am one of those who believe that the Government ought to employ its own agencies, where frauds might be committed upon it and where embarrassments might follow in the carrying on of the Government unless it had those agencies, such as the Printing Office, where the RECORD is to be printed every morning and where our public documents have to be printed, so that combinations can not be made against it by printing unions and other things. We have got to keep all those things under our control; but wherever the people can do anything, such as the making of the envelopes that the people buy to use on their letters, and postal cards, or anything else of that kind, we are no more under the necessity of going into that business than, as the Senator from Massachusetts very well said, there is for the Government to make the cloth that is worn in the uniforms of the Army or Navy or the flags that float from the masts of our ships.

My experience has been that nothing is ever as cheaply done when it is administrative as when it is done by competition as a commercial transaction. The Government never does carry on anything as cheaply

as private people can do it.

The committee were advised further, and I believe it will turn out to be so, that before a plant sufficient can be put down to start this business, a building twice as large as that of the Bureau of Engraving and Printing will have to be built, and five or six hundred, perhaps a thousand, employés will have to come in. I, for one, believe that no greater calamity can happen to poor people than to tempt them to come here to work for the Government under influences that may change every two or three years, and to be dependent on patronage and upon the power of political men or political parties. Whenever work can be done otherwise, I want to see it done. Mr. GORMAN. Will the Senator permit me to ask him a ques-

Mr. BECK. Certainly.

Mr. GORMAN. The Senator from Kentucky has had large experience here, and I ask him if in the establishment of the Bureau of Engraving and Printing, with the employe's paid fair prices and working eight hours a day, it is not a fact that the Government has saved thou-sands of dollars in the manufacture of greenbacks and bank notes and stamps used in the Internal Revenue Bureau over the prices formerly paid to contractors?

Mr. BECK. I am not prepared to answer that; but I do not believe it will be found to be the case if the Government is charged for the buildings it has erected, for the plant, and for everything else. No part of that ever enters into the calculation of a comparison between what is paid out under one system and under the other. I have no idea whatever that we have done the work anything like as cheaply. To illustrate: The Patent Office claimed that it was laying up immense sums in addition to all its expenses. An investigation showed that last year one hundred and seventy or one hundred and seventy-five thousand dollars for printing and other things were never charged to that bureau at all. While perhaps it pays its own expenses, all the surplus that is claimed was raid out by us in other formaths. claimed was paid out by us in other forms that we knew nothing about.

So it is in a variety of other things.

You must recollect that in any private establishment making stamps You must recollect that in any private establishment making stamps the cost of the building is a very great item and the cost of the machinery is a great item. All these things enter into the calculation in that case; but when you merely compare the pay of the employés and give the building for nothing, give the machinery for nothing, the fuel and all the other things, with no rent charged, perhaps the comparison may be in favor of the Government. I am not sure in regard to that. However, I know the fact, and we all know it, that we ought not, unless we are compelled by self-protection, to drive out the competition of our citizens by having Government employés here to convert such business into administration. There is enough of administration, there is enough of embarrassment, and there are enough people drawn here who according to my experience become more and more dependent, less and less self-reliant, less and less useful citizens the longer they stay here, dependent as many of them are upon the changes of the wheel of fortune in politics. We ought not to encourage any great increase of those classes of people if we can help it; and we can keep a very large number away by allowing this competition to go on in the manufacture of envelopes, which has been done satisfactorily before and I think it will

be done satisfactorily again.

The last clause of the paragraph I say alarmed me more than any other provision in it. I do not want the Postmaster-General, or the Secretary of the Treasury, I do not care whether he is a Democrat or a Republican, to have the right to disregard bids and say what shall be abolished. At any rate I was in favor of striking it out after all the information we had, so that we may hear from the House as to why it was put in, and that our conferees may hear in regard to it; whereas if we agree to retain the clause now we shall hear nothing and it will have passed out of our hands altogether.

Mr. MORGAN. I should dislike very much to see the last clause of

the paragraph stricken out in regard to any contract that the Govern-

That the Postmaster-General may reject any and all the bids of private parties, and award the contracts, or any of them, upon the bid of the Secretary of the Treasury, if, in his judgment, it shall be for the best interests of the Government to do so.

I understand that the right to reject bids is always reserved to the Department in every contract, and unless that right is reserved of course the Government is only to be victimized by whoever chooses to combine against it. I should not like to see that stricken out of any measure in regard to the making of contracts for any manufactures connected with the Government.

I presume from the tenor of the debate here this morning that the Bureau of Engraving and Printing is doomed. What are we to do with it? We have got it here established at very large cost. It may have been a very improvident and unwise arrangement when we established been a very improvident and unwise arrangement when we established it, but there it is. We seem to have no use for it. We are not printing any bonds; perhaps we are renewing a few. We are printing a few greenbacks and a few national-bank notes to renew those which are going out of circulation. The business of the bureau has fallen away until there must be a large amount of idle capital and idle plant there that is doing no good at all. If Senators want it abolished, I shall vote to abolish it, but while it is there and while it must be maintained at a heavy annual expense, I should like to see that bureau brought in as a competitor for public work in order that we may insure the getting of work done at moderate or fair prices for which we are compelled to

I do not know where those establishments are or how great they are. What I do know, however, is that the business of manufacturing postal stamps, postal cards, postal envelopes, postal money, is not a business that can be distributed about over the country into various hands. It requires a large establishment to carry it on. It requires a large plant, large capital to carry it on. The consequence is that there are very few bidders. I suppose that any Scatter have supposed that there are very few large capital to carry it on. The consequence is that there are very few bidders. I suppose that any Senator here acquainted with the business could understand perfectly well from this moment forward if this measure is passed into whose hands the work would fall. I suppose there is no doubt about that. The competition, if we will have competition, is really between one or two large establishments in the United States and the Government office. Now, shall we dispense with that competition? Shall we allow those great establishments to take this work at their own prices? That is the question. If we treat the matter presidents of the state of facts at the register that is the question. cisely as it exists under the state of facts as they exist, that is the ques-

If it was a business that could be distributed about into various hands, if we could put up real commercial competition about it, I should not care, because then I should know that the Government would be safe or at least largely so; but inasmuch as this work will be done by one or two great establishments, and only by those establishments, it seems to me to be our duty as far as we can go in the matter to have this competition through the agency of the Government Bureau of Engraving

and Printing.

and Printing.

The Senator from Kentucky [Mr. Beck] assumes that it is necessary to employ three or four hundred additional persons for the purpose of carrying this provision into effect. That can not be done unless Congress authorizes it. The effect of the provision is to bring the Government into competition for this work only so far as it is prepared to do it, and that the Secretary of the Treasury will perfectly well know when he comes to have the bidding submitted to the country by publication. That is the whole effect of it. It will not increase necessarily the expenditures of the Government one dollar except to get the material that is necessary to be manufactured into the stamped enveloped. material that is necessary to be manufactured into the stamped envel-

opes, stamps, and postal currency. That is all of it.

Now, I insist again that it is the duty of Congress to put it in the power of the Government of the United States to have its work done at fair prices, and that is a duty which we can not accomplish under

existing circumstances, it seems to me, unless we avail ourselves of the Bureau of Engraving and Printing as a competitor for these contracts.

Mr. PLUMB. It ought to be stated here as a fact, as it is, that this work has been done for the Government at a lower price every year, showing that competition has its full effect in this as it has in ordinary branches of business. If the statement with which the Senator from branches of business. If the statement with which the Senator from Alabama concluded his speech is to apply, then the Government ought to have horses and wagons so that in cases where it should be necessary to enlarge the star-route service it may supply from headquarters at Washington or elsewhere the mail service with the necessary machinery to carry it on. If we can not rely upon private competition, let us carry it out to the logical conclusion; let the Government have all these things on hand and a plant ready to carry on the manufacture not only in regard to mail matter, but, as the Senator from Kentucky says, the clothing for the Army, and things of that sort, if private parties do not meet

its expectations.

Mr. McPHERSON. Mr. President—

Mr. BECK. If the Senator from New Jersey will allow me, I was about to say to the Senator from Alabama [Mr. Morgan] while he was speaking—I did not like to interrupt him—that on one branch of his argument there need be no apprehension in regard to the use of buildings because of the diminishing service, because the building used by the Bureau of Engraving and Printing is one of our own, and in addition to all the public buildings we have in Washington now we are paying rents to private owners which last year amounted to \$186,000,

paying rents to private owners which last year amounted to \$186,000, so that if that building is not sufficiently employed hereafter because of the diminution of bonds and other things, we can diminish the enormous rents that we are now paying for the leased buildings by occupying part of that building for something else.

Mr. McPHERSON. I have listened to some of the most extraordinary arguments touching this question that it has ever been my privilege to listen to in the Senate upon any question. The Senator from Kansas [Mr. Plumb] seems to go upon the idea that if we can consistently and properly employ the Government forces and the Government property for the manufacture of stamps and things of that kind and character used by the Post-Office and other Departments of the and character used by the Post-Office and other Departments of the

Government, we can with the same propriety institute some new proceeding as to the conveyance of mails, &c.

It seems to me that if there is one thing that the Government of the United States ought to take upon itself to do, it is to print all the stamps that the Government uses in every Department, in the Post-Office Department as well as in the Internal Revenue Department. In order that we might be able to print the bank notes and other evidences of debt of the United States, the Government proceeded to put up an exmake contracts.

The Senator from Kansas said that this would be the breaking down of some great establishment or great establishments. That may be so.

large building constructed by the Government, for that purpose, and it can just as well as not proceed to make the post-office stamps, the internal-revenue stamps, and every stamp issued by the Government. No particle of paper upon which the bonds, the bank notes, or any

issues of the Government are made, should ever be allowed to leave the custody of the Government officers until it is prepared and printed. No post-office stamp should ever be permitted to be printed in any other place except at a Government office and under the supervision and control of Government officers.

With the vast expenditure of money by the Government for a plant, for machinery to-day lying out of use, it is now proposed to continue the contract system, under which the postage-stamps have been here-tofore printed at a great profit—I know whereof I speak; I say at a great profit—to the contractors who have had the contracts heretofore.

It is time that some reforms were made in the Government, particularly with regard to its stamps. How do we know whether they are all returned to the Government or not? When you have made a contract to print a certain quantity, and a very large quantity, of postage-stamps in some establishment in the city of New York, how can the Government know except under the supervision of a Government officer whether they have over been returned to the Government or not? cer whether they have ever been returned to the Government or not?

Mr. PLUMB. If the Senator will observe this bill he will find that at every place where these envelopes and stamps are manufactured the Government has its agents and assistants who are there for the purpose

of inspecting the manufacture and indicating whatever is necessary for the safety of the product.

Mr. McPHERSON. Then the Government makes a contract with some party to make the stamps, and employs a horde of Government officers to go there and watch the Government contractors. It is just as easy to have that work done here in Washington under the supervision of officers already in the employment of the Government without any extraordinary cost. The Government of the United States, in its own establishment, under the control and direction of its own officers, by its own machinery, and under its own supervision, should make every stamp issued by the Government for any and every purpose. That is one of the things that can not reasonably or properly be trusted to any establishment outside of Government control absolutely.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The ques-

tion is on agreeing to the amendment recommended by the Committee

on Appropriations.

Mr. GORMAN. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 32, nays 20; as follows:

	YE.	AS-32.		
Aldrich, Allison, Beek, Blair, Cameron of Wis., Chace, Conger, Cullom,	Dawes, Dolph, Edmunds, Frye, Harris, Harrison, Hawley, Hoar,	Ingalls, Jones of Nevada, Lapham, Mahone, Manderson, Miller of Cal., Miller of N.Y., Mitchell,	Morrill, Palmer, Platt, Plumb, Sabin, Sawyer, Sewell, Wilson,	
	NA	YS-20.		
Bayard, Brown, Butler, Call, Camden,	Coke, Garland, George, Gibson, Gorman,	Hampton, Jackson, McPherson, Maxey, Morgan,	Pugh, Sherman, Vance, Voorhees, Williams.	
	ABSI	ENT-24.		
Bowen, Cameron of Pa, Cockrell, Colquitt, Fair,	Groome, Hale, Hill, Jonas, Jones of Florida, Kenna.	Lamar, Logan, McMillan, Pendleton, Pike, Ransom	Riddleberger, Saulsbury, Slater, Van Wyek, Vest, Walker.	

So the amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 172, to insert the subhead-

Office of Superintendent of Foreign Mails,

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out section 3, in the follow-

SEC. 3. That a special stamp of the face valuation of 10 cents may be provided and issued, whenever deemed advisable or expedient, in such form and bearing such device as may meet the approval of the Postmaster-General, which, when attached to a letter, in addition to the lawful postage thereon, the delivery of which is to be at a free-delivery office, or at any city, town, or village containing a population of 4,000 or over, according to the last Federal census, shall be regarded as entitling such letter to immediate delivery within the carrier limit of any free-delivery office which may be designated by the Postmaster-General as a special-delivery office, or within one mile of the post-office at any other office coming within the provisions of this section which may in like manner be designated as a special-delivery office.

Mr. MORGAN. I desire to ask the Senator in charge of the bill whether the committee had any objection to this provision upon its merits, or whether the committee reported to strike it out merely be-

cause it was new legislation?

Mr. PLUMB. It was stricken out chiefly because it was general

matter and determine whether it was wise legislation. There are some things about it which are attractive on the face, but there were some suggestions also that it might not work very well, and it was thought best not to try an experiment of this kind on an appropriation bill, but that it should go to the appropriate committee and receive consideration first from that committee, and then come to the Senate and be discussed in all its bearings, as it was manifest it could not be on this bill, because, in the first place, there is no time, and, in the next place, because it not being relevant to this bill those who would be chiefly interested in it and in the subject-matter might not be present to dis-

Mr. MORGAN. Of course if the committee did not have time to consider it, that is a good objection to the section. Being a new system with which they were not satisfied, which is not under consideration or has not been passed in review before the Senate, that fact ought to be a good objection to it; but I hope when it comes back from the conference committee, if it ever should come, that it will not then be adopted, for we shall have certainly no time to discuss it when it comes back from the committee of conference. I understand that we can not amend it under our rules; that all we can do is to strike it out or let it stay in. I shall not object to it if it is going out, but I wanted to understand the manner in which it was to be stricken out.

Mr. SHERMAN. The remark made by the Senator from Alabama induces me to say at this point that if this provision is to be entertained in the committee of conference, it ought to be debated here. I am decidedly opposed to it. I think it would make "confusion worse confounded." The introduction of a 10-cent postage-stamp for special delivery would create all the embarrassments of the transportation or express companies. I think therefore the Senate ought to vote understanding that it is to vote against the proposition on its merits. I have looked at it sufficiently to believe that it would create very serious em-I do not know anybody who is in favor of it in the

Mr. PLUMB. Speaking for myself, I will say that I quite agree with the Senator from Ohio, but it is not within the purviewof my authority, present or prospective, to speak of what may happen as the result of a conference. Conferences are supposed to be free conferences, and consequently those who enter them enter them free from instructions, and they are supposed to be also free from any predisposition to agree or disagree to a particular thing. All I can say is that if this agree or disagree to a particular thing. All I can say is that II this conference is constituted in such a way as that I should happen to be a member of it, as it may be, it will not make any report to the Senate the full scope and purpose of which the Senate will not be advised of. To the extent to which the conference may insist on this or other amendments, I can not say anything about, but certainly I was not convinced that this was a proper provision to put on the bill and I can see a great many things in it as a reason why it would be in itself in practice cumbersome and lead to a great deal of confusion in the administration of the Post-Office system. We have now a very fair system, and if it is to be extended at all it ought to be extended only upon the very fullest consideration, and certainly not in any way by a provision upon an appropriation bill.

I will take this occasion to move, in line 155, to strike out the word "nine" and insert "five;" so as to make the clause read: "For manufacture of stamped envelopes and newspaper-wrappers and letter-sheets, \$745,000," instead of \$749,000. I move that amendment on the suggestion of the Postmaster-General. An amendment which will probably

be put on the executive, legislative, and judicial appropriation bill will relieve the necessity of that branch of expenditure to that amount.

The PRESIDING OFFICER. The amendment suggested by the Senator from Kansas will be received if there be no objection. The question is on that amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The question recurs on the amend-

ment of the Committee on Apprepriations to strike out section 3.

Mr. MAXEY. I trust the Senate will strike out section 3, for this reason: An examination of the section will show that there is a very great probability of a considerable additional expenditure to be incurred if it is adopted. It has never been placed before the Post-Office Committee of the Senate. There has never been any information given to that committee on that question, nor has that committee ever reported any information in regard to it to the Senate. It may be a very good thing; but I do not know that there is any emergency which requires its immediate passage. I think, therefore, the Committee on Appropriations is entirely right in striking out this section and leaving it for future examination. If it is a good thing it can be referred to the Post-Office Committee and be there investigated, and by their report the Senate can be guided in acting upon it.

The PRESIDENT pro tempore. The question is on the amendment the Committee on Appropriations to strike out section 3.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out section 4, as follows:

Mr. PLUMB. It was stricken out chiefly because it was general legislation and because the committee had not time to investigate the under section 3 of this act.

Mr. MAXEY. That goes out necessarily, as section 3 went out. Mr. SHERMAN. And the following sections. The amendment was agreed to.

The next amendment of the Committee on Appropriations was to strike out section 5, as follows:

SEC. 5. That to provide for the immediate delivery of letters bearing the special stamp, the postmaster at any office which may come within the provisions of this act may, with the approval of the Postmaster-General, employ such person or persons as may actually be required for such service, who, upon the delivery of such letter, will procure a receipt from the party addressed, or some one authorized to receive it, in a book to be furnished for the purpose, which shall, when not in use, be kept in the post-office, and at all times subject to examination by an inspector of the Department.

The amendment was agreed to.

The next amendment was to strike out section 6, as follows:

Fig. 6. That to provide for the payment of such persons as may be employed for this service, the postmaster at any office designated by section 3 of this act shall keep a record of the number of letters received at such office bearing such special stamp, which number shall correspond with the number entered in the receipt-books heretofore specified; and at the end of each month he may pay to such person or persons employed a sum not exceeding 80 per cent. of the face value of all such stamps received and recorded during that month; Provided, That in no case shall the compensation so paid to any one person exceed \$30 per month: And provided further, That nothing in this act shall in any way interfere with the prompt delivery of letters as now provided by law or regulation of the Post-Office Department.

Mr. MAXEY. Section 6 is in the same line, and I hope the action of the committee will be concurred in.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was to strike out section 7, as follows:

SEC. 7. That the Postmaster-General be directed to instruct his subordinates to publish on the foreign bulletin board in the corridor of the post-office building in the city of New York the news of the sighting or arrival of foreign mail steamers, to the end that the public shall have such news in advance: And provided also, That no cost or charge to the Government shall be incurred in consequence of such instruction.

The amendment was agreed to.
Mr. MAXEY. I ask if all the amendments of the Committee on Appropriations are disposed of?
The PRESIDENT pro tempore. Has the Committee on Appropria-

tions any further amendments to propose to the bill?

Mr. PLUMB. No further amendments on the part of the committee. Mr. MAXEY. I call the attention of the Senator in charge of the bill to an amendment which I propose to perfect the text. In line 114, after the word "thereof," I move to insert "and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof." The wording of the bill refers to a repealed act whereby the postage was fixed at 3 cents. This brings it up to the existing act of March 3, 1883, and is explanatory of that. It is a mere correction of the text.

The PRESIDENT pro tempore. The Senator from Texas proposes an amendment which will be read.

The CHIEF CLERK. In line 114, page 6, after the word "thereof," it is proposed to insert:

And reduced by the act approved March 3,1883, to 2 cents for each half ounce or fraction thereof.

The PRESIDENT pro tempore. The Chair will submit to the Senate the question whether this amendment is in order. The Senators who are of the opinion that the amendment is in order will say ay

Mr. PLUMB. I suppose the Senator really asks unanimous consent to offer the amendment.

The PRESIDENT pro tempore. The Senator from Texas made a motion to amend the bill by inserting words. The Chair submits the question of order on that amendment to the Senate.

Mr. PLUMB. I suggest to the Senator that he ask unanimous con-

sent to move the amendment.

sent to move the amendment.

Mr. MAXEY. I ask unanimous consent for the reason that the reading of the bill will show us that it describes the act which is proposed to be amended as that making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, by which act certain postage was declared to be at the rate of 3 cents for each half ounce or fraction thereof. That act has been repealed. There is no such act now. That provision of it was repeated in the act of March 3, 1883; and by putting in the words I propose "and reduced by the act approved March 3, 1883, to 2 cents for each half ounce or fraction thereof," we bring this act up to connect with the modified act now in

Mr. HAWLEY. I think the amendment of the Senator from Texas on the senator from Texas entirely unnecessary, because the bill before us goes on to say, in a line or two thereafter, "shall be mailed at the rate of 2 cents per ounce or fraction thereof." The lines he refers to simply describe the letters. The old law did say that they should be charged 3 cents a half ounce, but that is used here simply as language of description in referring to an old statute. It goes right on in line 117:

Shall be mailed at the rate of 2 cents per ounce or fraction thereof.

No mistake can arise from the language of the bill.

Mr. MAXEY. The act of March 3, 1883, says "2 cents for each half ounce or fraction thereof," and this simply changes the maximum of weight from a half ounce to an ounce. I care nothing about it, but this will leave it in an awkward situation.

Mr. HAWLEY. I think the fewer references to old acts the better; the shorter the description the better.

Mr. MAXEY. The Post-Office Committee—I do no know whether

I have unanimous consent or not-

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that the bill be amended as has been suggested. Is there

Mr. SHERMAN. I do not think the amendment is a wise one. do not want to object merely on a point of order, but I think the amendment will tend to make obscure what is now very clear.

Mr. MAXEY. I will state to the Senator from Ohio that when I first read the provision—and I read it very carefully—I was in great doubt what it meant. I went to the Senator from Iowa [Mr. Allison], and he said the committee was troubled as to what it meant. The act mentioned here has been repealed, and by putting in the words I propose it is made perfectly plain. The amendment refers to the act now in force reducing the postage to 2 cents for a half ounce. You simply by this legislation strike out the word "half," and that is an amendment of the law of March 3, 1883.

Mr. SHERMAN. I will not object to it except that I think it is

using an unnecessary reference.

Mr. MAXEY. I think it makes the matter clear.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent to be allowed to offer this amendment. Is there objection to the amendment proposed by the Senator from Texas?

Mr. ALLISON. I should like to hear it reported.

The PRESIDENT pro tempore. It will be again read.

The CHIEF CLERK. In line 114, after the word "thereto," it is pro-

posed to insert:

And reduced by the act of March 3,1883, to 2 cents for each half ounce or fraction thereof.

So as to read:

And by that act declared subject to postage at the rate of 3 cents for each half ounce or fraction thereof, and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof, postage shall be charged on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof.

Mr. ALLISON. I do not think that is at all necessary, but I do not object to it.

The PRESIDENT pro tempore. Is there objection to the amendment proposed by the Senator from Texas? The Chair hears none. The amendment is agreed to.

Mr. MAXEY. By direction of the Committee on Post-Offices and Post-Roads, I offer an amendment to come in on page 3, lines 50 and 51.

The PRESIDENT pro tempore. The amendment will be reported.
The CHIEF CLERK. On page 3, line 50, it is proposed to strike out
the word "and" after the word "first," and to insert in line 51, after
the word "second," the words "and third;" so as to make the clause

That the Postmaster-General may lease premises for use for post-offices of the rst, second, and third classes at a reasonable rental, to be paid quarterly, &c.

Mr. MAXEY. In support of that amendment I call attention—
Mr. ALLISON. Is that amendment in order?
Mr. PLUMB. This amendment was before the committee, and seemed to involve the Government in a very large sum of money, and I feel instructed by the committee to raise whatever point of order may lie against the amendment, which I now do.

The PRESIDENT pro tempore. The Senator from Texas proposes an

amendment, which will be again read.

The Chief Clerk read the amendment.

The PRESIDENT pro tempore. The Senator from Kansas makes the question that this amendment is not in order. The Chair submits the question to the Senate.

Mr. MAXEY. Is that question debatable?

The PRESIDENT pro tempore. It is.

Mr. MAXEY. Mr. President, I call the very serious attention of the Senate to this proposition. I believe that if they would hear me there would be probably not a dissenting voice in the Senate to the amendment which I offer by direction of the Committee on Post-Offices and Post-Roads.

First, the Senate by a unanimous vote, there being not a dissenting voice, passed a bill during the present Congress, on the 5th of March, 1884, authorizing the Postmaster-General to lease premises for the use of post-offices of the first, second and third classes, which is precisely what is proposed by the amendment. That bill passed the Senate on the 5th of March last, and is now in the House. That is the first

In the second place, at the present session the Post-Office Committee of the Senate unanimously request the adoption of the amendment

which is now offered by that committee.

Third, and on the point of order, it is shadowy whether or not the Postmaster-General to-day has any authority to rent offices for postoffices of the first and second classes. If this clause remains in the bill as sent by the House allowing premises to be leased for post-offices of the first and second classes, it is as much legislation as to provide for post-offices of the third class.

The Postmaster-General in his last annual report, sent to us at the beginning of the present session, says:

I again invite the particular attention of Congress to the subject-matter of leasing buildings and premises for post-offices.

The Department has been greatly embarrassed for the want of a well-defined law on this subject. I am of the opinion that it is the duty of the Government of provide buildings and proper facilities for the transaction of postal business. The records show that roomy, well-arranged, and well-furnished offices not only facilitate the transaction of business, but very largely increase the revenues of the Department. Suitable rooms with suitable fixtures can only be secured by leasing for a term longer than that now authorized by law, and longer delay in giving this authority will prove embarrassing to the Department and hurtful to the service.

Now in respect to the point which is made by the Post-Office Committee in the amendment which I offer in its behalf, he says:

I renew the recommendation made last year that Congress provide for the office-rent, fuel, light, stationery, and miscellaneous items at third-class post-offices. I know of no reason why these expenses should not be paid at third-class post-offices as well as at first-and second class offices.

In addition to that, in response to a letter which I wrote to him, the Postmaster-General on the 11th of February, the present month, writes

a letter which I send to the desk to be read.

The PRESIDENT pro tempore. The letter will be read if there be no objection.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

Post-Office Department,
Office of the Postmaster-General,
Washington, D. C., February II, 1885.

Sir: I have the honor to acknowledge the receipt of your communication of the 10th instant, with inclosures as stated, and in reply I beg to state that I have no hesitancy in saying, as a matter of simple justice, that the law should be so amended as to authorize the allowance for rent, fuel, and light at post-offices of the third class, and I have so recommended in my annual report (a copy of which is herewith submitted), to which your attention is respectfully invited.

Under the act of March 3, 1883, the compensation of postmasters at offices of the third class is determined by the amount of gross receipts, the same as at offices of the first and second classes; the gross receipts in all cases including the box rents collected, whether the boxes are owned by the Government or the postmaster; and in addition to this, at offices of the third class postmasters are required to furnish the room and fixtures necessary to transact the business of their offices. Such being the case, I am of the opinion that the law should authorize the leasing of suitable buildings or the allowance of rent at all Presidential post-offices. tial post-offices, Very respectfully,

FRANK HATTON,
Postmaster-General.

Hon, SAMUEL B. MAXEY, United States Senate.

Mr. MAXEY. The Senate will observe that the Postmaster-General says first that no reason exists in favor of the leasing of an office for the use of a first or second class post-office, which does not in like manner exist for the renting of a third-class office, and next he says that the mode and manner of computing the pay of a third-class postmaster is precisely the same as the mode and manner of computing the pay of a first or second class postmaster. There is therefore no conceivable reason why the same privilege should not be extended to a third-class office that is extended by the bill to a first or second class office, and upon that point the Senate undoubtedly thought so, for on a bill that was duly considered by the Committee on Post-Offices and Post-Roads and presented to this body the Senate without a dissenting voice sustained that position and passed the bill making provision for first, second, and third class offices, and sent it to the House.

In every portion of the country, and especially in the growing sections of the West and Southwest, we find a large number of offices are passing from fourth-class offices to third-class offices. A third-class office is one where the salary of the postmaster is between one thousand and two thousand dollars; the second between two thousand and three thousand dollars, and the first above three thousand dollars. These are the divisions. All these are Presidential offices, as they are called. Here is a distinction made without any reason between the larger offices and the smaller offices, although all are salaried offices, and all the postmasters have to be nominated by the President and the nomina-tions acted on by the Senate. It is a fact within the knowledge of most of us that in many of the towns, in order to get a suitable building for a post-office, the people have to get together and raise a purse out of their own pockets, rent a building for the office to go into, and yet the Government gets all the revenue. The net revenue in offices above a thousand dollars makes the offices self-sustaining.

Now I would ask, as a matter of common justice, why the Government of the United States should ask its citizens to pay their postage and at the same time pay for the houses to put their letters in? The

Government is not a pauper.

I would ask again, is there any reason why the larger towns should have the benefit of this and the lesser towns not have it? If there is none, and if the Postmaster-General says there is none, the Post-Office Committee says there is none, and the Senate by its act made no distinction between first, second, and third class offices, surely no reason can be assigned why there should be a distinction.

I have presented this subject after very careful consideration, because I had the matter under charge in the Post-Office Committee, and there was not a dissenting voice there. I presented it to the Senate in a bill, and there was none here. It seems to me the reasons are as good now in favor of its propriety as they were in March, 1884.

Mr. BECK. I voted to retain all that the House sent to us in regard to extending the present law as to the renting of post-offices, but the

to extending the present law as to the renting of post-offices, but the

House limited it to first and second class offices. The question was before the committee, and many of us, I think, would be glad to do what we did before, vote to extend this provision to third-class offices; but our rule positively prohibits any new legislation. We have a right to act on such legislation as comes to us from the House, and we have acted favorably as far as they have given us an opportunity to do so.

Mr. MAXEY. The Senator will permit me to interrupt him. If

this is not germane and in fact a correction of what the House has done, what is it? Will you deprive the Senate of the power of making an what is it? Will you deprive the Senate of the power of making an amendment to any bill whatever that comes from the House? You can not do it under the Constitution. If the amendment is germane and relevant, cognate to the bill before the Senate, we have a right to

Mr. BECK. I have contended for that so often and said it-of course not as well as the Senator from Texas has said it-on so many occasions and been overruled every time I made the suggestion, as I shall be, I suppose, as long as we have a parliamentarian in the chair, that I have suppose, as long as we have a parliamentarian in the chair, that I have no confidence in the argument. If I could get into the chair the Senator from Texas he might rule otherwise; but the question I understand now is this: The Chair having said that in his opinion this is new legislation, and submitted it to the Senate to say whether it is or not—

The PRESIDENT pro tempore. The Chair has expressed no opinion on the subject. After the recent action of the Senate, the Chair thinks

it better to leave these questions of order to the Senate itself.

Mr. BECK. I thought the Chair had expressed its opinion, and then submitted it to the Senate. I was notable to hear very distinctly. I believe it is new legislation and I thought the Chair had submitted the question after a ruling. I felt bound to sustain the ruling of the Chair if such had been the case; but as there is no ruling by the Chair and we are all left to do what we please, and as the only rule I have observed is to do what we want, rule or no rule, I think I shall vote for the amendment.

Mr. HALE. Is the debate proceeding upon the merits of the amend-

ment or upon the question of order?

The PRESIDENT pro tempore. On the question of order, but as the Senator from Maine well knows there is no right in the Chair to restrain Senators in respect to what they consider relevant to any question under consideration.

Mr. HALE. I understood the Senator from Texas to debate the Mr. HALE. I understood the Senator from Texas to debate the merits of the proposition. I only want to say, Mr. President, that the Senate ought to understand the force and operation of this amendment. It is simply increasing the pay of a large class of postmasters throughout the United States who fill what are called third-class offices. There are, or were, in July last—and the number is increasing rapidly from week to week—1,838 of these third-class offices. There has never been the time in my knowledge or observation when there was any difficulty in procuring good men to hold these places and take the pay culty in procuring good men to hold these places and take the pay under the law of a third-class office, each postmaster furnishing a suit-able building for the use of the public. The Government has never paid the rent of all this great number of offices, and if we embark upon the scheme presented by the Senator from Texas it will be no light additional demand upon the Treasury. The offices are, as I have said, increasing rapidly, but take the present number, nearly 2,000, and if an average rate of \$500 a year was paid that would amount to a million dollars a year, added, in fact, to the salaries of postmasters. If the rent was half that of course the amount would be half in the aggregate. If the Senate is ready, with all the carefulness that it exhibits upon other matters in raising salaries, in this wholesale way to raise the pay of offices of the third class in the Post-Office Department, let it be fully understood what we are doing.

understood what we are doing.

I have not found; so far as my observation goes, that any inconvenience arises to the public from the present rule and the present law. No doubt the postmasters, the 1,800 or 1,900 of them, in the different States would like to have the Government furnish buildings; undoubtedly they proffer their requests to the Postmaster-General, who naturally believes in aggrandizing his Department, and so we get the recommendation to put this in with the other classes, which are comparatively small in number, and we have the authority of the Post-Office Department cited to the Senate as a reason why we should grant this request.

request.

I am opposed, for one—entirely, absolutely, earnestly—to inaugurating this new expense to the Government. It is no time to do it. There is no necessity for it, and it is a wanton waste of money to do it.

I hope the Senate will vote down the proposition.

Mr. MAXEY. The Senator from Maine uses very strong language He says there is no necessity for it, and it is a wanton waste of public money. I have already stated what was the opinion of the Post-Office Department on that subject in the official report of the Postmaster-General favoring this very proposition, of the Post-Office Committee favoring it, of the Senate favoring it, and with all this testimony I am of the opinion that they are perhaps as well prepared to say whether or not this is useless and a wanton waste of money, as the Senator from Maine says. I prefer this accumulated evidence from the highest

Sources to his single opinion. So much for that.

Now I would ask if there is any reason on earth why the people anywhere should be compelled to rent a building for the use of the Gov-

ernment and let the Government receive the revenues of the business conducted in that building, and at the same time require the people to pay the postage on their letters and all other mail matter? There is no reason for it. The Government is not a pauper. There is as much reason, I will say to the Senator from Maine, why these smaller places, which appear to be regarded as significant in the eyes of some, should be cared for as your great cities where millions of dollars are expended in the erection of post-office buildings. In this Government an equitable distribution of its blessings and benefits should go to all the people.

The PRESIDENT pro tempore. The question is, Is the amendment

proposed by the Senator from Texas in order?

Mr. ALLISON. Before that question is decided, I should like to say one word. As I understand existing laws, it is within the power of the Postmaster-General to rent for the use of the Department buildings for

first and second class post-offices. Is not that the law?

Mr. MAXEY. I will state to the Senator that that seems to have been the impression; but from the wording of the report of the Post-master-General himself there is no distinction made between first, second, and third class offices; and it is quite shadowy where the power comes from at all.

The Department has been greatly embarrassed for the want of a well-defined law on this subject,

The subject of renting offices.

I am of the opinion that it is the duty of the Government to provide buildings and proper facilities for the transaction of postal business.

The law does not limit him now, as I understand him, to first and sec-

Mr. ALLISON. I understand the law now to be that he can rent buildings for first and second class offices. The object of the provision in the bill is to enable the Postmaster-General to rent those offices for five years instead of renting them for one year.

Mr. MAXEY. I ask the Senator to be kind enough to turn to that law. If he will, he will find something that I think will throw great

light on the subject.

Mr. ALLISON. I am only speaking now of the construction heretofore given to the law in the Post-Office Department. It has never
been the custom of the Post-Office Department, nor have they ever supposed they had a right under existing law, to provide buildings for third-class post-offices. I submit to the Senator, therefore, that he proposes here to change existing law; and hence this amendment, under our rules, is out of order. I do not know precisely why the presiding officer has submitted this question to the Senate. It seems to me so perfectly clear that it is hardly worth while to submit the question.

Now, I desire to say one word to the Senator from Texas with reference to the expense of this proposed amendment. I think he will agree with me that if the Postmaster-General is authorized to rent buildings

with me that it the Postmaster-General is authorized to rent buildings for third-class offices, it is a simple method or mode of increasing the compensation of third-class postmasters beyond what the law now provides for, and if so, it will result, as the Senator from Maine has said, in an additional expenditure of a million dollars. So far as I have been able to discover, these third-class post-offices are reasonably well conducted, and the third-class postmasters receive adequate compensation for the services they render.

Mr. INGALLS. What are third-class offices?

Mr. ALLISON. Those where the salaries are between \$1,000 and

Mr. ALLISON. Those where the salaries are between \$1,000 and

\$2,000 per annum.

Mr. MAXEY. The Postmaster-General says in the letter I have had read to the Senate, and which will appear in the RECORD, that there is no difference in the method of computation of the compensation of first, second, and third class postmasters.

Mr. ALLISON. So I agree.
Mr. MAXEY. They are all on the same footing, and then he says

there is no reason for making the distinction.

Mr. ALLISON. They are all paid on a computation of percentages from a third-class office to a second-class office, so that when the compensation is \$1,950 the postmaster is not allowed rent, and when it amounts to \$2,050 he is. You must draw the line somewhere with reference to these matters, and that arbitrary line is \$2,000, as fixed.

What I object to is changing the existing law with reference to the power of the Postmaster-General to rent these offices, because if he is

authorized to rent offices he will also be authorized to fit up the offices and fit them up with what are known as Yale locks. All the second-class post-offices, or nearly all of them, I believe, are now fitted up by the Government with Yale locks. The rental and the Yale-lock provision will make a range of from five to six or seven hundred dollars for each third-class post-office. I submit to the Senator from Texas that this is too large an increase of the expenditures of the Post-Office Department, unless it can be shown that these third-class postmasters do not receive a sufficient compensation for the work they perform. Under existing law as I understand it third-class postmasters are allowed clerk-hire as well as second-class postmasters, and there is a considerable allowance made by the Post-Office Department to third-class postmasters for clerk-hire. If now we allow them clerk-hire and to rent buildings for their use, it seems to me we shall very largely swell the annual appropriations for the postal service.

If the Senator from Texas can convince me that the third-class postmasters are not receiving adequate compensation under the law which we passed in 1883, which was said to be very liberal toward them and which increased their compensation beyond what they had received which increased their compensation beyond what they had received before, I shall admit that there is an equity in favor of some increase; but I submit that it is dangerous to allow all these third-class post-masters, whether their salary be \$1,000 or \$1,900, to have their respective offices fitted up with Yale locks and all the modern appliances that are used in first and second class post-offices.

So I submit again to the Senate that this amendment is an absolute

change of existing law; that there has never been a time when the Post-Office Department under existing law could allow third-class post-masters any sum whatever for rent. So it seems to me that the amend-

ment is not in order.

Mr. MAXEY. Mr. President, after all, the argument which has been presented has not been met. The whole argument of the Senator from Iowa is simply that this ought not to be done because it will cost money. That is all there is in it. Not one single argument has been offered or can be offered why this provision should extend to first and second class offices that does not equally apply to third-class offices. So says the Postmaster-General, whose duty it is to investigate

to the bottom of these things.

We have already on this bill reduced, and in my judgment very considerably reduced, the revenues of the Post-Office Department. you come to the method of computing the salary of the third-class offices it is exactly the same as for the second and the first class, and the Postmaster-General—a point which the Senator seems altogether to have overlooked—has said:

The records show that roomy, well-arranged, and well-furnished offices not only facilitate the transaction of business, but very largely increase the revenues of the Department.

That is the opinion of the Postmaster-General, and in respect to this particular thing he says:

I know of no reason why these expenses should not be paid at third-class post-offices as well as at first and second class offices.

Besides, I ask the Senator to point out the law which authorizes the Postmaster-General to lease for a term of years offices for post-offices of the first and second class and which excluded the third-class offices. Is there anything now which would prohibit him from leasing for one year, because it can not be for a longer term, premises for a post-office of either the first, second, or third class?

Mr. ALLISON. Now will the Senator allow me to ask him a ques-

Mr. MAXEY. Certainly, Mr. ALLISON. Is not the effect of his proposed amendment to in-crease the compensation of third-class postmasters to the extent of the

rent paid?

Mr. MAXEY. I can not see that it has the slightest effect on the Mr. MAXEY. I can not see that it has the slightest effect on the third-class offices that does not apply equally to the first and second classes, because all three are paid precisely in the same way; and at last the only argument which can be used is that it will cost money. So it costs money for the first-class offices, so it does for the second-class offices; but why, I ask, should these privileges be extended to one portion of the community and not in like manner to the other portions of the community where especially the Postmaster-General, who ought to know, says that there is no difference in the method of computing the pay, and no reason which applies to one that does not apply to the others?

I have not been able to see that the point of order would apply at all. If it be that this is original legislation sent to us by the House on an appropriation bill, then the Senate has a right to propose or to concur with amendments as on other bills. If the amendment be relevant, pertinent, germane, cognate to the text, we have the right to do it in my judgment; and this is simply carrying out and making plain that which the Postmaster-General tells us is shadowy—that is the right

Mr. PLUMB. I suppose it is in order to discuss the merits of this proposition upon the point of order; and therefore I want to say a few words about the merits.

I have no doubt some better rule should be established than that obtaining now in regard to the allowance of rent and the making of leases for buildings for the accommodation of the postal service in the matter of buildings for the accommodation of the postal service in the matter of buildings for post-offices; but any rule we are likely to make by statute is arbitrary, and there will always be found exceptions to the rule which will constitute arguments for a change. Certainly there is one thing we ought to consider is connection with this matter at the present time, that this is going to add very largely to the expense of the service. As the Senator from Texas says, that probably is not the strongest argument against it; but it should be borne in mind that we have recently very largely reduced the cost of the service to the people of the United States by the reduction of letter postage, and the Senator for the postage and the Senator for the strongest argument against it. ple of the United States by the reduction of letter postage, and the Senate has lately voted by an overwhelming majority to reduce the postage on second-class matter one-half, which will make a deficit of at least \$500,000 in addition to that which otherwise would exist.

Mr. MAXEY. We have also increased from a half ounce to an

ounce the weight of letters carried at the single rate, thereby taking

away some postage we get on letters.

Mr. PLUMB. The deficit last year was over \$2,000,000. The deficit this year will be probably something like \$3,000,000 as now estimated. If we add to that a half million dollars as the diminished receipts from newspaper postage, we shall have a deficit of about three and a half

Mr. INGALLS. What were the revenues last year?
Mr. PLUMB. The postal revenues last year were about \$48,000,000. For the postal service proper the expenses and revenue run about together; they vary from 8 to 12 per cent. As to this amendment it is pretty hard to tell how much it will add, but I think it will be safe to say it will add, in the ordinary way of administration, at least half a million dollars to the expenditure, and it may add more. The number of third-class offices is very much in excess of the number of second-class offices. Of course if the business were carried on as a private individual would carry on his business, a large number of offices would not be rented. The theory on which this classification was originally fixed, or rather on which the allowance of rent was originally fixed, was that the smaller offices would largely be stationed in stores and other

Mr. MAXEY. I beg to call the attention of the Senator to the fact that the Postmaster-General is not required to lease. He may do it. It is left in his discretion. He will only lease such offices as may be

for the good of the service.

Mr. PLUMB. I have a great deal of respect for the executive branch of the Government; but I do not know of any powers that it is authorized to exercise that it does not find occasion to exercise in the

course of the fiscal year.

There is this other thing which ought to be understood about it: If the Government rents an office it must rent the entire room. It submits to no partnership and can not submit to any partnership, especially in reference to a room to be occupied for postal purposes. It will not in reference to a room to be occupied for postal purposes. It will not do to have a man in the office who has not a legal right to be there, to stay at night, and consequently to have access to the mail as much as the postmaster perhaps. That would have the effect either to entirely take away from the postmaster any responsibility as to the sacredness of the mail, or it would have the effect to add to him a responsibility which no postmaster would assume. Therefore, if this provision is to be adopted and carried out, it will result in the Government renting rooms in large numbers of places where now there is adequate accommodation in connection with such other business as the postmaster him-self, having a due regard to his own responsibility and the security of the mails intrusted to him, permits to be carried on in the same room with his post-office.

But, as I was saying, there are many reasons why there might be some exception to this right. There are a great many third-class postoffices where the merit of the proposition is very plain to me; but it seems to me that now, having so largely diminished the revenues of the Post-Office Department, we could permit this matter to go over for a year or two longer until the revenues have approached the expenditures before we enter upon any new experiments, and especially upon such as we know will inevitably largely increase the expenses of the service. I hope, therefore, that the Senate will not adopt this proposi-

The PRESIDENT pro tempore. The question is, Is the amendment offered by the Senator from Texas in order?

The question being put, a division was called for; and the ayes

Mr. PLATT. Evidently the only way to obtain a quorum is to have the yeas and nays. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted-yeas 20,

nays 24; as follows:

Blair,	Hampton,	Mahone,	Vance,
Call,	Hill,	Maxey,	Van Wyck,
Camden,	Jackson,	Palmer,	Vest,
Coke,	Jonas,	Sawyer,	Williams,
Conger,	McMillan,	Sewell,	Wilson.
	NA.	YS-24.	
Aldrich,	Cullom,	Groome,	Lapham,
Allison,	Dawes,	Hale,	Mitchell,
Bayard,	Dolph,	Harris,	Morrill,
Butler,	Edmunds,	Harrison,	Platt,
Cameron of Wis.,	Garland,	Hawley,	Plumb,
Chace,	Gibson,	Ingalls,	Voorhees.
	ABSI	ENT-32.	
Beck, Bowen, Brown, Cameron of Pa., Cockrell, Colquitt, Fair, Farley.	Frye,	Logan,	Pugh,
	George,	McPherson,	Ransom,
	Gorman,	Manderson,	Riddleberger,
	Hoar,	Miller of Cal.,	Sabin,
	Jones of Florida,	Miller of N. Y.,	Saulsbury,
	Jones of Nevada,	Morgan,	Sherman,
	Kenna,	Pendleton,	Slater,

The PRESIDENT pro tempore. The Senate decides that the amendment of the Senator from Texas is not in order.

Mr. FRYE. I move to strike out lines 171, 172, and 173, and to in-

For transportation of foreign mails, including railway transit across the Isth-

mus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip, each way, actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

Mr. BAYARD. I raise the question of order.

The PRESIDENT pro tempore. The Senator from Delaware submits the question of order that this amendment is not in order. The Chair submits the question to the Senate.

Mr. BECK. In connection with that I wish to say that section 4009 of the Revised Statutes provides:

SEC. 4009. For transporting the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, the Postmaster-General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage; and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage on the mail so transported.

And this provision clearly annuls that statute.

The PRESIDENT pro tempore. The question is, Is the amendment

submitted by the Senator from Maine in order?

Mr. FRYE. In the first place I join issue with the Senator from Kentucky; an issue has been joined with him on that very point not at a far distant day from this in another body which I have no authority to mention by name. Take the very provision which the Senator suggests, and let him look at the last clause of that provision and he will see the distinction between the first clause and the second clause One says the vessel shall be allowed under the contract the sea and inland postage; how much is that? How much was it last year, will the Senator state?

Mr. BECK. I do not know; I have not the figures.
Mr. FRYE. It was about \$1,500,000. Under the second clause it says, "shall not exceed the sea and inland postage on the mail so transported," the words "on the mail so transported" being a clear limitation of the right and power of the Postmaster-General; and that is not contained in the first clause to which the Senator referred.

Now, I desire to call the attention of the Senate to another thing. find that it is very common in the United States Senate in stating the Senate rule to misstate it by confounding it with the House rule. The Senator from Iowa, in making the point made a few moments ago, used the language of the House rule, "changing existing law." The House rule is that legislation changing existing law shall not be in order. There is no such language as that in the Senate rule, and none such can be found there. The Senate rule is that general legislation shall not be permitted on appropriation bills. There may be legislation on appropriation bills which is not general legislation, and a proposition may be entirely in order which does change existing law. The Senate ought to bear that in mind in determining this question.

I am sorry that the question has been submitted to the Senate. prefer very much that a presiding officer, with the responsibility upon him of deciding according to the rule, should determine upon this question, because I believe I have some familiarity with the rules of the Senate and the rules of the House, and I declare that this amendment which I have offered, by any fair construction of the Senate rule,

is strictly in order.

I do not cite the fact here that the Senate over and over again has decided it to be in order. When the proposition has been before the Senate, going to a much greater length than this amendment goes, one that made provision for expending \$1,700,000; when it provided that it should be in 4,000-ton ships; when it provided for a charter for those ships; when it provided for \$200,000 for a line between here and Brazil, mentioning it by name, the United States Senate three times over de-clared it to be in order by an overwhelming majority. I do not cite that in favor of this amendment now, because I am aware, as Senators are, that the Senate is apt to determine a rule as it thinks best for the Government at the time when the point of order is suggested. The presiding officer, on the contrary, is bound to rule as he believes the rule to be, and recognizing that fact I repeat I am sorry that he has felt obliged to-day to submit the question of order to the Senate in this case.

Now, sir, only one point has been made, that this is general legisla-

tion. Everybody admits that it is open to no other point of order. There are three or four that could be raised, but nobody raises one of them, and therefore I address myself to the question whether or not this is general legislation under the Senate rule, and I contend, with great respect, that it is not. I contend that there never was an appropriation bill passed by the Senate, there never has been one submitted to the Senate by the Senate committee holding themselves bound by the rule, which has not had more in it subject to the point that it was legisla-tion than this amendment has. I will take the very bill we are now considering. I call the attention of the Senator from Kentucky to this part of it:

For compensation to clerks in post-offices, \$5,150,000. And postmasters are authorized, with the approval of the Postmaster-General, to assign at any time any clerk or employé of their respective post-offices to duty in any branch thereof: Provided always, That any employé shall be paid from money-order funds for such time as he is engaged in money-order work.

Just exactly as open to the objection of being general legislation as this amendment which I have proposed now.

Mr. HARRIS. If the Senator from Maine will allow me, I should be glad to ask him if his amendment does not change a provision in the Revised Statutes, does not establish a different legal rule than the one prescribed by the section of the Revised Statutes?

Mr. FRYE. I say it does not, very respectfully.
Mr. HARRIS. It does not?
Mr. HARRIS. It does not.
Mr. HARRIS. With what particular object then does the Senator offer it if it does not change existing law?
Mr. FRYE. The Senator asked if it changed any existing rule regulating the administration of affairs of this kind. I say it does not. There is only one question, and that is whether or not it changes the existing law touching the amount of compensation which may be given. That is the only point raised, because there is authority given now to

make contracts by law.

Mr. HARRIS. If the Senator will allow me, my question was a little broader than he chooses to recognize. Does his amendment change a general existing law that exists to-day? That is the question that I desire to propound.

Mr. FRYE. It has been determined, not a thousand miles from here,

by the presiding officer of a body as important as this, that it did not.

Mr. HARRIS. I was asking for the opinion of the Senator who offered the amendment. Other bodies are governed by their own rules of order, as this body ought to be governed by its rules of order. We have a rule which prohibits receiving an amendment which is legislative in its character upon an appropriation bill.

Mr. FRYE. Not precisely.
Mr. HARRIS. Well, to be precise, it prohibits general legislation to a general appropriation bill.
Mr. FRYE. That is it exactly.
Mr. HARRIS. If we have a general law upon the statute-book on the subject, and the Senator's amendment modifies or changes that general law is it not legislation such as is prohibited by the mile? eral law, is it not legislation such as is prohibited by the rule?

Mr. FRYE. Not necessarily at all; and I call the attention of the

Senator from Tennessee to the provision of the statutes in section 4009, cited by the Senator from Kentucky, and it is the only provision under which any question can be raised even as to whether or not it changes the law, because the Postmaster-General is to-day by law authorized to

make contracts for carrying this very mail.

The first part of section 4009 says that whenever the Postmaster-General makes these contracts "for transporting the mail between the United States and any foreign port," if in an American steamship the compensation shall not exceed "the sea and United States inland postage." That, last year, was from \$1,200,000 to \$1,500,000. The next clause goes right on and says, after a semicolon:

And if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage on the mail so transported.

And those words are nowhere a qualification upon the first clause of the section

Mr. BECK. So that the Senator from Maine may answer what I propose to show, if I can, is the construction of that statute, I want to ask him to allow me to suggest now what my construction of it is.

The PRESIDING OFFICER (Mr. PLATT in the chair). Does

Senator from Maine yield to the Senator from Kentucky? Mr. FRYE. With pleasure.

I desire the Senator to have full opportunity to answer therefore I suggest it to him now. When he asked me Mr. BECK. my proposition; therefore I suggest it to him now. my proposition; therefore I suggest it to him now. When he asked me the question if I knew what was the total amount of sea and inland postages last year, I, of course, said no; I did not even know what he meant by the question; and even after he announced it was from a million and a quarter to a million and a half of dollars I failed to comprehend what he meant by that. My construction of the statute is that the million and a quarter or million and a half of surplus has nothing to do with the construction of the law or the pay steamships are entitled to receive for services. The law provides that when the mail is transported by a United States steamship the Postmaster-General may allow that steamship "any sum not exceeding the sea and United States inland postage" upon the mail so carried by that particular ship. He can not allow the million and a half of surplus or any part of it to any one American steamship that carries a single letter. He can only give one American steamship that carries a single letter. The can only give the ocean and land postage on the mail it carries. I repeat that the Revised Statutes limit his authority to allowing to an American ship, or any number of ships that may carry the mail, the ocean postage on the mail carried and the inland postage added; the sum is in proportion to the amount of mail carried, or in other words to the service done, and the total amount of surplus has no connection with the question

we are now considering at all.

Mr. FRYE. Now, Mr. President, for the sake of the argument, I am going to admit that the Senator from Kentucky is right. I knew, of course, he would make that point. It is the only point that there is touching this legislation. Now, if the Senator from Kentucky will observe, there is no repeal of that section in this amendment.

Mr. BECK. It does not receal it is no many words but it receals.

means. General legislation is that which lives until repealed; general legislation is that which stands upon your statute-book and requires a repealing clause to get rid of it; and there is no such thing as general legislation on an appropriation bill which dies with the appropriation

The Senator from Kentucky is always consistent about this; he has always endeavored to prevent anything being done for American shipping, I admit. I call his attention to another item in this appropriation bill beginning on line 79, on page 4, which also passed the scrutiny of the distinguished Senator from Kentucky:

For inland transportation by steamboat routes, \$615,000. The Postmaster-General is authorized to contract for inland and foreign steamboat mail service, when it can be combined in one route, where the foreign office or offices are not more than two hundred miles distant from the domestic office, on the same terms and conditions as inland steamboat service, and pay for the same out of the appropriation for inland steamboat service.

There is a provision deliberately left in this appropriation bill by the Senator from Kentucky, who objected to this provision when before the committee that it contained general legislation. There is a provision more open to the charge of being general legislation, and providing for a payment for this class of service in American lines of 66 cents a mile instead of 50, to which the limitation is in my amendment. How is it that the Senator from Kentucky closes his eyes to a certain portion of what he claims is general legislation and keeps them sharply open every time a proposition is here made to help the American steamship

every time a proposition is here made to help the American steamship carry the flag of the country on the ocean?

Now I call the attention of the Senate to probably the most carefully considered ruling that has ever been given in the United States Senate to this question of general legislation. I admit that on an examination of the authorities the question has been submitted almost invariably to the Senate and that the Senate every time it has been submitted but once has declared it to be in order. But it was last year in the month of April considered by the presiding officer on an appropriation where an amendment was proposed of over \$3,000,000—an appropriation which was contested as violently, as determinedly as any appropriation ever was before the United States Senate; and that was on a naval appropriation bill, fresh in the memory of every Senator here last April. An appropriation was proposed to enable the President to strengthen the naval establishment of the United States, with provisions of limitation, of qualification, of description, of power to contract, of power to build, occupying one entire column of the Congressional Record in the ordinary fine print of the RECORD. The point of order was raised by the Senator from Kentucky [Mr. Beck]. He saw the general legislation in that just as plainly as he sees it in this, and very promptly he raised the point that it was not in order because it was general legislation. But the presiding officer ruled it in order; and he stated to the Senate that he had given the subject the carefullest attention, that he knew the question would be raised, that he had reviewed the decisions, and that he came deliberately to his conclusion; and his ruling was in these words, which I commend to the United States Senate as a distinct, clear statement of what the term "general legislation" means when used in Rule XVI of the Senate:

used in Rule XVI of the Senate:

Mr. Beck. I submit that the amendment just read is new legislation, and not in order under the rules of the Senate.

The President pro tempore. The Chair thinks that the amendment is in order, for the reason that it is a provision like the provisions in all the appropriation bills for increasing the establishment the bill provides for as an appropriation bill in respect of the Treasury Department provides for more clerks, provides for new furniture, and all things that relate to the subject of the bill and the execution of the purpose of the establishment. The Chair therefore feels obliged to rule that this amendment is not general legislation within the sense of the sixteenth rule.

Mr. Beck. Then I suppose under that ruling we might provide for building a hundred new cruisers as an amendment to this appropriation bill, although there is no existing law on the subject.

The President rule.

Mr. Beck. I just desired to know what power an appropriation committee has. I had been taught to believe heretofore that no new legislation could be proposed on an appropriation bill, and I am very sure that the present occupant of the chair held us to a very strict accountability, and not only did not allow legislation on an appropriation bill, but not even an amendment to a House provision containing legislation. But I assume the Chair knows more about the rules than I do.

Just here the Senator from Kentucky saw as much general legislation and more, costing more money, building cruisers that he did not want to build, he saw more general legislation a hundred times over than in this simple amendment that I have offered. What did the presiding officer say for the instruction of the Senator from Kentucky:

The PRESIDENT pro tempore

I want the Senator to hear this-

The President protempore. The Chair has examined the Journal as to analogous amendments at former sessions, and finds himself, as he thinks, fully supported. The distinction is a very broad and obvious one between the general legislation named in the rule and a provision of this character. "General legislation," in the general sense (there are exceptions, however), is legislation that is permanent and regulates the conduct of affairs, and does not exhaust itself of its own force, as every item or provision in appropriation bills properly does.

Mr. BECK. It does not repeal it in so many words, but it repeals it by making contradictory provisions.

Mr. FRYE. It does not repeal it in any sense whatever; it suspends it for one year, and that is not general legislation by any manner of Senate and in the other branch.

"General legislation," in the general sense (there are exceptions, however), is legislation that is permanent and regulates the conduct of affairs, and does not exhaust itself of its own force, as every item or provision in appropriation bilis properly does.

He says further:

This amendment is to provide for doing an act which when once done the statutory part of it is entirely exhausted and the law is no longer in force; it has been executed.

Precisely my amendment.

That is widely different from a regulation even in respect of the conduct of officers of the Navy, which regulation would be a general provision that would continue in force until repealed. The Chair therefore thinks, however great the enactment of the subject is, that within the rule it is in order. The question is on agreeing to the amendment.

And no appeal was taken from the ruling of the presiding officer; and I submit that that ought to settle the question of order in favor of the amendment which I propose, for it is limited to an appropriation for the next fiscal year. What provisions are contained in the authority given to the Postmaster-General die a natural death with the appropriation bill. It has every element that the amendment to the naval appropriation bill objected to last year had, and in my judgment is calculated in order.

is clearly in order.

Mr. BECK. Mr. President, the Senator from Maine was obliged to admit, though he said he did it for the sake of argument, that there was no relevancy between the question which he asked me so triumphantly at first—if I knew what was the surplus received from the foreign-mail service; headmits now, as he is obliged to do, even for the sake of the agument, as he said, meaning of course that he could not as a fairminded man do anything else but admit, that it has no connection with this question. He denied that the section from which I read, 4009, limited the right of the Postmaster-General to the allowance to any American steamship of the ocean and the land postage; he now agrees that if that was only ten dollars or ten hundred dollars the amount of services controlled the amount of pay, and that it had no connection at all with the million or million and a half of surplus that remained from the total service. When that fact is admitted, it follows as a necessary consequence that an amendment to this bill which allows 50 cents a nautical mile of the trip each way actually run by the ship between the terminal points, which may amount to ten times as much as the ocean postage and the land postage added, for the mail carried by that ship is a change of the existing law as absolute as if the original law had been repealed. It is a repeal of it by implication, a repeal of it in fact for a year, a change of the existing condition. He might as well contend that an act that suspended the law against murder, burglary, arson, or any other crime for a year was not a change of existing law because it operated only for a limited time. During the time to which this provision applies the law as laid down in the Revised Statutes, which is a general law and provides for all classes of ships both foreign and American, is repealed so long as the law we now seek to pass, if it is declared in order, remains in force. Whether it be for five years or for one year or for six months or for one day, during the time that the provision now sought to be ingrafted in the Post-Office appropriation bill remains in force, the general laws in the Revised Statutes of the United States are changed, altered, suspended, are not the rules to govern the conduct of citizens, nor the rules to govern the Postmaster-General, not the rule of compensation by which people carrying the mails are to be paid. If an amendment that suspends a general law does not come within the provisions of our rules, then I am at a loss to know what

The Senator from Maine seems to think that I have been wonderfully negligent in not noticing the provisions of the House bill inserted in the text, not inserted here. Many of them were doubtless subject to a question of order under our rules if they had been proposed to be inserted here, among them the provision whereby postmasters are allowed to employ their clerks in the money-order business as well as outside of it, which under existing law or regulations they are not authorized to do; that may be new legislation. I am asked why did I not move to strike it out? My answer is it is in the original bill; the House had a right to put it there. They did put it there. So with regard to the amendment we adopted in relation to carrying the mail to foreign offices that might be within two hundred miles of our coast; that was in the original bill sent here by the House, not subject to any point

of order here. Mr. FRYE.

Will the Senator allow me?

Mr. BECK. Certainly.

Mr. FRYE. I call the Senator's attention to pages 9, 10, 11, 6, 7, 5, containing exceedingly healthy provisions touching the carrying of mails, letter-postage, and all that sort of thing, which the Senate itself this very day has declared to be good legislation and has kept in, and I call the attention of the Senator to the fact that he and the other members of the Appropriations Committee struck every word of that good legislation out which the Senate has declared to be good and put back again to-day, simply on the ground that it was general legislation—no other ground. The Senator himself admitted it was good legislation; a majority of the committee admitted that it was good legislation; and yet they said they were compelled to strike it out because it was general legislation, and now the Senator says, forsooth, that the provision touching foreign and domestic mails where they can be connected within

two hundred miles came from the House of Representatives, as it had a right to come, and for that reason it was not stricken out. The rest came from the same source.

Mr. BECK. The Senator from Maine has a logical mind when he takes pains to be logical; but I ask him what connection has the remark that he has just made with this question? All the provisions alluded to were inserted by the House, none of them were inserted by the Senate, and being inserted by the House they were not subject to any point of order under our rules.

Mr. FRYE. But they were subject to the knife of the Appropria-

tions Committee.

Mr. BECK. That does not affect the rules of the Senate.

I was replying to the Senator's remarks. I am endeavoring to discuss this question under our Mr. FRYE. Mr. BECK. rules and to show that the criticism in regard to our keeping in certain provisions with regard to money-order offices, and adopting the port of Cuba as a domestic office, has nothing to do with this question of order; and the Senator rose as though he had made a great discovery and showed a number of other things that were in the bill and met with the disapproval of the Senate committee, and with the approval of the Senate; but they were all House provisions, and a question of order could not be made against them here. I believed that the legislation of the House was good legislation, and I voted for it, in regard to the increase in the weight of letters from half an ounce to one ounce and for the reduction of the postage on newspapers. I made the motion to disagree with the committee myself, but that was as an individual Senator. I was not dealing with the rules when the question was brought before us where I had a right to vote as I pleased, the rules permitting me to vote as I chose in regard to retaining or striking out those House provisions, I voted to retain them. I see no connection between these questions and this proposition.

Now the Senator makes an effort to overthrow the provisions of the Revised Statutes and to adopt a new rule of compensation altogether to ocean mail carriers, to wit: 50 cents a mile whether a single letter be carried or not, setting at naught the provision of the Revised Statutes which limits the rate to be paid by the Postmaster-General to the sea and the land postage upon all letters carried by any particular ship. His proposition may double or quadruple, or even go a hundred-fold beyond the provisions of existing law; yet that is proposed to be done in the Senate, whose rules prohibit any change of general law on an appropriation bill.

Mr. FRYE.

Mr. BECK. Any change of law is prohibited by the rules of the Senate.

Mr. FRYE.

Mr. BECK. All general legislation is prohibited on appropriation bills; and this general legislation reaches over the whole class of sub-jects to which it pertains and overthrows the laws of the land as pro-

vided in section 4009 of the Revised Statutes.

The Senator chooses to go out of his way to say in connection with this question, when I simply read the statute—the question of order having been made by the Senator from Delaware [Mr. BAYARD]-that I am opposed to everything that aids American ships. I am not going to discuss those questions; I have argued them in the Senate before, to my own satisfaction at least. I believe I voted for every provision of the bill the Senator from Maine brought up last year, which he claimed was going to do a great deal of good to our ocean commerce. I believe it did some, but it was a very feeble effort toward accomplishing any substantial result. The only two steamships that we had then on the Atlantic in the European trade that he said his bill would enable us to maintain the American flag upon, and perhaps add others, have torn down their flag since that bill was passed.

Mr. FRYE. The Senator will pardon me for saying that they would not have torn down their flag if the Senator and Senators and members

of the House of Representatives who believed with him would have permitted the provision for carrying the mail to have gone into that

Mr. BECK. 'It was said that the bill we passed would build up and add to our ships; yet instead of doing any good we have lost the only two we had on the Philadelphia line, and we had none in New York or elsewhere. The objection I have always made to all of these propositions is that this is a subsidy and nothing but a subsidy disguised under the shape of a mail contract. These ships are to have 50 cents for each mile they sail if the Postmaster-General sees fit to give it to them if they carry one letter apiece, and that sum of \$400,000 is to be given to certain American steamships; but few men have American steamships; all the sailing vessels of the United States competing with these people in the same trade are to be handicapped by it. It is simply building up a favored line or lines for a few favored men. The subsidy is only to last for one year. No man can build a ship between now and the expiration of the next fiscal year to enter into competition with the men who already have those ships on those lines that are thus to be paid 50 cents a mile whether they carry mails or not. It is the old Garrison subsidy, it is the old Pacific Mail subsidy, it is the old Brazilian subsidy in a new and more insidious form.

The Senator from Maine has stricken out some words from his amendment. The proposition submitted by the Senator from Maine which our committee acted upon was different from that which he has now submitted. That now before us was submitted after the bill was reported. The first amendment which we rejected proposed to make a contract allowing 50 cents a mile to all steamships trading between the ports of the Atlantic and the ports of the Pacific through any foreign country. When the committee developed the fact and all agreed that there was not a letter carried from New York or New Orleans by way of Panama, or from Panama to San Francisco or anywhere else on our Pacific coast by any American steamship line, because we had at least three great lines of railway, from New Orleans, from Saint Louis, from Chicago, from Saint Paul, carrying all our mails across the continent to all our own ports on the Pacific, and that those ships would not carry a single letter, and it was too bald a subsidy to come before the Senate and demand 50 cents a mile for ships running between the ports of the Atlantic and the ports of the Pacific through any foreign country on the pretense of carrying the mail, when they did not carry a single letter, the Senator, after the bill was reported, I believe, amended it by striking out that portion which the committee had rejected, upon the ground that it was a subsidy pure and simple, as no mail ever goes in that way by

I repeat, the provision now is only for a year, so that the few men who hold these lines in their own hands, whether they do work or not, are to have \$800,000 given to them if the Postmaster-General sees fit to give it to them, whether they do service or not.

Mr. FRYE. Four hundred thousand dollars.

Mr. BECK. It is now reduced to \$400,000. No man in the United

Mr. BECK. It is now reduced to \$400,000. No man in the United States can build a sailing vessel to compete with them within the time allowed. I ask what is this proposition but a subsidy? What is that but an unjust discrimination? What is that but enabling a few favored men inside the United States who happen to own the only steamships that are running between the ports named \$400,000 out of the Treasury of the United States for nothing to the injury of the way who are careful. of the United States for nothing, to the injury of the men who are competing with them, who also own American ships but have not ships or the character that the amendment would allow the subsidy to be given to, and, as I said, without allowing any man time to build a ship to compete with them to get any part of the \$400,000?

I have contended and always will maintain, and I think maintain successfully, that the only way to aid our commerce is to do something that is to help what inherently belongs to the business itself. A proposition is now pending which I was told will be up to-morrow, that I hope to vote for and to urge, to which I call the attention of the Senate now as one of the things that I think will do good. Where foreign material is brought to this country and put into ships, into merchandise or anything, and exported afterward, we now only allow 90 per cent. drawback. The proposition which the Senate will be called to act upon drawback. The proposition which the Senate will be called to act upon to-morrow, I hope, is to allow 100 per cent.; inother words to allow them all they paid for what they afterward export. That bounty pertains to the business itself. That will help. Anything that helps an American ship-owner or ocean carrier I have been in favor of, and have advocated as urgently as any man on this floor; but when I see, or think I see, that a few men are seeking to get money out of the Treasury for nothing, whether you call it a postal contract or a subsidy or anything else, and it is not going to aid our commerce, is not going to aid our trade or do anything else but enrich the pets of Congress, I have always opposed their schemes, and I always expect to do so.

have always opposed their schemes, and I always expect to do so.

This I regard as a subject of that character. I do not care, however, to go into that. I do not want to have any controversy now in the closing days of the session in regard to my ideas of trade or commerce. There is no time for it; I do not want to take up the time of the Senate to do it, but I will say to the Senator from Maine that whenever he brings any proposition before the Senate that in my judgment will be a benefit to our trade or to our commerce he will find no man who will go further than I shall. I would give our people raw material free; I would give them everything I could that would enlarge and extend their markets abroad and enable them to buy as cheaply as possible and to sell as profitably to foreign nations as they can, and thus enable them to compete with every other people on the open high seas of the world.

That is what I seek to do.

I am properly charged with being an advocate of free ships. The main reason why I have demanded free ships for our people is because we have by treaty with England, France, Prussia, Russia, with all the nations of the world except Spain, given them a right to trade to and from our ports and to carry our goods upon exactly the same terms as our own ships can carry them, prohibiting Congress as long as those treaties remain in force from giving our ships any advantage over them by rebate or discrimination in trade and commerce. We allow them to trade in ships that cost them \$200,000 while our people are forced to pay \$300,000 for the same kind of ships, and they are expected to compete with foreigners even for our own trade upon such terms. I insist that it can not be done. The difference in the cost makes the difference between profit and loss.

I go further and maintain that as long as we keep up a Chinese wall around ourselves in order to protect, if you please, what you call American industry the wall is as high on the one side as it is on the other, and our trade is crippled, yes, ruined by it. Germany is crying trichina

against our pork; France, pleuro-pneumonia against our cattle; England is struggling to get her supplies from other countries; we are only crippling and ruining our own exporters and the laborers in the land by building up a wall that prohibits them from swapping their products and fabrics with other people. But, as I said, I am not going into these questions now.

It is because in my opinion the policy it is now proposed to pursue is merely for the benefit of a few people, to the detriment of the whole country, that I am opposed to it; and believing that it is general legislation on an appropriation bill and is in itself impolitic, especially as it does not enable all American citizens to compete for the subsidy given, because it limits it only to the few people who have ships upon certain lines now, and there can be no competition before the fiscal year runs out by any man in yet unbuilt American ships, that I regard the legislation in itself as vicious even if it is in order.

Mr. FRYE. Mr. President, I did not say anything at all about the merits of the amendment, and I did not suppose that any Senator would discuss the merits of the amendment on the question of order. The Senator from Kentucky has seen fit to devote most of his time in this direction, therefore it is necessary for me to make a few words of reply.

First, as to the Pacific Mail Steamship Company getting all of this appropriation, I do not believe if George Washington was in the United States Senate to-day and a question affecting the interests of our great merchant marine, which is dying and almost dead, was before the Senate he would attempt to frighten his colleagues with any cry about Pacific Mail Steamship or subsidy; and I do know that the Senator from Kentucky never fails in making the attempt. I suppose when a two-horse stage travels down through the blue-grass regions of Kentucky away off to some little hamlet in the mountains carrying a halfdozen letters and is paid \$500 a year, more than a dollar apiece for every letter it carries, it is no subsidy and does not smack of it. I suppose when Kentucky is supported in her mail system and her post-office conveniences by the rest of the country and does not pay for such accommodations within \$500,000, the \$500,000 is not a subsidy. I suppose when the Senator consents and allows it to remain a law on the statutebook, under which every inland steamer plying up the rivers-the Mississippi, the Missouri, or other great rivers, on the lakes, on the coast, protected by law, too, against any interference by any other nation on the earth, by the navigation laws, a double protection-received last year 66 cents a mile for all the mails carried by them, that that is no subsidy. But when a Senator proposes to pay a vessel to-day carrying the American flag on the ocean 50 cents a mile at the outside limit, subsidy is the ghost that is summoned to kill it. Mr. President, no country on the face of this earth ever treated its commercial marine so unjustly, so outrageously, as the United States of America has treated its under the lead of such gentlemen as the Senator from Kentucky.

The Senator alludes to section 4009 as the section under which they shall receive their pay if contracted with. Let me call his attention to the history of that legislation. When that section was put on the statute-book how much does the Senator think there was permitted to be paid under it for a letter carried by an American steamship? Does the Senator know? Under that section, when it became a law, you could pay 40 cents a letter to half the foreign ports, 25 cents a letter to China and Japan, 30 cents a letter to Australia. Liberal pay for carrying United States mails when section 4009 was put onto the statutebook. How comes it now cut down to 3 or 4 or 5 cents a letter—a beggarly pittance? The great nations of the earth met at Paris and at beggarly pittance? The great nations of the earth met at Paris and at Berne, and for the good of the whole world they agreed upon certain postal regulations and upon certain postages that should be paid upon letters and papers, and they cut it down to the sea and inland postage of to-day, about 5 cents. What did they do? They immediately doubled their mail pay to every steamer they had in their service.

Every country that met with the United States of America there at

Every country that met with the United States of America there at Berne has given heavy mail pay from that day down to now to every steamship carrying its mails. England last year paid \$3,000,000. She has paid as high as \$6,000,000 in a single year. She paid last year \$1,800,000 for carrying the mail to China, Japan, and Australia, and you paid the beggarly pittance of \$11,000. England paid last year \$400,000 for carrying her mails to the West Indies, and you paid the miserable pittance of \$3,600. Oh, your country was magnanimous at Berne and Paris when it cut down the pay for carrying mails from 40 and 30 and 25 cents to 5 cents and charged it to men who carried the American flag on the ocean. Italy did not do it, Spain did not do it, Mexico did not do it, Peru did not, France did not, Germany did not, no other country on the face of the earth did it. The United States alone, for the good of the general country and the whole world, was alone, for the good of the general country and the whole world, was magnanimous and cut the carrying price down to 5 cents, and then compelled her own steamships to carry the whole burden of her munifi-

Ay, more and worse—infinitely more and infinitely worse. When your American vessels found they could not carry the United States mails for the sea and inland postage and they refused to, you went and put section 3976 upon the statute-book. It is a law which provides in terms that any American steamship may be seized by the Postmaster-General, may be detained at her wharf, at a demurrage costing her from \$100 to \$150 a day, until the United States mails are ready, and then shall be compelled to take them, shall carry them to the port of destination, shall land them in the post-office, and shall receive 2 cents a letter in full pay therefor. Another section, 4204, contains a provision almost exactly like it, that when your vessels are abroad, and coming home they could be detained by the United States consuls in foreign ports exposed to that enormous demurrage, compelled to wait for the consul to get his letters ready, and then bring them to the United States for 2 cents a letter; and to-day every American steamship carrying the United States mail is carrying it for 2 cents a letter.

Mr. CONGER. It can not get a clearance.

Mr. FRYE. It can not get a clearance, as the Senator from Michigan suggests to me, until it has taken the mails, no matter if it has not

Mr. BECK. It will get it after the 1st of April, I believe.

Mr. FRYE. Yes; and why?

Congress at the last session proposed, believing as I do, and as the Senator from Alabama [Mr. Morgan], one of the best consitutional lawyers in this body or anywhere else, declared in a speech, that those laws were unconstitutional, that the United States in its grasping process had gone beyond its rights under the Constitution to punish American can steamships carrying the American flag, to repeal those two sections to take effect the 1st day of April next; and after the 1st day of April next there is no power in the United States Government to compel an American steamship to carry a mail. There is no provision for carrying United States mails anywhere on American bottoms. The necessity is upon Congress to make some provision.

You paid last year for the transporting of your mails to Mexico, to

the West Indies, to the Central American States about \$10,000. Mexico paid ten times that amount. You paid last year \$325,000 for carrying all your foreign mails all over the world. Italy paid \$2,000,000 the same year, France paid \$4,500,000, England over \$3,000,000. The United States made last year \$1,200,000 or \$1,500,000 out of her foreign mails. Did I say out of her foreign mails? Out of American steamships carrying her foreign mails at 2 cents a letter. The great overland mail for the Australian colonies going across our country by the Pacific railroads, for which the United States receives 5 cents a letter, is landed under that law on one of the Pacific Mail steamships, carried to Australia, and the United States pays 2 cents a letter. It is on rail six days, on steamer twenty-six. The Government makes a net profit of 3 cents a letter, which she puts into her Treasury, and then boasts through her Congressmen about the Post-Office Department being nearly self-sustaining. Every year for your star lines, your one-horse carriages, your two-horse coaches, your boy mounted on horseback with saddle-bags carrying your mails across the plains, with a hamlet once in fifteen or twenty miles, it may be, the Government pays millions upon millions of dollars; and the Senator from Kentucky sees no subsidy in that. Two years ago she paid \$50,000 for one year for carrying the mails from Galveston to Brazoria in the same State—more than she paid last year for all the mails carried in all the American bottoms over the whole world; and there is no subsidy in that. I contend there is no such thing as a subsidy in paying a fair price for services rendered.

But the Senator from Kentucky says that the Pacific Mail Steamship

Company is the bugaboo in this matter. The Pacific Mail Steamship Company, forsooth, called up to frighten children with. What harm is it doing? Within ten years, let me tell the Senator from Kentucky, that same Pacific Mail Steamship Company has built eighteen iron-clad steamships from 2,500 to 5,000 tons burden apiece, and to-day your flag is kept on the ocean almost alone by that company. In ten years the Pacific Mail Steamship Company has paid out \$10,000,000 for ships built in American ship-yards, not in British ship-yards where the Senter flow Kentucky results a property of the build they are not sufficient of the company. ator from Kentucky wants so much to build them-nine millions of it going to the hard-handed men of the United States of America, not to the toilers on the Clyde, where the Senator from Kentucky longs for

How does the Pacific Mail Steamship Company get entire control of these contracts? Has she no competitors? Does the Senator from Kentucky know that she is the only competitor, for instance, from San Francisco to China? Let me tell the Senator that the Occidental and Francisco to China? Let me tell the Senator that the Occidental and Oriental Company has one 4,000-ton iron steamship, I think the best one ever built in the United States, built by Cramp of Philadelphia, sailing directly to China and competing for the mail with the Pacific Mail Steamship Company and the same company has ordered another 4,000-ton American-built ship. Is there to be no competition here?

Again, from San Francisco to the Sandwich Islands there are some

Again, from San Francisco to the Sandwich Islands there are some of the finest iron steamships on the ocean to-day carrying the American flag, and they are in competition with the Pacific Mail Steamship Company for the United States mails. Again, between here and Aspinwall, here and Mexico, here and the West Indies, there are ships to-day ready to compete with the Pacific Mail Steamship Company for the carrying of the mails; and yet, forsooth, the Pacific Mail Steamship Company is to be brought up here as a great criminal.

Sir, if you had a war to-day you would take every single iron ship the Pacific Mail Steamship Company has for your Navy in less than thirty days; you would take Spreckel's two great ships from San Fran-cisco, and you would take the Occidental and Oriental ships, and if

you could not take them you would be powerless to transport your troops. Is there no benefit to the country in this?

Last year under the influence of the legislation there was a steamer

built to run on a line between New York and the River Platte, a thousand-ton iron steamer. An order was given for two more. These are American ships. When it was found that the legislation was defeated the order for the two more was countermanded; but if this measure passes the Senate to-day and becomes a law a contract in less than thirty days will be made for three more steamers to run between New York and the River Platte, carrying the American flag and bearing the products of the American loom to that country.

Again, last year there was a steamer of a thousand tons built for Hayti, to run between Boston and that port. Let this measure become a law, and a line will be established between Boston and Hayti, and we will have another opportunity to send our goods under the Amer-

ican flag.

Dom Pedro agreed to pay \$120,000 a year for carrying the mail from Brazil to the United States direct if the Congress of the United States would pay something for carrying the mail from the United States there. Congress refused to do it, and Dom Pedro finally withdrew his offer; and to-day you can not send a bale of goods from the United States to Rio Janeiro unless you send it first to Liverpool and let it lie there on

the dock, it may be a month, for transshipment to Brazil.

Mr. President, any decently liberal policy toward these steamships will establish lines between here and the South American ports, the Central American ports, and the West Indies; and there is only where I wish to go. Those are the countries we must look to for opportunities to export our fabrics. We can not export them to France, nor Germany, nor England. They can beat us in making them; they have more than they want; but these other countries can not manufacture and they will not for a good many years. We want regularly established lines so as to enable our manufacturers when there is a glut in the home market to ship their goods into South American and Central American States. You can have them if you will deal with one-half the liberality that France or England or Germany, or even Italy, deals with her steamship lines; and they do not call them subsidies either.

The amendment only provides for one year. It only appropriates \$400,000. It is not subsidy enough to frighten anybody. But if I could have my way I would prefer not \$400,000 but \$4,000,000 this very year, and I would see to it that once more the American flag should be seen in the ports of the world on other than naval ships. I would see to it that once more instead of carrying only 15 per cent. we should, as we used to, do 80 per cent. of our carrying trade under our own flag. I would not care whether the Senator from Kentucky called it subsidy or not. No country without a ship on the sea can be a great country. or not. No country without a ship on the sea can be a great country and in two or three years more America will be in that condition if the

present policy is pursued.

Mr. President, I did not intend to say a word about the merits of the amendment. I confined myself entirely to the question of order and only felt compelled to reply briefly to the remarks made by the Senator from Kentucky on the merits. I still insist that the amendment is not open to the point of order; that it ought to be placed onto

the appropriation bill and made a law.

Mr. BECK. Mr. President, I think it must be apparent to the Sen-Ar. BECK. Mr. Fresident, I think it must be apparent to the Senate that the proposed amendment is of a legislative character, from the speech of the Senator from Maine. It will be observed that he complained of the laws of the United States, turning to section 4009 and to other sections of the Revised Statutes, and telling what a miserable policy had been pursued and how oppressive the laws of the United States are upon the ships sailing under our flag. He proposes to change these laws now. I'do not know how to change a general law except by general legislation. The whole burden of that portion of his speech admits the proposition which I make that the laws as they now exist admits the proposition which I make, that the laws as they now exist (which he says are very bad, and I may be willing to admit they are just as bad as he says they are) are now to be changed by an amendment on an appropriation bill that is general legislation. That is the issue between us. I insist that under the rules of the Senate we can not by an amendment to an appropriation bill change the general laws of the United States, no matter how bad they may be. He insists that we can; that is the issue. The argument which he made showing that he was seeking to change bad laws gives up his case, as I understand

The object of a Post-Office appropriation bill is to provide for the service of the Post-Office Department for the next fiscal year. That is what we propose to do; that is the title of this bill, to make "appropriations for the service of the Post-Office Department for the fiscal year ending June 30,1886." The Senator is now seeking to get clear of bad laws that limit commerce, as he contends, and prevent us from carrying, as he says, our manufactured goods to Rio and to South and Central Amersays, our manufactured goods to kio and to south and central American ports. He does not complain of the mails; they go fast and cheap enough. The private man does not care how his mail goes, nor who carries it, so that he gets his mail cheaply and quickly. The Post-Office Department does not care so it goes promptly, and the spending of \$400,000 or \$800,000 or any sum, not to carry the mails, but under some other hidden pretense to aid commerce or build ships, is not making provision for the Post-Office Department for the next fiscal

The Senator from Maine asked me, with an air of triumph, why should we give a large sum of money to carry the mails from one little village in Kentucky to another? And why do we carry the mails at great cost down the Mississippi or the Ohio River, or any other stream? My answer is, every one of those mail-routes is let to the lowest bidder. Whether the carrier has a gray or white horse, a Mexican, a Canadian, or an American animal, the Post-Office Department does not care; the object is to get the mails from place to place as cheaply as possible. It is open to all competitors. They do not ask him whether he is an American citizen or where his wagon was built; whether it was built in London or Paris or Berlin or Louisville or anywhere else. The object is to carry the mails, to get the work done.

That is not this proposition. No one now complains that the work is not done; no one complains that it is not well done or that it is not cheaply done; but by indirection we are asked to do something else and

call it mail service.

The little boat that goes down the Mississippi, the Ohio River, or other streams has to call, whether she has business or not, at every other streams has to call, whether she has business of how, according the mail to the post-office. The landing, the starting, the carrying the mail to the post-office is the element that makes up most of the cost. So with the different star routes, as we call them, over the country, which are let to the lowest bidder. We have to carry the mail to our own people.

But the Senator says we pay very little for ocean postage; that England pays enormous sums. Of course she does, but we pay more than three times as much for postal service in the aggregate as England pays. We do not pay it to steamships; we pay it to railroads, to steamboats on the rivers and lakes; we pay it to the star routes. Why? Because we occupy a great continent and our people are scattered all over it;

we undertake to supply them with the mails whether the particular

State in which they live pays as much as some other State does or not.

The Senator from Maine says that Kentucky does not pay as much as she receives for her mails. I tell him that Kentucky pays more into the Federal Treasury in one year than Maine has paid in the last half century. We pay into the Federal Treasury from our taxes more every year than Maine has paid in the last fifty years, if I mistake not. But that is no argument on this point—does not amount to anything how that is no argument on this point—does not amount to anything how much Maine or Kentucky pays each—and the citizens of each are entitled to good mail service, and they get it. The men in the far Northwest do not pay for the mails in the form of postal revenues; they pay it in other forms. They send their grain to New York to go to Liverpool; they send their cattle, their hogs, their vast surplus products; they furnish exports which bring back needed supplies not produced here, in part at least, and make the balance of trade which we boast of,

so far as we are allowed to trade at all.

England, Scotland, and Ireland combined are very little more than one-third, they are nothing like half, as large as the State of Texas, yet England has 200,000,000 of people in India that she has to supply with mails that has to be done by ocean transit. She has her dominions in Canada; she has her naval stations the world over; she has over ten thousand commercial ports to which her ships run, and she has to send by vessels what we send by railroad, the mails that her people require, and she pays it in one form while we pay it in another. The Senator from Maine complains because she pays in the form that he now desires to subsidize for doing nothing large amounts. She pays her ship-owners for doing a great deal, and therefore he asserts that we are niggardly

and she is liberal because we do not pay ours for doing nothing.

The difference in the conditions of the people to be supplied with mails makes the differences in the means of transportation. England can not reach the East Indies by a railway nor by a star route. She can not reach Canada except by the ocean. She can not reach her great trading ports all over the world except by her ships, and she pays the sea-going service for doing it. We can reach our people by railways, by star routes, by steamboats on lakes and rivers, and we pay the service for doing that, because that is the best way to reach the people. That is all there is in those distinctions.

I shall not attempt to reply to the suggestion that I am always struggling to have ships built on the Clyde or somewhere else than here. My views on these subjects are well known and the reasons for them. If want the ships that compete with other people furnished as cheaply to the American citizens who run them as their competitors get their ships for. That is all I ask. I do not want the people of this country to be taxed in order to give double prices to the American ship-builder, who does not run the ship, nor compete for the foreign trade.

The Senator from Maine says he would pay \$4,000,000 a year instead of \$400,000. Where would he exact those \$4,000,000 from? He could not be said to be a support to the foreign trade.

of \$400,000. Where would be exact those \$4,000,000 from? He could only get it by piling taxation, already mountain high. Tariff taxation, that has already broken up our trade—he would make it still higher to raise the additional \$4,000,000 to give to a few people under pretense that they were carrying mails when, very likely, they had not a letter on their shins.

on their ships

He makes the humiliating confession that we have only 15 per cent. of our carrying trade when we once had 80.

Why have we only 15 per cent. of the carrying trade now when we had 80 per cent. in times gone by? When we had 80 per cent. there was a Democratic administration of the Government and a low tariff, an average of less than 20 per cent.; then our sailors and our ships and our commerce were encouraged to go all over the world. Now we have built up tariff taxation mountain high, until we are paying an average of 42 per cent., and we have been crushed in all our maritime enter-prises and in all our commercial relations with foreign countries until we have 15 per cent. of the carrying trade now instead of the 80 per cent. we had in days gone by, when a more liberal policy prevailed.

The Senator may thank the administration of his party for their ex-

clusive and prohibitory laws for being reduced down from 80 per cent. to 15 per cent of the carrying trade. And will he tell an intelligent people that England cares where our ships are built? She is building the ships of the world now. She is building for France, for Germany, for Italy, for everybody who is doing our carrying trade. The money of the Frenchman, the money of the German, the money of the Italian, is as good to her as the money of the American. It requires just so many ships to do the carrying trade of the world. Sixty per cent. of that carrying trade is in her own bands, and she furnishes the ships to do nearly all the balance of it. Is she interested in building up American shipowners? Will any intelligent man say so? We pay her to-day over \$100,000,000 a year to do our carrying trade. We feed and clothe and maintain for her 100,000 trained sailors who will be our worst enemies whenever she orders them to be. As the Senator from Maine said once before, I think eighteen months ago, 80 per cent, of our own sailors were American citizens. We had 90,000 of them in 1859 and 1860, when the Democratic party under a low tariff and liberal provisions for commerce ruled this country. Now, as he confessed himself, we have hardly any left, and 95 per cent. of those we have are foreigners of such an indiffer ent character that they could not get employment on the great ships of their own nationalities

What brought all that about? Protection, subsidy, crippling commerce, taxing the people to build up a few pets, just as this amendment proposes to do. You might subsidize them as much as you pleased and start your ship, laden with the goods that he is going to send to Rio, side by side with an English ship, and when you get the goods to Rio the people there have no money. The Englishman does not want money. He takes their copper, he takes their wool, he takes their everything, and he swaps what he has got for what they have, and he carries it back home and tells the men at home to pull off their coats and go to work and manufacture it again. We take our products there and we can not take anything but money in return, and that in exchange upon London, because we can not land any of the things our people want at home until 50 per cent. has been paid for the privilege of landing it.

But, as I said, I am not going to argue these questions. and now, that while this \$400,000 may be given to a few people it will not build up our ships, it will not permanently aid our commerce; our postal facilities and service do not need it, and the rules of the Senate,

in my judgment, prevent us from asserting it.

Mr. VEST. Mr. President, it is not my purpose to waste any time, for I consider it a waste of time, in discussing the rule of the Senate as to general or new legislation on appropriation bills. My experience in the Senate for six years has been that whenever the Senate saw fit to enact any legislation on an appropriation bill it was enacted, and the rules were swept away if those rules came in antagonism to the wish of the Senate. The question then is simply presented now, under the guise of a discussion of the rules, as to the adoption of an amendment which proposes to give \$400,000 in the shape of ocean mail pay to ships

in the foreign trade carrying the American flag.

Let there be no mistake about this matter. Let us understand distinctly and clearly what is the meaning of this proposition. It is proposed here for the purpose of encouraging the building of ships by Americans, the running of ships by Americans, the placing of ships under the flag of the United States. If any one thing is certain, in my judgment, in regard to the carrying trade of the United States, it is that no legislation by Congress can ever build up the carrying trade under the present conditions of commerce and production in the United States. We might as well attempt to chain the winds or the waves of the ocean, to alter the laws of nature, as to attempt by legislation to change the great current of production, of interest, of commerce which now regulates the carrying trade as it regulates everything else in the shape of

commerce upon this continent and elsewhere.

We were told here—the Committee on Commerce of which I have the honor to be a member were told at our session in New York, and told again after our return to Washington, and I read upon this floor at the last session a letter from Mr. Griscom, of Philadelphia, one of the most intelligent ship-owners in the United States, at the head of the Red Star Line, that the reason why American ships can not compete with other ships in foreign trade is because of the difference in the expense of running the ships, and he said to the committee of the Senate: "Take off that provision of your shipping laws which requires us to ship a new crew as soon as we touch American soil, and we shall be enabled to compete with the ships of Great Britain and France and the other maritime powers of the world." We repealed

that clause, and has it done any good? Since that time the four vessels that carried the American flag have taken it down, and are now navigat-

ing under the flag of Great Britain.

There is to-day, and that is the salient point in this whole question, There is to-day, and that is the salient point in this whole question, but one single steamship line which was under the American flag, the Pacific Mail Steamship Company, and every dollar of this \$400,000 will go into the pockets of the stockholders of that company. There will be no competition; there will be no bidding. It is a naked, plain donation of \$400,000 to that company. It is that and nothing else.

The letters carried between the Atlantic and Pacific seaboard are carried by rail. Nobody pretends that this appropriation is necessary for mail service. It is a subsidy. I do not mention the word in order to terrify any one, for I do not propose to be frightened by it myself, but it is a subsidy naked, pure, and simple.

The experience of the world shows that subsidies will not build up commerce under unfavorable conditions. The reason why our commerce has declined is because it does not pay to own American ships.

merce has declined is because it does not pay to own American ships. The reason why it has gone down has been because mines and railroads and stock-jobbing and agriculture pay better than the ocean. When New Englanders found that ships paid, New Englanders went to sea. When New Englanders found that it paid to go to the West and that the waves of the prairie were scenes of successful commercial venture, and not the waves of the ocean, then the young men of Massachusetts, New Hampshire, Vermont, and all New England went to the West new Hampsnire, Vermont, and all New England went to the West instead of going to the ocean. So it will be, in spite of our laws, until the conditions change and until Americans find that it pays better to go upon the ocean than upon the land. The man who does not know this has not read the history of shipping in other countries.

Up to 1854 the shipping trade of the United States steadily and persistently gained upon the carrying trade of Great Britain. Until 1855,

when there was a discovery that iron could be used in the manufacture of sea-going vessels, the clipper-built ships of the United States dominated the ocean and were superior to those of Great Britain, notwithstanding the difference in age of the two countries. During all of that standing the difference in age of the two countries. During an of that time—and I challenge contradiction from my friend from Maine—England was paying out millions of dollars in the shape of ocean postage, really as subsidies, and the United States was paying less than \$300,000. Notwithstanding the enormous subsidies, for they were nothing else, paid by Great Britain, we gained upon her steadily and rapidly till about 1855 they commenced the manufacture of iron ships, and then with changed conditions our commerce and our shipping trade began to retrograde, and England commenced running in advance, and has remained so to this time.

In my judgment this \$400,000, so far as building up the shipping trade In my judgment this \$400,000, so far as building up the sample is concerned, might as well be thrown into the yeasty waves of ocean not yet for this amendment. It is With that opinion I can not vote for this amendment.

useless to attempt to fight against laws which are beyond the control of Congress by any such pitiful legislation as this.

Mr. CALL. Mr. President, I regret to differ with Senators on this side whose lead I usually follow, but I can see a great deal of good that may possibly be accomplished, allowing them all that they claim upon their argument, by an appropriation of an amount equal if not greater than the entire sum received from our foreign postages for the encourthan the entire sum received from our foreign postages for the encouragement of the construction of American ships and the payment of American labor engaged in ship-building. Accepting in their utmost latitude the theories of my distinguished friends from Missouri and Kentucky as to the propriety of free trade in ships, it still remains true that there may be an encouragement to American ships by a proper appropriation of the public money. There is no conflict between the two propositions.

Americans might buy ships anywhere in the world, and still it might be judicious to appropriate the public money for the encouragement of the construction of American ships and American labor engaged in that I have great sympathy with the economic theories of the distinguished Senators from Missouri and Kentucky which would indicate a different policy by which the resources of the country could be exported to foreign countries and engage in competition with the trade of other lands, but they are not pertinent to this question, they have noth-

ing to do with it.

We have some American ships; we have some American artisans; we have American enterprise engaged in the construction of ships; and depressed as may be the condition of that industry, why should not the entire amount received from foreign postage be appropriated to test the experiment and see whether it will not increase the number of Ameri-

can ships upon the ocean?

I see nothing in the theories which have been propounded to conflict with the propriety of adopting the amendment; nor do I see anything against it in a proper construction of the rule of the Senate. The words general legislation" have no intelligible meaning. The definition which the President gave of legislation which is permanent being general and which does not exhaust itself with the provision is not. I think, a correct interpretation of the term "general legislation." If that be so, you might change the entire judicial organization of the country, you might change the entire salaries of its marshals, its attorneys, and if you limited it to a period of years—one, two, three, or five years—the legislation would be general or not general according to the limitation. There

is no intelligible meaning to that. Every act of appropriation of money which concerns the permanent departments of the Government is general legislation, and you must limit it in its construction under the rule of the Senate to those things which relate to the ordinary conduct of the public service.

This amendment certainly does that. It is a provision for the appropriation of public money for the postal service, domestic and foreign, and it simply proposes to appropriate a portion of the receipts which come from the foreign service to the payment of American ships engaged in the transportation of the mails. It is a discretionary matter with the Postmaster-General, whoever he may be. He is not to be allowed to make a contract for the appropriation of the money where there is no necessity for it, nor is he allowed to contract with lines that do no work and have no mails to carry. The amendment does not propose that; it proposes to allow him in the exercise of a wise discretion to expend a reasonable sum of money for a proper payment of American ships engaged in carrying the foreign mails, and as such I shall vote

Mr. PLUMB. I presume that the discussion on the point of order will perhaps exhaust the whole question, as it seems to have become a discussion on the merits of this proposition. I have before me the report of the Postmaster-General, and at page 30 he discusses this question. tion and expresses the opinion that some embarrassment will accrue to the Department if some power is not given the Postmaster-General to pay a greater sum than he is permitted to pay under the existing law. On page 643 of that volume the Superintendent of Foreign Mails makes a very decided recommendation that some change in existing law is necessary in order that this portion of the mail service of the United States may be carried on without interruption.

I am not going to enter into the general question of the revival of the American merchant marine in this discussion, nor do I think that is so great and important a factor in this proposition as that the incoming of the Democratic administration shall be wholly relied upon to bring about a reversal of that which we mourn so much—the departure from the sea of American commerce in American bottoms. In fact I am rather fearful that American bottoms under a Democratic administration will mean ships purchased with American money but made by

British workmen.

It does seem to me that there ought to be no objection whatever to paying to the ships which carry our mails, which carry the American flag, a reasonable price for that service. I have no doubt it will be said, as I think perhaps it has been said already in this debate, that many of these steamers and perhaps all of them are already running between home ports and foreign ports; that they are under a certain constraint to carry the mails, and that we can practically impose upon them and compel them to carry the mails for a less price than the actual value of the transportation, because they are thus running to and from the ports

between which we desire to have our mails carried.

If that is an argument, why do we not apply it in regard to our in-ternal transportation? There is not a railroad company in the United States to-day that is not under greater constraint to carry the mails on all its lines. We can cut down the price of mail transportation upon railroads one-half, perhaps three-quarters, and still the mails will be carried. Why? Simply because no railroad company practically would dare to refuse to carry the mails. It is such an incident to the convenience and to the comfort and to the business of the people along the line of its road that it would not under any consideration whatever fail to deliver those mails on every train on which the mails were proper to be carried, no matter whether it got more or less than it is getting now. Therefore, why do we not impose ourselves upon the internal transportation of this country to the extent of saying, "We have got you by the throat; we have got you where you can not get away; we are in a condition to impose upon you, and we intend to do it; we do not care what the service is worth, we will give you exactly what we please, and reduce the amount to the lowest possible figure in order that thereby the Government of the United States may make some profit out of private enterprises?" profit out of private enterprises?"

All I insist is that when we come to deal with this question with ref-

erence to the transportation of mails on the high seas we shall adopt the same rule that we do with reference to the transportation of mails on the railroads, paying a reasonable price. Saying nothing about any incidental building up of our merchant marine, ought we as a matter of fairness to say to any man sailing an American ship, made in an American ship-yard, employing American seamen, that we shall require of him to carry the mails at less than a fair price? Why may we not look to the American citizen carrying on business who is living in Rio, in Yucatan, in Guatemala, in any other place in South America, or in any other foreign country, and why ought we not to look to him with as much interest as affecting the question of the growth and development of American commerce and business as we do to the man who goes into of American commerce and business as we do to the man wingges into the secret and far recesses of the Rocky Mountains where, the moment he gets there, he calls upon us with a call which is never in vain to supply him with postal facilities?

I do not know as to all the elements of this problem. I do not know

how much or how little may be necessary in order to accomplish this result. I do not know absolutely with reference to all these lines how

much would be a fair price, but in the absence of a rule which is fair, under a condition of things in which confessedly we are requiring service der a condition of things in which confessedly we are requiring service which we do not pay for, I am willing to say to the Postmaster-General, and one not of my political faith, "I will give you discretion for this year," because this amendment of the Senator from Maine only applies to this year. It is a current appropriation. It begins with the 1st day of July next and ends in a year from that time. I am willing to say to the incoming Democratic Postmaster-General or to any Postmaster-General that for the purpose of correcting an acknowledged evil, for the purpose of supplying what is confessedly a lack, and in order that justice may be done, you shall, during these twelve months of time, exercise a reasonable discretion as to what is proper for the service to be rendered.

All at once, of course, here comes in the Pacific Mail Steamship Company, and I observe that in another place where this matter was under consideration a list of the officers of the company was read, and it was much to my edification, because I did not before know them. the names were read upon which persons delight to dwell when they want to bring before the American people something that is especially odious and to be avoided and to get up some kind of a scare, I wonder that some one did not move to amend the bill at that time by saying that no railroad company in which those men or either of them were stockholders should have any mail-pay for the carrying of the mails of

the United States upon the land.

Mr. President, I hope to live to see the time when ships owned by citizens of the United States may be prospered in their business. I hope to live to see the time when the carrying trade of the United States shall be so prosperous that men who now shun it as they shun a plague will go into it, employing not only the existing ship-yards and the ship-builders, mechanics, and laborers at existing ship-yards, but that the number of the ship-yards may be multiplied tenfold because of the profit of the business, for I know of no way whereby a people can become rich, prosperous, and powerful unless the individual members of the commonwealth are themselves rich and prosperous, because national wealth, if I know it, is not in the possessions of the Government, it is not in the savings and pinchings whereby the Government imposes itself upon its people and thereby saves to its revenues, but it is in the aggregation of the wealth of individuals.

If any man has made or is making or hopes to make money out of the plying of an American ship in foreign waters or elsewhere, I for one am willing to give him a decent chance, and to say that if our Government wants anything of him from the carrying of an officer of the Navy to a letter or a newspaper, we will give him whatever that service is worth, and we will not reflect upon him, nor bear upon him harder, nor deal with him more unjustly or ungenerously than we

would if he were a foreigner.

In fact we deal in all our relations more justly and more generously with foreigners than we do with home people. We pursue a policy that builds up ships on the Clyde; we pursue a policy that makes British manufacturers and French manufacturers rich; we pursue a policy that enables Great Britain to extend her commerce into all the seas of the world, and we rejoice in that. But the very moment it is suggested that we should do something to enable our people to do that, then the cry is to hold back; the cry is that we shall make somebody rich, that we shall add something to the wealth of the United States by means of the individual fortunes to be built up in this kind of business. We draw back and say, "Oh, no; we prefer to make Great Britain rich; we prefer that she shall send her ships into all the seas and all the ports rather than that we shall send ours there;" and we thus contribute to build up, to maintain, and strengthen the commerce of one nation which, above all other nations in the world, is to be our rival if we are ever seriously to enter upon a contest for supremacy on the

This is an issue which does not concern merely the people who live upon the coast; it is a question which concerns every man who raises corn or wheat in the interior of this country. He is interested in all the questions that build up not only the manufacturing interests of our country, but enable our commerce to be carried in American ships into

country, but enable our commerce to be carried in American ships into those sections of the world where we must inevitably look for markets if we are to continue to grow more than we use at home.

As I said, however, that is merely incidental to this question. I look upon the proposition now before us as simply this: Shall we give to the Postmaster-General the right during the next twelve months to make such an agreement with the owners of American ships for the transportation of mails as shall result in giving to them a compensation which is fair as between man and man, nothing more and nothing less? We give it to the railroad companies because we say they earn it. We do not bear down upon them with a heavy hand, as we can; but our own people as they are, we are ashamed to look them in the face and say that we exercise a power which we ought not to exercise. We give them prices we do not need to give. We can take \$7,000,000, we can take \$10,000,000 away from the railways of this country that we now pay for carrying the mails, but to do so would be dishonorable, and we do not do it. But whenever we come to touch the question of and we do not do it. But whenever we come to touch the question of transportation in American ships we do not scruple to say that we will exact of them a service which ought to be rendered and require them

to render it for a price which is totally inadequate to the duties imposed upon them.

The PRESIDING OFFICER. The question is whether the amendment submitted by the Senator from Maine [Mr. FRYE] is in order.

Mr. FRYE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORGAN. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. It is proposed to strike out lines 174, 175, and 176, and to insert:

For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip, each way, actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

The Secretary proceeded to call the roll.

Mr. WALKER (when his name was called). I am paired with the Senator from Virginia [Mr. RIDDLEBERGER] or I should vote "nay."

The roll-call was concluded.

Mr. DAWES. I desire to announce that the Senator from Iowa [Mr. Allison] is paired with the Senator from Missouri [Mr. COCKRELL]. The Senator from Iowa would vote "yea" and the Senator from Missouri would vote "nay."

Mr. PIKE (after having voted in the affirmative). I desire to withdraw my vote. I forgot at the moment that I am paired with the Senator from Nevada [Mr. FAIR].

Mr. SABIN. I wish to state that I am paired on general subjects with the Senator fron West Virginia [Mr. Kenna], but as I have no reason to believe that the pair should be observed on this vote, I have

The result was announced-yeas 33, nays 20; as follows:

YEAS-33.

Aldrich,	Dawes,	McMillan,	Plumb,
Blair,	Dolph,	Mahone,	Pugh,
Bowen,	Edmunds,	Manderson,	Sabin,
Brown,	George,	Miller of N. Y.,	Sawyer,
Call,	Hale.	Mitchell,	Sewell,
Cameron of Wis.,	Harrison,	Morgan,	Wilson.
Chace,	Hawley,	Morrill.	
Conger,	Hoar,	Palmer,	
Cullom,	Jones of Nevada,	Platt,	

		NAYS-20.	
Bayard, Beck, Camden, Coke, Colquitt,	Garland, Groome, Hampton, Harris, Hill,	Jackson, Jonas, Maxey, Saulsbury, Sherman,	Vance, Van Wyck, Vest, Voorhees, Williams.
A 18 18 18 18 18 18 18 18 18 18 18 18 18			

ABSENT-23.

Frye,	Lamar	Pike,
Gibson,	Lapham,	Ransom,
Gorman,	Logan,	Riddleberger,
Ingalls,	McPherson,	Slater,
Jones of Florida,	Miller of Cal.,	Walker.
Kenna.	Pendleton.	
	Gibson, Gorman, Ingalls, Jones of Florida,	Gibson, Lapham, Gorman, Logan, Ingalls, McPherson,

The PRESIDING OFFICER. The amendment is held to be in The question recurs upon the adoption of the amendment.

Mr. SAULSBURY. I did not say anything on the question of order that was raised on the very text of the rule with reference to legislation upon appropriation bills. I have observed that the construction placed upon that rule is that we generally vote for that legislation of which we are in favor, and antagonize that to which we are opposed whenever

a question of order comes up under that rule.

In reference to the merits of this proposition of amendment, the Senator from Maine simply proposes to vest in the Postmaster-General discretion to enter into contracts to pay the owners of American ships for carrying foreign mails such amount as he may deem proper, and the Senator from Kansas has very eloquently urged the propriety of our investing the Postmaster-General with that discretion. For my part, while I have no doubt that I shall have very great confidence in the next Postmaster-General, I am not willing to give to him any such discretion. I have learned by my experience in the Senate that it is under

the discretionary powers given to executive officers of this Government that much of wrong has taken place.

I remember that under the discretionary power which was given to the Postmaster-General to expedite post-routes and to multiply the number of trips that could be made upon any post-route in the counnumber of trips that could be made upon any post-route in the country we were called upon here, a few years ago, to make an appropriation of \$1,800,000 because of the exercise of that discretion vested in the Postmaster-General, and we actually did appropriate \$1,100,000, which we were compelled to appropriate to prevent the stoppage of the carrying of the mails because of the manner in which that discretion had been exercised by the Postmaster-General. While I say I shall have, I have no doubt, the highest respect for and the greatest confidence in the next Postmaster-General, I am not willing to clothe him or any other executive officer with a discretion that may take out of the Treasury of the United States money that ought not to be taken out.

Now, in reference to the merits of this amendment, who are to be the

beneficiaries under it? What steamship lines have we? It is said that it is not a subsidy; but who are the persons that are owning the American steamship lines to-day? The Pacific Mail Company and Mr. John Roach and nobody else so far as I know. I do not know of a single American steamship that is running to-day in foreign trade but what is owned and run either by the Pacific Mail Steamship Company, which, I believe, has some twenty-odd steamships upon the Pacific and one or two npon the Atlantic, and another gentleman who has been clamorous for subsidies in one form or another ever since I have been a member of this body.

Mr. FRYE. Will the Senator allow me a word?

Mr. FRYE. Will the Senator allow me a word?
Mr. SAULSBURY. Certainly.
Mr. FRYE. I do not know that Mr. John Roach owns a single steamship that will receive benefit from this. I think he does not. His ships are withdrawn from the Brazilian line. I do know that there is a large steamship company which is running ships under the American flag from California to China and Japan and the Australian colonies, outside of the Pacific Mail Steamship Company. I do know that there is a steamship company running lines to other ports. I do know that is a steamship company running lines to other ports. I do know that there is a steamship company running a steamship from New York to the River Platte; I do know that there is a steamship company run-ning American steamers from Boston to Hayti. I do know that there are steamers running from Boston to the West Indies carrying the American flag. So, then, the Senator's knowledge is without much

Mr. SAULSBURY. I confess that the Senator is possessed of information on the subject of steamship lines that I did not possess. I did know that there was another on the Pacific coast, but I had forgotten it for the time. I was not aware that there was a steamship line from Boston to Hayti, and I confess that the Senator from Maine possesses information on that subject which I did not possess. But the revelation which the Senator from Maine makes to us here is an argument against his amendment. If independent lines are springing up all over this country from Boston and from other places without the subsidies proposed by his amendment, wherefore the necessity of his amendment? The very information which he volunteers here to correct an error into which I had fallen, establishes conclusively that there is no necessity for the amendment which he has offered. Therefore I think that it is a voluntary contribution out of the public Treasury for the benefit of somebody, that is not demanded by any service to be performed to the Post-Office Department.

These drains upon the Post-Office Department are defended as not being subsidies; but has the Government ever had any trouble to get the mails of the country carried for the ocean postages? When did we first hear that there was any complaint about our not being able to carry the mails upon the ocean? I remember a few years ago that I read in the Senate a letter from the Postmaster-General in which he stated that he had no difficulty in getting the ocean mails transported, and there is none to-day. Every letter and every paper that we see proper to send across the ocean will go, especially the letters will go, without any subsidy to any line or without any appropriation as proposed in the amendment of the Senator from Maine. Disguise it as you may, treat it as you may, it is nothing less than a proposition to take out of the public Treasury \$800,000 and place it at the discretion of the Postmaster-General to appropriate as he pleases or as he sees proper to such lines as he in his judgment thinks it is necessary to appropriate it to to carry the mails. To that I am opposed.

mails. To that I am opposed.

Mr. FRYE. Will the Senator pardon me again?

Mr. SAULSBURY. Certainly.

It is not \$800,000.

Mr. FRYE. It is not \$800,000. It is only half as much.
Mr. SAULSBURY. The first printed copy I saw was \$800,000.
Mr. FRYE. That is the whole appropriation for carrying the mail

on foreign ships as well as our own.

Mr. SAULSBURY. Last year there was a proposition here to take what money was realized from the Atlantic steamship lines that did not cost all that the postage was and to appropriate that to the same lines that are to be the recipients of this beneficence on the part of the Senator from Maine, and from the time that I have had connection with the Senate in one form or another there has been a proposition to take money out of the public Treasury, not for the benefit of the public service but for the benefit of some private parties—parties, I mean, interested in steamship companies.

If there was any necessity for it, if the business of the country could not be carried on with foreign ports through the mails without this appropriation, I should be willing to vote for it as I do for the transportation of the mails by star route and by railroad. Every star-route line is subject to lively competition; advertisements are placed in the newspapers and competing parties bid for the service; but here we may say what we please about the Postmaster-General advertising for the carrying of the mails in ocean steamships, we all know that there are but very few parties who can compete for the service, because there are very

few parties interested in ocean steamship navigation.

I am opposed to this proposition, as I have always opposed every subsidy that has been proposed to further the interests of private parties at the expense of the public Treasury.

Mr. VAN WYCK. Mr. President, I offer the following amendment to the amendment to be added at the end of it:

Provided, That no part of the money hereby appropriated shall be paid in pursuance of any such contract to any steamship company now established and which has been paying dividends.

I suppose the amendment of the Senator from Maine is to have the effect which is attributed to protection generally; that is it is to protect infant industry; and therefore it is if this proposition to expend \$400,000 in the manner proposed is to benefit, is to encourage the putting on of new steamship lines, it is well that the greater part of it should not go

to a steamship lines, it is went that the greater part of it should not be to a steamship company which has been, I suppose for thirty years, paying dividends—I mean the Pacific Mail Steamship Company.

Disguise it as you may, this proposition is substantially to benefit that steamship company, because as I say the greater part of this money proposed to be expended is to be paid into the treasury of the steamship company thus long established. Does the Senator from Maine suppose company thus long established. Does the Senator from Maine suppesse that he will induce any steamship company to organize and establish a line of vessels upon the proposition of giving them the pittance left of this \$400,000, and only the assurance of that for one year? Yet we are called upon to make this appropriation to benefit our feeble, perishing commerce, and the most of it as I have said is to be bestowed liberally on this steamship company. If there be citizens of America in Japan and China and Australia needing mail facilities, they are served to-day, they are served by the service which this wealthy corporation is enabled give them. That is all that is desired in those waters, I presume. Why make this subsidy to this steamship company which needs it

not? For years they have been reaching those ports; for years they have been amassing sufficient money in the carrying of commerce to declare liberal dividends. The Senator from Maine says that the Oriental and the Occidental lines run on the Pacific. Certainly; but the Oriental and the Occidental lines to-day are controlled by the same influences that control the Pacific Mail. All these great organizations are controlled by the same master spirits. They are in the interest of the Pacific railroad lines that cross our continent; and when the three steamships owned by the Oriental and Occidental companies were placed between California and Japan and China, it was done by Huntington and his crowd in order that they might force the Pacific Mail to obedience to their behests and demands. Huntington, that charming historian of American politics and American legislation, says so. He says so in those epistles which he wrote so elegantly to his friend Colton. Now listen for a moment and see if this was not so:

NEW YORK, December 3, 1874.

FRIEND COLTON: Yours of the 23d of November is received. I notice what you say of O. and O. S. S. Co.—

The Oriental and Occidental Steamship Companyalso of P. M.-

Pacific Mail-

If we could make just the right arrangement with the P. M. it would be

Listen to these words: "If we could make just the right arrangement with the Pacific Mail it would be well"-

but I think the best time for us to make an arrangement will be when we have in the Pacific say three first-class steamers. They will be good tools to make P. M. do as they agree; but I would suggest that when we do trade we do our own trading. I send with this copy of contract that I propose to make between railroads and O. and O. S. S. Co.

Then in another letter, a few days before the one I have just read, he says to his friend Colton:

But with those three we can make the prices for the old line, and I think three is enough to break them with, unless the managers of that company are changed, and then we most likely can get their steamers.

There is the inspiration, the motive, the spirit which placed the three steamships of the Oriental and Occidental Company on the Pacific—to break down the Pacific Mail, to use them as tools, to force the Pacific Mail to comply with Huntington's demands and exactions. It is barely possible that that influence which dictated these letters, that influence which stalks into the halls of legislation whenever it desires, has the impudence to come and ask that their particular pet schemes may be recognized and fostered and fed from money which we extract from the pockets of the people and put in the Treasury of the United States. That controlling spirit may account for it all, and then force the Pacific Mail to do as they agreed; and one portion of that agreement was that they would keep up the rates of freight and transportation: that they they would keep up the rates of freight and transportation; that they would break down competition; that they, having this great Government under their control, would pay nearly a million dollars a year to the Pacific Mail Steamship Company in order to control a certain portion of their road so as to regulate freights and tariffs.

The object was to prevent competition between the Atlantic and Pacific. Here was the Pacific Mail occupying both oceans, and the enormous railroad corporations reaching from the Missouri River to the Pacific Ocean were determined that that competition should be checked. These organizations paid a million dollars and more yearly; they subsidized the Pacific Mail; they subsidized it more liberally than your Government can do; they subsidized it by taking a million dollars a year from their treasury, and the Pacific Mail surrendered. Huntington said that, in order to have a hold upon these men. they

must have three steamships on the Pacific, and the Occidental and the Oriental lines put them there; and thus the Pacific Mail was found to be one of their instruments in fettering commerce, binding it to these three or four men who control our transcontinental trade, who seek the control of what little we have left in the Atlantic and Pacific Oceans, and they come here to have \$300,000 stolen from the Treasury to give to this wealthy corporation. If it is only for one year it will encourage no commerce, it will build no steamships, it will open no new lines. The only object is to take still more to place in the pockets of those who have overburdened this people and our commerce with taxation too grievous to be borne.

tion too grievous to be borne.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment of the Senator from Nebraska [Mr. WYCK] to the amendment proposed by the Senator from Maine [Mr.

FRYE

Mr. HILL. Mr. President, I understand the money appropriated by Mr. First Mr. President, I understand the money appropriated by this amendment will go almost entirely, if not entirely, to the Pacific Mail Steamship Company. I hold in my hand a manual of railroad statistics, to which I desire to refer for a moment. It shows that this company last year made a profit of \$1,393,000; that it is paying 6 per cent. dividends on \$20,000,000, of which probably one-half is watered stock; that the company receives a "traffic guarantee," whatever that may mean, of the Pacific railroad companies of \$5,000 per month; that it has no debt; and also receives foreign subsidies to the amount of \$291,000.

I am unable to see why Congress should appropriate money to pay this Pacific Mail Steamship Company a subsidy for carrying the mails under these circumstances. For that reason I am opposed to the amend-

ment and shall vote against it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska [Mr. VAN WYCK] to the amendment of the Senator from Maine [Mr. FRYE].

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Maine [Mr. FRYE].

ment proposed by the Senator from Maine [Mr. FRYE].

Mr. COKE called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with
the Senator from Florida [Mr. Jones]. Not knowing how he would
vote upon this question, I abstain from voting. Were I permitted to
vote I should vote "yea."

Mr. VAN WYCK (when his name was called). I am paired with
the Senator from Rhode Island [Mr. Aldrich]. He is in favor of this
proposition and I am opposed to it.

Mr. WALKER (when his name was called). I am paired with the
Senator from Virginia [Mr. RIDDLEBERGER]; otherwise I should vote
"nay."

The roll-call was concluded.

Mr. CHACE. My colleague [Mr. Aldrich] is paired with the Senator from Nebraska [Mr. Van Wyck]. If he were here my colleague

would vote "yea."

Mr. CALL. My colleague [Mr. Jones, of Florida] is detained at home by illness. He is paired with the Senator from Nebraska [Mr. Manderson]. I do not know how my colleague would vote on this

Mr. MITCHELL. My colleague [Mr. Cameron, of Pennsylvania] is absent on account of illness. If he were present I believe he would vote "yea." He is paired with the Senator from California [Mr. Far-

VEAS-30

The result was announced-yeas 30, pays 18; as follows:

Blair, Bewen, Brown, Call, Cameron of Wis., Lapham, McMillin, Mahone, Miller of Cal. Miller of N. Y., Mitchell, Dolph, Dolph, Lapnam Frye, McMillir Hale, Mahone, Harrison, Miller of Hawley, Miller of Hoar, Milchell, Ingalls, Morgan, Jones of Nevada, Morrill, Plumb, Plumb, Pugh, Sawyer, Sewell, Wilson. Conger, Cullom, NAYS-18. Bayard, Beck, Coke, Colquitt, Garland, Jonas, Maxey, Pendleton, Saulsbury, Slater, Vest. Voorhees, Williams. George, Groome, Hampton, Harris, Hill. NOT VOTING-28. Aldrich, Allison, Butler, Camden, Cameron of Pa, Cockrell, Dawes, Kenna, Lamar, Logan, McPherson, Manderson, Palmer, Pike, Ransom, Riddleberger, Sabin, Sherman, Vance, Van Wyck, Walker, Edmunds, Fair, Fair, Farley, Gibson, Gorman, Jackson, Jones of Florida,

So the amendment was agreed to. .

Mr. MAXEY. I call the attention of the Senator in charge of the bill to the amendment which I now offer. I think no possible point of order can apply to it, being in the exact line of that voted to be in order. In line 50, page 3, I move to strike out the word "lease" and insert "apply part thereof to the purpose of leasing;" at the end of the

same line to strike out the word "and;" and after the word "second," in line 51, to insert "and third;" so as to read:

That the Postmaster-General may, in the disbursement of this appropriation, apply part thereof to the purpose of leasing premises for use for post-offices of the first, second, and third classes, at a reasonable annual rental.

This does not increase the appropriation a farthing. It simply gives the Postmaster-General the discretion where in his judgment the inter-ests of the public service require that a part of it should be applied to the rental of third-class offices to do so, and is in the exact line of the vote the Senate has taken.

I ask the Secretary to read the first part of the clause to make the connection. The amount of \$490,000 is appropriated, and I use the words "in the disbursement of this appropriation" so as to show the

connection.

The Chief Clerk read as follows:

For rent, light, and fuel, \$490,000. That the Postmaster-General may, in the disbursement of this appropriation, apply part thereof to the purpose of leasing premises for use for post-offices of the first, second, and third classes, at a reasonable annual rental, &c.

Mr. PLUMB. I feel constrained to raise the point of order if the point of order will lie against the amendment. This provision in its succeeding terms provides for a lease of six years, which of course would

outrun the appropriation.

The PRESIDENT pro tempore. The Chair will submit the point of

order to the Senate.

Mr. MAXEY. On precisely a like proposition the Senator from Kansas voted "yea," on the proposition of the Senator from Maine that where an amendment regulated the disbursement of an appropriation made in the bill the point of order would not lie, and the Senate by a large vote sustained that view. It is simply proposed that in a particular disbursement the appropriation may be used for rent of third-class

The PRESIDENT pro tempore. The question is, Is the amendment proposed by the Senator from Texas in order?

The question was decided in the affirmative.

The PRESIDENT pro tempore. The amendment is declared to be in order. The question is on agreeing to it.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. The Senate as in Committee of the Whole has made sundry amendments to the bill. The question now is on concurring in the amendments made as in Committee of the Whole. If there be no objection the question will be taken on all the amend-ments together. The Chair hears none.

The amendments were concurred in.

Mr. PLUMB. I wish to state that in lines 73 and 74, under the title of "Office of the Second Assistant Postmaster-General," there has been of "Office of the Second Assistant Postmaster-General," there has been heretofore a provision for the payment of a certain sum of money for the transportation of mails across the Saint Louis bridge. That is not repeated in this bill upon the theory that the provision of the former bill was a continuing one; in other words, was general legislation and did not need to be repeated... In order to show that that was in contemplation in leaving out the clause I make this statement that the committee believe that the provision of last year was a continuing one, and that therefore it did not need to be repeated in this bill.

Mr. MAHONE. Under the instructions of the Committee on Post-Offices and Post-Roads, I move to amend the bill on page 7, at the end of line 138, after the word "postage." by inserting:

of line 138, after the word "postage," by inserting:

And that reports of State boards of education, State superintendents of public institutions, and other books, circulars, forms, and blanks relating to education sent out by such shall be charged at the rates herein prescribed for second-class matter.

I make the point of order on that amendment.

The PRESIDENT pro tempore. The Senator from Kansas makes the point that this amendment is not in order. The Chair will submit the question to the Senate. Senators who are of opinion that this amendment is in order will say "ay;" those of the contrary opinion will say "no." [Putting the question.] The Senate decides that the amendment is not in order.

Mr. BROWN. This morning we struck out, I think as one amendment, from line 129 to line 138, inclusive, on pages 6 and 7. I think the latter portion of that clause ought to have been retained. I am not quite sure whether I can have a vote taken on the latter portion, or move that it be reinstated, or vote against the amendment in the Senate, or whether I may offer that portion of it as an amendment in the

The PRESIDENT protempore. The Senate has agreed to the amendments made as in Committee of the Whole. The words referred to by the Senator from Georgia are therefore in the bill now as before the Senate.

Mr. BROWN. Then I propose to offer that portion that I referred

to, the latter part of it, as a separate amendment in the Senate.

The PRESIDENT pro tempore. Will the Senator name the lines he wishes inserted?

Mr. BROWN. The portion I desire to have inserted in the bill as it

came from the House is that found in lines 136, 137, and 138, as follows:

And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage.

That is done every day, and it is a great convenience when we get a newspaper that there shall be a mark on it to put the eye on the subject-matter to be read. I will reserve that if I can do so, and offer it as a separate amendment in the Senate.

The PRESIDENT pro tempore. The bill has been reported to the Senate and the amendments have been agreed to. The Senator can

now move any amendment he desires to have inserted.

Mr. BROWN. Then I move that those three lines, commencing at the word "and" in line 136, and ending with the word "postage" in line 138, be inserted as an amendment.

The PRESIDENT pro tempore. The Senator from Georgia proposes an amendment, which will be read.

The CHIEF CLERK. On page 6, line 128, after the word "law," it is proposed to insert:

And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage.

Mr. PLUMB. This matter was discussed at some length at a previous session of the Senate and the Senate struck out the clause, as I thought upon a fully-defined principle applicable to this bill, that it would not enter upon legislation other than that which simply affected the rate of postage now existing and would not introduce new elements. I therefore feel constrained to make the point of order on the amendment.

The PRESIDENT pro tempore. The Chair will submit the point of

order to the Senate.

Mr. BROWN. This is a portion of the bill as it came from the House of Representatives, language that was passed by the House of Representatives. I think it is a wise provision. I think nine-tenths of the people of the United States understand now that they have the right to draw a pencil mark at the head of an article so as to attract the eye of the person to whom it is sent. I do not see any harm whatever in it; and as all of us know, who receive newspapers containing articles to which our attention is desired, it is quite convenient. It saves us from looking through the newspaper, because the eye catches at the object of the friend who sends it; and if there is nothing printed or written I see no good reason why the simple pencil mark should not be made.

Mr. MAXEY. I think the Senator from Georgia was not in this morning when the subject came up. This is now the law:

And the sender of any article of the third class of mail matter may write his or her name or address therein, or on the outside thereof, with the word "from" above or preceding the same, or may write briefly or print on any package the number and names of the articles inclosed.

That is the law and has been.

Mr. BROWN. On the outside of the package. Mr. MAXEY. And mark the article itself.

Mr. BROWN. I did not understand the reading correctly then. What I desire to get at is the privilege to draw a pencil mark at the head of an editorial or communication or anything a friend sending a paper desires one to read.

The PRESIDENT pro tempore. The question is, Is the amendment

proposed by the Senator from Georgia in order?

Mr. HARRISON. I should like to have the amendment read.

The PRESIDENT protempore. The amendment will be again read. The Chief Clerk read the amendment.

Mr. BROWN. It is simply in the language of the bill as it came from the House, retaining the provision about the mark at the head of an ar-

Mr. HARRISON. Is there not also a question of order about that, arising under Rule XVI? In Committee of the Whole these words were stricken out of this section, and the Senate has agreed to that amendment. Is it in order to move to insert them again?

Mr. BROWN. That was not stricken out as a separate amendment. The clause that was stricken out commenced on line 129, with the words "Provided, however," &c.

Mr. HARRISON. There was a separate vote upon these particular words in Committee of the Whole. The whole clause was divided upon my demand, and the Senate has agreed with the Committee of the Whole in striking out these words. Now I inquire whether it is competent after that action to move to insert the same words?

The PRESIDENT pro tempore. The Chair submitted the whole question of order to the Senate; not only the point made by the Senator from Kansas, that it is legislation, but also every other point that can be raised on the amendment.

Mr. HARRISON. I rose to a parliamentary inquiry in order to get the opinion of the Chair whether the point I stated was not well taken. The PRESIDENT pro tempore. The Chair submits that point to the

Senate. I should like to inquire of the Senator from Indiana if he is sure that the question of striking out the particular words now offered as an amendment by the Senator from Georgia was taken separately. My understanding is—but I am not confident that I am

correct-that they in connection with many other words appearing prior to them in the bill were stricken out.

Mr. HARRISON. I am perfectly sure that the question was taken separately, because the division was made on my own suggestion.

The PRESIDENT pro tempore. The Chair will state that the question was taken separately on these identical words.

Mr. HARRIS. Then I quite concur with the suggestion of the Senator from Indiana. If that be so they can not now be offered in order.

Mr. BROWN. Then I move a reconsideration of the vote by which they were stricted out.

they were stricken out.

The PRESIDENT pro tempore. That is not now in order, the Senate having agreed to the action of the Committee of the Whole. The simple question now is whether the amendment proposed by the Senator

from Georgia is in order. The Chair will put that question.

The question being put, it was decided in the negative.

The PRESIDENT pro tempore. The Senate decides that the amendment is not in order.

Mr. HILL. I offer the following amendment to be inserted after

Mr. BROWN. I will inquire now

The PRESIDENT pro tempore. The Senator from Colorado has the floor and offers an amendment which will be read, after which the Chair will recognize the Senator from Georgia.

The CHIEF CLERK. After line 128 it is proposed to insert:

That Sunday-school publications shall be entitled to free transportation through the mails.

Mr. HILL. I wish to say just a word in regard to this amendment. There is no other one agency that is productive of so much good as the Sunday-school, and as we have now agreed in this bill to transmit through the mails at 1 cent a pound such publications as the Police Gazette, the organs of socialists and infidels, and all other kinds of injurious publications, I think we may afford to transmit Sunday-school publications free.

Mr. PRESIDENT pro tempore. The Senator from Colorado has offered an amendment. The question is on agreeing to it.

Mr. HARRISON. I think the attention of the Senator in charge of the bill should be called to the fact—
Mr. PLUMB. The amendment, I understood, was to the same effect

as that of the Senator from Virginia, which was ruled out. I make the point of order that it is general legislation.

The PRESIDENT pro tempore. The Senator from Kansas submits a point of order that this amendment is not in order. The Chair will

submit the question to the Senate. Senators who are of opinion that the amendment is in order will say "ay," those of the contrary opinion will say "no." [Putting the question.]

The question was decided in the negative.

Mr. HILL. I will now offer one other amendment, which I hope the Senator from Kansas will not object to, allowing these publications to go through the mails at the same rate as newspapers. At the end of line 128, I move to insert:

That Sunday-school publications shall be entitled to transmission through the mails at 1 cent per pound, to be prepaid by ordinary stamps affixed thereto.

Mr. PLUMB. I make the point of order on that.

The PRESIDENT pro tempore. The Senator from Kansas makes the point of order that this is in violation of the rules of the Senate. The question is, Is this amendment in order?

The question being put, it was decided in the negative.

The PRESIDENT pro tempore. The amendment is not in order. Mr. BROWN. I do not know that I correctly understood the decision of the Chair, and I simply make the inquiry. I understood the Chair to say that I was not now in order in moving to reconsider the action of the Senate by which the three lines I have referred to already were stricken out of the bill as it came from the House.

The PRESIDENT pro tempore. The Chair did not make any such

ruling.

Mr. BROWN. Then I misunderstood the Chair.

The PRESIDENT pro tempore. It is in order for the Senator to move to reconsider the vote of the Senate agreeing to the amendments made as in Committee of the Whole.

Mr. BROWN. Then I move to reconsider the vote of the Senate by which the following language was stricken out of the House bill: "And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without

increase of postage."

The PRESIDENT pro tempore. The Chair thinks the Senator must submit his motion to reconsider the vote as it was taken. It was taken in gross. He must move to reconsider all the amendments, and not a

Mr. BROWN. It is necessary then, as I understand the Chair to rule,

although this was a distinct vote as the Chair stated——
The PRESIDENT protempore. It was not a distinct vote on agreeing to this amendment made as in Committee of the Whole; but there was one distinct vote on agreeing to the amendments made as in Committee of the Whole

Mr. BROWN. Did I misunderstand the Chair a while ago to state

that this was stricken out of the bill by a distinct vote on these very

words?

The PRESIDENT protempore. That was in Committee of the Whole.
When the bill was reported to the Senate the Senate took a vote on all
the amendments agreed to as in Committee of the Whole together.
Mr. BROWN. Then I move to reconsider that vote that I may get

at this question.

The PRESIDENT pro tempore. The Senator from Georgia moves to reconsider the vote by which the Senate agreed to the amendments made as in Committee of the Whole. The question is on agreeing to that motion.

The motion was not agreed to.

Mr. SHERMAN. It has always been customary in the Senate when a question has been taken by inadvertence, and a Senator says that, to grant him a reconsideration as a matter of courtesy. I hope, therefore,

I do not know what the question is that the Senator from Georgia desires to present, but it has always been done. I have been caught in this way several times. I hope, therefore, the Senate will not deny to the Senator from Georgia that which has always been conceded, that the vote may be reconsidered as a matter of form.

The PRESIDENT pro tempore If there be no objection the Chair

The PRESIDENT pro tempore If there be no objection the Chair will put the question again on the motion of the Senator from Georgia. The Chair hears no objection. The question is on reconsidering the vote agreeing to the amendments made as in Committee of the Whole. The question being put, a division was called for.

Mr. HARRIS. I desire to suggest to the Senator from Kansas that if this vote is reconsidered, the particular language that the Senator from Georgia wants to retain in the bill having been stricken out as a distinctive proposition, the result will be that the Senator from Georgia will then demand a separate vote upon that particular clause and that will then demand a separate vote upon that particular clause, and that is the end of it.

Mr. BROWN. That is all.

Mr. HARRIS. He certainly is entitled to that separate vote.
Mr. PLUMB. If the Senator will ask for that I have no objection

Mr. PLUMB. If the Senator will ask for that I have no objection to giving unanimous consent to having that done.

Mr. BROWN. That is all I desire.

Mr. PLUMB. But I do not wish to go to work and go over all the subjects we have had under consideration. I have some responsibility as in charge of the bill.

Mr. HARRIS. I have to assure the Senator that it involves no make

Mr. HARRIS. I beg to assure the Senator that it involves no such consequence. The Senator from Georgia will simply demand a separate vote on that particular language, and when that vote is taken there

is the end of the matter.

Mr. INGALLS. Let us have unanimous consent that the vote may

be taken on the proposition desired by the Senator from Georgia.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that the question be taken now separately on agreeing to the amendment made as in Committee of the Whole striking out the words in lines 136, 137, and 138 that have been read. Is there objection? The Chair hears none. The question now is on agreeing to the amendment made as in Committee of the Whole striking out those words.

words.

Mr. BROWN. A negative vote retains the words in the bill?

The PRESIDENT pro tempore. A negative vote retains the words in the bill. The question is on concurring in the recommendation of the Committee of the Whole that the words be stricken out of the bill.

The question being put, there were on a division—ayes 20, noes 21.

Mr. PLUMB called for the yeas and nays; and they were ordered.

Mr. PLUMB. The Senate, as I supposed, struck out that clause according to the recommendation of the committee, because that was a change of the law senarate and distinct and entirely apart from the a change of the law separate and distinct and entirely apart from the changes involved in the other provisions of this legislation inserted by the House. This changes the general run of the post-office law; it authorizes certain matter to be transmitted in a way that is not now

permitted. The other legislation simply affected the weight of letters and the postage on newspapers, and was a plain proposition. I care nothing about it except to preserve as far as I can the consistency of the Senate in regard to the question of legislation on appropriation bills.

Mr. WILLIAMS. I can not see why a black mark should not be permitted to be drawn at the head of an article in a newspaper without the paper being subjected to additional postage, for it is a great relief to us as every member of the Senate must know. With the large number of papers sent to us from every section of the country, drawing our attention to particular articles in the papers, it saves us a vast amount of trouble in hunting through the articles are the papers. trouble in hunting through the entire papers to have marks drawn around the articles to which our attention is desired. It is not only an

advantage to the editors but a great convenience to the reading public.

Mr. PLUMB. The thing can be done now, only this changes the

rate of postage.

Mr. BROWN. It is no more a change of the law than many other provisions we have retained in the bill. There are several there that

change the law quite as much as this. As I understand, to vote "yea" strikes this out, and to vote "nay" retains it in the bill. ["Yes."]

The question being taken by yeas and nays, resulted—yeas 19, nays 38; as follows:

Aldrich, Allison, Blair, Bowen, Cameron of Wis.,	Dawes, Edmunds, Hale, Hampton, Hawley,	McMillan, Miller of Cal., Miller of N. Y., Mitchell, Platt,	Plumb, Sabin, Sewell, Wilson,
		37 1 770 00	

Dolph,	Jonas,	Sauisdury,
Frye,	Jones of Nevada,	Sawyer,
George,	Lapham,	Sherman,
Gorman,	Mahone,	Slater,
Groome,	Morgan,	Van Wyck
Harris.	Morrill,	Vest,
Harrison.	Palmer.	Voorhees,
Hoar.	Pendleton.	Williams.
Ingalls,	Pike,	
Jackson.	Pugh,	
	Frye, George, Gorman, Groome, Harris, Harrison, Hoar, Ingalls,	Frye, Jones of Nevada, George, Lapham, Gorman, Mahone, Groome, Morgan, Harris, Morrill, Harrison, Palmer, Hoar, Pendleton, Ingalls, Pike,

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Butler, Cameron of Pa., Cullom.	Garland, Gibson, Hill.	Lamar, Logan, McPherson.	Ransom, Riddleberger, Vance.
Fair,	Jones of Fla.,	Manderson,	Walker.
Farley.	Kenna,	Maxey,	

So the amendment was non-concurred in.

The amendments were ordered to be engrossed and the bill to be read third time.

The bill was read the third time, and passed.

PETITION.

Mr. BLAIR. I present the petition of S. M. Davis and others, of Washington, D. C., praying for legislation to provide means of taking testimony at public expense on applications for pardons for criminal offenses. The petition goes on to set forth that one John W. Langston is confined in the United States jail in Washington, D. C., awaiting execution on sentence of death, having been convicted of murder; that there is strong evidence that there was in fact a mistrial and that this man, who is to be executed within a month, is innocent. The parties set forth that they find great difficulty in obtaining the evidence, and it will be attended with much expense, and they wish the attention of the Committee on the Judiciary to be turned to this subject to see if the general law does not need some restification and if these most had a subject to see if the general law does not need some rectification, and if there may not be suggestions from some source that will lead to justice in that direction.

The petition was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 2154) to prevent the acquisition of real property by aliens, and for other purposes, reported it with amendments.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, reported two amendments intended to be proposed to the sun-

dry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BUILDING AT DETROIT.

Mr. MAHONE. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the amendment of the House of Representatives to the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., to move that the Senate non-concur in the amendment and ask for a conference on the disagreeing votes.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. MAHONE, Mr. CAMERON of Wisconsin, and Mr. Vest were appointed.

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 2657) authorizing the construction of a bridge over the Mississippi River at or near the city of Alton, in the State of Illinois, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DOLPH introduced a joint resolution (S. R. 132) authorizing the Secretary of the Treasury to establish a sub-port of entry and a port of call at Port Angeles, Wash.; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HAMPTON submitted an amendment intended to be proposed

by him to the river and harbor appropriation bill; which was referred

was referred to the Committee on Commerce, and ordered to be printed.

Mr. HOAR submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DAWES and Mr. VEST submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

PENSION BILLS.

Mr. INGALLS. I move that the Senate do now proceed to the coneideration of executive business

Mr. MITCHELL. I desire to make a statement. It was my pur-

The PRESIDENT pro tempore. If there be no objection the Senator from Pennsylvania will proceed with his statement. The Chairs hears no objection

Mr. MTCHELL. It was my intention to-day to ask the Senate to consider private pension bills; but the day has been consumed by the consideration of the Post-Office appropriation bill. Now, my purpose is to ask the Senate to consider those bills to-morrow immediately after the formal business of the morning hour is concluded.

EXECUTIVE SESSION.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kansas [Mr. INGALLS], that the Senate now proceed to the consideration of executive business

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty-four minutes spent in executive session the doors were reopened, and (at 7 o'clock p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Monday, February 23, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of Saturday was read and approved.

SUNDRY CIVIL BILL

Mr. RANDALL, from the Committee on Appropriations, reported a bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to

be printed.
Mr. Speaker, I desire to reserve all points of order opon that bill.

The SPEAKER. All points of order are reserved.

DUTIES ON AMERICAN IMPORTATIONS-GERMANY.

Mr. LE FEVRE, by unanimous consent, offered the following resolution; which was referred to the Committee on Foreign Affairs:

Resolved, In view of the continued proscription of American pork by Germany, the recent imposition of additional duty on wheat and rye imported from the United States, and certain measures now threatened hostile to American petroleum, that the Committee on Foreign Affairs be, and it is hereby, instructed to inquire into and report whether the interests of the United States do not demand the adoption of like discriminating measures against such principal articles imported from the German Empire as are grown or manufactured in the United States.

WASHINGTON'S HEADQUARTERS, MORRISTOWN, N. J.

The SPEAKER. The hour set apart for motions under the special rale of the House begins at nine minutes past 11 o'clock. The gentle-man from New Jersey [Mr. Kean] has a motion pending upon which

the time for debate, except one minute, has been exhausted.

Mr. KEAN. I yield that minute.

The SPEAKER. The gentleman from New Jersey [Mr. KEAN] yields the remaining minute of his time, and the Clerk will report the title of the bill.

The Clerk read the title, as follows:

Joint resolution (H. Res. 197) authorizing the Secretary of War to assist in canceling the debt and in enlarging and improving the grounds and collections of Washington's headquarters in Morristown, N. J., and in securing suitable ground in which togather the remains of the revolutionary soldiers there buried and in erecting a monument over the same.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WELLER. Mr. Speaker, has the time for debate been exhausted? The SPEAKER. It has been, except one minute.

Mr. WELLER. Well, I object.

The question was taken; and eighteen gentlemen objected-more than a sufficient number under the rule,

So the joint resolution was not considered.

PUBLIC BUILDING, MACON, GA.

Mr. BLOUNT. Mr. Speaker, I ask consent, under the rule, for the present consideration of a bill (S. 1117) for the erection of a public building at Macon, Ga.

The bill was read, as follows:

Beitenacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United

States circuit and district courts, post-office, and other Government offices, at the city of Macon, Ga. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$125,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Georgia shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The SPEAKER. Under the rule, ten minutes are allowed for debate, of which the gentleman from Georgia [Mr. BLOUNT] is entitled to five.

Mr. BLOUNT. Mr. Speaker, for the present I shall content myself with a mere statement of the facts. There is a Federal court held at Macon. The population of the city is a little over 26,000, as shown by the enumeration of last year. The accommodations and facilities are by the entimeration of last year. The accommodations and lacinities are very inadequate, and have been permitted to remain so up to this time by reason of the fact that the matter of erecting a public building there has been reported upon by several Congresses and the Department of Justice has not seen fit to make any improvement, or to attempt to better the existing accommodations, believing that a public building ought to be erected. The amount proposed to be appropriated is less than we have paid for our own local court-house, and I think this is one of the most moderate bills of this character that has been at any time reported to this House.

Mr. STORM. I ask for the reading of the report.
Mr. BLOUNT. This is a Senate bill. I believe there are several reports on this subject. I reserve the residue of my time.
The report (by Mr. Young) on House bill 162 was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 162) for the erection of a public building at Macon, Ga., having considered the same, respectfully report:

That United States courts are held at Macon, Ga., and are located on the third floor, in a badly heated and poorly ventilated room, which is reached by noisy flights of iron stairs, there being no elevator in the building. For these uncomfortable and inadequate accommodations the Government is paying \$1,000 a year.

Year.

That the post-office, for its 19.000 citizens, is equally discreditably located, being in a room entirely too small, although rented at a cost of \$900 a year. There are also leased, for internal-revenue offices, rooms at a cost of \$100 a year, making the total annual outlay of the Government for rent at Macon, \$2,000.

In view of these representations, satisfactorily verified, your committee respectfully recommend the passage of a bill providing for the erection of a public building in said city, to meet the demands of its present wants and commensurate with its importance as a thriving and rapidly growing center. We accordingly submit herewith a substitute, limiting the amount to \$100,000.

Mr. STORM. I observe that this report names as the amount of the appropriation \$100,000.

'Mr. BLOUNT. I think that must be a typographical error. At any rate the report just read relates to a House bill of similar purpose to the Senate bill which I have called up. I believe \$125,000 is the amount which has uniformly been reported in previous Congresses. I trust that the House will see fit to pass the Senate bill appropriating this sum which has been previously recommended, and which, as I have stated, is less than we have paid for our own court building.

Mr. HOLMAN. Would the gentleman from Geografic chieft to an

Mr. HOLMAN. Would the gentleman from Georgia object to an amendment providing that the Secretary of the Treasury shall not approve any plan which will involve an expenditure for this building of a greater sum than the residue of this appropriation after the site has

been paid for? Mr. BLOUNT. Mr. BLOUNT. I appreciate the purpose of the gentleman in limiting the cost of public buildings to the amount of the appropriation; and I would have no objection to such an amendment but for the fact that we are now almost at the close of this session, and if this bill should be returned to the Senate with an amendment it might be difficult to

get it taken up for concurrence.

Mr. HOLMAN. This is a Senate bill?

Mr. BLOUNT. Yes, sir.

Mr. HOLMAN. I shall not press the amendment.

There being no objection, the House proceeded to the consideration of the bill; which was taken from the Speaker's table, read three times,

Mr. BLOUNT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

COLORADO INDIAN LANDS.

Mr. BELFORD. I ask to take from the Speaker's table for present consideration the bill (8, 1695) relating to lands in Colorado lately occupied by the Uncompangre and White River Ute Indians.

The bill was read, as follows:

Re it enacted, &c., That actual settlers on lands subject to pre-emption under existing laws within the late Uncompangre and White River Ute Indian reservation, in Colorado, shall be entitled to purchase the same, in quantities not exceeding one hundred and sixty acres each, in accordance with the general principles of the pre-emption laws: Provided, That no bona fide settler as aforesaid shall be denied the right to purchase land under the provisions of this act on the ground that he may have previously had the benefit of pre-emption on other public land of the United States without said reservation, nor on the ground that he may have removed from his own land elsewhere within the State of

Colorado to settle upon land in said reservation: And provided further, That proof of actual inhabitancy and improvement of the land for not less than one year shall be made to the satisfaction of the register and the receiver, under such regulations as the Secretary of the Interior may prescribe.

SEC. 2. That the payment for these lands may be made in three installments, as follows, to wit: Twenty-five cents per acre at the date of entry, and 50 cents per acre, respectively, in one and two years from such date.

The SPEAKER. Under the rules ten minutes are now allowed for

debate—five minutes in support of this motion and five minutes in opposition. [A pause.] If no gentleman desires to occupy the time—

Mr. McMILLIN. Before objections are asked for, let us have the report read or some statement made, so that we may understand how we ought to vote on this question. It would appear that this bill proposes to change the law as to how these lands shall be paid for and who are to get the benefits of the sale. The House ought certainly to know

are to get the benefits of the sale. The House ought certainly to know why this change is to be made.

Mr. BELFORD: Mr. Speaker, if I can be heard I will try to explain the provisions of this bill. Some years ago we passed, under a suspension of the rules, a bill opening up what is called the Ute reservation—a tract of territory equaling in area New Hampshire, Connecticut, and Rhode Island. After that bill was passed a number of people, aggregating thousands, went upon that Ute reservation and took up their homes. That bill provided that when the land was pre-empted the money should go to the Indians. This bill makes no change whatever in that respect; it simply allows these people to pay their money into the Treasury; and this money is to go to the support and maintenance of these Indians.

If we do not pass this bill a large class of people occupying home-

If we do not pass this bill a large class of people occupying home-steads in the Ute reservation are practically left without any title what-Many of these men have had pre-emption rights in other States ever. Many of these men have had pre-emption rights in other States and have now forfeited them, having gone to these reservation lands to seek a new home. This thing of forfeiting pre-emption rights is not exceptional. I have once myself been obliged to abandon such a right because I found I was not able to bring water upon the ground. So it is with thousands of other people. I can state truthfully and candidly that there is no "steal" in this measure.

Mr. WELLER. I desire to ask the gentleman, if I may, whether the provisions of this bill are confined entirely to homestead or pre-emption settlers?

emption settlers?

Mr. BELFORD. The bill is confined absolutely to those who have

their homes there.

Mr. WELLER. Is the bill in its terms confined to that class?

Mr. BELFORD. It is confined to that class, because under the original bill nobody can take any tract of land except by pre-emption. The bill is designed to protect the people who have their homes on this vast tract of land.

Mr. WELLER. And that alone?

Mr. BELFORD. And that alone. The bill passed the Senate with-

out objection.

Mr. PAYSON. I desire to ask the gentleman from Colorado [Mr. Belford] whether this bill has been considered by any committee of

this House?

Mr. BELFORD. No; but it has been considered by a Senate committee, and passed by the Senate without objection. It has not been considered by a committee of the House because during the early part has not here to ask its reference to a committee. Now of the session I was not here to ask its reference to a committee. is my only chance for salvation in getting it through. [Laughter.]
The SPEAKER. Is there objection to the consideration of the bill?
Mr. COBB. I object.
The SPEAKER. Members objecting to the consideration of this bill

will rise and be counted.

Thirteen members objected. So the bill was not considered.

CUSTOM-HOUSE AT RICHMOND, VA.

Mr. GEORGE S. WISE. I desire to call up from the Speaker's table for present consideration the bill (S. 1473) to enlarge the United States custom-house at Richmond, Va.

The bill was read, as follows:

Be it enacted, &c., That the sum of \$100,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the enlargement of the United States custom-house at Richmond, Va.

SEC. 2. That said sum shall be expended upon the order of the Secretary of the Treasury, and under his direction, upon plans, specifications, and estimates previously made and approved according to law.

The SPEAKER. Under the rule ten minutes are allowed for de-

The SPEAKER. Under the rule ten minutes are allowed for debate—five minutes on each side.

Mr. GEORGE D. WISE. Mr. Speaker, I want to say in reference to this bill that it makes the small appropriation of \$100,000 to enlarge the custom-house at Richmond, Va. Both the United States circuit and district courts are held in that city. I need not say to the House that it is the capital of the State. The necessity for the enlargement will be apparent when I tell the members of the House that the present building was erected when the city contained a population of only about 25,000. Many of the records of our courts are kept in a lumberroom entirely unfit for the purpose. There are no rooms for grand or traverse juries, and no suitable accommodations for the judges.

Since the erection of this building the number of employes of the

post-office has been increased from eight to sixty. And we have in addition to that the offices of collector of customs and of internal revenue. I will state also that some \$1,700,000 was collected in this internal-revenue district at Richmond city alone during the fiscal year ending June 30, 1883. The gross receipts from the post-office during the same period were nearly \$120,000, and over \$2,000,000 are handled and counted annually by the clerks engaged in the money-order department

Mr. COOK. What was the cost of the original building?
Mr. GEORGE D. WISE. I can not say as to that, but it was built in 1850 when the city had a population of only about 25,000.
I have also a letter from the Postmaster-General in which he recom-

mends the enlargement of this building as necessary for the accommodation of the post-office at that city. I hope there will be no objection to this Senate bill. Mr. NICHOLLS.

Mr. NICHOLLS. What is the present population of Richmond?
Mr. GEORGE D. WISE. Over 80,000 inhabitants.
Mr. COOK. The committee of the House recommended \$79,000.
Mr. GEORGE D. WISE. One hundred thousand dollars is appropriated in the Senate bill. The Architect of the Treasury was asked to make an estimate, and he recommended that sum as necessary.

Mr. COOK. But the committee of the House only recommend

\$79,000.

Mr. GEORGE D. WISE. I know that. This Senate bill is in accordance with the recommendation of the Architect of the Treasury Department. I took the pains to have the estimate made by the Architect of the Treasury Department. [Cries of "Vote!" "Vote!"]

Mr. STORM. I understand the Committee on Public Buildings and Grounds recommend only \$79,000. I should like to have the report of

the committee read.

Mr. GEORGE D. WISE. Here it is.

Mr. STORM. Will the Clerk read it?

The Clerk read the report (by Mr. Young), as follows:

The Clerk read the report (by Mr. Young), as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1669) to make an appropriation for the extension, enlargement, and improvement of the public building at Richmond, Va., respectfully report:

After a full examination of the facts submitted, the committee believe that the proposed enlargement and improvement of the public building at Richmond is necessary and demanded by the requirements of the public service.

Richmond is the largest and most flourishing city in the State, and its commerce and business are extensive and rapidly increasing. The present public building there was constructed in 1852-54, when the population of the city was but little over 27,000, and when the business transacted in the Federal offices there was comparatively small. The population is now 71,000, and the growth of the business of the offices of the Government has been so rapid as to make additional accommodation for its proper transaction a necessity. In brief, since the crection of the present building, the population of Richmond has nearly trebled, its business and commerce has been more than trebled, and the business of its post-office more than quadrupled. In this small building accommodation has to be provided for the post-office, the officers for the collection of the internal revenue, the collector of customs and his assistants, and for the United States district and circuit courts. For these various purposes it is wholly insufficient. The district and circuit courts of the United States are held here twice yearly, and there are frequently two special terms of these courts in each year. In the language of the clerk of the circuit court—

"The judges' rooms are mere closets, with no conveniences for consultation, no library-room, and not space to hear anything properly in chambers. The clerks have to keep many of their records in an old lumber-room, entirely unfit for the purpose."

There is not, besides, sufficient room for the accommodati

The lugges rooms are mere cases, with no contentions. The clerks have to keep many of their records in an old lumber-room, entirely unfit for the purpose."

There is not, besides, sufficient room for the accommodation of the marshal, and the grand and traverse juries which attend these courts, and none whatever for witnesses. The collector of internal revenue has now employed in his office there eleven persons, as deputy collectors, clerks, tobacco inspectors, and gaugers, and they are confined to an area entirely too small for comfort and the rapid dispatch of the public business. During the year 1883 there were entered in this division of his district for export over three and one-half millions of pounds of tobacco and nearly thirty-five millions of eigarettes. During the same period nearly one and one-half million sollars were realized from the sale of tobacco, cigar, and cigarette stamps.

The amount of internal revenue collected at Richmond during the fiscal year ending June 30, 1883, was \$1,669.837.33. The collector states that double the space now occupied is required for the easy and proper transaction of the business of his office. The gross receipts from the post-office during the fiscal year ending June 30, 1883, were \$117,397, and over \$2,000,000 are handled and counted annually, by the clerks engaged in the money-order department. The number of clerks employed is twenty-one, letter-carriers twenty, and money-order clerks three, making in all forty-one. In addition to this force, the Government has in its employment, on the seven railroads terminating here, forty-three postal clerks, for whom space has to be provided in the post-office at Richmond, it being impossible to obtain suitable accommodation elsewhere. At least one-third of these postal clerks are frequently in the office at the same time, making, with the regular force, an aggregate of over sixty persons. When the present building was erected, there were employed in this office an average of only eight persons in every branch of its busine

Mr. WELLER. I rise to a question of order. The confusion is so great that we can not hear what is going on in the House.

The SPEAKER. The Chair has made an ineffectual attempt to preserve order in the House. The Sergeant-at-Arms will ask members to resume their seats and stop conversation.

What is the amount recommended by the committee? The SPEAKER. The report specifies no amount, but simply recommends the passage of the bill.

Mr. STORM. What is the amount recommended by the House bill?

Mr. GEORGE D. WISE. Seventy-five thousand dollars is recom-

mended by the House bill. Mr. STORM. Your bill

Mr. STORM. Your bill calls for \$100,000.
Mr. GEORGE D. WISE. I will state to my friend that that amount is absolutely required, and it is recommended by the Architect of the

Treasury after making a careful estimate of what would be required.

Mr. STORM. All I desire to say, in the short time left, is, that this has been considered by a committee of this House and the amount recommended was \$75,000. The Senate bills have not only been considered extravagant in the number of private buildings provided for, but in the amount provided and in the extension of limits heretofore proposed. As I have said, the committee of this House, having considered the bill, recommends \$75,000 as sufficient; and I do think we ought not to be asked now to say we will give \$25,000 more than the committee of this House has recommended, simply because this is a Senate bill. am sorry to oppose it, but I think I am in duty bound to do so.

Mr. WELLER. I think I could make a suggestion which will ob-

viate all objection. The SPEAKER. Mr. WELLER.

The time has expired.

I wish to offer an amendment.

Mr. GEORGE D. WISE. Is there not more time left in favor of the

The SPEAKER. Two minutes remain in favor of the bill.

Mr. GEORGE D. WISE. I will yield then two minutes to my colleague.

Mr. JOHN S. WISE. I am instructed, Mr. Speaker, to say that the gentleman from Pennsylvania [Mr. STORM] withdraws his objection.

Now, in regard to this bill the estimates and the report of the Architect were fully discussed in the Senate, and the action taken there was one of deliberate judgment that \$100,000 was necessary to carry out the measure. I never had the opportunity such as I desired before the House committee to discuss the necessity of \$100,000. I believe whereas \$100,000 will accomplish the purpose, \$75,000 will be insufficient and bring them back here before the work is completed. I hope the House will adopt the bill as it passed the Senate because we might as well complete the job at once instead of taking two bites of a cherry

as is often done. I call for a vote.

There was no objection to the present consideration of the bill.

Mr. WELLER. As the bill is before the House I move the follow-

ing amendment.
The Clerk read as follows:

Provided, however, Twenty-five per cent, of this appropriation shall be made and paid only in standard silver dollars, which shall be transferred at the expense of the Government to the locality proposed for the disbursement of this appropriation.

Mr. WELLER. Would it be in order to ask unanimous consent to

discuss the merits of that amendment?
The SPEAKER. The Chair thinks The Chair thinks under this special rule, which expressly provides the limitation of debate, it would not be in order to extend that time.

Mr. KEAN. I offer an amendment to the amendment.

The Clerk read as follows:

Provided, That the remaining salary due Hon, Luman H. Weller, of Iowa, as a Representative from Iowa for the Forty-eighth Congress, be paid in standard silver dollars. [Laughter.]

Mr. WELLER. Idesire to accept that amendment, and I trust that the House will honor me by voting for it. I do accept it. [Laughter and applause.

The SPEAKER. No debate is in order.

The question being taken on the adoption of Mr. Weller's amendment, the House divided; and there were—ayes 10, noes 95.

So the amendment was not agreed to.

The bill was ordered to be read the third time; and being read the third time, was passed

Mr. GEORGE D. WISE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

UMATILLA INDIAN RESERVATION, OREGON.

Mr. GEORGE. Mr. Speaker, I ask now to call up Senate bill 66, providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting

patents therefor, and for other purposes, and put it upon its passage.

The bill was taken from the Speaker's table, read a first and second time, the second reading being at length, as follows:

An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

for, and for other purposes.

Whereas the confederated bands of Cayuse, Walla Walla, and Umatilla Indians, residing upon the Umatilla reservation, in the State of Oregon, have expressed a willingness to settle upon lands in severalty on their said reservation, and to have the residue of their lands not needed for such allotment sold for their benefit: Therefore,

Be it enacted by the Senate and House of Representatives of the United States cause lands to be allotted to the confederated bands of Cayuse, Walla Walla, and Umatilla Indians, residing upon the Umatilla reservation, in the State of Oregon, as follows, of agricultural lands:

To each head of a family, one bundred and sixty acres: to each single person of age, eighty acres; and to each child under 18 years of age not otherwise provided for, forty acres.

Allotments to heads of families and to children under 18 years of age belonging to families shall be made upon the selections made by the head of the family; allotments to heads of families and to children under 18 years of age belonging to families shall be made upon the selections made by the head of the family; allotments to persons over 18 years of age not alassed on the state of the family; allotments to persons over 18 years of age not alassed of the family; allotments to persons over 18 years of age not alassed of the family; allotments to persons over 18 years of age not alassed of the family; allotments to persons over 18 years of age not alassed of the family; allotments of pasture and timber lands for their use, to be used by said Indians in severality as herein provided, there shall be reserved a reasonable amount of pasture and timber lands for their use, to be used by said Indians and school six hundred and forty acres of agricultural lands. Before any allotments are made, a commission of three disinterested persons to be appointed by the President shall go upon said reservation and ascertain as near as may be the number of Indians who will remain on said reservation, and who shall be under the said the said to the said reservation as shall be necessary to supply agricultural lands for allotments; in an thereupon said commission shall determine and set apart so much of said reservation as shall be necessary to supply agricultural lands for allotments, and theretory of the Interior the number and classes of persons entitled to allotments, as near as

appraised the purchaser shall pay the appraised value of such improvements at the time of purchase, in addition to the amounts hereinbefore required to be paid.

Each purchaser shall, at the time of making his purchase, make and subscribe an oath or affirmation that he is purchasing said lands for his own use and occupation, and not for or on account of or at the solicitation of any other, and that he has made no contract whereby the title thereto shall, directly or indirectly, inure to the benefit of another. And if any conveyance is made of the lands set apart and allotted as herein provided, or any contract made touching the same, or any lien thereon created before the issuing of the patent herein provided, such conveyance, contract, or lien shall be absolutely null and void. And before a patent shall issue for untimbered lands the purchaser shall make satisfactory proof that he has resided upon the lands purchased at least one year and has reduced at least twenty-five acres to cultivation. No patent shall issue until all payment shall have been made; and on the failure of any purchaser to make any payment when the same becomes due, the Secretary of the Interior shall cause said land to be again offered at public or private sale, after notice to the delinquent; and if said land shall sell for more than the balance due thereon, the surplus, after deducting expenses, shall be paid over to the first purchaser: Provided, That persons who settle upon or acquire title under the pre-emption or homestead laws of the United States to fractional subdivisions of lands adjacent to the lines of said reservation, as now and heretofore existing, and at the time of the sale herein provided for are residing on such fractions, and have been unable to secure the full benefit of such laws by reason that the lands settled upon were made fractional by the boundary line of said reservation crossing such subdivision, shall have a right, at any time after advertisement and before sale at public auction, to purchase; and no additiona

from the public lands of the United States in said State lands in lieu of the sixteenth and thirty-sixth sections contained in said Umatilla reservation as now set apart and established.

SEC, 3. That the funds arising from the sale of said reservation lands, after paying the expenses of survey, appraisement, and sale, and reimbursing any Indian or Indians for the value of any improvements belonging to such Indian or Indians, and the equitable share of any Indian to the funds arising from the sale of said reservation lands as herein provided, and reimbursing the United States for improvements made by the Government and under the provisions herein, shall be placed in the Treasury of the United States to the credit of said Indians, and the same shall draw such rate of interest as is now or may be hereafter provided by law. Twenty per cent. of the principal of said funds may be used, under the direction of the President, in assisting said Indians to establish themselves upon their several allotments, in such manner as he shall direct, and \$20,000 of the residue thereof shall be devoted to the establishment and support of an industrial farm and school for the training and education of the children of said Indians in the arts and methods of civilized life, and the increase from the funds thereafter to be devoted to the support of said industrial farm and school, and to such other beneficial purposes as in the judgment of the Secretary of the Interior may be for the best interest of said Indians: Provided, That the said Indians shall piedge themselves to compel their children, male and female, between the ages of 7 and 15 years, to attend said school.

SEC, 4. That for the purpose of carrying into effect the provisions of this act the sum of \$40,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, which said sum shall be reimbursed to the Treasury out of the sales of said lands; and \$10,000 of said sum so appropriated shall be expended toward

Interior.

SEC. 6. That the Secretary of the Interior shall have power to make needful rules and regulations to carry into effect the provisions of this act, and shall have power to determine all disputes and questions arising between Indians respecting their allotments, and shall fix the compensation to be allowed to the commissioners provided for in section 2.

The SPEAKER. Under the rule ten minutes are allowed for debate-five minutes for and five against the bill.

Mr. WELLER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WELLER. I desire to know if it will not be proper, under the rules of the House, to move that this bill be laid over until to-morrow in order that it may be printed in the RECORD for the information of

The SPEAKER. The bill is not yet before the House.

Mr. GEORGE. This bill, I will state, has been already printed in full in the RECORD.

I do not desire to detain the House at length in regard to this mater. I know that it is a long bill and that it is difficult for each individual member of the House to thoroughly understand from hearing it read in this manner, but I wish to state that it has been passed twice by the Senate and has been favorably reported unanimously by the committees of two Houses, the present House and the House of Representatives of the Forty-seventh Congress. It has the earnest approval of the Indians themselves, who are very desirous for the passage of the bill. It is for their welfare and for the welfare of the people of that State generally. All are desirous that such a bill shall be passed as will provide for the welfare of the Indians, who are a part and parcel of their community.

In brief the bill proposes to allot to the Indians such lands as they may need for their use, and then the remainder of the reservation be sold in small tracts and at not less than its appraised value to the highest bidder in cash with time payments, the money to be appropriated to the present and future welfare and benefit of the Indians

Mr. PERKINS. And purchasers are limited to one hundred and sixty

acres of the land as the amount they may acquire.

Mr. GEORGE. Yes, they are limited to one hundred and sixty acres with a small amount of timbered land in addition. I reserve the remainder of my time.

Mr. COBB. I would like to ask the gentleman from Oregon a ques-As I understand this bill-I have never read it, and have heard it now for the first time-I understand that after the expiration of three years it is provided that the lands shall be sold and the proceeds paid

over to the Indians. Is that the purport of the bill?

Mr. GEORGE. Yes, with reference to such lands as they do not need

Mr. GEORGE. Yes, with reference to such lands as they do not need for allotment. It is provided that the residue shall be sold and the proceeds be appropriated to their benefit.

Mr. COBB. How do you provide that these lands shall be sold—by auction, at so much per acre, or at private sale after appraisement?

Mr. GEORGE. They are first to be appraised and the price fixed upon them, afterward to be sold at public auction to the highest bidder at not less than the appraised value, and only to the actual settlers upon the land and in quantities not to exceed one hundred and sixty acres the land and in quantities not to exceed one hundred and sixty acres to each, with forty acres of timbered land.

Mr. McMILLIN. Does it not provide that these lands shall be sold

for cash?

Mr. GEORGE.

Mr. GEORGE. Yes, sir.

Mr. McMILLIN. As this is to be a fund for the benefit of the Indians, would these lands not bring better prices if sold for part cash and a part on time?

Mr. GEORGE. That is the provision of the bill; in order that poor men can avail themselves of the opportunity of purchasing the lands and have time in which to pay for them.

Mr. McMILLIN. I understood the gentleman from Oregon to state, and also from hearing the bill read-for no man can understand so long a bill in all of its details from hearing it once read-that it provided for a cash sale.

Mr. GEORGE. Cash sale, but time payment of the greater portion. Mr. McMILLIN. The gentleman from Oregon and myself have a cry different conception of what cash sales and time sales mean. Mr. GEORGE.

Mr. HEWITT, of Alabama. Does this bill limit the amount to which each person may become entitled under its provisions?

Mr. GEORGE. Yes, sir; one hundred and sixty acres, and forty acres of timber land in addition.

Mr. WELLER. I would like to ask the gentleman from Oregon if in so far as he is concerned he will not consent that this shall go over until to-morrow, in order that we may have the opportunity of reading

the bill and the report in the interim. Mr. COBB. I ask for the reading of the report in connection with

the bill.

Mr. STEVENS addressed the Chair.

The SPEAKER. The gentleman from Indiana was recognized to demand the reading of the report. This seems to be a Senate bill and there is no report accompanying it.

Mr. GEORGE. I will furnish a Senate report which I have here.

Mr. COBB. It is difficult to understand so long a bill, and I do not

Mr. COBB. It is difficult to understand so long a bill, and I do not think it ought to be passed without time for its consideration.

Mr. GEORGE. Although this bill has been printed in the RECORD once, I will suggest that its consideration go over until to-morrow and that it be printed in the RECORD, and also the reports of the Senate and House committees, so that members may have a full opportunity

The SPEAKER. Four minutes only of the hour under the special rule now remain. The gentleman from Oregon asks that the hour be now terminated and that this bill go over until to-morrow and be printed together with the report in the RECORD. Which report? Of the House or of the Senate?

Mr. GEORGE. The Senate report as it is a Senate bill and the House report, for that matter.

The SPEAKER. Is there objection?

Mr. COBB. I shall have to object; the bill is so long.

Mr. CASSIDY. The bill goes into the RECORD anyhow, having been

The SPEAKER. Does the gentleman from Indiana object?

Mr. COBB. I do.

The SPEAKER. The Clerk will proceed to read the report.

The Clerk commenced the reading of the report (made by Mr. DAWES, from the Senate Committee on Indian Affairs), as follows:

The Committee on Indian Affairs, to whom was referred the bill (S. 66) entitled "A bill providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes," have had the same under consideration, and report as follows:

and for other purposes," have had the same under consideration, and report as follows:

This bill was reported from the Senate Committee on Indian Affairs during last Congress, after very careful consideration, and passed the Senate, and was reported upon favorably by the House Committee on Indian Affairs. The report of the Senate Committee of last Congress very fully sets forth all the facts and reasons relating to said subject, and is therefore adopted for convenience as the report of your committee; which report is as follows:

"The Umatilla reservation was created by treaty with the Walla Walla, Cayuse, and Umatilla tribes and bands of Indians, occupying lands partly in Washington Territory and partly in Oregon, which treaty was promulgated April 11, 1859. The reservation contains 268,800 acres of land, of which 150,000 is tillable; the residue is pasture and timber lands.

"The Indians upon this reservation have for the most part, since their location on the same, been peaceable and friendly toward the whites; have made some progress toward civilization; cultivated in 1881, as shown by the agent's report, 4,000 acres, broke during the year 2,000 acres new land, produced 10,000 bushels of wheat, 2,000 bushels of corn, 6,000 bushels of oats and barley, 6,000 bushels of vegetables, cut 900 tons of hay, 75,000 feet of lumber, 1,000 cords of wood, and built 10,000 rods of fence. They have 10,000 head of sheep. They earn by labor in civilized pursuits 65 per cent. of their subsistence and support, procure 12 per cent.

"The number of Indians on this reservation, as shown by the report of the

cent. by hunting and fishing, and receive in rations from the Government of the cent.

"The number of Indians on this reservation, as shown by the report of the agent for 1881, is 751—males 330, females 421. Of the whole number 504 are wholly clad in citizen's djess, and 122 partly. Two hundred and fifty-two families are reported as engaged in agriculture, and 162 male Indians undertake manual labor in civilized pursuits.

"These Indians for some years have in various ways manifested their desire to take lands in severalty, and secure titles to homes for themselves and children. In April, 1879, several of the chiefs and headmen visited Washington to confer with the Indian Office in respect to making a permanent settlement on their reservation, or, in lieu of such settlement, to remove to some other locality. The matter was to be left to the Indians upon their return to their reservation, which was determined by them the following November in favor of remaining upon their present reservation and taking lands in severalty."

When the Clerk had read so much of the report as is printed above, The SPEAKER said: The hour under the special rule has expired. Mr. GEORGE. I ask unanimous consent that the House and Senate

mr. GEORGE. I ask thanhibut consent the reports be printed in the RECORD.

Mr. RANDALL. I call for the regular order.

The SPEAKER. The regular order is demanded, which is equivalent to an objection.

COURT-HOUSE AND JAIL IN ALASKA.

The SPEAKER, by unanimous consent, laid before the House a letter from the Attorney-General, inclosing a letter from the United States

marshal for Alaska, and asking an appropriation for court-house and jail in that Territory; which was referred to the Committee on Appropriations, and ordered to be printed.

INSANE PERSONS IN ALASKA

The SPEAKER also laid before the House a letter from the Attorney-General, referring to a letter from the marshal of Alaska, in which inquiry is made as to his authority to remove persons adjudged insane to asylums; which was referred to the Committee on Appropriations, and ordered to be printed.

INFANTRY BRANCH OF THE ARMY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting communications from officers of the Army in regard to the passage of Senate bill (S. 2442) to increase the efficiency of the infantry branch of the Army; which was referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. RANDALL. I move that the consideration of the business of the Committee for the District of Columbia be dispensed with to-day. The SPEAKER. The first business to-day is the call of States and Territories for the introduction of bills and joint resolutions, &c. Mr. RANDALL. I do not want to interfere with that.

TEXAS PACIFIC RAILROAD LAND GRANT.

Mr. PAYSON. Iask unanimous consent to take from the Speaker's table, for the purpose of moving concurrence in the Senate amendments, the bill (H. R. 3933) to declare a forfeiture of land grant to the Texas Pacific Railroad Company, and for other purposes.

The amendments of the Senate were read, as follows:

The amendments of the Senate were read, as follows:

Page 1, line 6, strike out the word "that."

Page 1, line 7, strike out the word "be."

Page 1, line 7, strike out "sale and settlement" and insert "disposal."

Page 1, line 7, strike out the word "existing" and insert the words "the general."

Page 1, at the end of line 7, insert "as though said grant had never been made;

Provided, That the price of the lands so forfeited and restored shall be the same as heretofore fixed for the even sections within said grant."

Strike out section 2.
At the end of the bill add the following:
"SEC. 2. That the act of March 3, 1875, entitled 'An act for the relief of settlers within railroad limits,' is hereby repealed,"

The SPEAKER. Is there objection to the request made by the gentleman from Illinois [Mr. PAYSON]? The Chair hears none.

Mr. PAYSON. I move that the Senate amendments be concurred in.

The amendments of the Senate were concurred in.

Mr. PAYSON moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

IMPORTATION AND IMMIGRATION OF ALIENS.

Mr. HOPKINS. I ask unanimous consent to take from the Speaker's table for the purpose of disposing of the Senate amendments the bill (H. R. 2550) to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

The amendments of the Senate were read, as follows:

Page 1, lines 7 and 8, strike out "to perform service or labor."
Page 1, lines 14 and 15, strike out "and doing business within the United

Page 1, lines 14 and 15, strike out "and doing business within the United States."

Page 1, line 16, after the word "service," insert "or having reference to the performance of labor or service by any person."

Page 1, line 16, strike out the words "of any kind."

Page 1, line 18, strike out the words "such persons" and insert "the person or persons whose labor or service is contracted for."

Page 1, line 22, after "by" insert "knowingly."

Page 2, line 8, after the word "recovered," insert "by the United States or."

Page 2, line 8, after the word "recovered," insert "by the United States or."

Page 2, line 8, after the word "recovered," insert "by the United States or."

Page 2, line 8, after the word "who may choose to bring such suit."

Page 2, strike out all after "United States" in line 11, down to and including "moiety," in line 13, and insert "the proceeds to be paid."

Page 2, after the end of line 15, insert "and it shall be the duty of the district attorney of the proper district to prosecute every such suit at the expense of the United States."

Page 3, line 2, after the word "citizen," insert "or subject."

Page 3, line 11, after the word "actors," insert "or subject."

Page 3, line 11, after "united States," insert "artists."

Page 3, line 13, after "relative," insert "or personal friends."

Page 3, line 14, after "United States," insert "for the purpose of settlement here."

Mr. KEIFER. Mr. Speaker, is it proposed to concur in these amend-

The SPEAKER. The Chair does not know what motion the gentle-

man from Pennsylvania [Mr. HOPKINS] proposes to make.

Mr. KEIFER. I will ask the gentleman from Pennsylvania [Mr. HOPKINS] whether he proposes that the House shall concur in these

Senate amendments?

Mr. HOPKINS. That is my motion, Mr. Speaker—to concur in the amendments of the Senate. They are mostly verbal amendments.

Mr. KEIFER. I think they are pretty important.

Mr. MILLS. I will ask the gentleman from Pennsylvania [Mr. HOPKINS] whether this bill proposes to prohibit the introduction of agricultural laborers?

Mr. HOPKINS. It prohibits the importation under contract of all classes with the exceptions named in the bill.

Mr. MILLS. I am opposed to the bill.

The amendments of the Senate were concurred in.

Mr. HOPKINS moved to reconsider the vote by which the Senate amendments were concurred in; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

CORRECTION OF MILITARY RECORDS.

Mr. STEELE. Mr. Speaker, I ask unanimous consent to report at this time, from the Committee on Military Affairs, a bill in lieu of various bills that have been referred to that committee. It is a bill (H. R. 8257) to correct the record of certain soldiers of the late war.

The SPEAKER. Does it name the soldiers?

Mr. STEELE. It does not name the soldiers, but it is in lieu of various bills that do name soldiers.

The SPEAKER. In the absence of objection the bill will be referred to the House Calendar, and ordered to be printed.

Mr. WELLER. Mr. Speaker, I ask unanimous consent that that bill and report may be printed in the RECORD.

There was no objection, and it was so ordered.

The bill and report are as follows:

A bill to correct the record of certain soldiers of the late war.

A bill to correct the record of certain soldiers of the late war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion in all cases where it is shown by satisfactory evidence that the soldier did not leave his command in the face of the enemy, and was not in arrest or under charges; that he rejoined the service within ninety days from date of absence, or was suffering from wounds or sickness which prevented his returning, served faithfully, received an honorable discharge, and did not rejoin to obtain bounty: Provided, That in cases where the soldier was prevented from joining his command on account of wounds or sickness, and receiving an honorable discharge that he might have received had he not been so prevented, he shall have his record amended so as to remove the charge of desertion.

SUBSTITUTE FOR VARIOUS HOUSE BULES.

Mr. STEELE, from the Committee on Military Affairs, submitted the follow-

had he not been so prevented, he shall have his record amended: the charge of desertion.

SURSTITUTE FOR VARIOUS HOUSE BILLS.

Mr. STEELE, from the Committee on Military Affairs, submit ing report:

The Committee on Military Affairs, to whom were referred—The bill (H. R. 758) for the relief of David Harrington;

The bill (H. R. 758) for the relief of Daniel Morris;

The bill (H. R. 758) for the relief of John Connell;

The bill (H. R. 752) for the relief of John Connell;

The bill (H. R. 758) for the relief of Melvin M. Davis;

The bill (H. R. 758) for the relief of Jimme W. Dotson;

The bill (H. R. 758) for the relief of James W. Dotson;

The bill (H. R. 758) for the relief of James W. Dotson;

The bill (H. R. 758) for the relief of James W. Dotson;

The bill (H. R. 758) for the relief of James Roach;

The bill (H. R. 759) for the relief of John Knocklemann;

The bill (H. R. 769) for the relief of John Knocklemann;

The bill (H. R. 769) for the relief of John Knocklemann;

The bill (H. R. 677) for the relief of A. L. Williams, M. D.;

The bill (H. R. 6778) for the relief of A. L. Williams, M. D.;

The bill (H. R. 6778) for the relief of Charles H. L. Poock;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of Wellington Doddridge;

The bill (H. R. 6778) for the relief of William C. Elliott;

The bill (H. R. 6788) for the relief of Welliam C. Elliott;

The bill (H. R. 6788) for the relief of Thomas J. Sutton;

The bill (H. R. 6789) for the relief of Thomas J. Sutton;

The bill (H. R. 6806) for the relief of William C. Jones;

The bill (H. R. 6806) for the relief of William C. Jones;

The bill (H. R. 6806) for the relief of William C. Jones;

The bill (H. R. 6806) for the relief of Summe H. Watson;

The bill (H. R. SUBSTITUTE FOR VARIOUS HOUSE BILLS.

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The bill (H. R. 4030) for the relief of Charles B. Pease;
The bill (H. R. 4011) or the relief of C. Copeland;
The bill (H. R. 3374) for the relief of William Prewitt and others;
The bill (H. R. 3277) for the relief of John Sims;
The bill (H. R. 1624) for the relief of William G. Windom;
The bill (H. R. 769) for the relief of William R. Boag;
The bill (H. R. 759) for the relief of Charles Doenhart;
The bill (H. R. 934) for the relief of Charles Doenhart;
The bill (H. R. 2348) for the relief of John Davis;
The bill (H. R. 2231) for the relief of John W. Gummo;
The bill (H. R. 1344) for the relief of John W. Gummo;
The bill (H. R. 1343) for the relief of John Driscoll;
The bill (H. R. 1343) for the relief of John Driscoll;
The bill (H. R. 1343) for the relief of Sumson Goliah;
The bill (H. R. 1353) for the relief of Susan R. Gassaway; and
The bill (H. R. 1538) for the relief of Susan R. Gassaway; and
The bill (H. R. 1638) for the relief of Isaac R. Moulton—
and the petitions as follows, namely:
Petition for the relief of Andrew W. Barton;
Petition for the relief of George W. Monteith;
Petition for the relief of Gobert P. Moore;
Petition for the relief of John Cole;
Petition for the relief of John G. Brown;
Petition for the relief of John G. Brown;
Petition for the relief of Andrew Meadows;
Petition for the relief of Susan Brown;
Petition for the relief of George Adams;
Petition for the relief of George Adams;
Petition for the relief of Charles Martin;
Petition for the relief of Charles Martin;
Petition for the relief of Charles Martin;
Petition for the relief of Charles Davis; and
Also, the petition of various clitzens of Stuart, Iowa, asking the passage of a bill—
report the same back and recommend that five ylay on the table without prejudice; and recommend the passage of the accompanying bill as a substitute, be-
                         report the same back and recommend that fley lay on the table without prejudice; and recommend the passage of the accompanying bill as a substitute, believing it, together with the act of July 5, 1884, herewith, will cover nearly, if not quite, all meritorious cases.
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[PUBLIC-No. 95.]

An act to relieve certain soldiers from the charge of desertion.

PUBLIC—No. 95.]

An act to relieve certain soldiers from the charge of desertion.

Be it cnacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charge of desertion now standing on the rolls and records in the Office of the Adjutant-General of the United States against any soldier who served in the late war in the volunteer service shall be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records, or from other satisfactory testimony, that any such soldier served faithfully until the expiration of his term of enlistment, or until the 1st day of May, A. D. 1855, having previously served six months or more, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time the same was mustered out, failed to be mustered out and to receive an honorable discharge: Provided, That no soldier shall be relieved under this section who, not being sick or wounded, left his command without proper authority while the same was in the presence of the enemy.

Sec. 2. That the Secretary of War is hereby authorized to remove the charge of desertion from the records of any soldier in the late war upon proper application therefor and satisfactory proof in the following cases:

First. That such soldier, after such charge of desertion was made, and within a reasonable time thereafter, voluntarily returned to his command and served faithfully to the end of his term of service.

Second. That such soldier absented himself without proper authority from hospital, or from furlough given from hospital, while suffering from wounds, injuries, or disease received or contracted in the service in the line of duty, and, on recovery, voluntarily returned to his command and served faithfully until discharged, or died from such wounds, injury, or disease while so absent and before the date of the muster-ou

REPORTS OF SMITHSONIAN INSTITUTION.

Mr. ROGERS, of New York. Mr. Speaker, I ask unanimous consent to take up the Senate joint resolution providing for the printing of the annual reports of the Smithsonian Institution.

The SPEAKER. That is not in order at this time. The special

rule under which the House is now acting provides that so long as that rule remains in operation it shall not be in order for the Chair to entertain a request to take up for consideration any bill embraced by that rule except Senate amendments to House bills

POST-OFFICE SITE, WASHINGTON, D. C.

On motion of Mr. STOCKSLAGER, by unanimous consent, the bill | propriations.

(S. 2617) to authorize the acquisition of certain parcels of real estate embraced in square No. 406 of the city of Washington, for the enlargement of the Post-Office Department building and to provide accommodations for the city post-office, was taken from the Speaker's table, and referred to the Committee on Public Buildings and Grounds.

ORDER OF BUSINESS.

Several MEMBERS. Regular order.
The SPEAKER. The regular order is called for, and this being Monday, the regular order is the call of the States and Territories for the introduction of bills and joint resolutions. Under this call resolutions of inquiry addressed to the heads of Departments, and joint and concurrent resolutions and memorials of State and Territorial Legislatures, are also in order for reference only.

REMOVAL OF CAUSES TO FEDERAL COURTS.

Mr. CRAIG introduced a bill (H. R. 8258) to protect the rights of citizens of the United States in State courts, and providing for the removal of civil and criminal causes from State to Federal courts in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. CRAIG introduced a bill (H. R. 8259) to constitute Selma, in the State of Alabama, a port of entry; which was read a first and second time, referred to the Committee on Commerce, and ordered to be

TOBACCO DEALERS.

Mr. CRAIG introduced a bill (H. R. 8260) exempting from special tax dealers in manufactured and leaf tobacco whose annual sales do not exceed \$1,000; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

EMPLOYÉS OF NAVY DEPARTMENT.

Mr. ROSECRANS introduced a joint resolution (H. Res. 343) relative to certain employés of the Navy Department; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be rejected. dered to be printed.

OKLAHOMA LANDS.

Mr. PAYSON submitted a joint resolution of the Legislature of Illinois relative to the opening of the Oklahoma lands to homestead settlement; which was referred to the Committee on the Public Lands.

JOHN E. M'GAUGHEY.

Mr. BROWNE, of Indiana, introduced a bill (H. R. 8261) granting a pension to John E. McGaughey; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BENJAMIN FYE.

Mr. BROWNE, of Indiana, introduced a bill (H. R. 8262) granting a pension to Benjamin Fye; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NANCY J. NIX.

Mr. ENGLISH introduced a bill (H. R. 8263) for the relief of Nancy J. Nix, late widow of William F. Perry, late a private in Company I, Fortieth Regiment Illinois Infantry Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

OPENING INDIAN COUNTRY TO SETTLEMENT.

Mr. PEKKINS introduced a bill (H. R. 8264) to enable the President to negotiate for the purchase of portions of certain Indian reserva-tions and to open the Oklahoma Indian country to homestead settle-ment; which was read a first and second time.

Mr. PERKINS. I ask the reference of this bill to the Committee on Indian Affairs.

The SPEAKER. The Chair will state that a bill relating to this subject was just referred to the Committee on Public Lands.

Mr. PAYSON. I submit that a bill providing for the disposition of these lands after they shall be public lands ought in any event to go to the Committee on Public Lands.

The SPEAKER. This bill, however, seems to provide for purchase of the land from the Indian tribes.

Mr. PERKINS. It authorizes the President to enter into negotiations with the Indian tribes.

tions with the Indians for opening that country to settlement. I think

it should go to the Committee on Indian Affairs.
The SPEAKER. The Chair thinks that is The Chair thinks that is the proper reference under the rules. Mr. PAYSON.

Mr. PAYSON. I am not strenuous on the point. The bill was referred to the Committee on Indian Affairs, and ordered to be printed.

RESURVEYS OF PUBLIC LANDS IN KANSAS.

Mr. PETERS presented a concurrent resolution of the Legislature of the State of Kansas, in favor of an appropriation for resurveys of certain public lands in Kansas; which was referred to the Committee on Ap-

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the amendment of the House to the bill (S. 194) to authorize the Secretary of the Treasury to convey land in

Providence, R. I., for highway purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 483) for the erection of a public building at Keokuk, Iowa.

BRIDGE OVER MISSISSIPPI AT ALTON, ILL.

Mr. HATCH, of Missouri, introduced a bill (H. R. 8265) to authorize the construction of a bridge over the Mississippi River at or near Alton, Ill., and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

GENERAL U. S. GRANT.

Mr. STEVENS presented a concurrent resolution of the Legislature of the State of New York, in favor of the passage by the House of the Senate bill "to authorize an additional appointment on the retired-list of the Army;" which was referred to the Committee on Military Af-

H. T. BRINEGAR.

Mr. YORK (by request) introduced a bill (H. R. 8266) for the relief of H. T. Brinegar; which was read a first and second time, referred to to the Committee on Claims, and ordered to be printed.

MEXICAN WAR PENSION BILL.

Mr. EVERHART presented a joint resolution of the Legislature of the State of Pennsylvania, urging the passage of the Mexican war pen-sion bill with Senate amendments; which was referred to the Committee on Pensions.

PAYMENT TO VIRGINIA OF PUBLIC LANDS FUNDS.

Mr. BARBOUR (by request) introduced a bill (H. R. 8267) to pay to the State of Virginia moneys received from the sale of public lands by the United States Government under the act of September 4, 1841; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

WADDY T. JAMES AND OTHERS.

Mr. JOHN S. WISE introduced a bill (H. R. 8268) to pay Waddy T. James and others for horses killed in the service of the United States; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SYLVIA ROBINSON.

Mr. LIBBEY introduced a bill (H. R. 8269) for the relief of Sylvia Robinson; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

REPEAL OF DESERT-LAND ACT.

Mr. SINGISER presented a memorial of the Legislative Assembly of the Territory of Idaho, against the repeal of the desert-land act; which was referred to the Committee on the Public Lands.

TRANSFER OF TERRITORY FROM IDAHO TO WASHINGTON.

Mr. SINGISER also presented a memorial of the Legislative Assembly of the Territory of Idaho, in favor of attaching the northern counties of that Territory to Washington; which was referred to the Committee on the Territories.

ORDER OF BUSINESS.

The SPEAKER. The call of States and Territories has now been concluded; but if there be no objection the Chair will recognize, for the introduction of bills and resolutions, gentlemen who were not in their seats when their States were called.

There was no objection.

PORTAGE LAKE IMPROVEMENT COMPANY.

Mr. DUNHAM presented a joint resolution of the Legislature of the State of Illinois, relative to the Portage Lake Improvement Company; which was referred to the Committee on Rivers and Harbors.

GENERAL U. S. GRANT.

Mr. MILLIKEN presented resolutions of the Legislature of the State of Maine, in favor of restoring General U. S. Grant to his rank of General of the Army on the retired-list; which were referred to the Committee on Military Affairs.

JOSEPH M. DENNIS.

Mr. MILLIKEN also introduced a bill (H. R. 8270) granting a pension to Joseph M. Dennis; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DOBB, BROWN & CO.

Mr. BROADHEAD introduced a bill (H. R. 8271) for the relief of Dobb, Brown & Co., of Saint Louis, Mo.; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

BRIDGES BETWEEN NEW JERSEY AND NEW YORK.

Mr. HEWITT, of New York, presented a resolution of the Legisla-

ture of New York, in regard to bridges between New Jersey and New York; which was referred to the Committee on Commerce, and ordered to be printed.

RAILROAD BRIDGE OVER CUMBERLAND AND CANEY FORK RIVERS.

Mr. SEYMOUR, by unanimous consent, from the Committee on Commerce, reported, as a substitute for H. R. 8102, a bill (H. R. 8272) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

LEAVE OF ABSENCE.

Mr. GLASCOCK, by unanimous consent, was granted leave of absence for the balance of the day, on account of sickness in his family.

ORDER OF BUSINESS.

Mr. RANDALL. I move to dispense for to-day with the rule of the House requiring that the next business for to-day be devoted to the consideration of reports coming from the Committee on the District of

Mr. BARBOUR. I understand the motion of the gentleman from Pennsylvania to be to dispense with the regular order, which is the consideration of the District of Columbia business.

Mr. RANDALL. That is the effect of my motion.

Mr. BARBOUR. I hope the House will not take from the District

Mr. BARBOUR. I hope the House will not take from the District of Columbia Committee this day for the consideration of its business. Under the rules of the House two days in each month have been set apart for the consideration of that business. The District Committee has only used one in the month of December; one in the month of January; and the second Monday of February was taken from the committee for the consideration of its business. Under the circumstances we have really had but two days at this session for the consideration of the District of Columbia business. I hope, therefore, it will be the pleasure of the House to give us this day, as this is the last day which we can have under the rule.

Mr. RANDALL. It is with reluctance that I make this motion, and yet I think it is right to say that the public business in my judgment requires this motion should prevail.

Mr. TUCKER. I ask the gentleman whether he will not allow reports from committees to be brought in this morning? I have some to submit from the Committee on the Judiciary.

Mr. McMILLIN. Take to-morrow morning.
Mr. RANDALL. I must meet all the difficulties as they are pre-

The SPEAKER. The gentleman's motion now is to dispense with the business of the District of Columbia.

Mr. RANDALL. Is that the next business?

The SPEAKER. The morning hour is the n

The morning hour is the next business.

Well, I move to dispense with the morning hour Mr. RANDALL.

for to-day

Mr. WILLIS. With the consent of the gentleman from Virginia, I will make a suggestion, which I think will solve the difficulty; and that is, to ask that to-night from 8 to 10 o'clock be set apart for the consid-

eration of the District of Columbia business.

The SPEAKER. The Chair finds he is mistaken. Upon the examination of the order made by the House, the business of the District of

Columbia comes next.

Mr. RANDALL. I so supposed.

The SPEAKER. What suggestion does the gentleman from Ken-

Mr. WILLIS. That by unanimous consent from 8 to 10 o'clock this evening be set apart for the consideration of the District of Columbia business. I do that at the request of the gentleman from Virginia himself.

Mr. RANDALL. If no one else objects I will not.

The SPEAKER. The gentleman from Kentucky, in order to enable the House to proceed with its business to-day, asks a recess be taken

this evening

Mr. RANDALL. From 6.
Mr. WILLIS. Yes; from 6 until 8 o'clock.
The SPEAKER. And that the evening session be devoted to the business presented by the Committee on the District of Columbia.
Mr. PRICE. Say from 5 to 7.
Mr. WHITE, of Kentucky. I move to amend by saying that it be devoted to the Mexican pension bill.
The SPEAKER. It is not amendable. The continuous sake uponic

The SPEAKER. It is not amendable. The gentleman asks unani-

Mr. WHITE, of Kentucky. I object.
Mr. RANDALL. I ask for a vote on my motion to dispense with the District of Columbia business for to-day.

The motion was agreed to.

Mr. RANDALL. I now move that the House resolve itself into Committee of the Whole House on the state of the Union to consider general appropriation bills.

Mr. WHITE, of Kentucky. I ask that the request for unanimous

consent be again stated.

The SPEAKER. The gentleman from Kentucky [Mr. WILLIS], at the request of the chairman of the Committee on the District of Columbia, asks that there be an evening session from 6 to 8 this evening to be devoted to the consideration of the business coming from that committee

Mr. WHITE, of Kentucky. I have no objection to that, but I want it understood that the Committee on the District of Columbia is to pro-

ceed to-day.

The SPEAKER. The business of the District of Columbia for to-day has been already dispensed with by unanimous consent of the

Mr. WILLIS. I ask to make a brief statement.
Mr. RANDALL. I ask to have the privilege for a reply if I deem it

Mr. WILLIS. Certainly. I am instructed by the Committee on Rivers and Harbors to press the consideration of that bill this morning to its conclusion. I regret very much some arrangement could not be

Mr. HEPBURN. Regular order. Mr. WILLIS. Wait a moment.

Mr. HEPBURN. That is what I am not going to do. Regular order, Mr. Speaker. Mr. WILLIS.

But wait a moment.

Mr. HEPBURN. I demand the regular order.
Mr. WILLIS. I asked unanimous consent.
Mr. HEPBURN. I objected to unanimous consent.
Mr. WILLIS. You were too late.
The SPEAKER. The Chair thinks the gentleman understood at least that he had unanimous consent to make a brief statement. The gentleman from Pennsylvania was disposed to interpose objection, but simply insisted upon an understanding that he might also make a brief That arrangement was acquiesced in by the House and, as the

Chair understands, no objection was made.

Mr. HEPBURN. I renew the objection.

Mr. McMILLIN. The gentleman from Kentucky had proceeded under the consent of the House and is entitled to continue.

The SPEAKER. The Chair thinks the gentleman from Kentucky

ought to be permitted to proceed under the arrangement.

Mr. WILLIS. I think it my duty to ask the sense of the House

apon the question-Mr. HEPBURN.

I rise to a parliamentary inquiry. The gentleman will state it. What is the regular order? The SPEAKER. Mr. HEPBURN.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to make a brief statement. The gentleman from Pennsylvania Mr. RANDALL] stated that he would not object provided he was allowed the same privilege.

No other gentleman interposing an objection, the gentleman from

Kentucky was proceeding to make a statement, Mr. HEPBURN. I objected as soon as I knew what was the purport of the request of the gentleman.

The SPEAKER. If the gentleman so states the Chair will, of course,

recognize the objection.

Mr. HEPBURN. I had no knowledge of any private arrangement between the gentleman from Kentucky and the gentleman from Pennsylvania, but as soon as I knew what the request was I interposed an

objection.

The SPEAKER. If the gentleman states that he rose to make objection in time, the Chair will of course recognize his right to do so.

Mr. McMILLIN. The gentleman does not so state.

Mr. RANDALL. I think I ought to have an opportunity to reply

to what the gentleman has already said. [Laughter.]
Mr. WILLIS. I withdraw all that I have said. [Renewed laugh-

The SPEAKER. The Chair will suspend all public business until

order is restored upon the floor.

The Sergeant-at-Arms will see that gentlemen are seated.

Mr. RANDALL. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the pur-

pose of considering general appropriation bills.

Mr. WILLIS. I now as a parliamentary question ask—

Mr. RANDALL. Now, then, I must be allowed a parliamentary

reply.

Mr. WILLIS, I have no objection to that.

The SPEAKER. The gentleman will state his parliamentary in-

Mr. WILLIS. If that motion be voted down will it not then be in order to move to go into Committee of the Whole to consider any other bill?

The SPEAKER. It will.

Mr. RANDALL. Will it be parliamentary to say that the House must now choose between the safe road as to the general appropriation bills or the dangerous path in that particular?

Mr. McMILLIN. It would not.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of general appropriation bills.

The question was taken; and on a division there were—ayes 98,

noes 84

Mr. WILLIS demanded tellers.
Tellers were ordered, 54 members voting in favor thereof.
Mr. HARDEMAN. Give us the yeas and nays. Mr. BEACH. I demand the yeas and nays.

The yeas and nays were ordered, 57 members rising in favor thereof. The question was taken; and there were-yeas 134, nays 127, not voting 63; as follows:

	Y	EAS-134.	
Aiken, Alexander, Anderson, Arnot, Barr, Bayne, Beach, Belmont, Bingham, Blount, Bowen, Brainerd, Brewer, F. B. Brewer, J. H. Brown, W. W. Browne, T. M.	Dockery, Dorsheimer, Eaton, Eldredge, Elliott, Ellist, English, Ermentrout, Evans, Everhart, Ferrell, Follett, Fyan, Graves, Green, Hammond,	Lamb, Lanham, Le Fevre, Long, Lowry, Lyman, McAdoo, McComas, McCormick, Matson, Millard, Mitchell, Morse, Mutchler, O'Neill, Charles Paige,	Skinner, T. G. Smalls, Smith, A. Herr Spooner, Spriggs, Steele, Stewart, Charles Stewart, J. W. Stockslager, Storm, Strait, Sumner, D. H. Swope, Townshend, Tulley, Turner, H. G.
Buchanan,	Hancock,	Patton,	Turner, Oscar
Buckner,	Hardeman,	Phelps,	Valentine,
Burnes,	Hardy,	Poland,	Van Alstyne,
Campbell, J. M.	Harmer,	Post,	Wadsworth,
Campbell, J. E.	Hatch, W. H.	Randall,	Wait,
Cannon,	Haynes,	Ranney,	Wakefield,
Cassidy,	Hepburn,	Ray, Ossian	Warner, A. J.
Clay,	Hewitt, A. S.	Reed, T. B.	Warner, Richard
Cobb,	Hill,	Reid, J. W.	Washburn,
Collins,	Hiscock,	Reese,	White, J. D.
Connolly,	Holman,	Rockwell,	White, Milo
Cosgrove,	Hopkins,	Rogers, J. H.	Whiting,
Covington,	Jones, B. W.	Rogers, W. F.	Wilkins,
Cox, W. R.	Jones, J. K.	Rosecrans,	Winans, E. B.
Crisp,	Kean.	Rowell,	Winans, John
Deuster,	Keifer,	Russell,	York.
Dingley,	Kelley,	Seney,	
Dixon,	Ketcham,	Seymour,	

ingley,	Kelley,	Seney,	
ixon,	Ketcham,	Seymour,	
	NA.	YS-127.	
dams, G. E.	Dowd, .	Kleiner,	Riggs,
tagley,	Dunham,	Lacey,	Robertson,
alentine.	Dunn,	Lawrence,	Robinson, W. E
larbour,	Ellwood,	Lewis,	Shively,
larksdale,	Findlay,	Libbey,	Singleton,
lennett.	Finerty,	McCoid,	Slocum,
lisbee,	Foran,	MeMillin.	Smith, H. Y.
llanchard,	Forney,	Maybury,	Stephenson,
Sland,	Funston,	Miller, J. F.	Stevens,
ratton,	Garrison,	Miller, S. H.	Stone,
reckinridge,	George,	Money,	Struble,
reitung,	Gibson,	Morrill,	Talbott,
roadhead.	Greenleaf.	Muldrow,	Taylor, J. D.
Budd.	Guethner.	Murphy,	Taylor, J. M.
Burleigh,	Halsell,	Neece,	Thomas, -
abell,	Hanback,	Nelson,	Thompson,
aldwell,	Hatch, H. H.	Nicholls,	. Tillman,
ampbell, Felix	Hemphill.	Nutting,	Tucker,
Carleton,	Henderson, T. J.	Oates,	Vance,
lardy,	Henley,	Ochiltree.	Van Eaton,
lements.	Herbert,	O'Ferrall,	Wallace,
look,	Hewitt, G. W.	O'Hara,	Weaver,
ulberson, D. B.	Hitt.	Payne,	Wellborn,
ulbertson, W. W.	Hoblitzell,	Payson,	Weller,
ullen,	Holmes,	Peel,	Williams,
Dargan,	Houk.	Peters,	Willis,
Davidson,	Houseman,	Pettibone,	· Wilson, James
Davis, G. R.	Hunt,	Pierce,	Wolford,
Davis, L. H.	Jeffords,	Price,	Woodward,
Davis, R. T.	Jones, J. H.	Pryor,	Worthington,
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Adams, J. J. Atkinson, Belford, Blackburn, Boutelle, Boyle, Brumm, Candler, Chalmers, Converse, Cox, S. S. Craig, Curtin, Cutcheon, Fiedler, Geddes,	Glascock, Goff, Hart, Henderson, D. B. Holton, Hooper, Horr, Howey, Hurd, Hutchins, James, Johnson, Jordan, Kellogg, Laird, Lore,	Lovering, Milliken, Milliken, Mills, Morgan, Morrison, Moulton, Muller, Murray, O'Neill, J. J. Parker, Perkins, Potter, Rankin, Ray, G. W. Rice, Robinson, J. S.	Ryan, Shaw, Skinner, C. R. Snyder, Springer, Sumner, C. A. Taylor, E. B. Throckmorton, Ward, Wemple, Wilson, W. L. Wise, G. D. Wise, J. S. Wood, Young,

So the motion was agreed to.

Mr. RANDALL. I ask unanimous consent to dispense with the reading of the names.

Mr. WILLIS. I object for the present.

The Clerk then recapitulated the names of those voting.

Mr. HARDEMAN. I desire to announce that my colleague [Mr. CANDLER] is absent to-day on account of sickness.

The following gentlemen were announced as being paired on all political questions, until further notice:

Mr. Morrison with Mr. John S. Wise.

Mr. Shaw with Mr. Laird.

Mr. Rankin with Mr. Kellogg.

Mr. Throckmorton with Mr. Ezra B. Taylor.

Mr. Jordan with Mr. Henderson, of Iowa.

Mr. HURD with Mr. RICE.

The following gentlemen were announced as being paired for the

day:
Mr. SNYDER with Mr. JOHNSON.

Mr. GLASCOCK with Mr. BRUMM. Mr. CANDLER with Mr. JAMES. Mr. MULLER with Mr. Goff.

Mr. ADAMS, of New York, with Mr. CHALMERS.

Mr. FIEDLER with Mr. HOOPER.

Mr. O'NEILL, of Missouri, with Mr. CRAIG. Mr. RYAN with Mr. PERKINS, on this vote. Mr. GEDDES with Mr. HOLTON, for to-day

Mr. BLACKBURN with Mr. MILLIKIN, on this vote. Mr. Wood with Mr. Bowen.

The result of the vote was then announced as above recorded.

NAVAL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. Wellborn in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, and the gentleman from Massachusetts [Mr. Long] is entitled to the floor.

Mr. LONG. Mr. Chairman, we all know what verdict history will reader in this case. History, in my judgment, will not stop to ask which was the more at fault, a Republican Administration on the one hand, or on the other a Democratic House of Representatives, which had in its hand and under its control the machinery of legislation and the purse-strings of the Treasury. I believe history will say that after the war, with a navy of all sorts left upon our hands, and in a transition time of naval architecture, we did the best we could to repair and make useful what we had; and that we did it, as the gentleman from Ohio [Mr. KEIFER] has well said, at less cost than that incurred by other nations during the same time.

But, sir, history will not hold us guiltless if now, when that transiended, when the era of wooden ships have gone by since the war ended, when the era of wooden ships has closed, and when the new age of iron and steel and turret and tower and mighty ordnance has come—history will not hold us guiltless if now we fail to put our country alongside with England, with Italy, with Brazil, with Chili, and other nations in the matter of our war ships and our harbor defenses. I exaggerate no danger. I apprehend no war. I deprecate its invocation. I rely, as the American people rely, and as this Congress should rely, upon the healthful blood and muscle of peace. But I know as every other man knows that preparation for war, the possession and appearance of power, and the ability to strike back are the best guarantees of

I admit that modern invention runs so fast that the equipment of to-day is very likely to be behind the times to-morrow. But that is a truth which applies to all nations equally with ours; and I want to see

our country at least as close on the heels of advance as any other Nor do I believe in a great expenditure of money; but I do believe we ought to expend enough to take a step forward and to make a new departure-no, I will not say a new departure; let me rather say that this Forty-eighth Congress should put a silver lining upon the cloud of its utter inefficiency hitherto and at least carry forward the work which the Forty-seventh Congress well began for the rehabilitation and increase of our Navy, and the credit for which should be recognized and proclaimed. Public sentiment, in my judgment, demands and will

justify a liberal policy in this regard.

I can speak only for myself, but I think I speak substantially for this side of the House when I say we are ready to promote such a policy, even though the party of which we are loyal members is no longer to be in administration of the Government and will not reap the glory of restoring our Navy to its former prestige and glory. We might as partisans be glad to see the new administration hampered and belittled in this matter; but it goes without saying that the interest of the country is of far more moment than that of any party, and that there is no Representative on this floor who will consent that his country shall stoop among the nations of the earth too proud to swallow an insult, yet too powerless to resent it or to have made it impossible.

Those are preliminaries in which we all agree. Now, what is this section of the bill before us? What does it propose? I sum it up in one sentence: If you pass this bill, amending it if you please, correcting its details, but putting its main feature into law, the result is as sure as the rising of the sun, to wit, four new war ships of the best modern type and design, and the foundation laid for the further increase of our Navy in accordance with the demands of modern naval architecture. If there be any man here who does not want to see this increase of the

Navy, let him vote against this section. If there be any man here who desires an increase of the Navy but does not want it if it shall take place under the administration of a party to which he does not belong, then let him vote against this section. But if any man does desire the increase of the Navy, and that is his single aim, let him vote for the principle embodied in this bill; and if the details do not in all respects commend themselves to his judgment, do what he can to modify them.

What are the provisions of this section? It is easy to ridicule or to criticise or to cavil at any proposed measure; it is easy to exaggerate faults of detail. But look at the main provisions. First, a board is established, a board of seven persons, the Secretary of the Navy at the head of it. With him are associated a representative of the Department of Construction, a representative of the equally important branch of steam-engineering, a representative of the line of the Navy, and then three civilians skilled in naval architecture.

I would prefer, Mr. Chairman, that we should put upon that board the present head of the Bureau of Construction, Commodore Wilson; the present head of the Bureau of Steam-Engineering, Commodore Loring; the present head of the Bureau of Ordnance, Commodore Sicard, each of these officers thoroughly competent and familiar with the science of his department. I doubt also—I say it frankly—if you can find in this country three civilians skilled in naval architecture who would or could serve as members of the board, for such are very likely to be bidders for the contract for building the proposed new ships. But to the Secretary of the Navy and to the three representa-tives of the experience and skill of the departments I have referred to, it is perhaps well to add what is called "new blood" from civil life, as I am informed is the rule in the British admiralty, in France, and other countries

If you put in three sensible business men and pay them a better per diem than is now provided in the bill, I believe you will make a good board. What does that board do? It is to meet and invite plans from all the world-certainly a democratic arrangement. Of course that provision can be ridiculed; if you please, you may speak of the "cranks" who will send in their dreams; but the board will probably have sense enough to throw into the waste-basket whatever is unworthy of con-

sideration.

After receiving suggestions and plans the board is to offer a reward for the best designs for four types of new war ships. Anybody in the world may compete for that award. When those designs are presented the board is to determine which are the best for each of the four types of war vessels and award a reasonable price to the successful competitors. What happens then? I had the honor to suggest, and it is embodied in the bill, that this board, having completed its work, goes out of existence on making its report in December next. It will have finished its work and exist no longer to become a fungus upon the healthy growth of the body-politic. It will go out of existence, and the work of constructing these ships will begin at once by force of law.

Criticism has been made upon this part of the bill on the ground

that the board ought to be required to report to Congress, and that then, and not till then, shall the ships be built, Congress determining the plans and details of construction. This is a fair question between us, whether it is better that the board, having made up its mind as to the whether it is better that the board, having made up to best types of vessels, shall make a report to Congress, and Congress shall take up the matter anew, or whether, the best types having been selected by the board, the Secretary of War shall go on to construct the ships. There is no politics in that question; it is a pure business questions. tion, and I put it to every business man, what does common sense sug-Under this bill we at once get plans and designs the best that can be had, and the ships will then at once be constructed. But if we take the other course and require the board to report to the next Congress, and Congress then to arrange details of construction, we shall simply go back again to the beginning, and find ourselves just where we are to-day. Then will come the many minds of the three hundred and twenty-five members of this House and the difficulties of bringing them to an agreement. One gentleman will have one plan and another another; one will listen to one inventor and another to another, and the probability is that a succeeding Congress will escape the whole dif-

ficulty by resorting to the creation of still a new board.

Reverting to the details of the bill, the Secretary of the Navy is required to construct these ships. One vessel of each class is to be built, which insures four vessels of the highest and best possible modern types They are to be built of American material, they are to be built in the United States, and they are to be built by contract, which I believe is the right system. So far as that system has any political bearing, it destroys the opportunity for making our navy-yards a part of the political machinery of the country. It encourages ship-building among our own people; and it selects men to perform the labor, not through political influences but through the ordinary channels of business em-

for a limited appropriation, because I believe it is better for Congress, as a matter of general principle, to retain the control of the public ex-penditures rather than to leave them unlimited and indefinite. That

is opening the door altogether too wide. I can not consent to it.

These are the provisions of the bill, open to suggestion or amendment; but amend as much as you please, perfect the details as you will, the general fact remains, that if you pass it you insure at least the beginning of the construction of an adequate navy.

Mr. RANDALL. I now yield to the gentleman from New York [Mr.

DORSHEIMER

Mr. DORSHEIMER. Mr. Chairman, I have sought for an opportunity to take part in this discussion and to state my reasons for supporting the provision in this bill which proposes an increase of the Navy, principally because during the last session I differed with the committee as to the propriety of the action which it then proposed to the House. I am glad now to be able to support the bill as it has been presented to us by the Committee on Appropriations. But before en-tering upon the subject of the bill as it stands I wish to say a word upon a topic which was introduced into the debate last Thursday after-

At that time the question before the committee being as to whether the wooden ship New York should be finished, I ventured upon an observation which was challenged by my distinguished colleague [Mr. HEWITT, of New York] that all the other countries were now building wooden vessels. In compliance with my promise to furnish the authority upon which I made this observation, I addressed the appropriate bureau of the Navy Department, and have received a reply in which is stated precisely what other governments are doing with reference to the construction of wooden vessels.

In England there are at present no vessels now building entirely of wood, but a number of what are called composite vessels are in course

of construction in the navy-yards of that country. A composite vessel is a vessel the frame of which is either of steel or iron, but the plank-

ing, the bulwarks, and the decks of which are of wood. England has built of that class four in 1884, of about 1,420 tons each, and there are seven small gun-vessels of this description now in course of construction.

In France one large wooden cruiser was launched in the month of December, 1884, a vessel of 3,355 tons. Two small composite gun-vessels were built during the same year. There are also a number of small gunboats built of wood, and several composite vessels which were laid down in 1882 but not yet completed. Fire small wooden supposes a down in 1882 but not yet completed. Five small wooden gunboats of 155 tons are in course of construction, and two wooden dispatch transports of 1,580 tons each. So that it appears France is now building quite a fleet of either wooden vessels or vessels partly of wood and partly of metal.

Germany, Italy, Austria, and Russia have not built any wooden vessels recently. In Spain three wooden vessels of 3,090 tons each are now on the stocks. In Japan two new wooden vessels of 3,090 tons each are now on the stocks. In Japan two new wooden vessels were built in 1882 and 1883. China, Turkey, Portugal, Chili, and the Argentine Republic have not built any wooden vessels recently. In Brazil two wooden vessels were built in 1883 and 1884, one of 1,960 tons and another of 726 tons. So it will appear that while I am required to make some qualification in the general observation which I made, yet wooden vessels have not been so absolutely rejected by foreign countries as to be sels have not been so absolutely rejected by foreign countries as to be

considered an obsolete type.

Mr. HEWITT, of New York. Will my colleague allow me to ask him whether he finds a single wooden vessel of 5,000 tons burden on

him whether he hads a single wooden vessel of 5,000 tons burden on the stocks anywhere?

Mr. DORSHEIMER. I do not know that I do.

Mr. HEWITT, of New York. That was the proposition.

Mr. DORSHEIMER. That is a very large vessel.

Mr. HEWITT, of New York. That is the size of the New York, which is proposed in this bill to be finished.

Mr. DORSHEIMER. That is a very large ship.

Now, Mr. Chairman, I would like to lay before the committee some facts which have come to my knowledge by reason of an inquiry which

facts which have come to my knowledge by reason of an inquiry which I was led to make, comparing the vessels now in course of construction in our navy-yards with a very remarkable vessel which has lately been built upon an order given by the Chilian Government, and which is now in the naval service of Chili. I refer to the Esmeralda. And it is a fact worthy of note by this committee that the principal features of the Boston and the Atlanta, the two new vessels most criticised, have been—I will not say copied, but have been reproduced to a remarkable extent in this very successful ship built in England for the Republic of Chili. The Esmeralda is of the precise length of the Boston—two hundred and seventy feet; she is of the precise width of the Boston—forty-two feet; and she is (this is the only difference in her dimensions) one foot deeper than the American ship. All the peculiarities of construction—the light hull, built of steel, divided into a great number of water-tight compartments, and the strengthened deck covering the enginery of the vessel-all those features and others are in the Esmeralda as they are in the Boston, and without any essential points of difference whatever.

Now what difference exists between this vessel, the last product of the mechanical naval ingenuity of England, and the two vessels of which I have spoken? The Esmeralda was built upon a contract that she should

have a speed of seventeen knots an hour; and she actually has made over the measured mile in smooth water a speed of eighteen and a quarter knots an hour. The report of the Esmeralda's voyage from England to Chili was received within a few weeks at the Navy Department, and I have been able to read it. The officer in command of that vessel reports that on several occasions during his voyage he obtained a speed of eighteen and one-half knots an hour. That speed in the Esmeralda is obtained upon a consumption of one hundred and ninety tons of coal in twenty-fours—a consumption of coal so great that it is clear the capacity of the vessel, which is only for six hundred tons of coal, will

not permit the speed to be maintained for any great length of time.

As to the speed of the Boston and the Atlanta, it is to be observed that they are as yet unfinished vessels, but the contract speed is fifteen knots an hour, two knots an hour less than the contract speed of the Esmeralda; and the officers of our naval service have a confident belief that when the ships shall be tried they will be found to have a rate of speed under favorable circumstances considerably greater than the contract requires. But I am ready to suppose that the Esmeralda has a rate of speed of three knots an hour greater than the Boston or Atlanta will have

Now what other point of superiority has the English vessel? The English vessel has a heavier armament. The broadside fire of the Esmeralda has a weight of 1,140 pounds. The broadside fire of the Boston

ralda has a weight of 1,140 pounds. The broadside fire of the Boston has a weight of 800 pounds.

The superiority of the Esmeralda, however, comes out of the circumstance that her two pivot-guns, both of which can be placed in broadside, are 10-inch guns, while the two pivot-guns of the Boston are 8-inch guns. The broadside guns proper of the Boston are heavier than those of the Esmeralda. The three broadside guns of the Boston each throw a shot of one hundred pounds' weight, while the three broadside guns of the Esmeralda each throw a shot of eighty pounds' weight. If the vessels were steaming end-on, as the phrase is, and the Boston were able to use her bow-fire, she would throw from her bow three hundred and fifty pounds from two guns, while the Esmeralda would throw four hunfifty pounds from two guns, while the Esmeralda would throw four hundred and fifty pounds from one gun. It will depend very much on the circumstances in which the vessel is situated whether it is better to have this weight of metal from a single gun or to have it distributed between

two guns.

Mr. HEWITT, of New York. Will my colleague be good enough to tell the House how much greater the range of the 10-inch guns of the Esmeralda are than the 8-inch guns of the Boston?

Mr. DORSHEIMER. It is said that the pivot-guns of the Boston are of a pattern later than those furnished to the Esmeralda, and that the initial velocity of the 8-inch gun of the Boston is greater than the initial velocity of the 10-inch gun of the Esmeralda. But as I will have occasion to show, in a fighting sense, the question of my distinguished colleague has no relation to this subject whatever. The stern-fire of the two vessels is just the same as the bow-fire.

Now, I am supposing these two vessels at sea and coming together. Mr. HISCOCK. May I ask my colleague the question, would they

come together if one had a longer range?

Mr. DORSHEIMER. I will come to all that. Now, this weight of metal would be a matter of some consequence as against ironclads or against a fort; but of what consequence is it or could it be against a vessel so lightly built that the lightest gun on either of the vessels would come to the consequence. search out every part of the opposing ship? There is no part of the Boston above the water line which the lightest gun upon the Esmeralda will not break through as if it were a sheet of paper, nor is there any part of the Esmeralda which the lightest gun upon the Boston will not break through in the same way. The vessels are built upon the principle of letting the shots through and not keeping them out. And it is a curious circumstance that Sir William Armstrong, who waged one side of this long conflict between the gun and the target, when he furnishes a vessel to a foreign country makes no effort whatever to keep the shots out, but builds his vessel of steel only five-eighths of an inch

I am supposing that the two ships, both having the same number of guns and both strong enough to search out every part of the opposing vessel, are coming together, and one ship is manned and officered by Americans from the North and the other manned and officered by Americans from the South, is there any member of the House of Representatives who will have any doubt what the issue of that battle would be? We have won naval victories against greater odds and a more formidable foe. These pivot-guns of the Esmeralda are of enormous dimensions; they are to be manipulated by machinery, loaded by machinery, and whenever they are fired the gun is dipped into a hood and there a hydraulic engine on the lower deck reloads the gun.

Now these two ships are in action. It is not a question which has the highest gun but it is constituted for the horizont gundered and never and

the biggest gun, but it is a question of the brains and nerve and manhood of the men who work and look along the barrels of the guns. And that is what I meant when I said the other day that finally the defense of States is not to be obtained by defensive armor but must rest within the fiery hearts of those who man the ships and fight the guns.

I have put the question to officers of our Navy and have been re-ceived with smiles, I have put the question as to whether any Ameri-can naval officer would decline a conflict with the Esmeralda if he had

the Boston under his command. And I venture to say here that such a combat could not be declined by the captain of the Boston without subjecting him to a court-martial and the probable loss of his commission.

Let me venture here the prediction that when the Esmeralda meets the Boston at sea, if she ever does, she will have no need of her speed of eighteen knots an hour; she will catch the Boston at a much lower rate of speed than that. Speed! Do not let us place too much reliance upon the speed of a fighting ship; it is not a fighting quality at

It is a valuable thing to have, for it will enable you to run away when you want to run away, and undoubtedly it will enable you to when you want to tail away, and the considerable victory when you have made your adversary fly from you, and you can well take the chances of not running away from another ship if you have a good fighting ship under your feet.

Now my friends on the other side of the House are very much troubled about the long-range guns. Why, either of these guns, the pivot-guns, would throw a shot three or four miles, and if two ships of war are would throw a shot three or lour miles, and it two ships of war are three or four miles apart from each other, how much danger would there be in that sort of a combat? On the sea—and my distinguished colleague from New York is not unacquainted with the sea, and knows what an unstable element it is—on the sea, the ordinary basis of calculation, the result of experiment and close observation, is, that but one cannon-ball out of twenty strikes; and I will submit it to my friend from Maine, who has been distinguished in the naval service of his country, whether there would be any particular reason to call the case. country, whether there would be any particular reason to call the crew to quarters because of an encounter with an adversary who remained three or four miles distant?

On the other hand, I think it would be an entirely safe thing for the crew of the Boston, with the Esmeralda three or four miles away and out of range of her guns, to go about their ordinary duties in the work-

out of range of her guns, to go about their ordinary duties in the working of their vessel.

So much, sir, it has given me much pleasure to have had an opportunity to say with reference to this astonishing vessel, which I think the gentleman from Ohio [Mr. Keifer], if I understood him, a day or two ago, apprehended as likely in case of war to spread terror upon our coast from the capes of Florida to the Maine boundary.

Mr. KEIFER. I said on the Pacific coast.

Mr. DORSHEIMER. Well, with reference to that part of the coast, when the time comes we must have something like the Boston there.

Mr. KEIFER. I was speaking of the present time.

Mr. DORSHEIMER. Now as to the bill before us. There is a feature in the bill to which I do not so much object, but I desire to call the attention of the committee to it, which will prohibit the construction of any ironclad at present. I mean by the term ironclad a heavily armored vessel; because the bill provides that the ships authorized by it shall be built of American material. But no steel plates sufficiently thick to enter into the construction of an ironclad can at present be prothick to enter into the construction of an ironclad can at present be produced in this country.

Mr. TALBOTT. Let me interrupt the gentleman from New York a moment. I desire to say to him that he is entirely mistaken about that. It has been thoroughly investigated by a committee of this House, and

It has been thoroughly investigated by a committee of this House, and we can manufacture steel in any quantity and quality necessary for the construction of war vessels of any size which may be demanded.

Mr. REED, of Maine. But not at present.

Mr. TALBOTT. Yes, sir; we can do it now.

Mr. DORSHEIMER. I have no doubt if the plant is obtained that proper plates can be made in this country. That I do not dispute. But I state this as a fact within my personal knowedge that there is now needed about \$1,200,000 worth of steel plates to finish the monitors, and that no contractor can be found in the United States willing to provide the plant which would be necessary for constructing that quantity of steel plates.

There is another description of plates most useful in the construction

There is another description of plates most useful in the construction of the best ships, known as compound steel and iron plates, with steel surfaces and iron backings and which late European artillery experisurfaces and iron backings and which late European artillery experiments tend to prove are the best form in which metal can be placed for the purpose of resisting shot. So I say, as I have indicated before in the course of this debate, I am not particularly anxions to build iron-clad ships. I believe the ship of the future will be a ship so divided into water-tight compartments as to make the sinking of her very difficult, and which will have high speed and great offensive power. She will be built upon the principle on which the Esmeralda and the Boston are built, which will allow the shots to pass through and not attempt to stop them at all. And so I will be patient with the bill as it stands to stop them at all. And so I will be patient with the bill as it stands, for I care little about the construction of iron-clad ships; but I wish the committee to understand that if the bill passes in its present form no ironclads can be built in this country in the present state of our machinery and the art.

The distinguished member of the committee from Massachusetts [Mr. Long] has criticised that provision in the bill which makes what in substance is an unlimited appropriation. We all recognize the force of the criticism which he has made; but there is one reason, which I venture to suggest to him, why perhaps we may be willing to make an exception in this case. You can not obtain the best terms from the con-

tractors unless the Government has all the money in hand. I have had myself, as chairman of a commission in the State of New York, constructing a great public building, occasion to know how much more a public work costs when the contractor has to run his risk of future appropriations over what it would cost if the contractor knew that the money was all at the disposal of the Government. In the building of which I speak, in my judgment, and I say it advisedly and after an experience of five years, at least 30 per cent. has been expended more than would have been necessary if the State had provided the funds so as to carry on the work without interruption.

Therefore I think we should make an exception in this case. Let us find how well the Department can do without any restriction as to money. Let us find how cheaply we can build these vessels when the contractors know there is no necessity whatever of the Department go-

contractors know there is no necessity whatever of the Department going to Congress for any further appropriation.

Mr. Chairman, I have trespassed upon the patience of the committee as long as I think it desirable, and I will conclude with a single observation. I congratulate both sides of this House on the fact that all parties are now united in the policy of the rehabilitation of the American Navy, which I hope will be the beginning of the re-establishment of our greatness upon the sea. And I am glad during my short service in this House to have had an opportunity to see both the great political parties united in this work of patriotic endeavor and of patriotic necessity.

sity.

The CHAIRMAN. Eight minutes of the time of the gentleman from New York remains.

Mr. DORSHEIMER. I reserve the remainder of my time.

Mr. CANNON. As I understand, there are still two hours for general debate after this hour closes, including a full hour in advocacy of

The CHAIRMAN. The gentleman from Illinois will be recognized if he desires

Mr. DORSHEIMER. I yield a few minutes to my colleague from

New York [Mr. HEWITT].

Mr. HEWITT, of New York. My colleague is good enough to yield to me two or three minutes, which I think is all I require for one single purpose suggested by his remarks. He has stated that the Esmeralda has pivot-guns of 10-inch caliber, and that the Boston has 8-inch pivot-guns; and it follows as a matter of course that the range of the 10-inch guns on the Esmeralda will be greater than the range of the 8-inch guns of the Boston. That range may be taken approximatively at about 25 per cent. greater on the Esmeralda than on the Boston. As the range of a 10-inch gun may be safely set down at about five miles, this will give a superiority of range to the Esmeralda of one mile at least over the Boston. In other words, the Esmeralda coming within the range of the Boston will have a space of a mile within which shot and shell from her 10-inch guns will hit the Boston and where the shot and shell from the Boston's 8-inch guns can not reach the Esmeralda.

Then it is also admitted the speed of the Esmeralda is three knots an hour greater than the speed of the Boston. Hence it follows that the

Esmeralda can plant herself at a point where she can shell the Boston and by her greater speed keep herself in that position until the Boston

has gone to the bottom.

Now, then, I do not know how brave the American heart is; I have never had occasion to find out; my friend knows more about it than I do. I do not know how cowardly the South American heart is; I have never tried it. But I take it human nature is pretty much the same in North and in South America. But brave as the one may be and deficient in bravery as the other may be, I say the ship with the smaller guns will go to the bottom by the superior range of her adversary's guns; and neither the bravery nor the cowardice of the sailors or of the officers can avert the catastrophe.

It seems to me, Mr. Chairman, that all these propositions which look to getting any but the best ships, and the further proposition that ships are to be built to be penetrated, proceed entirely from ignorance of the true position of the case—I say it with all due deference to my colleague, ships do not always fire solid shot; they fire shell, and more frequently shell than shot; and when a shell is driven through the sides of the Boston, fired from the Esmeralda with its superior range, and the shell is exploded inside the Boston, she will go to the bottom like a shot. That is the difficulty with the propositions laid down by

my cloquent but erring colleague.

Now I ask my colleague also one crucial question. He undertook to defend his statement that modern nations were still building wooden The matter in issue was whether a wooden frigate of 5,000 tons should be finished or not; and I took the ground that no nation in the world building to-day a cruising ship for fighting purposes builds a wooden ship. Their wooden ships are small gunboats or small transports, and they have nothing to do with the question of armored ships

or of unarmored cruisers.

As to unarmored cruisers there are two fundamental conditions: First, that they be faster than any other ships with which they come in contact, so they may overtake and destroy or else may run away and save themselves; and second, that their weight of metal which they carry shall be superior to the adversary. It is in that respect that the Estate of the state meralda is to-day the best of her type, and that the Chicago and the

Boston are failures in view of the existence of such ships as the Es-

meralda and the Riachuelo.

Now, Mr. Chairman, I come down to this bill. I did not intend to take any part in this discussion, for I did not expect to be allowed any time. I am heartily in favor of this bill, because I want to get a navy. It is time that we should build a navy. I do not think it is necessary, however, to open the Treasury in the manner in which this bill proproses. I trust the committee will bring in a recommendation limiting the expenditure to some specified amount. I do not care whether it is ten millions or fifteen millions or twenty millions or thirty millions ions. I am ready to-day, as an American Representative, to do what was done at its last session by the Parliament of Great Britain. That Parliament voted six million pounds sterling, \$30,000,000, for the improvement of the British navy, and I am ready here to-day to vote \$30,000,000 for the restoration of the American Navy. It is a sum that we are bound to expend upon our Navy within the next five years, and I am willing to give the pledge to-day that the American Congress has the patriotism and the intelligence to appropriate whatever sum may be found necessary to accomplish this great result so dear to the national heart.

Mr. CANNON. I ask the Chair to rap me down at the expiration of

It is with considerable diffidence, after listening to both the distinguished gentlemen from New York [Mr. DORSHEIMER and Mr. HEW-ITT] and to my colleague upon the committee [Mr. Long], as well as to various other gentlemen who are skilled in naval architecture [laughter], that I venture to address this committee for a few moments. I do not know much about naval architecture, and in what little I shall say about this bill shall come as near as I can to discussing it from a business standpoint. It is admitted that we are without a navy, and that we ought to have one. We can all stand upon that ground at last. It is true, it has been only within the last few days that we have all been able to get upon that platform.

I recollect that even within the last six weeks it was contended upon the other side of the House, notably by the gentleman from Pennsylvania, the chairman of the Committee on Appropriations [Mr. Randall], that we did not know what to build, and that there was not much hurry about it any way; but he has been as suddenly converted on the subject of the Navy as Paul was when he was traveling to Damascus and was striken down at midday by that great light.

Mr. RANNEY. But not by the same means. [Laughter.]

Mr. CANNON. Not by the same means, the gentleman from Massachusetts suggests. Now, while I want a navy, there is a proper and orderly way of proceeding to take measures to get it. In the first place, time out of mind we have expended from four to five million dollars a year in salaries to educate men and make them skilled in these matters, and I undertake to say, notwithstanding the abuse that has been poured out on the officers of the Navy, that to-day, outside of perhaps a few skilled ship-builders whose services you can not secure under the provisions of this bill, those officers have more knowledge touching the proper method of constructing a navy than any other people upon this

The last Congress wisely provided to take a long step forward toward the construction of a navy. They constituted a board of five skilled naval officers and brought in as "fresh blood" two civilians. I do not know the politics of those five naval officers, nor do I care. that those officers represent the best skill in the Navy. Under the provisions of that bill this board of seven members organized, advertised, not once but twice, for plans and suggestions from wise men and ignorant men, from level-headed men and from cranks, and they got them. Then they considered the plans, and by and by a recommendation was made to Congress, and we authorized the building of four vessels, one dispatch-ship and three cruisers, which are now approaching comple-tion. The officers of the Navy Department had then in the Department or have procured since exact plans of all the war ships that have

been built in modern times. Do gentlemen know what that means? Since 1869 Great Britain has spent upon her navy \$800,000,000; France has spent on hers \$630,000,000; Russia has spent on hers \$345, 000,000. Not one of the war ships of a new type has been constructed anywhere within the last twenty years but what complete plans and drawings of the ship, the armor, the guns, and the machinery are to be found in our Navy Department. The advisory board made a report to Congress recommending the construction of certain other vessels—cruisers and armored vessels. We have received from them, boiled down, abstracted, the substance of the combined wisdom and experience of the world in this matter of the construction of war ships. Now then, if you want to build a navy, make your appropriation, not indefinite, but so much for an armored vessel, so much for a cruiser, so much for a torpedo-boat, so much for machinery and armor. You have already got all the information that the best skill and knowledge on this subject on this round earth has been able to produce, and you have it ready at five minutes' call, yet we find gentlemen coming in here and proposing by this bill to do what? To constitute a board to consist of three naval officers, three civilians, and the Secretary of the Navy. I asked one of the most noted ship-builders in this country, from the gentleman's [Mr. RANDALL'S] own city of Philadelphia, what kind of

a board that would give us. He replied that there was not a naval architect or constructor upon this continent whose opinions and views were worth anything but what he would pay him double on treble the wages here provided. So that you will get for your board three civilians who do not know anything about this question, plus the Secretary of the Navy—upon whom I will not pass judgment until I learn who he is to be.

What plans? Do you What next do they do? Advertise for plans. propose to pay them for partial or complete drawings of what is already in the Navy Department? Or do you propose to take the plans of every enthusiast, every one-idead man in the country? And there are plenty of them. I guess that is about the size of it. And when you get the plans, what then? You pay in round numbers \$60,000—that is to say what then? You pay in round numbers \$60,000—that is to say, \$15,000 for the first and second premium for each class. What next? From those plans, remember-not from what you find in the Navy Department; not from what we know from the experience of the whole world—but from these plans you select the four classes. What shall they be? Great armored ships like the Lepanto and the Dreadnaught? Is that what you are going to have?

Is that what you are going to have?

I call on the gentleman from Pennsylvania to say, Is this scheme of yours to produce a great armored vessel? I get no answer. Is it to produce a cruiser, wood or steel? I get no answer. What will it produce? It will produce ships, kind not known, at a cost to the Treasury of—the Lord only knows what! Now, I want a navy. I am just as ardent in that direction as my colleague on the committee, the gentleman from Massachusetts [Mr. Long]. I want a navy; but I do not see any means of getting it through this process.

The gentleman from Massachusetts [Mr. Long] amused me during his remarks. Eloquent and able as he is, while he proposes to support:

his remarks. Eloquent and able as he is, while he proposes to support this measure he turns round and criticises it, and apologizes for it. Well, I can not accept his apology, nor that of the eminent gentleman from New York. He is not pleased with it either. Both of them think it may be amended. Yes, it is possible, I grant you, by amendment to mature proper legislation here which will give us a navy, and will commence at once. But who supposes there can be any amendment in Committee of the Whole, any fair discussion of this bill at this time of the session? When it is recollected that the gentleman from Pennsylvania is in charge of this bill, that it is a child of his mind, that it sprang full-armed from his brain as Minerva sprang from the brain of Jupiter, it can at once be understood that it is not to be amended but supprer, it can at once be understood that it is not to be amended but is to go through substantially as reported from the committee or it is to die. And my impression is that until the gentleman himself is enabled to follow the recommendations of those skilled in naval architecture, is enabled to give definite and fixed appropriations, is enabled to say what classes of ships shall be built, and how much they shall cost, and who shall superintend their construction—until that time it is better that all measures of this kind should die in their birth.

In conclusion I want gentlemen to look at this measure. It in part organizes a new Navy Department. It sets aside the present advisory board and throws away its work. It dispenses with experience and skill and bids for ignorance and inefficiency. It unlocks the doors of the Treasury and places a sum of money without limit in the hands of the Executive, to spend at his discretion, he not even being required to report the details to Congress of expenditure.

Now, we are soon to have a change of administration. No man on either side of the House desires more entirely and sincerely than my-self that the incoming administration should be successful, for the best interests of the country. While I am not a member of the political party which elected Mr. Cleveland, yet when inaugurated he becomes my President. If I had anything against him I could not more persistently and effectively urge it than to place in his hands by law the Treasury of the United States, subject only to the limitations contained in this bill, for the construction of a navy upon his discretion, as he may be advised by a board—the board yet to be created, the plans yet to be evolved, the President yet to be inaugurated.

If this bill should be enacted into law it will be well for us politically on our side, because in my opinion it can not be successfully executed. If enacted into law it must breed disorders and corruption in administration. Not that I say the new President is to be corrupt, or that gentlemen here intend corruption should exist. But this loose method of obtaining plans and determining the classes of vessels, this loose method of making unlimited indefinite appropriations for construction, if followed, would wreck any administration and debauch

any service.

I now yield ten minutes to the gentleman from Indiana [Mr. Hol-

Mr. HOLMAN addressed the committee. [See Appendix.] Mr. CANNON. I will yield for ten minutes to my colleague [Mr. TOWNSHEND]

Mr. TOWNSHEND. Mr. Chairman, I am ready to respond to the demand of the people for the rebuilding of the American Navy. I am as anxious as any one to see our flag float above an American navy as formidable on the sea as when it floats over our Army upon the land. But I can not understand why the Democratic party in this House should become so quickly panic-stricken, and leap from the conservative policy, which we have followed for so many years, into the opposite extreme. Therefore I shall, when the proper point is reached in the bill, offer an amendment to limit the amount appropriated for the rebuilding of the

Navy to \$8,000,000, which will be as large a sum as can properly be expended during the next fiscal year for this purpose.

Mr. Chairman, this proposition, submitted by the gentleman from Pennsylvania [Mr. RANDALL] on behalf of the majority of the Comremsylvania [Mr. KANDALL] on behalf of the majority of the Committee on Appropriations, takes the control of the construction of the Navy out of the hands of the next President and the Secretary of the Navy, where it was lodged by the fathers, and places it under the control of a board, three of which will be unknown to the Navy. All of them are unknown to this Congress. That board will have power to control the construction of the Navy, to prescribe the models and plans to be adopted for building the new war ships. If this proposition is ingrafted on this bill it will be regarded as a vote of want of confidence

in the future President to whom the country has intrusted the destiny of the country for the next four years. For that and other reasons I shall oppose the proposition.

The other day when there was a proposition pending before this House to place under the control of the Postmaster-General \$600,000, to be used at his discretion in compensating American steamers for carrying our mails into foreign countries, it was assailed on the ground that it was a subsidy for the purpose of enabling John Roach or somebody else to rebuild the merchant marine. It was by such arguments I was influenced in the Committee on Appropriations and in this House to vote against that proposition. It was on such arguments, sir, that the proposition was voted down in this House and such a power was denied to the future Postmaster-General.

Now, sir, what have we before us? A proposition which puts it into the power of a board, as I have said, the personnel of which is entirely unknown to us, at discretion to open the vaults of the Treasury and pay out to John Roach its one hundred and fifty millions of surplus to rebuild a navy.

Sir, if it is unwise and evil to subsidize John Roach or anybody else to rebuild our merchant marine, is it not also unwise and evil to subsidize him or anybody else to rebuild the Navy?

I have no doubt, nor can any one else doubt, that if this proposition prevails John Roach will obtain the bulk of the appropriations covered by this bill. Can any one who knows the condition of ship-building in this country doubt that fact?

When bids are invited for building the ships proposed in this bill there will be but three great ship-building firms in the country able to compete for the contract, and John Roach, having superior facilities in his ship-yards, will be enabled to obtain the contracts. Sir, I would inquire why it is proposed to take this work from our navy-yards, which have cost us from fifty to sixty millions of dollars and which, without a very large expenditure, can be put in a sufficient state of efficiency to build these ships, and give this largest of all subsidies ever granted to private ship-yards? It is in reality a scheme to demolish our navy yards and rebuild private ship-yards at public expense.

I do not want to take any unnecessary time upon this question. I know that time is precious at this stage of the session. I would have said nothing had I not been a member of this committee and differed with my colleagues on this question. The arguments in which some of those now-supporting this measure so eloquently and potently urged against the mail subsidy applies with a hundred-fold more force against granting this bonanza subsidy to John Roach or other ship-builders. Those who raised the specter of the old Pacific Mail scandal the other day to defeat the increased foreign-mail pay should remember, what I have been taught to believe, that a dark specter also hangs over the recent past history of the Navy. If it be unsafe for such a reason to trust the Postmaster-General with discretion over \$600,000 for foreignmail pay, it is far more dangerous to trust an indefinite and unlimited appropriation to such a board as is provided in this bill.

But, sir, I do not wish to subject the incoming administration to the

danger of such scandals growing up under its naval administration as those which have have occurred in recent years.

This proposition, sir, as I have said, deprives the President and Secretary of the Navy of their legitimate powers, and transfers them to a board of persons now unknown to us. It reduces, so far as the construction of the Navy is concerned, the President and Secretary of the Navy to the office of simply becoming the paymasters and determining whether they will approve or not the plans and recommendations submitted by the board.

In other words, sir, the whole power of rebuilding our Navy is to be lodged in the hands of a board unknown to us and unknown to our present system. I for one am not willing to vote such a want of confidence in the next administration or to tie the hands of the Executive and place him in this respect under the control of a board yet to be appointed. I will say no more until the proposition is under consid-

eration by sections.

Mr. CANNON. I now yield ten minutes to the gentleman from New

York [Mr. HISCOCK].

Mr. HISCOCK].

Mr. Chairman, if I understood aright the gentleman from Massachusetts [Mr. Long], he said that all those gentlemen opposed to the construction of a navy, or opposed to the construction of a navy by the Democratic party, would oppose this provision of this

bill. If he meant that none others than those belonging to those two classes would oppose it I say to him he is entirely mistaken. I believe, sir, I have the right to say I am in favor of the building of a navy. I had the honor to preside as the chairman of the Committee on Approhad the honor to preside as the chairman of the Committee on Appropriations when it initiated the policy of building a new navy and when it initiated those reforms in the Navy Department which have saved to the Government, or will save to the Government, enough to give us a good, first-class navy. Friendly as I am to the building up of a navy, I am opposed to these provisions which we are now discussing, and I shall oppose them with all of the ability of which I am possessed.

Why, I can not forget, Mr. Chairman, that it was but a little more than twenty-five years ago that we had the live-oak contracts that scandalized the United States, when a contract was made previous to election.

ized the United States, when a contract was made previous to election that certain contracts should be given to furnish the money to carry an election, and that contract was carried out by an administration. I can not forget the frauds in the management of the navy-yards; and when I see my distinguished friends from New York here advocating the completion of this old frigate in the navy-yard I felt it would be my duty to call attention to the correspondence that occurred twentyfive or twenty-seven years ago on the part of members of Congress from the city of New York with the powers that controlled the navy-yard at that time; and I will commend it to them.

I read from the report of the Committee on Expenditures in the Navy Department, made in the first session of the Thirty-sixth Congress:

NEW YORK, June 14, 1857. MR. COHANE: Mr. Cullen tells me that you are to take men on on Tuesday. Now I ask you to take him on and the others I have asked you to take on. I will have my proportion of men under you. If you do not give them I will lodge charges against you. You have turned away all the men but one from my district already. Of this I have complained to the Secretary, and now, unless you rectify this injustice I will make application that you be turned out. The bearer will bring me an answer. will bring me an answer. Yours, &c..

That was written by a then Democratic Representative in Congress from the State of New York.

Mr. DORSHEIMER. Who was it?
Mr. HISCOCK. And he is a Democrat now.
Mr. TOWNSHEND. What is his name? Mr. HISCOCK. I read now from the report:

Mr. HISCOCK. I read now from the report:

In another case Lewis W. Berry, the master painter, discharged a man for habitual drunkenness, who had been appointed upon the recommendation of Hon. — Mr. — requested that the man be taken on again. Berry thus describes what took place at that interview:

"I told Mr. —— that I could not employ any such man as he was; that he had disgraced himself and was a disgrace to my department. Mr. —— said he could not help that, but that the man must go to work again. I told him I could not employ him again. Said he, 'You may set it down as a fact that I will have you removed if I can if you do not put that man on again.'"

Within two or three months Berry was removed. When asked if he had been removed for this cause he said:

"I can not say of my own knowledge; I only know what was said. I suppose he was as good as his word, as he said he would get me turned out. When I came on to Washington afterward I thanked him for being as good as his word."

CAPTAIN TURNER: You will much oblige me by retaining Mr. Fitzgerald as foreman. This is the understanding between Mr. Searing and myself, and, I may add, the Secretary of the Navy. You will also oblige me by appointing Mr. Tenney, in the twelfth ward, when in your power to do so. As a general thing Hugh McLaughlin, master laborer, knows who my friends are and he will confer with you at all times.

Yours, respectfully,

He represented, I think, Brooklyn.
Mr. TOWNSHEND. Can you not name him?
Mr. COBB. Why does the gentleman not name him?
Mr. HISCOCK. You can look at the report and get their names. I do not want to publish their names to the world.

House of Representatives, April 7, 1858.

HOUSE OF REPRESENTATIVES, April 7, 1858.

Dear Sie: I understand that, as a part of the arrangements before your appointment, you were to retain Mr. Fitzgerald as your foreman. You promised to do so; and that is Mr. Searing's understanding. I am now informed that you intend to dismiss him and appoint some one in his place from New York. This is not right, and you ought not to think of it. If you do, I trust that the original understanding will be carried out. I have just conversed with Mr. Searing, and this is his view of the matter, and it was the Secretary's view when you were appointed. In your turn you will, of course, do the best to equalize matters among the various members.

Yours, respectfully,

have just shown this letter to Mr. Searing. VILLIAM TURNER, Esq., Master Painter.

WASHINGTON CITY, April 13, 1858.

Washington City, April 13, 1858.

Sir: Your favor has been received. I will be much obliged for a list of the men under you, when I will write to indicate those I am especially interested in. I want only a fair proportion of the men.

In reference to Mr. Fitzgerald, it was expressly understood between Mr. Searing and myself that Fitzgerald should remain, and promised this yourself. I do not know what Mr. — has to do with this matter, but I shall be pleased to see him gratified so far as it is proper, but I can not, and will not submit to Mr. Fitzgerald's dismissal; and now I give you notice that if you do remove him I will do what I can to correct it, and if you suffer you must not blame me. I desire to sustain you and to make your position pleasant. This I desire on your account as well as in respect to Mr. Searing; but, sir, I will not stand by and see my friends struck down by you or any other master.

Yours, respectfully,

WILLIAM TURNER, Esq.

NEW YORK, July 27, 1858.

New York, July 27, 1858.

My Dear Sir: I have applied to Mr. Fraganza, master joiner of the navyyard, to give employment to a few men, good workmen and worthy persons, in
my district. Although he has one hundred and thirty men or thereabouts in his
shop he has not done so.

I have only sent one letter of recommendation to him, but no attention has
been paid to it beyond the answer that when he put an additional number of
men to work he would then see what he could do.

I appeal to you to vindicate my district from this unjust and partial discrimination.

ation.

Mr. Fraganza admits he has not one man in his shop from my district. If I have not misunderstood your views, it is your wish that the master should select from the different districts adjacent to the yard in equal proportions, upon the recommendation of members, the workmen employed in the shops, &c.

Truly, yours,

Hon. ISAAC TOUCEY, Secretary of the Navy, Washington.

Signed by another distinguished Democrat; and this is indorsed by the Secretary of the Navy:

NAVY DEPARTMENT, August 2, 1858.

Sir: The Department has addressed the commandant of the navy-yard at ew York on the subject of your letter of the 27th ultimo.

Very respectfully, your obedient servant,

ISAAC TOUCEY.

New York.

And again the Secretary of the Navy says:

The Department desires that a fair and liberal course be pursued toward Ir. ——'s district, and wishes you to inquire into and report upon this mat-

I am, respectfully, your obedient servant,

ISAAC TOUCEY.

Commodore L. KEARNEY, Commandant Navy-Yard, New York.

The report says:

A master workman testified that the present workmen were pressed upon him with the most pertinacity. Romeo Fraganza, one of the master workmen, writes the Department, under date of August 5, 1858: "In eight Congressional districts who claim the patronage of the yard, in nine cases out of ten the men who are most strenuously recommended are very indifferent hands, many of whom can not obtain employment from private employers." Men from the laborers' gang, who knew nothing about painting, were ranked as first-class painters (Fitzgerald), others as blacksmiths, &c.; and so in the different departments. Laborers were employed to act as clerks and to work as carpenters.

I have not time to read all this correspondence. This book is filled with it. And when we saw this bill come in here to complete this old wooden ship—this 5,000-ton frigate—no ship of the kind to-day being constructed anywhere in the world, even though I am subject to the criticism of the distinguished gentleman from Massachusetts [Mr. Long] for my vote, I can not support this policy of building a new navy.

I have no time to discuss the proposition as to the building of the four

I have no time to discuss the proposition as to the building of the four ships. I desire to call the attention of this committee, however, to one fact: This board is to report to Congress next December. A Democratic House will then be here with forty majority. Why, I ask you, not allow this report to be made to the House then? The work will not be delayed—not an hour. Bring in the plans and models for your ships. Bring in provisions of law like those contained in the appropriation bills at the two sessions of the Engly-expent Congress. Subject them to the at the two sessions of the Forty-seventh Congress. Subject them to the criticisms of the House, subject them to the criticisms of the world, subject them to the criticisms of ship-builders everywhere, and I say I believe there will not be a man on this side of the House but will unite in the policy of building a new navy, amending those plans if need be—but there will be no vote on this side of the House, in my opinion, in the direction of the obstruction of this great work.

But here you propose to strike down the limit. For the first time almost, in the history of Congress for thirty years, you come in here with an indefinite appropriation. How much these ships are to cost no one knows. On what model they are to be built no one knows. Who the men are to be who are to make the models no one knows.

men are to be who are to make the models no one knows. But we are to open the door of the Treasury to the incoming administration.

The gentleman from Illinois has said that he does not desire to vote a vote of censure upon the next administration for this bill. I say to the gentleman from Illinois I do not care to subject the next administration or any administration to the temptation that it will be subjected to if this bill shall pass.

[Here the hammer fell.]

Mr. CANNON. How much time have I remaining?
The CHAIRMAN. The gentleman has seventeen minutes remaining.
Mr. CANNON. I yield the remainder of my time to my colleague [Mr. THOMAS]. Mr. THOMAS.

I yield seven minutes of the time to the gentleman

from Maine [Mr. REED]. Mr. REED, of Maine.

I confess my surprise that after all this incubation on the part of the Democratic party, extending over a period of twenty-five years, there should be produced such an egg and such a of twenty-live years, there should be produced such an egg and such a bird as is contained in the second section of this bill. For years they have stood out against appropriations for the Navy, and at last they present themselves with an abundance, which at once shocks and horrifies my friend, the gentleman from Indiana [Mr. HOLMAN]. And well it may, for both in manner and in matter the proposition is of a most astonishing character.

It proposes as to its manner to indict and convict the next administration of incorrectours before it is formed.

Government into commission as far as a navy is concerned. And in defense of the details of its matter my friend the gentleman from Massachusetts has succeeded in evoking not praise from himself, but blame. He says that of the three civilian members it will be impossible to obtain one at the price, and of the naval members that they ought to be tain one at the price, and of the naval members that they ought to be the heads of bureaus, which is not in the bill. Consequently there is left with the smile of his approval only the Secretary of the Navy that is to be. Then this board is to call for plans, and then they are to decide upon four different kinds of ships; and then, to use the eloquent language of my friend from Massachusetts, they are to cease to be a "fungus upon the body-politic."

Why, Mr. Chairman, look at the genius of the Democratic party! Here it finds itself, thanks to its own neglect in times past, with the business on its hands of building a navy, and the very first thing it does is to declare that the regularly constituted authorities of this country

is to declare that the regularly constituted authorities of this country that are to be, and that are to be appointed under its auspices, are unfit to do the work! For my part, I desire to repudiate this business of non-responsibility. It is the curse of this country. It comes to us under the pleasant guise of non-partisanship, and we have one striking example in this country of the result of that soft method of doing business. If there is any State to-day that is cursed with perpetual charges of corruption it is the great State where almost all the Governcharges of corruption it is the great State where almost all the Government is carried on by means of non-partisan boards. The result is that such boards are exempt from all criticism. The Republican newspapers do not attack them because there are Republicans on the boards; the Democratic newspapers refrain from attack because they would hit their friends; and under such a system corruption has run riot. I say further, establish this board, give it this non-responsible character, and add to that an unlimited appropriation—the doors of the Treasury swung open for the hands of this board to reach in—and what will be the result? Why, just look at one interesting little item in the bill. The board are to give prizes—a first prize \$10,000—what for? For a vessel we are going to build. A second prize \$5,000—what for? For a vessel we are not going to build! [Laughter].

Well, sir, that is consistent with the history and the practice of the Democratic party; it is always giving a chromo for incompetency. [Renewed laughter.] Why, look at it, Mr. Chairman. What is the object and purpose of this bill? Is it business? No; it is politics. It is for the purpose of having an unlimited sum to spend; and that purpose

for the purpose of having an unlimited sum to spend; and that purpose is shown outside of this section of the bill. Here is a wooden frigate that has been long resting in the Brooklyn navy-yard; the winds of nineteen summers and winters have blown through her timbers unhindered, and all this time our economical Democratic friends have never thought of taking that frame and erecting it into a vessel; but the mo-ment their own frigid frames have been revivified by the advance gleams of the coming sun they begin to look around to find methods of spend-

ing money which they have rejected during all these long years.

The SPEAKER. The time of the gentleman from Maine [Mr. Reed] has expired.

MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. BAGLEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Mc-Cook, its Secretary, informed the House that the Senate had passed a bill (S. 1886) to quiet the title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes; in which the concurrence of the House was requested.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. THOMAS. Mr. Chairman, during my comparatively short term of service in the American Congress I have urged, in season and out of season, the rebuilding of the American Navy. I am proud of the fact that I was a member of the Committee on Naval Affairs which reported that section of the law which authorized the construction of the Chicago, the Boston, the Atlanta, and the Dolphin. I am proud to have been a member of a Congress that had the nerve to take hold of this question of rebuilding the American Navy according to modern ideas and of modern materials, and crystallizing it into law.

I opposed the appropriation of \$400,000 for the completion of the old New York, which has stood in the Brooklyn navy-yard for nineteen years past. I did so because of the fact that the building and repairing of wooden vessels in years gone by have given anything but satisfactory results. Wooden vessels—I have but to name them—in many instances have cost for repairs twice or thrice the amount of their original cost. Take, for instance, the Tennessee, the Powhatan, and the Lancaster—and I call especial attention to the last named. Its originations of the control inal cost was \$670,087. It has been repaired and rebuilt. It was built, it is true, in 1850, but it has recently been rebuilt at a cost of \$1,657,110. Take the Kearsarge, if you please, which cost in 1861 \$286,918, and which has cost for repairs \$1,123,415.75. And, sir, we shall have that experience repeated over and over again so long as we continue to build wooden vessels.

well it may, for both in manner and in matter the proposition is a most astonishing character.

It proposes as to its manner to indict and convict the next administration of incompetency before it is formed. It proposes to put the look now at the case of an iron vessel—the Michigan—built in 1844, the first iron vessel ever built in the world. She is to-day as good as she was the day she was built, and has cost less for repairs than any other vessel which has been affoat five years. These are the reasons;

sir, that induced the Committee on Naval Affairs of the Forty-seventh Congress to embark in the enterprise of building steel cruisers instead of wooden vessels. But now we find that the Democratic party make a grand outcry about our Navy. Their hearts are swelling with pride and burning with love for the American Navy. They come prancing upon the scene bearing with them the glorious American Navy in the form of the raft so eloquently described by my friend from Tennessee [Mr. McMillin], composed of two logs fastened together [laughter], which is to bear aloft the flag of our country and bid defiance to the world; or, instead of the raft, we are to have this old frame of a wooden ship, the New York, which has been abandoned for nineteen years, fixed up to bear in triumph the flag of the Republic and to defend our fixed up to bear in triumph the flag of the Republic and to defend our national honor.

And these are the reformers who are to take charge of this Govern-And these are the reformers who are to take charge of this Government. How do they propose to do it? They propose to introduce into the United States Navy for the building of ships a most heterogeneous mass—without beginning and without end—a board to be composed of men the Lord knows who, and the ships to be built of material the Lord knows what! And we are not even advised as to what the vessels are to cost; whether they are to be wood or iron or steel—whether they are to be frigates, cruisers, gunboats, or rams. This bill does not provide for the building of anything but the hulls of the vessels. It appropriates not one cent for guns, not one cent for armor, not one cent appropriates not one cent for guns, not one cent for armor, not one cent for boilers, not one cent for machinery, not one cent for the rigging. In respect to all these matters there is no plan and no price—nothing but a provision for a place for a lot of Democratic politicians, alleged naval architects, who are to be paid the enormous and extraordinary price of \$3,130 per annum for furnishing plans for a navy of the United States!

Why, sir, there was a naval advisory board with that illustrious naval officer John Rogers at its at head. It was composed of some of the most brilliant naval officers and naval constructors of this country. They sat for weeks and months; and with all the progress of the years that had elapsed since the close of the war before them, and with all the enterprise, intelligence, and scientific knowledge of the present hour before them, they recommended the building of certain kinds of ships, certain types of vessels, and certain guns to arm them with.

ships, certain types of vessels, and certain guns to arm them with.

If this committee wanted to go forward and build an American navy why did they not tell us what kind of ships they were going to build, whether they were to be iron, steel, or wood, whether we were to have old muzzle-loading guns or breech-loading guns, whether the vessels were to be ship-rigged, bark-rigged, brig-rigged, or schooner-rigged, whether they were to be armored or unarmored?

America has always taken the lead in everything requiring ingenuity, enterprise, and skill. It was America that produced the Monitor which revolutionized the payal architecture of the world. The world

which revolutionized the naval architecture of the world. The world went wild with the idea that ships of war might be so constructed as went wind with the idea that ships of war might be so constructed as to prevent the killing of men. Experience, however, demonstrated the fact—to use a popular phrase—that omelets can not be made without breaking eggs; that battles can not be fought without killing men; and as the manufacturers of guns brought forward guns which would pierce any ship that could be built, our people swung back to the other extreme and said, "We will build vessels of the greatest possible flotation, constructed with air-tight and water-tight compartments; vessels which although they may be pierced as an armored ship may be, will in view of their greater flotation be less liable to sink than armored ships, more effective, and more easily handled. Other countries have followed in our wake; and as a consequence we see the Esmeralda. To-day we have been treated to the soul-harrowing spectacle of a battle between the Esmeralda, now lying in the harbor of Valparaiso, and the unfinished Boston up here at Chester, Pa. And I must say that my heart stood still, my blood was frozen in my vieus, as I contemplated the horror of that engagement with the ships four miles apart.

[Here the hammer fell.] Mr. RANDALL. Mr. Chairman, I now commence the last hour of the debate.

Mr. KEIFER. Before the gentleman proceeds I rise to make an induiry with reference to the time. According to my information and according to my recollection, there seems to be some mistake as to the time that I occupied. If there is any time left to me; I suppose it would be fair to occupy it now.

Mr. RANDALL. According to my recollection of the time taken by the gentleman, I do not think there is any time left for the other

side under the agreement of two hours to each side.

Mr. KEIFER. That is the agreement; we are not differing as to that. But gentlemen around me state that I occupied only forty-five minutes, and that corresponds with the memorandum made at the Speaker's table by the gentleman who was acting as Clerk at the time I was cut off.

Mr. RANDALL. I never like to place my word against that of anwatched the clock, and I think the gentleman spoke from a half minute to a minute and a half over the hour. But I am liable to be mistaken. Yet, I am corroborated in that statement by others here who watched the time as I did. The gentleman commenced, if I remember correctly, at eleven minutes of the hour and closed at eleven minutes or possibly ten minutes of the hour succeeding.

Mr. KEIFER. Let me say the gentleman's recollection is no doubt very good; but the clerk's memorandum shows I commenced at eleven minutes after the hour, instead of before; and the recollection of gentlemen about me corresponds with that. I do not put my own recollection against anybody's on the subject.

Mr. ELLIS. I expected to answer the gentleman from Ohio, therefore I marked the clock. He commenced his speech at twelve minutes of 4 o'clock.

Mr. HOBLITZELL. Yes; I will vouch for that.
Mr. RANDALL. And the usual clerk does not state the time differently from what I give it. On the contrary, the clerk usually at the desk would, I think, if he had an opportunity, confirm my statement.
Mr. KEIFER. He is the very one I quote. It was the unusual

clerk, I believe, who got it wrong.

The CHAIRMAN. The clerk who ordinarily keeps the time was called out upon business before the gentleman from Ohio was cut off; and on the information of the other clerk, the Chair announced that the time of the gentleman from Ohio had expired.

Mr. KEIFER. No doubt.
Mr. RANDALL. Does not the gentleman who occupies the chair remember I sent a messenger to him to know what time the gentleman from Ohio had begun?

The CHAIRMAN. The Chair would ask the gentleman from Penn-

sylvania if the present occupant was then in the chair?

Mr. RANDALL. Yes, sir.

The CHAIRMAN. The Chair would state this: he has no recollection himself in reference to the matter, but as the gentleman from Ohio was cut off at a particular time and no complaint was then made that this time had not expired, the Chair would not be willing, unless agreed to now, to open up that question. He could not do so.

Mr. RANDALL. How could the gentleman be cut off unless it was by the expiration of his hour?

The CHAIRMAN. The Chair must assume that it was done at the

expiration of the hour.

Mr. KEIFER. But the chairman would be perfectly willing to rectify any mistake made through inadvertence.

The CHAIRMAN. Certainly.

Mr. KEIFER. No one claims there was any purpose to cut me off before the expiration of my time. If gentlemen insist on their objections I will withdraw my request. It is obvious, for many reasons,

we should have fifteen minutes left.

The CHAIRMAN. Does the gentleman from Pennsylvania object?

Mr. RANDALL. I am willing to ask unanimous consent that the gentleman have ten minutes.

The CHAIRMAN. In view of the misunderstanding in reference to the time, unanimous consent is requested.

Mr. RANDALL. Yes, I make the request.

The CHAIRMAN. The gentleman from Pennsylvania, in view of the misunderstanding, submits a request that the gentleman have unanimous consent to proceed for ten minutes.

There was no objection, and it was ordered accordingly.

Mr. KEIFER. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. RANDALL] and the House for the time. I would rather have heard from the gentlemen on the other side, who are the responsible constructors of the scheme, if I may be allowed to call it by that name, for increasing the United States Navy before I said anything more. So far I have heard something from the distinguished gentleman from Massachusetts [Mr. Long], who has chosen to indorse the plan in its general scope while repudiating all its details. He joins in what he has to say with the distinguished gentleman from New York [Mr. DORSHEIMER] who spoke this morning in what that gentleman said on Thursday last, and also what he reiterates this morning, that we are to have a navy strong always because the American heart is always brave and strong. This is a very good doctrine and I would like to join in it, but our American seamen, our gallant officers of the Navy, well-selected men, will never be willing to go to sea in war with wooden vessels, relying alone on the bravery of their spirits. It has turned out that there have been brave spirits on the other side, and we have found it necessary to have good material of war, cannon, rifles, shot, shell, in short everything that went to make up good material of war, to put under the control and in the hands of our men of brave spirits. Will you take the brave men of America and put them in obsolete vessels upon the sea and say to them we rely for the glory of America upon your dauntless souls and spirits? That is well enough, but some of us at least know we must not only have spirits strong, souls strong and brave, but we must have men who are willing to go and shed their blood in opposing brave men of other countries with which we may

But to the criticism of the bill. It is proposed to build four ships, wooden or what not, and no more. It proposes to suspend the finishing of five of the monitors that are now in process of construction-to wait two and a half years before we are to have an experimental ship under the present plan. Yet it is to be proclaimed to this country everywhere that the Democratic party is coming into power and that the first thing it proposes to do is to build a navy.

But the fact is the first thing proposed is to stop building a navy and resort to a plan to build something or other called vessels and put them

upon the stocks, and which we have no assurance will ever have a gun aboard of them.

The plans, as I have already stated, and specifications which are to be reported on and advice that is to be furnished in response to circulars of inquiry, are all with reference to the naked vessel and do not comprehend any report in reference to the guns or projectiles which are to be used. The essential features of all that go to make up a navy in its strength and power are entirely left out, and I think that is about the best feature in the proposition—that is, that the principal, essential matters which go to make up a navy are to be omitted from their consideration. They are not to look into the most important things; they are not to report in reference to armor, armament, and equipment, and some other things. It is possible they can make a report to do no harm, for there will be plenty of time to review this report of these civilians, for they have wisely put into the bill a provision that the board's report shall be submitted to the Forty-ninth Congress. And I want to say that in this great rush for getting power the important thing always of concern to the American people is how much money is to be

always of concern to the American people is how much money is to be expended. No provision is made for a report on this subject.

Neither the President of the United States nor the Secretary of the Navy are required to report to Congress how much money is expended or proposed to be spent in this matter of trying to build some vessels of war. They are not required to report, although for the first time in peace, and so far as I know even in war, in this country the door of the Treasury is set wide ajar for the President to send by order a pay officer to get money without limit. The President of the United States, I repeat, is called upon to make no report to the Congress of the United States as to how much money he spends or proposes to spend.

Now, it may be said, and will be said, that these imperfections in this proposition to increase the Navy may be cured by amendment, but we are brought here face to face with this proposition and must take it in all its ill proportions; and we say to you that we are against it, abso-

all its ill proportions; and we say to you that we are against it, absolutely against it, and will be against it when it is amended if it looks to stopping the construction of vessels now already in process of construction. We will be against it because it does not propose to give us a navy. These four vessels that may possibly be built under this bill of some class or other are not to be even types of vessels which we can reproduce in future.

We now have in process of construction more well-designed ships than it is proposed to build by this bill. We should at least finish them.

Mr. RANDALL. It was not my intention to discuss this subject at all, for reasons which are known to all and which are manifest. there are some things which have been said in the course of this debate which I consider myself as bound, even at a great personal inconvenience, to respond to.

The effort seems to have been made to make an impression that the Democratic party is hostile to the construction of a navy. Its history is just the reverse. Further, the effort has been made to impress this House with the conviction that the Committee on Appropriations at its last session was hostile to the building up of the American Navy.

How unjust that is appears when you come to examine into what that committee did at its last session in reference to a navy. It found four vessels in course of construction authorized by the previous Congress. It gave every dollar of appropriation that was required to complete those vessels, and the Democratic House has added to it a sufficient sum to complete the armament required for them; and to-day again that committee has been called upon to consider and continue in connection with these very cruisers, and as far as I know the members of the Committee on Appropriations will decide to give \$165,000 deficiency, so that these vessels may with all expedition be completed.

It is true, sir, the committee took the position that they were unwilling to recommend to the House the expending of four and a quarter willing to recommend to the House the expending of four and a quarter millions of dollars more upon the monitors, when it was conceded that the objects for which the monitors were originally authorized by law were not the objects for which they would now be of service. And only did we stop as to the rehabilitation of the Navy in regard to cruisers, upon the ground that we desired first to know the result of those that were in course of construction. That was wisdom, for these very vessels have been altered in many particulars, and the Department itself has not only asked for more money to construct them but has asked the Congress of the United States by appropriation to affirm changes in the original plans, which have been found to be necessary. It has also requested that the appropriations asked for one of these ships may if they are in excess be applied to the building of any of the others, thus making the appropriations for the three cruisers and the dispatch-boat an appropriation in common to be expended on any or all as the

case may in the future demand.

And further, the effort has been made to show that I occupy a position now upon this subject inconsistent with the position which I have occupied in the past. That is but of slight moment in connection with the great interests and purposes that I think I have in view in advo-cating this project, which is to build up an American navy worthy of the American people. I beg you, then, gentlemen, who wish to ascribe to me hostility in the past to the Navy, in what I have done I beg that you will not, because I march up to-day to the demands and utterances of both of the great parties in the country, that you will not retrograde

or seek to take a position which you allege that I occupied in the past, but which I deny. I never occupied that position. In other words, why should gentlemen on the other side of the House who have for a long should generate on the other side of the House who have for a long time been asserting their wish and purpose to build up an American navy, simply because we have taken steps in this bill to go forward to comply with the demand of the people—I say why should they take the opposite position now to what they claim to have uniformly denanded? If the bill is wrong in any of its details it rests with the House to correct them.

For one I do not object to a limitation, if it be large enough to make certain the execution of the purposes of this bill; and I say further, yes, it is an exception to my record in this particular. But I am not afraid to make that exception in my course of conduct as to appropriation bills when a great national result is to be achieved thereby and the honor of the nation is to be elevated. I think indeed he would be a poor representative of the people who would not do the same under like

I now yield the remainder of my time to the gentleman from Louisiana [Mr. Ellis], who has kindly undertaken to assume charge of this

matter in the House.

Mr. ELLIS. I yield ten minutes to the gentleman from Pennsyl-

vania [Mr. CURTIN].

Mr. CURTIN. It seems to be the disposition of this House now on both sides of the aisle to build a navy. And at this late period, when the wooden ship is of the past as much as the bones of the pre-historic animals found in the frozen regions of the North, every time a navy is mentioned here the monitors are brought forward in this highly intellectual and cultured presence, and are subjected to the eloquence and oratory of this House. And they are of the past. There is scarcely an oratory of this House. And they are of the past. There is scarcely an iron-clad ship of any nation abroad that could not run down in one day all your monitors that could be placed in the harbor of New York. We started the monitor and the world improved on it. We go back to the monitor now, and that is a disturber to the councils of this House constantly intruded upon its deliberations. Let the monitor wallow around like a great turtle in your harbors, and let us build a navy commensurate with the greatness of this country and of a power up to the possibility of modern invention and skill.

I do most positively differ with the distinguished gentleman from New York [Mr. DORSHEIMER] who would be in favor of buying American ships abroad because he asserts we can not make the steel in this country. Offer any enterprise that invites capital, and the American mind will evolve a construction in steel and iron equal to that of any people in the world.

Mr. Chairman, you can not build a navy unless you prove to the world you can build it here of American material. If we do not build it of American material we are not worthy of a navy; and I will never, so far as I am concerned, vote for a bill to make a ship unless it is admitted we can build it here.

I do not, Mr. Chairman, like this political discussion. I did not like the speech of my friend opposite to me [Mr. THOMAS]; and I am afraid indeed to stand before and attempt to say anything of the eloquent sarcasm of the gentleman from Maine [Mr. REED]; for I am not equal to his shafts and do not desire such controversy. The time for politto his shafts and do not desire such controversy. The time for political speeches on this floor as the 4th of March is approaching has passed. We will reserve that for next summer in the hot weather. We shall now confine ourselves if possible to the question before this body, and that is whether we shall attempt to build a navy.

Now, my friends, you have not a navy, and I will tell you the reason.

Under similar circumstances Parliament would have voted a want of There is a want of confidence in your Secretaries of the Navy, and it is insinuated, you know whether truly or not, that the

Navy Department for many years past has not been managed fairly and with the integrity which should be exacted from a high official of that Department. That is all.

You vote money for a navy, and you have not a navy, but your Navy is gone. You investigated your Navy. The rules of this House, rigid rules of which I know little, and that little I desire to forget [laughter] character that desired to forget page. ter], obstructed the development of what was alleged as to the admintration of the Navy

There is a want of confidence in the present Secretary of the Navy.

I do not accuse him of any fraud.

Mr. BOUTELLE. On the part of whom is there a want of confi-

Mr. CURTIN. I do not know and do not accuse him; but there is a want of confidence—on whose part I do not know, but do say to my friend from Maine that when the Tallapoosa went down and he was not

upon it the country breathed pleasure and satisfaction. [Laughter.]
I hold in my hand an order of the Secretary of the Navy of recent date, and having tried to get information from a Navy officer and found he was reticent, I could not understand it and complained to another Navy officer that he did not seem disposed to give me information. then to my house last night they sent me an order of the 7th of February under which no officer of the Navy, either on the active or retired list, can make any communication to Congress or to a member of Congress without their passing through the Navy Department—that is, that no member of this House could consult an officer of the Navy as to his duty unless it was filtered through the medium of the Navy De-

Mr. BOUTELLE. That has always been the regulation.

Mr. CURTIN. No, sir; this order goes beyond that. Do you imagine that is proper?

Do you imagine for one moment that if that heroic man, Admiral Worden, would come upon this floor I could not consult him about the Have I to go to the Secretary of the Navy and ask him for leave to consult with a naval officer about naval matters? Where did the gentleman from New York [Mr. DORSHEIMER] get the information which he has developed to the House to-day? Why, Mr. Chairman, I would not go to a shoemaker to learn how to make a watch, nor would I go to a locomotive builder to find out about the construction of a ship. If I desired to build a navy I would go to the men who have been educated in the building and management of ships, men who have been educated and trained by the Government in the naval service and have thus ac-

quired skill, learning, and knowledge about such matters.

I say, sir, that a Secretary of the Navy who interdicts me, as a free representative of the free people of the State of Pennsylvania, from seeking instruction from the men who can give it to me in regard to a public matter like this, must have something concealed behind the subject under consideration than that order which is not entirely consistent with propriety or with the dignity of the place he occupies. I allege, sir, that steel can be made in this country, and I insist moreover that it can be made of a standard so high that English steel can not ap-

proach it.

Mr. BROWN, of Pennsylvania. So do I. Mr. KELLEY. And I affirm that statement from personal obser-

Mr. CURTIN. Thank you, my friend. Now, Mr. Chairman, I have two friends in Pennsylvania who understood that it was proposed to build ships for the Navy, and who, at their own cost and expense, made a plate thirteen feet long, four feet wide, and seven and a half inches thick, of three qualities of steel with a perfect weld, and defy the skill of the Navy Department to separate it, and that will resist the skill of the Navy Department to separate it, and that will resist any piece of ordnance in America to penetrate it. I put into the bill \$25,000 to test the quality of steel, and say to you, Mr. Chairman, you can build a navy although you have no merchant marine to protect [laughter]; but that we may get in the future if we have not got it now. The man in all the history of Great Britain who did most to fix her national policy was Oliver Cromwell.

[Here the hammer fell.]

Mr. CURTIN. Oh, let me speak on that for just a few minutes more. [Laughter.]

[Laughter.]

Mr. RANDALL. I yield a few minutes to my colleague from Pennsylvania [Mr. CURTIN].

Mr. CURTIN (resuming). Kings had preceded him and heads were cut off, but he stamped upon Great Britain the policy of extending her dominions in order to obtain markets for her surplus products. That was the common sense of a great man. His bones were scattered to the winds; no enactment or ordinance of Parliament bears his name; and yet his policy has made Great Britain the great and powerful nation that she remains until this day. They could give his bones to the winds, but he left his impress upon the policy of the nation, and that ittle island, which you can cover on a map of ordinary size with your thumb, is the source from which every country in the world borrows money, the bank to which every city and every corporation in the world is indebted. Now, then, if you intend to get foreign commerce you must pay for it as the English have done. They encircle the globe, not as Webster said in his magnificent rhetoric, with the drum-beat of their military posts, but they encircle it far more effectually in reaching out to all parts of the earth to secure markets for their surplus produc-

Mr. BAYNE. Will my colleague permit me a question?
Mr. CURTIN. Yes.
Mr. BAYNE. Does my friend understand that this bill contemplates the construction of iron or steel ships?

Mr. CURTIN. Steel ships.
Mr. BAYNE. My understanding is that it points more toward the construction of wooden ships.

Mr. CURTIN. Oh, the wooden ship is gone, and is a creation of the

Mr. BAYNE. But this bill, I think, contemplates wooden ships. It certainly does not provide that these ships shall be constructed of iron or steel. There is one wooden ship in the bill.

of the honor of the country and to build a navy, if that is necessary as a concession, let us have one wooden ship, so that we may construct ships that will be respectable in peace and formidable in war. [Laugh-

ter.]
Mr. BAYNE. But this bill does not provide that the other four ships shall be built of iron or of steel.

Mr. CURTIN.

CURTIN] that there is nothing in this bill which provides that there shall be any iron or steel used in the construction of these ships.

Mr. CURTIN. Then I have read the bill in vain, and my speech goes for nothing. I do not care so much about the wooden or iron ships as about the loss of my speech. [Laughter.] But if that is the case I will not vote for the bill. [Laughter and applause on the Republican side.

Mr. HEWITT, of New York. Move to amend it.

Mr. CURTIN. At the proper time I will; of course I will. The gentleman from New York [Mr. DORSHEIMER] has given us an account gentleman from New York [Mr. DORSHEIMER] has given us an account of a ship built in England for Chili, and has compared it with the cruisers ordered by the last Congress. I think those ships ought to have been built long since; and will tell you the reason of the delay. It is because they have been unable to get the armor from abroad. Now, I allege that if you determine to build ten or twenty ships for your Navy and invite our Pennsylvania steel manufacturers to supply the material, the capital and the plant will be provided, and Pennsylvania will produce you steel for the construction of these ships which the English manufacturers cannot equal manufacturers cannot equal-

A MEMBER. And cheaper.

Mr. CURTIN. And cheaper. We will produce it for \$175 a ton.

And if you want a navy you must make it popular by building it at home. Will any one say that after our long experience we are not equal to building a navy in the United States? What has occurred since we were a nation that we have not had an active interest in? Franklin out on a common in Philadelphia brought the lightning from the clouds; and to-day, by the use of lightning, as harnessed by Morse and used in modern civilization and progress, affords quick transition of knowledge to all the world and is an active agent in human affairs.

Go into yonder hall, and you see Fulton, who made the steamboat and revolutionized the commerce of the world—

Mr. KELLEY. Having borrowed the machinery from John Fitch.

Mr. CURTIN. Yes; John Fitch propelled a boat by steam on the Delaware, but died before his merits as an inventor were acknowledged. His statue should be in that hall instead of Fulton's

The CHAIRMAN. The time of the gentleman from Pennsylvania

has expired.

Mr. CURTIN. Are you quite sure of that?
The CHAIRMAN. Quite sure. [Laughter.]
Mr. CURTIN. I have much more to say if I have time; but I yield

to the rigid rules of this House.

Mr. McADOO. Mr. Chairman, in bold contrast with the broad and statesmanlike views of the gentleman from Massachusetts comes the sharp partisan talk of other gentlemen from that side of the House. Gentlemen on the other side criticise the Democratic party as responsible for this measure. Now, I admit it may be a matter of speculation what navy the Democratic party will build; but it is a painful reality what navy the Republican party has failed to build in the last twenty-two years. In the matter of ships they have produced—what? The Tallaposa! In the matter of ordnance, nothing that I know of save that the champagne broadsides of that celebrated vessel were said to be very effective upon Perublican statement. to be very effective upon Republican statesmen.

Gentlemen on the other side have railed against the navy-yards. Now what has been the policy of the Republican party in their attempts to build up, or rather destroy, the American Navy? They have used both the navy-yards and the contract system. The gentleman from Illinois read a list of vessels, giving their original cost and the tremendous outlay of money expended upon them in the way of repairs. That is the key to the situation. The Tennessee and the other vessels which had millions of dollars expended upon them under the name of repairs were literally rebuilt in the navy-yards in order to give patronage to enable the Republican party to hold its own in doubtful districts. Will the caustic and witty gentleman from Maine inform this House what the patronage of the Kittery navy-yard in his State was, and what effect it had upon the September elections in the gentleman's own district?

The navy-yards were kept well filled with partisans, patching and coppering and rebuilding the wooden vessels, while the contractors

reveled in constructing marine monstrosities in the shape of alleged

ironclads and costly engines and machinery.

Not alone that, but they say this bill is an attempt to administer the Government by commission. Well, I would rather have a government administered by commission than a government administered by contractors; and at the proper time I shall second or offer an amendment to this bill providing that the navy-yards of the Government be rehabilitated and that the work of upbuilding an American navy from American materials shall be done in American navy-yards.

Mr. THOMAS rose

Mr. McADOO. My time is too short to allow me to yield to the gen-

Sir, the great blot upon the whole Republican administration was the contract system. The people of this country believe, and they have some basis of fact for that belief, that the navy-yards were used for patronage, and that the contractors helped to swell the campaign funds that carried doubtful States in Presidential elections. I think it will Mr. BAYNE. Why, certainly that is so.

Several Members. That is so.

Mr. HISCOCK. I will say to my friend from Pennsylvania [Mr. it to help upbuild the Navy in our own yards. In whatever way it is built the people demand a navy commensurate with the interests, the security, and the honor of this great country.

Mr. ELLIS. I now yield ten minutes to the gentleman from Con-

Mr. EATON].

Mr. Chairman, in the ten minutes given me by my friend from Louisiana I can not be expected to discuss this question at any length; but I wish to say in the outset that I believe my friend from Maine, my friend from Ohio, and my friend from Illinois entertain the same opinion that I entertain—that there should be an American navv.

I do not stand here to criticise for one moment the actions of past administrations. That matter has nothing to do with this great question, Ought we to have a navy? I will not say one word that might come to my mind with regard to anything that may have occurred in the last twenty years in reference to the maladministration of the Navy Department. Let that pass by "like the idle wind, that we regard

There are two things necessary: first, a navy; second, harbor defenses. Following my own judgment, I should have put harbor defenses first and the Navy second. We can not in one year, or two years, or three years construct a navy equal to the navy of Great Britain; and every-

years construct a navy equal to the navy of Great Britain; and everybody knows it. Let us, however, have the germ of a navy.

But, said my friend from Ohio, "You are giving all the power of the Government to the Democratic party." I disliked to hear that. It was further said, "You are opening the doors of the Treasury to the Democratic party." Sir, with the gentleman from Ohio I dislike this limitless expenditure of money. I would be glad to see in this bill, I say this House ought to see in this bill, a limit. No matter who has the expenditure of that money, whether it be Grover Cleveland or Chester A. Arthur, there should be a limit. If I had the knowledge necessary to put a limit on this bill, I would draw the amendment necessary to put a limit on this bill, I would draw the amendment

But we are here, Democrats and Republicans, seeking one great object; and we ought to be brethren in seeking that object; that is, to start the building of a proper navy. As a Democrat, I do not wish the representatives of the Democratic party to have the power in their hands to squander one, two, ten, or twenty million dollars. I know what the limit should be, and I stand ready to vote for it.

Mr. KELLEY. Will the gentleman permit me—
Mr. EATON. I have but little time; but I yield to the gentleman.
Mr. KELLEY. I was going to ask whether this bill should not determine the character of the vessels, their quality especially, in view of the fact that the highest naval authority has just pronounced unsea-

worthy the last ten ships built by the British Government?

Mr. EATON. Well, I will answer that question in this way: If the British board of admiralty has learned that the science of Great Britain has not been able yet to construct a proper vessel, then permit me to say that neither my friend from Pennsylvania, myself, nor any other authority in this country will be able to put on a bill of this kind a description of what the vessels should be. [Laughter.] My friend ought to know that. He ought to know it.

Mr. KELLEY. I have simply quoted Sir Edmund Reed, the highest

naval authority.

Mr. EATON. I am quoting my friend as very high naval authority. [Laughter.] I wish to have a board of admiralty, if I may so style these officers and scientific men who have this matter in charge, to select the proper models upon which to build our vessels. But limit the expenditure of the money. It is a farce to talk about it when we know that there is not an ironclad on the water that will not go down beneath the force of modern projectiles. Everybody knows it. And my friend from New York [Mr. DORSHEIMER], whom I do not see in his seat, who was so strenuous to build ironclads six months ago, has learned at last there are no ironclads on the water that can stand before modern projectiles.

I rejoice the United States has not expended in the past fifteen, twenty, thirty, forty, or fifty millions of dollars. It would have been thrown away, absolutely thrown away. We have had the advantage of the expenditures of other people, and now we may go to work believing the results will warrant our desires.

I come from a little State bounded by the ocean; I am a New England man, and if anybody is interested in a navy it is New England that is interested. If anybody is interested in a navy it is my friend from Maine [Mr. Reed] and my friend from Massachusetts [Mr. Long]. For let me tell you, Mr. Chairman, before twelve months have rolled round the fishery question will present such a question that you may desire and need a navy

Therefore I say let us discard all talk about Democrats and Republicans. Let us stand here American citizens and begin to build up a navy that will be an honor to the American name. We have the sailors—New England furnishes the sailors, and the world can not produce a class of men like the sailors from Connecticut and Maine and Massachusetts. Give us the bottoms and we will furnish the sailors.

Now do not let us quarrel about this matter. Let an amendment be offered to this bill. I desire to limit the expenditure; I do not believe the incoming administration to have it in its power to squander the

money of the people. I have no such desire. I will give no such vote while I have a seat on this floor; but I want to see a navy started.

Now, Mr. Chairman, I am trespassing, I know, upon my friend from

Louisiana.

Mr. ELLIS. No; you are not.
Mr. EATON. But let us forget to-day, if possible, party. Let us remember we are one people and what is good for the Democratic party is good for the Republican party, and what is good for the Republican

party is good for the reputation party, and what is good for the reputation party is good for us all.

If this bill needs amendments, and I believe it does, let those amendments, Mr. Chairman, be produced by one side or the other. I shall stand ready to vote with my friend from Maine to do what he believes is best to prevent the squandering of the money of the people. I have no desire the Democratic party I fought for should have any other needs to be a very sized by just and honorable men.

power than what ought to be exercised by just and honorable men.

We may do something, but little. I do not believe the time has come-I am not a prophet—but yet I predict the time has not come when any naval board, whether composed of Englishmen, or Frenchmen, or Germans, or Americans, can put into the water a vessel that will stand the projectile power of to-day. My own opinion is we may look for fast-going cruisers that can make from eighteen to twenty miles an hour with 100-ton guns on their decks, that can sink an ironclad or

hour with 100-ton guns on their decks, that can sink an ironelad or run away from it as they please, and then let our harbors and coasts be properly defended, and America will be as she always has been, resistless against the powers of the world. [Applause.]

Mr. ELLIS addressed the committee. [See Appendix.]

The CHAJRMAN. General debate on this section is now terminated under the order of the House. The question before the committee is on the point of order raised by the gentleman from Illinois [Mr. THOMAS]. The Chair will now hear from that gentleman a statement of the grounds on which he bases his point. of the grounds on which he bases his point.

Mr. THOMAS. Mr. Chairman, my point of order against this section is made under section 3 of Rule XXI, which provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

The pending section of this bill provides for the organization of a board to be appointed by the President of the United States, to be composed of several members, some civilians and some officers of the Navy. It is an attempt to create new offices on a general appropriation bill, and to pay premiums or rewards for plans which are to be submitted by the creates a state of the Covernment service. This is new legislation by parties outside of the Government service. This is new legislation. It does not provide for any public work authorized by law. More than that, I submit it is subject to objection under the other part of the rule, which provides:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Now, this section is admittedly germane to the bill, the purpose of the bill being to provide for the naval service of the United States. But this is an attempt to furnish plans and to provide for the building of ships, and it does not reduce expenditures. It is not a retrenchment of salaries paid to officers. On the contrary it involves increased expenditure by providing additional salaries, by providing for the payment of rewards to persons who may furnish plans to this board. Indeed, it provides for an unlimited expenditure of means as no restriction is provides for an unlimited expenditure of money, as no restriction is placed upon the cost of the vessels which are to be constructed.

I do not think it necessary to elaborate this point. It must be clear that the provision of the bill is contrary to the third section of Rule XXI. I may have occasion to answer any objection which might be urged to this point of order; but at this time I shall offer nothing fur-

ther upon it.

Mr. STONE. I should like to state upon the point of order another objection to the section in addition to the one made by my friend from Illinois [Mr. Thomas]. I wish to suggest to the consideration of the Chair whether or not it be competent for the Committee on Appropriations to report the section now under consideration, inasmuch as clause 12 of Rule XI provides that "subjects relating to the naval establishment other than the appropriations for its support" shall be referred to the Committee on Naval Affairs. I submit that so much of this bill as refers to naval affairs and does not concern appropriations comes properly within the jurisdiction of the Committee on Naval Affairs, under Rule XI; and unless it can be shown that this subject of the establishment of a naval board has by some order, resolution, or bill been referred to the Committee on Appropriations, that Committee in attempting to deal with the subject has exceeded its jurisdiction, precisely as it was suggested a day or two ago that another committee of this House, the Committee on Rivers and Harbors, had attempted to deal with a subject beyond its jurisdiction.

So I submit, under a fair construction of this rule, it is not competent for the Committee on Appropriations to deal with a subject that does not relate to appropriations, but which by the rule is exclusively committed to the Committee on Naval Affairs. And the Chair will take notice this section is different from some other sections-that it is not only inclusive but exclusive. It so distinctly declares, as I have already stated, and I will not repeat what I have said, as I think the Chair understands my point.

The CHAIRMAN. Does the gentleman in charge of the bill desire

to be heard on the point of order?

Mr. RANDALL. No; I am willing to leave it to the Chair. My desire is to save the time of the committee.

The CHAIRMAN. The ground stated by the gentleman from Massachusetts [Mr. STONE] is new to the Chair, and his decision will turn upon the other ground. Therefore, without entering upon any discussion on it, the Chair thinks section 2 of the bill is obnoxious to the third clause of Rule XXI. It is an appropriation for expenditure not authorized by law, and that part of the section which provides for the organization and structure of this board is new legislation. The Chair therefore sustains the point of order.

Mr. RANDALL. I ask to lay aside this bill, as I believe I will find

some way to test the sense of the House where one objection will not

The CHAIRMAN. The Chair would suggest to the gentleman from

Pennsylvania there is yet one section to be disposed of.

Mr. REED, of Maine. I hope when the gentleman submits a plan it will be a plan that takes the responsibility as well as confers the power. Mr. RANDALL. I do not quite understand what the gentleman

Mr. REED, of Maine. I mean this: that if we are to build a navy the party in power having the power should also have the responsi-

bility Mr. RANDALL. I propose in some way, and I think I see my path clear, to make this proposition so that it will be acceptable to enough members of this House to secure its consideration on this bill. I therefore beg to lay the bill aside for the present.

Mr. KEIFER. Is it proposed to have the bill recommitted?

Mr. RANDALL. No, sir.
The CHAIRMAN. Section 3 is not disposed of.
Mr. RANDALL. That is not a material point. I ask the bill be laid aside and to have the committee now proceed to the consideration of the deficiency appropriation bill.

Mr. THOMAS. I object to its being laid aside.

Mr. REED, of Maine. Let them have all the time they want.
Mr. WILLIS. What is the proposition?
The CHAIRMAN. To lay the naval appropriation bill aside and take up the deficiency appropriation bill.

Mr. WILLIS. I am perfectly willing the river and harbor bill

Mr. WILLIS. 1 am pushould be proceeded with.

The CHAIRMAN. Is there objection?

The PANDALL. There is no objection to laying this bill aside.

The pandal objected. The CHAIRMAN. The Clerk will proceed with the reading of the bill

Mr. TALEOTT. I desire to offer an amendment.

Mr. RANDALL. I ask for the reading of the third section.
Mr. TALBOTT. I have an amendment to offer to come in before
at. I send it up to the Clerk's desk to be read.

The Clerk read as follows:

To complete the construction of the steel cruiser, of not less than five nor more than six thousand tons displacement, and the armament thereof, authorized by act of Congress August 5, 1882, \$1,780,000, or so much thereof as may be necessary.

Mr. TOWNSHEND. Do I understand the whole section has been ruled out?

The CHAIRMAN. It has.

Mr. HOLMAN. I reserve the point of order on the amendment of the gentleman from Maryland. It is a modification of the law of 1883.

Mr. TALBOTT. No, sir; there is no modification of that law.
Mr. HOLMAN. Let the law be exhibited.
Mr. TALBOTT. I have sent for it.
The CHAIRMAN. What is the point of order the gentleman

Mr. HOLMAN. That this appropriation is not authorized by any existing law. That the act to which the gentleman refers, the act of 1882, is modified by the subsequent act of 1883. That all the vessels

authorized to be constructed are now in process of construction, while this amendment proposes something in addition not authorized by law.

Mr. TALBOTT. I do not want to say a word upon the point of order, because this act of August 5, 1882, to which the gentleman called the attention of the Chair, clearly authorizes the construction, and leaves no room for doubt. It is absolutely existing law, and I shall submit the question to the decision of the Chair.

Mr. RANDALL. Let us see the law.
Mr. TALBOTT. I have sent for it.
Mr. HOLMAN. It will be remembered that there were two acts, one of 1882 and the other of 1883, the latter modifying the former.
The CHAIRMAN. The Chair desires to see the acts.
Mr. TALBOTT. I will say further that this vessel provided for in this amendment was expressly authorized at the second session of the

Forty-seventh Congress in the naval appropriation bill passed at that time. This vessel is provided for a jized. I send the statute to the desk This vessel is provided for by law and its construction author-

The CHAIRMAN. The Clerk will read the section to which the gentleman refers as authorizing this construction.

The Clerk read as follows:

Any portion of said sum not required for the purposes aforesaid may be applied toward the construction of two steam cruising vessels of war, which are hereby authorized, at a total cost when fully completed, not to exceed the amount estimated by the late naval advisory board for such vessels, the same to be constructed of steel of domestic manufacture, having as near as may be a tensile strength of not less than 60,000 pounds to the square inch, and a ductility in eight inches of not less than 25 per cent.; said vessels to be provided with full sail-power and full steam-power. One-of said vessels shall be of not less than 5,000 nor more than 6,000 tons displacement, and shall have the highest attainable speed.

Mr. TALBOTT. The advisory board advised the construction of two vessels of that class, and estimated the cost at \$3,560,000. The act of Congress authorized only the construction of one—that is to say, a vessel of not less than 5,000 tons or more than 6,000 tons displacement. This amendment, therefore, is prepared exactly in accordance with the existing law and the amount is the amount fixed by the advisory board. It is, therefore, the law now, and this is a provision to carry it into effect. No law of Congress has changed it. No law has varied the law authorizing the construction of that vessel, and I now ask the adoption of this amendment which authorizes this construction.

I have heard, Mr. Chairman, a good deal of talk on the floor of this House about a navy, and I have heard a great deal of talk about wooden vessels. The Committee on Naval Affairs in the Forty-seventh Congress investigated the whole subject, and investigated it thoroughly. We had before us all the scientific and naval men in the country who were within reach. We had their views, opinions, and conclusions, and I desire to say that from Admiral Porter down to the lieutenants in the Navy they all concurred in the opinion that the invention of gun-power was far in excess of the development of ships of war.

other words, that now gun-power, with recent improvements in that direction, is so great that you can not construct a vessel that will float capable of resisting it. The conclusion of the board and the Committee on Naval Affairs on this investigation was that what we require is first-class steel cruisers of the highest attainable speed. Every man who knows anything about naval architecture knows that you can not have speed without displacement, because you have got to have size, and if you have the size so as to give you the necessary engine-room and machinery power you are compelled to have weight and displace-This you must have in order to get the ability to put upon the vessel the power you require. You must have room capacity for storage of coal, and you must have capacity for your machinery; and the result of the labors of the committee, and after months of labor and earnest attention to the duties devolving upon them, was that if this vessel authorized by that law was constructed, with her power and guns aboard of her, she would easily run away from any war vessel in the world. She would also have gun-power to fight in a close conflict.

Now, gentlemen talk about speed as a great element. Not a single one has told this House one thing, and that is that there is a great deal of difference between the average speed and speed measured by the mile. You can put the vessel to its full capacity and strain the machinery for a short distance, or a measured mile, and make a speed of eighteen, nineteen, or twenty knots an hour, but that is no evidence of speed. The speed of a vessel is what she will make on an average of running a whole day, a week, or three weeks; in other words, what she will make continuously and in all kinds of weather and under all circumstances. That, I say, is a very different question.

Mr. TOWNSHEND. I rise to a question of order. Is this debate in

order?

Mr. TALBOTT. Yes, sir.
The CHAIRMAN. The Chair thinks the gentleman should confine

himself to the point of order.

Mr. TALBOTT. I am endeavoring to do so. I say again, that the Committee on Naval Affairs did consider this whole subject in the Fortyseventh Congress. I say that Congress passed a law authorizing the construction of this vessel; and further, sir, that the Committee on Appropriations can not find a single word altering or limiting that act or the terms of that authorization of August 5, 1882. I submit, therefore, that no point of order can lie against the amendment providing for the construction of this vessel authorized by the act of Congress in ques-

Mr. HOLMAN. I hold in my hand an act of the 3d March, 1883, which seems to be a revision of the act to which the attention of the Chair has been called. I will send it up to the Chair. My understanding has always been that this act of 1883 had the effect of repealing the provisions of the act which has already been read; but I trust some gentleman connected with the Appropriations Committee of last Con-

gress will state how that is.

Mr. THOMAS. We can give a perfect explanation of it. There was

no repeal of the former act

The CHAIRMAN. Will the gentleman from Indiana indicate what portion of the act he desires to have read?

Mr. HOLMAN. That which applies to the construction of the steel

cruisers. But before that act is read some gentleman connected with the Committee on Appropriations of the Forty-seventh Congress, which reported both bills, will be able to explain whether this last act repeals the former act or not, in so far as the provisions of the one are inconsistent with those of the other. My opinion has always been that this last act covers the whole ground.

The CHAIRMAN. Does the gentleman desire the act to be read? Mr. HOLMAN. I do. It is under this latter act that the vessels

now in process of construction are being constructed.

The Clerk read as follows:

The Clerk read as follows:

For the construction of the steel cruiser of not less than 4,300 tons displacement now specially authorized by law, two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch-boat, as recommended by the naval advisory board in its report of December 20, 1882, §1,300,000; and for the construction of all which vessels, except their armament, the Secretary of the Navy shall invite proposals from all American ship-builders whose ship-yards are fully equipped for building or repairing iron and steel steamships, and constructors of marine engines, machinery, and boilers; and the Secretary of the Navy is authorized to construct said vessels and procure their armament at a total cost for each not exceeding the amounts estimated by the naval advisory board in said report, and in the event that such vessels or any of them shall be built by contract, such building shall be under contracts with the lowest and best responsible bidder or bidders, made after at least sixty days' advertisement, published in five of the leading newspapers of the United States, inviting proposals for constructing said vessels, subject to all such rules, regulations, superintendence, and provisions as to bonds and security for the due completion of the work as the Secretary of the Navy, shall prescribe.

Mr. HOLMAN. The chairman of the Committee on Appropriations

Mr. HOLMAN. The chairman of the Committee on Appropriations of last Congress has given me information from which I am ready to believe this act is not a complete substitute for the act of 1882, and that to the extent of one vessel it does not cover that act. Upon that

statement of facts I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Maryland [Mr. TALBOTT].

Mr. RANDALL. It is due for me to say that so far as I know the Sec-

retary of the Treasury has not made any estimate or recommendation on this subject this session.

Mr. McMILLIN. Have any proposals been invited as provided in

Mr. RANDALL. Nothing of the sort; I only want to say it seems to me this matter should have some investigation. This may have been a very good ship four years ago or two years ago, but in the light of the experience of the intervening years it may be that it would not be such a vessel as we should now build.

Mr. TALBOTT. I desire to say to the gentleman from Pennsylvania [Mr. RANDALL] that the act authorizing the construction of this vessel covers all of that. The naval advisory board has the power under the act which authorizes the construction to make all the alterations that may be called for in consequence of new inventions. And I will say more than that: the armament for that vessel is only limited as to the minimum. The act makes the minimum 6-inch steel rifled guns and 8-inch guns. But as regards the maximum there is no limit; and the naval bureau having the charge of the armament can make the guns as large as they please under the act itself.

Mr. THOMAS. The construction of this vessel was fully considered

by the Naval Committee.

Mr. TOWNSHEND. I make the point of order that debate is exhausted on the pending amendment.

Mr. THOMAS. Then I move to amend by striking out the last

word

This legislation has been fully considered and matured. The plans and specifications and model for this vessel are on file in the Navy De-

and specifications and model for this vessel are on file in the Navy Department to-day. The naval advisory board are qualified to take up that plan and build the vessel, with all the modern improvements up to this hour, and to begin as soon as this appropriation is available.

Now, if my friends on the other side of the House are in favor of building a navy, here is an opportunity to build a first-class American man-of-war that will be a source of pride to every American heart and a satisfaction to every American sailor. It can go as fast any naval vessel in the world. It will have an average speed of 16 knots and vessel in the world. It will have an average speed of 16 knots an hour for six days. It is provided that it shall be armed with breech-loading guns of not less than 6-inch and 8-inch caliber. And the max-imum, as stated by the gentleman from Maryland [Mr. Talbott], is not fixed. As large guns as are needed can be put on the vessel, and it will be first-class in every respect. If the Representatives on both sides of this House want to build a navy, here is an opportunity afforded, and one that is based on common sense and the recommendation of some of the wisest naval architects and naval officers this country has ever produced.

Mr. HEWITT, of New York. I am as earnestly desirous to begin Thomas]. But this proposition simply leads us to produce another first-class failure. When this vessel was authorized, three years ago, a ship of five or six thousand tons, iron-clad, would have been a success, provided she achieved a speed of 16 knots an hour; but in the interval ships have been built that have achieved a speed of 18.6 knots an hour; and at this moment the British Government are considering a proposal from John Elder & Co. to build an armored ship with twenty-one inches of armor, of 10,500 tons, that will make a guaranteed speed

of 211 knots an hour-no cure, no pay.

Now, are we not to take advantage of the lapse of time and of the experience which has come since this provision was enacted into law? What we want is a real navy and not a sham navy; and the addition of this ship will simply give us another failure. The money will be of this ship will simply give us another failure. The money will be thrown away. The limitation of the existing law is for a ship of from five to six thousand tons. I do not know, and no man can tell, in the condition in which this country now finds itself, with its open ports undefended, whether we do not want a first-class iron ship of from ten to twelve thousand tons

Mr. THOMAS. Will the gentleman from New York [Mr. HEWITT]

permit me a question?

Mr. HEWITT, of New York. Certainly.

Mr. THOMAS. I want to ask the gentleman if it is not a fact that there are not over six vessels afloat on the ocean to-day that can make over 16 knots an hour?

Mr. HEWITT, of New York. It is a fact; and I want to say to the gentleman from Illinois [Mr. THOMAS] that those slow vessels are

being abandoned and cast away

Mr. TALBOTT. And I will say to the gentleman from New York [Mr. HEWITT] that not a single unarmored vessel in the world has been discarded unless for old age. It is the armored vessels that he is talking about.

Mr. HEWITT, of New York. This proposes to build an armored

Mr. TALBOTT. No, sir; an unarmored steel cruiser.
Mr. HEWITT, of New York. A 6,000-ton armored steel cruiser.
Mr. TALBOTT and Mr. THOMAS. No, sir; an unarmored cruiser.
Mr. HEWITT, of New York. Very well. Then I have this to say:
If that vessel is to be unarmored she will be confronted by an armored ssel capable of making over twenty-one knots an hour.

Mr. THOMAS. When?

Mr. THOMAS. When?

Mr. HEWITT, of New York. Now John Elder & Co. have a proposition pending, which will no doubt be accepted by the British Government, by which they guarantee to construct a 10,500-ton armored steel cruiser with 21-inch plate, and carrying a hundred-and-twenty-one-ton gun; and when you have built this vessel which you propose here and it meets that vessel in the open ocean yours will go down. Therefore, I say, this ship ought not to be built. If we build an unarmored cruiser, let us build one that will be at least able to run away from these armored cruisers.

from these armored cruisers.

Mr. TALBOTT. Only last Friday the gentleman from New York

[Mr. HEWITT] rated this House because it was proposed to repair a wooden vessel, and called attention to the fact that every nation had discarded armored vessels. To-day he tells us that every nation is going

to build armored vessels.

Mr. HEWITT, of New York. Every nation is building them to-day.
Mr. TALBOTT. No nation is building them. They may talk about building them, but they do not do it.
Mr. HEWITT, of New York. Great Britain is building them, France is building them, Germany is building them. [Cries of "Vote!"]

Vote!"

Mr. McADOO. Mr. Chairman, I am in favor of building this vessel because it is a type of what will be the modern war vessel. We have gone from the old fast-sailing clipper-ship to the great iron floating battery, and the compromise between the two extremes is the unarnored, swift-sailing steel cruiser, easily maneuvered, armed with powerful ordnance, capable of running away when necessary, and also capable of catching an enemy and destroying her. I am in favor of every practicable measure for building up our Navy. I do not believe simply in discussing measures about the Navy; but when a practical proposition is made upon this floor to build a vessel like the one now proposed, leaving it to the advisory board to take advantage of every modern improvement and produce an American Esmeralda, my vote is for it, because I believe the American people want it. [Cries of "Vote!" "Vote!"]

Mr. BAYNE. Mr. Chairman, if there be a proposition before the committee, I have failed to hear it.

The CHAIRMAN. The Clerk has read the amendment which was offered by the gentleman from Maryland [Mr. TALBOTT], and the question now is on agreeing to that amendment.

Mr. BAYNE. The confusion was so great that the amendment could not be heard, and I ask that it be again reported.

The Clerk read as follows:

Insert, after line 517, the following:
"To complete the construction of the steel cruiser, of not less than 5,000 nor more than 6,000 tons displacement, and the armament thereof, authorized by act of Congress August 5, 1882, \$1,780,000, or so much thereof as may be necessary."

The CHAIRMAN. The question is on agreeing to the amendment just read.

The question being taken on the amendment of Mr. Talbott, it was agreed to; there being—ayes 91, noes 64.

Mr. RANDALL. I move to amend by adding to the amendment

just adopted the words:

Provided, That the Secretary of the Navy shall approve of the construction of said vessel.

Mr. TALBOTT. I am willing to accept that amendment.

The question being taken on agreeing to the amendment of Mr. RANDALL, there were—ayes 140, noes none.

So the amendment was agreed to.

Mr. THOMAS. I move to amend by adding after the amendment just adopted the language which I send to the desk.

The Clerk read as follows:

For the completion and armament of the iron-clad monitors Puritan, Terror, Monadnock, Amphitrite, and Miantonomob, \$2.204,327.31, provided such completion shall be recommended by the Secretary of the Navy.

Mr. RANDALL. The object contemplated by that amendment will

take \$4,000,000. Mr. THOMAS. Mr. THOMAS. My amendment names the exact amount which the Secretary of the Navy says will be required to complete these vessels.
Mr. RANDALL. Nevertheless, I say the object stated in the amendment will require an expenditure of more than \$4,000,000.
Mr. THOMAS. Mr. Chairman, in support of this amendment I wish to say that these five vessels are completed as to their hulls and management of the same of the same

chinery. One of them, the Miantonomoh, is provided with armor, and is now at the Brooklyn navy-yard having its turrets constructed. The Monadnock is at the Mare Island navy-yard, California. The Puritan, the Terror, and the Amphitrite are on the Delaware River, with their hulls and machinery completed. Five different boards of naval officers have examined these vessels and have reported in favor of their completion. If completed according to the plans proposed within the last few years, with deflective armor, deflective turrets, and high-power guns, they will be the most effective coast and harbor defenses that can be made within the United States: Their hulls are built of the best American iron. They have passed muster under five several examina-tions made by the most critical boards, each one of which has recommended their completion.

Our seacoast cities are defenseless to-day. We have no means of resisting the encroachments of any of the war vessels of the Old World. Any one of the vessels named in the amendment-especially the Puritan, which is to have a speed of 16 knots an hour--armed with the high-power guns which we are constructing here at the navy-yard to-day, can resist the largest war vessel that can enter the harbor of New York or Philadelphia or Baltimore, or any of the cities along the At-

lantic or Pacific coast.

California stands to-day from the head of the Gulf of California along the whole coast without any defensive vessel at all. This much-talkedof Esmeralda belonging to the Chilian Government might come and lay the city of San Francisco under contribution and extort from its inhabitants enough in one hour to finish from the beginning a dozen such vessels as these.

Here these vessels are almost completed; yet we dally day after day and year and year, while our country is in this helpless condition. I hope that the spirit mentioned by the gentleman from Pennsylvania [Mr. Curtin] will animate this Congress, and will prompt members to come forward and vote for the completion of these vessels of war, so that we may be able to defend ourselves and to resent the insults which are constantly being put upon the flag of our country and upon our

citizens in foreign lands.

It has been said that these vessels can not cross the ocean. It is a mistake. The Monadnock went around Cape Horn. She was under convoy of two wooden ships which three times had to seek the shelter of a port, while all the time she went bravely on, arriving in the har-bor of San Francisco a week before her convoys. She went across the Atlantic Ocean to Russia and proved herself in every way seaworthy. These monitors when completed can go anywhere where there are eighteen feet of water. They can ride the strongest sea and fight the most terrific battles. I hope that Congress will now, when we have a chance, vote money to complete them. [Applause.]

Mr. RANDALL. Mr. Chaiman, this question is perfectly well understood by the House. It has been discussed over and over again.

The committee do not recommend this proposition. I content myself

with asking a vote upon it.

with asking a vote upon it.

Mr. ADAMS, of Illinois. I suggest a verbal amendment, which I think my colleague [Mr. Thomas] will accept, to strike out the word "recommended" and insert "approved;" so as to read, "approved by the Secretary of the Navy."

Mr. THOMAS. I accept that as a modification of my amendment. The question being taken on agreeing to the amendment of Mr. Thomas as modified, it was not agreed to, there being—ayes 64, noes 95.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BAGLEY having taken the chair as Speaker pro tempore, a message was received from the Senate, by Mr. McCook, its Secretary, which announced disagreement to the amendments of the House to the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., asked for a conference on the disagreeing votes of the two Houses, and had appointed Mr. Mahone, Mr. Cameron of Wisconsin, and Mr. Vest as managers of said conference on its part.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BOUTELLE. I move to amend, after the last line of the amendment, by inserting the following:
The Clerk read as follows:

The Clerk read as follows:

SEC. 3. That the President be, and he hereby is, authorized to return the Arctic steamer Alert to Her Majesty's Government with the thanks of the Government of the United States for the generous and graceful act of courtesy in so promptly tendering the gift of that vessel and for the valuable service thereby rendered to the cause of science and humanity.

SEC. 4. That the Secretary of the Navy be, and he hereby is, directed to transfer to the Treasury Department for use as a revenue-cutter in the waters of Alaska the Steamer Bear, of the late Greely relief expedition, and is hereby authorized to place the steamer Thetis for use in the Navy as surveying vessel or otherwise.

On page 25 strike out figure "3" and insert "5;" so it will read "section 5."

Mr. RANDALL Lidesing to some the second of the section 1.

Mr. RANDALL. I desire to say to the gentleman from Maine that the first paragraph, so far as I am concerned, I have no objection to, as I think it is proper. The second is provided for in another bill. The other, of course, I leave to the gentlemen of the House.

Mr. BOUTELLE. I will state that these two sections I have offered

as amendments are the substance of a joint resolution which I was instructed unanimously by the Committee on Naval Affairs to report to

the House for passage.

The first section embodies the recommendation of the President of the United States in a special message recently sent to this House, that the Arctic steamer Alert, which was so opportunely tendered to us, be returned to the British Government, with the thanks of this Government. I understand the Committee on Appropriations make no objection to that.

The second section provides for disposing of the other two vessels of The second section provides for disposing of the other two vessels of the Arctic relief fleet, the Bear and the Thetis, which we purchased for that purpose, the act of Congress providing that on completion of this service these purchased vessels should be sold.

Mr. RANDALL. They have not been, though.

Mr. BOUTELLE. A bill is now pending in this House providing for the construction of a revenue-cutter adapted for the extraordinary

uses of the Alaskan coast.

Mr. GEORGE. And it was favorably reported from the committee.
Mr. BOUTELLE. Yes; favorably reported by the committee, and
is now on the Calendar of the House. Subsequently a bill was introduced in the Senate and a similar one in the House for the transfer of one of these Arctic steamers for that purpose instead of building a new vessel. That bill was referred to the Committee on Naval Affairs; new vessel. That bill was referred to the Committee on Naval Affairs, and was reported favorably by the committee. The Secretary of the Treasury and Secretary of the Navy were consulted in regard to the matter, and I have their responses on my desk in favor of carrying out this disposition. Therefore it is proposed in this second section to transfer the steamer Bear, as being best adapted for the purpose for which the revenue-cutter is desired on the Alaskan coast, to the Secretary of the Treasury for that purpose. That, the gentleman from Pennsylvania states, has been considered by his committee and is incorporated in another hill. rated in another bill.

Mr. RANDALL. Yes; it is in the other bill; but if the House desires to put it on this bill it will only involve striking it out of the other bill.

Mr. BOUTELLE. I would suggest also that my proposition involves disposing not only of the Bear but of the Thetis.

Mr. LONG. As the amendment relates to kindred subjects, perhaps

it is best to incorporate them on this bill.

Mr. BOUTELLE. They should be included in one proposition. This amendment provides that the Bear shall be transferred to the Secretary of the Treasury, and the Thetis placed in the Navy as a surveying vessel or otherwise. I will not make any argument, but ask that this amendment may be unanimously appended to the bill.

The amendments were agreed to.

The reading of the bill was then concluded. Mr. RANDALL. I move the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McMillin-having taken the chair as Speaker pro tempore, Mr. Wellborn reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, had directed him to report the same back with sundry amendments.

Mr. RANDALL demanded the previous question.

The SPEAKER pro tempore. Do gentlemen desire a separate vote on

any amendment?

Mr. RANDALL. I ask a separate vote on Mr. TALBOTT's amendment.

By unanimous consent, the remaining amendments of the Committee of the Whole House on the state of the Union were agreed to in gross.

The CHAIRMAN. The question next recurs on the following amend-

The Clerk read as follows:

To complete the construction of the steel cruiser, of not less than 5,000 nor more han 6,000 tons displacement, and the armament thereof, authorized by act of longress August 5, 1882, \$1,780,000, or so much thereof as may be necessary.

The House divided; and there were-ayes 88, noes 70.

Dingley,

Mr. RANDALL demanded the yeas and nays.

King,

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 100, not voting, 113; as follows:

A STATE OF THE REAL PROPERTY.	YE.	AS-111.	
Adams, G. E. Alexander,	Dorsheimer, Dunham,	Lacey, Lawrence,	Rogers, W. F. Rowell,
Ballentine,	Ellwood,	Libbey,	Russell,
Barr,	Everhart,	Long,	Ryan,
Bayne,	Findlay,	MeAdoo,	Seymour,
Belford,	George,	McComas,	Skinner, C. R.
Bisbee,	Gibson,	Maybury,	Smalls,
Blanchard,	Guenther.	Millard,	Smith, H. Y.
Boutelle,	Hanback,	Miller, S. H.	Spooner,
Breitung,	Hart,	Milliken,	Steele,
Brewer, F. B.	Hatch, H. H.	Morrill,	Stephenson,
Brown, W. W.	Henderson, T. J.	Morse,	Stewart, J. W.
Burleigh,	Henley,	Nutting,	Stone,
Caldwell,	Hepburn,	O'Hara,	Strait,
Campbell, J. E.	Hewitt, G. W.	O'Neill, Charles	Talbott,
Campbell, J. M.	Hiscock,	O'Neill, J. J.	Taylor, J. D.
Cannon,	Hoblitzell,	Parker,	Thomas,
Carleton,	Holmes,	Payne,	Tillman,
Collins,	Horr,	Payeon,	Wait,
Craig,	Houk,	Perkins,	Washburn,
Culbertson, W. W.	Houseman,	Peters,	Weaver,
Cullen,	Howey,	Pettibone,	White, J. D.
Dargan,	Hunt,	Potter,	Whiting,
Davis, G. R.	Jeffords,	Price,	Wilson, James
Davis, R. T.	Kean,	Ranney,	Wise, G. D.
Dibble,	Keifer,	Reed, T. B.	Wolford,
Dingley,	Ketcham,	Rockwell,	Worthington.

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				-	

Rogers, J. H.

Aiken,	Eaton.	Lovering,	Stevens,
Anderson,	Eldredge,	Lowry,	Stewart, Charles
Barbour,	Elliott,	McMillin,	Stockslager,
Barksdale,	Ellis,	Miller, J. F.	Storm.
Beach,	English,	Mills.	Sumner, D. H.
Bennett,	Ermentrout.	Money,	Taylor, J. M.
Bland,	Ferrell,	Muldrow.	Townshend,
Blount,	Eollett,	Oates,	Tucker,
Boyle,	Forney,	O'Ferrall,	Turner, H. G.
Bratton,	Garrison,	Patton,	Turner, Oscar
Breckinridge,	Green,	Pierce,	
Buchanan,	Greenleaf.	Peel,	Van Alstyne,
Budd,	Halsell.		Van Eaton,
		Post,	Wallace,
Burnes,	Hardeman,	Pryor,	Ward,
Campbell, Felix	Hatch, W. H.	Randall,	Warner, A. G.
Clay,	Hemphill,	Reid, J. W.	Warner, Richard
Clements,	Hewitt, A.S.	Reese,	Wellborn,
Cosgrove,	Holman,	Riggs,	Wemple,
Crisp,	Hopkins,	Rosecrans,	Wilkins,
Culberson, D. B.	Jones, B. W.	Seney,	Williams.
Curtin,	Jones, J. H.	Shively,	Willis,
Deuster,	Kleiner.	· Singleton,	Wilson, W. L.
Dibrell,	Lanham,	- Skinner, T. G.	Winans, E. B.
Dockery,	Lewis,	Spriggs,	Yaple,
Dunn,	Lore,	Springer,	
	aror of	opringer,	York.

NOT VOTING-113.

Adams, J. J.	Dowd.	Kelley.	Rice,
Arnot,	Evans,	Kellogg,	Robertson,
Atkinson,	Fiedler.	Laird,	Robinson, J. S.
Bagley,	Finerty,	Lamb,	Robinson, W. E.
Belmont,	Foran,	Le Fevre,	Shaw,
Bingham,	Funston,	Lyman,	Slocum,
Blackburn,	Fyan,	McCoid.	Smith, A. Herr
Bowen,	Geddes.	McCormiek,	Snyder,
Brainerd,	Glascock,	Matson,	Struble,
Brewer, J. H.	Goff,	Mitchell,	Sumner, C. A.
Broadhead,	Graves,	Morgan,	Swope,
Browne, T. M.	Hammond,	Morrison,	Taylor, E. B.
Brumm,	Hancock,	Moulton,	Thompson,
Buckner,	Hardy,	Muller,	Throckmorton,
Cabell,	Harmer,	Murphy,	Tully,
Candler,	Haynes,	Murray,	Valentine,
Cassidy,	Henderson, D. B.	Mutchler,	Vance,
Chalmers,	Herbert,	Neece,	Wadsworth,
Clardy,	Hill,	Nelson,	Wakefield,
Cobb,	Hitt.	Nicholls,	Weller,
Connolly,	Holton,	Ochiltree,	White, Milo
Converse,	Hooper,	Paige,	Winans, John
Cook,	Hurd.	Phelps,	Wise, J. S.
Covington,	Hutchins,	Poland.	Wood,
Cox, S. S.	James,	Pusey,	Woodward,
Cox, W. R.	Johnson,	Rankin.	Young.
Cutcheon,	Jones, J. K.	Ray, G. W.	Tomig.
Davidson,	Jones, J. T.	Ray, Ossian	
Davis, L. H.	Jordan,	Reagan,	

So the amendment was adopted. On motion of Mr. RANDALL, by unanimous consent the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. THOMPSON with Mr. OCHILTREE, on this vote.

Mr. CONVERSE with Mr. RAY, of New Hampshire, for the rest of

Mr. Converse with Mr. RAY, of New Hampshire, for the rest the day.

Mr. Campbell, of New York, with Mr. Funston, for this day.

Mr. Ferrell with Mr. Cutcheon, for the remainder of the day.

Mr. Sumner, of California, with Mr. Struble, for this day.

Mr. Robinson, of New York, with Mr. Phelps, for to-day.

Mr. Jones, of Arkansas, with Mr. Brewer, of New Jersey.

Mr. Nicholls with Mr. Eyans.

Mr. Dayidson with Mr. Finerty.

Mr. Jones, of Alabama, with Mr. Valentine, on this vote.

Mr. Cabell with Mr. Kelley. Mr. Herbert with Mr. White, of Minnesota. Mr. Hill with Mr. Browne, of Indiana, on the naval bill.

Mr. HAMMOND with Mr. BREITUNG. Mr. BALLENTINE with Mr. HARMER.

Mr. WADSWORTH with Mr. BRAINERD. Mr. GRAVES with Mr. NELSON.

The result of the vote was then announced as above recorded.

Mr. TALBOTT moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on

The latter motion was agreed to.

Mr. RANDALL. I demand the previous question upon the engrossment and third reading of the bill.

The previous question was ordered.

Mr. RANDALL. I ask now by consent that the vote may be taken on the final passage of the bill to-day, and that the time for the recess be extended. The Senate Committee on Appropriations, I may be permitted to say, are without a bill, as I understand, and it is important, therefore, that this bill should be in the hands of the Senate committee

Mr. KEIFER. I have no objection to the vote being taken to-night.

Mr. REED, of Maine. I ask unanimous consent that the calling of the roll may be dispensed with on this vote.

Mr. BELFORD. I object.

The SPEAKER pro tempore (Mr. McMillin in the chair). The Chair will submit the request of the gentleman from Pennsylvania to

The gentleman asks that the recess be postponed until after the vote is taken upon the passage of this bill.

Mr. ANDERSON. But that no other business is to be transacted. The SPEAKER pro tempore. Is there objection to the request?

There was no objection.

Mr. REED, of Maine. I again ask unanimous consent to dispense

with the calling of the roll.

Mr. COSGROVE and others objected.

Mr. REED, of Maine. It can be done by consent. It is only wasting a half hour additional time.

The SPEAKER pro tempore. Objection having been made, the Clerk will see the roll the rell.

will call the roll.

Mr. DINGLEY. I renew the request of my colleague for unanimous consent to dispense with the call of the roll.

consent to dispense with the call of the roll.

Mr. REED, of Maine. I hope that will be done.

The SPEAKER pro tempore. That request has been made and objection interposed. [Cries of "Regular order!"]

Mr. HEWITT, of Alabama. Objection was made by some gentleman who may probably be willing to withdraw the objection.

Mr. COSGROVE. I made the objection for one, and insist upon it. The question was taken upon the passage of the bill; and there wereyeas 157, nays 6, not voting 161; as follows:

pringer, teele, tephenson, tevens, tewart, Charles tewart, J. W. torm, trait, umner, D. H.
teele, tephenson, tevens, tewart, Charles tewart, J. W. torm, trait, umner, D. H.
tephenson, tevens, tewart, Charles tewart, J. W. torm, trait, umner, D. H.
tevens, tewart, Charles tewart, J. W. torm, trait, umner, D. H.
tewart, Charles tewart, J. W. torm, trait, umner, D. H.
tewart, J. W. torm, trait, umner, D. H.
torm, trait, umner, D. H.
trait, umner, D. H.
umner, D. H.
albott,
aylor, J. D.
aylor, J. M.
homas,
illman,
ownshend,
urner, H. G.
an Alstyne.
an Eaton,
Allace,
ard,
arner, A. J.
arner, Richard
ashburn,
eaver,
ellborn,
emple,
hite, J. D.
hite, Milo
ilkins,
illis,
ilson, James
uson, W. L.
inans, E. B.
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NOT VOTING-161.

Davis, R. T. Deuster, Dowd, Eaton, Evans, Fiedler, Reagan,
Reese,
Rice,
Riggs,
Robinson, J. S.
Robinson, W. E.
Rockwell,
Rogers, W. F.
Rowell,
Shaw,
Singleton,
Sleeum, Adams, J. J. Aiken, Atkinson, Bagley, Beach, Belmont, Kellogg. Lacey, Laird, Lamb, Lawrence, Le Fevre, Fiedler, Finerty, Foran, Funston, Fyan, Garrison, Geddes, Glascock, Goff, Graves Lewis, Libbey, Long, Lovering, Lyman, McCoid, Blackburn. Blanchard. Blount, Bowen, Brainerd, Breckinridge, McCoid, McCormick, Matson, Millard, Mills, Mitchell, Money, Morgan, Morrill, Slocum, Smith, A. Herr Breitung, Brewer, F. B. Brewer, J. H. Broadhead, Browne, T. M. Smith, A. Herr Snyder, Stockslager, Stone, Struble, Sumner, C. A. Graves, Greenleaf, Hammond, Hanback, Brumm, Swope,
Taylor, E. B.
Thompson,
Throckmorton,
Tucker,
Tully,
Valentine, Buchanan. Hancock. Hardeman, Hardy, Harmer, Hart, Hatch, H. H. Buckner, Morrison, Morse, Moulton, Muller, Murphy, Murray, Mutchler, Nelson Cabell, Campbell, Felix Candler, Haynes, Henderson, D. B. Herbert, Cassidy, Chalmers, Vance, Wadsworth, Clardy, Cobb, Collins, Connolly, Hitt, Hoblitzell, Holton, Nelson, Nicholls, Ochiltree, O'Neill, Charles Wait, Wakefield, Weller, Whiting, Connony, Converse, Covington, Cox, S. S. Cox, W. R. Crisp, Culbertson, D. B. Culbertson, W. W. Hooper, Hopkins, Paige, Payne, Payson, Phelps, Poland, Pryor, Pusey, Rankin, Williams, Wilams, John Wise, J. S. Wood, Woodward, Worthington, Young. Howey, Hurd, Hutchins, James, Johnson, Jones, J. K. Jones, J. T. Jordan, Cullen. Cutcheon. Ray, G. W. Ray, Ossian Davidson, Davis, L. H. Keiley,

So the bill was passed.

On motion of Mr. RANDALL, by unanimous consent the reading of the names was dispensed with.
The following additional pairs were announced:
Mr. PRYOR with Mr. HITT.
Mr. STEELE with Mr. COLLINS.

Mr. AIKEN with Mr. JOHNSON.

The result of the vote was then announced as above recorded.

Mr. RANDALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CONTESTED ELECTION-FREDERICK VS. WILSON.

Mr. MILLER, of Pennsylvania, by unanimous consent, submitted the views of the minority of the Committee on Elections in the contestedelection case of Frederick vs. Wilson, from the fifth district of Iowa; which were ordered to be printed with the report of the committee.

ORDER OF BUSINESS.

Mr. KEIFER. I wish to ask whether any other business is in order but the business for the District of Columbia at the evening session

The SPEAKER pro tempore. The Chair will state to the gentleman from Ohio that no other business would be in order under the order of the House providing for to-night's session.

Mr. WHITE, of Kentucky. Not even to grant unanimous consent for to-morrow morning.

LEAVE TO PRINT.

By unanimous consent, leave was granted to Mr. ENGLISH to print some remarks on House bill 2142; also, to Mr. Wood to print remarks on the educational bill.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STEELE, for the remainder of this day.

To Mr. WAIT, for the rest of the day, on account of important busi-

To Mr. Jones, of Texas, on account of sickness in his family. To Mr. Garrison, for this evening's session, on account of sickness. And then, in pursuance of the previous order of the House, the Speaker pro tempore (at 5 o'clock and 25 minutes p. m.) declared the House to be in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called to order by the Clerk, Hon. John B. Clark, Jr., who directed the reading of the following letter from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, February 23, 1:35.

Hon. John B. Clark, Jr.,

Clerk House of Representatives:

Hon. Benton McMillin is hereby appointed Speaker pro temporeto preside at the session of the House this evening. JOHN G. CARLISLE, Speaker,

ORDER OF BUSINESS.

The SPEAKER pro tempore (Mr. McMillix). The session of the House to-night is for the consideration of bills reported by the Committee on the District of Columbia.

Mr. BARR. As the only member of that committee present, I move that the House resolve itself into Committee of the Whole House with the view of taking up business of the committee on the Calendar.

Mr. ELDREDGE. I think all the bills the committee desire to take

up this evening are on the Speaker's table.

Mr. GUENTHER. Inasmuch as the chairman of the Committee on the District of Columbia is not present, but I presume will be here presently, I move that the House take a recess for five minutes.

The motion was agreed so. The House accordingly (at 8 o'clock and 2 minutes p. m.) took a recess for five minutes.

The recess having expired, the House reassembled at 8 o'clock and

7 minutes p. m.

The SPEAKER pro tempore. As the Chair has already stated, the House is in session to-night for the purpose of considering reports by the Committee on the District of Columbia. The gentleman from Virtue in recognized ginia [Mr. BARBOUR], the chairman of that committee, is recognized.

MELISSA G. POLAR.

Mr. BARBOUR. I call up from the Speaker's table the bill (H. R. 2344) for the relief of Melissa G. Polar, with amendments by the Senate.

The amendments of the Senate were read, as follows:

Page I, line 13, after "Melissa G. Polar," insert "the duplicate certificates as provided for in section I."
Page I, lines 15 and 16, strike out the words "the duplicate certificates as provided for in section I" and insert the word "and."

The SPEAKER pro tempore. The question is on concurring in the

Senate amendments.

Mr. BARBOUR. This is a bill which passed the House, and has also passed the Senate with two amendments which are merely verbal cor-

The amendments of the Senate were concurred in.

Mr. BARBOUR moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF HEALTH OFFICER OF THE DISTRICT OF COLUMBIA.

Mr. BARBOUR. I now call up from the Speaker's table the joint resolution (H. Res. 288) authorizing the printing of 2,500 extra copies of the annual report of the health officer of the District of Columbia, with an amendment by the Senate.

The amendment of the Senate was read, as follows:

Amend the title so as to read:
"An act authorizing the printing of 2,500 extra copies of the annual report of the health officer of the District of Columbia."

The amendment of the Senate was concurred in.

TAX SALES IN THE DISTRICT.

Mr. BARBOUR. I now call up from the House Calendar the bill (H. R. 8236) relating to sales for taxes in the District of Columbia. The bill was read, as follows:

The bill was read, as follows:

Be it-enacted, &c., That hereafter sales of real estate, after advertisement as required by law, by the collector of taxes for the District of Columbia, for taxes or assessments that have been or may be levied by the commissioners of said District, or by other lawful authority, shall entitle the purchaser, his helrs or assigns, if the property be not redeemed within two years from the date of such sale, to a deed from the commissioners of the District, which deed shall vest in the grantee a good and valid title, and shall be presumptive evidence in all controversies in relation thereto that the property so conveyed was subject to the taxes for which the property was sold, that such taxes were not paid, and that the property was not redeemed before the execution of the deed; and such deed shall be conclusive evidence that the manner of levy, notice, sale, and all the other prerequisites of law were complied with necessary and proper to make such deed and title valid.

The bill was reported by the Committee on the District of Columbia.

The bill was reported by the Committee on the District of Columbia with the following amendments:

In line 5, strike out the words "that have been or may be." In line 9, after the words "such sale," insert the words "as provided by

In line 14, strike out the word "and" after the words "were not paid."

In lines 15 and 16, strike out the words "such deed shall be conclusive evi-

Mr. McCOMAS. This bill, introduced by the gentleman from Ohio [Mr. Follett], has been reported by the Committee on the District of Columbia with amendments, and they believe that in its present form it will meet a want now very much felt here. It seems that in the Revised Statutes of the District of Columbia there is no later provision for making title to property sold for taxes than the provision therein directing the governor of this District to make the deed.

The present bill authorizes the commissioners to do so. Further than that, it supplements the present procedure with respect to the mode of assessment and levy, and the manner of advertising and notice of sale, with the further provision—certainly mild enough in the shape in which it has been recommended by the committee—that the procedure incident to an ordinary sale for default of payment of the assessment or tax with respect to property which hereafter may be sold in this District for delinquency in payment of assessment or tax shall be presumptive evidence of the manner of levy, notice, and sale, and also as to the de-scription of the property, the assessment of the particular property making the title good and valid with that presumption in its favor. Unless there be further reason for discussion, I shall reserve my time and will yield to the gentleman from Ohio [Mr. Follett]. But in the first place I will yield to the gentleman from Illinois [Mr. WORTHING-

Mr. WORTHINGTON. The amendments as read by the Clerk I do not think cover what the committee intended to put in there. It strikes out the words "such deed shall be conclusive evidence," but does not

insert anything in its place.

Mr. McCOMAS. If the gentleman from Illinois will look at the first page he will find at line 11 the words "shall be presumptive evidence."

At the last meeting of the committee to perfect the bill dence." At the last meeting of the committee to perfect the bill, the words in the fifteenth and sixteenth lines, "such deed shall be conclusive evidence," were stricken out. The words in the eleventh line, "shall be presumptive evidence," I think my friend will see cover all that has been withdrawn.

Mr. WORTHINGTON. I desire the Clerk again to read the bill as

proposed to be amended in those lines.

Mr. McCOMAS. I now yield for a minute to have the bill reported as requested by my colleague on the committee, Mr. Worthington.

Mr. WORTHINGTON. Mr. Speaker, I ask that the Clerk read the

latter part of the bill, commencing at line 15.
The Clerk read as follows:

And that the manner of levy, notice, and sale, and all the other prerequisites of law were complied with necessary and proper to make such deed and title valid.

The CLERK. The words stricken out in the fifteenth and sixteenth lines are "such deed shall be conclusive evidence."

Mr. WORTHINGTON. I think that is correct, in connection with the amendment made previously.

Mr. BROWN, of Pennsylvania. Will the gentleman from Maryland

Will the gentleman from Maryland

Mr. BROWN, of Pennsylvania. Will the gentleman from Maryland [Mr. McComas] state the object of striking out those words, "shall be conclusive evidence?"

Mr. McCOMAS. The committee believed that the manner of levy, notice, and sale and all the other prerequisites of law should be held to be presumptive, but not conclusive, evidence.

Mr. BROWN, of Pennsylvania. Why not conclusive?

Mr. McCOMAS. I will state to the gentleman from Pennsylvania.

[Mr. Brown] that while it seemed to me that the levy and sale might well be made conclusive evidence, yet such was not the wisdom of a large majority of the committee, and I think that you could not make a deed reciting notice conclusive by mere act of Congress, or by any

Mr. BROWN, of Pennsylvania. You can just as well make it con-

clusive as presumptive.

Mr. McCOMAS. No; I think not. The manner of notice might be presumptive, but the fact of notice is jurisdictional and could not be made conclusive.

Mr. HUNT. Suppose no notice was given?
Mr. BROWN, of Pennsylvania. I shall oppose the amendment.
Mr. McCOMAS. I now yield to the gentleman from Ohio [Mr. Fol-

Mr. FOLLETT. Mr. Speaker, the object of this bill is to supply a want that has been felt for a long time in the collection of taxes in the District of Columbia. By the last report of the District commissioners it appears that there were arrears of taxes in this District due and unpaid on the 1st day of November last to the amount of \$824,532.97. While taxes on real estate ought to be, and generally are, collected in a larger per cent. than taxes upon personal property in this District, on the contrary, as shown by last year's attempt at collection, 95.3 per cent. of the taxes upon personal property are collected and paid, and only 90 per cent. of the taxes upon real estate. The only means provided by law for the collection of taxes on real estate is by the sale of the real estate for the taxes. At the last attempt at such sale there was not a bidder for any property in the District, the reason being that to bid in the property was simply an idle form, as nobody was authorized to execute a deed upon a sale for delinquent taxes.

What is sought to be accomplished by this bill is to supply that defect by vesting authority somewhere (and it is thought that the best place to deposit that authority is with the District commissioners) to execute a deed of property sold for taxes.

There is not a State in the Union whose laws do not provide for the

execution of a deed upon a tax sale, and the anomalous condition in which the District is found in this respect is due largely to the change in the mode of governing the District and in the laws relating to its government. From what I have learned during this term in Congress, I have no doubt that there ought to be a general revision of the laws of the District of Columbia; and I trust that before the expiration of another Congress they will be revised. Although this District is under the special supervision of Congress, there is not a State in the Union to-day in which the laws are in such utter chaos as in the District of Columbia, which is governed in part by the old laws of Virginia, in part by the old laws of Maryland, and in part—God only knows how.

So that it is impossible for a citizen of the District to know just what his rights are

An attempt was made, I think, in the Forty-fifth or Forty-sixth Con-An attempt was made, I think, in the Forty-fifth of Forty-sixth Congress to have these laws codified, so as to give the people residing in this District some trustworthy source of information as to the laws by which they are governed, but that attempt failed. A proposition was made this year to appropriate \$5,000 to have the work of codification done again, but the Committee on Appropriations thought it had once been done, and a sufficient basis, perhaps, furnished for any Congress that might see fit to take up the matter and provide a code of laws for the government of the District. In this condition of things, in this emergency, it is absolutely necessary, if the property owners of the District of Columbia are to be compelled to pay any taxes, that some means should be provided by which those taxes could be collected.

There is not a city in the Union so lightly taxed as the city of Washington. One and a half per cent. is the outside limit. All the street

improvements, all the expenses of governing the city are paid by general taxation, while in most of the cities throughout the country the rate of taxation is from 2 per cent. upward, and the improvements of streets are made by assessments upon abutting property. So that nobody in the District can rightly complain of taxation. That being true, we ought to provide that this moderate taxation shall be paid, and supply some means by which its collection can be enforced.

Mr. PERKINS. Will the gentleman yield for a question?

Certainly.

Does this bill go as far as it should go? Does it Mr. PERKINS. remedy the embarrassment that you have just mentioned as showing itself at the last attempted sale for taxes. In the event of no purchaser appearing at these tax sales, is there any authority provided in this bill or in the law by which the property may be bid off to the District of Columbia or to the District commissioners? Will not this bill leave the law in this respect in the same anomalous condition which exists at the present time? The bill provides, as I understand, that where there is a purchaser at the tax sale and the property is not redeemed within two years it may be conveyed by a tax deed to the purchaser. But in the event that there is no bidder, then, as I understand, the defect in the existing law is not cured by this bill. Ought not the bill to be amended so that if there should be no bidder at the tax sale the property may be struck off to the commissioners of the District?

A MEMBER. Or may be forfeited to the District.

Mr. FOLLETT. I am advised there is now a provision upon that Mr. FOLLETT. I am advised there is now a provision upon that subject in the law; so that the apparent defect in this bill does not exist. What is needed on this subject, and all that is needed, as I understand, is a power somewhere to make title. At present, while the power of sale exists, there is no one authorized to execute deeds upon the sale. I believe I desire to say nothing further on this question.

Mr. McCOMAS. After briefly responding to the inquiry of the gentleman from Kansas [Mr. Perkins] and the objection of my friend from Pennsylvania [Mr. Brown], I shall, unless there be desire for further discussion, move the previous question.

further discussion, move the previous question.

The Committee on the District of Columbia has had the honor to report one bill in the direction so well suggested by my friend from Ohio [Mr. FOLLETT], providing for a codification of the criminal laws of the District; and that bill, having passed this House, is now pending in the Senate.

With respect to the suggestion of my friend on the right, that this bill does not show all the procedure with respect to a tax sale, I would call attention to the Revised Statutes relating to the District of Columbia and to the organic law of 1878, wherein all the procedure with respect to the sale of property for taxes is already provided. But, as has been already said, by reason of the change made by the organic law of 1878, there is now no authority in this District competent to execute a title to property sold for taxes. Besides, there is no provision of law declaring what shall be presumptive and what conclusive evidence with respect to the proceedings culminating in a deed for property purchased at a tax sale. I concede that when a deed is made to a purchaser for property sold for taxes such deed should be presumptive evidence that the property so conveyed was subject to taxation for the year, that the taxes were not paid, that the property was regularly assessed for taxes and the taxes regularly levied, that it was duly advertised, and that it was not redeemed within the time fixed by law.

Personally I might concede that the bill should go a little further,

and provide that the deed should be held to be conclusive evidence that the manner of assessment, levy, and advertisement was regular, and that all the prerequisites of law had been fully complied with by all the officers whose duty it was to take action affecting the property up to the stage of the sale. But the committee, knowing the great variety of claims with respect to assessment and taxation, has perhaps very wisely stopped short and said that for the present it will provide only that there shall be in this District a tax deed and somebody authorized to make it; that this deed, which now can not be made, shall be at least presumptive evidence of all these things as to some of which I am pre-

pared to concede such deed might well be made conclusive evidence.

But this bill had better pass in the present shape than not pass at all. The exigency of this District requires that this House in its legislation should be practical. This bill in its present form has received

careful consideration, and is fully approved by the committee having

charge of the subject.

Mr. GIBSON. With the gentleman's permission I would like to make an inquiry. This bill provides, I see, in line 8:

If the property be not redeemed within two years from the date of such sale, &c.

Now, I wish to inquire what provision is made with respect to the cases of owners of property who are under legal disabilities—minors or married women

Mr. McCOMAS. My recollection is that the existing statutes-I only speak generally—make the usual reservation with respect to the rights of persons under legal disabilities. That is my impression in regard to

the revised statutes of the District and the organic law of the District.
Mr. BROWN, of Pennsylvania. I understand the gentleman to say that there is a provision in the Revised Statutes for the commissioners purchasing property where there are no bidders.

Mr. McCOMAS. I am confident that in the act of 1878 or in the

Revised Statutes there is provision authorizing the commissioners to bid

in property sold for delinquent taxes.

Mr. BROWN, of Pennsylvania. In a case of that kind, by whom would the deed be made? Could the commissioners make a deed to themselves?

Mr. McCOMAS. I apprehend that by the very force of law the title would be in the District.

Mr. BROWN, of Pennsylvania. I doubt it. Mr. McCOMAS. At any rate the inquiry of my friend from Pennsylvania would be more pertinent upon some general modification of the tax law, and does not apply with reference to this modest provision with respect to the making of a deed, which is the whole scope of this measure. Therefore, Mr. Speaker, unless there be further inquiry—and there seems to be none—I move the previous question.

The previous question was ordered; and under the operation thereof

the amendments reported by the Committee on the District of Columbia were adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and

Mr. McCOMAS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

SALE OF CERTAIN REAL PROPERTY IN THE DISTRICT OF COLUMBIA.

Mr. BARBOUR. I call up from the House Calendar the bill (H. R. 7557) to provide for the sale of certain real property in the District of Columbia, and for other purposes. The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the commissioners of the District of Columbia be, and they are hereby, authorized and empowered to sell and convey to the highest bidder at public auction the following-named property, with the improvements thereon, belonging to and being within the District of Columbia: Lots 3, 4, and 11, and parts of lots 5, 9, and 10, in square 872; sublot 30, in square 209; part of lot 6, square 925; lots 16 and 17, square 1098; one acre near the junction of the Chain Bridge, Tunlawn, and Loughborough roads, on north line of Pickrell's land; one-half acre on Grant road, between Tennallytown and Brightwood, adjoining land of John Noonan, south side; one acre on Queen's Chapel road, adjoining lands of George W. Utermehle; a lot forty feet square, formerly the Georgetown powder-house property, one hundred perches west of the Saint Alban's church; the old fish-market lot in Georgetown, northwest corner of Potomae and Grace streets. The proceeds of the sale of the foregoing property shall be exclusively invested in sites for public schools or in the erection or purchase of school buildings, and shall be used for no other purpose whatever: Provided, That if, in the opinion of said commissioners, the highest bid made at public sale for any or all of said pieces of property, or parts thereof, is not a full and fair price for the same, the said commissioners shall have the right to reject such bid or bids and to annul said sale or sales, and to sell and convey any or all of said pieces of property, or parts thereof, at private sale, at a price exceeding the bid or bids and to annul said sale or sales, and to sell and convey any or new thereof is not a full and fair price for the same, the said commissioners shall have the right to reject such bid or bids and to annul said sale or sales, and to sell and convey any or new thereof or the same, the said commissioner shall have the right to reject such bid or bids and to annul said sale or sales, and to sell and convey any or all o

Mr. WILSON, of West Virginia. Mr. Speaker, this bill provides for the sale of certain lots and parts of lots in Washington and elsewhere in the District of Columbia, which in the shifting of population or for other reasons are no longer needed. The lots and parts of lots menother reasons are no longer needed. The lots and parts of lots mentioned in the first section were with one single exception acquired for school purposes, but they are no longer required for the purpose of their original acquisition. The other piece of property is a surplus market site which belongs to the District, but is not needed now for the purpose of a market, there being ample provision therefor. If sold it becomes at once tax-paying property, and the proceeds of the sale will be used for the construction of school-houses. The property in the second section of the bill was acquired originally for a station-house in the sixth precinct. In order to get a desirable piece of property the commissioners bought more ground than was necessary. They desire to sell the surplus ground and use the proceeds of the sale for the original pur-

pose of the appropriation.

The proceeds of the sale of the lots in the first section will be used for the erection of school buildings.

By instruction of the Committee on the District of Columbia, I offer

Strike out the word "the," in line 7, and for the word "completion" substitute the word "complete;" omit the word "and furnishing," in line 8, and strike out all after the word station-house, in lines 8 and 9;

SEC. 2. That the commissioners may in like manner sell and convey all that portion of lot 11, in square 481, purchased by them from J. Ford Thompson, lying north of the center line of the north wall of the new police station-house extended, being twenty-eight feet nine inches front, more or less, and shall apply the proceeds, or so much thereof as may be necessary, to complete said station-house.

The amendments were agreed to.

The amendments were agreed to.

Mr. GIBSON. I suggest an amendment in line 31 of section 1. It is there provided that if, in the opinion of said commissioners, the highest bid made at public sale for any or all of said pieces of property, or parts thereof, is not a full and fair price for the same, the said commissioners shall have the right to reject such bid or bids and to annul said sale or sales, and to sell and convey any or all of said pieces of property, or parts thereof, at private sale, at a price exceeding the bid or bids made at public auction. bids made at public auction.

I move to insert, in line 31 after the word "a," "full and fair;" so it will read: "At a full and fair price exceeding the bid or bids made at public auction."

Mr. WILSON, of West Virginia. I have no objection to the gentle-man's amendment, but I am not authorized to accept it. Mr. COBB. I rise for the purpose of asking the gentleman from West Virginia whether the committee have detailed information in reference to these lots and parts of lots which it is proposed by this bill to sell. I know the commissioners, when I was a member of the Committee on Appropriations, desired to sell one-half of Corcoran Square, the most eligible site in the city, for a high school, and it was all I could do, as gentlemen who were in Congress at that time will remember, to prevent the sale of that property, upon which afterward was erected a fine high-school building. It is known to every one who has examined the premises that it is the most eligible site for a public-school building in

the District of Columbia.

If the committee have given this subject a careful examination and are of the opinion that the present commissioners are not disposed to favor the requests of gentlemen who live in the neighborhood of these several lots and parts of lots and who desire to bid on them, then I will say that the recommendation may be all right; but from my experience I am quite sure that we should take no action for the sale of this property until the members of the Committee on the District of Columbia have made full and complete examination and can say from their own personal knowledge this property will not be used in the future for the public purposes for which it was originally purchased.

Mr. WILSON, of West Virginia. I have here a statement as to each

piece of property, and I will answer the gentleman as to any one of them upon which he desires information. So far as these school sites are concerned, if he will turn to page 13 of the Report of the School Trustees of the District of Columbia he will find they recommend the sale of these pieces of property which are not now in use or adapted to school purposes. So far as the other pieces are concerned, they are surplus property and are not required for any present or future needs in those localities.

in those localities.

Mr. COBB. I desire to state, Mr. Speaker, that I know nothing myself about this property and have simply propounded a question to the gentleman from West Virginia having the bill in charge to ascertain whether the committee is advised fully as to the probability of this property being used in the future. If it can be, and there is any probability it will be needed, then in my judgment it will not be sold. If, however, it is so located that probably it will never be needed, then the sale might safely take place. I wish to know whether the committee were advised personally on that subject.

Mr. FOLLETT. The property referred to in the second section of the bill is property which was purchased by the commissioners of the District of Columbia for the purpose of erecting a new station-house, as provided for in the District of Columbia appropriation bill of that year. This property contained at the time a surplus in excess of the land needed for their purposes, but they were able to obtain it for as low a price as any piece of property in the precinct where they wanted to erect the station-house, and where there would have been no surplus. This piece they acquired at 50 cents a square foot. The owner of the property declined to sell to them unless they took the entire tract; or if he did sell a portion of the property, the price asked was nearly the property declined to sell to them unless they took the entire tract; or if he did sell a portion of the property, the price asked was nearly the amount necessary to purchase the whole lot. Therefore, as a matter of economy, they purchased all this lot of ground. Now they ask simply to sell this surplus for which they have no use, and which they believe can be sold nearly or quite equal to about \$1,500, which amount would be necessary to build the extension of the station-house that was ordered.

Mr. WILSON, of West Virginia. I ask the previous question upon the passage of the bill.

The previous question was ordered; and under the operation thereof the bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WILSON, of West Virginia, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ST. MARK'S P. E. CHURCH.

Mr. BARBOUR. I move to take up from the Private Calendar the bill (H. R. 5828) for the relief of the St. Mark's Protestant Episcopal church in the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That from and after the passage of this act a certain piece of land situated in the city of Washington, D. C., known as lots 9 and 11 in square 785 of the plan of that city, and occupied by the church known as Saint Mark's Protestant Episcopal church, and all the buildings, grounds, and property appurtenant thereto and used in connection therewith, in the District of Columbia, shall be exempt from any and all taxes or assessments, national, municipal, or county; and all taxes, together with the interest and penalties, now due and unpaid upon said property shall be, and they are hereby, remitted.

Mr. COBB. I would like to inquire what amount of real estate is

attached to this property or belongs to this church.

Mr. SPRIGGS. It is a small lot, only such as is necessary for the purposes of the church. The foundation prepared upon the lot covers the whole of it. This bill is in all respects similar to the one passed at the last House.

Mr. COBB. If there is no real estate occupied unnecessarily, I do

not see any objection to the bill.

Mr. SPRIGGS. None at all. The foundation of the church covers the whole property. The only thing is that it lay some little while after it was acquired for church purposes before they commenced building, for the reason that the church was not able to proceed with the erection of the building.

Mr. WARNER, of Ohio. Let me ask the gentleman from New York a question: This seems to single out, as I understand from the reading of the bill, this one particular church—specifies one church—exempting its property from taxation. How about the others?

Mr. SPRIGGS. All churches are exempted from taxation under the

general law. The only thing in reference to this is that the commissioners have held, inasmuch as the property has not been occupied as a church, that during the building of the church they should not be exempt from taxes. The committee think differently.

Mr. WARNER, of Ohio. This relieves the back taxes simply?

Mr. COBB. The future taxes as well.

Mr. SPRIGGS. The taxes in future would be exempt under the general law. This exempts the taxes due, back taxes. Under the law when property is used and occupied for church purposes it is exempt from taxes. The committee think that they have used and occupied the property for that purpose when they purchased it for the purpose of erecting a church building.

Unless some one desires to ask some other question I shall move the

previous question.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SPRIGGS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

CHURCH OF THE ASCENSION, DISTRICT OF COLUMBIA.

Mr. BARBOUR. Mr. Speaker, I desire to call up a bill similar to that just passed. I refer to House bill 7935, for the relief of the Church of the Ascension.

The bill was read, as follows:

Be it enacted, dc., That from and after the passage of this act a certain piece of land in the city of Washington, D. C., known as lots 1, 2, and 3, in square 282, and owned and occupied by the Church of the Ascension, and all the buildings and grounds or property appurtenant thereto and used in connection therewith, in the District of Columbia, shall be exempt from any and all taxes or assessments, national, municipal, or county, and all taxes and assessments, together with the interest and penalties, now due and unpaid upon said property shall be, and they are hereby, remitted.

Mr. COBB. Mr. Speaker, I see that this bill mentions about three lots, as I understand it, that are proposed to be exempt from taxes. What amount of ground do these three lots contain?

Mr. SPRIGGS. The Church of the Ascension occupies all three of the lots, and the only tax due upon it is from the time it was purchased to the completion of the building—a little less than a year, I think.

Mr. COBB, What I want to know is whether or not there is more ground here than is necessary for the purposes of a church.

Mr. SPRIGGS. No, sir.

Mr. COBB. I am opposed to giving to any church organization more ground exempt from taxation than is necessary for its building and for

church purposes merely.

Mr. SPRIGGS. This property is all covered by the church.

Mr. COBB. If it covers all the ground, that is satisfactory.

Mr. VAN ALSTYNE. I would like to ask my colleague a question. During the time these taxes were accruing was the title in the corporation or the individual?

Mr. SPRIGGS. It was in the church. They purchased the property for church purposes.

Mr. VAN ALSTYNE. And the tax prior to that had been all paid?
Mr. SPRIGGS. Yes, sir. This tax refers only to the time between
the acquisition of the property for church purposes and the completion
of the building, as I have said; less than a year, I think.
The bill was ordered to be engrossed for a third reading, read the

third time, and passed.

Mr. SPRIGGS moved to reconsider the vote by which the bill was ssed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

LUTHERAN STATUE ASSOCIATION.

Mr. BARBOUR. I call up from the Speaker's table the bill (H. R. 4088) to incorporate the Lutheran Statue Association to erect and maintain a monument or statue in memory of Martin Luther in the District of Columbia, with an amendment by the Senate.

The amendment of the Senate was read, as follows:

Insert at the end of the bill as follows:
"Provided, That this act may be modified, repealed, or amended whenever Congress may see fit to do so."

Mr. McCOMAS. The amendment is with respect to the exemption from taxation. The land itself, the angle on which the statue stands, was already exempt by law on account of being church property. The general law provides that all exemptions or any other provisions should be repealable, alterable, or amendable at the pleasure of Congress. This amendment the committee apprehend is only harmless surplusage; but they ask that it be concurred in.

The amendment was concurred in.

WATER SUPPLY IN THE DISTRICT.

Mr. BARBOUR. I call up from the Speaker's table the bill (S. 2551) to increase the water supply of the city of Washington, and for other

The bill was read, as follows:

Be it enacted, &c., That the time fixed by the act entitled "An act to increase the water supply of the city of Washington, and for other purposes," approved July 15, 1882, within which owners of or parties interested in lands condemned or taken under the provisions of said act may accept the appraised value made or to be hereafter made under said act, or owners or persons interested in such lands who have declined or may hereafter decline to accept the appraised value of such lands, and have elected or may elect to file a petition in the Court of, Claims under the provisions of said act, be, and the same is hereby, extended for one year from the passage of this act, notwithstanding the limitation provided by said act.

Mr. WILSON, of West of Virginia. This is the same as a House bill which has been reported by the Committee on the District of Columbia favorably, and is now on the Calendar of the Committee of the Whole

House on the state of the Union.

This bill is rendered necessary under the act passed July 15, 1882, to increase the water supply of the city of Washington, which act provided for the condemnation of property for the extension of the aqueduct. The act required that the Secretary of War should make out a map of the pieces of property necessary for the extension proposed. This map was to be filed with the Attorney-General, who was forthwith to advertise in the papers for owners to come forward with their abstracts of title. Commissioners were to be appointed to appraise the property of these respective parties or their interest; and upon this appraisement being made, and satisfactory abstracts of title being presented, the Attorney-General was authorized to tender to them the amount of the appraisement. They might accept it or they might decline to accept it and go into the Court of Claims.

It was found when the Attorney-General took up this work that some pieces of property were so involved that the title required so much examination that he was unable to complete the work assigned him

within the year.

The original act provided that these parties must accept the amount tendered them or file their petition within the year, or be forever barred of any remedy whatever; and that the property should then vest in the United States. It has so happened that a very large part of the property taken had vested in the United States before it was in the power of the Attorney-General to complete these investigations. He therefore applied to Congress last July to extend the period fully six months; and he has written a second communication, advising the passage of this bill as one of justice to those parties whose property has been taken and who have as yet had no opportunity to accept the appraisement, because the appraisement has not been made, and they have had no opportunity to decline it and go into the Court of Claims.

The bill was ordered to a third reading; and it was accordingly read

the third time, and passed.

Mr. WILSON, of West Virginia, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MANUFACTURE AND SALE OF LIQUORS.

Mr. BARBOUR. I now call up from the House Calendar the bill (H. R. 7556) to regulate the sale and manufacture of spirituous and malt liquors in the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That wholesale dealers' in distilled, malt, or fermented liquors, wines, or cordials shall pay \$100 annually: Provided, That this license shall not authorize any person to sell such liquors, wines, or cordials in less quantities than one pint, nor to be drunk upon the premises where sold.

SEC. 2. That every person engaged in the business of manufacturing brewed or malt liquors for sale shall pay \$250 annually; and under their license as brewers shall be allowed to sell malt liquors in any quantity, at their brewery premises, without other license.

quantities than one pini, nor to be drunk upon the premises where sold.

SEC. 2. That every person engaged in the business of manufacturing brewed or mait liquors for sale shall pay \$250 annually; and under their license as brewers shall be allowed to sell malt liquors in any quantity, at their brewery premises, without other license.

But the sell of their license as wholesale dealer.

SEC. 4. That rectifiers shall pay \$50 annually, in addition to the license as wholesale dealer.

SEC. 5. That the proprietors of bar-rooms shall pay \$50 annually. Every place where distilled, mait, or fermented liquors, wines, or cordials are sold to be drunk on the premises, or in quantities less than one pint, shall be regarded as a bar-room. And the possession of mait, distilled, formented, or any intox. And the sell of the same to be drunk where sold, or a single sale of such liquors in quantities less than a pint, or to be drunk on the premises, shall constitute the premises a bar-room within the meaning of this act; and it shall be the duty of the proprietor of every such place to deposit with the collector of taxes the amount of his license-fee with his application for license, and also present to the commissioners the written permission of a majority of the persons owning real estate and of a majority of the residents keeping house on the side of the square opposite the same; and such license shall not be issued until approved by the commissioners, nor to any bar-room located or to be located within four hundred feet of any school building owned by the District of Columbia, unless such har-room be carried on by hotel-keepers for the accommodation of their guests; and no such liquors shall be sold except in compliance with the provisions of this act, nor to minors nor intoxicated persons, nor on Sunday; and every bar or other place where liquors shall be sold except in compliance with the provisions of the sact, nor to minors nor intoxicated persons, nor on Sunday; and every

SEC. 11. That in any case of appeal from the decision of the police court to the criminal court of said District, in which the defendant shall, on appeal, be duly convicted of any violation of any of the provisions of this act, and shall fall immediately to pay such fine, penalty, or forfeiture imposed by law for such offense, such person shall be committed to the work-house till such fine or penalty and costs thereon be paid; but in no case, in the event of non-payment, shall such imprisonment be for a period of less than five days nor more than one hundred days for any one offense.

SEC. 12. That the provisions of this act shall take effect upon its passage except as to the amounts paid for licenses; and all laws and ordinances relating to the sale in the District of Columbia of distilled, malt, or fermented liquors, wines, or cordials, either by wholesale or retail, in conflict herewith, are hereby repealed; but no pending prosecutions for violation of existing laws and ordinances shall be affected by this act.

Mr. CUENTHERD. Lask for the reading of the report

Mr. GUENTHER. I ask for the reading of the report. The report (by Mr. SPRIGGS) was read, as follows:

The Committee on the District of Columbia, to whom was referred the bill (H. R. 7556) to regulate the manufacture and sale of spirituous and malt liquors in the District of Columbia, have had the same under consideration, and report

thereon as follows:

The bill under consideration will materially increase the revenue of the District, that the police regulations connected therewith and the rules for enforcing the observance of the law are greatly simplified and the efficiency of the service increased, and insures more speedy and certain punishment for violation of law.

The committee report the bill back to the House, and ask that the same be passed.

Mr. SKINNER, of New York. I offer the amendment which I send

to the desk. The Clerk read as follows:

Insert after section 9, as a new section, the following:
"That all laws or parts of laws imposing a tax, penalty, or license upon any

commercial traveler or travelers, manufacturers, or their agents, who sell by sample in the District of Columbia be, and the same are hereby, repealed."

Mr. COOK. I wish to offer an amendment at a point in the bill before that.

Mr. PRICE I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PRICE. Must the amendments be offered to each section as the sections are read in order, or may we offer amendments to any part of

The SPEAKER pro tempore. Those amendments we the earlier sections of the bill should be considered first. Those amendments which apply to

Mr. PRICE. Then I desire to offer an amendment to the first sec-

The SPEAKER pro tempore. The gentleman will send up his amendment.

Mr. SPRIGGS. I desire to make a point of order on the amendment of the gentleman from New York [Mr. SKINNER].

The SPEAKER pro tempore. The gentleman will state his point of

Mr. SPRIGGS. It is not germane to this bill, and it is therefore not in order

The SPEAKER pro tempore. Does the gentleman from New York [Mr. SKINNER] desire to be heard on the point of order?
Mr. SKINNER, of New York. Yes, sir.
Mr. HEPBURN. Will the disposition of this cut off amendments

from the preceding sections?

The SPEAKER pro tempore. It will not. The Chair will hear gentlemen on the point of order while the gentleman from Wisconsin [Mr. PRICE] is preparing his amendment to the first section, and then the amendments will be considered in the order of sections to which they

apply.

Mr. SPRIGGS. Mr. Speaker, I only want to say with regard to this point of order that I think the amendment offered by the gentleman from New York [Mr. SKINNER] is not germane, because this is a bill to regulate the statement of the stat late the manufacture and sale of spirituous and malt liquors in the District of Columbia, and the gentleman's amendment relates to an entirely different matter.

The SPEAKER protempore. The Chairwill suggest to the gentleman from New York [Mr. Spriggs] that he withhold his statement concerning the point of order until the preceding sections are perfected.

Mr. PERKINS. Mr. Speaker, I would suggest that we read and

consider this bill by sections.

The SPEAKER pro tempore. The Clerk will report the amendment proposed to the first section. To what section does the amendment of the gentleman from Wisconsin [Mr. PRICE] apply?

Mr. PRICE. I sent up an amendment, with a note at the bottom saying, in substance, that "I desire the foregoing language to be added to the second section."

The Clerk read as follows:

In line 4 strike out "one" and insert "two."

Mr. PRICE. Mr. Speaker, that is not my amendment. My amendment is simply to add to section 2 the following language:

Provided, That such persons shall have complied with all the conditions and requirements of section 5 of this act.

The SPEAKER. The amendment of the gentleman from Wisconsin [Mr. Price] applies to the second section. The amendments to the preceding section will be first disposed of.

The Clerk read as follows:

In line 4, section 1, strike out "one" and insert "two;" making it read:
"That wholesale dealers in distilled, malt, or fermented liquors, wines, or cordials shall pay \$200 annually.

The House divided; and there were—ayes 17, noes 20.

So the amendment was not agreed to.

Mr. SPRIGGS. Mr. Speaker, I am entirely satisfied, from the indications I have observed, that there is going to be too much of a fight on this bill to pass it to-night, and I therefore withdraw it.

Mr. WARNER, of Ohio. Can that be done?

The SPEAKER pro tempore. Does the gentleman from New York desire to withdraw the bill?

Mr. SPRIGGS. I do.

The SPEAKER pro tempore. That can be done only by unanimous

Mr. SKINNER, of New York. I object.
The SPEAKER pro tempore. Objection is made. The Clerk will eport the next amendment.

Mr. SPRIGGS. I ask unanimous consent to withdraw this bill for the reason I have stated.

The SPEAKER pro tempore. The Chair put the gentleman's request to the House, but objection was made.

Mr. SPRIGGS. I did not understand that there was any objection

The SPEAKER pro tempore. The Chair will put the question again.

The gentleman from New York [Mr. SPRIGGS] asks unanimous consent to withdraw this bill. Is there objection?

Mr. COOK. I object.

Mr. BARBOUR. Mr. Speaker, I move to lay the bill on the table.

Mr. SKINNER, of New York. Is that in order, Mr. Speaker? The SPEAKER pro tempore. It is.

The question was taken on the motion to lay on the table; and on a division there were—ayes 25, nays 19.

Mr. COBB. No quorum.

The SPEAKER pro tempore. The point is made that no quorum has voted. The Chair will appoint tellers, and will ask the gentleman from Indiana, Mr. COBB, and the gentleman from New York, Mr. SPRIGGS, Mr. COBB. I withdraw the point.

Mr. SKINNER, of New York. I renew it.

The SPEAKER pro tempore. Then the gentleman from New York

Mr. SKINNER, and the gentleman from New York, Mr. SPRIGGS, will

take their places as tellers.

Mr. COOK. Mr. Speaker, there is no disposition to prevent the passage of this bill. Some of us think the license should be higher, but if we can not get it raised as high as we think it ought to be, we shall

mot therefore oppose the passage of the bill.

Mr. VANCE. There is evidently not a quorum in the House.

Mr. SKINNER, of New York. Mr. Speaker, as to lay a bill on the table is virtually to kill it, I will withdraw the point of order.

ORDER OF BUSINESS.

Mr. BARBOUR. I move that the House now resolve itself into Committee of the Whole on the state of the Union for the purpose of considering District of Columbia business.

The motion was agreed to; there being—ayes 25, noes 6.
The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH, of Missouri, in the chair.

BRIDGE ACROSS THE POTOMAC AT GEORGETOWN.

Mr. BARBOUR. I move to take up the bill H. R. 7376, which was reported by the Committee on the District of Columbia as a substitute for Senate bill 1477.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H R. 7376) to amend an act approved February 23, 1881, entitled "An act to authorize the construction of a bridge across the Potomac River at or near Georgetown, in the District of Columbia, and for other purposes."

Mr. HEPBURN. I want to raise the question of consideration on this bill.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] objects to the consideration of this bill; and under the rule the commit-

tee must rise and report the objection to the House

The committee accordingly rose; and Mr. McMillin having resumed the chair as Speaker pro tempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole on the state of the Union having reached the bill (H. R. 7376) to amend an act approved February 23, 1881, entitled "An act to authorize the construction of a bridge 23, 1881, entitled "An act to authorize the construction of a bridge across the Potomac River at or near Georgetown, in the District of Columbia, and for other purposes," objection had been made to the consideration of the bill, whereupon the committee rose for the purpose of reporting the objection to the House in accordance with the rule.

The SPEAKER pro tempore. The question is, Will the House instruct the Committee of the Whole to consider this bill?

The question being taken, there were—ayes 20, noes 14.

The question being taken, there were—ayes 20, noes 14.

Mr. WELLER. I make the point that no quorum has voted.

The SPEAKER pro tempore. No quorum having voted the Chair appoints as tellers the gentleman from Iowa, Mr. Weller, and the gentleman from Virginia, Mr. BARBOUR.

Mr. BARBOUR. Will not the gentleman allow me to explain what the Committee on the District of Columbia desire with reference to this

Mr. WELLER. If the gentleman will withdraw this bill and go on with something else, it will be all right; otherwise I propose to stop right here until to-morrow morning, if necessary.

Mr. WILSON, of West Virginia. Will the gentleman from Iowa withdraw his objection if we agree that any money expended under this bill shall be payable in standard silver dollars? [Laughter.]

Mr. WELLER. Bless your soul, no! It is too late to do that.

[Laughter.]

Mr. BELFORD. If this thing is going on we had better adjourn at nce. I make that motion.

Mr. BARBOUR. I hope the House will not adjourn.

The motion of Mr. Belford was not agreed to.

Mr. BARBOUR. I am willing to withdraw the proposition for the consideration of the bridge bill.

The SPEAKER pro tempore. That can be done by unanimous consent. Is there objection? The Chair hears none.

MANUFACTURE AND SALE OF LIQUORS.

Mr. SPRIGGS. I now move to take up again the license bill which was before the House a short time ago—the bill (H. R. 7556) to regulate the manufacture and sale of spirituous and malt liquors in the District of Columbia. I understand from gentlemen here that they do not really oppose the bill; they only desire to raise the fees and to take the sense of the House upon that question. It seems to me the House as now constituted will have no difficulty in acting upon the question.

The SPEAKER pro tempore. The bill to which the gentleman refers has been laid on the table.

Mr. PERKINS. I move to reconsider the vote by which the bill was laid on the table.

The motion of Mr. Perkins was agreed to.

The question recurring upon the motion to lay the bill on the table, it was not agreed to.

The SPEAKER pro tempore. The bill is now again before the House for consideration. The question recurs upon the amendment offered by the gentlemen from Iowa [Mr. Price], which the Clerk will report. The Clerk read as follows:

At the end of section 2 insert:
"Provided, That such person shall have complied with all the conditions and requirements of section 5 of this act."

Mr. PRICE. If there is no objection to this amendment, I have no desire to make an argument in its favor.

The amendment was agreed to.

The SPEAKER pro tempore. The next amendment which was offered by the gentleman from Iowa [Mr. PRICE] will be read.

The Clerk read as follows:

In line 4 of section 1, strike out the word "one" and insert "two."

Mr. COOK. Mr. Speaker, I offered this amendment— Mr. SPRIGGS. If the gentleman will allow me, I wish to say a word on this question, and will then yield to him. The present law requires from this class of persons a license fee of \$50. We have raised it to \$100. This has been done after full consideration in the committee and upon consultation with the commissioners of the District of Columbia, and with persons interested in this question. We thought this the best conclusion that could be reached

with respect to this kind of a license.

As to other license fees, in one case where the fee has been \$100 we have increased it to \$250; and in every other case I think the license fee, as fixed by this bill, is double the old license fee. It was the opinion of the committee, the commissioners, and everybody interested, so far as we could learn, that this measure was the best that could be devised for the present—better than any measure fixing a larger sum. It is our belief that this measure will increase the revenues of the District

and insure a more speedy and certain punishment for violations of law.

Mr. VAN ALSTYNE. Is the gentleman able to state what is the present tax in this District each year on account of pauperism?

Mr. SPRIGGS. I can not tell.

Mr. VAN ALSTYNE. Can the gentleman state what it is on account of the crime?

Mr. SPRIGGS. I can not.

Mr. VAN ALSTYNE. Can the gentleman tell what is the number of wholesale dealers in liquor?

Mr. SPRIGGS. I am not prepared to answer that question. I am prepared to say there are enough liquor dealers, both retail and wholesale, and that there is sufficient pauperism and crime in the District of Columbia. I do not think, however, this bill will increase either.

Mr. COOK. Mr. Speaker, this amendment submitted by myself was offered not in hostility to the bill, but in support of it.

It seems to me clear that something of the nature of this bill is necessary to the good order and good government of the District of Colum-bia. I am assured of that fact, in addition to my own opinion, by the judgment of the commissioners of the District. It simply appears now that the license of \$100 imposed upon wholesale-dealers of intoxicating liquors is altogether too small a sum. It should be at least \$200. I think in looking through the bill if the license sought to be exacted from dealers by this bill was doubled all the way through it would still be too small a sum.

There is a large number of the lower order of liquor establishments in this District which it seems to me should be taxed out of existence entirely. There is no business which can afford to contribute to the revenues of the Government and the expenses of the Government as well as the class dealt with in this bill. There is no purpose on the part of those who agree with me to interpose any objection to the bill. If we can not secure the amendment we offer we expect to vote for the bill. Mr. BELFORD. I move to strike out the last word. There is no

mistaking the fact, Mr. Speaker, that there is a growing sentiment throughout this country in favor of temperance, especially as represented by the distinguished statesman from Kansas, Mr. St. John. I am casting no reflection on St. John, of Kansas, or any other St. John who existed there or in Palestine. [Laughter.] But I think we all recognize one fact, and that is that people will eat bread, drink water, and drink whisky. There is not any doubt about that fact, and you have got to regulate the appetite. Now I will vote for any bill making it a felony for any man who sells one drop of adulterated liquor. [Laughter.] No man has any more right to adulterate the liquor I desire to drink than he has to adulterate the bread that I desire to eat, and this is the sum and substance of the whole temperance question that will be considered to-day and for generations hereafter.

Noah got drunk. Christ manufactured wine. Everybody knows people will drink liquor. Now, let us get to the substance of the whole question and declare openly, positively, and vigorously that any man

who sells one drop of adulterated liquor in this country, liquor corrupted or poisoned, shall be regarded as a felon and be sent to the penitentiary. [Laughter and applause.] tentiary. [Langhter and ap A MEMBER. For a night.

Mr. BELFORD. For all time. [Laughter.] Upon no other theory can you get through. It is a flimsy pretext to impose a license tax of \$100 a year. A license for what? A license to poison and ruin thousands of men. A license to disorganize and disarrange millions of fami-

sands of men. A heense to disorganize and disarrange millions of families out of the 55,000,000 of people existing in this country.

If we are going to legislate on the temperance principle let us legislate upon a theory that the practical judgment of this world will recognize and respect, and that is if a man sells liquor he shall sell pure liquor just as the man who sells flour shall sell unpoisoned flour. [Laughter and applause.] You smiling gentlemen go down to Welcker's and drink twelve courses of liquors, commencing with a sup of brandy, then drink twelve courses of inquors, commencing with a sup of brandy, then a drink of whisky, next a glass of Sauterne, after that some Johannisberg, and after you have gone through all these twelve courses you come here with a bill of this character, in the name of righteousness and godliness and decency, and preach sobriety to us. [Laughter.] Why don't you stand up with me and say that any rum-seller who sells wine or whisky or Sauterne or Johannisberg, or any other wine or liquor—and I have been acquainted with them all [laughter]—that any one who sells adulterated wines or liquors shall be sent to the penitentiary and not quibble over a little license provision of \$100 per year and kill

100,000 men. [Laughter and applause.]

The question recurred on Mr. Cook's amendment.

The House divided; and there were—ayes 17, noes 16.

Mr. GUENTHER. No quorum has voted.

The SPEAKER pro tempore appointed as tellers Mr. GUENTHER and

Mr. GUENTHER. I move that the House adjourn, as there is no quorum present. We might as well adjourn now, for you will have to do so unless you get a quorum here.

The House refused to adjourn.

The question recurred on Mr. Cook's amendment.
The House again divided; and the tellers reported—ayes 17, noes 22.
So the amendment was disagreed to.

The question next recurred on the amendment of Mr. Skinner, of New York, as follows:

Insert after section 9 as a new section the following:

Mr. PRICE. I desire to offer an amendment before that to section 5.

The SPEAKER pro tempore. The Clerk will first read the amendment of the gentleman from Wisconsin.

The Clerk read as follows:

The Clerk read as lonows.

Strike out the following words:
"Provided, however, That where during the year no complaint has been made against a license issued under this act by a majority of the property-holders and residents, such proprietor shall not be required to file every-year with his application for license such written permission of persons owning real estate, and residents; but if such complaint has been made, the proprietor of such bar-room shall be required to obtain anew the written consent of such owners of real estate, and residents, as is herein required of him.

Mr. PRICE. I am satisfied the purpose of the gentlemen who framed this bill is in the interest of good government. I think they made a mistake, and it needs only to call the attention of the committee to the mistake, and it needs only to call the attention of the committee to the amendment I have offered to secure its adoption. I, too, am in favor of this bill. I want it passed in as perfect a form as it can be made. I wish simply to say this: The existing law is that a person who wishes to establish a place for the retail of liquor must secure the indorsement of two-thirds of the residents, the property-holders on the block. Now, I am willing that that law should remain as it is. But this is a departure—this proviso to which I refer, and which I wish to strike out in this bill. It is a departure in this, that it places the community on the defensive, and unless they shall enter formal protests against the allowance of the license, then the license becomes perpetual so far as the consent of the property-owners is concerned.

as the consent of the property-owners is concerned.

If, then, it is good policy to require this exercise of industry or effort on the part of persons who wish to sell liquors, I think it good policy to continue them in that practice, and consult on each occasion when a license is required the new residents, the new occupants of adjacent property who may locate directly upon the block interested during the course of the year within which the license runs, to ascertain their wishes in the matter, and whether a continuance shall be had. That is my idea, if not the idea of the committee, who may not agree with me in this respect

Mr. GUENTHER. Let me state to my friend that this has been inserted by the request of the commissioners themselves, who say that this renewal imposes upon them a tremendous amount of work every year. In case a person has obtained the permission of the residents of the property, and the license has been granted, and no complaint has been lodged against him during the course of the year, what objection can there be to continuing the license until the complaint is made? It is all under the discretion and direction of the commissioners themselves, and they can grant the license or not as the case may be, or revoke it if complaint is made.

Mr. PRICE. In answer to the strictures of my colleague from Wis-

consin I desire to say that perhaps I understand as much of the working of this machinery, after twenty-five or thirty active years in this fight, as the commissioners of the District of Columbia. And permit me to say, further, if there is no other objection that can be urged except the imposition of a little additional work upon the officers of this city, it does not counterbalance the importance of correcting as far as possible the evil influences arising from the traffic in which these persons are engaged, and which, if I had the power, I should stamp out of

existence entirely.

Mr. GUENTHER. It imposes a great deal of unnecessary work upon

the commissioners.

Mr. PRICE. I say they can well afford, those who desire to carry on the business, to ask the consent of the people once a year whether it

shall be tolerated or not.

Mr. VANCE. Mr. Speaker, I think the safeguard that is in the present law ought to remain to the effect that the people living in the neighborhood where spirits are sold ought to have a voice in the matter of granting the license. The liquor dealer is protected already as far as he can be protected by the license being granted to him, and it is as little as the Congress of the United States can do for people living in the vicinity to permit them to have a voice every year in settling the matter. I think it therefore proper that this proviso should be stricken out.

Mr. YORK. I rise to a question of order.

The SPEAKER pro tempore. The gentleman will state it.
Mr. YORK. The hour of 10 o'clock has arrived, and, as I understand, that is the hour fixed for taking the recess until to-morrow morn-

Mr. RANDALL. There was no order fixed for taking a recess

The SPEAKER pro tempore. The Chair will state that the hour at which the recess was taken in the afternoon until the night session

commenced is shown by the Journal, but the Journal does not show that any hour was fixed for the House to close its session to-night.

Mr. PETERS. Mr. Speaker, I think this proviso ought to go out of the bill. No objectionable party, according to this proviso, could be stopped from the sale of intoxicating liquors in any place unless some one should go around and interest himself or herself in securing a complaint against him, which of necessity must be signed by a majority of

the property-holders in that block.

Mr. GUENTHER. The complaint of any person would be sufficient.

Mr. PETERS. No; not as I understand this bill. It provides—

That where during the year no complaint has been made against a license issued under this act by a majority of the property-holders and residents such proprietor shall not be required to file every year with his application for license such written permission of persons owning real estate and residents.

There is no comma or anything in that sentence as it appears herein this bill to show that less than a majority of the property-holders and

residents can stop such traffic.

Mr. WILSON, of West Virginia. There is a penalty fixed, if the gentleman will observe section 9, for a violation of the provisions of this act, and the license may be revoked at the discretion of the commis-

Mr. SPRIGGS. For the purpose of getting along with this matter and making it as little objectionable as possible, I will accept the amend-

Mr. GUENTHER. I can not agree to that.
Mr. PERKINS. The amendment ought to be accepted.
Mr. GUENTHER. I object.

The question being taken on the adoption of the amendment, there ere—ayes 18, noes 4.
Mr. GUENTHER. No quorum. Pending that, I move the House

do now adjourn.

The motion was not agreed to.

The SPEAKER pro tempore. The point of orde uorum has voted, the Chair will appoint tellers. The point of order being made that no

Mr. GUENTHER and Mr. SPRIGGS were appointed tellers.
The House again divided; and the tellers reported—ayes 12, noes 18.
Mr. GUENTHER. I withdraw the point of no quorum.
So (no further count being demanded) the amendment was not

agreed to.

Mr. PRICE. Before calling the question of a quorum— Mr. GIBSON. If the gentleman from Wisconsin will allow me to call his attention to section 7 of this act I am satisfied he will with-draw his objection. In that section it is provided that—

The commissioners of the District shall have power to close all places where intoxicating liquors are sold whenever, in their opinion, the preservation of public order makes the exercise of such power necessary.

I was going on to say that the commissioners can close any place on the complaint of anybody when the dealer is found guilty of selling contrary to the license or contrary to good order and morality in that neighborhood; and I will suggest to the gentleman, therefore, and to the friends of what is known as the temperance cause, that it is evident this bill has gone as far as it can be made go to restrict the sale or traffic in intoxicating liquors. They must either pass the bill as it is or it will be all defeated; and it will leave the sale of liquor in such condition as not to bring to the District 20 per cent. of the amount this bill brings and there will not be near the number of restrictions this bill imposes

upon the traffic.

Therefore any member who desires to put restrictions upon the traffic or to increase the license derived therefrom must either make up his mind to accept this bill or let it go without the restrictions this bill imposes. I appeal to gentlemen to let the bill go as it is.

The SPEAKER pro tempore. There is nothing before the House.

The Clerk will report the next amendment.

Mr. PRICE. I move to amend by striking out section 6, and upon that I desire to be heard for a moment; and it is in the interest of harmony only that I am induced to say anything further. The gentleman in charge of the bill and myself have come to what appeared to be a satisfactory conclusion.

Mr. ELDREDGE. I rise to a question of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ELDREDGE. Whenever any member calls no quorum, and on a vote by tellers a quorum does not appear, should not the Chair take

cognizance of that fact?

The SPEAKER pro tempore. The Chair will state to the gentleman from Michigan that the point of no quorum having voted was made; thereupon the Chair appointed tellers, as it was the duty of the Chair to do. The tellers reported the result. The point that no quorum had voted was not further insisted on and the Chair, therefore, could do nothing but announce the result of the vote.

Mr. ELDREDGE. I submit it was the duty of the Chair to take

ognizance of the fact that a quorum did not vote.

The SPEAKER pro tempore. It is not the custom when the point of no quorum is not insisted on for the Chair to take cognizance of the fact that a quorum has not voted. It is within the power of any member to insist upon the point if he sees fit to do so. The gentleman from Michigan himself could have done so if he had been so inclined.

Mr. PRICE. I think we have come to a conclusion that is satisfac-Mr. PRICE. I think we have come to a conclusion that is satisfactory at least to most of us, and I hope it will be satisfactory to all gentlemen present. The first proposition we made was that of increasing the license. We acquiesced in that. The next proposition we made was to add a condition to section 2, which gentlemen accepted. A third proposition was to strike out the proviso at the close of section 5 of the bill. To this gentlemen acceded, and now that goes out by nnanimous consent.

Now we want to strike out section 6. To this they object. But it is proposed by some of the friends of the bill to add these words: "with the consent" or "under the direction of the District commissioners." If that is satisfactory, I believe every objection on the part of friend and foe will be obviated and we will pass the bill.

Mr. SMALLS. I desire to offer an amendment to come in after sec-

tion 5.

The SPEAKER pro tempore. Section 5 has been passed from, and the gentleman from Wisconsin [Mr. PRICE] moves to strike out sec-

Mr. PRICE. I withdraw the motion to strike out, understanding that it will be amended on the motion of the gentleman from North Carolina [Mr. VANCE] by the addition of certain words.

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina [Mr. SMALLS].

Mr. SMALLS. I move to amend by adding after section 5 what I wand to the deal.

Mr. GUENTHER. I make the point of order that that has been

Mr. SMALLS. Then I will have to move that it be added to section I ask gentlemen to let the amendment be read, and I think they will all agree to it.

The SPEAKER pro tempore. The amendment will be read.

The Clerk read as follows:

The Clerk read as follows:

That any restaurant keeper or proprietor, proprietors or keepers of eating-houses, ice-cream salcons, or places where soda-water is kept for sale, or the keeper or proprietor of any public place whatsoever refusing to sell or serve to any well-behaved person, without regard to race or color, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty nor more than one hundred dollars for each and every such refusal: Provided, That the provisions of this act shall be enforced by information in the police court of the District of Columbia, filed on behalf thereof by its proper attorney or attorneys, subject to appeal by either party to the criminal court of the District of Columbia, in the same manner as is now or may be hereafter provided for the enforcement of the District fines and penalties under the ordinances and law.

Mr. GUENTHER. I make the point of order that that is the substance of a bill pending. I am not averse to this amendment personally, but it is liable to the point of order.

Mr. SMALLS. Whether or not the amendment be the substance of

a bill pending, I submit that we are now engaged in considering a bill providing for licenses in the District, and I deem that this is the proper place for this amendment to come in. It is for that reason I have offered it, and I hope the gentleman from Wisconsin [Mr. GUENTHER] will

withdraw the point of order. If it is not withdrawn gentlemen may as well withdraw the bill, as I will insist on a quorum.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. GUENTHER] makes the point of order on the amendment that it is the substance of another bill pending before the House. That fact not being denied, the Chair sustains the point of order.

Mr. WILSON, of West Virginia. I would say to the gentleman from South Carolina [Mr. SMALLS] that that law already exists in the District of Columbia as to every party obliged to obtain a public license. Mr. SMALLS. That law I do not think exists in the District. If it does it is constantly violated.

The SPEAKER pro tempore. The Chair has sustained the point of

Mr. SMALLS. Then we may as well stop, as it will be necessary to

have a quorum.

Mr. VANCE. I move to amend by adding to section 6 these words, "and have the sanction of the commissioners."

The amendment was agreed to.

Mr. PRICE. It is understood the proviso to section 5 has, by order of the House, been eliminated?

Mr. GUENTHER. I rise to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GUENTHER. Is it in order for me to withdraw the point of order I made to the amendment of the gentleman from South Carolina [Mr. SMALLS]? If so, I withdraw it.

The SPEAKER pro tempore. The section has been passed from.

Mr. SMALLS. Then I understand the Chair to say the point of

order can not be withdrawn?

The SPEAKER pro tempore. The section had been passed. The gentleman from North Carolina [Mr. VANCE] was recognized and another amendment had been acted upon by the House.

Mr. SMALLS. If that section was passed I suppose I have a right

to put this into another section?

The SPEAKER pro tempore. There is an amendment pending to the next section. The Clerk will read it.

The Clerk read as follows:

After section 9 insert as a new section the following:

"That all laws, or parts of laws, imposing a tax, penalty, or license upon any
commercial traveler, or travelers, or manufacturers or their agents, who sell by
sample in the District of Columbia, be, and the same are hereby, repealed."

Mr. SPRIGGS. Mr. Speaker, I reserved the point of order on that amendment.

Mr. SKINNER, of New York. I desire to say to the gentleman who has raised the point of order on this amendment that if he desires this bill to pass he must withdraw that point of order. This is a bill to raise revenue in the District of Columbia. It provides that by paying raise revenue in the District of Columbia. It provides that by paying \$150 into somebody's treasury in the District of Columbia a man may keep a bar-room no matter what evil he may thereby do. Now, I say that a provision to wipe from the statute-book an infamous tax which has come down from old and barbarous times is germane to such a bill—a tax which applies to 150,000 or more people in the United States who are commercial travelers, who come from every section of this Union to the capital of the country, and who can not come here in a fair and honorable manner to sell their machinery, or their groceries, or their manufactured articles by sample, unless they pay a tax of \$200 into the treasure of the District of Columbia.

The gentleman from Ohio [Mr. FOLLETT] in the course of the debate this evening, in alluding to a bill in reference to real estate in Washington, said truly that there is not a city in this Union so lightly taxed ton, said truly that there is not a city in this Union so lightly taxed as this magnificent city of Washington, and yet we refuse to allow our constituents to come here and sell their goods in a fair, honest, open manner. Many hundreds of them do evade the law by taking their sachels in through the back doors and selling on the sly, or going to certain persons who, in spite of the law, will give them a card and allow them to stay for one day by paying \$5. And what the gentleman from Ohio [Mr. Follett] said in reference to the laws here relating to taxes on lands is true of several of these laws of the District, that they are relics of old laws of the States of Maryland and Virginia; yet we, as representatives of the people, have not yet had the courage to wipe them out, and these commissioners of the District of Columbia hang on with a tenacity worthy of a better cause to this particular law which on with a tenacity worthy of a better cause to this particular law which the courts had declared unconstitutional.

the courts had declared unconstitutional.

Mr. GIBSON. Will the gentleman allow me to make a suggestion?

Mr. SKINNER, of New York. I will.

Mr. GIBSON. I suggest to the gentleman that without a provision allowing these "drummers" to sell by license in this District every sale they would make would be in violation of law, and they would be liable to a legal penalty. It has been so decided in nearly all the States in cases where licenses are required, and it was recently so decided by the United States district court in Tennessee. That decision applied expressly to the revenue laws, the court holding that wherever a license was required to carry on a business, the sale in any other place, or the sale by express to be paid for "C. O. D.," was contrary to the license law, and the party must have a license in order to make such sales.

Mr. SKINNER, of New York. Mr. Speaker, I can not now cite the page, but I can by a little investigation refer the gentleman to a decision of the highest court in this land, made, I believe, in relation to a

cision of the highest court in this land, made, I believe, in relation to a case arising in his own State, to the effect that no State has a right to

enforce a law of this character. Mr. GIBSON. But that was not a case where a license was re-

The SPEAKER pro tempore. As the point of order is the matter now

up for consideration, the Chair desires to hear the gentleman from New York [Mr. SKINNER] upon that, and not upon the merits of the ques-

Mr. SKINNER, of New York. Mr. Speaker, in my opening remarks I referred to all that I had to say in relation to this point of order. I said that this was a bill to regulate the granting of licenses for the sale of liquor, and for the purpose of raising revenue in the District of Columbia.

Now, the amendment which I have offered refers to the removal of a tax imposed for revenue—not raised from the same source, perhaps, but going into the same treasury, and to be expended like other taxes for general public purposes. The reason I have offered the amendment in this manner and at this time is that three years ago this month the same proposition was offered as an amendment to a bill which was then being considered. That bill went out of this Chamber, and, I believe, has never been heard of since; so that we have been unable to get any action. A year ago this same provision was added, with the consent of the gentleman now in charge of this bill, to a bill to regulate the police force of this city. That bill passed this House and went elsewhere, but we got no relief.

Now, I say that, as representatives of intelligent constituencies, we can not afford to build a Chinese wall around this capital, which we, by our votes, have rendered the most beautiful city in the country, if not in the world; we can not afford to build a Chinese wall around this capital city and say to our constituents who manufacture and sell different articles of commerce that they shall not come here and dispose

of their goods. A gentleman in my own town writes to me that he dare not come here with samples of his machinery unless he pays into the District treasury a tax of \$200 a year.

A MEMBER. That is the law generally.

Mr. SKINNER, of New York. No, sir; it is not the law, except in two or three States. The States of Virginia, North Carolina, and Texas, and the District of Columbia are the places, as I understand, where such laws exist. Washington, D. C., and the States of Virginia, North Carolina and Texas are represented to me by business men of my own city as lina, and Texas are represented to me by business men of my own city as the four places which they dare not enter for the purpose of carrying on their business until they have taken out in advance a license for a year at the rate of \$200. Now, Mr. Speaker, I do not propose to omit any effort in my power to wipe out such a provision from the statute-book.

Mr. SPRIGGS. My friend and I do not differ very much on the merits of this question.

merits of this question. As he has stated, he proposed at the last session an amendment of this kind to a bill then pending, which was ac-

cepted substantially as offered, but in the Senate it was struck out.

But the point I raise here—it seems to me there can not be any doubt about it—is that this is a bill to regulate the manufacture and sale of spirituous and malt liquors—
Mr. SKINNER, of New York. The amendment will not hurt the

bill at all.

Mr. SPRIGGS. I do not know as to that. The argument upon the merits of this question is not all on one side. The merchants of this city have to pay a license in order to carry on their business, and I am not quite ready to say that we would act justly toward these resident

merchants if we permit people to come here from abroad and interfere with their business without paying a license.

Mr. SKINNER, of New York. Why should these commercial travelers pay a license to conduct their business in this city any more than in the city of New York, or Albany, or Baltimore, or Richmond, when we are pouring out from the Treasury of the United States millions of dollars annually to beautify this city and enhance the value of the property of people residing here and to help pay their taxes?

Mr. SPRIGGS. But the fact is that the law exists here and these

merchants do pay a license.

Mr. SKINNER, of New York. There never has been the slightest effort on the part of the District of Columbia Committee within the last four years to correct these abuses.

Mr. LONG. If we should exempt these commercial travelers from the payment of this license fee would it not eventually result in relieving the merchants here from the payment of a license?

Mr. SPRIGGS. I think so.
Mr. LONG. And would not that be a step in the right direction?
Mr. SPRIGGS. I have made some effort to do that thing and have not succeeded. As long as this law exists with reference to merchants of this city it does not seem to me proper or fair that we should exempt

Mr. SKINNER, of New York. A year ago, when this bill was under consideration, I remarked on this floor that, whether by the connivance or with the knowledge of those who ought to know, this law was ance or with the knowledge of those who ought to know, this law was evaded or violated. It is true—and I can furnish the proof—that people do come here to sell their goods and are put in possession of a little ticket, given to them by somebody around this city, which entitles them to the privilege of carrying on their business here for one day, and when that day has expired they must go.

Mr. SPRIGGS. May I ask the gentleman a single question?

Mr. SKINNER, of New York. Not until I am through.

For that remark made by me last year some of the officials in this city sought to hold me responsible. The District commissioners, by a

letter through the chief of police, asked me to give my authority for the statement. I refused to do so unless I should be compelled. But I do know such to be the fact, and there are many other gentlemen on this floor who know it. I can furnish you with a sample of the cards which are supplied by people who pretend to represent the commissioners,

are supplied by people who pretent to represent the commissioners, allowing that privilege to be enjoyed.

Mr. McCOMAS. I rise to a question of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCOMAS. I am sorry to raise this question; but it is getting late. The gentleman's discussion is not germane to the point of order.

The SPEAKER pro tempore. The Chair sustains the point. The The SPEAKER pro tempore. The Chair sustains entleman will confine himself to the point of order.

Mr. SPRIGGS. The question I desired to ask my friend was whether he knows of any city in his State where the law is not violated?

Mr. SKINNER, of New York. No city in the State which I repre-

sent, which is the same represented by the gentleman-

sent, which is the same represented by the genternal
Mr. SPRIGGS. Certainly.
Mr. SKINNER, of New York. Has such an infamous law.
Mr. SPRIGGS. That may be; I am not talking about that. But
do you know of any law in your State which is not violated?
Mr. NUTTING. Is that any argument against the law?
Mr. SPRIGGS. It is not any argument why the law should not be

enforced.

The CHAIRMAN. The Chair is prepared to rule on the question of der. [Cries of "Regular order!"]

Mr. BELFORD. I desire to ask one question. Is it not a fact that the Supreme Court of the United States in solemn adjudication has de-

clared such a law as this unconstitutional?

Mr. LONG. When passed by a State.

Mr. SPRIGGS. That does not affect this District.

The SPEAKER pro tempore. The gentleman from New York makes the point that the amendment offered by his colleague is not germane to the bill under consideration. This is a bill to regulate the manufacture and solve for spirituage are well known in the District of Columbia. facture and sale of spirituous or malt liquors in the District of Columbia. It pertains to that subject and nothing else. It provides in a large measure police regulations. It fixes not only what taxes shall be imposed, but the fees, penalties, sentences to imprisonment, &c., which are to result from violations of the law.

It does not attempt to touch anything but dealing in vinous and malt The Chair is of the opinion, however meritorious the gentleman's amendment may be, it is not germane to this bill. To hold that it was would be to hold on this bill, which is entitled "A bill to regulate the manufacture and sale of spirituous and malt liquors in the District of Columbia," you might repeal all the privileged taxes com-

prised in the District statutes.

Mr. SKINNER, of New York. Let me make an inquiry.

Mr. ELDREDGE (at half past 10 p. m.). I move the House do now adjourn.

The motion was disagreed to.

Mr. McCOMAS. I favored the highest license in every case. Others

Mr. MCCOMAS. I havored the highest means in every case. Others favored lower ones. Now I wish to make a suggestion.

Mr. GUENTHER. Some gentlemen wanted lower licenses.

Mr. MCCOMAS. So I stated, that while I favored the highest ones others favored lower ones. I make the suggestion that the gentleman who makes the point of no quorum should be allowed, by waiving the point now, to have a vote on his proposition. I myself am in favor of it.

A MEMBER. It can not be done.

Mr. McCOMAS. Then let us take a recess until 10 o'clock to-morrow morning, when this bill which has been carefully considered may be passed upon by a quorum.

A MEMBER. It can not be done.

Mr. McCOMAS. If you do that you can make the license higher in the District and make a general regulation of this traffic. Otherwise you go back and have none.

Mr. SPRIGGS. I demand the previous question.

The SPEAKER pro tempore. What was the understanding as to the proviso to section 5?

Mr. GUENTHER. That was decided against striking it out.

The Speaker announced the vote, and said the amendment of the gentleman from Wisconsin [Mr. PRICE] was voted down, and conse-

quently that proviso remains in the bill.

Mr. PRICE. I rise for the purpose of correcting a misunderstanding which seems to exist and a misstatement of what I said, which, of ourse, has been made innocently. I know we were beaten as to the proposition to raise the license. I know the next proposition we made was to amend section 2, and they consented to it. I know on the next proposition, which was made to strike out the proviso, we were beaten. I know here then came in the compromise to which the chairman of the committee having charge of the bill agreed, and to which I do not have whether the compromise to which I do not know whether the gentleman from Wisconsin assented; that was that the proviso should not be stricken out and section 6 should remain in the bill with an amendment to be offered by the gentleman from North Carolina. That is the agreement as we understand it, but it seems the gentleman from Wisconsin failed to understand it as we did that section 6 should be stricken out and the proviso to section 5 be left in. That was what I said, but it seems everybody did not so understand it.

Mr. GUENTHER. That was not my understanding of it.

Mr. SPRIGGS. I demand the previous question.
Mr. SMALLS. I rise to a parliamentary inquiry. My amendment having been ruled out on a point of order, and that point of order having been withdrawn, I would like to know whether it is not proper to move my amendment again.

The SPEAKER pro tempore. If the previous question is voted down

the gentleman can submit his amendment.

Mr. SMALLS. But the previous question has not been ordered. That is the reason why I wished to get my amendment in before the previous question was ordered. I was endeavoring to do that.

Mr. GUENTHER. I hope I may be permitted to withdraw my point of order and let the gentleman offer his amendment.

The SPEAKER pro tempore. The question is on ordering the demand for the previous question.

Mr. SMALLS. You must get a quorum here before you can go any

further

Mr. PRICE. What about the proviso to section 5?

The SPEAKER pro tempore. The Clerk informs the Chair there has been no action taken on the proviso to section 5, and that it is left

Mr. PRICE. If that is so, will section 6 remain in the bill or not? Mr. PRICE. If that is so, will section 6 remain in the bill or not? The SPEAKER pro tempore. The Clerk also informs the Chair that there has been no vote on striking out section 6.

Mr. GUENTHER. I consented to strike out section 6.

The SPEAKER pro tempore. The Clerk informs the Chair there has been no action striking section 6 out of the bill.

Mr. PRICE. I ask that section 6 be eliminated from the bill, and

on that condition I will agree to let the proviso to section 5 stand

The SPEAKER pro tempore. The Chair hears no objection, and it is so ordered.

Mr. GIBSON. I want to make a statement that might avoid delay.

The SPEAKER pro tempore. Debate is not in order.

Mr. SMALLS. You have allowed a motion to be made by the gentleman from Wisconsin.

The SPEAKER pro tempore. By unanimous consent.

Mr. SMALLS. Then I ask unanimous consent that my amendment may be added to section 5 of the bill.

The SPEAKER pro tempore. Without objection the amendment will be considered as pending.

There was no objection.

Mr. GIBSON. I desire to state that the gentleman from South Carolina wishes to make some little alteration in the amendment.

Mr. SMALIS. No; I offer it as it is, to come in at the end of sec-

tion 5 of the bill.

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from South Carolina, which has been

The amendment was adopted.

The amendment was adopted.

Mr. SPRIGGS. I now move the previous question upon the bill.

The previous question was ordered, and under the operation thereof
the bill was ordered to be engrossed and read a third time; and being
engrossed, it was accordingly read the third time.

The question recurring upon the passage of the bill, there were on
a division—ayes 29, noes 2.

Mr. SKINNER, of New York. No quorum.

Mr. SPRIGGS. I wish to ask a parliamentary question. If the
House adjourns now, the previous question having been ordered will not

House adjourns now, the previous question having been ordered, will not this be the first business which will come up to-morrow as unfinished

The SPEAKER pro tempore. That is for the House to determine when it meets to-morrow

Mr. WILLIS. We had just as well understand this matter now. The previous question has not been ordered on the passage of the bill.

Mr. SPRIGGS. Yes; on the bill and amendment.

Mr. WILLIS. Not on the passage of the bill.

The SPEAKER pro tempore. The previous question was ordered on the engrossment and third reading of the bill, and was exhausted when the vote was taken upon ordering the bill to be engrossed and read the third time. It has not been ordered upon the passage of the

Mr. WILSON, of West Virginia. I move that the House do now adjourn.

The motion was not agreed to.

Mr. PETERS. I move a call of the House.

Mr. SPRIGGS. I move the previous question upon the passage of

The motion for a call of the House was not agreed to.

Mr. GUENTHER. I move the previous question upon the passage

of the bill and the pending amendment.

Mr. SKINNER, of New York. There is a question pending. I raised the point of order that no quorum had voted upon the passage of the bill

The SPEAKER pro tempore. The gentleman is correct.

The question of a quorum having been raised, the gentleman from Kansas moved a call of the House, which was in order. That having Sound—to the Committee on Commerce.

been refused, the question recurs upon the original motion, and the Chair appoints the gentleman from New York, Mr. Skinner, and the gentleman from New York, Mr. Spriggs, as tellers. The question is upon the passage of the bill, and the tellers will take their places.

Mr. TOWNSHEND. I wish to ask whether this is not upon the

previous question upon the bill?

The SPEAKER pro tempore. No; upon the passage of the bill. Mr. TOWNSHEND. But there was a demand for the previous ques-

The SPEAKER pro tempore. That was made when the House was dividing upon a question, and was not then in order.

Mr. WILSON, of West Virginia. I understand the gentleman from

New York to make the question of a quorum upon the vote ordering the bill to be engrossed and read the third time.

The SPEAKER pro tempore. It was on the passage of the bill. The

gentleman is in error.

Mr. SKINNER, of New York. I withdraw the point of a quorum.

Mr. SMALLS. Then, Mr. Speaker, I ask permission to correct a word in my amendment.

The SPEAKER pro tempore. That can only be done by unanimous

consent. Is there objection?

There was no objection.

Mr. SMALLS. I ask then to strike out the words "without regard to" in the amendment and insert "on account of."

The amendment was agreed to.
The bill as amended was passed.
Mr. GUENTHER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

And then, on motion of Mr. Spriggs (at 10 o'clock and 50 minutes p. m.), the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ARNOT: Petition of citizens of New York and Pennsylvania, asking the repeal of the tax on raw and manufactured tobacco, and

other laws relating to tobacco-to the Committee on Ways and Means. By Mr. BAGLEY: Petition of vinegar manufacturers, relative to the

internal-revenue law—to the same committee.

Also, resolutions of the Legislature of New York, relative to the construction of a railway and passenger bridge between New Jersey and New York across Staten Island Sound—to the Committee on Commerce.

By Mr. BARKSDALE: Petition of Naomi J. Fowler, of Jefferson

By Mr. BARKSDALE: Petition of Naomi J. Fowler, of Jenerson County, Miss., pointing out the injustice done her by the decision of the late Southern Claims Commission, and asking relief under the Bowman act—to the Committee on War Claims.

By Mr. BLANCHARD: Papers relating to the claim of J. A. McGoldrick, of Louisiana—to the Committee on Claims.

By Mr. BOUTELLE: Petition of Julia A. Ware and others, in behalf of increase of widows' pensions—to the Committee on Pensions.

By Mr. CLARDY: Petition of D. C. Taylor and 46 others, citizens of Manchester Saint Louis County, Missouri, asking the passage of the

Manchester, Saint Louis County, Missouri, asking the passage of the educational bill—to the Committee on Education.

By Mr. COOK: Petition of R. H. Louis and 20 others, in favor of an

increase of widows' pensions—to the Committee on Pensions.

By Mr. G. R. DAVIS: Joint resolution of the General Assembly of the State of Illinois, memorializing Congress for legislation to open the Oklahoma country to settlement—to the Committee on the Public Lands.

Also, joint resolution of the General Assembly of the State of Illinois, memorializing Congress to acquire title and ownership of the Lake Superior Canal and the Portage Lake Improved Canal for the benefit

of commerce—to the Committee on Rivers and Harbors.

By Mr. DEUSTER: Joint resolutions of the Legislature of Wisconsin, in relation to increasing the pensions of one-armed and one-legged Union soldiers—to the Committee on Invalid Pensions.

Union soldiers—to the Committee on Invalid Pensions.

Also, petition of H. Riedeburg & Co. and others, manufacturers of vinegar, of Milwaukee, Wis., referring to a petition of the New York State Cider Vinegar Association—to the Committee on Ways and Means.

By Mr. DINGLEY: Petition of George L. Snow and others, of Rockland, Me., for amendment of Constitution abolishing the Senate—to the Committee on the Judiciary.

Also, petition of George L. Snow and others, of Rockland, Me., for legislation providing for the loan of moneys in the Treasury to the people on security of landed property—to the Committee on Ways and Means.

Also, petition of George L. Snow and others, of Rockland, Me., for legislation providing for the loan of moneys in the Treasury to the people on security of landed property—to the Committee on Ways and Means.

Also, petition of George L. Snow and others, of Rockland, Me., for the passage of a law prohibiting alien ownership of land in the States— to the Committee on the Public Lands.

By Mr. ERMENTROUT: Resolutions of the senate and assembly of New York and of the Legislature of Pennsylvania, favoring the passage of an act authorizing the construction of bridges across Staten Island

By Mr. FORAN: Petition of E. W. Haines and others, citizens of Cleveland, Ohio, praying for the immediate enactment by Congress of suitable legislation to suppress the evils of Mormonism—to the Committee on the Judiciary.

By Mr. HENLEY: Petition of citizens of California, for an increase

of widows' pensions—to the Committee on Pensions.

By Mr. HOPKINS: Memorial of vinegar manufacturers, against the repeal of the act of March—, 1879—to the Committee on Ways and Means

By Mr. JEFFORDS: Papers relating to the claim of the legal repre-centatives of Abraham Bazinsky, deceased—to the Committee on War

By Mr. LEWIS: Papers relating to claim of John J. Gardiner, of

Louisiana—to the same committee.

By Mr. McCOID: Paper relating to claim of Zerina Shepperd—to the Committee on Pensions.

By Mr. McCOMAS: Petition of Eliza S. Jones, widow of John C. Jones, deceased, and of Robert C. Jones and others, children and heirs at law of said John C. Jones, for compensation for property taken and

destroyed by the British forces in Charles County, Maryland, during the year 1814—to the Committee on War Claims.

By Mr. McCORMICK: Petition of 76 members of Bloom Post, Grand Army of the Republic, Scioto County, Ohio, for an act of Congress granting one hundred and sixty acres of land to the officers, soldiers, and sailors of the Union Army of the late civil war—to the Committee

on Military Affairs.

By Mr. MORRILL: Memorial of the Legislature of Kansas, asking for resurvey of certain public lands-to the Committee on the Public

By Mr. MURPHY: Petition from Bishop Isibell, of Anamosa, Iowa, and 28 others, asking action on the Mormon question—to the Committee on the Judiciary

By Mr. MUTCHLER: Petition of citizens of Easton, Pa., for a law

against Mormonism—to the same committee.

By Mr. NEECE: Resolution of the General Assembly of Illinois, re questing such legislation as will open the Oklahoma country to settlement under the homestead laws of Congress—to the Committee on the Public Lands.

Also, resolution of the General Assembly of Illinois, asking for an inquiry as to the cost of the construction of the Lake Superior Ship Canal and the Portage Lake Improvement Company Canal-to the

Canal and the Portage Lake Improvement Company Canal—to the Committee on Expenditures in the War Department.

By Mr. PARKER: Two petitions of citizens of Saint Lawrence County, New York, in relation to the Mormon question—to the Committee on the Judiciary.

By Mr. REED: Petition of John L. Emery and others, employed at Kittery navy-yard, to be paid for time lost by reason of the failure to pass the Navy appropriation bill—to the Committee on Appropriations.

By Mr. RIGGS: Recommendations of the board of commerce of Opiner, Ill relative to the Reagan interstate commerce will—to the

Quincy, Ill., relative to the Reagan interstate-commerce bill—to the Committee on Commerce.

Also, resolutions of the General Assembly of Illinois, relative to open-

ing Oklahoma lands to settlers—to the Committee on the Public Lands.

Also, resolutions of the General Assembly of Illinois, relative to construction of Lake Superior Ship Canal—to the Committee on Rivers and Harbors

By Mr. ROSECRANS: Resolutions of the San Francisco Board of Trade, urging Congress to reorganize our naval powers-to the Committee on Naval Affairs

Also, petition of B. B. Newman, praying Congress to spare the pres-nt pre-emption laws—to the Committee on the Public Lands. By Mr. ROWELL: Petition of Rev. F. M. Smith and others, citi-

zens of Chenoa, Ill., for the suppression of Mormonism-to the Committee on the Judiciary

By Mr. A. HERR SMITH: Petition of 56 citizens of Lancaster County, Pennsylvania, against the reciprocity treaty with Spain-to

the Committee on Ways and Means.

By Mr. SPRINGER: Resolution of the General Assembly of Illinois, asking for an inquiry as to cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Company Canal—to the Committee on Expenditures in the War Department.

By Mr. TUCKER: Petition of Thomas R. Ware, of Virginia, for re-

By Mr. TUCKER: Petition of Thomas R. Ware, of Virginia, for removal of political disabilities—to the Committee on the Judiciary.

By Mr. VAN ALSTYNE: Resolution of the senate and assembly of the State of New York, requesting the passage of a bill to authorize an additional appointment on the retired-list of the Army—to the Committee on Military Affairs.

By Mr. VALENTINE: Petition of C. H. Marble and 60 others, citizens of Nebraska, praying for speedy legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. WASHBURN: Petition of Mrs. Mary M. Lombard and 356 others, citizens of Minnesota, for a woman-suffrage amendment—to the

others, citizens of Minnesota, for a woman-suffrage amendment—to the same committee

By Mr. WILKINS: Petitions of E. J. E. March and 200 others, citizens of Marysville, Ohio; of H. G. O. Carey and 100 others, citizens of Zanesville, Ohio; and of James Mitchell and 90 others, citizens of Gran-

ville, Ohio, praying for the suppression of Mormonism-to the same committee.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. BAYNE: Resolutions of the Legislature of the State of Penn-

sylvania.

By Mr. BINGHAM: Resolutions of the Legislature of Pennsylvania. By Mr. BRAINERD: Joint resolution of the Legislature of Pennsylvania. sylvania.

By Mr. COOK: Of citizens of New Sharon, of Grinnell, of Lynnville,

of Murroe, of Keota, of Albia, and of Oskaloosa, Iowa.

By Mr. CURTIN: Resolutions of the Legislature of Pennsylvania, and petition of citizens of Aaronsburg, Centre County, Pa.

By Mr. ERMENTROUT: Resolutions of the Legislature of the State of Pennsylvania

By Mr. GUENTHER: Of B. Gerey and 56 others, soldiers of Wiscon-

By Mr. HEPBURN: Of W. H. Christie and 75 others, citizens of

Creston, Union County, Iowa.

By Mr. HOPKINS: Resolutions of the Legislature of Pennsylvania.

By Mr. LACEY: Of John S. Benham, of Union City, Mich.

By Mr. LAWRENCE: Resolutions of the Legislature of the State of Pennsylvania.

By Mr. T. B. REED: Of citizens of Mars Hill, of Chesterfield, of

Rockland, and of Jay, Me.

By Mr. A. HERR SMITH: Resolutions of the Legislature of the

State of Pennsylvania.

By Mr. STORM: Joint resolution of the Legislature of the State of

Pennsylvania By Mr. WELLER: Of J. C. Darnell and 95 others, citizens of Randalia, Fayette County, Iowa.

SENATE.

TUESDAY, February 24, 1885.

The Senate met at 11 o'clock a. m.
Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.
The Journal of yesterday's proceedings was read and approved. PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Legisla-ture of Wisconsin; which was read, and ordered to lie on the table, as follows:

Memorial to Congress.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislature of the State of Wisconsin, respectfully rep-

resent:

Whereas legislation is now pending before your honorable body, the Congress of the United States, the object of which is to place the name of a revered and honored citizen of this nation, General U.S. Grant, upon the retired-list of the

honored citizen of this nation, General U.S. Grain, upon the retrocuse to Army; and
Whereas, believing that gratitude and honorable appreciation is an underlying
principle in the heart of every true American citizen, especially toward those,
who have accomplished great and glorious achievements, which have placed this
nation among the foremost of the world, and united our country as one great
fraternal Commonwealth, and that the Republic he saved from disruption in his
vigorous manhood should not prove ungrateful in his declining years: There-

rigorous mannood should not prove ungraterin in his declining years: Therefore,

Resolved, That it is the sense of this Legislature that General U. S. Grant, in
view of his distinguished services to this nation, both in peace and war, should
be placed upon the retired-list of the Army, and we respectfully request our
Senators and Representatives in Congress to labor for the accomplishment of
that end.

that end.

Be it resolved (the senate concurring). That the governor be, and he is hereby, requested to subscribe and forward this memorial to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to each of our Senators and Representatives in the Congress of the United States.

SAM. S. FIFIELD, President of the Senate. HIRAM O. FAIRCHILD, Speaker of the Assembly.

STATE OF WISCONSIN,
Department of State, ss:
To all to whom these presents shall come:

To all to whom these presents shall come:

I, Ernst G. Timme, secretary of state of the State of Wisconsin, do hereby certify that the foregoing has been compared by me with the original in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at the capitol, in the city of Madison, this 20th day of February, in the year of our Lord 1885.

[SEAL.]

ERNST G. TIMME.

Secretary of State.

Mr. HOAR presented a petition of the Massachusetts Woman Suffrage Association, praying that Congress take steps so to amend the Constitution as hereafter forever to prohibit all political distinctions on account of sex; which was ordered to lie on the table.

Mr. CAMERON, of Wisconsin, presented a memorial of cigar-makers of Chippewa Falls, Wis., remonstrating against the ratification of

the proposed Spanish reciprocity treaty; which was ordered to lie on the table.

Mr. MILLER, of New York, presented a petition of the New York Naval Stores and Tobacco Exchange, praying that on all imported ma-terial manufactured in the United States and exported a drawback be allowed equal to the amount of duties paid in lieu of the 90 per cent. thereof now allowed by law; which was referred to the Committee on

Mr. MAHONE presented a petition of the Chamber of Commerce of Lynchburg, Va., praying for the establishment of a naval station at Richmond, Va.; which was referred to the Committee on Naval Affairs.

Mr. BOWEN presented a petition of the Loyal Creek Indians, praying action of Congress with reference to the awards made to those Creeks who enlisted in the Federal Army, loyal refugees, and freedmen; which was referred to the Committee on Indian Affairs, and ordered to

be printed.

Mr. MILLER, of California, presented a resolution of the Board of Trade of San Francisco, Cal., urging the prompt construction of a modern navy and an approved system of harbor fortifications; which was referred to the Committee on Appropriations.

SENATOR FROM IOWA.

Mr. HOAR. I am directed by the Committee on Privileges and Elections, to whom were referred two documents purporting to be the credentials of WILLIAM B. ALLISON, Senator-elect from the State of Iowa, dentials of WILLIAM B. ALLISON, Senator-elect from the State of Iowa, to make a written report and to recommend that the credentials lie upon the table. The substance of the report is that Mr. ALLISON appears to be elected in either event, and it is not profitable to inquire at the present time whether the election which took place the second Tuesday after what is called the temporary organization of the Legislature of that State or a precisely similar proceeding which took place on the second Tuesday after what is called the permanent organization of the Legislature was the valid and rightful election under the act of Congress of the United States; and if it were necessary to determine that question the committee are of opinion that it should be determined by the Senate at the next session of Congress and not at present. I suppose there is no doubt whatever of the election of Mr. Allison.

The PRESIDENT pro tempore. The Senator from Massachusetts.

The PRESIDENT pro tempore. The Senator from Massachusetts, from the Committee on Privileges and Elections, to which were referred two sets of credentials of Mr. WILLIAM B. ALLISON, Senator-elect from the State of Iowa, reports back the credentials with a written re-

rom the State of Towa, reports back the credentials with a written report. Does the Chair understand the Senator from Massachusetts to ask that the credentials be laid on the table or placed on file?

Mr. HOAR. What is the usual custom with credentials to which no objection is made?

The PRESIDENT pro tempore. They are placed on file and go to make up the list of Senators to be sworn in on the first day of the next Congress. If they be laid on the table they will not technically be before the Senate for action on the first day of the Congress.

Mr. HOAR. Then the recommendation of the committee is that the

Mr. HOAR. Then the recommendation of the committee is that the credentials be placed on file.

The PRESIDENT pro tempore. If there be no objection the credentials will be placed on file. The accompanying report will be printed under the rules.

REPORTS OF COMMITTEES.

Mr. MILLER, of New York, from the Committee on Finance, to whom was referred the bill (H. R. 4679) for the relief of Sarah E. Webster, administratrix, reported it without amendment.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2153) granting a pension to Benjamin F. Brockett;

A bill (S. 2123) granting a pension to Benjamin F. Brockett;
A bill (S. 2125) granting a pension to Sarah Jane Prince;
A bill (H. R. 7292) to increase the pension to Jacob Wiener;
A bill (H. R. 5929) for the relief of Abigail Honey;
A bill (H. R. 6798) to grant a pension to Lloyd W. Hixon;
A bill (H. R. 6928) granting a pension to Leonard King;
A bill (H. R. 5989) for the relief of Elizabeth A. Springsteed; and
A bill (H. R. 6287) for the relief of John H. Johnson.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 1997) to increase the pension of Louis J. Sacriste; and

A bill (H. R. 6399) granting a pension to John H. Ivers, alias John

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amend-ment, and submitted reports thereon:

bill. It is the case of a naval officer of long service and distinguished gallantry whose widow applies for a pension. I ask that the bill be placed on the Calendar. I have not the report quite ready yet.

The PRESIDENT pro tempore. The bill will be placed on the Calendar. The Senator from New Hampshire asks that the minority of the committee have leave to submit and have printed their views. That

committee have leave to submit and have printed their views. That order will be entered if there be no objection.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2627) granting a pension to Noah Caton;

A bill (H. R. 2538) granting a pension to Christiana Almier;

A bill (H. R. 3355) for the relief of Mary Mulholland;

A bill (H. R. 1219) granting a pension to Charles Hendrix;

A bill (H. R. 5374) granting a pension to Phillip Wiggins; and

A bill (H. R. 4079) granting a pension to James D. Kirk.

Mr. CULLOM, from the Committee on Pensions, to whom was referred the petition of David E. Ford, of Illinois, praying to be allowed a pension, submitted an adverse report thereon, which was agreed to; and the committee was discharged from the further consideration of the petition.

He also, from the same committee, to whom were referred the fol-

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 256) granting a pension to Mary A. Land;
A bill (H. R. 7869) granting a pension to Ameline L. Fitch;
A bill (H. R. 1898) granting a pension to Harriet Armstrong;
A bill (H. R. 2540) granting a pension to Priscilla J. Small;
A bill (H. R. 7896) granting a pension to Thomas D. Fitch;
A bill (H. R. 5925) granting a pension to Margaret A. Berry; and
A bill (H. R. 3994) granting a pension to William Strickland.
Mr. JACKSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:
A bill (H. R. 391) granting a pension to Daniel H. Ross; and
A bill (H. R. 1934) granting a pension to John C. Shacklett.
Mr. JACKSON, from the Committee on Pensions, to whom was referred the petition of Mary Sullivan, praying to be allowed a pension, reported adversely thereon; and the committee were discharged from the further consideration of the petition.

reported adversely thereon; and the committee were discharged from the further consideration of the petition.

Mr. CAMDEN; from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (H. R. 5215) granting a pension to Orlando Culver;

A bill (H. R. 1127) granting a pension to Anson B. Sams;

A bill (H. R. 5911) for the relief of Martha Lawson; and

A bill (H. R. 7501) granting a pension to Hector W. Summers. Mr. CAMDEN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

and submitted reports thereon:

A bill (H. R. 891) granting a pension to Robert J. Ebberman; and A bill (H. R. 3751) granting a pension to Francis Curran.

Mr. LAPHAM, from the Committee on Patents, to whom was referred the bill (S. 2212) for the relief of John R. Harrington, reported

ferred the bill (S. 2212) for the relief of John R. Harrington, reported it with an amendment, and submitted a report thereon.

Mr. JACKSON. I am instructed by the Committee on Claims, to whom was referred the bill (H. R. 6881) for the relief of the trustees of the Christian Brothers' College, of Saint Louis, Mo., to report it adversely. The committee have heretofore reported adversely against a Senate bill of the same character, and the report in that case applies to the present House bill. I ask that it be placed on the Calendar, as there are views of the minority.

Mr. KENNA. In the same connection I desire to present the views

Mr. KENNA. In the same connection I desire to present the views

of the minority.

The PRESIDENT pro tempore. The bill will be placed on the Calendar, and the views of the minority will be received and printed.

Mr. VAN WYCK, from the Committee on Pensions, to whom were

referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7769) to grant a pension to Joseph R. Dodds;
A bill (H. R. 7026) granting a pension to Jeremiah P. Swatzell;
A bill (H. R. 7002) for the relief of Harriet L. Stevens;
A bill (H. R. 6948) granting a pension to George W. Eagles;
A bill (H. R. 4061) for the relief of William C. H. Bowman; and

A bill (H. R. 1653) granting a pension to John R. Hurlburt.

Mr. VAN WYCK, from the same committee, to whom were referred the following bills, asked to be discharged from their further consider: A bill (S. 2255) for the relief of Harriet L. Stevens.

Mr. MAHONE, from the Committee on Public Buildings and Grounds,

A bill (H. R. 6596) granting a pension to John Hazlewood;
A bill (H. R. 4869) for the relief of Morris Geld;
A bill (H. R. 7373) for the relief of Sarah A. Burchfield; and
A bill (H. R. 4263) granting a pension to Elizabeth Hood.
Mr. BLAIR. By direction of the Committee on Pensions, to whom was referred the bill (S. 2043) for the relief of Mrs. Maria L. Strong, I report it adversely with a minority report in favor of the passage of the

REPORT OF COMMISSIONER OF FISH AND FISHERIES.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably a concurrent resolution providing for the printing of the report of the Commissioner of Fish and Fisheries for the year 1885, and I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to

Resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Fish and Fisheries for the year 1885 be printed, and that there be printed 11,000 extra copies, of which 3,000 shall be for the use of the Senate, 6,000 for the House, 1,500 for the use of the Commissioner of Fish and Fisheries, and 500 for sale by the Public Printer, under such regulations as the Joint Committee on Printing may prescribe, at a price equal to the additional cost of publication and 10 per cent, thereto thereon added, the illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.

LIEUTENANT RAY'S ALASKA REPORT.

Mr. MANDERSON. I am directed by the Committee on Printing, to which was referred the joint resolution (H. Res. 335) to print 2,000 additional copies of Lieut. P. H. Ray's report of the international polar expedition to Point Barrow, Alaska, to report it favorably and without amendment. I ask for its present consideration.

By unanimous consent, the Senate proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES BEDELL, SR.

Mr. MITCHELL. The bill (S. 2327) for the relief of James Bedell, sr., was amended in the other House and was referred with the amendment to the Committee on Pensions. I am instructed by that committee to report in favor of concurring in the House amendment, and I ask that it be considered at this time.

By unanimous consent, the Senate proceeded to consider the amendment of the House of Representatives, which was to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll the name of James Bedell, sr., as dependent father of Samuel Umstead, subject to the provisions and limitations of the pension laws.

The amendment was concurred in.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HARRISON. I am instructed by the Committee on Territories to report an amendment to the legislative, executive, and judicial appropriation bill. As that bill is being considered now, I ask that the amendment may be referred to the Committee on Appropriations without printing.

The PRESIDENT pro tempore. It will be referred without printing, if there be no objection, to the Committee on Appropriations.

Mr. PLATT, from the Committee on Patents, reported an amendment intended to be proposed to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BAYARD submitted an amendment intended to be proposed by

him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HOAR submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PRINTING OF SCIENTIFIC MEMOIRS.

Mr. MILLER, of New York, submitted the following resolutions; which were referred to the Committee on Printing:

which were referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That Volume I of the Scientific Memoirs of the United States Department of Agriculture, being a monograph of the Noctuidse of North America, with the necessary illustrations, be printed in quarto form, and that 5,000 additional copies be printed, of which 1,200 copies shall be for the use of the Senate, 2,800 copies for the use of the House, and 1,000 copies for the use of the Department of Agriculture.

Resolved by the Senate (the House of Representatives concurring), That Volume II of the Scientific Memoirs of the United States Department of Agriculture, being a monograph of the Sylphidse of North America, be printed, with the necessary illustrations, in quarto form, and that 5,000 additional copies be printed, of which 1,200 copies shall be for the use of the Senate, 2,800 copies for the use of the House, and 1,000 copies for the use of the Department of Agriculture.

OKLAHOMA LAND TITLES.

Mr. CULLOM. I ask leave at this time to present a preamble and joint resolution of the Legislature of Illinois.

The PRESIDENT pro tempore. If there be no objection the Chair will receive it. The preamble and resolution will be read.

The Chief Clerk read as follows:

Preamble and joint resolution adopted by the Thirty-fourth General Assembly of Illinois.

Whereas there is a strife and a bitter feeling that is liable to result in a conflict of arms between the cattle-men and the people in that part of the Indian nation known as Oklahoma; the cattle-men now having the possession of that country and having fenced the same into large tracts for grazing purposes on the one hand, and the people who are seeking it for settlement and homes on the other; and Whereas the Creeks and other Indians did, by the treaty of 1866, cede the Oklahoma country to the United States in trust: Therefore,

Be it resolved by the senate (the house of representatives concurring herein), That

our Senators and Representatives in Congress be requested to use their influence for such legislation as will open that country to settlement under the homestead laws of Congress; and that the secretary of the State of Illinois be requested to have printed and mailed to each Member in Congress and each Senator from Illinois a copy of this resolution.

Introduced by Senator Streeter, February 4, 1885.

Adopted by the senate February 6, 1885.

J. C. SMITH

J. C. SMITH, President of the Senate.

L. F. WATSON, Secretary of the Senate.

Concurred in by the house of representatives, February 16, 1885. E. M. HAINES, Speaker.

R. A. D. WILBANKS, Clerk House of Representatives.

Mr. CULLOM. I was about to move that the resolution be referred to the Committee on Public Lands, but the Senator from Massachusetts [Mr. DAWES] suggests that the resolution be referred to the Committee on Indian Affairs. I have no objection to that reference.

Mr. DAWES. Mr. President, it may not be out of place to say a word at this moment.

I get every day papers from Illinois, Kansas, and Missouri, making great complaint against Congress because Congress does not open that land to settlement. The opinion of Congress I think is pretty well setthe that that land must ultimately be opened to settlement, but these papers represent to the public there that the title of the United States to the land at this moment is perfect, and that it differs in no way from the title of the United States to any public land. That is misleading the people, and it is to a great extent the cause of the excitement and anxiety among those people and their disposition to press upon that land.

If those papers which publish this declaration to the people and thus mislead them would take the trouble to examine for a moment the title to that land they would agree with the Attorney-General and the leading lawyers of the country, West as well as East, that the United States are not at liberty to open that land to public settlement, for the Indians still retain a title and interest in the land, and that it never Indians still retain a title and interest in the land, and that it never was granted to the United States for the purpose of settlement by homestead. That it may not be wise to do it at an early period is another matter, and about that I think there may be very little question. Ultimately if that land is not needed for the purposes for which the United States obtained what interest they have in it, it ought under proper states and with purpose outlet to the United States to be opened. regulations and with proper outlet to the United States to be opened to settlement; but to call upon the United States now, and to complain of Congress or the Executive that they do not open it to-day to the homesteader is like calling upon them to open your land and mine to the homesteader.

Mr. CULLOM. I should like to ask the Senator from Massachusetts whether there is anything being done looking to a final opening of those lands to settlement by the people and the extinguishment of the Indian title?

Mr. DAWES. There has been a bill reported from the Committee on Indian Affairs, and is now pending in this body, which I should like to ask the action of the Senate upon at the earliest possible moment, authorizing the President to negotiate for the title of the Indians in that land for the purpose of ultimately opening it to settlement. contains a clause requiring people to keep off from that land until they

are authorized by law to enter upon it.

Mr. CULLOM. I desire simply to say that I hope the Senator and the committee over which he presides, as they seem to have tharge of this subject, will as early as possible do whatever may be necessary to settle the question so that the people of the West and everywhere else in this country may not misunderstand the true legal situation in reference to

these lands Mr. DAWES. It is difficult to see how the actual existence of that title and the character of it can be more settled than it is now. Committees of this body have two or three times made report to that effect. The Attorney-General of the United States has given an official opinion to that effect. Two Presidents of the United States have by proclamation declared the title actually as it exists; and the President of the United States has felt compelled to remove those who have unlawfully United States has felt compelled to remove those who have unlawfully entered upon that land. They have entered upon it, honest people, supposing that they did have a right to enter upon it as public land; and they have been largely misled by statements like that contained in the official resolution of the Legislature of Illinois now upon the table, and by influential leading public journals, West and East, who, failing to look into the real title, failing to understand why it is that the United States do not open it like other public land, and not giving justice to the sentiment of Congress that they want to obtain fairly and honestly the title so that they may open it to public settlement, have led those the title so that they may open it to public settlement, have led those

legal and moral propriety take away from the Indians. Whatever interest they have is an interest which can only sum itself up in the question of dollars and cents. The Indians can not resume possession of the land because the Government has failed to locate friendly Indians upon it. They can not do anything with the land. They can not sell their interest to anybody, and they have no interest unless it was reserved in the condition of the treaty of 1866, which provided that the land was ceded to the United States for the purpose of locating friendly Indians or freedmen upon it. The land is remote from the location of the Indians who are claiming a residuary interest in it. They have no purpose in connection with it except to make use of whatever remains of that interest for the purpose of getting some more money out of the Government of the United States

That being the case, I hold that Congress may not only legally, morally, and properly remove that condition and open the land to settlement, but it seems to me manifest that it is incumbent upon Congress to so act. In other words, we can not sit here allowing the condition of things now existing, and which is going to be aggravated by time, to go on simply because the Indians will not (if they fail to do so) agree with us as to the condition on which they will relinquish the interest

that they have in the lands. It is within the legal power of Congress, as I believe. As I said, that power may properly be exercised to say what shall be done with the land, and then to say to the Indians, "We shall submit the question, as to how much damage by reason of our taking the land, this condition to the contrary notwithstanding, to the Congress of the United States itself, or to one of the courts of the United States, for the purpose of determining what that interest is worth and how much the Indians have been damaged by reason of Congress having acted contrary to a condition named in the treaty."

I do not care to enter extensively upon this question, but I want to say now, I hope once for all, that that is what I think is not only the legal right, the legal power of Congress, but is also the bounden duty of Congress to do.

of Congress to do.

Mr. DAWES. The Senator from Kansas will pardon me if I say that it is just such remarks as those he has made which have brought trouble on the people who have gone down there. While it may be true that the title is so fixed between the United States and these Indians that the Indians themselves can not use this land for any purposes of their own, it is equally true that the United States can not use it for any the property of the property other purpose but the one purpose for which they acquired an interest in it. So while the Indian has put his title in such a condition that the land can be used only for one purpose, the United States have put themselves in precisely the same condition, and it is only by a release by the one to the other of the remaining interest in the land that either

of them can appropriate it to its own use.

The idea that the United States can seize it and extinguish the title of the Indian in it and then pay him damages is a statement which, as between individuals in a court of law, would not be tolerated for a single moment. That a trustee for a special purpose can seize what he holds in trust and appropriate it to any other purpose, and let the cestui que trust get what he can in damages, would be new in a court of justice. The United States may have power to do it; the United States as between them and the Creek Indians are all powerful; but let them put themselves on an equality in the courts of the United States, and I venture to say that the doctrine announced here that either could extinguish by force or by the judgment of a court the title which the other holds to this land is a doctrine that never could be enforced in a court of justice as it never has been yet. It is a proper subject of negotiation, and I have no doubt that the Indians will listen to negotiation if it comes in the terms and in the spirit of fairness and justice;

and that is the way to reach it.

Sir, there is more in this question than Oklahoma. Oklahoma is but 1,200,000 acres of land, situated in the center of a large Territory. There is a large territory of 6,000,000 acres between it and any of the States and Territories of this Union that would shut it off from all connection. That ought to go with it, and it is in some sense held by the United States by the same trust title, and it should be a part of the negotiation to open that vast country to homesteaders. When the people of Kansas and of Illinois and the western country generally understand that the United States are actuated by a purpose to procure and open to honest settlers that country upon fair terms, they will await the result; but when they are told that the United States can take it and appropriate that and are only kept back by cattle-men who are using it for their own purposes, they are misled and great wrong is done to them.

Sir, if the Senate will consent I will ask them to consider the bill which I reported to authorize the President to negotiate for the land,

and the second section of which will keep it open for the honest and earnest builders of homes who desire to enter upon the public land according to law and to appropriate it, as the United States generously promised them that they might, under the forms of law, to their own

Mr. CULLOM. Mr. President, I only desire to say that this discussion has shown to my mind very clearly that the Legislature of the State of Illinois and the people of the West generally, if they mistake the legal situation of this land, are justified in the mistake, because it

is evident that the Senate does not agree upon the question of whether this land is in that sort of condition that the people can go upon it or

Mr. CAMERON, of Wisconsin. No person in the Senate has ever

doubted the legal status of it.

Mr. DAWES. The Senator from Kansas stated it openly here a few

days ago.

Mr. CAMERON, of Wisconsin. There is no dispute about the legal

status of the land.

Mr. CULLOM. I hope that the bill of the Senator from Massachusetts will be called up and passed at the earliest possible moment, so that the people of this country will not remain in this sort of doubtful situation as to what their rights are in reference to lands that ought to be open to the public.

Mr. DAWES. I ask unanimous consent of the Senate for five minutes to put the bill on its passage.

The PRESIDENT protempore. Does the Senator from Illinois yield?

Mr. CULLOM. Yes, sir.

The PRESIDENT pro tempore. Pending the motion that this resolution of the State of Illinois be referred to the Committee on Indian Affairs, the Senator from Massachusetts asks unanimous consent-

Mr. SHERMAN. Will the bill lead to debate?

Mr. DAWES. If it leads to debate, I shall withdraw the request; but I do not think it will.

The PRESIDENT pro tempore. What is the order of business?
Mr. DAWES. I will give the number in a moment.
Mr. SHERMAN. I should like to have the bill passed, but let it be passed in the regular time.

Mr. DAWES. The regular time will never come.

Mr. DAWES. The regular time will never come.

The PRESIDENT pro tempore. Debate is not in order on this request. The Senator from Massachusetts asks unanimous consent that Order of Business 1272, being the bill (S. 2648) to enable the President to negotiate for the purchase of portions of certain Indian reservations, be now considered. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to direct the President to ascertain without unnecessary delay, by communication with the authorities of the Creek, Seminole,

delay, by communication with the authorities of the Creek, Seminole, and Cherokee Nations of Indians, in the Indian Territory, upon what terms those nations will relinquish and convey to the United States all their right, title, and interest in and to all that country described in article 3 of the treaty made between the United States and the Creek Nation on June 14, 1866, as "the west half of their entire domain," and the lands described in article 3 of the Seminole treaty of March 21, 1866, and so much of the lands described in article 16 of the treaty made between the United States and the Cherokee Nation on July 19, 1866, as has not been already purchased by the United States from the Cherokee Nation for the purpose of settling friendly Indians thereon, as provided for in the treaty, and to submit the result thereof to Congress at its next regular session.

The second section provides that every person who, without authority of law, enters and shall be found upon the lands described in the first section, with intent to occupy any such lands described in the first section, with intent to occupy any such lands or reservation, or any part thereof, shall, for the first offense, upon conviction, pay a fine of not more than \$500, or be imprisoned at hard labor for not more than one year, or both, in the discretion of the court, and for every subsequent offense shall, upon conviction, pay a fine of not more than \$1,000 and be imprisoned at hard labor for not more than two years; and the wagons, teams, and outfit of such person or persons so offending are to be seized and delivered to the proper United States officer, and be proceeded against by libel in the proper court, and forfeited, one-half to the informer and the other half to the United States. Mr. GARLAND. I should like to hear the latter part of the first sec-

tion read.

The PRESIDENT pro tempore. The part referred to will be read.

Mr. DAWES. I will say that the last section is a copy of the Re-

The PRESIDENT pro tempore. The reading requested by the Senator from Arkansas will take place.

The Chief Clerk read the first section of the bill.

Mr. GARLAND. I move to insert at the end of the first section: With such suggestions and recommendations as he may see proper to make.

Mr. DAWES. I have no objection to that.

The PRESIDENT pro tempore. The question is on the amendment

proposed by the Senator from Arkansas, which will be read.

The CHIEF CLERK. At the end of line 22, section 1, it is proposed to add: "With such suggestions and recommendations as he may see proper to make."

The amendment was agreed to.
The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the

Mr. CULLOM. I suppose the Senator will now be content with a reference of that resolution to the Committee on Public Lands.

Mr. DAWES. I do not care where it is referred now.

Mr. CULLOM. I move that the resolution be referred to the

I move that the resolution be referred to the Committee on Public Lands.

The PRESIDENT pro tempore. The Chair was in error. The Chair understood the Senator from Illinois to suggest a change of reference.

Mr. CULLOM. I did suggest a change, but it was with relation to the bill we have just passed.

The PRESIDENT pro tempore. If there be no present objection, the resolution will be referred to the Committee on Public Lands.

THE HENNEPIN CANAL.

Mr. CULLOM. I ask leave to present by consent another resolution of the Legislature of the State of Illinois, which I ask to have read, and referred to the Committee on Commerce.

The PRESIDENT pro tempore. The paper which the Senator sends to the Chair seems to be a telegram.

Mr. CULLOM. It is a telegram from the secretary of state of Illinois.

The PRESIDENT pro tempore. The Senator from Illinois asks leave to present at this time a telegram the nature of which he has stated. If there be no objection, it will be received and referred to the Committee on Commerce.

Several SENATORS. Let it be read.

The PRESIDENT pro tempore. It will be read.

The paper was read, and referred to the Committee on Commerce, as

SPRINGFIELD, ILL., February 20, 1885.

To S. M. CULLOM, Senate:

The Legislature has unanimously passed the following joint resolution:
Whereas the construction of the Hennepin Canal is now pending in Congress:
Therefore,
Resolved by the Senate (the House concurring herein), That the General Assembly of the State of Illinois hereby again expresses its approval of this measure and requests our Senators and Representatives to use their earnest efforts to secure its process.

its success.

Resolved, That the secretary of state is requested to forward a copy of the foregoing to each Senator and Representative in Congress from Illinois.

HENRY D. DEMENT, Secretary State.

MESSAGE FROM THE HOUSE.

À message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of

the Senate to the following bills and joint resolution:
A bill (H. R. 2344) for the relief of Melissa G. Polar;
A bill (H. R. 4088) to incorporate the Luther Statue Association to erect and maintain a monument or statue in memory of Martin Luther

in the District of Columbia; and
Joint resolution (H. Res. 288) authorizing the printing of 2,500 extra copies of the annual report of the health officer of the District of

The message also announced that the House had passed the bill (S. 2551) to amend an act entitled "An act to increase the water supply of the city of Washington, and for other purposes."

The message, further, returned to the Senate the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla., with the amendments of the House of Representatives thereto.

The message also announced that the House had passed a bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 70) for the relief of Joseph M. Cumming, Hamilton J.

Miller, and William McRoberts;

A bill (S. 194) to authorize the Secretary of the Treasury to convey

land in Providence, R. I., for highway purposes;
A bill (S. 357) granting a pension to William Lockhart;

A bill (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy, and for forty-six years in active service;

A bill (S. 1117) for the erection of a public building at Macon, Ga.;

A bill (S. 1183) granting a pension to Hugh O'Neil; A bill (S. 1268) for the relief of Sydney L. Skaggs; A bill (S. 1473) to enlarge the United States custom-house at Rich-

A bill (S. 1655) granting a pension to Newton J. Burris;
A bill (S. 1709) granting a pension to Leonora A. Boyden;
A bill (S. 1790) granting an increase of pension to Edgar L. Dutton;
A bill (S. 1803) granting an increase of pension to George A. Wash-

burn:

A bill (S. 1804) granting a pension to Clarinda Hunt; A bill (S. 1915) to remove the political disabilities of James D. Johnston, of Georgia, incurred under the fourteenth amendment of the Constitution;

A bill (S. 2272) granting a pension to Andrew Franklin, alias Andrew McKee:

A bill (8. 2350) granting a pension to Anna Ginn; A bill (8. 2514) granting a pension to David T. Hoover; A bill (8. 2570) granting an increase of pension to Samuel M. Thomp-

A bill (S. 2587) granting a pension to William H. H. Gilley; A bill (S. 2610) granting a pension to Patrick Furlong; A bill (S. 2623) to remove the political disabilities of Alexander W.

A bill (H. R. 483) for the erection of a public building at Keokuk,

A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia; and A bill (H. R. 3933) to declare a forfeiture of lands granted to the

Texas Pacific Railroad Company, and for other purposes.

GEORGE E. SPENCER.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution authorizing the payment to George E. Spencer, formerly a Senator from the State of Alabama, of the sum of \$7,132, to report it favorably.

The PRESIDENT pro tempore. The resolution will be placed on

the Calendar.
Mr. JONES, of Nevada. I should like to have the resolution acted

on immediately.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that this resolution be now considered. Is there objec-

I object.

The PRESIDENT pro tempore. Objection is made, and it will be placed on the Calendar.

DEBATE ON APPROPRIATION BILLS.

Mr. ALLISON. I offer the following resolution, which relates to the business of the Senate:

Ordered. That during the remainder of the present session of the Senate it shall be in order to move at any time that debate on any amendment or all amendments to any appropriation bill then before the Senate be limited to five minutes for each Senator, and that no Senator shall speak more than once on the same amendment in form or substance. The question on such motion shall be determined without debate.

The PRESIDENT pro tempore. Is there objection to the present consideration of this order?

Mr. HOAR. I object.
The PRESIDENT pro tempore. Objection is made, and it goes over until to-morrow.

LIBRARIAN'S REPORT.

Mr. SHERMAN. I present the annual report of the Librarian of Congress; and in connection with it submit from the Committee on the Library a resolution of which I ask the present consideration.

The Chief Clerk read the resolution, as follows:

Resolved. That the annual report of the Librarian of Congress be printed, and that 500 additional copies, with covers, be printed for distribution by the Libra-

The PRESIDENT pro tempore. The request for additional copies requires a reference to the Committee on Printing.

Mr. SHERMAN. It falls slightly below the limit fixed by law.
The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was considered by unanimous consent, and agreed to.

PENSION BILLS.

Mr. MITCHELL. I ask unanimous consent that the Senate now Mr. MITCHELL. I ask unanimous consent that the Senate now proceed to the consideration of private pension bills on the Calendar in the following order: First, Senate bills; next, House bills, as they stand reported upon the Calendar; and that no Senator speak more than once and not exceeding five minutes on any bill and the amendments proposed thereto; also, that no bill reported adversely shall be taken up except on call of a Senator.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that the Senate now proceed to the consideration of private pension bills on the Calendar, beginning and going through with Senate bills favorably reported, and that the bills adversely reported be not taken up except on the call of a Senator, and that five minutes

not taken up except on the call of a Senator, and that five minutes debate be allowed to each Senator on any bill—

Mr. HOAR. The sentence the Chair just uttered was not heard here.

The Chair made some exception.

The PRESIDENT pro tempore. The exception stated by the Chair, as the Chair understood the Senator from Pennsylvania, was that bills adversely reported be not taken up except on the call or motion of a Senator; that without that the Senate would proceed first with the Senate bills reported favorably and then with the House bills, and that five minutes' debate be allowed to each Senator, and that each Senator speak only once. Is there objection? speak only once. Is there objection?

Mr. INGALLS. I ask unanimous consent to make a response to the

request of the Senator from Pennsylvania.

The PRESIDENT protempore. The Senator from Kansas asks unaninous consent to be heard on this question. The Chair hears no objec-

Mr. HILL. Mr. President—
The PRESIDENT pro tempore. The Senator from Kansas has the

I rose to offer a resolution before that order was closed. The PRESIDENT pro tempore. The order of resolutions is not yet osed. The Senator from Pennsylvania is asking unanimous consent; the Chair has stated what he asks. The Senator from Kansas now has leave by unanimous consent to speak upon that question, after which

the Chair will recognize the Senator from Colorado.

Mr. INGALLS. How many of these bills are there? Will the chair-

man of the committee advise us?

Mr. MITCHELL. There are about two hundred bills altogether upon the Calendar.

Mr. INGALLS. Pension bills?

Mr. MITCHELL. Yes, sir.
Mr. INGALLS. That will consume, with the greatest rapidity that can be employed in their consideration, four or five hours. I understand that to the majority of these bills there is no objection. There are other matters of great importance that should be discussed, and that demand the consideration of the Senate. I therefore suggest that this evening or some other evening which may be convenient the Senate hold a session expressly for the purpose of considering pension bills. It appears to me that that will comport better with the dispatch of public business, and enable us to devote the time during the day to the consideration of measures of equal if not greater importance. I am very sure the Senate would be disposed, if the Senator from Pennsylvania, the chairman of the Committee on Pensions, would make the request, to agree that a session should be held this evening or to-morrow evening for the purpose of considering measures reported by that com-

I gave notice yesterday morning that at the conclusion of morning business to-day I should ask the consideration of the bill reported ye terday from the Judiciary Committee affecting what is known as the Kidwell Meadows claim, lying along the shore of the Potomac, and involving the consideration of the expenditure of a million or two of dollars by the Government; but of course I waive that now until such time as the Senate may dispose of the suggestion made by the Senator from Pennsylvania.

Mr. MITCHELL. If I may be permitted—
The PRESIDENT protempore. The Senator from Pennsylvania asks unanimous consent to reply. Is there objection? The Chair hears

Mr. MITCHELL. I will state that down to this morning there were upon the Calendar one hundred and sixty-two pension bills. Of these forty-five were reported adversely and one hundred and seventeen favorably. Among the adverse reports there are eighteen fifty-dollar cases, those cases in which many Senators feel greatly interested, and which they have requested should be placed upon the Calendar for considera-tion. There are so many of these bills reported adversely now upon the Calendar that I feel it my duty on the solicitation of many Senators to ask that the Senate consider also the cases adversely reported. I am disposed to think the suggestion of the Senator from Kansas is not a practicable one.

Mr. JACKSON. May I ask the Senator whether he is not making a request, not on behalf of the committee, but of Senators?

Mr. MITCHELL. I do not hear the remark of the Senator from

Mr. JACKSON. I wish to suggest that the Senator is not making the request on behalf of the committee to take up the cases adversely reported, but that is a personal request of Senators.

Mr. MITCHELL. In this I am not representing the committee, but

only a general opinion that has come to me very strongly expressed by

enators who desire to reach those bills.

Mr. HOAR. I should like to ask the Senator from Pennsylvania if his request is to have the debate limited to five minutes without accompanying it with the provision of the Anthony rule that one objection takes a case from the consideration of the Senate?

Mr. MITCHELL. Yes, sir; that was the way I put the request.
Mr. HOAR. I wish to say that I shall resist with all my might anything which contemplates the establishment of a limitation of debate in the Senate as an overthrow of the entire constitutional field of the Senate, as I understand it. That is avoided in the Anthony rule by providing that the whole thing goes on by unanimous consent, because under that rule one objection will remove a case from the consideration of the Senate unless the Senate by majority vote take it up free from the rule. But I understand the Senator from Pennsylvania now to ask the Senate to agree that two hundred cases, some of them involving very important principles, shall be considered by the Senate under a rule which limits every Senator to speaking but once and speaking but five minutes. To that I must object.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Pennsylvania.

Mr. MITCHELL. Then I will modify the request in the manner the Senator from Massachusetts suggests, leaving all bills subject to ob-

jection as under the Anthony rule.

The PRESIDENT pro tempore. The Chair will state the modified request of the Senator from Pennsylvania.

Mr. HALE. Let me ask one question. Are these bills all private

pension bills

Mr. MITCHELL. All private pension bills.
Mr. HALE. Does not the Senator from Massachusetts think that Mr. HALE. Does not the Senator from Massachusetts think that five minutes' debate by any one Senator is sufficient to throw light on a subject of this kind? How can we ever get through with the business of the session if on every private pension bill unlimited debate such as the Senator from Massachusetts advocates is thrown in? We shall never get anything done.

Mr. HOAR. The first private pension bill taken up may involve a

principle which affects the Treasury to the amount of millions and

Mr. HALE. If the Senator from Massachusetts desires to spend the time of the body in talk rather than in doing business, a large proportion of the business will necessarily go over.

Mr. HOAR. Well, Mr. President—
The PRESIDENT pro tempore. It is the duty of the Chair to say that debate is not in order.

Mr. HOAR. I ask leave to say one word in reply.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent to be heard upon the matter now pending on the request of the Senator from Pennsylvania. Is there objection?

The Chair hears none.

Mr. HOAR. It is my duty to say in reply to the gibe of the Senator from Maine that in my judgment it proceeds from a very imperfect comprehension of the Constitution of his country and the constitution of the Senate.

The PRESIDENT pro tempore. The Chair will now state the request modified by the Senator from Pennsylvania.

Mr. MITCHELL. Allow me to state that I make the modification

because the Senator from Massachusetts objected to the request as I made it originally

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that the private pension bills on the Calendar, giving Senate bills the preference in the order of disposing of them (so that they may go to the House as the Chair supposes), be taken up under the so-called Anthony rule. Is there objection?

Mr. COCKRELL. I ask unanimous consent to say a word.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent to be heard. The Chair hears no objection.

Mr. COCKRELL. I hope the Senator from Pennsylvania will not insist upon his motion. We have an order now to go to the Calendar of Hopes hills under Pula VIII and under that rule we can this morn. of House bills under Rule VIII, and under that rule we can this morning dispose of all the House bills preceding the pension bills. Then we can go on with these other cases. Now, if the Senator will modify his motion so as to include only the Senate pension bills favorably reported, and then let all the House bills come under the other order, I am willing to agree to it. We can in that way dispose of the business in a very short time. If the Senator wants simply to act on the Senate bills favorably reported, so as to get them to the House, let us act upon them now, and then let us commence under the other rule and take up all the House cases favorably reported in order. We can do business in that way. We can dispose of all these cases without any trouble to-day and to-morrow. If we undertake to go on in the other way the Senate will find on the arrival of 1 o'clock that they have not passed six bills. I hope that the modification of the request will be made in the way I have suggested.

The PRESIDENT pro tempore. The Chair understands the Senator

from Missouri to object to the request as now made.

Mr. COCKRELL. I object to it in its present form.

Mr. MITCHELL. I move that the Senate now proceed to consider the bill (S. 544) granting an increase of pension to Elijah W. Penny, being Order of Business 65.

The PRESIDENT pro tempore. That motion will not be in order until the call for resolutions is gone through. That has not been exhausted. The Senator from Colorado [Mr. HILL] rises to offer a resohausted. The Senator from Colorado [Mr. Hill] rises to offer a resolution, the Chair understands.

Mr. MITCHELL. If I may be allowed, I should be willing myself

to consider bills as proposed by the Senator from Missouri; but there is a large number of Senate bills that ought to go to the House imme-

diately or they can not pass that body.

The PRESIDENT pro tempore. The Senator from Colorado offers a

ILLEGAL LAND ENTRIES IN CALIFORNIA.

Mr. HILL submitted the following resolution:

Resolved, That the Secretary of the Interior be directed to furnish to the Senate copies of the reports of Special Agent of the Land Department Wilson T. Smith, with accompanying affidavits and papers sent to the Commissioner of

the General Land Office in August and September, 1883, which reports, affidavits, and papers referred to the illegal timber-land entries, and fraudulent issuance of titles under the act of June 3, 1878, in the Humboldt land district, California, said entries being confined to townships 8, 9, 10, 11, and 12 north, range 1 and 2 east H. M., and townships 7 north, range 2 east, and 13 north, range 1 east H. M., and embracing over 100,000 acres of redwood timber land.

Also copies of the reports of Special Agents George D. Orner and W. H. Goucher, of the Land Department, sent to the Secretary of the Interior and Commissioner of the General Land Office, which refer to the same illegal timber-land entries in Humboldt County, California, and inform the Senate what action has been taken by the Commissioner and Secretary of the Interior, as to the cancellation of the illegal timber-land entries in the above described townships, and if any patents have been issued by the Commissioner since June 1, 1883, under the act of June 3, 1878, for timber lands in the above enumerated townships, to give the date of their issuance, name of entrymen, and description of the resolution.

Mr. HILL. I ask for the present consideration of the resolution. Mr. COCKRELL. I object.

The PRESIDENT pro tempore. The resolution will be printed and go over.

PENSION BILLS.

Mr. INGALLS. I move that a session of the Senate beheld to-morrow evening, commencing at 8 o'clock, for the purpose of considering pension bills upon the Calendar.

The PRESIDENT pro tempore. The Chair thinks that motion is not

in order. He can entertain it by unanimous consent.

Mr. INGALLS. I ask unanimous consent that I be permitted to make that motion.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent to move at this time for consideration that the Senate

hold a sitting to-morrow evening, commencing at 80'clock, for the purpose of considering pension bills on the Calendar.

Mr. SHERMAN. I think I shall object at present.

The PRESIDENT pro tempore. Objection is made. Concurrent or other resolutions are now in order. If there be no further resolutions that order is closed.

Mr. MITCHELL. I now renew the motion that I made a few moments ago, that the Senate proceed to the consideration of Order of Business 65, being the bill (S. 544) granting an increase of pension to Elijah W. Penny. I now renew the motion that I made a few mo-

The PRESIDENT protempore. The question is on the motion of the Senator from Pennsylvania.

Mr. JACKSON. In that case there is an adverse report.

Mr. JACKSON. In that case there is an adverse report.

The PRESIDENT pro tempore. Debate is not in order. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. HARRISON. I ask for a division on the question.

Mr. COCKRELL. I ask for the yeas and nays.

Mr. President-Mr. HARRISON.

The PRESIDENT pro tempore. Debate is not in order.

Mr. HARRISON. I ask unanimous consent to say simply a word.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent to be heard on this question. Is there objection?

The Chair hears none.

Mr. HARRISON. This is a case of a soldier who entered the Army as a private early in 1861 and served until December 1865. He lost an arm above the elbow and was also shot in the spine. He is totally paralyzed on one side, and since this adverse report he has received an increase of pension for loss of an arm up to \$36. He was reported to be entitled to \$12 for a wound in his side, and much of the time he requires an attendant. So I am sure the case has merit in it and the Senate ought to consider it.

Mr. JACKSON. I ask consent to say a word.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent to be heard on this question. Is there objection? The Chair hears none.

Mr. JACKSON. The claimant is now pensioned at \$36 a month. That was given by a special act of Congress in 1882, and he has shown no increased disability since that date.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Pennsylvania.

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Mr. HARRISON. I desire to say one word. Since that time Congress has increased the pension for the loss of an arm to \$30, and you are giving but \$6 for the other disability.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of the bill the title of which has been stated.

The yeas and nays were taken.

Mr. CALL. My colleague [Mr. Jones, of Florida] is absent on account of illness. He is paired with the Senator from Nebraska [Mr. MANDERSON].

The result was announced-yeas 33, nays 22; as follows:

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dmunds, rye, ale, arrison, awley, oar, ones of Nevada,	McMillan, Mahone, Manderson, Mitchell, Morgan, Morrill, Palmer, Platt, Sahin	Sawyer, Sewell, Sherman, Van Wyck, Voorhees, Wilson.
	olph, dmunds, rye, ale, arrison, awley, oar, ones of Nevada, apham	olph, MeMillan, Mahone, tye, Manderson, ale, Mitchell, arrison, awley, oar, Palmer, mes of Nevada, Platt,

7. 1 N	NA	YS-22.	
Bayard, Beek, Butler, Call, Camden, Cockrell,	Coke, Fair, Garland, Gorman, Groome, Hampton,	Harris, Jackson, Jonas, McPherson, Pugh, Saulsbury,	Slater, Vance, Vest, Walker,
	ABSI	ENT-21.	
Cameron of Pa., Colquitt, Dawes, Farley, George, Gibson,	Hill, Ingalls, Jones of Florida, Kenna, Lamar, Logan,	Maxey, Miller of Cal., Miller of N. Y., Pendleton, Pike, Plumb,	Ransom, Riddleberger, Williams.

So the motion was agreed to.

ELIJAH W. PENNY.

The PRESIDENT pro tempore. The bill (S. 544) granting an increase of pension to Elijah W. Penny is before the Senate. The bill has heretofore been indefinitely postponed, and the vote indefinitely postponing the bill has been reconsidered; so the question now recurs on the motion to indefinitely postpone the bill.

Mr. COCKRELL. Let the report be read.

The PRESIDENT pro tempore. The report will be read, if there be no objection.

The Secretary read the following report, submitted by Mr. Jackson January 15, 1884:

The Secretary read the following report, submitted by Mr. Jackson January 15, 1884:

The Committee on Pensions, to whom was referred Senate bill 544, granting an increase of pension to Elijah W. Penny, have considered the same, and respectfully report:

That the claimant, Elijah W. Penny, was captain of Company A, One hundred and thirtieth Indiana Volunteer Regiment, during the late war; that he was honorably discharged December 2, 1865, being disabled by loss of right arm and gunshot wound in right side. On the 20th December, 1865, he filed his application for invalid pension, which was allowed January 2, 1867, and he was pensioned at \$29 per month from December 2, 1865, the date of his discharge. He subsequently applied for an increase, and his pension was raised to \$24 per month June 4, 1874. He made a second application for increase, which was rejected by the Pension Bureau in 1879 and 1880. He then applied to Congress, and by special act passed July 22, 1882, his pension was increased to \$36 per month on account of the aforesaid disabilities—loss of right arm above elbow and gunshot wound in right side—and he is now in receipt of said pension of \$36. The present bill proposes to increase his pension by special act to \$50 per month, and for the same disabilities which induced Congress to grant the special relief and to raise his pension to \$36 in July, 1882 (see Senate Report No. 775, first session Forty-seventh Congress). The claimant's case having once been fully considered by Congress, and such relief awarded as was deemed proper, your committee think it would be setting a bad precedent to give the case a second favorable consideration, no increased disability being shown. But aside from this consideration in appears from the certificate of the examining board of surgeons, made March 3, 1883, that the claimant is fully rated at \$36 per month. The board of surgeons make the following report:

"There is loss of right arm at junction with purper and mindle third above the elbow. Gunshot wound of right side.

Mr. HARRISON. I know that many Senators will probably take it for granted that the examination of the committee was so thorough that they ought not to reverse the action of the committee; but I am satisfied, if I can get the attention of the Senate, that those who listen to me and hear the facts will see that there is good reason why this report should be reversed.

At the time the special act was passed in 1882 fixing the pension of Colonel Penny at \$36 a month, the regular pension rate for the loss of an arm above the elbow was \$24 a month. Colonel Penny suffered that injury. He lost his arm above the elbow. Since that we have increased the general pension for the loss of an arm above the elbow to \$30 a month. There has been a general increase for that disability; and no one questions that under the general pension laws for that injury he would now be entitled to \$30 a month. He is drawing under the special act of 1882 \$36 a month; but in addition to this loss of an arm Colonel Penny received a wound in the side, the ball breaking one of his ribs and lodging against the spinal column. The result of that has been, as the surgeons certify, almost a total paralysis of the right side, leaving him at times in such a condition that an attendant to take care

of him is absolutely necessary.

Mr. COCKRELL. Let me ask the Senator if the Pension Office has any authority under the law to increase the pension for such absolute disability which he says is developed, above \$36?

Mr. HARRISON. For what disability?

Mr. COCKRELL. For his disability.

Mr. HARRISON. The Committee on Pensions of the Senate added

to the \$24 a month which he would have been entitled to for the loss of

his arm when his special bill was passed \$12 a month for this wound in the back, making his pension \$36 a month.

Mr. COCKRELL. That is not the point. The point I want to get at is whether the Pension Office under existing law can make any increase of this rate of \$36 now allowed because of disability increased the arms of the point. since its allowance?

Mr. HARRISON. I do not suppose they could, as he holds under this special act; he takes his pension under a special act which fixes

the amount of it. Here is a case where taking the regular pension allowed of \$30 for the loss of arm above the elbow, and adding to it the \$12 which the committee of the Senate gave him before for the wound in the back, the party would be entitled to \$42 a month instead of \$36; and this bill only proposes to make it \$50 in view of the fact that he is totally disabled, and for months at a time requires an attendant to take care of him. Upon the finding of the committee giving him \$12 for the wound in the back and the \$30 the law gives him for the loss of an arm, he would be entitled to \$42 a month; and yet the Senator from Tennessee is insisting that he shall be kept at \$36; in other words, giving him only \$6 for this injury in the back which the committee have found should be compensated at least at the rate of \$12.

This is the case of a most gallant soldier receiving two wounds in the service of his country and having served his country faithfully, beginning as a private in 1861, and being mustered out with his regiment

in December, 1865, as its lieutenant-colonel.

Mr. JACKSON. The Senator from Indiana singles me out because I made the report as the one attacking the pension applied for. It was the unanimous report of the Committee on Pensions. Now what are the facts? This soldier for the loss of the right arm above the elbow and for a wound in the side was pensioned finally at \$24 per month. His pension was increased from time to time until it reached \$24 per month. He applied for an increase in 1879, and the board of examining surgeons said that he was not entitled to any increase above the \$24. He applied for an increase again in 1880, and the board of examining surgeons said again that he was not entitled to any increase; that \$24 was his proper rate. He came to Congress and asked for special relief; and because of the two wounds Congress increased his pension in 1882 from \$24 to \$36 a month, covering all his disability.

There was not an iota of evidence in the papers before the committee

that his disability had increased since Congress acted upon his case Since that time he has been examined again in specially in 1882.

specially in 1882. Since that time he has been examined again in March, 1883, by a board of examining surgeons and they say he is properly rated at \$36, and they decline to give him a further increase.

Mr. HARRISON. If the Senator from Tennessee will allow me one moment, I ask him whether it is not apparent to him under the findings of the committee when they reported his bill before that under the amended law as to pension for the loss of an arm he would be en-

titled to \$42 now?

Mr. JACKSON. I am coming to that in a moment. The law of 1883, passed about the time that he was last examined, raised the pension from \$24 to \$30 for the loss of an arm above the elbow; but it is now proposed to put this man on the roll at \$50 a month. All the increase that he could possibly be entitled to would be \$8. Even under the claim of the Senator from Indiana he would not be entitled to more than \$6.

But that is not the question. We are pursuing a course that is inviting every rejected claim from the Pension Office to Congress; we are pursuing a course that leads every failure to get an increase in the Pension Office to come to Congress; and every rejected case is coming here. The records of our committee show that these private pension bills are on the increase fearfully. We undertake to override and overrule the action of the examining boards of surgeons who rate these disabilities and give way to our sympathies and run rough-shod over the action both

of the committee here and of the Pension Office.

Why, sir, we reported last session from the Committee on Pensions four hundred and fifty cases. We have already reached eight hundred at this session. Eight hundred cases that had been rejected in the Pension Office have been examined by the Committee on Pensions of this body since the 20th of December, 1884; 60 per cent. of them reported favorably, overruling the medical examinations of medical experts even on questions as to disease. The result of this course is that we are converting one committee of this body into a reviewing court for the entire pension business. I think there is no excuse in this case for increasing this pension, and no pretense for it under the last examination made by a board of examining surgeons in 1883.

Mr. HARRISON. I ask unanimous consent that the reconsideration may be had, and that the vote may be upon the passage of the bill.

The PRESIDING OFFICER (Mr. ALLISON in the chair). What

the request of the Senator?

Mr. HARRISON. I understood the pending question was the reconsideration of the action taken heretofore,

The PRESIDING OFFICER. No; the pending question is on the indefinite postponement of the bill.

Mr. HARRISON. I ask that that may be taken by consent, and that

we may come to a vote on the bill.

The PRESIDING OFFICER. The question is on the indefinite postponement of the bill.

The Chair put the question, and declared that the noes appeared to

Mr. JACKSON. I ask for the yeas and nays. Mr. HARRISON. I ask the Senator from Tennessee to take the yeas and nays upon a direct vote upon the bill rather than on the postpone-

Mr. JACKSON. I am willing for that.

Mr. COCKRELL. What was the proposition about to be voted on?

The PRESIDING OFFICER. The proposition which has just been voted on is the question of indefinite postponement. Now the Senator from Indiana asks unanimous consent that the vote may be taken directly on the passage of the bill.

Mr. COCKRELL. I object to that. I believe an amendment is in

order now

Mr. HARRISON. I should think not.

The PRESIDING OFFICER. Not while the motion to indefinitely

postpone is pending. Mr. HARRISON. Mr. HARRISON. I hope the Senator from Missouri will let this matter stand, as the Chair has announced that the noes have it on the motion to postpone. Then he can propose his amendment, and then we can take a vote directly on the bill. There is no use in having two roll-calls.

Mr. BLAIR. Let us hear the amendment read for information.

The PRESIDING OFFICER. The Chair will put the question again on the motion to indefinitely postpone the bill.

The motion was not agreed to.

Mr. COCKRELL. Now, I should like to hear the bill read.

The PRESIDING OFFICER. The bill will be again read.

Mr. COCKRELL. I understand the amount allowed by the bill is \$50 a month?

The PRESIDING OFFICER. The bill is now before the Senate as in Committee of the Whole and open to amendment, and will be read. The Chief Clerk read the bill.

Mr. COCKRELL. I move to strike out the word "fifty," in line 7, and insert "forty-two;" so as to read:

At the rate of \$42 per month.

Mr. SHERMAN. That is right.
Mr. HARRISON. I will not object to that amendment. It puts it exactly where the committee put it before, and gives him only the benefit of the increase in the general law.

The PRESIDING OFFICER. The question is on the amendment

proposed by the Senator from Missouri [Mr. Cockrell].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was

read the third time.

Mr. SLATER. Provided there were no question in relation to the propriety of putting this man's pension at \$42, there is great impropriety in doing it by act of Congress. We have no means ordinarily of giving a man a proper rate of pension, and it is improper in every sense of the term for Congress to undertake to do this work for which we have all the machinery in the Pension Bureau. This man has already been rated since the passage of the law of 1883, and the board say that they have already rated him at all that he should have. We are setting a precedent that will return to trouble Congress from session to session, and we ought not to enter upon such a system of legislation. We have bills year after year of this character, and they will multiply; they are multiplying. Four years ago it was seldom that a bill came to Congress asking for a rerating of pension. Now they are a very large percentage of the bills that reach here. We ought not to pass any bills of the kind.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. JACKSON. On the passage of the bill I ask for the yeas and

The yeas and nays were ordered.

Mr. BUTLER. Before the roll is called may I inquire whether the case is reported unanimously by the Committee on Pensions.

Mr. BLAIR. The Committee on Pensions reported \$36. On the motion of the Senator from Missouri there has been an amendment adopted increasing the pension to \$42. The question is on \$42.

Mr. COCKRELL. I beg my friend's pardon. The bill proposed \$50.

Mr. BLAIR. That is so

Mr. COCKRELL. The Committee on Pensions reported adversely to any increase at all.

Mr. HARRISON. He has \$36 now.
Mr. COCKRELL. I then moved to strike out 'fifty' and insert

Mr. COCKRELL. I then moved to strike out 'nity' and insert "thirty-six" in the original bill.
Mr. HARRISON. No, forty-two.
Mr. COCKRELL. "Forty-two" I mean. That was agreed to, but the bill still stands upon the adverse report of the committee.

Mr. BLAIR. At \$42?
Mr. COCKRELL. At \$42.
Mr. BLAIR. It stands at \$42 upon a vote of the Senate adopting an amendment. That is the way the bill now stands.

Mr. COCKRELL. In lieu of \$50.

Mr. BLAIR. In lieu of \$50, certainly.

Mr. COCKRELL. It stands now before the Senate upon the action of the Senate striking out "fifty" and inserting "forty-two."
Mr. BLAIR. The question is whether the Senate will reverse itself.

Mr. BUTLER. I inquire of the Senator from Missouri what the action of the committee was upon the allowance of \$42. Was it favorable or adverse?

Mr. COCKRELL. I presume—not being a member of the committee I can not speak for it—that that proposition was not considered.
Mr. CULLOM. It was not.
Mr. COCKRELL. The bill was reported adversely against any increase, and postponed indefinitely. Then there was a motion to reconsider, and that prevailed as a matter of course, as is usual in such cases; but the bill has not been considered by the second course as it was a transfer of course. but the bill has not been considered by the committee at the sum of

The PRESIDING OFFICER. The question is on the passage of the bill, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted—yeas 28, nays

		YEAS-28.	
Aldrich, Allison, Blair, Brown, Cameron of Wis., Chace, Conger,	Dolph, Frye, Gorman, Hale, Harrison, Hawley, Lapham,	McMillan, Miller of Cal., Mitchell, Morrill, Palmer, Platt, Riddleberger,	Sabin, Sawyer, Sewall, Sherman, Van Wyek, Voorhees, Wilson.
		NAYS-25.	
Bayard, Beck, Butler, Call, Camden, Cockrell, Coke,	Colquitt, Fair, Garland, Gibson, Groome, Hampton, Harris,	Jackson, Jonas, Maxey, Morgan, Pendleton, Pugh, Saulsbury,	Slater, Vance, Vest, Walker.

ABSENT-93

Kenna, Lamar, Logan, McPherson, Mahone, Manderson, Millerof N. Y .. Bowen George. George, Hill, Hoar, Ingalls, Jones of Florida, Jones of Nevada, Cameron of Pa., Cullom; Pike, Plumb, Dawes, Edmunds, Farley.

So the bill was passed.

The PRESIDING OFFICER. There is a preamble to the bill, the Chair understands.

Mr. COCKRELL. Let it be read.

The PRESIDING OFFICER. The preamble will be read.

The Secretary read the preamble.

Mr. HARRISON. I hope the Senate will just disagree to the preamble. There is no oceasion for it.

The PRESIDING OFFICER. The question is on agreeing to the

preamble.

The preamble was rejected.

HOUSE BILL REFERRED.

The bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

MINA M. GWYNN.

Mr. MITCHELL. I move that the Senate do now proceed to the consideration of Order of Business 452, being the bill (S. 1360) giving a pension to Mina M. Gwynn, of Kansas City, Mo.

Mr. SHERMAN. As these bills are being taken up, I ask unanimous consent of the Senate, because this is perhaps the only day that can be devoted to pensions, that after this bill is disposed of the pension bills be taken up, both Senate and House bills, in their order on the Calendar, those that have been reported favorably, and that after they are acted on all other pension bills which have been reported adversely may then come up on the motion of any Senator.

Mr. MITCHELL. On the call of any Senator in their order?

Mr. SHERMAN. Whether in their order or not. Let any Senator

then move to take up any pension bill he chooses, but let us get through first with the unobjected cases.

Mr. SEWELL. I suggest to the Senator from Ohio that bills reported adversely be taken up on call in their order. There are some cases apparently reported adversely that are really favorable reports. They are merely reported adversely for the larger sum proposed.

Mr. SHERMAN. We had better first dispose of the bills favorably

reported, so that we need not be here all the time.

The PRESIDING OFFICER. The Senator from Ohio-

Mr. BLAIR. I ask unanimous consent to be allowed to say a word before the suggestion is acted on.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent to say a word before the question is put.

Mr. BLAIR. We have got started. The great thing in the pension business is to get started; and if we keep right on just as we have started, taking up the cases as we come to them, whether adversely or started, taking up the cases as we come to them, whether adversely or favorably reported, we shall get through the Calendar and everything will be off the Calendar by 5 o'clock. Now we are wasting a great deal of time in discussing how we shall do it. Most of these adversely reported cases will be settled on a single debate. There are not more than three or four different sorts of cases, and the disposition of any one will be a precedent that will control the others. If we keep right on we shall be through by 5 o'clock with the whole pension business, and probably before that hour.

The PRESIDING OFFICER. The Senator from Ohio asks unan-

imous consent that after the present bill is disposed of the Calendar of pension cases shall be taken up, and those reported favorably shall be first considered and then adverse reports shall be considered as sug-

gested by Senators. Is there objection?

Mr. ALDRICH. I object.

Mr. JACKSON. I object to that.

The PRESIDING OFFICER. Objection is made. The question is on the motion of the Senator from Pennsylvania to proceed to the consideration of the bill (S. 1360) giving a pension to Mina M. Gwynn, of Kansas City, Mo.

Mr. JACKSON called for the yeas and nays, and they were ordered. Mr. COCKRELL. I should like to know why the Senator passes

over Order of Business 406?

The PRESIDING OFFICER. Debate is not in order except by unanimous consent.

Mr. CAMERON, of Wisconsin. I object.
Mr. BLAIR. I can state in regard to that that the man is dead.
The PRESIDING OFFICER. Debate is not in order.
The question being taken by yeas and nays, resulted—yeas 24, nays 29; as follows:

		*	
	YE.	AS-24.	
Aldrich, Allison, Blair, Cameron of Wis., Chace, Conger,	Cullom, Frye, Hale, Harrison, Hawley, Hoar,	Jones of Nevada, McMillan, Miller of Cal., Mitchell, Morrill, Palmer,	Sabin, Sawyer, Sewell, Sherman, Van Wyck, Voorhees.
	NA	YS-29.	
Bayard, Beck, Brown, Butler, Call, Camden, Cockrell,	Colquitt, Fair, Garland, George, Gibson, Gorman, Groome, Hampton,	Harris, Jackson, Jonas, McPherson, Maxey, Pendleton, Pugh, Saulsbury,	Slater, Vance, Vest, Walker, Wilson.
	ABSI	ENT-23.	
Bowen, Cameron of Pa., Dawes, Dolph, Edmunds, Farley,	Hill, Ingalls, Jones of Florida, Kenna, Lamar, Lapham,	Logan, Mahone, Manderson, Miller of N. Y., Morgan, Pike,	Platt, Plumb, Ransom, Riddleberger, Williams.

So the motion was not agreed to.

PENSION BILLS.

Mr. MITCHELL. I now ask unanimous consent that the Senate proceed to the consideration of bills reported favorably from the Committee on Pensions.

Mr. BLAIR. I object. There is only one way to do this business, and that is to go right on.

Mr. COCKRELL. Regular order.
Mr. INGALLS. Regular order.
The PRESIDING OFFICER. The regular order is demanded.

Mr. VOORHEES. Mr. President

Mr. VOORHEES.
Mr. President
The PRESIDING OFFICER. Debate is not in order.
Mr. VOORHEES. I do not rise to debate.
Mr. SHERMAN. What is the regular order?
The PRESIDING OFFICER. The next case on the Calendar.
Mr. VOORHEES. I rise to make a suggestion to the Senate.

The PRESIDING OFFICER. Is there objection to hearing the Sen-

Mr. VOORHEES. Among the several suggestions made this morning as to the best mode of considering this important branch of public business now on our Calendar, I think the Senator from Kansas made a most valuable one; and if it would be in order I would make a motion to set aside some evening when we can take up the entire Calendar of pension business, bills reported favorably and unfavorably, and dispose of them, without breaking into a session so precious and important as the day's session is now. Am I in order in making such a motion, Mr. President? If I am, I will make the motion that the Sen-

The PRESIDING OFFICER. The motion is not in order without unanimous consent

Mr. VOORHEES. I ask leave of the Senate to make the motion in order to test the sense of the Senate that the Senate shall meet to-morrow evening at some hour that is agreeable, say 8 o'clock, and proceed to the consideration of pension business alone, and in that way clear the Calendar.

Mr. COCKRELL. I call for the regular order.

Mr. SHERMAN. I object to the suggestion as totally impracticable.

A single objection would prevent the passage of any bill whatever.
The PRESIDING OFFICER. The regular order is called for. The
Chair will lay before the Senate the regular order, which is Senate bill No. 15.

Mr. COCKRELL. I beg the Chair's pardon. There is a rule which says we are to go to the consideration of unobjected House cases, as I understand.

The PRESIDING OFFICER. The Chair understands that that rule applies to the morning hour, which has already expired. . The regular

order is the bill (S. 15) to provide for the further protection of citizens of the United States and others against the violation of certain rights secured to them by the Constitution of the United States.
Mr. SHERMAN. I submit a motion that is in order.

the Senate now proceed to the consideration of the first bill reported from the Committee on Pensions favorably. I do not know what it is, but as soon as the Chair announces it I will insert it in my motion.

The PRESIDING OFFICER. That motion is in order.
Mr. MILLER, of California. We voted that down.
Mr. SHERMAN. It is in order.
Mr. MITCHELL. The first pension bill favorably reported is Order of Business 1167, the bill (S. 1877) granting an increase of pension to

The PRESIDING OFFICER. The Senator from Ohio moves that the Serate proceed to the consideration of the bill which will be an-

The CHIEF CLERK. Order of Business 406, being the bill (S. 772) granting a pension to Erastus W. Babson.

Mr. BLAIR. I will suggest that the man is dead and has been dead

six or eight months. Mr. SHERMAN. Let us take up the bill.

Mr. BLAIR. The Senator from Ohio moves to take up the bill, and I will say in regard to it that the committee are waiting for some evidence so as to substitute the name of the widow of the man who is dead, and the evidence is not here.

The PRESIDING OFFICER. Debate is not in order. The Senator from Ohio moves to proceed to the consideration of the bill.

Mr. MICCHELL There is a mistake in recent to the total total to the total total

Mr. MITCHELL. There is a mistake in regard to that. has been reported adversely.

Mr. SHERMAN. Then I move to take up the first bill reported fa-

worably.

Mr. VOORHEES. Let the Chief Clerk report the first bill reported favorably from the Committee on Pensions.

The PRESIDING OFFICER. The Chair will allow that to be done.

Debate is not in order.

Mr. MITCHELL. Order of Business 1167, I think, is the first bill of that kind.

Mr. VOORHEES. Is that the first favorably reported bill?

The PRESIDING OFFICER. The first bill on the Calendar favorably reported from the Committee on Pensions will be announced.

The CHIEF CLERK. Order of Business 1136; a bill (S. 1633) granting a pension to James Bond.

Mr. BLAIR. Is not that reported adversely?

Mr. CULLOM. No; there are views of the minority against the pas-

sage of the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Ohio to proceed to the consideration of the bill.

The motion was agreed to.

JAMES BOND.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1633) granting a pension to James Bond. It proposes to place on the pension-roll the name of James Bond, who was a private in Company B, Fifty-second Regiment of Ohio Volunteer Infantry, in the late war of the rebellion, the pension to date from November 14, 1864.

Mr. SHERMAN. The bill is debatable, and I wish now to debate it just to the extent of saying a few words. It seems to me we are wasting the time that is now due and set aside for these pension bills. I do not care in what order they are taken up. The objection I have to the proposition made by the Senator from Kansas is that if we attempt to hold a night session, unless it is a prolonged session running into the night, we shall be here without a quorum, and a single objecinto the night, we shall be here without a quorum, and a single objecinto the night, we shall be here without a quorum, and a single objection will prevent the passage of any bill. Now, I want to utilize the few rapidly-passing moments of the session in favor of the pension bills. I suggest to the chairman of the Committee on Pensions that the better way would be to move to take up the bills favorably reported in their order as they stand, and we shall soon get through with those; and then, as we are all more or less interested in contested cases, the bills adversely reported can be taken up on the motion of any Senator who desires to call up any particular bill.

Mr. MITCHELL. That arrangement would be agreeable to me.

Mr. BLAIR. That arrangement would result in what the Senator from Ohio does not want to accomplish. There are a great many of these bills reported adversely which under his suggestion would fail to be considered at all. The committee is known to be very closely divided upon nearly all the bills which occasion serious controversy and they come here reported adversely. Such bills as the Senator from Rhode Island is interested in, the Senator from Vermont, the Senator from California, and the Senator from New Jersey, would all be excluded by the suggestion of the Senator from Ohio. If he is not now he has been interested in bills which by his own suggestion would fail of consideration.

If the Senate had proceeded as it was proceeding, in fifteen minutes it could have disposed of all these preliminary cases, which really do not require much consideration. As to the bill which occasioned the discussion in the first place there is no other case like that on the Cal-

endar. The very next case, the one which we were in process of taking up, was one reported adversely by the same Senator, and it was reported right; nobody would contest it. The report shows that. There is no evidence upon which the bill could be passed. As soon as it could have been considered it would have been put out of the way and the report sustained. Then came the Babson case. The man has been dead six or eight months, and we have been waiting to get testimony by virtue of which we could substitute the name of his widow in the same case, and the honorable Senator from Ohio steps in and, in utter ignorance of the whole thing, wastes time enough to have passed that and twenty other bills like it, as though the Committee on Pensions did not know anything about their business at all.

So many persons undertake to help the Committee on Pensions that we waste double the time necessary to dispose of all the business which they bring before the Senate. Very soon we should have reached the controverted cases which the honorable Senator's suggestion would rule out. All know that the committee stands four to five or five to four, and, with probably no debate at all, as we debated the whole thing over at the last session, we should have wiped all those cases out of the way, and they would have been passed or rejected. Then comes again the great mass of bills not objected to, and we ought in an hour's work

to dispose of the whole of them.

As I said before, all the pension bills on the Calendar, contested and uncontested, could easily be disposed of by 5 o'clock if the Pension Committee were allowed to take charge of its business and go along with it as other committees do with theirs. For the first time since I have been in the Senate, in half a dozen years, I hope the Committee on Pensions will have the privilege of doing its business as other committees do their business, without being interfered with, and that they will be supposed to know something about what they are engaged in transacting in the committee-room and about their work on the Cal-

Mr. COCKRELL. I should like to ask the distinguished Senator if he thinks the Pension Committee has the right to come in here and monopolize absolutely and unqualifiedly all the remainder of this session, and if other committees have no rights, if other Senators have no rights, if other interests have no rights before this body?

Mr. BLAIR. I will reply to the honorable Senator that the Pension Committee has not occupied one-tenth of the amount of time in this body that any other committee has that has appreciably the same amount of legislation to propose to the Senate, and when it does come here with a matter that is contested everybody knows so much about its business, everybody has so many objections, everybody so undertakes to lead off in the direction of his own particular bill on the Calendar of pension bills that he is interested in, that the time is frittered away as it has been done every time. When the Pension Committee comes in here near the close of the session, having neglected this business, if you please, until these few remaining moments, why can it not have this afternoon, which is to be talked away at all events? Why not let us have it to do our business in?

Mr. COCKRELL. Mr. President, I am very much astonished at my good friend from New Hampshire insisting upon what has never been insisted upon in this bedy in the left to a second or the left to the

insisted upon in this body in the last ten years. He is insisting that the cases adversely reported by the Committee on Pensions shall receive the same consideration and attention from this body that the bills reported favorably receive. That never has been accorded to any

committee of this body.

There has been proposition after proposition submitted to proceed to the unobjected pension cases, being Senate pension bills, in order that they may be passed and may go to the other House for consideration there. There has been a proposition that we proceed to the unobjected House bills reported favorably so that we may economize the time and get them out of the way. But, no; nothing shall be done, says the Senator, unless the cases reported adversely are taken up in their order. I simply desire to say, in all kindness, that if that order is insisted upon, not one-half of the pension cases upon the Calendar will be passed by 12 o'clock meridian on the 4th day of March. It will be simply a physical impossibility to do it.

We should proceed in a business way to consider these matters. there are Senate pension bills that have been reported favorably and nobody objects to them and there is no controversy about them and they ought to be considered by the other House, why not take them up and pass them and let them go to the other House? Then, if there are numerous bills here which have passed the House and have been reported favorably by Senate committees, by the Committee on Milireported lavorably by Senate committees, by the Committee on anti-tary Affairs, the Committee on Claims, and other committees, why not take them up and let them be disposed of, and then attend to the busi-ness to which the Senator refers? The cases reported adversely can come up on the motion of the Senator and be disposed of. They are not precluded. We shall have simply removed away from them these important measures to which no one objects. But if we are compelled to consider every adverse report before we have disposed of the unobjected cases, the Senator will find at the close of the session that there will be many, both favorable and adverse, cases that will not have been

It seems to me this is such a plain proposition that no one can gain-

say it or doubt it. Take up and act upon the Senate pension bills reported favorably and to which no one objects. You can do it inside of an hour or half an hour. There are not many such Senate bills. Then take up the House pension bills to which there is no objection, and dispose of them, and then take up the other cases, if you can get them up, and the Senate wants to consider them; but let us have an opportunity of disposing of this business rapidly without any discussion so as to get it out of the way; then when we get into a talking humor we can consider the bills reported adversely. I make the suggestion because I know it is in the interest of the transaction of the business of this body.

Mr. BLAIR The Senator's suggestions are mainly wise. His last suggestion was the original effort of the committee. Objections pre-vented the desire of the committee from being carried out. Now, the sensible thing to do is to take up the unobjected cases and run through them without any opposition in a very short time. It is not a matter of any importance whether we take the Senate bills first and then the House bills, because there are so few Senate bills. Both may be in-

note only, because there are so lew senate only. Both may be included in the same order and we may go through the Calendar and dispose in an hour or two of every one of them.

Mr. MILLER, of California. Ask unanimous consent for that.

Mr. BLAIR. I should be very glad to do that. That is what I wanted to do; but somebody outside of the committee objected. Now, if somebody outside of the committee will ask to have that course pursued I have no doubt unanimous consent will be granted.

Mr. COCKRELL. I ask that that be the order so that we may facilitate the transaction of proper and legitimate business in a decent and

orderly wa

Mr. VOORHEES. What is the proposition now?
Mr. COCKRELL. I ask that we take up the unobjected pension cases and dispose of them.

Mr. CULLOM. Both House and Senate bills?

Mr. COLLOM. Both House and Senate bills?

Mr. COCKRELL. Both House and Senate pension bills.

Mr. CULLOM. I hope that will be agreed to.

Mr. COCKRELL. Simply the unobjected cases.

Mr. HARRISON. The Senator does not mean the unobjected cases.

Mr. HARRISON. The Senator does not mean the unobjected cases. He means cases reported favorably. He does not mean to put it in the power of a single Senator to prevent the consideration of a bill.

Mr. COCKRELL. What I want is to proceed simply to consider the pension bills on the Calendar reported favorably; any Senator can move to take up a bill as a matter of course if anybody objects.

Mr. CULLOM. That is right.

Mr. COCKRELL. If any objection is made to taking up a case favorably reported, then let the Senator interested in it move to take up and consider the bill

consider the bill.

Mr. HARRIS. Does the Senator from Missouri mean under all the

provisions of Rule VIII?

provisions of Rule VIII?

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). The Senator from Missouri asks that unanimous consent be given that pension bills favorably reported on the Calendar may be taken up in their order and disposed of. Is there objection? The Chair hears none, and that is agreed to. The bill which was under consideration when the request was made is before the Senate as in

Committee of the Whole, and open to amendment.

Mr. JACKSON. I should like to hear the report read. There are views of the minority in that case. It is a case providing for arrears.

Mr. CULLOM. For the purpose of facilitating work in this case of Bond, I suggest to the Senator from Tennessee that so far as I am concerned I am willing to allow the bill to be amended by striking out the clause providing for arrearages.

Mr. JACKSON. I agree to that.

Mr. COCKRELL. That is right.

Mr. BLAIR. I want to know what the bill is first.

The PRESIDING OFFICER. It is a bill granting a pension to James

Mr. CULLOM. Let the bill be amended so as to strike out the

arrearages.

Mr. VOORHEES. Let me call attention to the case at the bottom

Mr. VOORHEES. Let me can attention to the case at the bottom of page 26.
Mr. CULLOM. Let us dispose of this first.
Mr. VOORHEES. We shall have to go back to the other case.
Mr. CULLOM. This case is up on motion. We can go back.
Mr. COCKRELL. I move to amend the bill, in line 8, after the word "from," by striking out the words "the 14th day of November, A. D. 1864," and inserting "and after the passage of this act;" so as to read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of James Bond, who was a private in Company B, Fifty-second Regiment of Ohio Volunteer Infantry, in the late war of the rebellion; the pension under this act to date from and after the passage of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in

The bill was ordered to be engrossed for a third reading, read the third third, and passed.

ADALBERT STICKNEY.

The bill (H. R. 5207) granting a pension to Adalbert Stickney was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Adalbert Stickney, late a private in Company G, Eighth Regiment of Wisconsin Volunteers.

Mr. JACKSON. I ask that the views of the minority in that case

may be read.

The PRESIDING OFFICER. The views of the minority will be read. Mr. CULLOM. If the Senator will allow me to make a statement, the basis of the minority report, as I recollect, is in the fact that there was a contradictory statement on the part of the claimant as to the manner in which he received the wound. That appears in the papers. I have corresponded with the soldier since the claim was passed upon by the committee, and the claimant states that the agent put that statement into the papers wrongly, and the claimant afterward found it out and tried to get him to take it out; that the agent declined to do so without being paid, and he did not have any money to pay him, and so the thing stood. He admits himself that he received the wound not

Mr. JACKSON. That discrepancy is referred to in the views of the minority, but that is not the point upon which the minority rest their objection. This soldier's regiment was furloughed and was absent at home. He with a detachment was left in the command of Captain King, and he left his camp without leave and went into the city of Memphis, got into a riot, a street fight, and was shot with a pistol in the knee in that fight. That is the proof in the case. He was not in the line of duty. That is referred to in the majority report, but the fact is stated by the captain under whose immediate control he was at the time, and who says he was not entitled to a pension, and refused to sign his application for a pension, knowing the fact that he was wounded in a quarrel in the streets of Memphis when away from camp without

Mr. CULLOM. I think the Senator from Tennessee makes a statement as to the fact stronger than the papers show. It may be true that one witness testified that he thinks it was in a street riot; but others contradict that statement. He himself writes to me—I received a letter within a few days—that he received the wound by an accidental shot in the camp, and some of the testimony indicates that he was inside the camp or very near to it at the time he was shot.

I had the honor of making the report on behalf of the committee. The soldier had served within about three weeks, as I recollect, of the three years, and the testimony all showed that he was a good soldier. I thought, and the minority of the committee thought, in view of the

I thought, and the minority of the committee thought, in view of the contradictory statements in reference to the manner in which he got the wound, that the pension ought not to be allowed.

Mr. WILSON. While the evidence in this case, according to my recollection of it, discloses that a street riot was in progress at the time the wound was received, it does not establish the fact that the soldier was participating in that riot. There was simply a broil going on in the streets, and he was proceeding to his camp when from some cause he received the wound. The fact that he was participating in the riot was not established. was not established.

HI. JACKSON. I shall detain the Senate but one moment. A portion of the evidence was not referred to in the majority report. The House report has adopted it. The material statement of Captain Williams is entirely overlooked in the majority report. He says:

My recollection is that he received the control of the says: Mr. JACKSON. I shall detain the Senate but one moment.

My recollection is that he received the wound while in town, and not while in the line of duty with his company.

Then Lieutenant Doty, his lieutenant, says:

In regard to the claim of A. M. Stickney for a pension, I would say that I do not think he is entitled to it, as he was not on duty at the time and was out of camp without permission. I understood at the time that he got the wound in a street fight. I have refused several times to sign his petition for a pension on that account.

Captain King, who had charge of the soldier, says:

In reply to your favor referring to claim of Adalbert M. Stickney, will say I have no personal knowledge of the affair, as he received the wound during my absence from the command; but I was informed upon my return that he was wounded in a street broll, and not while in line of duty.

Now, it would be going entirely too far to grant a pension in that

class of case

class of cases.

Mr. WILSON. My recollection of the testimony is that this soldier was in the city of Memphis by leave of his officer, and although not engaged in any military duty at the time, still under a recent decision made by the Assistant Secretary of the Interior, if absent from camp by leave he was in the line of duty. As I read it in the newspapers, the Assistant Secretary decided that the person whose case was under consideration was in the line of duty at the time of the accident; and that anyway, being a staff officer, he is always on duty. He further rules "that any soldier, whether officer or private, who engages in recreation, joins social gatherings, religious meetings, or innocent amusereation, joins social gatherings, religious meetings, or innocent amuse-ments, and is going to or from them with the assent of his superior officer, does not thereby place himself out of the line of duty." This case I think comes fairly within the rule of that decision.

Mr. JACKSON. I examined the papers with great care. There are two comrades who state that they think he had permission to leave the camp, but the officer immediately over him says he left the camp without permission, and was wounded in the street fight.

The bill was reported to the Senate without amendment, and ordered

to a third reading.

The PRESIDING OFFICER. The question is on the passage of the bill

The question being put, there were on a division-ayes 17, noes 12;

no quorum voting.

Mr. SLATER. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 31, nays 17; as follows:

A Assault Oliv		
Cullom,	Lapham,	S
Dolph.	Manderson.	S
Frye.	Miller of Cal.,	S
Harrison,	Miller of N. Y.,	S

abin, awyer, ewell, Allison, Blair, Bowen, Call, Sherman, Van Wyck, Vorhees, Wilson. Hawley, Mitchell,
Hill, Morrill,
Hoar, Palmer,
Jones of Nevada, Riddleberger, Cameron of Wis., Chace, Conger,

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lliams.

Bayard, Cockrell, Fair, George, Groome,	Hampton, Harris, Jackson, Jonas, McPherson,	Pugh, Saulsbury, Slater, Vance, Vest,	W
	Al	BSENT-28.	
Beck,	Dawes,	Ingalls.	M

Maxey, Morgan, Pendleton, Pike, Piatt, Plumb, Panson Jones of Florida, Kenna, Lamar, Logan, McMillan, Mahone, Brown, Butler, Camden, Cameron of Pa., Edmunds. Farley, Garland, Gibson, Gorman, Hale, Colquitt, Ransom.

So the bill was passed.

JOHN HALL.

The bill (S. 1877) granting an increase of pension to John Hall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Hall, late a private in Company B, Tenth United States Infantry, Mexican war, at the rate of \$30 per month, in lieu of the \$8 per month heretofore allowed him.

The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, read the third time, and passed.

REPRESENTATIVES OF BYRAM PITNEY.

The bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney was considered as in Committee of the Whole. It proposes to place on the pension-roll the names of the widow and children of Byram Pitney, late of Company K, Twenty-sixth Regiment New Jersey Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MARY J. STOTTS.

The bill (H. R. 5069) granting a pension to Mrs. Mary J. Stotts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Mary J. Stotts, widow of Green C. Stotts, late captain of Company D, Seventy-sixth Missouri Militia.

The bill was reported to the Senate without amendment, ordered to a third reading wand the third time and accommend.

a third reading, read the third time, and passed.

LEWIS J. BLAIR.

The bill (H. R. 7500) to restore the name of Lewis J. Blair to the pension-roll, was considered as in Committee of the Whole. It proposes to reinstate on the pension-roll the name of Lewis J. Blair, late lieutenant-colonel of the Eighty-eighth Regiment Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. JULIA HARTLEY.

The bill (H. R. 7952) granting a pension to Mrs. Julia Hartley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Julia Hartley, widow of Capt. John Hartley, late of the Twenty-second United States Infantry.

The bill was reported to the Senate without amendment, ordered to third trading and the third time and proceed.

a third reading, read the third time, and passed.

HARRIET A. B. CORTS.

The bill (H. R. 8038) granting a pension to Harriet A. B. Corts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Harriet A. B. Corts, widow of George P. Corts, late an assistant adjutant-general of volunteers, and to pay her a pension at the rate of \$40 per month in lieu of the pension now

received by her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADOLPH WEACH.

The bill (H. R. 2282) granting a pension to Adolph Weach was considered as in Committee of the Whole. It proposes to place on the pen-

sion-roll the name of Adolph Weach, late of Company I, Eleventh Regiment Michigan Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

FREDERICK NELSON AND OTHERS.

The bill (H. R. 1711) granting pensions to Frederick Nelson, T. Caine, and Henry C. Sanders was considered as in Committee of the Whole. It proposes to place on the pension-roll the names of Frederick Nelson, T. Caine, and Henry C. Sanders, of Wyoming Territory, late employes of the Quartermaster's Department of the United States Army, who were severely wounded and disabled for life while connected with Major Thornburgh's expedition, in the engagement with the Ute Indians, September 29, 1879.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MRS. ADELINE E. CHADBOURNE.

The bill (H. R. 7673) granting a pension to Mrs. Adeline E. Chadbourne was considered as in Committee of the Whole. It proposes to place the name of Mrs. Adeline E. Chadbourne, an Army nurse, on the pension-roll at the rate of \$25 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

LYDIA WETHERBEE.

The bill (H. R. 7724) granting a pension te Lydia Wetherbee was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lydia Wetherbee, dependent mother of George L. Wetherbee, deceased, formerly a private in Company B, Fourteenth Regiment New Hampshire Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time and record.

a third reading, read the third time, and passed.

FREDERIC S. RICH.

The bill (H. R. 5969) increasing the pension of Frederic S. Rich was considered as in Committee of the Whole. It proposes to increase the pension now allowed to Frederic S. Rich, late a private in Company H, Eighth Regiment New Hampshire Volunteers, from \$8 per month to \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES BRADFORD.

The bill (H. R. 3701) granting a pension to James Bradford was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Bradford, late a volunteer in the United States Navy.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

GEORGE W. CLARK.

The bill (H. R. 8033) granting an increase of pension to George W. Clark was considered as in Committee of the Whole. It proposes to increase the pension of George W. Clark, late a private in Company E, Twelfth Regiment New Hampshire Volunteers, to \$50 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HOLDEN COOK.

The bill (H. R. 7707) to pension Holden Cook was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Holden Cook, late a private in Company A, Thirty-first United States Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

POLLY YOUNG.

The bill (S. 2443) granting an increase of pension to Polly Young was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Polly Young, widow of Jesse Young, late a soldier in the war of 1812, and to pay her a pension at the rate of \$30 per month in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RACHEL SMITH.

The bill (H. R. 5813) granting a pension to Rachel Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rachel Smith, dependent mother of Andrew M. Smith, late a private in Company E, Twenty-sixth Regiment Ohio Volunteer Infantry.

The bill was reported to the Smith Smith Regiment Ohio will was reported to the Smith Regiment Ohio Wolunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID T. DUDLEY.

The bill (H. R. 6965) granting a pension to David T. Dudley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of David T. Dudley, late a private in Company C, Fourth Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to s third reading, read the third time, and passed.

FREDERICK P. DEARTH.

The bill (H. R. 7315) granting a pension to Frederick P. Dearth was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frederick P. Dearth, dependent father of Edwin P. Dearth, late of the Fifty-second Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA ANGELL.

The bill (H. R. 2138) granting a pension to Martha Angell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha Angell, widow of Lieut. John C. Angell, late of Company B, Ninth Regiment West Virginia Volunteer In-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN E. MANCHESTER.

The bill (S. 1113) granting a pension to Ann E. Manchester was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ann E. Manchester, widow of Abel W. Manchester, deceased, who was a sergeant of Company H, Seventh United States Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN LOWE.

The bill (S. 2302) granting a pension to John Lowe was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Lowe, late of Company G, Fifty-third Regiment Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

R. D. LAWRENCE.

The bill (H. R. 6196) granting a pension to R. D. Lawrence was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of R. D. Lawrence, late a private in Company E, First Regiment Michigan Light Artillery.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM ROBINSON.

The bill (H. R. 1502) granting a pension to William Robinson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Robinson, late a scout in the United

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM GIBBONS.

The bill (H. R. 4098) granting a pension to William Gibbons was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Gibbons, late of Company F, Nine-

teenth Regiment Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT M. M'KINLAY.

The bill (H. R. 1984) granting a pension to Robert M. McKinlay was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert M. McKinlay, late of Company M, Sixth Iowa Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE F. WEST.

The bill (H. R. 7561) to allow a pension to George F. West was considered as in Committee of the Whole. It provides that George F. West, late a corporal in Company I, Fifth Regiment of Wisconsin Infantry Volunteers, now on the pension-roll at the rate of \$24 per month, shall hereafter be entitled to receive the same pension as a soldier now receives, or that may hereafter be allowed by law, who has lost one arm at or above the elbow or one leg at or above the knee.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN E. DENHAM.

The bill (H. R. 5798) granting a pension to John E. Denham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, after the words "Marine Corps," in line 7, to strike out "and grant him a pension of \$8 a month from the passage of this act;" so as to make the bill read:

Be il enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and Lmitations of the pension laws, the name of John E. Denham, late a sergeant of the United States Marine Corps.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in

The amendment was ordered to be engrossed and the bill to be read

The bill was read the third time, and passed.

MARGARET A. RINGWALT.

The bill (H. R. 4266) granting a pension to Margaret A. Ringwalt was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret A. Ringwalt, sister of Lewis Ringwalt, late of Company F, Seventeenth Pennsylvania Cavalry, and to pay her the pension allowed by law to the dependent relatives of deceased soldiers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM N. MORRIS.

The bill (S. 2245) granting a pension to William N. Morris was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William N. Morris, late a private in Company Seventeenth Regiment Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WEALTHY H. SEAVEY.

The bill (H. R. 6966) granting a pension to Wealthy H. Seavey was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Wealthy H. Seavey, of Erroll, N. H., as de-pendent foster-mother of Charles W. Seavey, late a private in Company Seventh Regiment Maine Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN LUMPHREY.

The bill (H. R. 5762) for the relief of Ann Lumphrey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ann Lumphrey, widow of Oliver Lumphrey.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CAROLINE VAN NORTON.

The bill (H. R. 4189) granting a pension to Caroline Van Norton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Caroline Van Norton, widow of Jacob Van Norton, late a private in Company K, One hundred and fifty-first Regiment New York Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CHARLES H. PHILLIPS.

The bill (H. R. 4837) granting a pension to Charles H. Phillips was considered as in Committee of the Whole. It proposes to increase the pension of Charles H. Phillips, late a teamster in the First Division, Fifteenth Army Corps, to \$15 per month, in lieu of the present pension. The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

BERNARD DONOHUE.

The bill (H. R. 6835) granting a pension to Bernard Donohue was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bernard Donohue, late artificer of Company

, First New York Volunteer Engineers.
The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM E. AYERS.

The bill (H. R. 7773) granting a pension to William E. Ayers was considered as in Committee of the Whole. It proposes to place the name of William E. Ayers, late of Company E. Twenty-fourth New York Cavalry Volunteers, on the pension-roll, under the rules and regulations of the Pension Office.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZA M. BYERS.

The bill (H. R. 7386) granting a pension to Eliza M. Byers was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza M. Byers, widow of Dr. William J. Byers, and to pay her the pension of the widow of a surgeon of volunteers. The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM WEDDINGFIELD.

The bill (H. R. 732) granting a pension to William Weddingfield was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Weddingfield, late a private in Company E, First Regiment Potomac Home Brigade Cavalry, Maryland Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. MARY GORDON.

The bill (S. 2437) granting a pension to Mrs. Mary Gordon was con-

sidered as in Committee of the Whole. It proposes to place on the pen-sion-roll the name of Mrs. Mary Gordon, mother of Samuel F. Gordon, late a private in Company G, Sixteenth Regiment Ohio Volunteers. The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, read the third time, and passed.

ELENOR STOUGH.

The bill (H. R. 1164) to restore to the pension-roll the name of Elenor Stough was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Elenor Stough, widow of George W. Stough, late major of the Eighty-eighth Regiment Indiana Volun-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY HOWARD FARQUHAR.

The bill (S. 1960) for the relief of Mary Howard Farquhar was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, after the words "at the rate of," in line 9, to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, &c., That from and after the passage of this act the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Mary Howard Farquhar, widow of the late Maj. and Bvt. Lieut. Col. Francis U. Farquhar, Corps of Engineers, United States Army, and daughter of the late Maj. Gen. A. S. Williams, United States Volunteers, at the rate of \$30 per month, in lieu of the pension which she now receives.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM R. MILLER.

The bill (H. R. 3000) for the relief of William R. Miller for pension was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William R. Miller, late a guide to scouts under Maj. James M. Moore, of the Fifteenth Missouri Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JANE HILTON.

The bill (H. R. 5082) granting a pension to Jane Hilton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jane Hilton, widow of Ellis Hilton, deceased, late a private in Company E, Seventy-fourth Illinois Volunteers, and Company B, Eleventh Veteran Reserve Corps.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SEDATE P. MARTIN.

The bill (S. 2262) granting a pension to Sedate P. Martin was considered as in Committee of the Whole. It proposes to place on the pension-roll, upon the evidence on file in the office of the Commissioner of Pensions, the name of Sedate P. Martin, late a private in Company B, One hundred and forty-first Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MERLIN C. HARRIS.

The bill (H. R. 2136) granting an increase of pension to Merlin C. Harris was considered as in Committee of the Whole. It proposes to increase the pension of Merlin C. Harris, late captain of Company C, Ninety-sixth Regiment New York Volunteer Infantry, from the amount now paid him as sergeant to the amount paid a first lieutenant.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. OLIVE W. PARKER.

The bill (H. R. 3901) granting a pension to Mrs. Olive W. Parker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Olive W. Parker, widow of Stephen N. Parker, deceased, late of the Ninth Battery Massachusetts Volunteers. The bill was reported to the Senate without amendment, ordered to third transfer and the third time and reseed.

a third reading, read the third time, and passed.

ROBERT J. BALLORT.

The bill (S. 2268) for the relief of Robert J. Ballort was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert J. Ballort, late a private in Company F, Eighth

Regiment Michigan Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JULIA A. CHAMBERS.

The bill (H. R. 4317) increasing the pension of Julia A. Chambers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and

limitations of the pension laws, the name of Julia A. Chambers, widow of John Chambers, late an ordnance-sergeant in the United States Army, who died at Fort Monroe, January 30, 1879, and increase the pension paid to her to \$12 per

Mr. BLAIR. I should like to have the report read in that case. The PRESIDING OFFICER. The report will be read. The Chief Clerk read the following report, submitted by Mr. BLAIR February 13, 1885:

The Committee on Pensions, to whom was referred House bill 4317, granting a pension to Julia Chambers, have examined the same, and reports recommending its passage with an amendment reducing the amount from \$20 to \$12.

Mr. Bl.Alf., for the minority, opposes the amendment, and the following House report is a statement of the facts of the case:

[House Report No. 535, Forty-eighth Congress, first session.] The Committee on Invalid Pensions of the Forty-sixth Congress recommended the passage of this bill. We think they were justified in so doing. For the reasons set forth in their report, which is hereto amnexed, and which we ask shall be made part hereof, we recommend the passage of the bill:

"[House Report No. 173, Forty-sixth Congress, third session.]

"[House Report No. 173, Forty-sixth Congress, third session.]

"The Committee on Invalid Pensions, to whom the subject was referred, submit the following report:

"Julia A. Chambers is a pensioner at the rate of \$8 per month, which she asks Congress to increase to \$20 per month.

"Itappears that petitioner is the widow of Ordnance-Sergeant John Chambers, United States Army, who died in the United States military service at Fort Monroe, January 30, 1879, after having served in the Army nearly half a century. It also appears that she is the daughter of William Johnson, who was in the military service of the United States for a period of thirteen years, and who was discharged therefrom by reason of wounds contracted in battle with Indians.

"Petitioner alleges that she is 60 years of age; that the greater portion of her life has been spent in the Army with her husband and father. She states that she is infirm in addition to the disability on account of age, and that the pension now paid her is wholly inadequate to satisfy her necessities.

"In view of the fact that this is an exceptional case; that she suffered the hardships of her husband and father, in their long services in the Army, the committee think the relief asked should be granted, and they recommend that the bill herewith reported do pass."

Mr. BLAIR. The hill passed the Hence grant in the first of the fact in the suffered the hardships of the Hall Passed the Hence grant in the Army.

Mr. BLAIR. The bill passed the House granting a pension of \$20. It is a woman whose husband served almost fifty years. He was only a sergeant but he rendered very meritorious service. She was with him during the whole time, and the Army got the benefit of her services largely. Her father was in the Army thirteen years. She is now old, dependent, entirely helpless, and any less amount than \$20 is insufficient for her support. It seemed to me at least, and to others of the committee, as it did to the House, that a case like this ought certainly to merit the consideration of the Senate when we are every day increasing the pensions of the widows of those of high rank who rendered lifelong and distinguished services in higher stations.

Mr. VOORHEES. I understand the Senator from New Hampshire to support the bill as it came from the House.

Mr. VOORHEES. I think that is right.

The PRESIDING OFFICER. The question is on agreeing to the

amendment of the committee.

Mr. BLAIR. I hope the amendment will not be agreed to, because it proposes to reduce the amount.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS M'GILL.

The bill (H. R. 8133) granting a pension to Thomas McGill, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas McGill, late first-class pilot on the steamer

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT CARY.

The bill (H. R. 6011) granting an increase of pension to Robert Casey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, after the word "Robert," in line 6, to strike out "Casey" and insert "Cary;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert Cary, late a private in Company I, Ninety-ninth Regiment Ohio Volunteer Infantry, at \$45 per month, in lieu of the pension he is now receiving.

The amendment was agreed to

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title of the bill was amended so as to read: "An act granting an increase of pension to Robert Cary."

SARAH HAGUE.

The bill (S. 1836) granting a pension to Sarah Hague was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Hague, dependent mother of M. C. Hague, late of Company L, Sixth New York Heavy-Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CORNELIA V. BLACKMAN.

The bill (H. R. 7571) granting a pension to Cornelia V. Blackman was considered as in Committee of the Whole. It proposes to place the name of Cornelia V. Blackman, widow of Harvey C. Blackman, late a second lieutenant in the Eighth Kansas Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. BALDWIN.

The bill (H. R. 7313) granting a pension to Charles W. Baldwin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles W. Baldwin, late a private in Company C, Nineteenth Regiment Illinois Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY C. AXLINE.

The bill (H. R. 6653) granting a pension to Mary C. Axline was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary C. Axline, widow of Jacob Axline, late a first lieutenant in Captain Hickman Mills's company of Missouri Enrolled Militia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELEN M. HARRISON.

The bill (H. R. 2325) granting a pension to Helen M. Harrison was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Helen M. Harrison, widow of Alexander R. Harrison, late a private in Company F, Tenth Regiment Minnesota Vol-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB J. MORNINGSTAR.

The bill (H. R. 3403) for the relief of Jacob J. Morningstar was considered as in Committee of the Whole. It proposes to increase the rate of pension now paid Jacob J. Morningstar, late a private in Company D, Seventy-sixth Regiment Pennsylvania Volunteers, from \$24 per month to \$30, as provided by the act of March 3, 1883.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC R. H. CALDWELL.

The bill (H. R. 5508) granting a pension to Isaac R. H. Caldwell was considered as in Committee of the Whole. It proposes to put the name of Isaac R. H. Caldwell, late captain of Company G, Thirteenth Ken-

tucky Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA MARIA RESSLER

The bill (H. R. 4247) granting a pension to Anna Maria Ressler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anna Maria Ressler, of Reading, Pa., widow of Lawrence Ressler, deceased, late a private in Company 64, Second Baltimore Veteran Reserve Corps, and of Company D, Seventh Pennsylvania Reserve Corps.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

REBECCA KUPP.

The bill (H. R. 6826) granting a pension to Rebecca Kupp was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rebecca Kupp, surviving mother of George Kupp, deceased, late a private in Company B, Fifty-third Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORDELIA GALE.

The bill (H. R. 4548) granting a pension to Cordelia Gale was considered as in Committee of the Whole. It proposes to place the name of Cordelia Gale, widow of Ebben G. Gale, deceased, late of Company D, Second Regiment Michigan Cavalry, in the war of the rebellion, on the pension-roll as a pensioner of the United States.

The bill was reported to the Senate without amendment, ordered to a

third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills:

A bill (S. 2084) to amend chapter 464 of the acts of the first session of the Forty-seventh Congress, entitled "An act to provide for a public building at the city of Fort Wayne, in the State of Indiana;" and

A bill (S. 2375) to authorize the increase of the capital stock of the Commercial National Bank of Chicago.

The message also announced that the House had passed the bill (S. 66) providing for allotment of lands in severalty to the Indians resid-

ing upon the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes, with amendments; in which it

requested the concurrence of the Senate.

The message further announced that the House insisted on its amend-The message further announced that the House insisted on its amendment to the bill (S. 1609) to provide for the purchase of a site, and the erection of a public building thereon, at Detroit, Mich., agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Strother M. Stockstager of Indiana, Mr. James H. Hopkins of Pennsylvania, and Mr. Education of Pennsylvania, and Mr. Education of the strong provided in the strong p WARD BREITUNG of Michigan managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 5828) for the relief of Saint Mark's Protestant Episco-

pal church in the District of Columbia;

A bill (H. R. 7556) to regulate the manufacture and sale of spirituous

and malt liquors in the District of Columbia;

A bill (H. R. 7557) to provide for the sale of certain real property in the District of Columbia, and for other purposes;

A bill (H. R. 7935) for the relief of the Church of the Ascension, in

the District of Columbia; and

A bill (H. R. 8236) relating to sales for taxes in the District of Columbia.

The message further announced that the House had non-concurred in the amendments of the Senate to the bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. George G. Dibrell of Tennessee, Mr. Lewis Beach of New York, and Mr. William Cullen of Illinois the managers at the conference on the part of the House.

SARAH A. SCOTT.

The bill (H. R. 2670) granting a pension to Sarah A. Scott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah A. Scott, widow of John D. Scott, deceased, late first lieutenant of Company H, First Regiment Pennsylvania Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE S. EDMONDSON.

The bill (H. R. 6205) granting a pension to Catharine S. Edmondson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine S. Edmondson, dependent mother of William C. Edmondson, deceased, late a private in Company I, Eighty-second Regiment Pennsylvania Infantry Volun-

teers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. SLOAN.

The bill (H. R. 3681) granting a pension to William L. Sloan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William L. Sloan, late a corporal of Company B, Third Regiment Minnesota Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZABETH SMITH.

The bill (H. R. 7302) granting a pension to Elizabeth Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Smith, foster-mother of Albert Shafer, late a private in Company B, Thirteenth Ohio Volunteer Cavalry, at the rate of \$8 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MRS. ANN E. GRIDLEY.

The bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "sum of," to strike out "twenty-

Be it enacted, de., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Ann E. Gridley, a volunteer nurse in the late war, and pay her the sum of \$20 per month from and after the passage of this act.

The amendment was agreed to.

sion-roll the name of H. D. Prior, late a private in Company B, Four-teenth Regiment Wisconsin Infantry Volunteers.

Mr. BLAIR. I offer the following amendment to be added as a new

SEC. 2. That the act entitled "An act to restore pensions in certain cases," approved June 9, 1880, shall be construed so as to include within its provisions all officers and enlisted men of the Army and their widows and minor children.

That is to relieve a hardship which extends to some four or five widows who were originally pensioned, being the widows of officers of distinguished merit, at \$25. By a mistake or misconstruction of the law the Pension Office reduced the amount to \$20. An act has already been passed which relieves all widows of naval officers by restoring them to the old rate of \$25. This is designed to reach some four or five, possibly six, of the older widows of Army officers who originally were pensioned at \$25. It includes the widow of the quartermaster who took our Army from Vera Cruz to Mexico and some four others. There is a great hardship which ought to be remedied.

Mr. WILSON. What bill is under consideration?

Mr. COCKRELL. Let the whole bill be read as it is proposed to be

Mr. BLAIR. It is simply a private bill to which this additional sec-

tion is proposed.

The PRESIDING OFFICER. The amendment has no connection with the bill, but the bill will be read with the amendment.

The Chief Clerk read the bill and the amendment.

Mr. COCKRELL. I wish the Senator from New Hampshire would explain and have read the act which is proposed to be extended.

Mr. BLAIR. The Senator's attention was not attracted to what I

said before, and perhaps I had better state the matter more fully. The act of June 9, 1880, provides—

That section 3 of an act entitled "An act increasing the pensions of widows and orphans, and for other purposes," approved July 25, 1866, and section 13 of an act entitled "An act relating to pensions." approved July 27, 1868, and section 4712 of the Revised Statutes, shall not operate to reduce the rate of any pension which had actually been allowed to the commissioned, non-commissioned, or petty officers of the Navy or their widows or minor children, prior to the 25th day of July, 1866; and the Secretary of the Interior is hereby directed to restore all such pensions as have already been so reduced to the rate originally granted and allowed, to take effect from the date of such reduction.

The amount of the reduction which had been previously ordered, by what was thought to be a misconstruction of the law relating to some of the more elderly pensioners, was \$5 a month—from \$25 to \$20. That hardship was observed; and by the act which I have just read the hardship was relieved so far as the widows of officers of the Navy were concerned. Now there are as I am informed, from four to six—I do not smp was releved so far as the widows of olicers of the Navy were concerned. Now there are, as I am informed, from four to six—I do not know the number actually, but I am informed it is not in excess of six—of the aged widows of these older Army officers whose pensions have never been restored as has been done in the case of the widows of Navy officers. It only puts them back to the rate at which they were originally pensioned in any case.

My attention was attracted to this application by the case of the widow of the quartermaster of General Scott's army. She was pensioned originally at the rate of \$25. In 1873 I think it was—it may have been 1871—her pension was reduced to the extent of \$5 a month, from \$25 to \$20 a month. She told me her story, and it was one of the most nitiful I have ever listened to in these cases. She is evidently the most pitiful I have ever listened to in these cases. She is evidently a woman of aristocratic birth and of the very highest associations, and she on the \$20 a month has barely existed in utter poverty and without sufficient means to rely upon for her living, so that the little piece of land she owns down in Virginia, fifteen or twenty miles out of the city, has become encumbered, and she is about to be turned from her home unless she can have some relief. She told me her case, and it is one of those which, if the evidence was offered, Congress would not hesitate a moment in pensioning the woman at \$50 a month; but it is altogether too late to think of giving her any relief of that kind at this session. Meanwhile she is likely to lose her home.

This hardship was called to the attention of the Pension Committee

at the last session, and in a general bill a section was inserted to re-lieve the case, which section is that I now move as an amendment to a House bill that it may be sent back to the House for concurrence, pre-cisely as the other day we annexed to a House bill a provision which increased the pensions of all widows of soldiers who served in the late war from \$8 to \$12, and of all dependent parents from \$8 to \$12. This is not far-reaching; it can not affect more than five or six at the most, and this \$5 a month during these years will save this woman's home to her and enable her to live. She is now over 70, and I assure the Senate that I do not think as much good can be done with so little effort in any other direction whatever. It seems to me gross injustice that the pension was reduced originally. We have restored it so far as the widows of naval officers are concerned, and now it seems to me we ought to do this slight act of justice for which this woman can not wait.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Hampshire.

The amendment was agreed to.
The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill giving a pension to H. D. Prior, and for other purposes."

ROBERT SHERIDAN.

The bill (S. 2527) granting a pension to Robert Sheridan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert Sheridan, late a private in Company D, First Rhode Island Light Artillery.

The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, read the third time, and passed.

ELIZA J. NORRIS.

The bill (H. R. 6235) granting a pension to Eliza J. Norris was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza J. Norris, widow of Dudley F. Norris, late a private in Company I, Twelfth Regiment New Hampshire Volunteers, in the late war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN P. LOWELL.

The bill (H. R. 6310) granting a pension to Benjamin P. Lowell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Benjamin P. Lowell, late of Company I, First Regiment Maine Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JEREMIAH M'CARTY.

The bill (H. R. 6029) for the relief of Jeremiah McCarty was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "pension," to strike out the words "of twenty dollars per month" and to insert "at the rate to which a private soldier is and shall be entitled by law for like disabilities;" so that the bill as amended will read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Jeremiah McCarty, of Newport, R. I., on the roll of pensioners, and to pay him a pension at the rate to which a private soldier is and shall be entitled by law for like disabilities from and after the passage of

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HENRY RODENBACK.

The bill (H. R. 2894) granting a pension to Henry Rodenback was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry Rodenback, late a private in Company K of the Twenty-fourth Regiment Wisconsin Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

SHERMAN C. PERRY.

The bill (H.R.3336) for the relief of Sherman C. Perry was considered as in Committee of the Whole. It proposes to pay to Sherman C. Perry, late of Company B, Sixteenth New York Volunteers, a pension at the rate of \$25 per month, in lieu of the pension now paid to him.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ANTHONY BEYER.

The bill (H. R. 7092) for the relief of Anthony Beyer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anthony Beyer, late a private in Company E, Fifth

Regiment of Iowa Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD P. QUINN.

The bill (H. R. 7732) granting an increase of pension to Edward P. Quinn was considered as in Committee of the Whole. It provides for increasing the pension of Edward P. Quinn, of the city of Albany, late a lieutenant of Company D, One hundred and twenty-third New York Volunteers, to the sum of \$40 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS L. CANADY.

The bill (S. 2279) granting a pension to Lewis L. Canady was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lewis L. Canady, late a private in the war of

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES O. M'KENNA.

The bill (H. R. 7175) granting a pension to James O. McKenna was considered as in Committee of the Whole. It provides for placing on the pension-roll the name of James O. McKenna, late of Company B, Sixth Iowa Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA PIGEON.

The bill (H. R. 6044) granting a pension to Eliza Pigeon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza Pigeon, widow of Joseph Pigeon, late a private in Company B, Third Regiment New York Artillery Volunteers, in the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. WHITCOMB.

The bill (H. R. 5364) granting a pension to William H. Withcomb was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, which was, in line 7, after the word "cavalry," to strike out the words "and pay him a pension of \$8 a month;" so that the bill as amended will read:

I That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William H. Whitcomb, late a private in Company M, Fifth New York Cavalry.

I The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read

The bill was read the third time, and passed.

MARIA G. DUNBAR.

Mr. HOAR. I ask unanimous consent that the vote of the Senate indefinitely postponing the bill (S. 993) for the relief of Maria G. Dunbar be reconsidered and the bill recommitted to the Committee on Pensions. This is a case where there was an adverse report, and I have the consent of the Senator from West Virginia [Mr. CAMDEN] who

made the report to make the motion.

The PRESIDING OFFICER. The Senator from Massachusetts asks that there may be unanimous consent to reconsider the vote by which the bill indicated by him was indefinitely postponed, and that the bill be recommitted to the Committee on Pensions. Is there objection? The Chair hears none, and that order is made.

FREDERICK BRAUNWALD.

The bill (H. R. 5123) granting a pension to Frederick Braunwald was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frederick Braunwald, late a private in Company E, Thirty-seventh Regiment of Illinois Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ANN W. MULVEY.

The bill (H. R. 2398) granting an increase of pension to Mrs. Ann W. Mulvey was considered as in Committee of the Whole.

The bill was reported by the Committee on Pensions with an amendment, in line 11, after the words "amount of," to strike out "twenty-four" and insert "sixteen;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and conditions of the pension laws, the name of Mrs. Ann W. Mulvey, mother of Francis S. Mulvey, late of Company D, Fifth New Jersey Volunteers; James W. Mulvey, late of Company D, Eleventh New Jersey Volunteers, and August J. Mulvey, late of Company D, Eleventh New Jersey Volunteers, and August J. Mulvey, late of Company D, Eleventh New Jersey Volunteers, all of whom died in the Army, and pay her an increase of pension to the amount of \$16 per month, in lieu of \$8 that she now receives; but nothing in this act shall entitle the said Mrs. Ann W. Mulvey to arrears of pensions.

Mr. SEWELL. I trust the amendment of the committee will not be adopted in this case. This woman is very old, between 70 and 80 years of age, the mother of three sons who were killed in the Army. I speak advisedly of this, as one of them was killed in my own command at Chancellorsville. I think a woman who has given three sons to the Army in this way is entitled to the small pittance of \$24 per month for the remainder of her life.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Pensions.

The question being put, there were on a division-ayes 7, noes 10; no quorum voting

Mr. COCKRELL. I think when the Senate undertakes to overrule a unanimous report of the Committee on Pensions we had better have the yeas and nays and have the report read and let us understand the case. If the report of the Committee on Pensions is not to be observed and we are simply to put our hands into the pockets of the tax-payers

of the United States and give to whomsoever asks, let us know.

Mr. FRYE. Mr. President, when a poor woman has lost her sole,
three sons in the Army, I am ready to put my hands into the pocket of the United States Treasury and pay her \$8 a month in excess of what the committee recommended.

The PRESIDING OFFICER. The yeas and nays are called for on

the question of the adoption of the amendment.

Mr. COCKRELL. Nobody called for the yeas and nays; but if the Chair knows how to pass a bill without a quorum, I should like to see it done

Mr. SEWELL. I shall ask for the yeas and nays if it becomes nec-

essary to call them.

The PRESIDING OFFICER. It is the duty of the Chair to call

Mr. SEWELL. One reason why I do not want an amendment made is that the bill will go back to the House if it is amended, and it will be almost impossible to get action there.

The PRESIDING OFFICER. There will be a call of the Senate.

The Chief Clerk called the roll and 48 Senators answered to their names

Mr. HAWLEY. I was requested by the Senator from Ohio [Mr. SHERMAN] and the Senator from North Carolina [Mr. RANSOM] to say that they are necessarily absent on the committee to provide for the

that they are necessarily absent on the committee to provide for the inauguration ceremonies, and to ask for that committee leave to sit during the sessions of the Senate.

The PRESIDING OFFICER. Pending a call of the Senate the motion is not in order. Forty-eight Senators have answered to their names. There is a quorum present. The question is on agreeing to the amendment reported by the Committee on Pensions.

Mr. SEWELL. For the information of members of the Senate who ware not here when I made my statement. I will say that this woman

Mr. SEWELL. For the information of members of the Senate who were not here when I made my statement, I will say that this woman lost three sons in the Army. She has been pensioned at \$8 a month. The bill as it came from the House gives her an increase to \$24. The Committee on Pensions have limited it to \$16. There is great danger in amending a bill of this character at this late day of the session. Besides that, I take it that a woman who has given three sons to the

country is entitled to \$24 a month in her old age.

Mr. JACKSON. The general law now places a dependent mother upon the same footing as a widow, and allows her to make her election as to which son she will ask a pension for. The present bill proposes to increase that threefold. The committee recommend, in view of the old lady's age, that her pension be made \$16. This is a special case. This is to give her two dependencies; and the Senator from New Jersey asks for three. The committee recommended two in view of the old lady's age, and whenever you go beyond that you open the way for an immense number of claims beyond the general law.

The PRESIDING OFFICER. The Chair will again put the question. The question is on the amendment reported by the Committee

on Pensions

The question being put, a division was called for; and there were-

Mr. BLAIR. Is it in order to say a word while the Senate is divid-

ing?
The PRESIDING OFFICER. Not now.
The division being concluded, there were in the negative 17.
The PRESIDING OFFICER. There is not a quorum voting.

I want to say a word about the question.

Mr. BLAIR. I want to say a word about the question. Mr. SEWELL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BLAIR. I wish to ask the Senator from New Jersey a question, as he seems to have personal knowledge about the case, and that is whether this old lady can be supported comfortably upon the \$16 a month?

Mr. SEWELL. I should think not.

Mr. BLAIR. Has she any means of support or livelihood? Mr. SEWELL. She is entirely dependent.

Mr. BLAIR. I remember this case as it was discussed in committee, and I favored the bill as it came from the House; but it was finally after discussion compromised in the committee on \$16. For one I should be very glad to have the bill passed as it originally came from the House, especially since the statement of the Senator, which was not before the committee, to my knowledge at least, that on account of her age and her dependence upon the sons she can not live comfortably on a less sum than \$24. It seems to me that \$5.33\for each boy is not quite enough. If you give \$8 per month for each of these boys I think it will be cheap enough, and we ought to do it.

Mr. PLATT. As I shall vote in favor of this amendment I would

like in a word to give my reason for doing so. It is one of those cas where our sympathies are appealed to and where if we do not follow our sympathies we are supposed to be hard-hearted and illiberal; but it looks to me like favoritism. This is not the only mother who lost more than one son in the war; she is not the only mother who has lost three sons in the war and who is now old and poor. I know mothers

in my own town who have lost more than one son in the war and who are old and very poor, but they receive only \$8 per month.

Now, what I object to is the favoritism. If we are going to do anything of this sort, we ought to put on this bill an amendment which shall say that whenever a dependent mother has lost more than one son in the war she shall be pensioned at the rate of \$8 per month for each son that she has lost. That would be fair. There would be no unjust discrimination about that.

As I dislike in all these cases where an appeal is made to our sym-

pathies to vote against that appeal, I wanted to put the reason why I should sustain the committee on record before my vote was cast.

Mr. INGALLS. Mr. President, having been out of the Chamber while this discussion has been going on, I rise to ask if this is a question whether an aged and dependent woman who has given three sons for her country shall receive \$16 or \$24 per month?

Several SENATORS. That is the question.

Mr. INGALLS. And I am advised that the House of Representatives passed a bill allowing her \$24 a month, and that the Senate committee

passed a bill allowing her \$24 a month, and that the Senate committee for some reason reduced it to \$16 a month, and the question now recurs whether the Senate committee shall be sustained or whether we shall act upon the bill as it came from the House. I should like to vote so as to give this woman \$24 a month, and if I can be instructed whether a vote "yea" or "nay" will enable me to do this I shall so vote.

In regard to the suggestion of the Senator from Connecticut that there In regard to the suggestion of the Senator from Connecticut that there is any unjust favoritism by this action that is now invited from the Senate against any woman who gave one, two, or three sons to the service of the country, I have only to say that I shall hail with pleasure as one of the inestimable privileges of my life the opportunity to vote to increase the pension of any such woman to the sum of \$24 or more per month whenever I can have that opportunity. It is no discrimination; it is no injustice, because these people have not applied for the increase. The Senator from Connecticut is not just in attempting to place upon those who are willing to give this poor widow this increased sum of money the stigma of favoritism, that we are acting in this way in favor of one to the exclusion of others. I believe there should be a general bill passed that would increase the pensions in all such cases; but no general bill being presented, I vote with pleasure for the act that enables me to do justice in a private case.

Mr. PLATT. I differ with the Senator from Kansas entirely in re-

Mr. PLATT. I differ with the Senator from Kansas entirely in relation to this whole matter. I believe that this business which the Senate of the United States is engaged in giving to those persons who apply, and whose claims happen to be pressed here by influential Senators, a larger sum of money than is given by general law to persons in precisely the same circumstances, is all wrong, and, whatever the Senator from Kansas may think about it, it savors to me of discrimination and injustice.

and injustice.

I would vote, I think, for a general bill which should make a pension of each dependent mother \$8 per month for each son she has lost; but the dependent mothers of this country are not instructed about the way to dependent mothers of this country are not instructed about the way to get these special acts; they have no diligent attorneys to present them here, and if they did their claims would be numbered not by the hundred but by the thousand. They do not know how to engage the sympathies of Senators to present their claims and get them through the Senate of the United States, and they never will be pensioned at any more than \$8 a month unless some general bill is prepared and presented here for that purpose. If it be not done, and Senators I think will agree with me that it is not likely to be done immediately, as no-body seems to have as much consideration for the whole number of dependent mothers of this country who have lost one or more sons as Seneration. pendent mothers of this country who have lost one or more sons as Senators have for some particular individual mother of this country, we shall have just this state of affairs, that one mother who has lost three sons in the Army is pensioned at the rate of \$24 per month, and that hundreds of mothers (for there are hundreds of mothers in this country who have lost three sons in the war, all their sons in the war, and who are now old and dependent) will be pensioned at \$8 per month. If that is

not favoritism and discrimination I do not know what it is.

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Pensions, on which the yeas and nays

have been ordered.

The question being taken by yeas and nays, resulted—yeas 21, nays 30; as follows:

	YE	AS-21.	
Camden, Coekrell, Coke, Colquitt, Fair, George,	Gibson, Gorman, Hampton, Harris, Jackson, Maxey,	Mitchell, Platt, Pugh, Saulsbury, Slater, Vance,	Walker, Williams, Wilson.
	NA.	YS-30.	
Bayard, Blair, Bowen, Brown, Call, Cameron of Wis., Chace, Conger,	Dolph, Edmunds, Frye, Harrison, Hoar, Ingalls, Jones of Nevada,	Lapham, McMillan, Manderson, Miller of Cal., Miller of N. Y., Morgan, Morrill, Palmer,	Pike, Riddleberger, Sabin, Sawyer, Sewell, Voorbees,
	ABSI	ENT-25.	
Aldrich, Allison, Beck, Butler, Cameron of Pa., Cullom, Dawes,	Farley, Garland, Groome, Hale, Hawley, Hill, Jones of Florida,	Kenna, Lamar, Logan, McPherson, Mahone, Pendleton, Plumb,	Ransom, Sherman, Van Wyck, Vest.

So the amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT PATTERSON.

The bill (H. R. 1759) granting a pension to Robert Patterson was con-

sidered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert Patterson, late a private in Company F, Thirty-seventh Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAVISA HETH.

The bill (H. R. 7524) for the relief of Lavisa Heth was considered as in Committee of the Whole. It proposes to place the name of Lavisa Heth, widow of Wilford S. Heth, late a private in Company F, Fortyninth Regiment Indiana Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CAROLINE LEWIS.

The bill (H. R. 6663) restoring to the pension-roll the name of Caroline Lewis was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Caroline Lewis, widow of John Lewis, late of the United States colored troops (certificate numbered 140665), who was killed near Louisville, Ky., about the 6th day of November, 1864, in the line of duty.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL M. BARTLETT.

The bill (H. R. 7094) granting a pension to Samuel M. Bartlett was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel M. Bartlett, late a private in Company K, Thirty-fourth Regiment Illinois Volunteers. , Thirty-fourth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELBERT HEWITT.

The bill (H. R. 7672) granting an increase of pension to Elbert Hewitt was considered as in Committee of the Whole. It proposes to increase the pension heretofore allowed to Elbert Hewitt, late a private in Company C, Sixth Regiment Vermont Volunteers, from \$24 to \$40 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALMIRA K. PARKER.

The bill (H. R. 7722) granting a pension to Almira K. Parker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Almira K. Parker, dependent mother of Ira J. Adams, deceased, formerly a private in Company A, Third Regiment of New Hampshire Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID FRIED.

The bill (H. R. 7308) for the relief of David Fried was considered as in Committee of the Whole. It proposes to place the name of David Fried, late a private in Company F, Fifty-ninth Regiment Indiana Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

GEORGE S. HAWLEY.

The bill (H. R. 8104) granting an increase of pension to George S. Hawley was considered as in Committee of the Whole. It declares that George S. Hawley, late a first lieutenant in the Twenty-third Regiment United States Colored Troops, now on the pension-roll at the rate of \$24 per month, shall hereafter be entitled to receive a pension at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

SARAH A. WHITE.

The bill (S. 2367) granting a pension to Sarah A. White was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah A. White, of Abington, Mass., widow of Ebenezer White, late a lieutenant in the Kansas Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES FRAZIER.

The bill (H. R. 5555) granting a pension to James Frazier was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Frazier, late a private in Company B, Fifteenth Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. REID.

The bill (H. R. 2068) granting a pension to James H. Reid was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James H. Reid, of Dorsey's regiment of Illinois volunteers in the Black Hawk war, at the rate of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH FOWLER.

The bill (H. R. 2284) granting a pension to Elizabeth Fowler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Fowler, the widow of Philo Fowler, late of Company A, Second Battalion, Seventeenth United States Infantry Volunteers of Maine.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time and passed.

a third reading, read the third time, and passed.

JASPER J. HENRY.

The bill (H. R. 3074) to grant a pension to Jasper J. Henry on account of wounds received while acting as guide for the First Arkansas Cavalry Volunteers in the war of the rebellion was considered as in Committee of the Whole. It provides that the name of Jasper J. Henry shall be placed on the pension-roll of invalid persons, on account of wounds received while acting as guide and pilot for the First Arkansas Cavalry Volunteers in the war of the rebellion sas Cavalry Volunteers, in the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

BRYSON R. M'CARTNEY.

The bill (S. 1612) granting a pension to Bryson R. McCartney was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bryson R. McCartney, late of Company K, Ninth Regiment Illinois Infantry.

The bill was reported to the Senate, ordered to be engrossed for a

third reading, read the third time, and passed.

JULIA A. MARCUM.

The bill (H. R. 5938) to pension Julia A. Marcum was considered as in Committee of the Whole

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

* CORDELIA BRAINERD THOMAS.

The bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 11, after the word "of," to fill the blank by inserting

ment, in line 11, atter the word "of," to fill the blank by inserting "fifty;" so as to make the bill read:

That the Secretary of the Interior be, and he hereby is, authorized to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Cordelia Brainerd Thomas, widow of the late Rev. E. Thomas, who was killed by the Modoc Indians in 1873, while acting as a member of a peace commission sent by the United States Government to treat with the said Indians, and to pay her, from and after the passage of this act, during her widowhood, the sum of \$50 a month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRIET M. BAILY.

The bill (H. R. 7602) to grant a pension to Harriet M. Baily was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Harriet M. Baily, widow of William P. Baily, late a colonel in the service of the United States, of the Second Regiment of Delaware Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOIS B. SMITH.

The bill (H. R. 7731) granting a pension to Lois B. Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lois B. Smith, mother of Theodore H. Jame-

son, late of Company K, Thirteenth New York Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM BOLWORK.

The bill (H. R. 3749) granting a pension to William Bolwork was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Bolwork, late a private in Company K, Thirteenth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH RYAN.

The bill (H. R. 2537) granting a pension to Hugh Ryan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hugh Ryan, late assistant surgeon of the Thirty-fourth Regiment of Kentucky Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

GEORGE W. KISER.

The bill (H. R. 2539) granting a pension to George W. Kiser was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Kiser, late a private in Company A, Twenty-Sixth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. GRIFFIN.

The bill (H. R. 1046) granting a pension to Mary A. Griffin was considered as in Committee of the Whole. It proposes to place the name of Mrs. Mary A. Griffin, mother of William D. Griffin, late a private in Company F, One hundred and fifty-first Regiment New York Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

T. A. MORTON.

The bill (H. R. 7336) granting a pension to T. A. Morton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of T. A. Morton, late of Company E, Sixteenth Regiment New York Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CHLOE A. WHIPPLE.

The bill (H. R. 7338) granting a pension to Chloe A. Whipple was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Chloe A. Whipple, of Batavia, N. Y., mother of Charles A. Whipple, late of Company L., Eighth New York Heavy Artillery

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELMINA P. SPENCER.

The bill (H. R. 7262) increasing the pension of Elmina P. Spencer was considered as in Committee of the Whole. It proposes to increase the pension of Mrs. Elmina P. Spencer to \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES P. MAHAN.

The bill (H. R. 3728) granting a pension to Charles P. Mahan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles P. Mahan, late of Company G, One hundred and forty-sixth Regiment, New York Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZA SLUSS.

The bill (H. R. 3605) granting a pension to Eliza Sluss was considered as in Committee of the Whole. It provides for placing on the pension-roll the name of Eliza Sluss, widow of John M. Sluss, late captain of Company A, Third Indiana Volunteers in the war with Mexico.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN A. VANDERHOFF.

The bill (H. R. 7256) granting a pension to John A. Vanderhoff was considered as in Committee of the Whole. It provides for placing on the rension-roll the name of John A. Vanderhoff, late a private in Company A, Eighth Regiment United States Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MARK SPENCER VAN LOAN.

The bill (H. R. 7822) granting a pension to Mark Spencer Van Loan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mark Spencer Van Loan, of Catskill, N. Y., late a private in Company K, Eightieth New York Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

GEORGE TAPP.

The bill (H. R. 6018) increasing the pension of George Tapp was considered as in Committee of the Whole. It proposes to increase the pension of George Tapp, late a lieutenant of Company B, Eleventh Regiment Pennsylvania Infantry Volunteers, to \$45 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA A. ESTES.

The bill (H. R. 7709) granting a pension to Louisa A. Estes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louisa A. Estes, widow of John Estes, late of Company E, Seventy-third Regiment of Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a

a third reading, read the third time, and passed.

LOUISA EARLE.

The bill (H. R. 4833) granting a pension to Louisa Earle was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louisa Earle, widow of Harry B. Earle, late of Company K, Fourth Regiment Minnesota Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WARREN SAMS.

The bill (H. R. 3352) to restore the name of Warren Sams to the pension-roll was considered as in Committee of the Whole. It proposes to restore the name of Warren Sams, late a private in Company K, First Regiment North Carolina Volunteers, in the war with Mexico, to the pension-roll, to take effect from the time the soldier was dropped from

the rolls, on the 16th of May, 1877.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL Z. COOPER.

The bill (H. R. 5124) granting a pension to Samuel Z. Cooper was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel Z. Cooper, late a private in Company H, Twenty-second Regiment Pennsylvania Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MAJOR THORNBURGH'S WIDOW.

The bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza W. Thornburgh, widow of Maj. Thomas T. Thornburgh, late of the Fourth Regiment of Infantry, United States Army, at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

The PRESIDING OFFICER. Order of Business 1328, being the bill (S. 2043) for the relief of Maria L. Strong, has not yet been returned from the Printer.

Mr. COCKRELL. Has Order of Business 1321, being the bill (H. R. 7655) granting an increase of pension to the widow of Thomas T. Thornburgh, late of the United States Army, been acted on by the com-

The PRESIDING OFFICER. It does not appear from the Calendar.
Mr. JACKSON. There was an adverse report.
Mr. COCKRELL. What action has been taken in that case?
The PRESIDING OFFICER. The bill has been passed, House bill

Mr. COCKRELL. That was certainly a misunderstanding. I move

to reconsider the vote by which it was passed.

Mr. WILSON. If the Senator will yield to me, I desire to ask unanimous consent to proceed with the cases reported favorably to-day so that we can finish them.

Mr. COCKRELL. I do not want a bill passed that was reported adversely without attention being called to it. Let it be reconsidered.

The PRESIDING OFFICER. If there be no objection, there will be a reconsideration of the vote by which the last bill was passed.

Mr. MANDERSON. We are not able to hear on this side of the

Chamber what action was taken on Order of Business 1331.

Mr. COCKRELL. Without anybody knowing it, that bill was

Mr. COCKRELL. Without anybody knowing it, that bill was passed, and I simply ask that it may be placed where it was before. Then it will be up for reconsideration.

Mr. MANDERSON. The Senator from Missouri asks for the reconsideration of the vote by which the bill was passed?

Mr. COCKRELL. Certainly.

Mr. MANDERSON. I make no objection to that.

Mr. COCKRELL. There was really no vote taken upon it.

Mr. MANDERSON. I have no objection to that, but I desire to move after the unobjected cases are disposed of that the Senate consider the House bill which is Order of Business 1331, being the same matter that was reported adversely as Order of Business 1283, being the bill (S. 2400) granting an increase of pension to Eliza Willson Thornburgh. I propose at the proper time to move to substitute the House bill for the Senate bill and ask for its consideration.

The PRESIDING OFFICER. There being no objection, the vote

The PRESIDING OFFICER. There being no objection, the vote by which Order of Business 1331, being House bill 7655, was declared passed is reconsidered and the bill is placed in the position that it was

Mr. COCKRELL. Now I have no objection to the request of the Senator from Iowa. I think it is proper and just.

MARIA L. STRONG.

Mr. WILSON. I ask unanimous consent to proceed with the cases

Mr. WILSON. I ask unanimous consent to proceed with the cases reported favorably to-day.

The PRESIDING OFFICER. There is one bill that was passed over which is now in the hands of the Secretary. If there be no objection, that will be considered.

The bill (S. 2043) for the relief of Maria L. Strong was read. It provides for the payment, out of the Navy pension fund, to Maria L. Strong, widow of the late Rear-Admiral James H. Strong, of the United States Navy, of \$50 per month during her widowhood, in lieu of her present pension.

The PRESIDING OFFICER. The report on this bill it seems was adverse, so that the Calendar of unobjected cases is disposed of.

Mr. WILSON. Now I renew the request that the Senate proceed to the consideration of the pension bills reported favorably to-day.

The PRESIDING OFFICER. The Senator from Iowa asks that unanimous consent be given to proceed to the consideration of pension

unanimous consent be given to proceed to the consideration of pension bills reported favorably to-day. Is there objection? The Chair hears none, and those bills will be proceeded with.

BENJAMIN F. BROCKETT.

The bill (S. 2453) granting a pension to Benjamin F. Brockett was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Benjamin F. Brockett, late a captain of Company I, Eighty-seventh Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, read the third time, and passed.

SARAH JANE PRINCE.

The bill (S. 2125) granting a pension to Sarah Jane Prince was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Jane Prince, widow of the late Capt. Albert Prince, of the Fifteenth Regiment of Massachusetts Volunteer

Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JACOB WIENER.

The bill (H. R. 7292) to increase the pension of Jacob Wiener was considered as in Committee of the Whole. It proposes to increase the pension of Jacob Wiener, late a private in Company I, Forty-first Regiment of New York Volunteers, to \$40 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ABIGAIL HONEY.

The bill (H. R. 5929) for the relief of Abigail Honey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Abigail Honey, widow of Joseph W. Honey, late a private in Company H, Twenty-sixth Regiment Iowa Infantry. The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

LLOYD W. HIXON.

The bill (H. R. 6798) to grant a pension to Lloyd W. Hixon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lloyd W. Hixon, late an assistant surgeon in the service of the United States, of the Thirteenth Regiment of Massachusetts Volunteers.

The bill was reported to the Senate without amendment ordered to

a third reading, read the third time, and passed.

LEONARD KING.

The bill (H. R. 6928) granting a pension to Leonard King was considered as in Committee of the Whole. It proposes to place the name of Leonard King, of Farmington, Van Buren County, Iowa, upon the pension-roll, as dependent father of Miles King, late of Company B, Third Iowa Cavalry Volunteers, in the late war.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZABETH A. SPRINGSTEED.

The bill (H. R. 5989) for the relief of Elizabeth A. Springsteed was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth A. Springsteed, widow of David A. Springsteed, of Albany, N. Y., late a private in Company B, Seventh Heavy Artillery, New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. JOHNSON.

The bill (H. R. 6287) for the relief of John H. Johnson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. Johnson, late a private in Company E, Fourteenth Kentucky Volunteers

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN HAZLEWOOD.

The bill (H. R. 6596) granting a pension to John Hazlewood was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Hazlewood, late a private in Company F, Seventh Regiment West Virginia Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MORRIS GELD.

The bill (H. R. 4869) for the relief of Morris Geld was considered as in Committee of the Whole. It directs that Morris Geld, late of the general mounted service, United States Army, be placed on the pension-roll of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. BURCHFIELD.

The bill (H. R. 7373) for the relief of Sarah A. Burchfield was considered as in Committee of the Whole. It provides for adjudicating the pension claim of Sarah A. Burchfield, widow of Robert L. D. Burchfield, who was a lieutenant of Company D, Third North Carolina

Mounted Infantry, as though he had been regularly mustered into the service of the United States at the time of his being wounded.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZABETH HOOD.

The bill (H. R. 4263) granting a pension to Elizabeth Hood was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Hood, mother of Rowland J. Hood, late a private in Company —, Eighty-third Regiment Pennsylvania Volunteers, and of Morebird Bradley Hood, late of the United States Navy. The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

NOAH CATON.

The bill (H. R. 2627) granting a pension to Noah Caton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Noah Caton, late of Company H, Eighty-fifth

Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTIANA ALMIER.

The bill (H. R. 2538) granting a pension to Christiana Almier was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Christiana Almier, mother of Frederick Almier, deceased, late a member of Company I, Forty-ninth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY MULHOLLAND.

The bill (H. R. 3355) for the relief of Mary Mulholland was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Mary Mulholland, under certificate numbered

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES HENDRIX.

The bill (H. R. 1219) granting a pension to Charles Hendrix was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Charles Hendrix, late a private in Company H, Second Regiment Michigan Volunteers, and Company B, same regiment, the restoration to commence from the date when his name was dropped from the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILLIP WIGGINS.

The bill (H. R. 5374) granting a pension to Phillip Wiggins, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Phillip Wiggins, late a private in Company F, Thirty-fifth United States Colored Troops, and wounded at the battle of Olustee, on the 20th of February, 1864.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES D. KIRK.

The bill (H. R. 4079) granting a pension to James D. Kirk was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James D. Kirk, of Inez, Martin County, late of Company B, One hundred and sixty-seventh Regiment West Virginia Militia, at the rate allowed by law to private soldiers for disabilities incurred while in the service of the United States in the late war of the rebellion, for wounds and injuries sustained by Kirk while in the line

of his duty.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. LAND.

The bill (H. R. 256) granting a pension to Mary A. Land was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. Land, widow of Reason M. Land, deceased, late a private in the First Illinois Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to third reading and the third time and ressed.

a third reading, read the third time, and passed.

EMELINE L. FITCH.

The bill (H. R. 7869) granting a pension to Emeline L. Fitch was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Emeline L. Fitch, widow of John T. Fitch, late of Company D, Seventh Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to

HARRIET ARMSTRONG.

a third reading, read the third time, and passed.

The bill (H. R. 1898) granting a pension to Harriet Armstrong was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Harriet Armstrong, widow of Levi Armstrong,

late a private in Company E, One hundred and third Indiana Volun-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRISCILLA J. SMALL.

The bill (H. R. 2540) granting a pension to Priscilla J. Small was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Priscilla J. Small, widow of Andrew L. Small, late a lieutenant of Company H, First Regiment Ohio Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

The bill (H. R. 7696) granting a pension to Thomas D. Fitch was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas D. Fitch, late surgeon of the Fortysecond Regiment Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. COCKRELL. Is that all.

Mr. COCKRELL. Is that all.

The PRESIDING OFFICER. There are more, but they are not at
the desk at this moment. They will be here soon.

Mr. COCKRELL. Are they sending for them?

The PRESIDING OFFICER. They have been sent for.

ORDER OF BUSINESS.

Mr. COCKRELL. I wish to make a statement and appeal to the Senate. There are two House bills of a general nature, very important, about which I think there will be no controversy, the passage of which will be a relief to all the Senators and a relief to Congress, and I think

will be a relief to all the Senators and a relief to Congress, and I think they can be passed inside of ten minutes.

Mr. ALDRICH. What are they?

Mr. COCKRELL. One of them is Order of Business 976, which was reported from the Committee on Military Affairs unanimously by myself, being the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States, which will take out of Congress twenty or thirty cases and prevent them bothering us hereafter. The other is Order of Business 1045, reported by the chairman of the Committee on Claims, now the Presiding Officer I Mr. ing us hereafter. The other is Order of Business 1045, reported by the chairman of the Committee on Claims, now the Presiding Officer [Mr. Cameron, of Wisconsin], being the bill (H. R. 5849) limiting the time

for the presentation and payment of claims against the United States.

They are both very short bills, and I am sure they can be disposed of in a very few minutes. I hope they will be taken up and disposed of. I think no one can object to them. I ask that the first one be taken

The PRESIDING OFFICER. The pension bills are now in the hands

of the Secretary.

Mr. CULLOM. If the Senator will wait a few minutes I think he will have an opportunity of getting his bills before the Senate.

Mr. CULLOM. I ask to call up—

The PRESIDING OFFICER. There are pension bills on the table reported to-day, and they will be proceeded with in their order.

HARRIET L. STEVENS.

The bill (H. R. 7002) for the relief of Harriet L. Stevens was considered as in Committee of the Whole. It proposes to restore to the pension-roll, at the same rate of pension received by her prior to having been dropped, the name of Harriet L. Stevens, widow of George H. Stevens, a lieutenant-colonel of the Second Wisconsin Volunteer Infantry, in the military service of the United States in the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEREMIAH P. SWATZELL.

The bill (H. R. 7026) granting a pension to Jeremiah P. Swatzell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jeremiah P. Swatzell, late first sergeant of Company I, Seventeenth Regiment Kentucky Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOSEPH R. DODDS.

The bill (H. R. 7769) to grant a pension to Joseph R. Dodds was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph R. Dodds, late a private in Company K, Seventh Regiment of Iowa Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET A. BERRY.

The bill (H. R. 5925) granting a pension to Margaret A. Berry was considered as in Committee of the Whole. It proposes to place on the

pension-roll the name of Margaret A. Berry, widow of William M. Berry, late private in Company I, Tenth Indiana Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN R. HURLBURT.

The bill (H. R. 1653) granting a pension to John R. Hurlburt was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John R. Hurlburt, late a private in Company G, Twenty-fifth Regiment Wisconsin Volunteers, and Company G. Twenty-fifth Regiment Wisconsin Volunteers, and Company G, Fourteenth Regiment Veteran Reserve Corps.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM STRICKLAND.

The bill (H. R. 3994) granting a pension to William Strickland was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Strickland, late second lieutenant of Company G, Third Regiment Illinois Volunteers, in the Mexican war. The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN J. EBBERMAN.

The bill (H. R. 891) granting a pension to Reuben J. Ebberman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Reuben J. Ebberman, of Macon, Mo., late colonel of the Sixty-second Missouri Regiment Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

FRANCIS CURRAN.

The bill (H. R. 3751) granting a pension to Francis Curran was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Francis Curran, late a sergeant of Company E, Thirteenth Regiment of Indiana Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. EAGLES.

The bill (H. R. 6948) granting a pension to George W. Eagles was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Eagles, late a private in Company D, Eightieth Regiment Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM C. H. BOWMAN.

The bill (H. R. 4061) granting a pension to William C. H. Bowman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William C. H. Bowman, late a private in Company D, Second Regiment Missouri Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

Mr. CULLOM. Does that conclude the pension bills?

The PRESIDING OFFICER. The pension bills reported to-day are concluded.

LOSSES OF PROPERTY BY TROOPS.

Mr. CULLOM. Now I hope the Senator from Missouri will have an opportunity to pass the two bills he has referred to, with the under-

opportunity to pass the two bills he has referred to, with the understanding that we go back to the consideration of pension bills.

Mr. COCKRELL. I have no objection to that, but these are two public measures which ought to be passed. I ask that Order of Business 976 be taken up. Let it be read. It will explain itself. It is only what we have been doing for the last fifty years.

The PRESIDING OFFICER. Is there objection to the consideration of the last fifty years.

of the bill indicated by the Senator from Missouri? The Chair hears

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in and enlisted men of the Army for loss of private property destroyed in the military service of the United States.

Mr. COCKRELL. Let the amendments of the committee be acted on as they are reached in the reading.

The PRESIDING OFFICER. That course will be pursued if there

be no objection.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Military Affairs was, in line 6, after the word "officers," to insert the word "and," and in the same line, after the word "men," to strike out "and duly authorized laundresses; " so as to read:

That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to examine into, ascertain, and determine the value of the private property belonging to officers and enlisted men in the military service of the United States which has been, or may hereafter be, lost or destroyed in the military service under the following circumstances.

The amendment was agreed to.

The next amendment was, in line 27, after the word "war," to insert "or hostilities with Indians;" so as to read:

And provided further, That this act shall not apply to losses sustained in time of war or hostilities with Indians.

Mr. HAWLEY. I ask the attention of the Senator from Missouri. Of course it is perfectly correct. The committee ordered that amendment; but I have some doubt about the wisdom of it. I have no recollection of acting on it.

Mr. COCKRELL. The amendment was expressly agreed on and

has always been the universal rule of Congress in all such cases. committee simply made the bill conform to what has been the rule of

Congress in regard to compensation for such losses.

Mr. HAWLEY. I know compensation is not allowed in war between this country and a foreign country, but we have not treated hostilities with Indians as war.

Mr. COCKRELL. We have not considered hostilities with Indians as war, so far as giving brevets is concerned, but we have never paid

for such losses in troubles with the Indians.

Mr. HAWLEY. I will simply make a remark on the equity of the case and leave it. I think if an officer and his squad of men are suddenly ordered to march against Indians and they lose their clothing and denly ordered to march against indians and they lose their clothing and arms, compensation to them is quite as reasonable as it is in the case of an officer who properly enough stores his trunk in a railway station and has it burned up journeying in New York State. I think the equity is rather with the man who has lost private property fighting the In-I do not like that amendment myself.

Mr. VOORHEES. Do I understand the Senator from Missouri to say that it has never been the policy of the Government to pay for

losses incurred in Indian wars?

Mr. COCKRELL. In Indian wars or in any other wars.

Mr. VOORHEES. I understood the Senator to draw the line on In-

Mr. COCKRELL. Oh, no; it is not done in any war. This bill simply conforms, and the Senate Committee on Military Affairs made it conform, to what has been the uniform rule adopted by Congress in

allowing compensation in these cases.

Mr. DOLPH. Before I wote on the bill, as I have not had time to examine it, I should like to knov/something more about it. I inquire of the Senator from Missouri if I understand the provision of the bill to be that in all cases where property of officers or enlisted men in the service of the United States is accidentally destroyed, as in the case of an accidental fire, while they are in service, the claim may be presented to the War Department, allowed, and paid?

Mr. COCKRELL. Let the amendment be read as proposed and the

bill with it, and then the Senator will get the idea. As I stated, there is no new principle in this. It is simply to take out of Congress a large number of cases that are pending here every year and that always pass when reached. It establishes no new principle of liability at all, and the Senator will discover exactly what it is if he listens to its being read as proposed to be amended.
The PRESIDING OFFICER. The whole bill?

Mr. COCKRELL. The part in regard to liability.
Mr. DOLPH. I thought I caught the reading of the bill. I should like the Senator from Missouri to inform me if it is proposed by this bill, which is certainly new, although it may be a general law in conformity to the practice of the committee, to provide that any officer or culisted man who has lost property by an accidental fire without his negligence may present his claim to the War Department and have it allowed and paid?

Mr. COCKRELL. Under certain conditions therein stated.

Mr. COCKRELL. Under certain conditions therein stated.

Mr. DOLPH. It seems to me that it is based on a wrong principle.

Mr. COCKRELL. The question has been debated fifty times in the
Senate, and always decided one way; and the committee, in order to
get rid of the personal investigation of all these cases, reported this
general bill which has been passed by the House, and we limited it,
did not make it as wide as it was when it passed the House. We restricted it more narrowly than the House bill.

Mr. FRYE. And the payment in case of a loss by fire is limited, is

Mr. COCKRELL. It is.

Mr. FRYE. Where an officer or soldier in taking charge of Govern-

ment property sacrifices his own.

Mr. SEWELL. The limitation extends to the articles necessary for the position of the officers or men, not to watches, trinkets, or anything of that kind, but to the necessary equipment of the soldier or

Mr. COCKRELL. The bill as proposed to be amended reads:

Mr. COCKRELL. The bill as proposed to be amended reads:

That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to examine into, ascertain, and determine the value of the private property belonging to officers and enlisted men in the military service of the United States which has been, or may hereafter be, lost or destroyed in the military service under the following circumstances:

First. When such fault or destruction was without fault or negligence on the part of the claimant.

Second. Where the private property so lost or destroyed was shipped on board an unseaworthy vessel by order of any officer authorized to give such order or direct such shipment.

Third, Where it appears that the loss or destruction of the private property of the claimant was in consequence of his having given his attention to the saving of the property belonging to the United States which was in danger at the same time and under similar circumstances. And the amount of such loss so ascertained and determined shall be paid out of any money in the Treasury not other; wise appropriated, and shall be picsented and acted on under authority of this

act shall be held as finally determined, and shall never thereafter be reopened or considered: And provided further. That this act shall not apply to losses sustained in time of war or hostilities with Indians: And provided further. That the liability of the Government under this act shall be limited to such article of personal property as the Secretary of War, in his discretion, shall decide to be reasonable, useful, necessary, and proper for such officer or soldier while in quarters, engaged in the public service, in the line of duty.

Mr. DOLPH. Now I think I understand the bill. In the first place it proposes to pay for the loss of all property of persons in the military service of the United States where the property was lost without the fault of the party losing the property. In the second place it proposes to pay for the loss of all property shipped on unseaworthy vessels by order of the Government. In the next place it proposes to pay for the loss of property of the claimant, notwithstanding he may be negligent himself, if his negligence arose from the fact that he was engaged at the time in saving Government property instead of saving his own. The very first provision there is that the United States invites claims for payment for all property lost while in the military service except in time of war and during hostilities, without the fault or negligence of the party losing the property. I think that is a very broad and very important measure to be brought up on the spur of the moment.

Mr. SHERMAN. I should like to have a reasonable period of limi-

tation provided so that these claims shall not be allowed to slumber, but that all claims made under this act shall be presented within three years from the time of the loss.

Mr. COCKRELL. That is right. I have no objection to that, and

I suggest the amendment in this form:

Provided further, That all claims under this act shall be presented within three years from and after the passage of this act, or from and after the occurrence of the loss in cases hereafter occurring.

Mr. SHERMAN. I think the rule of three years ought to apply to the past cas

Mr. COCKRELL. Isay three years ought to apply to all past claims, and three years to all future claims. That is the amendment I pro-

Mr. SHERMAN. All right.

Mr. COCKRELL. This does not cover anything in the shape of carpets, or pianos, or gold watches, or silk dresses, or things of that kind. The committee has never allowed compensation for them, and this is the most restrictive language ever proposed. I propose the amendment, as follows:

And provided further, That all claims heretofore existing shall be presented within three years from and after the passage of this act, and all claims hereafter arising shall be presented within two years of their occurrence.

Mr. HARRISON. May I ask the Senator whether he proposes to give three years from the passage of the act for claims already in existence and only two for those hereafter occurring?

Mr. COCKELIA A good warm of the already in the contraction of the contraction of

Mr. COCKRELL. A good many of these claims of officers have been scattered around, and they may not know about the passage of the bill.

I will move to make it two years for each.

Mr. HARRISON. Very well; that will do.

Mr. COCKRELL. I will put it in this form:

Provided, That all such claims now existing shall be presented within two years from the passage of this act, and all such claims hereafter arising shall be presented within two years from the occurrence of the loss or destruction.

Mr. CONGER. I suggest to the Senator from Missouri that that language is no limitation on the presentation or consideration of claims by the Secretary of War. It should be provided that the Department have no authority to consider any claim unless presented within a certain time.

Mr. COCKRELL. Let the amendment be reported.

The PRESIDING OFFICER. The proposed amendment will be read.

The CHIEF CLERK. It is proposed to add:

And provided further. That all such claims now existing shall be presented within two years from the passage of this act, and all such claims hereafter arising shall be presented within two years from the occurrence of the loss or destruction.

Mr. COCKRELL. That will be sufficient. The Secretary of War

will not act on any claim after that.

The PRESIDING OFFICER. At what point in the bill is this proviso to be inserted?

Mr. COCKRELL. At the end of the bill, after the provisos already in. The PRESIDING OFFICER. There is an amendment already pend-

The CHIEF CLERK. In line 30, after the word "reasonable," the Committee on Military Affairs proposed to insert "useful, necessary, and proper for such officer or soldier while in quarters, engaged in public service, in the line of duty;" so as to read:

And provided further. That the liability of the Government under this act shall be limited to such articles of personal property as the Secretary of War, in his discretion, shall decide to be reasonable, useful, necessary, and proper for such officer or soldier while in quarters, engaged in the public service, in the line of

duty The amendment was agreed to.

Mr. MAXEY. The first proviso of the Senator from Missouri providing for claims within two years should say, "and not afterward."
Mr. COCKRELL. I have no objection to that.
The PRESIDING OFFICER. The Senator from Texas proposes to

amend the amendment of the Senator from Missouri so as to read:

And provided further. That all such claims now existing shall be presented within two years from the passage of this act, and not after; and all such claims

hereafter arising shall be presented within two years, and not after, from the occurrence of the loss or destruction.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. HAWLEY. It occurs to me that there is some unnecessary verbiage. "Within two years from the occurrence of the loss or destruction" is sufficient. "Within two years, and not after, from the occurrence of the loss or destruction," is not a very elegant sentence, and the words "not after" are superfluous, it seems to me. "Within two years after the occurrence of the loss or destruction," I submit, is

.Mr. COCKRELL. The addition of those words can not hurt; and the Senator from Texas thinks it better. I have no objection to it, though I do not think it makes it stronger.

Mr. HAWLEY. I do not object, only on general principles. I like our bills to read as well as possible.

Mr. MAXEY. I say that those words in my view of the law are necessary to prevent the presentation of a claim after the time limited. The Senator from Connecticut, having a very much better knowledge of language than I have, I am perfectly willing to withdraw it if he insists on my doing so.

The amendments were ordered to be engrossed and the bill to be read

third time.

The bill was read the third time, and passed.

Mr. COCKRELL. I move that the bill be printed as amended by the Senate.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FRYE and Mr. HOAR submitted amendments intended to be

proposed by them respectively to the legislative, executive, and judicial appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him

to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr.CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; which were thereupon signed by the President pro tempore:

A bill (S. 2551) to amend an act entitled "An act to increase the

water supply of the city of Washington, and for other purposes;"
A bill (H. R. 2344) for the relief of Melissa G. Polar;

Joint resolution (H. Res. 288) authorizing the printing of 2,500 extra copies of the annual report of the health officer of the District of Columbia; and

A bill (H. R. 4088) to incorporate the Luther Statue Association to erect and maintain a monument or statue in memory of Martin Luther in the District of Columbia.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. HOAR, it was

Ordered, That the papers in the case of Maria G. Dunbar, now on the files of the Senate, be withdrawn and referred to the Committee on Pensions.

AGRICULTURAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

. Mr. HALE. I move that the Senate insist on its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. Hale, Mr. PLUMB, and Mr. CALL were appointed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 5828) for the relief of Saint Mark's Protestant Episcopal church in the District of Columbia;

A bill (H. R. 7556) to regulate the manufacture and sale of spirituous

and malt liquors in the District of Columbia;
A bill (H. R. 7557) to provide for the sale of certain real property in the District of Columbia, and for other purposes;
A bill (H. R. 7935) for the relief of the Church of the Ascension, in

the District of Columbia; and

A bill (H. R. 8236) relating to sales for taxes in the District of Co-

PURLIC RUILDING AT KEY WEST.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the City of Key

The amendments of the House were read, as follows:

In line 2 of the bill strike out all following the word "directed," down to and including the word "necessary," in line 4, and insert the words "to select, of the lands owned by the United States in the city of Key West, Fla., a suitable building site."

In line 8, strike out the words "including the purchase of land."

In line 10, strike out the word "fifty" and insert the word "forty."

The PRESIDENT pro tempore. The amendments proposed by the House of Representatives are before the Senate for its action.

Mr. CALL. I hope the amendments will be concurred in.

Mr. MORRILL. I move that the Senate concur in the amendments

proposed by the House of Representatives to the bill.

The amendments were concurred in.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 20th instant, approved and signed the following acts:

An act (S. 1365) granting an increase of pension to Eugene O'Sullivan, late a sergeant of Company K, Eighteenth Missouri Volunteer Infantry;

Infantry;
An act (S. 1571) granting a pension to James McCallen;
An act (S. 2547) granting an increase of pension to Mrs. Frances L.
Thomas, widow of Maj. Gen. George H. Thomas;
An act (S. 2549) granting a pension to Isabella Higgins;
An act (S. 2246) to provide for the purchase of additional land for the uses of the public building in the city of New Bedford, State of Massachusetts; and

An act (S. 2594) to change the name of the Manufacturers' National Bank of New York to the Manufacturers' National Bank of Brooklyn,

CONFIRMATION OF LAND TITLES.

Mr. COCKRELL. Now I ask the Senate to take up Order of Busi-

ness 1045, being House bill 5849.

Mr. CONGER. Will not the Senator give way until I give a notice?

Mr. COCKRELL. I want to pass another general bill that is much shorter than the one just passed, and to which there is no amendment.

Mr. CONGER. I only want to give a notice, as I am going away.
Mr. COCKRELL. Very well.
Mr. CONGER. I give notice that to-morrow, after the ordinary morning business, I shall desire to call up Order of Business 1026, being the bill (S. 2509) to confirm titles to lands in certain cases, for the purpose of making some remarks thereon.

LIMITATION OF CLAIMS.

Mr. COCKRELL. Now I call for Order of Business 1045. It is a very important measure reported by the Senator from Wisconsin [Mr.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States.

Mr. CAMERON, of Wisconsin. I offer an amendment to the bill.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The Senator from Wisconsin offers an amendment which will be read.

The CHIEF CLERK. It is proposed to add to the bill:

Nor to extend the jurisdiction of the Court of Claims to any claim or class of claims over which it has not already jurisdiction, nor to authorize the accounting officers of the Treasury to consider and pass upon any claim or class of claims which they are not already empowered to consider and adjust by exist

Mr. McMILLAN. I should like to inquire in regard to this bill whether it expressly or impliedly removes the bar of the statute of limitations from any claim against which the statute now runs.

Mr. CAMERON, of Wisconsin. The understanding of the committee was that it does not, but to guard against any possibility of its doing so I have proposed the amendment which I have just sent up and which has been read by the Secretary. which has been read by the Secretary.

Mr. INGALLS. Let us hear the amendment read again.

The PRESIDING OFFICER. The amendment will be read again.

The PRESIDING OFFICER. The amendment will be read again. The Chief Clerk read the amendment.

Mr. McMILLAN. Wherever a provision of law recognizes the existence of any class of claims, whether barred by the statute of limitations or not, they are all recognized as existing claims, and unless the proposed statute expressly prohibits the repeal of the statute of limitations as to those claims, it would be impliedly repealed. I want to have the proviso express, so that it will guard all classes of that kind, as if it were:

Provided, That it shall not remove the bar of the statute of limitations where the statute of limitations now runs.

Mr. SHERMAN. That is in now. Mr. McMILLAN. I did not hear it.

The PRESIDING OFFICER. If the Senator from Minnesota will

hear one provision of the bill read—
Mr. McMILLAN. I want to hear it.
Mr. SHERMAN. This is a bill of great importance, and I should like to have it read over again.

The PRESIDING OFFICER. The bill will be again read for infor-

The Chief Clerk read the bill.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Wisconsin.

Mr. PLATT. I should like to make an inquiry of the Senator from Missouri: Claims for back pay and bounty are barred, as I understand, by a charge of desertion standing on the record.

Mr. COCKRELL. That does not bar any claim.

Mr. PLATT. The officers will not settle the claim of a soldier where the charge of desertion stands on the record.

Mr. COCKRELL. Not for bounty.

Mr. PLATT. Not for bounty or back pay. Now, we are continually removing by degrees, passing statutes to remove, the charge of desertion, and the charge of desertion under those statutes is being removed from time to time. The inquiry I want to make is this: Suppose that some soldier who is entitled to have the charge of desertion removed should not accomplish that within three years from the passage of this bill, when would the statute of limitations begin to run in that case? From the passage of the bill, or from the time when he got the charge of desertion removed?

Mr. COCKRELL. I do not think there would be any doubt about

that

Mr. BLAIR. There is another class that has not been suggested. There is not one bounty as yet paid where there are ten due to the colored soldiers of the country. As I understand this bill, unless their claims are presented within three years they are barred.

Mr. COCKRELL. My understanding is that nearly all those claims

have been presented, but they have not been acted on because the proof has not been furnished.

Mr. BLAIR. I do not understand that to be so. Mr. COCKRELL. I think so.

Mr. BLAIR. Great numbers of them as yet are unpresented. Mr. COCKRELL. They will have three years to present them.

Mr. BLAIR. It has been more than three years since their service, and they may find their rights out after a while. I do not see any object in presenting any statute of limitations against this class of claims or any other class, indeed, as long as the United States is careful not to allow the statute to run against itself. It seems to me that the entire bill is one that will be likely to provoke a great deal of discussion if it were properly considered.

Mr. INGALLS. Mr. President, this bill is an absolute innovation upon the long-existing practices of the Government, and it involves very momentous and far-reaching consequences. It is a bill that deserves, I think, a great deal more consideration than it will be apt to get in the way in which it appears before the Senate in the temporary hiatus that

I observe by casual examination that it not only applies the statute of limitations to all existing claims, but in one section provides that it shall exist against all claims that may originate hereafter. I believe I am correct. Upon all claims hereafter originating the limitation of six years is prescribed by this bill—that is to say, no man hereafter shall have any right to prefer his demand against the Government if he per-

mits six years to clapse from the time of its initiation.

There is an old saying that what is sauce for the goose is sauce for the gander, an ornithological maxim that perhaps might be properly applied to national affairs. Time does not run against the king. I believe the Government of the United States does not permit the statute of limitations ever to operate against any demand it may have against any of its citizens, no matter when the default or deficit of the surety upon an undertaking occurs. It may enforce it whenever the fact is discovered. I doubt very much whether it is wise for us to permit an unlimited time to the Government in which to enforce its claim against the citizen, and say that the citizen shall be debarred by an absolute period of six years from interposing any claim against the

I suppose this is intended as a relief to the committees of both Houses

of Congress. The chairman of the committee says it is not.
Mr. CAMERON, of Wisconsin. Of course it is not, because we can
not by any statute of limitations prevent a citizen from presenting his claim to Congress.

Mr. INGALIS. That is what I was about to say.
Mr. CAMERON, of Wisconsin. It is not intended for that at all.
Mr. INGALIS. If it was not intended for that, for what can it have

Mr. CAMERON, of Wisconsin. For the relief of the accounting officers of the Treasury and the other accounting officers of the Govern-

Mr. INGALLS. That is precisely what I was about to suggest. The Senator from Wisconsin says this is intended to relieve the accounting

officers of the Government. Why should we be permitted to relieve the accounting officers of the Government by refusing to pay our honest debts? It certainly would be a novel principle to apply in private affairs that because it was annoying and vexatious to a citizen to have any account taken of his estate or of his obligation, therefore he should be permitted to go scot-free. This will not in any way whatever interfere with the enforcement of claims against the Government except in this that it will relieve the constitution of the Treatment o in this, that it will relieve the accounting officers of the Treasury and will precipitate every claim that is declared by them to be barred by prescription, upon the committees in both Houses of Congress.

I doubt the wisdom or the propriety of that species of legislation. doubt very much whether we ought to consider a matter of this gravity and of this moment without further deliberation. In most statutes of limitations or repose there are saving clauses for minors, for women under coverture, for persons non composes. The Senator from Tennessee [Mr. Harris] whispers to me that the same saving clause exists in this bill. I regret that I did not hear the clause when it was read. If it is there, it escaped my attention and some of the neighboring Senators who sit by me.

Mr. COCKRELL. Will the Senator let me read the sentence?
Mr. INGALLS. I shall be glad to hear it.
Mr. COCKRELL. It reads:

In computing the years of limitation herein fixed no time shall be included when the person entitled to present the claim shall be a lunatic, a minor, or under any other legal disability.

Mr. INGALLS. Then I am relieved in that particular, but until this moment, although I casually read the bill, I did not know that was admitted. The Senator from Minnesota had called attention to another provision that he did not know was in this bill. I am not complaining that the bill does not contain proper provision, but that we are not advised and can not be advised in a question of this gravity and importance whether or not all particulars have been properly guarded.

Of course if the Senator from Wisconsin and the Senator from Missouri insist upon the discussion of this bill and its consideration now, I have no right to object; but inasmuch as it involves a complete innovation upon our practice, I submit that it ought to be subjected to de-

Mr. COCKRELL. I wish to say to my friend from Kansas that this is no innovation. A large number of claims are now barred. For example, under the act of 1849 compensation was allowed to those who lost their horses in the Mexican war and to civilians whose property was impressed by the Army. After a while there was a limitation put upon the soldiers who lost their horses in the war of the rebellion, but no limitation upon those in the Mexican war or on private citizens. We removed that limitation once, and still it left no limitation upon the others. Some years ago a bill was passed providing a bar to all that class of claims originating in any war prior to the passage of that act. So all claims of that character are now barred.

There are about 54,000 claims for quartermaster's stores and supplies under the act of July 4, 1864, which were filed with the Quartermaster-General and the Commissary-General. They were allowed to be filed from year to year. In 1878 or 1879 we passed a limitation on them requiring all those claims to be filed prior to the 1st day of January, 1880. A large number of my constituents are barred because they did not get their claims in prior to the 1st day of January, 1880. There is an immense number of claims there. They are barred.

So you find it has been the policy from year to year to place limitations upon claims, and there is no safety to the tax-payers of this country outside of some limitation. You let the persons who transacted this business with the Government pass from the stage of action. Their books are gone; their accounts are gone; the persons who transacted the business can not be found, and the individual comes and presents his claim with an ex parte affidavit. You have nothing to rebut it, and

it is allowed.

It only illustrates an instance that the senior Senator from Illinois [Mr. Logan] related to me some years ago. A claim was presented to the Committee on Military Affairs for allowance. He examined the papers. The claim was established beyond any reasonable doubt. It was so clearly proved that it created a suspicion. He referred it to the proper Department and there could get no information against its justice or correctness. He finally went to the Department, and in examining among some old papers he happened to find a bundle of unmarked, unbriefed papers, and on examining them found that they were the original papers in that claim which had been presented to the War Department and paid at the time of the occurrence of the claim. And then on further examination he found that a previous bill had passed Congress, and it had been paid the second time, and it was then pending for the third time.

I say that we must have a limitation upon the presentation of claims in the Departments here. They are flooded. They are liable to be called up at any time. Only last night I wrote to the Third Auditor to know what he was doing with a claim for a horse lost in the Mexican war in 1848. The claims are still pending and until we pass a law they are liable to be presented at any time. It is not just to the

tax-payers of this country, who are the Government, that opportunities of robbing them in such a way should be allowed.

This bill was fully discussed in the other House. It was discussed

by the leading members on both sides of the Chamber there. It was amended, and it was passed in the form in which it has come here. The Senator from Kansas [Mr. Ingalls] shakes his head. I do not know whether he does so with reference to what I have been saying or not. If he will look at the RECORD he will see that I state the truth, because I was noticing the bill, having been in favor of such a measure for a long time.

Mr. INGALLS. I was merely thinking of the fact that we have been frequently admonished that allusions to what occurred in the other

House are not in order.

Mr. COCKRELL. I did not say that it was at this session. It may have been at a former session. It was discussed very fully, however. I think the provisions of the bill are just and proper. I have taken some pains in examining it, although not a member of the committee, and I noted the fact that it had been reported. I think it is only such a limitation as is absolutely necessary for the protection of the Government against fraudulent claims.

Mr. INGALLS. "A new way to pay old debts."

Mr. INGALIS. "A new way to pay old debts."
The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin.
Mr. SHERMAN. I offer an amendment to come in as an additional

The PRESIDENT pro tempore. There is one amendment now

Mr. SHERMAN. I ask to have mine read. I think no one will ob-

ject to it. It was probably omitted by mistake.

The PRESIDENT pro tempore. Pending the pending question the Senator from Ohio presents an amendment intended to be proposed to

the bill. It will be read for information. The CHIEF CLERK. It is proposed to add as a new section:

SEC. —. This act shall not apply to the bonds or other public securities of the United States, or coupons or interest thereon.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin.

Mr. DOLPH. I move that the Senate proceed to the consideration of executive business. ["No!" "No!"]

Mr. ALLISON and others. Let us finish this bill first.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon that the Senate proceed to the consideration of executive business

The motion was not agreed to.

The PRESIDENT pro tempore.

The question recurs on the amendment proposed by the Senator from Wisconsin.

Mr. CAMERON, of Wisconsin.

The PRESIDENT pro tempore.

The question recurs on the amendment wisconsin.

Let the amendment be read.

The pending amendment will be again read.

The CHIEF CLERK. It is proposed to add to the bill the following

Nor to extend the jurisdiction of the Court of Claims to any claims or classes of claims over which it has not already jurisdiction, nor to authorize the accounting officers of the Treasury to consider and pass upon any claims or classes of claims which they are not already empowered to consider and adjust by existing law.

Mr. CAMERON, of Wisconsin. I was informed that there are certain classes of claims which are not now and never have been cognizable either before the Court of Claims or before the accounting officers of the Treasury, and it was feared that without some provision similar to the one just reported those claims might be presented to the accounting officers of the Treasury. It is for the purpose of guarding

against that danger that I have proposed the amendment.

Mr. HAWLEY. Where, then, would the Senator have those claims presented, if there is no tribunal for them now?

Mr. CAMERON, of Wisconsin. There is no tribunal. They can come to Congress after the passage of this bill as they always have done heretofore

Mr. HAWLEY. I ask the question simply because I intend, if I remember it, always to record my protest on appropriate occasions, and this seems to be one, against the conduct of this Government in relation to private citizens. It is the only civilized government that does not permit itself to be sued. It stands here and compels private citizens by the thousand and the ten thousand to come to Congress for one, five, ten, fifteen, twenty, and in a late famous case nearly eighty years, and present their claims at our doors, and we provide no tribunal to hear them, and refuse to hear them ourselves.

The conduct of this Government is not creditable to an enlightened

people.

We are here barring men after three years or six years from the presentation of claims when the accounting officers of the Treasury have not yet completed the statement of account. I say we are now here barring private citizens against the presentation of their claims to such limited tribunals as they have when at the same time our accounting officers have not yet made a statement of account between the Government and officers of the Army and Navy who were in the war, and in-

deed quartermasters, contractors, and others.

It is within a short time that a citizen of my State had a suit brought against him, or against his bondsmen, when it was sixteen or seventeen years after he had closed his accounts and filed his papers and resigned his office before he had the statement of account upon which there was an alleged balance against him, when I firmly believe he could clearly have shown the account had he been notified within a reasonable time. The Government attempted to locate the balance against him in a particular place in the account, and he showed that it was utterly impossible there. Gentlemen familiar with this question know that suits are brought against bondsmen ten, fifteen, twenty years after the alleged occurrence of the liability. All these things are wrong.

I have no special sympathy with a bill of this kind while we are so

guilty ourselves

Mr. BLAIR. This bill is evidently one that requires a great deal of careful consideration. Senators are thinking of a new point every moment, and an important one, and new amendments are now being suggested touching the securities of the United States. No Senator knows what might be thought of if a little time and attention were given to the bill. I find in reading the very first portion of it that it discriminates against the soldiers and the officers who have defended our institutions in war. For instance, it says that they shall be cut off by a limitation of only three years, while all other claimants whatever, no matter whether the claim may have originated from the foundation of the Government, are entitled to six years from the passage of the bill within which to present their claims, whatever they may be

The bill in the first clause, which applies to the officers and soldiers of the country, is, I think, very unjust and very dangerous. It will cut off a great many honest claims. Only a few days ago I received a letter from my own State, from a New Hampshire soldier, an intelligent man, and it turned out that he never had even presented his claim for bounty to the present time. That is not an unusual thing at all. odd years since the war. Such claims are likely to arise from time to

itime for the next fifteen or twenty years.

It is a matter that every one is informed of that the colored soldiers of the country, some 200,000 in number, have neither in the matter of pensions nor of bounty received anything like their rights up to the present time. They are ignorant, but they are gradually becoming interesting the colored anything in from time to time and it is only formed, and their claims are coming in from time to time, and it is only fair to suppose that in future a great many more of those claims will be presented against the Government than ever have been as yet. the bill proposes to take those people and discriminate against them; to give them only half as much time in which to present their claims as the ordinary claimant who has nothing but a civil source of claim against the country. I think that that is reprehensible and discreditable, and it is a shame to find it in a bill before the American Congress. Why should not they stand as well as anybody else?

Mr. CAMERON, of Wisconsin, rose.

Mr. BLAIR. It is all very true, as the Senator is about to say, probably that they can come to Congress, but there is trouble enough with

ably, that they can come to Congress, but there is trouble enough with claims in Congress to-day. This bill came in here under the assurance that it would not cause any debate; that it was a thing everybody would agree to, and was all right and nobody could object to it, and two bills were to be passed in ten minutes; and now for over an hour men are here talking against the bill when there is a stress upon us to get the pension bills before Congress, which perhaps will not be considered unless they are considered to-day.

I believe this is a bad bill, a wicked bill, and it ought not to be here

for discussion under the circumstances

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. SHERMAN. I now offer the amendment of which I gave notice. The PRESIDENT pro tempore. The amendment of the Senator from Ohio will be read.

The CHIEF CLERK. It is proposed to add a new section, as follows: SEC. —. This act shall not apply to the bonds or other public securities of the United States, or coupons or interest thereon.

Mr. HOAR. I move to amend the amendment by adding the words "or to the claim of any State."

The PRESIDENT pro tempore. The amendment proposed by the Senator from Massachusetts to the amendment will be read.

The CHEEF CLERK. It is proposed to add to the amendment the following words: "or to the claim of any State;" so as to read:

This act shall not apply to the bonds or other public securities of the United States, or coupons or interest thereon, or to the claim of any State.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

Mr. HOAR. The mover accepts it.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. McMILLAN. I move to amend the bill by inserting, after the

word "construed," in line 23, the words "to remove any limitation now existing against the presentation of any claim, nor;" so as to read:

Provided, That nothing herein contained shall be construed to remove any limitation now existing against the presentation of any claim, nor to revive any claim now barred by the statute of limitations.

Mr. CAMERON, of Wisconsin. I have no objection to that amend-

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Minnesota.

The amendment was agreed to.

Mr. HARRISON. I thought the Senator from New Hampshire made a very convincing argument to the Senate a few moments ago against the discrimination which is made in the bill against claims for bounty and back pay. The limitation as to such claims is for three years in the bill and as to all other claims it is six years. I do not think there is any class of claims where it is easier for the Government to meet and defeat a demand than these bounty and back-pay claims. The rolls of the regiment, all of the records make it easy for the Government. I therefore move to strike out "three" and insert "six," in line 7, be-

therefore move to strike out "three" and insert "six," in line 7, before "years," so that the limitation shall be the same in all cases.

Mr. CAMERON, of Wisconsin. All those claims have existed—
The PRESIDENT pro tempore. The Senator from Wisconsin will suspend. The Chair will state the question. The amendment proposed by the Senator from Indiana will be reported.

The CHIEF CLERK. In line 7, before the word "years," it is proposed to strike out "three" and insert "six;" so as to read:

That all claims for back pay or bounty due to officers, soldiers, or to any other person for services in the late civil war, or any previous war, shall be presented to the accounting officers of the Treasury Department, or other proper tribunal, for adjustment and payment, within six years after the passage of this act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Indiana.

Mr. President-

The PRESIDENT pro tempore. The Senator from Wisconsin was recognized, but suspended until the Chair stated the question.

Mr. CAMERON, of Wisconsin. I yield to the Senator from Massa-

Mr. HOAR. I merely wish to state the reason for limiting this class to three years while others are generally limited to six. In regard to other cases the bill will take effect ordinarily on a future claim, one arising in the future; but these are claims which from the nature of the case must have been existing at least twenty years, a time which under the jurisprudence of probably every State in the Union bars all claims whatever. So it is not necessary to add six years to claims which

already must have existed twenty years, and in regard to claims of the Mexican war they would have existed nearly forty years, and so on.

Mr. BLAIR. But it applies to all claims which have not been presented. There are many claims fifteen, twenty, thirty, forty years old which have not been presented, where the ground of the claim is simply a civil service, a civil debt, a civil obligation. Is there any reason for discrimination where the claim has not been actually presented? Where claims have been presented the bill does not apply to them at all. The Senator's point is no point, because it only applies to a claim which has been presented; and he says most of the claims have been presented, and therefore the law does not reach them in any way whatever.

Mr. HOAR. I did not say any such thing.
Mr. DOLPH. I think the bill can not be disposed of to-night, and I renew my motion that the Senate proceed to the consideration of executive business

The motion was agreed to; and the Senate proceeded to the consid-

eration of executive business

After fifty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 24, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of yesterday's proceedings was read and approved.

Mr. RANDALL. I call for the regular order.

ENROLLED BILLS SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2623) to remove the political disabilities of Alexander W.

A bill (S. 2610) granting a pension to Patrick Furlong; A bill (S. 2587) granting a pension to William H. H. Gilley; A bill (S. 2570) granting an increase of pension to Col. Samuel F.

A bill (S. 2514) granting a pension to David T. Hoover;

A bill (S. 2350) granting a pension to Anna Ginn;

A bill (S. 2272) granting a pension to Andrew Franklin, alias Andrew McKee:

A bill (S. 1915) to remove the disabilities of James D. Johnston, of Georgia, incurred under the fourteenth amendment to the Constitution;

A bill (S. 357) granting a pension to William Lockhart;

A bill (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy and for forty-six years in active service;

A bill (8. 1117) for the erection of a public building at Macon, Ga.; A bill (8. 1183) granting a pension to Hugh O'Neil; A bill (8. 1268) for the relief of Sydney L. Skaggs; A bill (8. 1473) to enlarge the United States custom-house at Richmond, Va.;

ond, va.;
A bill (S. 1655) granting a pension to Newton J. Burris;
A bill (S. 1709) granting a pension to Leonora A. Boyden;
A bill (S. 1790) granting an increase of pension to Edgar L. Dutton;
A bill (S. 1803) granting an increase of pension to George A. Wash-

burn; and

A bill (S. 1804) granting a pension to Clarinda Hunt.

Mr. NEECE, from the Committee on Enrolled Bills, reported that
the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:
A bill (S. 70) for the relief of Joseph M. Cumming, Hamilton J.

Miller, and William McRoberts;

A bill (S. 194) to authorize the Secretary of the Treasury to convey land in Providence, R. I., for highway purposes; and A bill (H. R. 483) for the erection of a public building at Keokuk,

Mr. YAPLE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 3933) to declare a forfeiture of lands granted to the

Texas Pacific Railroad Company, and for other purposes; and A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

RETURN OF BILL TO SENATE.

The SPEAKER. By order of the House a bill, the title of which the Clerk will read, was withdrawn from the Senate for the purpose of making a correction in the enrollment. That correction has now been made, and if there be no objection the Clerk will return the bill to the Senate.

The Clerk read the title of the bill, as follows:

A bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.

The SPEAKER. If there be no objection the order will be made. There was no objection.

PUBLIC BUILDING AT DETROIT, MICH.

Mr. STOCKSLAGER. I rise to a privileged motion. I move that the House insist on its amendments to the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., and agree to the conference asked by the Senate on the

disagreeing votes of the two Houses.

Mr. PAYSON. Is that a report of a conference committee?

The SPEAKER. It is not. The gentleman from Indiana [Mr. Stock-SLAGER] moves that the House insist on its amendments and agree to

Mr. PAYSON. If it requires unanimous consent to take the bill from the Speaker's table, I object.

The SPEAKER. It is a privileged matter.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. STOCKSLAGER, Mr. HOPKINS, and Mr. BREITUNG.

UMATILLA RESERVATION, OREGON.

The SPEAKER. The regular order is demanded, which is the recognition of members under the special rule. The hour begins at twenty-five minutes past 11 o'clock. When the hour expired yesterday there was pending a bill called up by the gentleman from Oregon [Mr. George], the Senate bill No. 66, providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

Mr. GEORGE. Is there any time left?

The SPEAKER. The time expired during the reading of the report.

The bill was read yesterday. Is there objection to its consideration?

Mr. WELLER. I object.

Further objections being called for, three members rose-not a suffi-

The SPEAKER. The question is on the third reading of the bill.

Mr. WELLBORN. There are some amendments to be offered.

Mr. PAYSON. I move to amend by striking out the provisoon page of the printed bill, in line 68 down to line 72

The Clerk read the proposed amendment, as follows:

Strike out the following proviso:

"Provided further, That after three years from the date when such lands shall be declared open for settlement and subject to sale, the lands which shall remain unsold may be purchased, without settlement, at the appraised value thereof."

Mr. PAYSON. I will say that is satisfactory to the gentleman from Oregon having the bill in charge.

The amendment was agreed to.

Mr. GEORGE. I ask the Clerk to read the amendment which I sent to the desk yesterday. I will state that this is part of the House bill which has been approved by the House committee.

The Clerk read the proposed amendment, as follows:

Add to section 2 the following:

"Provided further, That the water-right across a portion of said reservation through the town of Pendleton, granted by the Interior Department July 7, 1870, on the application of George A. La Dow, Lot Livermore, and other citizens of Pendleton, for manufacturing, irrigating, and other purposes, be confirmed and continued to W. S. Byers & Co., their successors."

Mr. GEORGE. This matter has been investigated by the Department. It is all right.

The question being taken, there were—ayes 79, noes 4. So (further count not being called for) the amendment was agreed to. Mr. STEVENS. I offer the amendments which I send to the desk. I will state that when a similar bill was before the Committee on Indian Affairs these amendments were recommended by the committee. There are several amendments.

The Clerk read the first amendment, as follows:

At the end of line 43, in section 1, insert the words "by the Secretary of the Interior."

The SPEAKER. Does the amendment apply to the line 43 of the printed bill? The House is acting not upon the printed bill but upon the engrossed bill of the Senate.

Mr. GEORGE. By reference to the printed bill it can be ascertained just where the amendment comes in. Let the amendments be adopted

with reference to the printed bill.

The SPEAKER. The end of line 43 in the printed bill is not the end of a sentence.

Mr. STEVENS. That line ends with a comma.

That is where the amendment is intended to come in, after the word "approved."

The amendment was agreed to.

The Clerk read the next amendment, as follows:

In line 64 of section 1, after the word "reservation," insert the words "hereafter provided for them."

The amendment was agreed to.

The Clerk read the next amendment, as follows:

In line 12 of section 2, after the word "money," strike out the words "or in other improvements upon his allotment, as shall be determined by the Department."

The amendment was agreed to.

The Clerk read the next amendment, as follows:

In section 4, line 2, strike out the word "forty" and insert the word "thirty." Mr. ANDERSON. Mr. Speaker, I would like to know where these

amendments are coming from.

Mr. GEORGE. From the committee.

Mr. ADDERSON. What committee?
Mr. GEORGE. The Committee on Indian Affairs.
Mr. PAYSON. Mr. Speaker, ought not the bill to be read as it will stand when amended?

The SPEAKER. The gentleman has a right to have the bill read if he desires

Mr. PAYSON. I ask that it be read as it will stand amended.

The SPEAKER. The Clerk will read the section of the bill as it will stand amended.

The Clerk read as follows:

It is proposed in section 4, line 2, to strike out the word "forty" and insert the word "thirty;" so that if amended as proposed the section will read:
"That for the purpose of carrying into effect the provisions of this act the sum of \$30,000, or so much thereof as may be necessary," &c.

Mr. WELLER. Mr. Speaker, I desire to inquire if reading from the printed bill in this way will make the amendment conform to what it would be in the engrossed bill?

The SPEAKER. The bills are the same.

The amendment was agreed to.

The Clerk read the next amendment, as follows:

In section 5, line 5, after the word "reservation," insert the words "and by a majority of their chiefs in council assembled for that purpose;" so that the section will read: "That before this act shall be executed in any part the consent of said Indians shall be obtained to the disposition of their lands as provided herein, which consent shall be expressed in writing and signed by a majority of the male adults upon said reservation, and by a majority of their chiefs in council assembled for that purpose," and so on.

The amendment was agreed to.

The question was taken on ordering the bill to be engrossed and read a third time; and being engrossed, it was accordingly read the third

The question was on the passage of the bill; and on a division there were—ayes 104, noes 11.

So the bill was passed.

Mr. GEORGE moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

COMMERCIAL NATIONAL BANK, CHICAGO.

Mr. BUCKNER. Mr. Speaker, I desire to call up the bill (S. 2375) to authorize the increase of the capital stock of the Commercial National Bank of Chicago.

The bill was read, as follows:

Be it enacted, &c., That the Commercial National Bank of Chicago, in the State of Illinois, is hereby authorized to increase its capital stock, in accordance with existing laws, to any sum not exceeding \$2,000,000, notwithstanding the limit heretofore fixed in its original articles of association and determined by the Comptroller of the Currency; and the Comptroller of the Currency is hereby authorized to fix the limit of the increase of the capital stock of the Commercial National Bank of Chicago at the amount of \$2,000,000: Provided, That two-thirds of the stockholders shall consent thereto.

The SPEAKER. Under the rule ten minutes are allowed for debate.

Mr. BUCKNER. Mr. Speaker, I do not suppose there is any necessity for explaining this bill. Its object is to obviate the effect of an opinion of the Attorney-General, which was to the point that where a bank had originally started with a certain amount of capital stock the capital could not be increased except by law, the Comptroller having no power to authorize its increase. Several such bills have already been passed by Congress, and I trust there will be no opposition to this

Mr. WELLER. Mr. Speaker, I would like to inquire what is the necessity for passing a law to increase the capital stock of this national bank, if it be true, as stated by the advocates of the national-bank system, that the business does not pay? [Laughter.]

Mr. BUCKNER. That is a matter for the stockholders of the bank

to consider

Mr. WELLER. Well, Mr. Speaker, I rise to oppose the bill, and present briefly reasons why these national banks and their advocates are and have been deceiving as to the profits to them and thus from the people—the business interest on which they feed. For they can prosper by their loans, discounts, and exchange only as they so do out of the creations and productions of labor and business. The surplus of this single institution, as shown by the report of the committee, as also admitted by the advocates of this bill, from these sources amounts to a very large sum, and yet it is true that not a single thing in the matter

of actual creation of wealth can be shown as the product of their manipulations. They are absorbers of wealth, but never creators of wealth.

I believe it to be the bounden duty of every patriot to principle and justice to do what he can on all occasions to strike a death-blow at the national-bank system. I know that the system is not only undemo-cratic, unrepublican, but altogether inimical to the interests of the

people.

Who is it that comes here seeking to pass a bill permitting an aggre gation of profits achieved in this way to be put into a new deal with which to reap richer harvest from the same source? Why do they ask Congress for a permit if the only object is to enlarge their capital as a basis of credit? I do not understand from the statements of the gentleman having the bill in charge that there is any proposition in this bill to increase the capital as a basis for an increase in the volume of circulating notes; and, if not, then why seek in this way to secure this It is true that this institution would have but little if any difficulty in organizing under the laws of the State in which this bank is situated, with a capital as large as they can find cash or some substitute for it to put up, or, in short, as large as they may desire. Then why come here if there is no underlying substratum that only will be developed in the future, when too late to remedy the evil hereby proposed to be created?

If the system does not pay; if the object is not for purposes of an increase of the national-bank circulating notes, then in the very nature

of things there must be some undeveloped purpose that ought to be brought out fully before this bill is further considered.

I believe there is an underlying purpose here to perpetuate the national-bank system in so far as that object may be promoted by increasing the capital stock of this one institution. I am radically and emphatically opposed to any step in that direction; and I hope there will be not only ten but a hundred patriotic Democrats, who are really statesmen, looking earnestly and wisely to the best interests of the people, and who will stand up with me to object to the consideration of this bill.

Mr. JOHN S. WISE. May I ask the gentleman a question? Would he not be satisfied to print these remarks, and allow us to go on with

business?

Mr. WELLER. Not by any means. [Laughter.] I propose to call the attention of members and of the country to the methods employed to perpetuate a system that does not pay.

Mr. Speaker, I ask for the reading of the report as part of my remarks; and I do this for the reason that only yesterday I found the report, presented with the bill then under consideration, contained in it that which, being understood by the House, caused a large number to rise up in opposition to the consideration of the bill, and it was thereby defeated for the present at least. I think probably this report may show a similar state of facts.

The Clerk read as follows:

The Committee on Banking and Currency, to whom was referred the bill of the Senate (S. 2375) to authorize the increase of the capital stock of the Commercial National Bank of Chicago, having had the same under consideration, report that the bill is identical with House bill (H. R. 4378) reported from the Committee on Banking and Currency on the 20th of February, 1884, and referred to the House Calendar. The report accompanying said bill fully explains the bill and is herewith adopted and made a part of this report. Said report is as follows:

bill and is herewith adopted and made a part of this report. Said report is as follows:

"That since the organization of this bank its business has increased so much as to demand an increase of its capital stock beyond the limit lixed in its original articles of incorporation; that under existing laws there is no warrant for such increase; that the new limit asked for in the bill is, under all the circumstances, just and reasonable.

"Hence your committee find that the legislation asked for in the bill is unobjectionable, just, and necessary, and they therefore recommend that the bill pass."

The SPEAKER. The time allowed for debate in opposition to this

motion has expired.

Mr. BEACH. As the gentleman from Missouri [Mr. BUCKNER] has reserved four minutes of his time, I would like to ask him why, instead of asking the House to take up this special bill, he does not ask the consideration and passage of the general bill on this subject, which has been reported favorably by the Committee on Banking and Currency? Why should we adopt this special legislation? Why not, by passing the general bill, cover in a single measure the numerous cases of similar character now before the House?

Mr. BUCKNER. I will state the reason. The committee thought,

and rightly thought, the House would not have time to consider the general bill, inasmuch as it involves several questions in addition to that here presented. I yield the remainder of my time to the gentleman from Illinois [Mr. DUNHAM].

Mr. DUNHAM. Mr. Speaker, it is unnecessary to consume any considerable time in explaining this matter. We have here a simple business proposition. The Commercial National Bank of Chicago desires to increase its capital. A large portion of this increase is now in the bank in the form of surplus. In order that this surplus may become a part of the capital stock of the bank this bill, to which, in my judgment, there can be no objection, is presented. I hope it will be passed!

Mr. WELLER. I wish to ask the gentleman whether it is not true that this bank has acquired its increased capital by percentages levied.

that this bank has acquired its increased capital by percentages levied upon the people and business of the country to the extent of many thousands of dollars. In other words, is it not from profits derived

from the people that this bank proposes now to add to its capital stock, and thus give it greater power in the same direction?

Mr. DUNHAM. The answer to that would bring us into a general discussion of the national banking system, for which the gentleman from Iowa is anxious, but which I do not care about; and I think the House is not anxious to go into that question this morning.

Mr. SPRINGER. Did I understand the gentleman from Iowa to say

that this bank is losing money upon its business?

Mr. WELLER. I understand that by reason of profits there is an accretion of capital to the extent of many thousands of dollars, and that from the real business interests of the country. I do not think the institution should have any further advantages in that direction.

The SPEAKER. Is there objection to the consideration of the bill?
Mr. WELLER. I object.
The SPEAKER. All members objecting will rise. [Five members The SPEAKER. All members objecting will rise. [Five members rose.] Not a sufficient number; and the bill is before the House for consideration.

The question being taken on ordering the bill to a third reading, there were—ayes 119, noes 8.

Mr. WELLER. No quorum.

The SPEAKER. The gentleman from Iowa makes the point that no quorum has voted. The Chair appoints as tellers the gentleman from Iowa, Mr. WELLER, and the gentleman from Missouri, Mr.

Mr. WELLER. At the solicitation of many personal friends I with?

draw the point of no quorum.

So the bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. BUCKNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING AT PORT TOWNSEND, WASH.

Mr. BRENTS. I desire to call up for present consideration the bill (H. R. 2949) for the erection of a public building at Port Townsend, Washington Territory.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a

suitable building, with fire-proof vaults therein, for the accommodation of the custom-house, bonded warehouse, post-office, and other Government offices, at the city of Port Townsend, Wash. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$57,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys: and no mency appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States.

The SPEAKER. Under the rule five minutes are now allowed for debate in support of this bill and five minutes in opposition to it.

Mr. BRENTS. Mr. Speaker, in the short time allowed me I shall

not attempt more than a partial statement of the facts in this case. Port Townsend is the port of entry of the Puget Sound customs district. Puget Sound, with its 1,594 miles of shore line and over 2,000 square miles of surface, navigable throughout its whole extent for the largest deep-sea vessels, is one of the grandest harbors in the world. Its commerce is very great and is rapidly expanding. During the last fiscal year a greater number of American steam vessels engaged in the foreign trade entered and cleared at this port than at any other port in the United States; and their tonnage was only exceeded by the tonnage of the same class of vessels that entered and cleared at the port of New The number entered was 570, with a tonnage of 264,655 tons, against 239 at New York, with a tonnage of 351,873 tons; 165 at San Francisco, with a tonnage of 239,769 tons; 149 at Boston and Charlestown, with a tonnage of 108,414 tons, and 123 at New Orleans, with a tonnage of but 55,735 tons. The number cleared was 563, with an aggregate tonnage of 236,751 tons, against 227 at New York, with a tonnage of 338,815 tons; 162 at San Francisco, with a tonnage of 231,935 tons; 145 at Boston and Charleston, with a tonnage of 105,007 tons, and only 95 at New Orleans, with a tonnage of but 35,798 tons.

Of American vessels, both sailing and steam, the number was only exceeded by the port of New York, and the tonnage by the two ports of New York and San Francisco. The number entered was 675, with a tonnage of 312,090 tons, against 1,869 at New York, with a tonnage of 1,006,556; 654 at Boston and Charlestown, with a tonnage of 304,376 tons; 452 at Philadelphia, with a tonnage of 222,258 tens; 416 at San tons; 452 at Philadelphia, with a tonnage of 222,258 tens; 416 at San Francisco, with a tonnage of 425,520 tons; 216 at New Orleans, with a tonnage of 81,670 tons; 187 at Baltimore, with a tonnage of 69,557, and all others still less both in number and tonnage. There were cleared 700 of this class of vessels, with a tonnage of 333,694 tons, against 1,442 at New York, with a tonnage of 839,762 tons; 421 at San Francisco, with a tonnage of 430,667 tons; 322 at Philadelphia, with a tonnage of 183,438 tons; 185 at Baltimore, with a tonnage of but 61,686, and all the others of the one hundred and thirty-one ports in the United States still less in number and tonnage. I grant you that this class of vessels predominates largely in our shipping, but when we take into calculation all classes of vessels, steam and sail, American and foreign, the numbe that entered and cleared in the foreign trade during the last year is only exceeded by seven other ports in the United States, New York, Boston and Charlestown, San Francisco, Philadelphia, New Orleans, Huron, and Oswego, and in tonnage by only nine other ports in the United States, those just named and the ports of Baltimore and

Superior added. The amount of commerce has doubled for the last five or six years every two years. In 1880 the number of vessels entered and cleared was 592, with a tonnage of 305,420 tons; in 1881, 628, with a tonnage of 318,450 tons; in 1882, 766, with a tonnage of 457,844 tons; in 1883, 1,062, with a tonnage of 534,824 tons; in 1884, 1,437 with a tonnage of 687,035 tons; and in the first half of the present year over 1,000 ves sels entered and cleared at this port, with an aggregate tonnage of about 400,000 tons.

Mr. STEELE. Is there a United States court held at this place? Mr. BRENTS. Yes; there is a United States court held there, and of course a large amount of admiralty and other business is transacted, as will be apparent from the amount of commerce there.

Mr. WELLBORN. What is the population of Port Townsend?
Mr. BRENTS. Perhaps about 10,000. Here, also, is the postoffice through which all the mail to and from Alaska and to and from British Columbia must pass, and in which they must be examined, inspected, and rated up, and, in large part, be distributed.

Mr. WELLBORN. What is the revenue?

Mr. BRENTS. The revenue in 1880 was about \$18,000; in 1881,

over \$26,000; in 1882, over \$45,000; in 1883, over \$56,000; in 1884, over \$67,000; and for the present fiscal year, beginning last July, the fees collected will amount to more than the cost of this building, and during the whole year, as I am assured by the collector of the port, will go up to ninety or one hundred thousand dollars, while only \$57,000 is provided for in the bill.

Mr. STORM. I will ask for the reading of the report.

The report was read, as follows:

Mr. Reese, from the Committee on Public Buildings and Grounds, submitted the following report:

The Committee on Public Buildings and Grounds, having considered the bill (H. R. 294) for the construction of a public building at Port Townsend, Wash., beg leave to report as follows:

In its relation to commerce, Port Townsend, the port of entry of the Puget Sound customs district, occupies a place of considerable importance. Its location is such that all vessels from sea to any and all ports on Puget Sound must

pass said port; its harbor is easy of access at all times, is commodious, and large enough to float all the vessels of the world, with good anchorage from five to fifteen fathoms, free from bar, rocks, or reef. The shipping of this district already exceeds that of four-fifths of all the custom districts in the United States. During the quarter ending September 30, 1883, there were one hundred and ninety-three vessels documented in this district, fifty-eight steam and ninety-five sall, with an aggregate tonnage of 40,555.4 tons. During the year ending June 30, 1883, the number of vessels entered and cleared at the custom-house in this district was 1,314 vessels, aggregating 813,962 tons.

During the last fiscal year the tonnage of American vessels in the foreign trade which entered and cleared at this port was exceeded by only four of all the ports of entry in the United States, and the tonnage of foreign vessels in that trade was exceeded at but six of said ports. Only one port in the United States exceeds Port Townsend in American ocean steam vessels in foreign trade, and the tonnage of foreign ocean steamers in said trade is exceeded by only seven of said ports. A large number of vessels engaged in the coasting trade are also entered and cleared at this port. Over 500,000,000 feet of lumber, 200,000 tons of coal, 10,000,000 cans of salmon, large quantities of produce, and various domestic commodities are annually exported from this district. The value of these exports for the last year is estimated at not less than \$12,000,000. The amount of duties and fees collected at this port for the year 1880 was \$18,484.94, and for the year of 1883 it was \$75,921.05. The amount of rents paid annually by the United States court-room and clerk's office or post-office. These statistics, derived from official sources, mark this as a port of no small importance to the commerce and revenues of the country.

Constituting the entrepot of the "Mediterranean of the Pacific," with its numerous bays, estuaries, and islands, with it

Mr. BRENTS. I desire to say, Mr. Speaker, that this report was made over a year ago, during which time the commerce of the district and the business of the custom-house have greatly increased. The building in which this business is done is a mere wooden shanty, wholly in-adequate in size, unsafe, and unfit for the purpose. The documents of one hundred and sixty-four vessels—and seventy-eight of them ocean steam vessels—and all the valuable records of the office are deposited here, exposed, and liable to be destroyed at any time.

Mr. Speaker, I wish to say one thing more. Port Townsend is in a Territory, represented on this floor by a mere Delegate—and a lame one at that—an unenfranchised member in this House, and unrepresented in the Senate, with no political power or influence to trade upon in any co operative arrangement or log-rolling combination, had there been one—which I am sure there was not—to secure the passage of bills of The bill has been favorably reported by three Committees on Public Buildings and Grounds to three successive Congres unanimously and on its merits alone, and now unanimously and on its merits alone I confidently hope to see it passed.

There was no objection to the consideration of the bill.

Mr. STEELE. I offer the following amendment.

The Clerk read as follows:

In lines 11 and 12, strike out "57" and insert "70;" and after the word "dollars," in line 12, insert "which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. BEACH. What is the effect of that amendment?
Mr. STORM. To increase the appropriation from \$57,000 to \$70,000. Mr. STEELE. It is recommended by the Secretary of the Treasury.
Mr. STOCKSLAGER. I hope that will not be done.
Mr. STEELE. The Secretary of the Treasury recommends it.
The House divided; and there were—ayes 71, noes 22.

Mr. STORM. I shall raise the question of a quorum if they attempt

to raise this appropriation.

The SPEAKER. As the point of no quorum has been made, the Chair will appoint as tellers Mr. STORM and Mr. STEKLE. The House again divided; and the tellers reported-ayes 140, noes

So the amendment was agreed to, and the bill as amended was or-dered to be engrossed and read a third time; and being engrossed, it

was accordingly read the third time, and passed.

Mr. STEELE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING, FORT WAYNE, IND.

Mr. WILLIAMS. I move, under the rule, to take up for present consideration the bill (S. 2084) to amend chapter 464 of the acts of the first session of the Forty-seventh Congress, entitled "An act to provide for a public building at the city of Fort Wayne, in the State of Indiana.

The bill was read, as follows:

Be it enacted, &c., That in the fifteenth line of the first section of the aboverecited act the same be, and is hereby, amended to read "one hundred and seventy-five" instead of "one hundred," so that the limitation therein contained
will be in the sum of \$175,000 instead of the sum of \$100,000.

SEC. 2. That it being necessary in order to secure the proper commencement
and construction of a building adapted to the varied uses for which the structure
therein contemplated is required, the sum of \$50,000 is hereby appropriated therefor out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

The SPEAKER. Ten minutes, under the rule, are allowed for debate-five minutes on either side.

Mr. WILLIAMS. I will yield my time to the gentleman from In-

Mr. WILLIAMS. I will yield my time to the gentleman from Indiana [Mr. Lowry].

Mr. Lowry].

Mr. Lowry.—Mr. Speaker, I now move that this bill be ordered engrossed and read a third time. This Senate bill is identical with House bill 6412. The House bill passed the Committee on Public Buildings and Grounds unanimously after the amount in the original bill was reduced by them from \$100,000 to \$75,000. The present bill passed the Senate committee by a unanimous vote, and also passed the Senate unanimously

I hold in my hand, Mr. Speaker, a communication from the Supervising Architect of the Treasury, a communication reading as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
February 9, 1884.

February 9, 1884.

SIR: I have the honor to acknowledge the receipt of yours of the 8th instant, asking my opinion as to the adequacy or inadequacy of the limit fixed by the act of August 8, 1882, for the erection of a public building at Fort Wayne, Ind., namely, \$100,000, including cost of site.

The site for this building has already been purchased at a cost of \$25,000, leaving but \$75,000 for the erection of the building, which, in my opinion, is not sufficient for the erection of a building of suitable materials for the accommodation of all the Government officers in that city.

In my judgment the amount specified in bill H. R. 368, extending the limit to \$200,000, is no more than necessary for the erection of a suitable building for the purposes for which it is required.

Very respectfully,

purposes for which is is Very respectfully,

M. E. BELL, Supervising Architect.

Hon. ROBERT LOWRY,
House of Representatives,

The same officer in his last annual report expresses himself on the same subject in these words:

The present limit of cost is insufficient to give more than a two-story building without fire-proof construction, which is totally inadequate to accommodate the Government officials in that city.

The following is a communication addressed at my request during the present session to the Secretary of the Treasury:

OFFICE OF THE SUPERVISING ARCHITECT,

January 29, 1885.

Sir: In reply to a letter of this date from Hon. Robert Lowey, I have the honor to advise you that the present amount of limit for the public building at Fort Wayne, Ind., now in process of construction, is in my opinion quite inadequate for the erection of a building with fire-proof construction, such as the needs of that locality and the best interests of the public service imperatively demand. In order that the work may be proceeded with advantageously and economically the limitation should be in my judgment enlarged at the present session of Congress in the sum of at least \$75,000.

I request that this matter be called to the attention of the Senate and House of Representatives.

Very respectfully,

M. E. BELL, Supervising Architect

M. E. BELL, Supervising Architect.

Hon. HUGH McCulloch, Secretary of the Treasury.

The Secretary of the Treasury thereupon addressed the Speaker of this House as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 29, 1885.

Sire: I have the honer to transmit herewith copy of a communication of this date from the Supervising Architect of this Department recommending that the limit of cost of the public building to be erected at Fort Wayne, Ind., be increased to \$755,000, as the present limit, \$100,000, will not admit of a building adequate to the needs of the public, and of fire-proof construction.

I concur in the opinion expressed by the Supervising Architect, and in my judgment the limit of cost for this building should be extended to \$175,000, and this extension should be made at the present session of Congress.

I have already in several cases expressed the opinion of the Department as to the wisdom of making all public buildings fire-proof.

Very respectfully,

H. McCULLOCH, Secretary.

H. McCULLOCH, Secretary.

To the SPEAKER of the House of Representatives, Washington, D. C.

In the bill originally passed authorizing the construction of this building the limitation was \$100,000. Twenty-five thousand dollars has already been expended outside of this for a site out of amounts heretofore appropriated. It will be observed the architect repeatedly states it to be imperatively necessary, in order to accommodate the wants of the public and to construct a fire-proof building such as is demanded there, to have an increase of the limitation. The Secretary of the Treasury concurs in this in strong and emphatic terms. Fort Wayne, sir, is the third city in population in the State of Indiana, and her population is only exceeded in numbers by the city second in size by a few hundred.

A Member. What is the population?

Mr. LOWRY. The population by the census of 1880, in round numbers, was 27,000, and according to the best available data is at this time

Fort Wayne is a focal point, from which diverge railways extending in ten different directions, connecting with every adjacent county-seat, and having direct railway communication with some thirty-two countyseats in the same State.

We had there for some years past three State courts of general jurisdiction, and now have two, which, owing to the importance of the place and the amount of the business done, are limited in their jurisdiction

to the single county. The United States courts are also located there, to the single county. The United States courts are also located there, and the late Postmaster-General, subsequently the Secretary of the Treasury, was compelled to hold his court when on the bench in that State in a room not larger than the Speaker's room of this House, for the accommodation of the jurors, witnesses, and all the officials, the bar, and parties having business in the court.

The post-office of this city is a distributing office. There are on an average some three million of pieces handled in the post-office per anamem. The receipts in 1880 on money-order account, were according

The receipts in 1880 on money-order account were, according to the tabulated statement furnished by the Post-Office Department, to the tabulated statement furnished by the Post-Office Department, \$334,872.79. The receipts on general postal account were \$104,286, and the net profit that year was \$24,532.94. It is estimated by the officials of the Post-Office Department that there has been an increase since that year of 25 per cent., which would make the gross receipts of the office \$535,230.99, while the net annual profit would be \$30,532.94. Even if the increase is but 20 per cent, the gross receipts would be \$10,532.730.79, while the net annual profit would be \$30,532.94.

Even if the increase is but 20 per cent. the gross receipts would be still \$513,772.97, while the net profits arising from the business would still be in excess of \$30,000. The city of Fort Wayne has three national and two private banks, five daily and eight weekly newspapers, a number of wholesale mercantile establishments, several iron foundries, hub and spoke and wagon factories, furniture manufactories, manufactories of railroad cars, organs, woolen goods, steam-engines and boilers, electric lights, railway-car wheels, a paper-mill, four grist-mills, a number of large machine-shops, and the extensive manufacturing or repair shops of four of the railway lines centering there, including those of the two great trunk lines stretching through from the Southeast of the two great trunk lines stretching through from the Southeast and the Northeast to the great Southwest and Northwest.

ond the Northeast to the great Southwest and Northwest.

Other salient features are, some twelve hotels, ten brick public school buildings, besides several sectarian and private schools; three colleges, one of which, the Concordia, is the leading Lutheran institution of that character in the West, another the Methodist Episcopal, and a medical college; also an academy of music and opera house. Here also are large hospitals—one Catholic and the other Protestant—the episcopal residence of the Catholic bishop of the diocese of Fort Wayne, and the finest dence of the Catholic bishop of the diocese of Fort Wayne, and the finest cathedral in the State. A crowning and conspicuous fact, which will be especially gratifying to the entire membership of this House, is the presence there, as stated in Lippincott's Gazetteer, from which I quote in order to avoid exaggeration, of no less than twenty-seven churches—one of which is of colored people—and with these churches, as with the population itself, increase is the order of the day. With all these advantages it may be asked why no more was provided for this building in the first place. With similar and characteristic modesty needed to make the building of the present construction is absolutely needed to make the building of the present construction. than is absolutely needed to make the building of fire-proof construction and meet the actual needs of the locality as to dimensions is now

asked for by this bill.

Mr. WARNER, of Ohio. I rise for the purpose of asking the gentleman from Indiana a question, and I may have a few words to say on this subject on hearing his reply. In the first place I wish to ask him how many officials are to be accommodated with offices in this build-

ing?
Mr. LOWRY. Well, Mr. Speaker, I rely upon the judgment of the Supervising Architect in reference to that matter. He has made his estimates in reference to it, and they are before the House and can be ex-

Mr. WARNER, of Ohio. I must confess I have very little confidence in the estimates and recommendations of the Supervising Architect of the Treasury in reference to this matter; for if he thought he could get an appropriation of \$100,000 for the construction of a public building in a town containing 1,000 inhabitants I think he would recommend it. These architects seem to like to display their architectural talents.

Mr. LOWRY. The increase is not so much sought on account of size as it is to make the building fire-proof. With the present appropriation it would not be suitable for the storage of records, and of course it is desired to extend it as far as can be permitted by the appropriation. Mr. WARNER, of Ohio. If one hundred officials are to be accommodated in this building, and I am satisfied that is twice as many as will extend to the property of the proposition of the property of

will actually be accommodated, it would still be an expenditure of about \$1,750 per man for office-room alone. Now I venture the assertion that within one hundred miles of that place the people, those who pay the taxes, live in dwellings that on the average have not cost more than \$1,000 each, and in these, their homes, they rear and educate their families. And yet it is proposed to appropriate money out of the public Treasury to supply room to officials of the Government at an annual expenditure of over \$1,700 each, supposing, as I have said, that there are one hundred to be accommodated in this building, which is doubtless largely in excess of the real number who will thus be accommodated

Mr. STEELE. Let me ask the gentleman from Ohio how many offices

are there in your court-house?

Mr. WARNER, of Ohio. We have been building good court-houses in the counties of the State of Ohio for \$50,000, \$75,000 to \$100,000.

Mr. STEELE. But I ask how much for each officer accommodated with quarters in them?

Mr. WARNER, of Ohio. Certainly less than the amount specified ere. I do not oppose the construction of a building at this place; but I speak with reference to the general system of paying out money for the erection of monumental buildings—monuments of folly most of them—all over the country, at an expenditure of four or five times as much for office-room for public officials as the homes of the people cost who must pay the taxes out of which those buildings are constructed. To these large expenditures for buildings I am unalterably opposed. This morning hour seems to be devoted mainly to the consideration of bills for the construction of public buildings. I think, indeed, it ought to be called the "public-building rule." The purpose of it seems to be to put through public buildings alone, and in fact little else is done. Everybody seems to want a public building. There are any number of other important bills on the Calendar which deserve consideration. Private bills-

A MEMBER. That is what we are here for.

Mr. WARNER, of Ohio. That is what we are here for! I do not understand we are here for the sole purpose of appropriating money for the erection of public buildings all over the country. I do not know how many of such bills have gone through already or how many will yet go through. The difference between appropriating money for the construction of a public building and the improvement of a river, making navigable a stream that was not before navigable, is the difference between an expenditure and an investment; between the rearing of an elephant and constructing a locomotive. The one is a constant source of expenditure, while the other is an economic force which, when constructed, goes to work, becoming itself an earning power. Public buildings are huge elephants that involve constant outlay. They necessitate expenditures for watchmen, for maintenance and care; and the annual expenditure for these purposes will be larger in most cases than would be the rent of a suitable building.

I shall offer an amendment when it is in order, if this bill shall be

considered by the House.

[Here the hammer fell.]
The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.
Mr. WARNER, of Ohio. I now move to strike out "75,000" in this bill and insert "50,000."

Mr. LOWRY. Twenty-five thousand has been already expended on

The question being taken on the amendment, the Speaker stated that in the judgment of the Chair the "noes" had it.

Mr. WARNER, of Ohio. I call for a division.

Thg House divided; and there were—ayes 15, noes 99.

Mr. WARNER, of Ohio. That is not a quorum, is it?

The SPEAKER. Does the gentleman make the point of no quorum?

Mr. WARNER, of Ohio. I desire to make a parliamentary inquiry.

When does the hour expire?

The SPEAKER. In five minutes.

Mr. WARNER of Ohio. I do not make the point of the poin

Mr. WARNER, of Ohio. I do not make the point as to a quorum. So the amendment was not agreed to.

The bill was ordered to a third reading; and it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill. Mr. WARNER, of Ohio. Let us have a vote on that.
The question being taken, it was decided in the affirmative.

So the bill was passed.

Mr. LOWRY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

DR. W. LEIGH BURTON.

Mr. JOHN S. WISE. I call up for consideration the bill (H. R. 8021) authorizing the Commissioner of Patents to grant an extension of letters patent to Dr. W. Leigh Burton.

The bill was read, as follows:

Be it enacted, &c., That the Commissioner of Patents be, and he is hereby, authorized to hear and determine the application of Dr. W. Leigh Burton, of the city of Richmond, in the State of Virginia, for the extension for the further term of seven years of the letters patent for the improvement in electro-heating, numbered 88006, dated March 23, 1869, and antedated March 12, 1869; and he is hereby authorized to grant the same if he deem it just and proper to do so: Provided, That no one shall be held responsible for infringement of said letters patent, if extended, between the date of expiration and date of extension.

Mr. JOHN S. WISE. That bill is as near nothing as a bill could well be. I hope it will be passed without objection.

Mr. COOK. If it is of so little value as that, why should we pass it?

Mr. WELLER. I desire to make an inquiry for information. As the hour has almost expired, will the gentleman from Virginia allow his remarks to be printed for the information of the House, to save

Mr. JOHN S. WISE. Wait till I make them.

The SPEAKER. The Chair asks the attention of the gentleman from Virginia. The bill seems to be still in the hands of the Committee on Patents.

Mr. JOHN S. WISE. No, sir. The bill was duly reported by the chairman of the Committee on Patents, the gentleman from North Carolina [Mr. Vance]. There is a report in the case, and the bill is on the Calendar.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ANDERSON. I object.
The SPEAKER. The hour has expired, and the bill goes over.

ORDER OF BUSINESS

Mr. SPRINGER. I ask unanimous consent to pass a little resolution for the distribution of books to members who are not members of the next House.

Mr. RANDALL. I call for the regular order.
Mr. SPRINGER. Let this be read.
The SPEAKER. The gentleman from Pennsylvania insists on the regular order.

INSANE UNITED STATES PRISON AT AUBURN, N. Y.

The SPEAKER, by unanimous consent, laid before the House a letter from the Attorney-General, transmitting a letter from the medical superintendent of the insane asylum at Auburn, N. Y., and asking an appropriation for the completion of an insane United States prison; which was referred to the Committee on Appropriations.

ORDER OF BUSINESS

The SPEAKER. Does the gentleman from Pennsylvania [Mr. RAN-

DALL] insist on the call for the regular order?

Mr. RANDALL. I yield to my colleague on the Committee on Appropriations [Mr. TOWNSHEND], who desires to call up the Post-Office appropriation bill.

Mr. TOWNSHEND. I ask unanimous consent to take up the Post-Office appropriation bill, and to move that the House non-concur in the Senate amendments and ask for a committee of conference

Mr. HISCOCK. I object to that. I prefer that the bill should go to the Committee on Appropriations.

The SPEAKER. The gentleman from New York objects, and asks that the bill be referred to the Committee on Appropriations.

Mr. TOWNSHEND. Does the gentleman from New York [Mr.

Mr. TOWNSHEND. Does the gentleman from New York [Mr. HISCOCK. I do. Mr. TOWNSHEND. I thought the gentleman from New York wanted to have the appropriation bills disposed of.

The SPEAKER. Does the gentleman from Illinois [Mr. Townshend] desire to have the bill referred to the Committee on Appropriations. priations ?

Mr. TOWNSHEND. I prefer that it shall stay where it is. Mr. HISCOCK. Is it not in order to have the bill referred to the Committee on Appropriations?

The SPEAKER. It is not in order to take the bill from the Speaker's

table except by unanimous consent, and objection is made. Mr. REED, of Maine. If the gentleman from Illinois [Mr. Townshend] will only persist in that objection he can force the House to go to the Speaker's table, where the first bill is the Mexican pension bill. If he wants to pass that bill, that is the way to do it.

DISTRIBUTION OF DOCUMENTS.

The SPEAKER. The Clerk will report the resolution sent up by the gentleman from Illinois [Mr. Springer], after which the Chair will ask for objections.

The resolution was read, as follows:

Resolved. That all documents and books ordered to be published by the present Congress and which are actually printed prior to the first Menday of December next, together with documents and books heretofore ordered printed, which have not been actually furnished, to which members of present Congress are or would have been entitled if published prior to the 4th of March next, and which are actually printed prior to first Monday of next December, shall be allotted as heretofore to members of the present Congress and transmitted to their residences as fast as printed, unless otherwise ordered by the members themselves.

Mr. SPRINGER. This is the usual resolution.
The SPEAKER. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was adopted.

Mr. SPRINGER moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

AGRICULTURAL APPROPRIATION BILL.

Mr. DIBRELL. I desire to take from the Speaker's table the bill (H. R. 8030) making appropriations for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes, and to move that the House non-concur in the Senate amendments and ask for a committee of conference.

There was no objection, and the motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. DIBRELL, Mr. BEACH, and Mr. CULLEN.

ORDER OF BUSINESS.

Mr. RANDALL. I move that the House resolve itself into Committee of the Whole House on the state of the Union, my object being

to reach the deficiency appropriation bill.

Mr. WILLIS. I suggest that the morning hour has not been dispensed with. I move to dispense with the morning hour.

Mr. DUNN. I hope that will not be done.

The question being taken on the motion of Mr. WILLIS, there wereayes 151, noes 19.

So the morning hour was dispensed with (two-thirds voting in favor thereof)

Mr. RANDALL. I now renew my motion.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] moves that the House do now resolve itself into Committee of the Whole House on the state of the Union for the consideration of general appro-

priation bills.

Mr. WILLIS. For the purpose of saving time I will ask at once that the yeas and nays be taken on that motion.

Mr. RANDALL. Let the yeas and nays be ordered by consent.

The SPEAKER. If there be no objection the yeas and nays will be considered as ordered.

There was no objection.

The question was taken; and there were—yeas 121, nays 139, not voting 64; as follows:

YEAS-121.

Aiken,	Dorsheimer,	Kelley,	Seymour,
Alexander,	Dowd.	. Ketcham,	Skinner, T. G.
Anderson,	Eaton,	Lamb,	Spooner,
Arnot,	Eldredge,	Lanham,	Spriggs,
Atkinson, -	Elliott.	Lawrence,	Steele,
Barr,	English,	Le Fevre,	Stockslager,
Bayne,	Ermentrout,	Long,	Storm,
Beach,	Everhart.	Lyman,	Strait,
Belmont,	Ferrell,	McComas,	Sumner, D. H.
Blount,	Follett,	McCormick,	Swope,
Boyle,	Funston,	Millard,	Talbott,
Brewer, F. B.	Glascock,	Mitchell,	Townshend,
Brewer, J. H.	Graves,	Morse,	Tully,
Brewer, J. H. Brown, W. W.	Hammond,	Moulton,	Turner, Oscar
Browne, T. M.	Hancock,	Murray,	Valentine,
Buchanan,	Hardeman,	Mutchler,	Wadsworth,
Buckner.	Hardy,	O'Neill, Charles	Wait,
Burnes.	Harmer,	Patton,	Wakefield,
Campbell, J. E.	Haynes,	Poland,	Warner, A. J.
Campbell, J. M.	Hepburn,	Post,	Warner, Richard
Cannon,	Hewitt, A. S.	Potter.	Washburn,
Cassidy,	-Hill,	Randall,	White, J. D.
Cobb.	Hiscock.	Ranney,	Whiting,
Collins,	Holman,	Ray, Ossian	Wilkins,
Connolly,	Holton,	Reed, T. B.	Winans, E. B.
Converse,	Hopkins,	Reese,	Winans, John
Cosgrove,	Howey,	Riggs,	Worthington,
Curtin,	James,	Rockwell,	York.
Deuster,	Jones, B. W.	Rosecrans,	
Dixon,	Kean,	Russell,	
Dockery,	Keifer,	Seney,	

NAYS-139.

Adams, G. E.	Dunham,	Lacey,	Skinner, C. R.
Bagley,	Dunn,	Lewis,	Smalls,
Barbour,	Eliwood,	Libbey,	Smith, H. Y.
Bennett,	Findlay,	Lore,	Snyder.
Bisbee,	Finerty,	McCoid,	Springer,
Blanchard,	Foran,	McMillin,	Stephenson,
Bland,	Forney,	Maybury,	Stewart, Charle
Brainerd,	Garrison,	Miller, S. H.	Stone,
Bratton,	George,	Mills,	Struble,
Breckinridge,	Gibson,	Morrill,	Taylor, J. M.
Breitung,	Goff.	Muldrow,	Thomas,
Broadhead,	Green,	Murphy,	Thompson,
Budd,	Greenleaf,	Neece.	Tillman,
Burleigh,	Guenther,	Nelson,	Tucker,
Cabell,	Halsell,	Nieholls,	Turner, H. G.
Caldwell,	Hanback,	Nutting,	Vance,
Carleton,	Hatch, H. H.	Oates,	Van Eaton,
Clardy,	Hatch, W. H.	Ochiltree,	Wallace,
Clements,	Henderson, T. J.	O'Ferrall,	Ward,
Cook.	Henley,	O'Hara,	Weaver,
Covington, .	Herbert,	Parker,	Wellborn,
Cox, S. S.	Hewitt, G. W.	Payne,	Weller,
Cox, W. R.	Hitt,	Payson,	Wemple,
Craig,	Hoblitzell,	Pierce,	White, Milo
Crisp,	Holmes,	Perkins,	Williams,
Culberson, D. B.	Hooper,	Peters,	Willis,
Culbertson, W. W.	Houseman,	Pettibene,	Wilson, James
Cullen,	Hunt,	Price,	Wilson, W. L.
Dargan,	Jeffords, .	Pryor.	Wise, G. D.
Davidson,	Jones, J. H.	Reagan,	Wise, J. S.
Davis, G. R.	Jones, J. K.	Reid, J. W.	Wolford,
Davis, L. H.	Jones, J. T.	Rogers, J. H.	Wood,
Davis, R. T.	Kellogg.	Rogers, W. F.	Woodward,
Dibble,	King,	Shively,	Yaple.
Dibrell	Kleiner.	Singleton.	

NOT VOTING-64.

Adams, J. J. Ballentine, Barksdale, Belford, Binglam, Blackburn, Boutelle, Bowen, Brumm, Candler, Campbell, Felix Chalmers, Clay, Cutcheon, Dingley,	Evans, Fiedler, Fyan, Geddes, Hart, Hemphill, Henderson, D. B. Horr, Houk, Hutchins, Johnson, Jordan, Laird, Lovering,	McAdoo, Matson, Miller, J. F. Milliken, Money, Morgan, Morrison, Muller, O'Neill, J. J. Paige, Peel, Phelps, Pusey, Rankin, Ray, G. W.	Robertson, Robinson, J. S. Robinson, W. E. Rowell. Ryan, Shaw, Slocum, Smith, A. Herr Stevens, Stewart, J. W. Sumner, C. A. Taylor, E. B. Taylor, J. D. Throckmorton, Van Alstyne,			
Ellis,	Lowry,	Rice,	Young.			

So the motion was not agreed to.

Mr. WEMPLE. Mr. Speaker, I ask unanimous consent that the reading of the names be dispensed with.

There was no objection.

The following-named pairs were announced until further notice: Mr. Morrison with Mr. John S. Wise.

Mr. SHAW with Mr. LAIRD.

Mr. Rankin with Mr. Kellogg. Mr. Throckmorton with Mr. Ezra B. Taylor. Mr. Jordan with Mr. Henderson, of Iowa.

Mr. HURD with Mr. RICE.
The following were announced as paired on this voto:
Mr. FIEDLER with Mr. BOWEN.

Mr. SUMNER, of California, with Mr. BINGHAM. Mr. PAIGE with Mr. SMITH, of Pennsylvania. Mr. O'NEILL, of Missouri, with Mr. BELFORD.

Mr. MULLER with Mr. FUNSTON.

Mr. AIKEN with Mr. HORR.

The following were announced as paired for this day:
Mr. Young with Mr. Johnson.
Mr. Adams, of New York, with Mr. Houk.
Mr. Geddes with Mr. Cutcheon.
Mr. Blackburn with Mr. Chalmers.

Mr. CANDLER with Mr. BRUMM.

Mr. ELLIS with Mr. RYAN. The result of the vote was then announced as above stated.

ENROLLED BILLS SIGNED.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles;

when the Speaker signed the same:

A bill (H. R. 2344) for the relief of Melissa G. Polar;

A bill (H. R. 4088) to incorporate the Luther Statue Association, to erect and maintain a monument or statue in memory of Martin Luther

in the District of Columbia; and
Joint resolution (H. Res. 288) authorizing the printing of 2,500 extra
copies of the annual report of the health officer of the District of Columbia.

ORDER OF BUSINESS.

Mr. WILLIS. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union; and, pending that motion, I move that debate upon the pending appeal

be limited to thirty-five minutes on each side.

Mr. RANDALL. Does the Chair entertain that motion?

Mr. KEIFER. The provision in the rules for limiting debate does

not apply to an appeal.

The SPEAKER. No point of order was made, and the Chair supposed that the motion was entertained by unanimous consent. Is the point of order made?

point of order made?

Mr. KEIFER. It is.

Mr. WILLIS. Too late.

The SPEAKER. The Chair thinks the gentleman rose in time. The Chair is not aware of any decision that has ever been made on this question. The rule of the House seems to confine the power of the House in limiting debate in Committee of the Whole to amendments, to paragraphs, and sections of a measure pending before the committee, and unless the gentleman from Kentucky [Mr. WILLIS] knows of some decision on the subject the Chair will be obliged to hold that the point of order is well taken. point of order is well taken:

Mr. WILLIS. Mr. Speaker, I think it quite clear, as all debate on this section has by a special order of the House been limited to a cer-

tain time, which time—
The SPEAKER. That is a different proposition entirely. The Chair

is not called upon to rule on that.

Mr. KEIFER. If the gentleman from Kentucky [Mr. WILLIS] will

A the control of the contro permit I think I can suggest a way out of the difficulty. It is possible that the presiding officer has a right to determine when debate has

gone far enough— The SPEAKER. The SPEAKER. The Chair thinks the motion to limit debate on the appeal can not be entertained. The question is on the motion of the gentleman from Kentucky [Mr. WILLIS] that the House now resolve itself into Committee of the Whole House on the state of the

The motion was agreed to.
The House accordingly resolved itself into Committee of the Whole

on the state of the Union, Mr. HAMMOND in the chair.

The CHAIRMAN. The committee is in session for the consideration of the river and harbor appropriation bill, and the pending question is whether the opinion of the Chair ruling out the Hennepin Canal provision was correct—an appeal having been taken. The gentleman from Illinois [Mr. Henderson] has the floor.

Mr. WHITE, of Kentucky. Mr. Chairman, I raise the question of

consideration.

Mr. HENDERSON, of Illinois. I believe I am entitled to the floor.
Mr. WHITE, of Kentucky. The motion was made that we should go
into Committee of the Whole, but it was not stated that we should go into committee for the consideration of the river and harbor bill; and I now raise the question of consideration, and move that we take up the appropriation bill designated by the gentleman from Pennsylvania [Mr. RANDALL].

Mr. KING. I insist upon the regular order, Mr. Chairman.
The CHAIRMAN. The point made by the gentleman from Kentucky [Mr. White] is not in order. This bill is in order under a former instruction of the House, and the House has already declined to take up the regular appropriation bill referred to by the gentleman from Kentucky. The gentleman from Illinois [Mr. HENDERSON] has the

Mr. WHITE, of Kentucky. Mr. Chairman, it was not stated by the Speaker that we were going into Committee of the Whole to take up the river and harbor bill.

Mr. WILLIS. I hope that we shall have order, so that the gentleman from Illinois [Mr. HENDERSON] can be heard.

Mr. HEPBURN. Mr. Chairman, I want to call the attention of the Chair to this point: When the motion was made that the House resolve thair to this point: when the motion was made that the House resolve itself into Committee of the Whole it was precisely as that motion is usually made; there was no designation of any particular business to be considered in the committee. It seems to me, therefore, that it was entirely competent for the committee to choose between any of the different matters that may be considered in Committee of the Whole. Nothing was said to indicate that it was the will of the House that we should consider this particular measure; there was nothing in the nature of instructions to the committee as to what it should take up. I know there were gentlemen who refrained from voting negatively upon that proposition because they were under the impression that when we did go into Committee of the Whole the usual rule would be observed, and we would then have an opportunity of raising the question of consideration and determine what matter should be considered.

Mr. WILLIS. The Chair has ruled upon this question, and there

has been no appeal. I submit that the question has been settled by the decision of the Chair.

The CHAIRMAN. The point made by the gentleman from Iowa [Mr. Hefburn] is identical with the one raised a few moments ago by the gentleman from Kentucky [Mr. WHITE], which the Chair has decided. The gentleman from Illinois [Mr. HENDERSON] will proceed.

Mr. HEWITT, of Alabama. I rise to a parlimentary inquiry. I desire to know whether the gentleman from Illinois can proceed to de-

bate without unanimous consent. I am perfectly willing, so far as I am concerned, that there should be unanimous consent; but as all debate on this section has been closed without making any exception with regard to any appeal, I submit that debate is not in order except by unanimous consent.

The CHAIRMAN. All appeals are debatable.

Mr. HEWITT, of Alabama. All debate has been closed upon this

The CHAIRMAN. The House limited debate on the section to one hour and a half and to three-minute speeches in favor of amendments. But the Chair expressly held that all the arguments which were had upon this question of order did not come out of that time. The uniform practice has been that debate on questions of order shall not be considered as affected by any limitation placed on debate.

Mr. HEWITT, of Alabama. That is a very different question from

an appeal

The CHAIRMAN. The gentleman from Alabama [Mr. HEWITT]

is not in order in arguing this proposition. He propounded a parliamentary inquiry, which the Chair has answered.

Mr. HEWITT, of Alabama. Then I make the point of order that all debate upon this section and all amendments thereto has been closed and debate upon this appeal can not be had except by unanimous con-

The CHAIRMAN. The Chair overrules the point.

Mr. HEWITT, of Alabama. Now I appeal from that decision; and I ask for one moment-

The CHAIRMAN. The gentleman has just said that such appeals are not debatable. [Laughter.] The question is, Shall the decision of the Chair upon this point of order stand as the judgment of the committee? Does the gentleman from Alabama desire to be heard?

Mr. HEWITT, of Alabama. All I wish to state is this: If the de-

cision of the Chair is correct, then there may be unlimited debate upon this appeal, because in Committee of the Whole no motion to lay the appeal on the table is in order.

The CHAIRMAN. The question is, Shall the opinion of the Chair

will proceed.

Mr. HENDERSON, of Illinois. Mr. Chairman, I shall endeavor to be as brief as possible in discussing this appeal, as I want the friends of this bill to understand that so far as I am concerned I have taken the appeal in good faith and not for the purpose of obstructing the passage of the bill.

I believe the decision of the Chair to be an erroneous one; and so be-

lieving, I have taken an appeal, and, with all due deference to the Chair, I desire to present my views upon the appeal.

has no jurisdiction of the subject of the Hennepin Canal, and that therefore the proposition relating to it is not properly incorporated in the bill. Now, in order to reach this conclusion, the Chair refers to a rule, which is a rule of the House—not a rule of the Committee of the which is a rule of the House—not a rule of the Committee of the Whole—a rule which is in no manner applicable to the Committee of the Whole when engaged in the consideration of a bill which has been committed to it by the House itself. Rule XI provides that certain proposed legislation relating to certain subjects shall be referred to the committees respectively designated. But I desire the attention of the Chair and of the committee to the fact that this is a rule for the government of the House in the disposition of its business as it is presented by members from time to time, and can not possibly be applicable to the Committee of the Whole.

I claim that the Committee on Rivers and Harbors had jurisdiction of this question first, because there were petitions on this subject presented by a member of the House in the way provided by the House itself and referred to the Committee on Rivers and Harbors. erence of these petitions to the committee gave the committee, I contend, jurisdiction of this subject. I call attention to Rule XXII, which

is as follows:

Members having petitions or memorials to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal.

The language of this bill shows that these petitions and memorials are to come under the observation of the Speaker of the House, and if of a proper character-not obscene or insulting-they are to be referred; otherwise not.

But the point I make is this: This rule authorizes petitions to be presented and referred in this way, and it is the only rule of the House for the government of members of the House in regard to getting petitions before committees of the House; and I claim the gentleman from Indiana is in error when he says this is a mere clerical duty. This is the way the House itself has provided under the rules that we shall reach committees of the House by the presentation of petitions.

I insist that the petitions were properly presented; but, admitting that they were improperly presented, they were nevertheless referred to a committee of the House. They were so entered upon the Journal as having been referred to this Committee on Rivers and Harbors. Furthermore, they were printed in the RECORD as petitions referred to the Committee on Rivers and Harbors. That committee, if they thought they were improperly presented to it, might have reported them back to the House for reference to some other committee. The committee, however, held otherwise, and believed they had jurisdiction over this subject, and so there was incorporated in this bill this provision in reference to the Hennepin Canal.

I say with reference to these petitions in the absence of any action on the part of the House whatever that they conferred jurisdiction on the Committee on Rivers and Harbors, and that the only way any member could have avoided that committee's taking jurisdiction of the subject-matter of the petitions was by moving for the discharge of the Committee on Rivers and Harbors from the consideration of these petitions which had been referred to it by the House under the rule of

Mr. Chairman, I could rest this whole case, in my opinion, upon the position alone that these petitions, having been referred under the rule of the House, and therefore referred by the House itself, were before that committee, and that committee was authorized to take jurisdiction of the subject even if it had not otherwise jurisdiction under the powers

conferred upon it.

Now let me say further: The chairman has said it is claimed that the Committee on Rivers and Harbors had jurisdiction because the report of the Chief of Engineers, with accompanying papers from officers in charge of rivers and harbors, was laid before the House by the Speaker and referred to the Committee on Rivers and Harbors. The Chair says that does not refer to this provision, because if we claim that it claims too much, as "that construction would have given jurisdiction to that committee over the seacoast and lake-frontier defenses the surveys of the Territories, the improvement and care of public buildings and grounds in and around Washington, the water supply of this District, the fishways at the Great Falls of the Potomac, the control of the Washington Aqueduct, &c.; for all these things are covered in that report."

In my opinion, Mr. Chairman, with all due respect to the opinion of the Chair, that is erroneous, for the simple reason that these subjects do not in any way relate to the improvement of rivers and harbors, and would not be germane in a river and harbor bill, and under the ordinary parliamentary usage would be subject to the point of order which might be raised against it both in committee and anywhere else that it was not germane to the bill. The Hennepin Canal is germane to the bill, I claim. It does relate, in the language of Rule XI, to the improvement of rivers and harbors.

I know it has been said in the discussion of this subject this canal.

could be constructed without removing a shovelful of earth from a river, but this canal will be as useless as the fifth wheel of a wagon without It is held by the Chair that the Committee on Rivers and Harbors | rivers. It connects rivers. You could not connect them without lifting a shovelful, and many shovelfuls, from the beds of the rivers it connects. It is intended to improve rivers, because it gives you, instead of going five or six hundred miles, a short cut and connects you with the lakes. The commerce which comes down the Mississippi River may take this canal and by the Illinois River go to the lakes, and so connect with the Atlantic seaboard. Therefore it is germane, and does relate to the improvement of rivers and harbors in the language of Rule XI itself.

I wish to give a little history, showing that everything that has been done in connection with this measure has been done on river and har-bor bills. In 1870 there was a provision inserted in the river and harbor bill of that year authorizing a survey of this canal, and I have the statute here to show it. In 1870 there was a committee appointed on transportation routes to the seaboard, of which Senator Windom of Minnesota, Senator Conkling of New York, and Senator Beck of Kentucky, and other distinguished members of the Senate were members.

That committee examined this Hennepin Canal in connection with That committee examined this Hennepin Canal in connection with other transportation routes and they made a favorable report, recommending that this canal should be constructed in the interest of the commerce of this country and to give the people of this country cheaper transportation, and accordingly in 1875 this very provision, word for word, letter for letter, except as to the amount appropriated, was incorporated by the Senate of the United States in the river and harbor bill. It passed the Senate in that condition by a vote of 29 to 16, as I remember. I have the vote here, but will not stop to give it in detail, but by a decided majority it was incorporated into the river and harbor

I want to say further, Mr. Chairman, that in the Forty-sixth Congress the Committee on Commerce of the Senate reported this same provision again, word for word, differing only in the amount of appropriation, as an amendment to the river and harbor bill. Points of order were made against the amendment, first, because it was new legislation; and second, because it was not relevant or germane to the bill; and after long discussion both points of order were overruled on a yea-and-nay vote of 33 to 18 on the first objection and by a vote of 33 to 17 on the second objection. The points of order were therefore overruled by a decided vote of the Senate, after an extended discussion, as any one will see by referring to the RECORD containing the

Senator Morgan, of Alabama, raised the points of order, which were discussed by Senator Allison, Senator Conger, and other Senators before the vote was taken; and it was held to be germane or relevant to a river and harbor bill. In that discussion Senator Morgan used this language:

Those who framed this rule never gave to it that interpretation. On the contrary, the rule was established for the purpose of excluding that interpretation. If the rule means anything at all, it is that whatever appropriations shall come in upon a general appropriation bill shall be germane to the subject of that bill. The subject of this bill is not commerce or commercial facilities.

That is a great mistake. If the subject of this bill is anything at all it does relate to commercial facilities. It is but carrying out in its provisions the great object we have in view in improving rivers by the appropriations provided in this bill. It is for the purpose of giving increased facilities to commerce that we are here in this bill improving rivers and harbors, constructing canals, and carrying on the work on internal improvements as far as we can.

Senator Morgan went on to say: Therefore the amendment is not germane Now Mr. CONGER said in that debate:

Now Mr. CONGER said in that debate:

Now, sir, as I say, there are propositions in this bill where the improvement proposed consists in opening a channel from one river by a canal into another or into a bayou. Why, sir, we have a proposition in this bill not only to dig a canal, but to make a lock in Louisiana—if Senators will look they will find it—to make and construct a lock through a marsh where there is no navigation at all. This bill bristles all over with propositions to dig artificial channels either through land above water or through land under water which is unnavigable; it is so all over the South, and I tell the gentleman that if this point of order can be raised upon this proposition it will stop the progress of dozens and dozens of works provided for in the bill at the South in the marshy region, in the bayou region, and all over that country. It does not affect the Hennepin Canal alone, but it stops with a jerk dozens of these improvements at the South.

What is the object of this bill that you call this improvement "general legislation" on it? The whole bill is to improve the means of transportation by water, whether it be by building canals to connect navigable waters in one place with navigable waters in another, or whether it be with dredges to dig a canal where there has been a channel of some kind where water has flowed. Where is the legislation in this amendment? I do not speak to the merits of the work at all, but I do say that almost half of the appropriations in this bill have been made to dig canals through the earth under water or over water for navigation. There is not one of the improvements, from New York Harbor clear around the Gulf to Corpus Christi, but what has for its object the making an artificial canal from the mouths of rivers and bays out into the ocean that are filled with earth or sand. The object is to provide for transportation, that vessels may go and come, that they may carry freight, that they may be useful to the people.

Apply this rule, and who shall say whethe

Michigan down to Hennepin, a distance of some seventy miles, and there, instead of following the Illinois River two or three hundred miles to the Mississipi, makes a short cut across the land to the Mississippi of sixty-five miles, shortening navigation the whole distance.

Any one familiar with the appropriations made in the river and harbor bills for the last thirteen years will know that in a great many cases, in a majority of cases for improving harbors and improving streams, the engineers have recommended new cuts out of harbors by a shorter passage to the ocean or to the lake, a canal where there was no stream at all, and Congress has approved it. Why? Because the object was an outlet for the navigation of those waters to the greater waters beyond by the shortest, most expeditious, most convenient, most economical route.

Now six often having investigated this make it.

Now, sir, after having investigated this subject, I will say that at one time jurisdiction over this subject was given to the Committee on Roads and Canals. That committee had jurisdiction over the improvement of the navigable rivers of the country; and it seems that some bills were reported by the Committee on Roads and Canals and some by the Committee on Commerce; but the Committee on Commerce has most generally exercised jurisdiction over the improvement of rivers and harbors. It has done so for many years. The Committee on Commerce has reported these bills not because I can find any rule improsing upon has reported these bills not because I can find any rule imposing upon them the duty of doing so, but undoubtedly under the general powers conferred upon the committee to report matters relating to the commerce of the country.

And, as I said before, we find we may deal with the subject in relation to river and harbor improvements under the power to regulate commerce conferred by the Constitution upon Congress. It is under that provision that we are doing all this work, digging out channels where they are insufficient for transportation, enlarging them, improving them in many ways as a means for regulating, facilitating, and improving the commerce of the country, and giving to the people cheaper

I want to say a word in regard to the decision of the gentleman from Texas, Mr. Wellborn, made as chairman of the Committee of the Whole on the state of the Union at the last session of Congress, when these same points of order were made as to this canal provision. The chairman in his decision the other day sustaining the point of order said that the committee might not have understood the questions which were presented to the committee.

I do not think it just to indulge in presumptions that members of the committee did not understand their duties when they were voting upon any question presented to them. I think the presumption should be that every member votes understandingly; and I do not think the point well taken, as was suggested, that the House may not have understood how they were voting. But I have here the decision of the Chair to which I refer, and I want to read it:

derstood how they were voting. But I have here the decision of the Chair to which I refer, and I want to read it:

The Chairman. The Chair will remark simply in reference to this, that the paragraph objected to is not an amendment, but is a part of the original bill, and therefore obviously not obnoxious to the clause of the rule which has just been read.

With reference to the third ground, the want of original jurisdiction in the Committee on Rivers and Harbors, the Chair will say this: the chairman of the Committee of the Whole on the state of the Union is asked to withhold from the consideration of the committee a particular clause in an original bill on the ground that the Committee on Rivers and Harbors reporting the bill to the House did not have jurisdiction over the subject-matter of the Photair clause. In the view in which the chairman of this Committee of the Whole takes of the question it is not necessary to decide whether the Committee on Rivers and Harbors has jurisdiction over the subject-matter of this particular clause or not. Whether it originally possessed that jurisdiction it is not necessary for the Chair to decide in the view which he takes of this question. Hence the Chair will not take the time to express any opinion in reference to it.

The view of the Chair is this: The action of the House in submitting this bill to the Committee of the Whole on the state of the Union for consideration does not leave it within the province of the Chair to pass upon the question of original jurisdiction in the Committee on Rivers and Harbors. The bill has been committed to the Committee of the Whole on the state of the Union for consideration, and the chairman of this committee the bill should be considered, but an express direction to the committee to the House when he decides that the bill shall be considered. The committee to the House when he decides that the bill shall be considered. The committee to the bill should be considered, but an express direction to the committee to onsider the bill. To ho

Now there is a plain declaration from the chairman in making that decision that in the view which he took of it it was not necessary to consider whether the Committee on Rivers and Harbors had jurisdicconsider whether the Committee of the State Transport and the view which the Chair took of the question, it was not competent for the Committee of the Whole to inquire into the jurisdiction of another committee. I believe that decision will stand in the opinion of another committee. I believe that decision will stand in the opinion of men who investigate it thoroughly as a sound decision; that is, that the House having received that bill from the hands of the Committee on Rivers and Harbors, and having referred it to the Committee of the Whole for the purpose of considering it, the Chair had no right to go back and inquire as to the processes of legislation by which the subject-matter reached the River and Harbor Committee, was acted upon by the River and Harbor Committee, and ultimately reported by that committee to the House of Representatives, and by the House was referred to the Committee of the Whole.

If you adopt that rule, you involve the Committee of the Whole in endless investigation and examination, going outside of the legitimate duties of the Committee of the Whole, because the Committee of the Whole is a creature of the House; it is a committee of the House as well as a standing committee, as I said once before. It is a committee of a little higher dignity, but it has no powers except such as are conferred upon it by the House and by the rules of the House. And unless you can find some rule which authorizes the Committee of the Whole to go back and investigate everything connected with a bill-whether it was properly referred to a committee, whether the committee properly acted upon it or not-you involve us in endless confusion and in the investigations of questions and subjects which do not come legitimately before the Committee of the Whole.

What was said by the chairman [Mr. Wellborn] about the decision of the Chair being based on a presumption that points of order were not reserved was a mere verbal declaration, made after he had pronounced the decision of the Chair, in answer to an inquiry by the gentleman from Indiana [Mr. HOLMAN]. Therefore it is no part of the decision; it is a mere dictum outside of the decision of the Chair, and

can not have any force whatever.

Now let us go to the last declaration which the chairman referred to. Here are the utterances of the Chair at that time, and the very last utterances ever made on that subject. They were quoted by the chairman in his opinion, and are as follows:

The Chair will further state that on yesterday he refrained from giving expression to his opinion touching the original jurisdiction of the Committee on Rivers and Harbors over the proposition for the Hennepin Canal, for the reason that the bill in its entirety having been referred by the House to the Committee of the Whole, it was not competent for the Committee of the Whole to go behind the reference and pass upon the question of original jurisdiction—

In another committee, to witin the Committee on Rivers and Harbors.

These, as I have said, were the last utterances of the Chair. The Chair also said, in addition to what I have just quoted, that-

Had the point been presented before the House at the proper time and in the proper way, the Chair thinks the clause should have been stricken from the bill.

The decision was then clearly based upon the ground that the Committee of the Whole had no power to inquire into the jurisdiction of

another committee, even though points of order were reserved.

The chairman [Mr. Wellborn] also said in the decision last referred to that if the Hennepin Canal clause had been out of the bill he should have ruled the amendment of Mr. O'Nelll out of order, it not in that

case being germane to the bill.

I think in making that statement the Chair probably had not investigated the whole subject of the river and harbor bill, because the Committee on Commerce, exercising the power to report bills relating to commerce, and therefore to the improvement of rivers and harbors, while it took from the Committee on Roads and Canals, which at one time had the power of originating bills for the improvement of navigable rivers, began to absorb the duty of the Committee on Canals, and to include in river and harbor bills the construction of canals; and they entered on the construction of the Des Moines Rapids Canal, costing millions of dollars, which was originally reported in a river and harbor bill, as will be seen by reference to volume 14 of the Statutes at

Large, page 420.

There will be found in a river and harbor bill the original provision to commence the construction of this Des Moines Rapids Canal. So with the canal around the Cascades; and so also with the Sault Ste. Marie Canal; it was in a river and harbor bill that the General Gov-ernment received that work from the State of Michigan and went on to enlarge and improve it. And I hold there is no difference for the to enlarge and improve it. And I hold there is no difference for the purpose of this argument between canals. A canal is a canal wherever it is situated, whether to connect two navigable parts of the same river or to connect two navigable rivers; it is all in the interest of navigation; it is all in the interest of improving rivers and harbors; it is all in the interest of enlarging the facilities of commerce for our people. And therefore this provision is germane to this river and harbor bill, as was held by the Senate by a vote of 33 to 17, and as much so as any other provision of the bill.

I want to call the attention of the committee to what Cushing in his Law and Practice of Legislative Assemblies says as to the authority of a committee of the whole house. He says:

A committee of the whole like other committees derives its authority solely from the resolutions and votes of the house; is in like manner confined within the powers delegated to it, and can not consider any other matters than those which have been regularly committed to it, or in any other manner than it is authorized by the house.

"Than it is authorized by the House." Now, if this Committee of the Whole has any power whatever to consider the jurisdiction of another committee of this House in its action upon any bill, I care not what, it must be under some rule of the House. And I say there is no rule of the House that justifies this committee in striking this provision out of the bill upon a question of order, because Rule XI, as I have said, only defines the jurisdiction of committees, and says all proposed legislation relating to certain subjects, that is, standing in some relation, having some bearing or connection, which is the meaning of the tion, having some bearing or connection, which is the meaning of the

words "relating to," shall be referred to such and such committees; and that, as I said before, is a complete answer to everything that can be said as to that rule. It is a rule of the House for the government of the House itself in its reference of petitions or of bills and other subjects which are referred to committees. And the Committee of the Whole, I repeat, had no authority to call in question proceedings under that rule.

Now the Chair referred to the Digest and read paragraph 7 of Rule XI. which not only defines the jurisdiction of the committee as I have stated it, but adds this matter of privilege to that committee. The Chair says Rule XXIII requires that "all motions or propositions involving a tax or charge upon the people, all proceedings touching appropria-tions of money, or bills making appropriations of money or property shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration

of a bill has commenced."

But that, I submit to the Chair, refers to action in the House. bill is called up in the House for consideration and the point of order is made that it is a bill appropriating money or imposing a tax upon the people, then it has to be referred to the Committee of the Whole House, where it must be first considered. But even in the House, if the discussion has been entered upon, it is then too late to make the point, and I can not see that that rule has any bearing whatever in this case.

But the chairman goes on to say: "Paragraph 8 of the same rule (XXIII) declares that the rules of proceeding in the House shall be ob-(XXIII) declares that the rules of proceeding in the House shall be observed in Committees of the Whole House so far as they are applicable." That is the only authority that is given to the Committee of the Whole to act under the rules of the House when in Committee of the Whole. The House itself expressly declares that the rules of proceeding in the House shall be observed in Committee of the Whole—not all of them, but only so far as they are applicable. In that case only they are binding on the Committee of the Whole.

Now in answer to that I say: If you turn to the rules and find any rule there applicable to the Committee of the Whole which justifies the committee in striking out this provision upon a question of order.

the committee in striking out this provision upon a question of order, then I concede you may do so; but I ask gentlemen to point out the rule. There is no such rule from the beginning to the end. On a general appropriation bill I might offer an amendment, or the Committee eral appropriation bill I might offer an amendment, or the Committee on Appropriations might bring in a bill here with provisions changing existing law and making new appropriations from the Treasury, and they would be in order except for a certain rule of this House, to wit: Rule XXI, clause 3, which provides that no appropriation shall be included in a general appropriation bill which changes existing law, unless it at the same time reduces expenditures.

That is a rule of the House which is applicable to the Committee of the Whole and when the point of order is reserved in the House it

the Whole, and when the point of order is reserved in the House it means that if there should be any such provision found in the general appropriation bill a member shall have the right to take advantage of that rule. But you find no such rule relating to river and harbor bills,

none whatever.

Now let me read from the Digest, page 268. The Chair also alludes to the Digest, and says: "Our Digest of Rules, when it states that the chairman of the Committee of the Whole can not rule a proposition in an appropriation bill committed to it out of order, says, 'Of course it is otherwise where the point was reserved before commitment." I want to read what is said in the Digest, and I ask members to pay particular attention to it, because, instead of being an authority against the position I take, it is an authority directly in favor of it, as I contend by every fair construction of language. I read from the Digest, page 268:

In the case of an appropriation reported by the Committee on Appropriations in conflict with Rule XXI, clause 3, and committed with the bill, it is incompetent for the Committee of the Whole, or its chairman, to rule it out of order—

Now, let us go on-

because the House, having committed the bills, are presumed to have received, as in order, the report in its entirety; but of course it is otherwise where the point was reserved.

Where what point is reserved? Why, where the point is reserved, on a general appropriation bill, that the provision changes existing law without reducing expenditures—in other words, that it is new legislation, which, under the rules, can not be incorporated in a general ap-

propriation bill.

But I submit that that relates only to the proceedings of the Committee of the Whole in the discussion of general appropriation bills which are always to be first considered in Committee of the Whole. Therefore I claim that this is an authority in my favor. Suppose that had been left out as I read it in the first place—"and committed with the bill it is incompetent for the Committee of the Whole or its chairman to rule it out of order, because, the House having committed the bills, are presumed to have received, as in order, the report in its en-

I say that in this case the House is presumed to have received as in.

The House referred it to the Committee order this bill in its entirety. The House referred it to the Committee of the Whole not to strike out its provisions upon questions of order, unless they were questions of order which might be legitimately raised,

and such as are raised in the consideration of a bill in Committee of the Whole upon all amendments which are not germane, upon amendments which are forbidden by some rule of the House that may be applicable to Committees of the Whole. I submit that that is an authority against the decision of the Chair and against the position of the gentleman who took these points of order; and, in my opinion, the point of order was

not properly sustained by any fair view of the question.

Mr. Chairman, how much time have I left?

Mr. TURNER, of Georgia. Does the gentleman from Illinois yield the floor ?

Mr. HENDERSON, of Illinois. No, sir; I do not. I want to yield five minutes to my colleague from Illinois [Mr. SPRINGER]. I reserve the balance of my time.

the balance of my time.

Mr. HENLEY. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HENLEY. I desire to know how much time the gentleman from Illinois has on this appeal from the decision of the chairman of the Committee of the Whole? My question is, whether the gentleman from Illinois [Mr. Henderson], having obtained the floor as he did on this appeal, is entitled to a full hour?

The CHAIRMAN. The Chair knows no limit excepting an hour.

Mr. TUCKER. Mr. Chairman, is there no way of limiting the detailed upon to answer that

The CHAIRMAN. The Chair is not called upon to answer that question. The House can limit the debate when it sees fit. The gentleman from Illinois [Mr. SPRINGER] is recognized for five minutes.

Mr. SPRINGER. Mr. Chairman, if I can have the attention of the

committee, I can say what I have to say on this subject in less than five

Mr. Chairman, I should hesitate under any circumstances to vote to overrule the decision of any chairman of the Committee of the Whole, and especially the present occupant of the chair. I was very much interested in the very able argument that the Chair submitted in ruling upon this point of order; and that argument, if it had been presented to the House at the proper time when this matter was before it, would have had deservedly great weight. The only error that the Chair committed was in assuming that a question of jurisdiction was one addressed to the Chair as a question of order. If the honorable chairman had been more of a parliamentarian than he is a lawyer, he would have realized the fact that all questions of the jurisdiction of committees in this House are addressed to the House and to the committees of the House, and have never been determined by the Chair as questions of

order.

It is true that frequently, when the title of a bill presented is read, the Chair states that it should go to this or that committee. But that is merely an opinion; it is not a decision from which an appeal can be It is merely obiter dictum. Any gentleman in the House could immediately rise and move a different reference; and that would be the proper course rather than to take an appeal from the decision of the

Chair, because it is always in the province of the House to determine what reference of a matter shall be made by the House.

These petitions which are sent to committees through the petition-box have indicated upon them by the person introducing them the reference he desires. That reference is published in the RECORD the next morning, and is open to the investigation and scrutiny of every member of the House. Unless some member then objects to that reference, moves to discharge the committee and bring the matter back to the House for proper reference, the question becomes by that reference ad-

judicated by the House, and the reference as made is final.

It is within the province of this House to send a bill granting a pension to the Committee on Ways and Means; and if that committee gets such a bill by direction of the House it has jurisdiction of the subjectmatter, because it has been referred to it by the House. So a tariff bill might, by a majority of the House, be referred to the Committee on Pensions; and if so referred that committee would have jurisdiction to pass upon the bill and report it back. These committees are simply agents of the House for the convenient transaction of its business. The House is to determine what bills shall be referred to particular committees; and when a committee gets a bill in that way it has to act upon it.

Now the Committee of the Whole stands in the same relation as any other committee of the House; and when any matter is referred to it by the action of the House it is a proper subject for the Committee of the Whole to act upon, and should not be suppressed from consideration on a point of order decided by the Chair.

Mr. HENDERSON, of Illinois. I yield fifteen minutes to the gen-

tleman from Massachusetts [Mr. STONE].

Mr. STONE. Mr. Chairman, the question of order now pending in this case is before this House for the second time. During the first session of this Congress the same point of order substantially was raised, and the decision of the Chair at that time overruled the point of order. In this case the objection taken to the consideration of this particular item of the bill has been sustained by the Chair. But while substantially this same question has already been before the House, it is not now presented under the same conditions as heretofore. When the question arose at the last session there existed a fact which, in the judg-

ment of the chairman, was decisive; and that was that points of order had not been reserved. Upon that fact the opinion of the Chair in that instance was based.

Now, I do not claim that that decision is to be received as conclusive Now, I do not claim that that decision is to be received as conclusive in the case. There is here a fact which did not exist in the other case. In this case there were petitions referred, and properly referred, to the committee; and this circumstance distinguishes this case from that which arose a year ago. While I do not claim that the decision in the first case is to be accepted in any sense as conclusive in this case, I shall, perhaps, have occasion to allude to the doctrine of the former decision as having some bearing upon the question under consideration.

Mr. Chairman, it will be observed that when the present question was first argued the objection to the provision of the bill was put substantially on the ground that the Committee on Rivers and Harbors had no jurisdiction on this subject, because in attempting to deal with it they were violating Rule XXIII. That position, as I understand, is now abandoned; and it is now maintained by the Chair and by those gentlemen who agree with the decision that the Committee on Rivers and Harbors had no authority to deal with this matter because of Rule XI, which limits the authority of this committee to matters which may be strictly defined as rivers and harbors. Now I have two answers to make to the claim that this committee had no jurisdiction. My first, which I think is decisive, is that the submission of petitions on the subject to that committee is conclusive upon this question of order. I make that point, because when this question was argued a few days ago I observed that the gentleman from Indiana [Mr. Holman] and the gentlemen from Georgia (and I think the Chair inclined to adopt the same idea) admitted that if these petitions had been referred to that committee by a vote of the House the committee would have had jurisdiction; but it was contended that a reference of the petitions through the petition-box did not give the committee jurisdiction.

Now, I ask these gentlemen to reflect for a moment and tell me, if they can, how a petition can go to any committee of this House except through the petition-box? If their construction is to stand, then they deny the right of petition to the people, because there is no other mode of referring petitions provided in your rules. No man can rise here in the House on any day in the week and offer a petition to be referred to a committee unless he obtains unanimous consent. I ask attention to that fact. Under our rules in no other way than through the petitionbox can a petition go to a committee. It is expressly declared that on Monday only bills and resolutions shall be presented. Now, reflect a moment. How are your rules established? What do they mean? You are so pressed here with business that you can give but one day in the week to the presentation of bills and resolutions; and you can not give a single day to the presentation of petitions. Yet you do not mean to deny the right of petition to the people. So you provide by your rules that every day in the week the people may, through their Representatives, come here with their petitions, and that these petitions, through the petition box and in no other way may be referred to approximate the petition-box and in no other way, may be referred to appropriate committees; because by reason of the stress and pressure of business it is impossible to deal with petitions in any other way. That is the

meaning of our rules.

Why, Mr. Chairman, look at your RECORD to-day. You will find that yesterday fifty petitions were presented. Could you receive these numerous petitions every day in the week and in the same manner that you receive bills? These petitions have to be presented and referred; and by the very necessity of the case they go to your committees through

the petition-box because they can go in no other mode.

Then will any gentleman of this committee, when he reflects upon that, undertake to say that when a petition goes to a committee in regular form in the mode prescribed by the rule, that when it gets there that committee has no jurisdiction? Is that to be maintained?

Again, that rule not only provides it should go in that way to the committee, but that invests the committee with authority to decide whether it is a proper submission. If this House authorizes the committee to make that decision it must stand upon it and accept it as

I mean to qualify, and am willing to qualify, this remark by this observation: It was suggested here this rule may be abused. I grant it; but is it to be objected to a rule that it is not the rule because it may be abused?

Again, if that rule is to be abused in any gross, in any flagrant way, it has been decided by this House that it is a question of privilege on the part of the House to take cognizance of the fact and discharge the committee on the subject in controversy, and refer it to the committee which in its opinion has jurisdiction of it. So that if your committee, or any member of the House, attempts grossly to misapply a rule, the House can vindicate itself by exerting its privilege to discharge the committee and refer the matter to wherever it thinks proper.

But I repeat, and ask the attention of the committee to the fact, that ou deny the right of petition to the people under the rules if you say this mode is not just as valid and just as conclusive on any point of order as if made by the House itself. It is the action of the House itself. That conformity to the rule observed by the members of the House in that way is known to the House. That is one point I hope I have succeeded in making clear to this committee. Therefore I submit it is impossible to maintain the position that reference under this rule through the petition-box does not give jurisdiction to the com-

It may be consistent with Rule XII; but observe what Rule XII is. Let me say that Rule XII is not a rule in any satisfactory sense as compared with other rules. As has been said on the floor, if a wrong reference has been made by the Speaker does it not compel the asking consent that rule shall be suspended every day when any gentleman moves for a rereference?

A MEMBER. What rule?

Mr. STONE. That which applies to the reference of different subjects to different committees. That which provides that all subjects relating to railways and canals should go to the Committee on Railways and Canals, and all subjects relating to naval affairs should go to the Committee on Naval Affairs, and so on. That is not in any satisfactory sense a rule compared with other rules of the House, for it is suspended every day in the week, while every other rule can only be suspended twice a month by a two-thirds vote. That we know is practically suspended by any gentleman getting up and moving to have any reference he may choose. Only yesterday the gentleman from Kansas [Mr. Perkins] tried to refer a matter to the Committee on Indian Affairs, and the gentleman from Illinois [Mr. PAYSON] stated that in his judgment it ought to go more properly to the Committee on Public Lands. Can there be any question the Speaker was right in referring that matter to a majority vote of the House? That can not be denied.

Again, not to take too much time on this point, there is another I wish to submit, and that is this: My experience has taught me this practice of the House authorizing the Committee of the Whole to deal with the question of order is a vicious practice, and one which can not be defended. And for this reason, as suggested by the gentleman from Alabama: what power have you to-day in committee in limiting debate? How can you limit debate on a question of appeal? You can not move to lay the appeal upon the table; you can not call the previous question, and the only way of limiting debate is to move that the committee in the control of the difficulty. mittee rise. That is the only way you can get out of the difficulty. You have to move that the committee rise for the purpose of limiting debate. In my opinion, the proper way is in accordance with the English practice: to move the committee rise at once, so that the House may decide the matter as soon as it is presented. I say in my judgment this thing is independent and increasing the right of the ment this thing is indefensible and inconsistent with the idea of the Committee of the Whole—this attempt to deal with questions of order.

But, to pass from that for a moment, assuming under our practice it may be proper to deal with the point in committee, I maintain it can not be competent for the Committee of the Whole to undertake to define the jurisdiction of another committee, such as is attempted here. Upon no theory of construction can you find authority in a committee such as this, constituted as any other committee is, to define the jurisdiction of any other committee unless specially required to do it.

I understand the chairman to say, although on that point I did not quite understand him, that by reserving the point of order the commit-

tee was virtually instructed to decide upon the point of order. I submit it is not possible to interpret the reservation of the point of order as an instruction to the committee to decide that point of order. On the contrary, the reservation made is a reservation of the House itself, and it can not properly or successfully be maintained such reservation is an instruction to the committee to decide such a point of order.

And if the committee was not instructed to decide the point of order,

I submit it is impossible to hold satisfactorily, upon any construction of the power and authority of the committee, that the Committee of the Whole has by virtue of its general authority the right to deal with the question of order which relates to the subject-matter submitted to

[Here the hammer fell.]
Mr. HENDERSON, of Illinois. I reserve the remainder of my time.
[Cries of "Vote!" "Vote!"]
Mr. TURNER, of Georgia. Mr. Chairman, I have but two objects in view: the first is to maintain the rules of the House; and the next is to prevent what I regard as a mischievous innovation upon the river and harbor bill. These, I think, are important public objects which may well engage the attention of members.

The gentleman from Illinois who entered this appeal seems to lay

his chief stress on the preposition that the reference of this bill by the House to the Committee of the Whole concluded all inquiry as to the House to the Committee of the Whole concluded all inquiry as to the question of jurisdiction. I respectfully dissent. When a bill appropriating money comes from the Committee on Appropriations, or when the Committee on Rivers and Harbors report their bill, the only thing that can be done then under the rules of the House is to refer such bills to the Committee of the Whole, because they can not receive their first consideration in the House; and it is on account of this rule that the practice has grown up of reserving points of order before the bills are so referred. It is well understood that by "points of order" objections are raised to such parts of a bill as violate the rules. And

we have no standing on the points of order? We have no standing on these questions in the House, because, under the rules, the first consideration of such a bill can not be had in the House. The result of the gentleman's position would be to preclude altogether points of or-der on such a bill, and to invest the committee reporting it to the House with the power to create its own jurisdiction. Under that view also the practice long established of reserving points of order on all appropriations would be nullified—a practice under which millions are annually saved to the Treasury. Why, no longer ago than yesterday a clause of the naval appropriation bill, involving an expenditure for new ships of war, was stricken out on a point of order reserved.

The gentleman from Illinois insists that the reference of a petition

on the subject of the Hennepin Canal to the Committee on Rivers and Harbors through the petition-box confers upon that committee jurisdiction over that subject. After the exhaustive opinion of the chairman on this point I would not have referred to the matter had not the

on this point I would not have referred to the matter had not the honorable gentleman from Illinois given it the weight of his great authority. The rule which directs the reference of a petition in this way on its very face provides that it shall be done by a clerk under the indication of a single member.

Mr. HENDERSON, of Illinois. That is done by the House.

Mr. TURNER, of Georgia. I deny that it is done by the House.

In no sense of the word can it be claimed that this is the action of the

House. It is done by the action of a single member.

Mr. HENDERSON, of Illinois. But if the gentleman from Georgia will allow me, I say subject to the approval of the Speaker of the House.

Mr. TURNER, of Georgia. Mr. Chairman, if the gentleman is right, I can, by the presentation of a petition through this box without the Clerk having the power to say yea or nay to me—I can have referred to the Committee on Elections, of which I am a member, memorials which will confer on that committee the jurisdiction of every other committee of this House.

Mr. SPRINGER. And that is frequently done, too.
Mr. TURNER, of Georgia. The gentleman from Illinois says it is
equently done. The gentleman has seen a longer service in this Hall frequently done. than I; but I believe no such thing, and he can not demonstrate any such absurd assertion against the practice of the House.

Mr. SPRINGER. I did not mean—

Mr. TURNER, of Georgia. I hope the gentleman will allow me to proceed

Mr. SPRINGER. I beg pardon for interrupting the gentleman. Mr. SPRINGER. I beg pardon for interrupting the gentleman.

Mr. TURNER, of Georgia. This reference of matters through the
petition-box to committees the gentleman from Illinois [Mr. Henderson] says is under the supervision of the Speaker. That is a limited
supervision, which any gentleman will find by examining the twentysecond rule is confined simply to the question as to whether the petition contains any obscene or insulting matter. When the Speaker
finds any such matter as that he can exclude it; but in no other case
has he the rewest to change the destination of the retition. And hence has he the power to change the destination of the petition. And hence all that argument of the gentleman from Illinois falls to the ground.

The general business that comes into the House goes to committees by the reference of the House or by the reference of the Speaker (which is the same thing), but petitions and memorials are sent to committees through the petition-box under the other rule to which I have adverted:
When these petitions or memorials reach a committee the question comes up there whether or not the petitions and memorials have been referred to the appropriate committee. The first question is, has the memorial or petition gone to the committee through the petition-box by the action of the Clerk; the next question is, has it gone to the proper or appropriate committee? When these two things concur then the committee

has jurisdiction over the subject-matter; otherwise under the rule (XXII) the petition or memorial has to come back to the box.

The gentleman from Illinois [Mr. HENDERSON] relies upon the decision of the chairman of the Committee of the Whole during the last

allow me only a word

Mr. TURNER, of Georgia. I yield to the gentleman for a correction, not for a speech.

Mr. HENDERSON, of Illinois.

The correction I desire to make is this: The Chair said that he would have ruled the Hennepin clause as not germane; but there were other canal clauses in the bill, and I took

Mr. TURNER, of Georgia. I have a high respect for the opinion of the chairman of that Committee of the Whole, and I think it is due to him that his precise position should be stated. It was done by the chairman of this Committee of the Whole in the opinion delivered on the reference of the bill after the points of order are reserved carries with the bill these objections into the Committee of the Whole.

After we have come into Committee of the Whole on a bill so referred, after the points of order had been reserved, shall we be told that

reserved in this case, and, therefore, as has been candidly stated by the gentleman from Massachusetts [Mr. Stone], that opinion is authority for the decision of the present chairman. The Committee on Rivers and Harbors have a certain defined jurisdiction which is expressed in these words:

The improving of rivers and harbors.

Can a committee having only the power to report an appropriation for the improvement of rivers and harbors go to the extent of making a river?

Mr. STONE rose.

Mr. TURNER, of Georgia. I have no desire to pursue the question of germaneness, because that is not involved in the appeal.

Mr. TURNER, of Georgia. The gentleman knows that rule as well

as I do.

Mr. STONE. I insist the rule says:

Subjects relating to the improvement of rivers and harbors.

Mr. TURNER, of Georgia. I ask the gentleman in reply whether the making of a new river is included in "the subjects relating to the

improvement of rivers and harbors?"

The main ground of this contention, Mr. Chairman, is involved in another clause of the rule to which neither of the three gentlemen who have preceded me has given even the respect of a passing glance. Nor was it noticed in the arguments against the point of order when it was raised. I refer to clause 8 of Rule XI, which not only defines the jurisdiction of the committee as I have stated it and not as the gentleman from Massachusetts [Mr. STONE] would state it, but adds this:

And the Committee on Rivers and Harbors shall have the same privilege in reporting bills making appropriations for the improvement of rivers and harbors as is accorded to the Committee on Appropriations in reporting general appropriation bills.

Here is a special parliamentary privilege conferred for reporting bills for the improvement of rivers and harbors; but no possible construction can extend this privilege to embrace a canal. The Committee on Rivers and Harbors have, therefore, plainly exceeded their privilege.

This point, Mr. Chairman, was not made in the case which was tried before the Committee of the Whole during the last session.

No gentleman who has challenged the decision of the Chair has said a single word in reply to it. I insist that this view of the rule concludes every question of order involved in this case. It is the first time the point has ever been made, and no gentleman has ventured to reply to I insist, therefore, that the judgment of the Chair on the main point stands unchallenged and uncontradicted.

Mr. HENDERSON, of Illinois. Mr. Chairman—
The CHAIRMAN. The gentleman from Illinois [Mr. HENDERSON] has five minutes remaining.
Mr. WILLIS. Mr. Chairman, I regret to make the point, but under the rule I think the Chair will find that the gentleman's time is ex-

Mr. HENDERSON, of Illinois. Mr. Chairman, I insist upon my right to occupy the remaining five minutes. In the first place, in regard to the petitions having been referred to the Committee on Rivers and Harbors I have only this to say, that if the gentleman [Mr. Turner] is correct, and the Committee on Rivers and Harbors received those petitions and hold that they did have jurisdiction of this matter, then I want to know what right this Committee of the Whole has now to go back and inquire into that question of jurisdiction and decide that the Committee on Rivers and Harbors did not have jurisdiction. I submit that this committee has no right to do anything of that kind.

No, sir; as to the objection which I omitted to note, I desire, with all due respect to the gentleman from Georgia [Mr. Turner] and the Chair, to submit this consideration: That was a matter which might properly have been interposed against the consideration of this bill; but by no rule, by no twisting or squirming or torturing of any rule, can you now divide up the bill after you have entered upon the consideration of it, and say that you will not consider all that part of it because you are giving precedence to one part over another. If the gentleman [Mr. Turner, of Georgia] had at the proper time made the point that this was not a river and harbor bill because it contained provisions that did not relate to the improvements of rivers and harbors, that might have been a good point—though I do not admit it—but now, after the Committee of the Whole has entered upon the consideration of the bill, it is too late to attempt to divide it up into parts and consider some parts and reject others. I yield the balance of my time to the gentleman from Iowa [Mr. MURPHY].

Mr. MURPHY. No question has come before this House in which

I have felt so deep an interest as I feel in this, but I am not unmindful of the fact that our time is very limited, and that therefore it may be as well for the interests I represent that the House should not be delayed in reaching a vote. For that reason, sir, I will not longer occupy the

time of the House.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. WHITE, of Kentucky. Mr. Chairman, I rise to a question of order.

The question being taken, there were—ayes 107, noes 62.
Mr. HENDERSON, of Illinois. I call for tellers.
Tellers were ordered; and Mr. HENDERSON, of Illinois, and Mr. TURNER, of Georgia, were appointed.

The committee again divided; and the tellers reported-ayes 108,

So the decision of the Chair was sustained.

The Clerk read as follows:

SEC. 2. That the Secretary of War is hereby directed to ascertain which and how many, if any, of the navigable streams within the jurisdiction of the United States have been and are now improved by locks and dams, or by either, or by other improvements, either by States or by corporations in pursuance of State authority, and upon which streams and for the use of which improvement toll is now charged, and whether said improvements can be purchased or condemned by the United States, and the probable cost of each of said improvements, together with the probable benefit to navigation and commerce of such purchase or condemnation when made with the view of making the navigation of such streams free; and that he report to the next Congress.

Mr. BROWN, of Pennsylvania. There was an amendment to the first section which I sent to the Clerk's desk when we were last consid-

ering this bill. It has not been read.

Mr. WILLIS. I suggest to the gentleman that it will come in at the end of the bill just as well as here.

Mr. BROWN, of Pennsylvania. I am not particular about the place where it is inserted, so that I have the opportunity to present it.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Brown],

the Chair understands, does not insist on his amendment now

Mr. WELLER. There was an amendment placed in the hands of the Clerk which I desire to have read. It was intended to come in as section 2. I have submitted that amendment to the chairman of the Committee on Rivers and Harbors, and as I understand he will make no objection to it, I desire to have it read and acted on now.

Mr. WILLIS. I suggest to my friend from Iowa that it be offered

hereafter as a separate section.

Mr. McMILLIN. Let it come up at once.

The Clerk read Mr. Weller's amendment, as follows:

Add to section 1, at the end of line 985, the following words:

"SEC. 2. That each particular appropriation in section 1 of this act contained or mentioned shall be paid as nearly as may be only in the following moneys and currency of the United States of America, and the same, and no part thereof, shall be paid in any representative of the currency or moneys in said section mentioned, namely: one-third part of each particular sum of the aforesaid appropriation shall be paid only in standard silver dollars; one-third part in silver certificates, and one-third part in Treasury notes; and each sum of said appropriations shall be, at the expense of the Government, in said moneys and currency as herein mentioned, actually transferred to and disbursed at the locality where the appropriation is to be expended."

The question being taken on the amendment of Mr. Weller, it was

Mr. WELLER. I understand that if I do not insist upon a division on this question I shall be permitted to have a vote on the amendment in the House

The CHAIRMAN. No division being called for, the Chair could not do otherwise than pronounce the decision. Any arrangement the gen-tleman may make with regard to a vote in the House is a matter with which the Chair can have nothing to do.

Mr. BROWNE, of Indiana. I move pro forma to amend by striking

out the second section.

Mr. BROWNE, of Indiana, addressed the committee. [See Ap-

pendix.]
Mr. HEPBURN. I offer the amendment which I send to the desk. The Clerk read as follows:

Insert after the word "directed," in line 1, section 2, "to detail such a number of officers from the Army, of the rank of captain and lieutenant, as will be sufficient to take the places of the civilian engineers now employed in the improvement of rivers and harbors. And hereafter no civil engineers shall be employed on such works, except in extraordinary cases, and when so employed he shall report his reasons for such employment to the next session of Congress; and also, &c."

Mr. WILLIS. I make the point that this amendment is not germane to the section.

Mr. HEPBURN. I desire to be heard on the question of order. number of days ago substantially this same amendment was offered and the same question of order raised. At that time, after discussion, the Chair held the proposition to be in order, but later, for the convenience of the committee-

Mr. WILLIS. I recognize the correctness of the gentleman's state-

ment, and withdraw the point of order.

Mr. HEPBURN. Mr. Chairman, the other day when this amend-Mr. HEPBURN. Mr. Chairman, the other day when this amendment was pending I suggested to the House that a late report from the Secretary of War had informed us there were about two hundred and two civil engineers now in the employ of the United States upon these works; that the amount paid in salaries to these engineers was something like \$500,000 a year, or at that rate by monthly payments. Now we have 1,468 officers of the line who are captains and lieutenants. Every one of these gentlemen has been educated as an engineer, and is at least the equal of the average of the civilians who are employed by the Government. A great majority of these officers of our Army have comparatively little to do, and it seems to me it would be eminently

proper that they should be put upon this work.

It was suggested by the gentleman from Arkansas the other day the art of military engineering was entirely distinct from that of hydrographic engineering, and by imposing this new duty on the officers of the Army their fitness for their legitimate duties would be destroyed. I desire to remind him as military engineers there is no occupation for We are not engaged in constructing defensive works. refused Congress after Congress to make appropriations for purposes of that kind, and the probabilities are we will never have a war where land forces will be needed. We are so situated we can be entirely in-dependent of fear of attack here on our own soil. No European army in numbers sufficiently formidable could land on our shores. Our neighbors on the north and south are much more formidable it seems to me. Our neigh-If there should be difficulty between ourselves and them we would be compelled to act on the defensive rather than on the offensive, so that

there may be little necessity for continuing the large number of engineers we now have simply for military engineering.

It was also suggested by another gentleman that the instructions received at the Military Academy were not of a character to fit them for this work. I am not willing to believe that is entirely so, and if it is so, and if we adopt the plan of putting the work into the hands of the officers of the Army, the line of instructions at the Military Academy will have to be reformed. New studies will be imposed upon them, and they will pursue them, and we will in a short time have the best educated men of the country to carry on these works.

Mr. HORR. Army engineers do the work now.

Mr. HEPBURN. That is a mistake. There is an idea abroad Army

engineers do this work. As a matter of fact they are not doing it.

Mr. ROSECRANS. I wish to say that the statement to which the

gentleman refers, namely, that officers educated at West Point are not taught civil engineering is a mistake. They are well trained in it.

Mr. HEPBURN. I thank the gentleman for his correction. I was simply quoting an objection put the other day, and I was about to say there was a popular error that these works are being carried on by the Army, but as a matter of fact the Mississippi River Commission now have in their employ sixty-seven civil engineers in addition to the details made from the Army, and we are now paying an excess of \$100,000 to the civil engineers employed upon that one work.

[Here the hammer fell.]

Mr. WILLIS, I move that the debate on the pending section and amendments thereto be limited to one minute.

Mr. ANDERSON. I object.

Mr. WILLIS. I move the committee rise to close debate.

The committee divided; and there were-ayes 98, noes 14.

Mr. WHITE, of Kentucky. No quorum; we can not be gagged in

The CHAIRMAN. A quorum is not required to rise.

So the motion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker pro tempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole House on the state of the Union having had under consideration the river and harbor bill had come to no reso-

Mr. WILLIS. Well, Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union, to continue the consideration of the river and harbor bill, and upon that motion I move that all debate on the pending bill and amendments thereto be limited to one minute.

Mr. WHITE, of Kentucky (at 3 o'clock p. m.) moved the House ad-

Mr. ANDERSON. I move to limit debate to one hour. Mr. WHITE, of Kentucky. I demand a division on my motion to

adjourn.
The House divided; and there were—ayes 7, noes 114.

So the House refused to adjourn.

Mr. WHITE, of Kentucky. I move the House take a recess until 4 o'clock this afternoon. If we are to continue this bill we should have some kind of discussion.

Mr. KING. Regular order.
The House divided; and there were—ayes 10, noes 130.
Mr. WHITE, of Kentucky. No quorum.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced the passage of the following bills:

A bill (H. R. 5207) granting a pension to Albert Stickney; A bill (H. R. 7302) granting a pension to Elizabeth Smith; A bill (H. R. 7500) to restore the name of Lewis J. Blair to the pen-

sion-roll;
A bill (H. R. 7952) granting a pension to Mrs. Julia Hartley;
A bill (H. R. 8038) granting a pension to Harriet A. B. Corts;
A bill (H. R. 2282) granting a pension to Adolph Weach;

A bill (H. R. 711) granting pensions to Frederick Nelson, T. Caine,

and Henry C. Sanders;
A bill (H. R. 7673) granting a pension to Mrs. Adeline E. Chad-

A bill (H. R. 7724) granting a pension to Lydia Wetherbee; A bill (H. R. 5969) increasing the pension of Frederic S. Rich; A bill (H. R. 3701) granting a pension to James Bradford;

A bill (H. R. 8033) granting an increase of pension to George W.

A bill (H. R. 7707) granting a pension to Holden Cook;

A bill (H. R. 5813) granting a pension to Rachel Smith; A bill (H. R. 6965) granting a pension to David T. Dud

granting a pension to David T. Dudley;

A bill (H. R. 6965) granting a pension to David T. Dudley;
A bill (H. R. 7315) granting a pension to Frederick P. Dearth;
A bill (H. R. 2138) granting a pension to Martha Angell;
A bill (H. R. 6196) granting a pension to R. D. Lawrence;
A bill (H. R. 1502) granting a pension to William Robinson;
A bill (H. R. 4098) granting a pension to William Gibbons;
A bill (H. R. 1984) granting a pension to Robert M. McKinlay;
A bill (H. R. 7561) to allow a pension to George F. West;
A bill (H. R. 4266) granting a pension to Margaret A. Ringwalt;
A bill (H. R. 4989) granting a pension to Wealthy H. Seavey;
A bill (H. R. 4189) granting a pension to Chroline Van Norton;
A bill (H. R. 4837) granting a pension to Chroline Van Norton;
A bill (H. R. 6835) granting a pension to Bernard Donohue;
A bill (H. R. 7773) granting a pension to William E. Ayres;
A bill (H. R. 7320) granting a pension to William Weddingfield;
A bill (H. R. 732) granting a pension to William Weddingfield;
A bill (H. R. 1164) to restore to the pension-roll the name of Elenor tough;

Stough;
A bill (H. R. 3000) for the relief of William R. Miller, for pension;
A bill (H. R. 5082) granting a pension to Jane Hilton;
A bill (H. R. 2136) granting an increase of pension to Merlin C. Harris:

A bill (H. R. 3901) granting a pension to Mrs. Olive W. Parker; A bill (H. R. 4317) increasing the pension of Julia A. Chambers;

A bill (H. R. 4317) increasing the pension of Julia A. Chambers;
A bill (H. R. 8133) granting a pension to Thomas McGill;
A bill (H. R. 7571) granting a pension to Cornelia V. Blackman;
A bill (H. R. 7313) granting a pension to Charles W. Baldwin;
A bill (H. R. 6653) granting a pension to Mary C. Axline;
A bill (H. R. 2325) granting a pension to Helen M. Harrison;
A bill (H. R. 5762) for the relief of Ann Lumphrey;
A bill (H. R. 6826) granting a pension to Rebecca Kupp;

A bill (H. R. 6826) granting a pension to Rebecca Kupp;
A bill (H. R. 4548) granting a pension to Cordelia Gale;
A bill (H. R. 2670) granting a pension to Sarah A. Scott, widow of
John D. Scott, deceased, late first lieutenant of Company H, First Regiment Pennsylvania Volunteer Cavalry;
A bill (H. R. 4247) granting a pension to Ann Maria Ressler;
A bill (H. R. 5508) granting a pension to Isaac R. H. Caldwell;
A bill (H. R. 3403) for the relief of Jacob J. Morningstar;
A bill (H. R. 7302) granting a pension to Elizabeth Smith;
A bill (H. R. 6205) granting a pension to Catherine S. Edmundson;
and

A bill (H. R. 3681) granting a pension to William L. Sloan.

ORDER OF BUSINESS.

The SPEAKER pro tempore (Mr. Bagley in the chair). The point of order being made that no quorum has voted, the Chair will appoint as tellers the gentleman from Kentucky, Mr. White, and the gentleman from Arkansas, Mr. Breckinridge.

Mr. White, of Kentucky. I understand that the chairman of the Committee on Appropriations is ready to call up one of the regular appropriation bills; and, if so, I am ready to withdraw the point of order for that purpose. [Cries of "Regular order!"]

The SPEAKER pro tempore. The tellers will take their places.
The House again divided; and the tellers reported—ayes 2, noes 167. So the motion was not agreed to

So the motion was not agreed to.

Mr. WILLIS. I now call up again my motion to limit debate upon the section under consideration to one minute.

Mr. ANDERSON. And I insist upon the amendment to make it one

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky.

Mr. ANDERSON. I rise to a question of order.
The SPEAKER pro tempore. The gentleman will state it.
Mr. ANDERSON. When the gentleman from Kentucky made his

motion to limit debate to one minute I immediately offered an amendment to limit debate to one hour. My point of order is that the vote must first be taken upon my amendment.

The SPEAKER. The present occupant of the chair was not in the chair at that time. The Chair is informed that a motion to adjourn

was pending, however, at the time the gentleman from Kansas interposed his motion, which, of course, would exclude the motion.

Mr. DORSHEIMER. The motion to adjourn was pending.

Mr. ANDERSON. I now renew the motion to limit debate to one

Mr. WILLIS. That can not be done, for I have demanded the pre-

vious question.

Mr. ANDERSON. The previous question has not been demanded yet.

The SPEAKER. The gentleman from Kentucky rose in his place, and, as the Chair understood, stated that he renewed his motion to limit debate to one minute.

And on that I demanded the previous question.

The SPEAKER. The Chair did not hear that demand.

Mr. ANDERSON. I made my motion when the gentleman made his first motion to limit debate and before any demand for the previous question was made.

The SPEAKER. The Chair will state to the gentleman from Kentucky that if he made any demand for the previous question it was not heard by the Chair or the Journal Clerk or by the Official Reporters.

Mr. WHITE, of Kentucky. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. I desire to call the attention of the Chair to the fact that by unanimous consent earlier in the consideration of this bill three minutes were allowed to explain any amendment that might be offered.

The SPEAKER. That is not a question of order now.

Mr. WHITE, of Kentucky. I desire to know whether this motion
can be made if that agreement was entered into, allowing three mintes? This proposes to cut off all debate within a limited time.

The SPEAKER. That is a matter for the chairman of the Com-

mittee of the Whole to determine under the order of the House here-tofore made and which the Speaker has not examined.

The question is on the motion of the gentleman from Kansas to limit

debate to one hour.

Mr. WILLIS. I understand from statements made by gentlemen Mr. WILLIS. I understand from statements made by gentlemen around me that thirty minutes will be acceptable to those opposing this bill; and with a view to settling the matter harmoniously I will accept that, and modify my motion accordingly.

Mr. ANDERSON. That is satisfactory to me.

The motion to limit debate to thirty minutes on the section was agreed to.

I now renew the motion that the House resolve itself into Committee of the Whole House on the state of the Union.

ENROLLED BILLS SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2327) for the relief of James Bedell, sr.; and A bill (H. R. 2551) to amend an act entitled "An act to increase the water supply of the city of Washington, and for other purposes."

RIVER AND HARBOR APPROPRIATION BILL.

The motion of Mr. WILLIS was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. Hammond in the chair.

The CHAIRMAN. Under instructions of the House all debate on the second section is limited to thirty minutes. The Chair will allot

fifteen minutes to each side of the House.

Mr. ANDERSON. Mr. Chairman, it seems to me that the amendment proposed by the gentleman from Iowa is so perfectly fair on its face and so directly within the line of economy and good government, that there should be no hesitation on the part of this committee in adopting it. At a very large expenditure annually this Government is educating, in the best possible method and to the highest point of efficiency, these officers at West Point and at Annapolis. The proposition that these gentlemen are not competent to supervise the improvement of rivers and harbors is to my mind simply preposterous. The reverse of that proposition, that civilians are more competent, is the severest criticism which can be made upon our military educational institutions. Now, it has been the boast of the Democratic party from time immemorial that it was in favor of avoiding extravagance. This river and harrial that it was in favor of avoiding extravagance. This river and harbor bill is one always large and in which there are items always extravagant. The simple proposition is here presented: instead of expending half a million a year in employing civilian engineers to utilize the Army officers, and saving thereby the expenditure of this half million dollars; and the question is what, upon the principles advocated by the Democratic party, is there on the face of the amendment that does not warrant its adoption?

Why will you expend half a million for civilians when you have Army officers more competent, to-day practically without employment, and you can use them? That is the whole question presented here. It has become a custom that we shall employ as many men as possible, so it seems, under this Mississippi River Commission and otherwise, for the prosecution of this work; and yet here stand a body of men, than whom none are better educated or better qualified, whom you are paying year by year, whom you have educated, and whom you refuse to detail to perform this duty, being the more willing to increase the bulk of your river and harbor bill not for the purpose of developing channels, not for giving increased facilities for commerce, but simply to provide for outsiders. It seems to me that that is about the proposition submitted

When it comes, Mr. Chairman, to the question of developing our great channels, the rivers which shall become highways of commerce, there is no one who will go further in right appropriations than will I. But I am not, because of the earnestness of my belief in that proposition, willing that it shall be used as a veil under which to carry other things to which I am opposed.

There has been eliminated from this bill a measure which had it been There has been eliminated from this bill a measure which had it been included in it might have been the beginning of a water way over which the grain of the West might have obtained cheaper rates than by the present method of transportation by rail; and in eliminating that—in virtually depriving us in the West of any possibility of any further water communications with the East—you simply relegate us to the merciless, iron, granitic cupidity of the railroad corporations.

The CHAIRMAN. The Chair would inquire of the gentleman from Kansas [Mr. Andreson] how much of the time he proposes to account

Kansas [Mr. Anderson] how much of the time he proposes to occupy

Mr. ANDERSON. Five minutes.

The CHAIRMAN. The gentleman has already spoken five and a half minutes

Mr. ANDERSON. I yield five minutes to the gentleman from Iowa Mr. HEPBURN

Mr. HEPBURN. The Mississippi River Commission furnishes, it seems to me, a very fair illustration of the necessity of some such measure as this. I have already stated the large number of civil engineers that were employed on the work of that commission. One of the objections to the improvement of our rivers and harbors is the wanton extravagance that is indulged in. If economy were used, if we utilized cheaply the force that we have, the people of this country would not object to these burdensome river and harbor bills. That commission was able to show on a previous occasion had upon its rolls such a number of servants as required the expenditure of more than half a million dollars each year. They had been so lavish in their expenditures in their efforts to provide themselves with plant that they had expended of the appropriation nearly one and a half million dollars simply in purchasing the tools with which they were to carry on the improvement.

I venture the assertion that of all the immense sums that have been appropriated for the improvement of that river since the organization of appropriated for the improvement of that river since the organization of that commission nearly one-half have been expended in plant and in salaries—nearly one-half of it. Now this ought not to be. If we can save with reference to that improvement alone \$115,000 we certainly ought to do it. If we can save in connection with the other improvements \$385,000 a year we certainly ought to do it. It will not do to say that these gentlemen that are named in the amendment I have offered have not the education to fit them for this work. That is to denounce as a failure the Military Academy and all of the efforts of this nation to properly educate our engineers. After the appropriations we make each year for the maintenance of that institution it will not do for us to stultify ourselves by declaring that all of our efforts are non-effective. I have here a partial list of some of the distinguished engineers that have been educated at that institution. I find on it the names of Beauregard, Foster, Franklin, Gillmore, Halleck, and Humphreys. These men we have educated at West Point and they have graduated there as engineers and served in that capacity. The list is And I want to call attention to the fact that there is no difference in the line of the studies pursued by these gentlemen who have graduated as engineers or been assigned to that corps and the others.

They all study the same text-books.

The CHAIRMAN. The Chair wishes to inquire of the gentleman from Iowa whether he desires to speak longer than five minutes?

Mr. HEPBURN. Five minutes were yielded to me.

The CHAIRMAN. And that time has expired.

Mr. ANDERSON. I yield two minutes to the gentleman from

Pennsylvania [Mr. BAYNE].

Mr. BAYNE. I am in favor of this amendment. I think it ought to be adopted. If there be a service in this country which has the confidence of the people so far as its integrity is concerned it is the Corps of Engineers of the United States Army. They are above reproach. And if they be employed to superintend this work and to disburse the moneys the people of the country will have confidence that, though they may sometimes be mistaken in their judgments and opinions, yet

the money will be honestly disbursed.

I think it is a dangerous thing to employ civilian engineers in this work; to take them from their particular localities, to bring influences to bear in favor of particular localities, and thus to have recommendations to Congress influenced to some extent by considerations that should not enter into the conclusions arrived at. And I think that if the engineer service were devoted wholly to the improvement of our rivers and harbors in this country this would free it from perhaps some suspicions that attach to the management of that service, and it would be a guarantee at once to the people and to the Government that the moneys expended for these improvements would be honorably and honestly expended for the purposes to which they were applied.

Mr. ANDERSON. I yield the remainder of my time to the gentleman from Kentucky [Mr. WHITE].

The CHAIRMAN. The gentleman from Kentucky [Mr. WHITE]

has three minutes

Mr. WHITE, of Kentucky. Mr. Chairman, the amendment offered by the gentleman from Iowa [Mr. Hepburn] is evidently in the interest of retrenching expenditures. It is more: it is a compliment to the United States Military Academy. After having expended \$500 per annum upon each of the cadets who go at the Government's expense to

the Military Academy at West Point, and after they have been graduated from that institution with honor, if they are not as competent to perform the duties on the Mississippi River as the surveyors and local perform the duties on the Mississippi River as the surveyors and local politicians along that river who get into the employ of the Missisippi and Missouri Commissions, then, sir, we had better cease to make appropriations for the Military Academy. If you defeat this proposition it will be a very severe criticism on the United States Military Academy. This amendment simply provides that engineers from civil life shall not be employed, except in cases where the services of men of distinguished whilly in civil argineering are required. ability in civil engineering are required.

In ordinary cases, in most cases, the officers of the United States Army are to be employed, the men who have graduated from the national academy at West Point.

Is there any gentleman on that side of the House who has been preaching economy, who has been saying for years that we ought not to have this large Army corps to pay, who will vote against that proposition? It seems to me not. If we mean to do the work, and do it well and do

it cheaply, it strikes me that all those conditions are embodied in this amendment, and that it ought to be adopted by a unanimous vote.

Mr. WILLIS. Mr. Chairman, the proposition of the gentleman from Iowa [Mr. Hepburn], if adopted, would seriously embarrass the War Department. We have no statement from the Secretary of War or from the Chief of Engineers to the effect that this proposed change should be made. The employment of civilian engineers is now left to the discretion of the Secretary of War, and if we were to bind his hands in this way we might seriously impede the progress of some of the public works upon which this additional engineering aid is required.

The Secretary is not now compelled, although he is allowed, to employ the seriously increase of the public works.

ploy civilian engineers.
Mr. HEPBURN. Will the gentleman allow me a suggestion?

Mr. WILLIS. Certainly.

Mr. HEPBURN. By this amendment, in any difficult case, where extraordinary skill or additional aid is required, he may appoint civil

engineers; so that in such a case as the gentleman from Kentucky speaks of the Secretary would have that authority.

Mr. WILLIS. I submit to my friend that if his amendment were now adopted, without any recommendation or expression of opinion in its favor on the part of the War Department, it might result in grave

evil to important pending public works.

Mr. HEPBURN. Will the gentleman pardon another suggestion?

Mr. WILLIS. Yes, sir.

Mr. HEPBURN. Do you expect that the Army officers will be very anxious to recommend that this additional service shall be put upon

Mr. WILLIS. I believe that the Army engineers will be in the future, as they have been in the past, employed in preference to all other engineers, and I think they ought to be. But I submit that if we bind down the Department to the exclusive employment of Army engineers we may seriously interfere with the progress of some of the pending public works.

For that reason at the present time, this amendment coming here without information, without commendation or recommendation from the Secretary of War, I submit that the Committee of the Whole should

not adopt it.

And, Mr. Chairman, in the interest of the public business, having control of the time on this side and with the consent of those interested, I yield back to the Committee of the Whole the time allowed for discussion against the amendment and ask for a vote.

The question being taken on agreeing to the amendment of Mr. Hep-BURN, there were—ayes 51, noes 90. Mr. HEPBURN. No quorum has voted.

Tellers were ordered; and Mr. WILLIS and Mr. HEPBURN were appointed.

The committee again divided; and the tellers reported-ayes 65, noes 110.

So the amendment was not agreed to.

MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. Morse having taken the that as Speaker protempore, a message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment the joint resolution (H. Res. 335) to print 2,000 additional copies of Lieut. P. H. Ray's report of the International Polar Expedition to Point Barrow, Alaska.

The message also announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

A bill (S. 2648) to enable the President to negotiate for the purchase

of certain Indian reservations.

The message further announced that the Senate had agreed to the amendment of the House to the bill (S. 2327) for the relief of James

The message also announced that the Senate had adopted the following resolution; in which the concurrence of the House was requested:

Fish and Fisheries, and 500 for sale by the Public Printer, under such regulations as the Joint Committee on Printing may prescribe, at a price equal to the additional cost of publication and 10 per cent. thereto thereon added; the illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.

RIVER AND HARBOR APPROPRIATION BILL.

The Committee of the Whole House on the state of the Union resumed its session.

The Clerk began to read section 3 of the bill, but was interrupted by Mr. WHITE, of Kentucky, who said: Mr. Chairman, I desire to offer an additional section.

Mr. DUNN. I object.
Mr. WHITE, of Kentucky. I move to amend by inserting, as a new section, the following:

For continuing and connecting the survey-

The CHAIRMAN. The Chair suggests that the gentleman had better send his amendment to the Clerk's desk.

Mr. WHITE, of Kentucky. I will do so.
Mr. WILLIS. I object to going back. The Clerk had commenced reading the third section.

The CHAIRMAN. There is no proposition to amend the section, so

far as the Chair is informed. The gentleman from Kentucky proposes

Mr. WILLIS. Well, I ask that the Clerk read on.
Mr. ANDERSON. I object to that.
The CHAIRMAN. The Chair thinks time will be saved by allowing the amendment to be offered now.

Mr. WILLIS. The amendment, in the form of a new section, can be offered at the end of this section. The Committee of the Whole can not be detained here until the proposed new section is written out.

Mr. ANDERSON. Yesterday when we were considering the naval bill we waited five minutes for an amendment to be offered.

The CHAIRMAN. Is the amendment of the gentleman from Kentucky ready?

Mr. WHITE, of Kentucky. Yes, sir.

The CHAIRMAN. The go The Clerk read as follows; The gentleman will send it to the Clerk's desk.

Add, as section 3, the following:

"SEC. 3. For continuing and connecting the survey of the Savannah River, Georgia, and the Kentucky River, Kentucky, \$28,000, and that the same be expended under the direction of the Secretary of War in surveying a water-route and ascertaining the practicability of obtaining cheap transportation between the valley of the Ohio and Atlantic seaboard, by connecting, by canal and by slackwater navigation, the waters of the South Fork of the Kentucky River, Richland Creek, Cumberland River, Yellow Creek, Cumberland Gap Springs, and Powell's, Clinch, Tennessee, Hiwassee, and Savannah Rivers, from Beatty-ville, Ky., to Savannah, Ga."

Mr. WILLIS. I make a point of order on that amendment, and ask the ruling of the Chair upon it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WHITE, of Kentucky. I appeal from the décision of the Chair.

The CHAIRMAN. The question is-

Mr. WHITE, of Kentucky. I desire to be heard on the appeal. Mr. Chairman, this bill has in it, if not in reality, at least in future possibility, the whole Mississippi River scheme, with its commission, which was allowed to be struck out the other day by the chairman of the Committee on Rivers and Harbors with the understanding that in the House it should come back again. This bill has in it the Missouri River Commission (the Missouri being but a breach of the Missouri River Commission (the Missouri being but a branch of the Mississippi), as a sink-hole for millions of dollars. If we are going to sink millions of dollars on the Mississippi River, it strikes me that when we have appropriated money for the improvement of the Kentucky, for the improvement of the Tennessee, the improvement of the Cumberland and the Clinch Rivers, and for the improvement of the Savannah River, and when we need cheap transportation from the great grain-growing re gions of the Northwest to the Atlantic seaboard, when we need to build up seaport towns like Savannah, Ga., to compete with the great metropolis of New York and great cities like Philadelphia and Baltimore

The CHAIRMAN. The Chair begs to suggest to the gentleman from Kentucky that he must confine himself to the question of order.

Mr. WHITE, of Kentucky. The point of order I desire to make is

this

A MEMBER. You are taking an appeal. [Laughter.]
Mr. WHITE, of Kentucky. Yes, sir; I am taking an appeal and
can discuss it without limit. [Cries of "Vote!" "Vote!"] I ask for order in the House.

The CHAIRMAN. The committee will be in order, and the Chair will hear the gentleman on the point of order but not on the merits of

the proposed amendment.

Mr. WHITE, of Kentucky. The point of order has been raised against this whole proposition and has been sustained. Now, I appeal from that decision. I appeal from it on the ground that this amendment I offer is in perfect consonance with the harmony of the bill. I was going Resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Fish and Fisheries for the year 1885 be printed, and that there be printed 11,000 extra copies, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House, 1,500 for the use of the House, 1, same point of order. I expected that, but I wanted to lay before the

The CHAIRMAN. The Chair submits if the gentleman concedes the ruling against him is correct that no further time should be occupied in debate on the bill.

Mr. WHITE, of Kentucky. I did not say it was correct.

The CHAIRMAN. The Chair desires to state that the gentleman conceded it would be pronounced out of order by the committee, and it would be an unnecessary consumption of the time to debate it further.

[Cries of "Vote!" "Vote!"]

Mr. WHITE of Kentrels L. handle Chair in July 2015

Mr. WHITE, of Kentucky. I beg the Chair to indulge me in stating my opinions on this matter. If it is a waste of time or not is for me to decide and not for the Chair. If he decides I am not entitled to the floor then I will yield, but if the Chair says I am entitled to the floor I will not allow the Chair to tell me that it is a waste of time.

The CHAIRMAN. The Chair took the gentleman's own remark that he was not arguing the question before the committee. The question is whether the decision of the Chair shall stand as the judgment of the committee.

of the committee.

The decision of the Chair was sustained; and the amendment was ruled out

Mr. HEPBURN. I have an amendment to offer to section 2.

Mr. WILLIS. I rise to a question of order.
Mr. HEPBURN. Then I will move it to section 3.
The CHAIRMAN. Section 3 will now be read, and Section 3 will now be read, and then the amendment can be offered.

The Clerk read as follows:

The Clerk read as follows:

SEC, 3. That the Secretary of War shall prescribe such rules and regulations as may be necessary to secure a judicious and economical expenditure of said sums, and shall cause to be made and submitted to Congress annual reports, including the report of the Mississippi River Commission, on or before December I, giving detailed statements of the work done, contracts made, and expenditures thereunder or otherwise up to November I, and the effect of such work, together with such recommendations as he may deem it proper to lay before Congress. He shall also, at the same time, report to Congress at its next session all the instances in the United States in which piers, breakwaters, or other structures or works built or made by the United States in aid of commerce or navigation are used, occupied, or injured by a corporation or an individual, and the extent and mode of such use, occupation, or injury, and the facts touching the same. He shall report annually, at the same time, whether any bridges, causeways, or structures now erected or in process of erection do or will interfere with free and safe navigation.

Mr. HEPBURN. I move the following amendment:

Mr. HEPBURN. I move the following amendment:

The Clerk read as follows:

Provided. That jurisdiction is hereby given to the circuits courts of the United States to condemn any such real estate or material needed in any improvement, and in all such proceedings for such condemnation the practice of said court shall be as near as may be to that prescribed by the law of the State in which the improvement and material is situated.

Mr. WILLIS. I hope that amendment will be accepted; it seems to be perfectly proper

The amendment was adopted.

The Clerk read as follows

SEC. 4. That it shall be the duty of the Secretary of War to apply the money herein appropriated—

Mr. WHITE, of Kentucky. Before passing to section 4, I wish to offer an amendment to this section.

Mr. DUNN. I make the point of order that the reading can not be arrested in that way after being deliberately commenced, and I insist that the Clerk proceed with the reading. The rule is clear on the sub-

ject, and I hope it will be strictly enforced hereafter.

Mr. HEPBURN. Allow me to make this suggestion, that there is very extraordinary rapidity indulged in, and perhaps properly so, by the Clerk in reading this bill. But it occurs frequently that the last word from the chairman's mouth has scarcely escaped his lips directive the clerk in ing the reading when the Clerk is at work on the instant speeding through the bill; and it seems in that manner the Clerk has succeeded in reading several lines of this section before any one rose to make an amendment

Mr. WHITE, of Kentucky. It has been the custom, Mr. Chairman, for the Clerk to read amendments on the desk which had been sent up; and I did not know until he had read a short distance in this section that he was not going to read an amendment to the preceding section. As soon as I found out what he was reading I immediately rose to offer

The CHAIRMAN. The Chair can not be governed by anything else than the regular rules of the House, which provide that when a section has been passed over and the reading of another has been begun it is then too late to go back to make an amendment to the section which

has been passed. Mr. REED, of Maine. But, Mr. Chairman, when a member of the House announces that it was his intention to offer an amendment, and rose promptly for that purpose, he certainly can not be precluded from offering it by the mere reading of the Clerk, or because the Clerk may have begun the reading of the section before the amendment was offered.

³ The CHAIRMAN. The Chair understood the gentleman from Kentucky to state himself his impression that somebody else had an amendment at the desk which the Clerk was proceeding to read, and that he waited to see if somebody else did not want to offer an amendment.

Mr. REED, of Maine. No, Mr. Chairman; but that he thought the Clerk was reading an amendment which was at the desk. he discovered that the Clerk was reading the bill, or another section of the bill, the gentleman immediately rose, as he claims, to offer the amendment

The CHAIRMAN. The Chair will state exactly what the Chair understands the gentleman from Kentucky to have said.

Mr. WHITE, of Kentucky. Evidently the Chair misunderstood me, from the statement just made.

The CHAIRMAN. The Chair understood the gentleman to say he

supposed there were other amendments on the desk, and that the Clerk would read them, and that therefore he waited, and did not offer his amendment at once

Mr. WHITE, of Kentucky. I said that I was waiting for the Clerk to read. The Chair will remember that it has been the custom during the past week to read amendments which had been sent to the Clerk's desk, and which were read properly in their order.

Mr. KING. I demand the regular order.

Mr. KING. I demand the regular order. The CHAIRMAN. The Chair thinks the gentleman from Kentucky

is too late to offer an amendment.

Mr. WHITE, of Kentucky. Then I appeal from the decision of the

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. WHITE, of Kentucky. I desire to be heard on the appeal.
Mr. HOUK. I insist the gentleman from Kentucky should be heard,

since he has not been heard here this session. [Laughter.]
Mr. WHITE, of Kentucky. I will leave the House to judge as to

the pertinence of that remark.

Mr. HOUK. The House can certainly judge as to the propriety of it.

Mr. WHITE, of Kentucky. The whole business here in connection with this bill is an impropriety.

I have appealed from the decision of the Chair because I believe it is our right to offer amendments as the paragraphs are being read. It would have been almost impossible to have taken the floor sooner than I did—almost impossible. The amendment offered by the gentleman from Iowa was accepted so suddenly, and the Clerk was directed to read so suddenly, and proceeded with the reading of paragraph 4 of the bill so suddenly, that it was almost impossible for any man to offer an amendment sooner than I did. And I ask that the reporter may give to the Clerk a memorandum showing how far he had proceeded with the reading when I rose. I know there is a disposition here to hurry the reading when I rose. I know there is a disposition here to hurry the bill through. I know there is a disposition on the part of the chairman of the Committee on Appropriations to help this bill through.

Mr. HEWITT, of Alabama. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HEWITT, of Alabama. The gentleman from Kentucky is not discussing the appeal from the decision of the Chair.

The CHAIRMAN. The Chair thinks the point is well taken.

Mr. HEWITT, of Alabama. I hope the Chair will enforce the rule.

Mr. WHITE, of Kentucky. I did not hear at first what the gentleman from Alabama rose for; but what he has said leads me to remark that it is very difficult to tell what his point of order will cover. It is difficult to tell how any gentleman can address himself to a point of order so that it will be understood by the intellect of the gentleman from Alabama. I am not surprised that he raises the question of

But the question, coming back to this committee again, is, can a member of this House be cheated—not cheated; I will say deprived of his right to offer an amendment because forsooth the Clerk may read too rapidly? I do not make any charge against the Clerk. He was doing his duty as he understands it. I was doing mine as I understand it. I was doing mine as I understand it. I rose to ask the adoption of an amendment. My amendment is material. It is one affecting the levees of the Mississippi River. In this bill the word "levee" does not occur.

want to put it in the bill that we shall have a report on the rate item of levees; because if the decision of the Chair made on Friday on the Hennepin Canal stands good, and if the decision of the Chair on the canal from the Kentucky River to Savannah, Ga., stands good, then when the chairman of the committee or a member of the committee undertakes to put the Mississippi River back into the bill whether with Eads or without Eads, I propose to raise the point of order on the

Mississippi River, and I want to put it right here.

The CHAIRMAN. The Chair asks the gentleman from Kentucky to confine himself to the subject under debate.

Mr.WHITE, of Kentucky. Ithink I am doing so. [Cries of "Vote!" Vote!" Mr. WHITE, of Kentucky, here turned and walked up the aisle to-

ward his desk The CHAIRMAN. The question is: Shall the decision of the Chair

stand as the judgment of the committee?

The question being taken, it was decided in the affirmative. The CHAIRMAN. The "ayes" have it, and the decision of the

Chair is sustained.

Mr. WHITE, of Kentucky. Mr. Chairman, you can not take me off the floor in that way.

The CHAIRMAN. The Chair understood the gentleman from Kentucky to go back to his desk.

Mr. WHITE, of Kentucky. I went to get my copy of the bill to read from it. That will not do. I have not been heard.

read from it. That will not do. I have not been heard.

Mr. ANDERSON. I move to strike out the last word.

Mr. DUNN. I make the same point of order, that the reading of the section must be completed before any motion to amend can be made. The reading of the section has not been completed.

The CHAIRMAN. The Chair thinks nothing is in order but reading the balance of the section.

Mr. WHITE, of Kentucky. I appealed from the decision of the

The CHAIRMAN. And the committee has sustained the decision of

the Chair Mr. WHITE, of Kentucky. The committee can not vote while I have the floor

The CHAIRMAN. The committee voted while the gentleman had

not the floor

not the floor.

Mr. WHITE, of Kentucky. I have not yielded the floor, as the whole House knows. [Cries of "Regular order."]

Mr. BROWNE, of Indiana. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. BROWNE, of Indiana. I want to know if in the argument of a question of order a member can occupy the floor any longer than at the pleasure of the chairman.

The CHAIRMAN. It is the opinion of the Chair he can not. There is no settled rule in regard to debate on appeals.

Mr. COX, of New York. The rule is invariable. No member can speak except during the pleasure of the Chair on a point of order.

Mr. WHITE, of Kentucky. This is not a point of order; it is an ap-

Mr. COX, of New York. Or an appeal. That is in the same cate-

gory.

Mr. HEPBURN. If that doctrine be correct, the Chair can in every case of appeal prevent the exposition of his own errors.

The CHAIRMAN. The Chair desires to do what is exactly right.

The Chair can have no interest in doing otherwise. The Chair knows of no rule that forbids debate on an appeal; but the gentleman from Kentucky was not arguing the question of order, but was discussing the question of the Mississippi levees at the time the Chair put the question, even if it be considered that he was on the floor at that time.

But he had removed himself from the position where he was speaking and had gone back to his desk. The Chair thereupon put the question and the committee voted. The Chair thinks he has been exceedingly liberal to that gentleman and all others in this committee, and he has no disposition to cut off any one. But the rule must be observed that when a particular question is under discussion debate must be confined to that; otherwise there will be no end to our work at all.

Mr. WHITE, of Kentucky. I am sorry the Chair should have made the mistake; but I had not yielded the floor.

Mr. HISCOCK. I desire, with the permission of the Chair, to make a single suggestion. I do not want to antagonize the decision of the Chair, to make the control of the chair should have made the single suggestion.

Chair as made on this question, but I make this inquiry: When a member has been recognized to speak, is not the only limitation of time he is entitled to the hour under the rule, whether the subject-matter be an appeal on points of order or whatever it is?

Mr. HENLEY. I rise to a question of order. I demand the regular

order.

A Member. What is it?

Mr. HENLEY. Whatever it is we shall have it. I want to stop this

The CHAIRMAN. The Chair asks the gentleman from Kentucky whether his proposed amendment can be as well offered to the next sec

tion—the reading of which had begun?

Mr. WHITE, of Kentucky. It can not; and that was what I proposed to show when the Chair thought I was going to my seat. I was going to my desk to get my copy of the bill and to call the attention of the Chair to the very line where I had intended my amendment should

The CHAIRMAN. The gentleman having made that statement, the

Chair will hear him on the point of order only.

Mr. WHITE, of Kentucky. In section 3, which has been read by the Clerk-

Mr. GIBSON. Mr. GIBSON. I rise to a question of order. The CHAIRMAN. The gentleman will state it.

Mr. GIBSON. The Chair has submitted the question on the appeal to the vote of the House, and the House has voted upon it by an ay-

Mr. WHITE, of Kentucky. I do not yield the floor.

Mr. GIBSON. And the result of that vote has been announced by the Chair. Now, I do not know by what right when the judgment of the Chair has been sustained on an appeal that question can be reopened.

The CHAIRMAN. The Chair states that the announcement of the result of the vote was predicated on the fact that the gentleman from Kentucky had ceased speaking and had gone back to his desk. He

asserts now he had not yielded the floor, but had simply gone to his desk to get a copy of the bill, intending further to illustrate that his proposition was in order.

Mr. GIBSON. Then is the Chair bound to show equities of decision to a member who is openly and apparently consuming time in a debate

that does not apply to the question before the committee?

The CHAIRMAN. The Chair can not pronounce that judgment.
The gentleman from Kentucky [Mr. White] will be heard further

upon the question of order.

Mr. WHITE, of Kentucky. Mr. Chairman, as I have already stated, I had gone to take up my bill (which was not in my hand at the time I was speaking) to show the Chair how the word "levees" inserted in this bill would be of considerable consequence, and it was my intention to offer that amendment. In section 3 of the bill it is provided that the Secretary of War shall prescribe such rules and regulations as may be necessary to secure a judicious and economical expenditure of said

Mr. DUNN. Mr. Chairman, I call the gentleman to order, and I make this distinct statement: The point of order I made was that the committee had concluded the consideration of section 3 and had passed

Mr. WHITE, of Kentucky. I do not yield the floor, Mr. Chairman.
Mr. DUNN (continuing). And the Clerk had commenced the reading of section 4 when the gentleman from Kentucky [Mr. WHITE] offered or proposed to offer his amendment to section 3. Upon that I offered or proposed to offer his amendment to section 3. Upon that I made the point that it was out of order because the reading of the next section, section 4, had been commenced, and that point of order the Chair sustained. From the ruling sustaining that point of order the gentleman from Kentucky [Mr.WHITE] appeals, and that is the question he rose to debate. There can be no controversy as to the fact that the reading of the next section had commenced. Now, the rule is the only thing that can govern that question, and the gentleman is not discussing the rules. Therefore I call him to order.

Mr. WHITE, of Kentucky. Mr. Chairman, in reply to the gentleman from Arkansas [Mr. DUNN] I will repeat again what I said before.

Perhaps he was in the cloak-room when I made my statement and did

not hear it. [Laughter.]
Mr. DUNN. The gentleman is mistaken; I was in my seat, and

heard him.

Mr. WHITE, of Kentucky. Mr. Chairman, he seems to be here now, and I desire to say again that the Clerk had barely commenced the reading of section 4, and had commenced it, so far as I was concerned, under a misapprehension, and as soon as I discovered that he had left section 3, I rose to offer my amendment, and the reporter's notes will show that although I spoke several times before I caught the Speaker's

Mr. DUNN. Mr. Chairman, I call the gentleman to order. What

the gentleman is saying relates to a fact and is not the discussion of the point of order. Now, if the Chair will entertain a controversy as to a fact upon this appeal it can not be helped.

Several Members. Regular order.

Mr. WHITE, of Kentucky. Now, Mr. Chairman, if the gentleman from Arkansas will permit me, I will state again that, in good faith, I had risen to offer what I understood to be a substantial amendment—

Mr. DUNN. But the good faith does not relieve the gentleman from

Mr. DUNN. But the good faith does not relieve the gentleman from the operation of the rule.

the operation of the rule.

Several members addressed the Chair.

The CHAIRMAN. The gentleman from Kentucky [Mr. WHITE] has the floor upon the point of order.

Mr. WHITE, of Kentucky. Mr. Chairman, I do not yield the floor to these gentlemen, and the Chair will oblige me very much by keeping them quiet. [Laughter.]

The CHAIRMAN. The Chair will hear the gentleman if he desires to discuss the question of order on the appeal; if he does not, the Chair ways put the question.

must put the question.

Mr. WHITE, of Kentucky. Mr. Chairman, as I have already stated,
I believe I had the right, as any member would have the right, to offer
an amendment to section 3 of this bill under the circumstances. It has been customary for the Clerk to read amendments from his desk; but a gentleman can offer an amendment from his seat. When the gentleman from Iowa [Mr. HEPBURN] offered his amendment it was almost instantly accepted, and the Clerk was directed to read, and as soon as I perceived that the Clerk was reading a different section I said that I desired to offer an amendment to section 3. And now, to satisfy the Chair, I will tell the Chair what the amendment was.

The CHAIRMAN. It is wholly immaterial what it was

Mr. WHITE, of Kentucky. Does the Chair now rule that I have not the right to offer an amendment in line 66?

The CHAIRMAN. The Chair has so ruled; and the pending ques-

The CHAIRMAN. The Chair has so ruled, and the pending question is on the appeal taken from that decisios.

Mr. WHITE, of Kentucky. Well, I am willing to submit it to a vote.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the House?

The question was taken; and the decision of the Chair was sustained.

The CHAIRMAN. The Clerk will proceed to finish the reading of the section.

The Clerk read the fourth section, as follows:

SEC. 4. That it shall be the duty of the Secretary of War to apply the money herein appropriated for improvements other than surveys and estimates in carrying on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contract, and for the prompt payment of all liabilities incurred in the prosecution thereof for labor and material.

Mr. JAMES. Mr. Chairman, I desire to offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend section 4, line 7, after the word "proposals," by inserting "and shall fully describe the work to be done."

Mr. WILLIS. Mr. Chairman, I hope that amendment will be ac-

cepted.

The amendment was agreed to.
Mr. ROWELL. Mr. Chairman, I desire to offer an amendment to come in at the end of the section.

The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Add to the section the following:
"Provided, however, That the Secretary of War may decline to expend any portion of the money appropriated by this bill if, in his judgment, the improvement for which such appropriation is made will not be a public benefit."

Mr. WILLIS. That is the existing law, and I see no objection to it. Mr. ROWELL. Then, if there is no objection to it, let it be adopted.

The amendment was agreed to.

Mr. HOLMAN. Mr. Chairman, at the close of the text and immediately preceding the provision just adopted I desire to offer an amendment, which I send to the Clerk's desk to be read.

The Clerk read as follows:

The Clerk read as follows:

After the word "material," in line 14, insert the following:
"Provided, however, That any money appropriated by this act for the improvement of the Mississippi River below Cairo, except so much thereof as it shall be necessary to expend in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river, now in progress of improvement as established by the commission, to the end that the proposed improvement of said two reaches of the river on which works are in progress shall be completed at an early day and the plan of said commission for the improvement of the navigation of the river fully tested.

Mr. WILLIS. Mr. Chairman, I make the point of order that that portion of the bill has been stricken out.

Mr. HOLMAN. Mr. Chairman, I wish to be heard upon the point of order. The bill contains at this time no appropriation for the improvement of the Mississippi River below Cairo. That is conceded. Of course it is not for the Chair to anticipate whether or no the bill

Of course it is not for the Chair to anticipate whether or no the bill will contain such a provision.

The proposition is simply that, if any appropriation be made by this bill for the purpose designated, it shall be applied in a specific manner. Such a provision, it seems to me, can not possibly be subject to a point of order upon the mere ground that the bill in its present form contains no such appropriation; for I submit that it is not for the Chair to anticipate what may ultimately be the provisions of this bill. The amendment simply provides that if there should be in this bill any provision for the expenditure of money on the Mississippi River below Cairo such money shall be expended in a specific manner.

money shall be expended in a specific manner.

It can not be said that this is subject to the point of order commonly made upon propositions to amend a general appropriation bill; and I believe the Chair has so decided. This is simply a provision limiting appropriations in the bill, if such shall be made, for a particular improvement which is within the scope of the bill. It must be conceded that appropriations may be made by the bill for the improvement of the Mississippi River below Cairo; and a provision that an appropriation of a given character shall be expended in a specific mode is clearly

Mr. BRECKINRIDGE. I wish to make a point of order upon the gentleman from Indiana

The CHAIRMAN. The gentleman from Indiana is stating a point

Mr. BRECKINRIDGE. Well, I will make a parliamentary inquiry. Can the gentleman offer an amendment having reference to legislation

which he thinks may be introduced into the bill?

Mr. HOLMAN. Certainly that is hardly a parliamentary inquiry.

It is admitted that such legislation as that upon which the amendment is designed to be a limit may possibly be introduced into this bill. It is not to be assumed that the bill will not contain such legislation. I think the gentleman from Kentucky makes a mistake in attempting to make a point of order upon such a proposition. This bill stands on a very different footing from a general appropriation bill.

Mr. REED, of Maine. I suggest to the Chair that there are still left in the bill appropriations for the Mississippi River. There is one for the harbor of New Orleans, which is only a part of the Mississippi River. I think there is also one for Memphis Harbor, although I am

The CHAIRMAN. The amendment which the gentleman from In- in the end an utter failure.

diana presents would be a mere modification, applicable in case the appropriation for the Mississippi River should be voted back into the bill. The Chair therefore suggests that perhaps an arrangement may be made to have a vote upon the amendment of the gentleman from Indiana if

the other proposition should be voted upon.

Mr. HOLMAN. I modify my amendment so as to read "That no appropriation made or which shall be made for the improvement of the Mississippi River," &c.

The CHAIRMAN. The gentleman from Indiana does not take the

idea of the Chair.

Mr. KING. I make the point of order that this proposition in substance was voted upon several days ago and voted down

Mr. HOLMAN. No such proposition has been voted on.

The CHAIRMAN. The gentleman from Louisiana will please cite
the proposition of which he speaks, with the action thereon. It is impossible for the Chair to remember everything done in the Committee
of the Whole.

Mr. KING. I feel confident that there was such action.

Mr. KING. I feel confident that there was such action.

Mr. WILLIS. The point of order has been made, first, that there is no matter now in the bill to which this amendment has any application, and to place in the bill a restriction upon legislation which the bill does not contain is an absurdity. In the second place, the point is made that this identical proposition was presented a few days ago by the gentleman from New York [Mr. HISCOCK] and voted down.

Mr. HOLMAN. The gentleman from Kentucky is mistaken.

The CHAIRMAN. The fact that the amendment if adopted would make the bill absurd is no reason it should be ruled out on a point of order. It may be the very purpose of the gentleman from Indiana to

make the bill absurd is no reason it should be ruled out on a point or order. It may be the very purpose of the gentleman from Indiana to make the bill absurd. Whether the amendment shall have that effect is a question for the Committee of the Whole to vote upon. But the Chair was endeavoring to suggest, in order to avoid difficulty, that the committee might agree that if by a vote the Mississippi River provision should be brought back into the bill there should also be a vote in the

House upon the proposition of the gentleman from Indiana.

Mr. HOLMAN. I should be perfectly satisfied with that arrangement. I hope gentlemen will agree to that fair proposition. Otherwise those who are anxious to limit this expenditure must press this

amendment.

Mr. DUNN. I hope the proposition will not be agreed to. There has never been anything fair coming from the opponents of this bill during this contest, and it is with poor grace that they ask for excessive fairness on our side. If we pass this bill we must do it against all the efforts of its enemies.

The CHAIRMAN. The Chair directs the Clerk to read a paragraph

from Jefferson's Manual, page 124.

The Clerk read as follows: If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order; for were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress instead of subserving the legislative will.

The CHAIRMAN. Now the Chair desires to state that by amendment The CHARMAN. Now the Chair desires to state that by amendment the Mississippi River Commission has been stricken out. The only point of order would be that this amendment would be inconsistent with that amendment. The Chair thinks that is not a good reason for refusing to submit to the committee the proposed amendment.

Mr. HOLMAN. I wish to make a single remark in behalf of this

Mr. BRECKINRIDGE. I desire to make an additional point of or-Mr. BRECKINKIDGE. I desire to make an additional point of order against the gentleman's amendment, and that is that the amendment is not germane to the section upon which we are engaged.

Mr. HOLMAN. Why it is especially so by its very provisions.

The CHAIRMAN. There is no rule requiring an amendment shall be germane to the section provided it is germane to the bill.

Mr. HOLMAN. It is certainly the opinion of some of our engineers

as well as of a large body of our people that the plan of improvement of the Mississippi River below Cairo is purely experimental, and up to this time a large portion of the money appropriated from time to time has been employed in repairs of work already done. I am not able to say what percentage, but if gentlemen will examine carefully the reports of the Mississippi River Commission and their subordinates it will be found a large percentage of the money you are appropriating year

after year is employed in a great number of repairs.

The two important reaches of the Mississippi River are Plum Point and Lake Providence, one forty and the other sixty miles in length, which require every dollar of the \$2,800,000 to complete them. Let us have them completed. Let us see what is to be the effect of this experiment. If successful, then of course the House can with safety proceed to make further appropriation. If, on the contrary, the plan be radically defective, then Congress should have the information upon which to act with intelligence. I trust therefore in the interest of common fairness to the country; in the interest of the integrity of our affairs and good administration in the expenditure of public money, those two great reaches of that river shall be completed, to the end that Congress shall not appropriate money year after year for a plan which may prove

Mr. ANDERSON. I wish to speak on this amendment, and for the

Mr. KING. I object.
The CHAIRMAN. What is the gentleman's objection?

Mr. KING. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KING. I understand the rule under which we are acting requires only three minutes of debate on each side.

The CHAIRMAN. That was applicable entirely to the first section

of the bill.

Mr. KING. Under what rule are we now acting?

The CHAIRMAN. Under the general rules of the House. The special rule to which the gentleman refers was applicable only by com-Under the general rules of the House. The

mon consent to the first section of this bill.

Mr. ANDERSON. It has been claimed as one of the chief reasons Mr. ANDERSON. It has been claimed as one of the chief reasons why this river and harbor bill should pass that the improvement of the Mississippi River does have such an influence on present and future competitive freight-rates that any bill embracing it should receive the approval of this House. When you analyze the proposition of devel oping water ways you mean by it simply to provide a channel through which vessels can safely pass. If I understand the amendment of the gentleman from Indiana, he proposes that the shoals shall be improved, and he proposes in that part of the river where navigation is to-day impeded the channel shall be opened. Then he proposes as to the rest of it that a brake shall be put upon the expenditure of public money.

There has not been for one hundred years any lack of water for yes-

There has not been for one hundred years any lack of water for vessels in the lower Mississippi. There is none to-day. You can take any steamer you please and run it through those channels where the snags have been removed and where possibly an occasional bar has been cleaned out. In my judgment, the proposition to expend one, two, three, four, five, or one hundred millions of dollars for deepening a channel already dug is simply pouring water into a rat-hole, which seems to be

a type of Democratic economy.

For that reason I wish a remedy that will give us a free channel for practical navigation of that river, and will stop the expenditure of public money for the protection of private property in the lower region.

It seems to me if you look into the amount of money which must be

expended in the future, if you maintain the present policy, it will run into hundreds of thousands of millions of dollars. The amendment of the gentleman from Indiana proposes you shall to-day, as to that part of the Mississippi River which needs improvement, improve it. But as to that part which does not need it you shall cease to throw the people's money away. That precisely, in my opinion, is what is being done in part of this bill, and especially in reference to the Mississippi River.

Mr. HOLMAN. I wish to ask the gentleman from Kentucky if this

proposition is not pressed at this moment whether he will permit a vote on it in the House if the Mississippi River Commission be admit-

Mr. WILLIS. I have no objection to that.
Mr. HOLMAN. With that understanding, that an opportunity will be offered before the previous question is called in the House, I shall

withdraw it for the present.

Mr. HEPBURN. What is the gentleman's understanding?

Mr. HISCOCK. Do I understand the gentleman from Indiana as-

sumes to withdraw the amendment?

The CHAIRMAN. The Chair understands the gentleman from Indiana as simply stating that the gentleman from Kentucky [Mr. WILLIS] will help to get a vote on his amendment in the House if the other amendment is put in the bill.

Mr. HISCOCK. How would such an arrangement be possible when

one single objection would prevent such action in the House?

The CHAIRMAN. If it be an amendment, it would have to be carried here so as to make it in order in the House. It would have to be reported, in other words, from the committee to the House.

Mr. DUNN. But if the gentleman from Kentucky allows it to be offered in the House, would not that meet the difficulty?

Mr. HISCOCK. Here is the difficulty: Suppose we go into the House, and whether the proposition in reference to the Mississippi River which was stricken out is voted in or out, a single objection prevents a vote on

this proposition of the gentleman from Indiana.

Mr. HOLMAN. On what ground?

Mr. HISCOCK. Because it is not offered by the committee.

Mr. HOLMAN. But if it is offered before the previous question is called upon the bill, why is it not in order?

Mr. WHITE, of Kentucky. Let us have a vote on it now; that is the way to settle it. [Cries of "Regular order!"]
Mr. HISCOCK. I shall insist upon a vote now.

The CHAIRMAN. The question is on the motion of the gentleman

Mr. HOLMAN. Mr. Chairman, I prefer a vote in the House, and I understand that I have the right, under the consent given by the chairman of the committee, to offer this amendment before the previous question is called. The committee agree that it shall be admitted. tion is called. The committee agree that it shall be admitted.

Mr. BRECKINRIDGE. Not that it shall be admitted.

Mr. HOLMAN. That it shall be admitted to a vote, I mean, as an

amendment. It is to be offered as an amendment and voted upon in the House

Mr. WILLIS. There is no objection to that.

Mr. BRECKINRIDGE. But I do not want it to be understood that the committee accept it. I do not want any misunderstanding about it. Mr. HOLMAN. Not that the committee accept it, but that they agree that a vote may be taken in the House upon it. With that un-

derstanding I withdraw the amendment.

Mr. WHITE, of Kentucky. Then I renew it. We had just as well settle this question here and now. This proposition of the gentleman from Indiana is so clearly just and proper that there is no use in waiting to see whether the Mississippi part of this bill, which on my motion some days ago was stricken out and agreed to by the chairman of the committee, is to go in or not. It is unnecessary to wait to see what is to be done with that before the amendment of the gentleman from Indiana is voted upon to this bill. It ought to be in the bill whether

Indiana is voted upon to this bill. It ought to be in the bill whether the chairman of the committee accepts it or not.

Mr. BAYNE. Let me ask the gentleman a question.

Mr. WHITE, of Kentucky. Yes, sir.

Mr. BAYNE. Would it not be far better to have the proposition voted on by a yea-and-nay vote in the House than to allow it to undergo peril here in the committee?

Mr. WHITE, of Kentucky. It does not undergo peril.

Mr. BAYNE. I think it is better to have a vote in the House.

Mr. WHITE, of Kentucky. That is a question of opinion.

Mr. HISCOCK. I wish to make this suggestion, and I ask the attention of the gentleman from Indiana to it. Suppose we get through the bill, and a motion is made that the committee rise and report the the bill, and a motion is made that the committee rise and report the bill to the House with the recommendation that the enacting clause be stricken out, and suppose that motion is carried. As the bill stands now I would probably vote for that motion. If Judge Holman's amendment is incorporated in the bill it would very decidedly change my opinion as to whether it should become a law or not, or whether that motion should be carried or not.

I think it quite likely that this bill may be passed through here in such form that a motion to strike out the enacting clause would carry. I desire the bill to be bettered, so that I can support it. much in favor of a river and harbor bill and a liberal bill, if properly prepared. But I want this bix very much amended, so that I can support it. This amendment I regard as very important.

port it. This amendment I regard as very important.

Mr. WILLIS. I ask a vote.

The CHAIRMAN. The time of the gentleman from Kentucky has not expired.

Mr. WILLIS. I thought it had.

Mr. WHITE, of Kentucky. I want to get this idea before the committee: that one very important part of the bill is in the background for

Mr. KING. Regular order.
The CHAIRMAN. The regular order is the right of the gentleman from Kentucky to finish his remarks.
Mr. KING. How long will you allow him?
The CHAIRMAN. One minute.

Mr. WHITE, of Kentucky. I do not wish my time occupied in this

The CHAIRMAN. The time thus occupied will not be deducted

The CHAIRMAN. The time thus occupied will not be deducted from the time of the gentleman.

Mr. WHITE, of Kentucky. Now, I want the committee to bear in mind that the most outrageous proposition in this bill is yet in the background; and the committee can well afford to say to the gentleman from Indiana, "You just wait," "Wait for the proper time, and you shall have a vote on your proposition." In response to that I say we will not wait. We will settle it here and now. If you want to bring back here a proposition in this abominable Mississippi appropriation to drive a per in which will allow you to expend a hundred or two lunback here a proposition in this adominable Mississippi appropriation to drive a peg in which will allow you to expend a hundred or two hundred millions of dollars and throw it away to destruction, I shall not help to drive that peg in. Let us settle the question now. Let us have a vote. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana [Mr. HOLMAN].

Mr. WASHBURN. I ask that it be reported.

Mr. WILLIS and other members objected.

Mr. REED, of Maine. I think the objection comes too late. This

Mr. REED, of Maine. I think the objection comes too late. This is a new amendment, and has not been read. It is an amendment of the gentleman from Kentucky [Mr. WHITE].

The CHAIRMAN. The gentleman from Kentucky said he renewed

Mr. REED, of Maine. Does not that entitle us to a rereading of it? Mr. HISCOCK. I move to strike out the last clause of the amend-

The CHAIRMAN. The gentleman from New York [Mr. HISCOCK]

is recognized.

Mr. HISCOCK. Now I ask to have that amendment read in my

Mr. REAGAN. The gentleman from New York asks to have the amendment read in his time. How did he get the floor?

The CHAIRMAN. The gentleman from New York obtained the floor by moving to strike out the last clause of the amendment.

Mr. WILLIS. But the committee was dividing. The Chair had

put the question.

The CHAIRMAN. The Chair thinks it will save time to have the amendment read. The Clerk will read the amendment.

The amendment was again read.

Mr. HISCOCK. I withdraw my amendment. Mr. HEPBURN. I renew the amendment. I renew the amendment.

I want to remind the House before we vote on this question that up to this time there has been no settled plan that any one is now at work upon; that there was a scheme for the improvement of the Mississippi River which the gentleman from Arkansas [Mr. Breckinridge] the other day told us had been departed from to such an extent as to de-

other day told us had been departed from to such an extent as to destroy the possibility of good results following appropriations.

I want to further remind the House that these improvements by every engineer so far as I know, and at least in every report of the commission, have been declared to be experimental; that no man has yet said that satisfactory results will follow their efforts. We are constantly reminded that they are experimenting. We are constantly told that there are doubter of success. We know that the commission told that there are doubts of success. We know that the commission itself has no power, or at least has not exercised it, of informing the country and Congress what sums would indeed be expended.

The first estimates for the initial work told us that one million and a quarter dollars would be needed to complete two of the reaches in their initial work. Finally they told us that two and a half million dollars would be needed to accomplish the work entirely. Now one of the commission (Colonel Comstock) tells the country that three times that sum would be needed. And the gentleman from Arkansas [Mr. BERCKINELIGER] told us the other day that although the party. [Mr. BRECKINRIDGE] told us the other day that although there had been these large expenditures more than the original estimates, still there had been nothing satisfactorily accomplished, and there was no hope of ultimate success if the policy of the commission should be con-

Now, in view of these facts, in view of the absence of earnest declara-tion that good results shall certainly follow, and in view of the repeated declarations that the efforts of the commission are simply in the nature of experiments, is it not wiser to confine expenditures to 63 miles of the river than to make them extend over 1,085 miles of the river?

[Here the hammer fell.]

Mr. BRECKINRIDGE. I shall make no formal reply to the remarks of the gentleman from Iowa [Mr. HEPBURN]. But I want to put on record that the reason I do not is to economize time. I want to get through this bill. The gentleman's statements are full of errors as far as I have been able to hear them, but it would take a great deal of time to reply to them.

Mr. HEPBURN. I hope the gentleman will point out the errors he

Mr. BRECKINRIDGE. They have already been pointed out.
Mr. HEPBURN. I beg to say that I have made no misstatements as
to this matter. I have simply quoted the reports of the commission
and declarations of members of the commission.
The CHAIRMAN. The gentleman from Iowa is out of order. His
time has expired. Does the gentleman from Iowa desire a vote on his

Mr. HEPBURN. I withdraw it.
Mr. REED, of Maine. I renew it.
The CHAIRMAN. The gentleman from Maine [Mr. REED] is rec-

Mr. BRECKINRIDGE. I had the recognition of the Chair.

The CHAIRMAN. The Chair begs pardon.

Mr. BRECKINRIDGE. I make the motion that the committee rise for the purpose of limiting debate.

Mr. REED, of Maine. The gentleman had not the floor for that

motion. I was recognized.

The CHAIRMAN. The gentleman from Arkansas had the floor, and stated he did not wish to debate the amendment. He states now he

stated he did not wish to debate the amendment. He states now he moved that the committee rise.

Mr. REED, of Maine. The gentleman did not have the floor for that purpose, but for the purpose of debate.

The CHAIRMAN. If the gentleman from Arkansas desires to make that motion the Chair recognizes him.

Mr. BRECKINRIDGE. I make that motion.

Mr. REED, of Maine. I do not think that that is a wise course.

Mr. WILLIS. I ask my friend from Arkansas [Mr. BRECKINRIDGE] not to insist on that. U have endeavored to take charge of the bill and

not to insist on that. I have endeavored to take charge of the bill and I ask him now, upon the understanding that after the speech of the gentleman from Maine [Mr. REED] we shall have a vote, to withdraw the motion that the committee rise. After that let us have a vote. The House understands that the vote was actually being taken when the gentleman from New York [Mr. HISCOCK] took the floor and had the amendment read in his time. There have been two speeches on that side, which with that of the gentleman from Maine should be considered enough; and I ask that at the conclusion of his remarks we shall have a vote as a matter of fair play.

and I do not want the Chair to put the request suggested by my friend

from Kentucky [Mr. WILLIS].

The CHAIRMAN. Does the gentleman from Arkansas insist on his

motion being put?
Mr. BRECKINRIDGE. I do.

The question being put on the motion that the committee rise, it was decided in the negative. Mr. REED, of Maine.

I renew the amendment.

I hope the House fully understands that this amendment which is now pending is the amendment offered by the gentleman from Indiana [Mr. HOLMAN]. It seems to be a plain business proposition, which this House ought to concur in.

this House ought to concur in.

The great point of my opposition, as an individual, to this bill has been that it was still further involving this country in expenditure upon an experiment the nature of which we have not been permitted to prove. I have objected to it because we were going on to spend an immense sum of money, to wit, the sum of \$150,000,000, for an improvement which may turn out to be no improvement at all. I have always believed that we ought to confine the expenditure in the first instance to an experiment; and surely the experiment proposed here is large enough, for it embraces a length of river the equal of sixty-three miles, which is a large proportion of the entire length of the Missis-

Now, if gentlemen really desire to pass this river and harbor bill, the course that will give it the most strength will be to show to the House and to the country that we are governed by sound business principles, looking to the navigation of a river and not to a wholesale expenditure of a wholesale appropriation. Of the parts of the river and harbor bill to which alone I have had objection (if I may be allowed to give my own personal views on the subject) one has been already stricken out, the others were lower Mississippi improvement and the proposed Galveston expenditure. With those out I think the bill would have met the approval of the House long ago.

I think it is not too late for us now to take the right course with re-

I think it is not too late for us now to take the right course with regard to this measure. It is a plain proposition I repeat again, not a proposition to launch this country into boundless expenditure, but a proposition to fairly try the claim which has been made by engineers that they can harness this mighty river. There are a great many people who believe that it can not be done, who believe that all these experiments will result in failure. Is it right, then, to go ahead in defiance of sound sense, in defiance of reasonable skepticism, and commit ourselves year after year more and more to expenditures which even the conservative member of the committee [Mr. Breckinridge] says will be \$150,000,000? [Cries of "Vote!" "Vote!"]

Mr. WILLIS: I hope we shall now have a vote.

Mr. THOMAS rose and addressed the Chair.

Mr. BRECKINRIDGE. Mr. Chairman, I will yield only for a vote. The CHAIRMAN. Does the gentleman from Arkansas [Mr. Breck-INRIDGE] claim the floor to reply?

Mr. BRECKINRIDGE. I have the floor, I believe.

The CHAIRMAN. The Chair will hear the gentleman from Arkan-

Mr. BRECKINRIDGE. I will yield the floor for a vote.

The CHAIRMAN. The gentleman from Arkansas [Mr. BreckinRIDGE] can not cut off other gentlemen from debate by yielding the
floor for a vote. If he desires to speak the Chair will hear him for five

Mr. BRECKINRIDGE. Mr. Chairman, the gentleman from Maine would perform the operation, of which I have sometimes heard mention, of extracting from a body its spinal column and all its bones, and then letting it march through this House in mucilaginous majesty: [Laughter.] That is the condition into which he proposes to put this

Mr. THOMAS. Mr. Chairman, in reply to the statements repeatedly made on this floor that the works of improvement on the Mississippi River are simply and purely experimental, I want to say, after a most there are simply and purely experimental, I want to say, after a most thorough investigation of the matter, not only by means of the reports of the commission, but by personal investigation, by traveling from Cairo to the Gulf and examining the works of the commission, that those statements are unfounded. I want to deny most emphatically the assertions which the gentleman from Maine [Mr. Reed] and the gentleman from Iowa [Mr. Hepburn] have made here, that those works are margin experimental.

works are merely experimental.

Mr. HEPBURN. Will you allow me to interrupt you for a mo-

Mr. THOMAS. No; not when I have only five minutes.
Mr. HEPBURN. I simply want to suggest—
Mr. THOMAS. I decline to be interrupted.

Mr. Chairman, the work at Plum Point has changed the channel of the river from five feet deep at low water to fifteen feet of water throughout the whole length of thirty-two miles, and what was a broad and almost barren bar when this work began has been brought down to the de, which with that of the gentleman from Maine should be considered enough; and I ask that at the conclusion of his remarks we shall ave a vote as a matter of fair play.

Mr. BRECKINRIDGE. There is no fair play extended to the bill,

of six feet throughout that thirty miles, there are to-day from fifteen to seventeen feet of water; that the works are stable, that they have not been destroyed, and that they are proving a complete success. Instead of having only six feet of water, the largest steamer that floats from New Orleans to Cairo or Saint Louis can pass unobstructed through the whole length of that reach. Yet, in the face of these facts, which the report of the commission shows, in the face of the facts which the current newspapers of the day show, in the face of the facts which the commerce of the country shows, gentlemen stand up here and persistently and repeatedly assert that these works have been a failure, although every fact before us shows that they have been a success wherever the original plan of the Mississippi River Commission has been adhered to. original plan of the Mississippi River Commission has been adhered to. At Plum Point, at Lake Providence reach, at Horsetail bar, and at several other places along the river, the original plan has been adhered to, and the most perfect success has followed. [Cries of "Vote!"

Mr. HEPBURN. I move to strike out the last word. I do that simply to call attention to the disagreement between the doctors. I have a great deal of confidence in the opinions of my friend from Illinois [Mr. THOMAS]. I know that he has devoted his attention to the science of hydraulic navigation as well as to the construction of a navy. know that he has been all over the country filling his mind with valuable information upon these varied subjects [laughter], but I undertake to say that he can not find one report of the commission in which they themselves do not declare their work to be experimental. And, as bearing upon that question, let me call attention to the language of the gentleman from Arkansas [Mr. Breckinridge], uttered only a half dozen days ago in this House. He says:

as bearing upon that question, let me call attention to the language of the gentleman from Arkansas [Mr. Beeckinride], uttered only a half dozen days ago in this House. He says:

At the very inception of the great marine works of America, some ten years ago, the gentlemen in charge of those works, instead of sitting like Paul at the feet of Gamaliel to learn of those who had made a special study of this business, got into an unfortunate wrangle—our military engineers upon the one hand, and the civil and hydraulic engineers and the balance of mankind and the laws of Almighty God upon the other hand. The result has never been shrouded in a particle of doubt.

There is not on earth, with all the magnificent sea-works that exist, some of them over a century old, a single one embracing any one of the essential features of these submerged fascine works in salt water, where there is no mud or silt-bearing stream. There is nothing to countenance such a system. I have seen it mentioned but once in the annals of high foreign authority, and then with ridicule. Having gone into this line of experiments, they have brought the work on the Mississippi River to-day to a point where, as I can show by turning to their reports and as I briefly outlined in my remarks the other day, and as I will show in my printed remarks, as promised, by clear citations of the text, they propose and practice a plan of work which is a complete and radical abandonment of the original plan for improving that great river, and their wretched experiments are attended only with failure. They forced an eminential entire the summary of their work a guarantee that it will last twelve months.

This incubus of untrained engineers—

Mr. Reed, of Maine. I am glad to hear the gentleman say that. I hope his statement will receive the attention of the House.

Mr. Breckinede. Your statement is correct.

A Menner. In what?

Mr. Breckinede. I will show you in what. They have put the cart before the house, and prought it to a point where they propose to carry on a sy

That is the language of the gentleman from Arkansas [Mr. Breck-INRIDGE]. That is his opinion in regard to these experimental works. Now, who is to decide? Here is one gentleman of the committee urging that there is no experiment about it, urging that the works are a success, urging that all the improvement needed in certain places has been accomplished. Then, on the other hand, here is another member of the committee, a gentleman living in a State bordering upon the Mississippi River, who tells us that the operations of the commission have resulted in wretched failure. Whom are we to believe? And yet, with this evidence before the House, to say nothing of the reports of the commission themselves, these gentlemen are not willing that one of these experiments shall be tried to its conclusion before this vast expenditure is incurred. Why does the gentleman from Illinois [Mr. Thomas] demand that along the whole course of this great river the efforts of the commission shall be spread out? Why not concentrate

them at some one point? If success attend the effort there, then all the House will be glad to join hands in voting appropriations to carry the whole work to a conclusion. But let us not go on in this way. There was an attempt made in the last Congress to limit this work te the two reaches. The opinion of many gentlemen was given-

[Here the hammer fell.]
Mr. BRECKINRIDGE. I yield to the gentleman from Illinois [Mr.

THOMAS].

Mr. WILLIS. I appeal to the friends of the bill—

Mr. THOMAS. I take the floor simply to call attention to the

Mr. WILLIS. We want to finish this bill this evening, and I appeal to the friends to let us vote.

Mr. THOMAS. I believe I have the floor.

The CHAIRMAN. The gentleman has the floor and will not be in-

terrupted without his consent.

Mr. THOMAS. I take the floor simply for the purpose of saying that instead of there being a disagreement between "the doctors," as the gentleman ironically called the members of the Committee on Rivers and Harbors, there is no disagreement between the gentleman from Arkansas and myself. His remarks applied to other sections of the river than Plum Point reach and Providence reach. He has so stated time and again. I confined my remarks to the improvements which have been made at Plum Point reach, Providence reach, and another point on the upper Mississippi where the same plan has been pursued with similar success. As to other points on the river, I did not discuss the policy pursued at present by the Mississippi River Commission, but agreed that at many points they had made mistakes. Therefore it was that I urged the amendment providing that the work done on the Mississippi River should be confined to the original plan of the Mississippi River Commission, which was to remove the bars instead of revetting the banks

Mr. HEPBURN. Do you not advocate in your minority report the

building of the levees—
Mr. THOMAS. Yes, sir; I do.
Mr. HEPBURN. And everything that the extremists have insisted

upon?

Mr. THOMAS. I advocate the building of the levees, if necessary to improve the low-water navigation; and if it reclaims as a consequence the 45,000 square miles of alluvial lands in the Mississippi Valley I shall not object on that account; for I am willing to take a double bless-ing, if it brings us free navigation of the Mississippi River and at the same time reclaims a section of country which has capacities for sup-porting an empire—the most magnificent stretch of country in the world. But primarily I am in favor of this improvement for the purpose of improving the navigation and benefiting the commerce of the Mississippi River.

Mr. REED, of Maine. If this was a success, why did you call in

Captain Eads?

Mr. THOMAS. I did not call film in.

Mr. REED, of Maine. The committee did.

The CHAIRMAN. The question is upon the proforma amendment

from lows [Mr. Hepburn]. Does he desire a vote of the gentleman from lowa [Mr. HEPBURN]. on that proposition?

Mr. HEPBURN. I withdraw the pro forma amendment.

The question recurring on the amendment of Mr. WHITE, of Kentucky, there were-ayes 131, noes 64.

Mr. KING. Tellers.
Mr. BRECKINRIDGE. Oh no; we will take a vote in the House.
The CHAIRMAN. There need be no reservation for that purpose.
Does the gentleman from Louisiana insist on tellers?

Mr. KING. I withdraw the demand, with the understanding that separate vote be taken on this amendment in the House.

The CHAIRMAN. That can be had in the House without the neces-

sity of any reservation. The amendment is agreed to.

Mr. HEPBURN. I have another amendment.

Mr. WILLIS. Now I hope my friend will let us pass this bill at once

Mr. HEPBURN. I ask that my amendment be read by the Clerk. The Clerk read as follows:

Insert the following, preceding the amendment just adopted;
"And the Secretary of War shall withhold such portion of the contract price s will pay all sums due for the labor performed on any improvement until it e satisfactorily shown that all laborers are fully paid."

Mr. WHITE, of Kentucky. There ought to be no objection to that. The question being taken, the amendment was agreed to, there being-ayes 126, noes 11.

MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. BEACH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. SYMP-SON, one of its clerks, announced that the Senate had agreed to the amendments of the House to the bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.

The message also announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 8030) making appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes, agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had ap-pointed as conferees on the part of the Senate Mr. Hale, Mr. Plumb, and Mr. CALL.

RIVER AND HARBOR APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The Clerk began the reading of section 5.

Mr. WHITE, of Kentucky. Section 4 has not yet been read.

The CHAIRMAN. The gentleman from Kentucky is mistaken.

Section 4 was read and three amendments to it were adopted.

Mr. WHITE, of Kentucky. I sent my amendment to the Clerk's

Mr. REAGAN. I protest against the rules being violated all the time. The reading of a new section had commenced—
The CHAIRMAN. The gentleman from Texas [Mr. REAGAN] will understand that the Clerk had possession of an amendment from the gentleman from Kentucky-

Mr. WHITE, of Kentucky. The identical amendment—
The CHAIRMAN. The Chair will state the matter. The gentleman from Kentucky placed in the hands of the Clerk an amend-

He now places it in the hands of the Clerk.

The CHAIRMAN. He had done so before.
Mr. REAGAN. Where is it?

Mr. REAGAN. Where is it?

The CHAIRMAN. The Clerk has it in his hand.

Mr. THOMAS. I rise to a point of order. I submit that placing an amendment in the hands of the Clerk is not the offering of an amendment under the rules. The modified rule authorizing the sending of amendments to the Clerk's desk applied only to section 1. As to these while the section to which it applies is before the committee. I submit that, this amendment not having been offered until the Clerk was

The CHAIRMAN. The Chair is simply trying to arrive at the facts.

Mr. WHITE, of Kentucky. I desire to say I sent up an amendment when the fourth section was read, but the Clerk, mistaking, said that section had not been read, and I have been waiting to have it read so

I may offer an amendment.

The CHAIRMAN. The fourth section was read long ago. The amendment of the gentleman from Indiana was offered and discussed, and there was finally an agreement about it, when it was withdrawn. The gentleman from Kentucky renewed it, when it was adopted. Other amendments were also added to the section. The Chair is informed the gentleman from Kentucky merely told the Clerk he had an amendment to offer at the right time.

Mr. WHITE, of Kentucky. I sent it to the desk.

The CHAIRMAN. The Chair sustains the point of order on the ground that the mere sending to the desk of amendments is not controlled by the prior order of the House as to section 1.

Mr. WHITE, of Kentucky. I offer it now as a new amendment. Mr. WILLIS. I ask that section 5 be finished.

The Clerk read as follows:

The Clerk read as follows:

SEC. 5. That a board, to be called the United States harbor board, is hereby temporarily created, to consist of seven members, to be appointed by the President, by and with the advice and consent of the Senate. Two members of said board shall be appointed from the Engineer Corps of the Army, one from the Coast Survey, and four from civil life, all of which latter number shall be civil engineers, eminent in their profession; and the President shall designate one of said board to act as its president; and the Chief of Engineers is hereby recommended as one of the two members to be selected from the Engineer Corps, if consistent with the discharge of his present duties. It shall be the duty of the said board to visit all works now being constructed by the Government for the improvement of outlets to the sea by means of what is known as the jetty system, and it shall thoroughly examine into all such plans now being prosecuted at said works, and it shall report upon the same to the Secretary of War, which report shall be transmitted to Congress at its next regular meeting in December; and it shall embrace such remarks and recommendations relative to the correctness of the plans and methods by which said improvements are being prosecuted, together with such plans, modifications, and estimates for the proper improvement of said outlets and harbors, as said board may deem necessary to secure permanent and substantial relief to commerce.

Mr. HISCOCK: Has the section been read?

Mr. HISCOCK. Has the section been read?

The CHAIRMAN. Only the first paragraph has been read.

Mr. WHITE, of Kentucky. I move to strike it out.

Mr. HISCOCK. Having reached this section, are we not proceeding under the general practice of considering the bill by paragraphs?

The CHAIRMAN. That is true.

Mr. HISCOCK. Very well; then I move to strike out that parameters.

graph.

Mr. ANDERSON. I make the point of order on that paragraph.
Mr. WILLIS. This whole section relates to one single subject, and I suggest it be read, and then you can make amendments to it.

Mr. HISCOCK. It is understood points of order are reserved to each

paragraph? Mr. WILLIS.

Certainly.

Mr. HISCOCK. And each paragraph can be considered after the section has been read through?

Mr. WILLIS. Certainly.

Mr. ANDERSON. I object.

Mr. BAYNE. Amendments are to be offered to each paragraph.

The CHAIRMAN. The whole section is to be read, and then amendments to each paragraph or any part of it, and all points of order to the whole section or any part of it will be in order. Is there objection?

Mr. WHITE, of Kentucky. I object. I find this section not only relates to the Mississippi River, but to Galveston Harbor.

Mr. HISCOCK. It is understood we can go back to any paragraph

when we get through the section, and I hope the gentleman will withdraw his objection.

Mr. WHITE, of Kentucky. I ask the Chair to state what the un-

derstanding is.

The CHAIRMAN. It is that the whole section shall be read, and then all points of order or amendments which would be in order to either paragraph shall be in order to the whole section or to either paragraph.

There was no objection; and it was ordered accordingly.

The Clerk read the remaining part of the section, as follows:

The Clerk read the remaining part of the section, as follows:

The members of said board shall be paid at the rate of \$5,000 per annum, except that those members appointed from the permanent service of the Government shall receive no other salary or compensation than is now allowed by law; and the existence of this board shall expire at the end of one year from the date of its appointment and organization.

The Secretary of War is hereby authorized and instructed to detail an officer of the Engineer Corps of the Army to act as secretary of said board, upon being requested by it so to do, and likewise to extend to it all facilities in the way of maps, charts, instruments, books, reports, &c., that it may require and that may be at his disposal; and said board shall complete all necessary examinations, observations, and inquiries upon which to base plans for the proper and permanent improvement of said river and harbor outlets.

The sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, which shall be expended by said board under the direction and control of the Secretary of War.

of War.

Nothing in this act shall be construed to relate to the harbor at Galveston, in the State of Texas. The CHAIRMAN. The Chair will hear gentlemen on the points of

order.

Mr. WILLIS. I ask the gentleman to let me move an amendment to have three from civil life and three from the Army.

There was no objection, and it was ordered accordingly.

Mr. BRECKINRIDGE. I move to correct a misprint. That is, to strike out lines 47 and 48, which are in the bill by mistake.

There was no objection, and it was ordered accordingly.

Mr. HOLMAN. There is also pending, I understand, a motion to strike out the preggraph?

strike out the paragraph?

The CHAIRMAN. There is.

Mr. HOLMAN. While that amendment is pending I move to strike out all after the word "members," in the third line, down to the word provision, "in the eighth line.

Mr. HISCOCK. I desire to be heard a moment on the point of order.

The CHAIRMAN. No point of order has yet been made.

Mr. HISCOCK. I understood one to be made by the gentleman from Kansas [Mr. Anderson].
Mr. WHITE, of Kentucky. I move to strike out the first para-

graph.

The CHAIRMAN. The Chair will state the situation. Several gentlemen said they wished to make points of order upon the section. Then the agreement was entered into, but no gentleman has stated a point of order.

Mr. DUNN. But points of order were reserved.
Mr. HISCOCK. Yes, sir; distinctly reserved.
The CHAIRMAN. The Chair knows that fact, and desires now if anybody has a point of order that it may be stated.
Mr. HISCOCK. I will make the point of order, then, that the Com-

mittee on Rivers and Harbors have no jurisdiction of this legislation.
Mr. WILLIS. I ask if the point of order can now be made? Had
we not passed to the consideration of the section?
The CHAIRMAN. The Chair hardly thinks so. By unanimous
consent lines 47 and 48 were stricken out, not by way of amendment,

but because they had been improperly printed in the bill. The Chair will hear the gentleman from New York on the point of order.

Mr. HISCOCK. I desire to call the attention of the Chair to paragraph 8 of Rule XI:

To the improvement of rivers and harbors: to the Committee on Rivers and Harbors.

Now, sir, I suppose that means such appropriations as are to be expended according to and under the ordinary machinery of the Government. If it does not mean that what does it mean?

Mr. DUNN. If the gentleman will read the first part of the rule he will see what it means.

Mr. HISCOCK. But here we have formulated a code of laws, permanent legislation, looking to the creation of a new board, and all that sort of thing, by this provision of the bill.

Hence it seems to me to be clear that legislation upon those subjects is not contemplated by this rule, and is subject to the point of order.

The CHAIRMAN. The Chair will hear from any gentleman who

thinks that this is proper on the bill.

Mr. WILLIS. We submit to the Chair without discussion.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HOLMAN. That point of order extends, I presume, to line 46?

The CHAIRMAN. It strikes out all of section 5.

Mr. WHITE, of Kentucky. I now offer the amendment which I have tried twice before to offer.

The Clerk read as follows:

That it shall be the duty of the Secretary of War to give a detailed statement of how much money has heretofore during each of the fiscal years been expended by the Government for the repair or construction of any levees on the Mississippi River, either directly or indirectly, from the head of the passes to the mouth of the Ohio River.

Mr. WILLIS. I make the point of order on that amendment, and

ask a ruling of the Chair upon it.

Mr. WHITE, of Kentucky. I desire to be heard on the point of

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. WHITE, of Kentucky. Mr. Chairman, on the point of order I wish to say that already in section 3 and in section 4 of this bill I have found places where I think the amendment would have been proper, and where I tried to offer it. It is the same amendment, with a verbal change, that I tried to offer at section 3 and also section 4 of the bill.

In the third section, in line 7, you will see that it is the duty of the Secretary of War to give a detailed statement of the work done, which is very general in its terms. He shall also report the contracts made, the expenditure incurred, &c. Now, my amendment, if I could have offered it there, would have made it requisite for him to furnish a deshow by reports that a reference is made to the money expended for levees. I could show by reports that a reference is made to the money expended for levees, but no detailed statements are furnished, it being connected with other matters. This amendment, therefore, proposes that he shall show just how much has been spent or may be expended on the levees in future.

Again, in the fourth section I could have offered the same amendment, and I am sure no point of order could have been sustained against It is in the same spirit that the third section is placed in the bill that I offer this. The reason I offer it as an additional section is because I failed to get the floor to offer it as a verbal amendment to these paragraphs. I think it is in order. If the third or fourth sections of the bill are in order, this is undoubtedly so.

The CHAIRMAN. The proposed amendment has no relation to the expenditure of money for the improvement of the rivers and harbors,

but simply seeks information as to what has been expended in past years. It is out of order.

years. It is out of order.

Mr. WHITE, of Kentucky. Not only past years, Mr. Chairman, but what may be expended under the application of this bill in the future. The CHAIRMAN. The further seeking for information is out of order on this bill. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

Sec. 6. That the proviso contained in section 4 of the act of July 5, 1884, in regard to the improvement of the Yadkin River, North Carolina, and the acquiring of the right of way, &c., is hereby repealed.

Sec. 7. That whenever the Secretary of War shall have good reason to believe that any railroad or other bridge now or hereafter to be constructed over any of the navigable waters of the United States, under authority of the United States or of any State or Territory, is an obstruction to the free navigation of such waters, by reason of insufficient height, width of span, or otherwise, or of difficulty in passing the draw-opening or the raft-span of said bridge by rafts, steamboats, or other water craft, it shall be the duty of the said Secretary, on the presentation to him of a complaint, under oath, by any citizen of the United States, in such form as he may prescribe, to report the case to the United States district attorney for the district in which said bridge or other obstruction is situated; and it shall be the duty of said district attorney immediately to require the party responsible for such obstruction, or his agent, to remove it within a reasonable time, and in the event of the continuance of said obstruction to institute proceedings at once, by information or complaint, in the United States district or circuit court for such district, for the condemnation of such bridge or other obstruction to navigation, jurisdiction in the premises being hereby expressly given to such United States district or circuit courts; and if said court shall find and adjudge said bridge to be an obstruction, said judgment shall be certified at once to the Secretary of War, who shall, without delay, order the same to be altered or rebuilt of sufficient height and to have sufficient width of span so as not to obstruct free navigation, with such aids to the passage of said draw-opening, or of said raft-span, or of both, to be constructed, placed, and maintained, at the cost and expense of the ow

Mr. KEAN. I desire to make a point of order on this section 7. My point of order is that the Committee on Rivers and Harbors have no jurisdiction of this subject. It is a subject that has been already referred to the Committee on Commerce, and the Committee on Commerce have reported a bill in the same terms as this section, which bill is on the Calendar. I therefore make the further point of order that this is the substance of a pending bill.

Mr. WOODWARD. I wish to make one remark on the point of

The CHAIRMAN. The Chair will hear the gentleman.

Mr. WOODWARD. The bill to which the gentleman from New
Jersey [Mr. Kean] has alluded was referred to the Committee on Commerce at the last session of Congress and was reported to this House by that committee favorably. But subsequently, when the river and har-bor bill went to the Senate, the Senate placed that bill, or the sub-stance of that bill, which had previously been passed by that body, on the river and harbor bill as an amendment, and it is now section 8 of the river and harbor bill of last session. The gentleman from New Jersey is mistaken in referring to the bill as being now on one of the Calendars of this House. It was enacted into law as section 8 of the river and harbor bill at the last session. This is a modification of that

section as now proposed by the Committee on Rivers and Harbors.

Mr. O'NEILL, of Pennsylvania. There can be no doubt that this section is not in order, and that it should be ruled out on the point of

order made by the gentleman from New Jersey.

Mr. HISCOCK. I would like to inquire of some gentleman who

knows all about it-

knows all about it—
The CHAIRMAN. The gentleman from Pennsylvania [Mr. O'NEILL]
holds the floor. The gentleman from New York can make his inquiry
after the gentleman from Pennsylvania shall have yielded the floor.
Mr. O'NEILL, of Pennsylvania. The jurisdiction over the subject
embraced in this section belongs to the Committee on Commerce, and

always has belonged to it.

The CHAIRMAN. Will the gentleman from Pennsylvania allow the

Chair to ask him a question?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

The CHAIRMAN. The jurisdiction of the Committee on Commerce, as stated in clause 7 of Rule XI, applies—

To commerce, life-saving service, and light-houses, other than appropriations for life-saving service and light-houses.

Is the subject embraced in this section included in that jurisdic-

Mr. O'NEILL, of Pennsylvania. Whatever may be included in the language which the Chair has just read, I beg to state that legislation with regard to bridges has always been referred during this session to the Committee on Commerce; and it was the same during last session. And that committee has reported one bill and has other bills before it now in which the very same provisions as are embraced in this section are included—almost word for word.

Mr. KEAN. I hold in my hand a bill which is the substance of the

pending section. It is almost identical in language.

The CHAIRMAN. The rule is that no bill or resolution shall be amended by incorporating therewith the substance of any other bill or resolution pending. But this is not an amendment; it is a part of the

Mr. STONE. I wish to say a word on the point of order. I submit that the fact that the Committee on Commerce has jurisdiction of this same subject is in no sense decisive of the point of order; inasmuch as there are very many matters under the jurisdiction of two committees. And I submit that if it be competent for the Committee on Rivers and Harbors to deal with rivers and harbors, it is competent for them to deal with legislation which provides for the proper administration of rivers and harbors

Mr. GIBSON. If you look at the first line of the rule which has been referred to you will find it says:

All proposed legislation shall be referred to the committee named in the pre-ceding rule as follows.

Then it says:

Subjects relating-

And then follows in clause 8 the words:

To the improvement of rivers and harbors: to the Committee on Rivers and

Now I submit if this is legislation relative to the improvement of the navigation of rivers or the navigation of harbors either by increasing their depth or by removing any obstruction, it is referable under the rule to the Committee on Rivers and Harbors.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks it would be in order for the committee to report in a river and harbor bill a pravision for cutting down an everlanging tree or to remove any

a provision for cutting down an overhanging tree or to remove any structure over a river which was navigable. And it appears to the Chair this simply provides a legal means of getting rid of the bridge which is a permanent obstruction to navigation. The point of order is overruled.

Mr. O'NEILL, of Pennsylvania. Will the Chair permit me to say this: That there is involved here a question of law, and the Judiciary Committee ought to have charge of this legislation. It is not a question of the navigation or the improvement of rivers.

The CHAIRMAN. The Chair has ruled upon the question.
Mr. DUNHAM. I move to strike out the section.
Mr. WASHBURN. I desire to call the attention of the committee to the fact that in the last river and harbor bill there was placed section 8, which as I supposed carried precisely the same idea as this section 7 of the present bill. But I find on examination that it is entirely different, and the application of what is here proposed would, I am satisfied, be very disastrous to certain sections of the country. can not see that there is any necessity for any legislation on this subject. If there be none, this section 8 will remain permanent law, and that is precisely as it should be.

The question being taken on Mr. DUNHAM's motion to strike out the section, it was agreed to—ayes 104, noes 38.

Mr. HOLMAN. I desire to offer an independent section to come in

at this point.

The Clerk read the proposed section, as follows:

The money which shall be appropriated by this act for the improvement of the Mississippi River below the mouth of the Ohio River shall be expended under the direction of the Secretary of War and in accordance with plans approved by him.

Mr. REAGAN. I make the point that that is not in order. It

changes existing law and does not retrench expenditures.

The CHAIRMAN. This is not a general appropriation bill, as was shown by the opinion of the present Speaker of the House, quoted in the decision delivered the other day; which opinion was pronounced after an argument by the gentleman from Texas [Mr. Reagan] and Mr. Robeson, of New Jersey, urging that view.

Mr. HOLMAN. It seems to me of the highest importance, Mr. Chair-

man, that these large sums of money should be expended under the control of a responsible Department of the Government. This board is not responsible in any proper sense of the word. It is a body that is not responsible to any Department of the Government; and I repeat, that where we are expending these vast sums in my judgment the expenditure ought to be made in such a manner that some regular Department of the Government should be responsible for both the expenditure and for the work. I think one of the principal objections, perhaps the leading objection, to the system of expenditure adopted of late years is that nobody has been responsible.

is that nobody has been responsible.

Mr. WHITE, of Kentucky. Is not that the main proposition that strengthens the bill? [Laughter.]

Mr. HOLMAN. All I desire is that some regular Department of the Government shall be responsible for the expenditure of this money. It is anomalous and without precedent in your Government, the creation of these irresponsible boards and giving them control of these vast sums of money; and I assure gentlemen who are interested in the improvement of the navigation of the Mississippi River—and I am sure that no one can be more interested in it than the district I represent—that they will strengthen this measure if they will consent to place this work under the supervision of a responsible head. I trust gentlemen will bear in mind that the Mississippi River is not being improved for any particular locality. I think my own constituency is as much interested in that work as any district bordering upon the great river.

Vast interests on the Ohio are involved in this improvement. All I ask of you is that when you determine to spend these great sums upon

ask of you is that when you determine to spend these great sums upon ask of you is that when you determine to spend these great sums upon the work of improvement you shall have some Department of the Government that you can hold responsible; and I defy you, gentlemen, to point out any body of men more competent to take charge of this work and administer it wisely, prudently, economically, and safely for the Government, or capable of securing more of the public confidence than your Corps of Engineers, a body of men whose integrity and capacity, as I have had occasion to say once before upon this floor, no gentleman has ever called in question. That is all I desire to say. [Cries of "Vote!" "Vote!"]

Mr. BLANCHARD, Mr. HUNT, and Mr. KING addressed the Chair.

Mr. BLANCHARD, Mr. HUNT, and Mr. KING addressed the Chair.
The CHAIRMAN. The gentleman from Louisiana [Mr. BLANCH-ARD], upon the Committee on Rivers and Harbors, is recognized. The

Chair will recognize other gentlemen later.

Mr. BLANCHARD. Mr. Chairman, I desire to say a word in reply to the remarks of the gentleman from Indiana [Mr. HOLMAN]. I call the House to witness that the proposition which he has submitted virtually repeals the act of Congress creating the Mississippi River Commission. That act was passed after years of arduous effort and labor on the part of the friends of the river. It was passed some seven years ago; and under it a commission was organized consisting of three members of the Engineer Corps of the Army, one member of the Geodetic Survey, two civil engineers, and one civilian not an engineer. They have had in charge the improvement of the river since their organization. They have adopted and matured a systematic plan for its improvement, and for years they have been engaged in the prosecution of that work. Now this commission has charge of the improvement of the river, not merely from the mouth of the Ohio River to the Gulf, but, by an amendment adopted a few days ago, from the mouth of the Illinois River to the Gulf. In the bill of last year their jurisdiction extended as high up as the Des Moines Rapids, the commission having nothing to do with hardling the measurement of the Congression. ing nothing to do with handling the money appropriated by Congress for the improvement of the river. That is in the hands of the Secretary of War. The disbursements are made under the direction of that functionary. The duties of the commission are confined to preparing the plans for the improvement of the river and prosecuting the work.

This amendment of the gentleman from Indiana [Mr. HOLMAN] provides that from the mouth of the Ohio to the Gulf the river shall be improved under the direction of the Secretary of the War—that is to say, pursuant to plans to be approved by him—thus striking down the commission so far as that reach of the river is concerned, but leaving the commission entirely unfettered as to that portion of the river be-

tween the mouth of the Illinois and the mouth of the Ohio. shows the consistency of the gentleman from Indiana. He would leave this commission with all its machinery and all its annual expenses in this commission with all its machinery and all its annual expenses in existence to prosecute the work on one reach of the river, to wit, between the mouth of the Illinois and the mouth of the Ohio, but he would handicap it, emasculate it, so far as the reach from the mouth of the Ohio to the Gulf is concerned. That is what his amendment proposes. I do not think that this House is prepared to adopt any such amendment, even though it be offered by the gentleman from Indiana [Mr. HOLMAN]. [Cries of "Vote!" "Vote!"]

Mr. Chairman, I move to amend the amendment by striking out the last word

Mr. HUNT. Mr. Chairman, I move to amend the amendment by striking out the last word.

Mr. KING. Mr. Chairman—

The CHAIRMAN. The Chair stated to the gentleman from Louisiana [Mr. KING] a while ago that if he had a motion to make the Chair would hear him next, and he now has the floor.

Mr. KING. Mr. Chairman, the proposition of the gentleman from Indiana [Mr. HOLMAN] is to undo all of this great work which Con-Indiana [Mr. Holman] is to undo all of this great work which Congress has performed in the last seven years. For fifty years the Mississippi River was in charge of the Engineer Corps of the Army. At the first session of the Forty-sixth Congress a law was passed creating a commission to devise a plan for the improvement of that great river—not to levee it, not to carry out or serve any particular interest, not for the purpose of protecting private property or anything of that kind, but to improve the navigation of the Mississippi River. That commission was appointed by the President of the United States. Its appointment was advocated on this floor with matchless elequence by Garfield ment was advocated on this floor with matchless eloquence by Garfield and by the other great lights of that Congress; and it is left for the gen-

and by the other great lights of that Congress; and it is left for the gentleman from Indiana [Mr. HOLMAN] to come in at this late hour and propose the annihilation of this commission.

I hear the charge on all sides that the work of this commission is a failure. I state here on my responsibility as a member of this House that these allegations are not true. The work of that commission has been a success. It is shown by their reports that not 10 per cent. of their works have failed. I call the attention of the House to a report made by a committee of the Senate, sent down that river to examine this work. The report is signed by Senator Logan, of Illinois, and it recommends that every dollar asked for by the commission be granted by Congress. While it says it is not competent to judge of the plan so far, yet it adds:

far, yet it adds:

In view, however, of the good work already done by them (the commission), and the manifest results achieved and the reasonable hope of further benefits to the general navigation, commerce, and trade to be derived, it is recommended that the sum, &c.

Then the report goes on to recommend that the whole sum asked by the the report goes on to recommend that the whole sum asked by the commission be appropriated. If you follow the lead of the gentleman from Indiana [Mr. Holman] you will not only destroy the commission, but you will set back this great work a century.

Mr. WILLIS. I hope now we shall have a vote.

Mr. HISCOCK. I desire to offer an amendment to the proposition of the gentleman from Indiana [Mr. Holman], to strike out the words 'below the mouth of the Ohio River.'

Mr. HOLMAN. I accept that.
Mr. HISCOCK. I desire to say, Mr. Chairman, that I am in favor of placing the responsibility of the expenditure of this money somewhere. Whenever a commission is created by law to do a particular work, there is a want of responsibility. This Mississippi River Com-

mission is without any responsibility.

Mr. WILLIS. Under the existing law creating the Mississippi River Commission the money appropriated is expended under the direction

of the Secretary of War.

Mr. HISCOCK. But I like this amendment much better. my friends on the other side, if you joined in the creation of one of these commissions because the Republican party was in power, a Demcratic administration is now about to come in; you will have the Secretary of War; and you should let these improvements be matters for which an administration shall be responsible. Then, in my judgment; which an administration shall be responsible. Then, in my judgment; the people will be satisfied with the expenditure of the money. You can not afford to deny to your own administration power over this question; you can not afford to take from it responsibility upon this question. When an estimate or a report comes in here in reference to a work of this kind the President of the United States or the Secretary of War should be responsible for it.

I congratulate the gentleman from Indiana that he has taken this step in the direction of fixing upon a branch of the Government chosen by the people the responsibility for the expenditures of these large

sums of money.

Mr. KING. I wish to ask the gentleman— [Cries of "Vote!" Mr. HISCOCK. I understand that my amendment has been ac-

cepted by the gentleman from Indiana, and his proposition modified accordingly.

Mr. KING. If the gentleman from New York [Mr. HISCOCK] will

yield for a question—
Mr. HISCOCK. Certainly.
Mr. KING. I want to ask him if he is not aware of the fact that

the law now places the expenditure of every dollar of these appropriations under the Secretary of War?

Mr. HISCOCK. Then why object to this proposition?

[Here the hammer fell].

Mr. HUNT. Mr. Chairman, the consistency of the gentleman from Indiana [Mr. Holman] and of the gentleman from New York [Mr. Hiscock] is well exhibited in the condition of the bill now under consideration and as sought to be further amended by them. It was first of all urged upon the Committee of the Whole that nothing was so desirable to be tried as a business-like experiment upon the two great reaches of the river known as Plum Point and Providence reaches; and the first amendment of the gentleman from Indiana was introduced ac-

cordingly into the bill confining experiments upon those two reaches.

But no sooner had the gentlemen and those acting with them succeeded in fixing the experiments only upon the reaches of the river referred to, than the sole means by which the consistent scientific work now going on upon those reaches can be proceeded with correctly is sought to be taken away. This, then, is what the friendship of the gentlemen to the bill amounts to. They wish in good faith, as is protested, to confine all work and experiments to the two reaches; but they have no sooner succeeded in arresting the operations elsewhere and in settling them upon the reaches than they would proceed to remove the skilled professional direction and control under which the improvements ought to be, and have hitherto been, conducted!

So much for that point. "But," says the gentleman from Iowa [Mr.

HEPBURN] who has taken such a stalwart part against the Mississippi in the debate upon this measure, "I defy anybody to show this improvement has resulted in any success or passed beyond the experimental stage." How dares the gentleman to defy the truth?

Let me read from the report of the Mississippi River Commission:

The marked improvement of low-water depth where works are being carried on, alluded to in the last year's report, was again exemplified at the recent low water. Wherever the contraction works had been even approximately completed, the depths were nearly double those found on the unimproved portions of the river in their vicinity. It seems as if this fact should settle all doubts as to the possibility of so improving the navigation of the river by the methods adopted by the commission as to meet any reasonable requirement. The minor difficulties incident to the inception of any new work are fast disappearing as experience is acquired, and all that now seems necessary to make the work successful is that funds shall be supplied liberally and promptly.

Here then, I say, is the best evidence to show that contraction works are fully and decidedly successful wherever they have gone forward.

Now, Mr. Chairman, allow me one word in conclusion to show gentlemen the necessity of prosecuting work beyond these two reaches. The evidence is already before you that it has been successful in the reaches. Now both above and below Plum Point reach lie unimproved parts of the river, and to make real progress in this great national un-dertaking that which is at present unimproved ought to be added as speedily as practicable to the improved. Let me read further from the report of the Mississippi River Commission:

During the low-water season of 1883 not more than six feet of water was found through the New Madrid and Memphis reaches, which lie, respectively, above and below that of Plum Point. The case this year was but little better. It would seem, therefore, advisable to extend the work to these reaches as soon as possible, as such a course would open to an improved navigation about two hundred and fifty miles of river from Cairo down, or about one-fourth of the distance to New Orleans, and nearly one-half the total distance which requires extensive improvement. That such a result would be of great value to navigation can not be doubted. The commission have prepared plans for beginning work on these reaches and will take them in hand as soon as the funds placed at their disposal will justify such action.

[Here the hammer fell.]
Mr. WILLIS. I ask for a vote. [Cries of "Vote!"]
Mr. REED, of Maine. I desire to strike out the last word.

The CHAIRMAN. Does the gentleman from Louisiana withdraw his formal amendment?

Mr. HUNT. I do. Mr. REED, of Maine. Mr. HUNT. I do.
Mr. REED, of Maine. Mr. Chairman, I desire to reply not so much to the words of the gentleman from Louisiana [Mr. HUNT] as to the idea which he has expressed to this House. The House has taken one step in the right direction, that of limiting this improvement to this experimental stage and not spreading it all over the river. There is one other step the House ought to take, and that is the one suggested by the gentleman from Indiana [Mr. Holman]. It is to put the responsibility upon the proper Department of the Government to carry out that experiment. The gentleman from Louisiana [Mr. Hunt] says that it is removing the "intelligent direction." How "dares he defy truth," and above all of the Committee on Rivers and Harbors? [Laughter.] [Laughter.]

The Committee on Rivers and Harbors have divulged the facts about that "intelligent direction," and they told us it was necessary to enact an amendment to make that commission conform to the original plan.

That is the intelligent direction that submits itself, and has to, to the Committee on Rivers and Harbors of this House.

Why, the gentleman from Arkansas [Mr. Breckinridge] has given us facts and figures enough to refute everything that can be said about intelligent direction on the part of this commission. They were throwing away, according to him, \$150,000,000.

And again, the whole system of having commissions to do this kind

of work is necessarily wrong, because a commission that comes in and admits its experiment is a failure admits itself out of a job.

Mr. BRECKINRIDGE. It does not do that at all.

Mr. REED, of Maine. And human nature is too weak and frail in a world as sinful as this yet is. [Laughter.]

Now, we ought to have this done by responsible officers of the Government, and if it turns out to be a failure I want an honest report to that effect. We want to know it, and we want to know it at the hands of unprejudiced men. This commission has been dallying with the business. The report of the Committee on Rivers and Harbors shows that. They felt it necessary to confine them to the original plan, from business. The report of the Committee on Kivers and Hall that. They felt it necessary to confine them to the original plan, from which it seems their "intelligent direction" had vibrated. Surely which it seems their besitate to go on with the good work to give us not

which it seems their "intelligent direction" had vibrated. Surely this House can not hesitate to go on with the good work to give us not only a good business proposition but also a wise supervision and sound responsibility. [Cries of "Vote!" "Vote!"]

Mr. WHITE, of Kentucky. I desire to call the attention— [Cries of "Vote!" "Vote!"] Mr. Chairman, I hope this will not come out of my time. [Laughter.] I desire to call the attention of the other gentleman from Louisiana [Mr. King], who stated in reference to the appropriation of \$4,000,000 that they did not wish this money for the improvement of levees—that it was not for the improvement of levees—

Mr. KING. I say so emphatically, that this appropriation is asked for no other purpose than for the improvement of that river.

Mr. WHITE, of Kentucky. I do not wish this to come out of my

I call attention of the committee to the fact that of the \$4,000,000 voted by the act of Congress in 1882 \$1,350,000 was expended for building levees. Here it is:

without stopping to discuss the merits of this theory about which there is much conflict of opinion and no certainty of beneficial results, your committee do not believe that the advantages to navigation to be derived from the construction of levees will be at all commensurate with their enormous cost. The probable expense of a system of levees of sufficient strength to held the flood-waters of the river within a channel, as is proposed by the commission, of 5,000 feet is variously estimated from \$50,000,000 to \$100,000,000; while many witnesses are not presumptuous enough to even venture upon an estimate of their ultimate expense. If the results sought to be reached could be attained by the repair only of existing levees, of course the cost would be very much below this estimate; but the plan of the commission contemplates, ultimately, the erection of a continuous line of levees conformable to, and substantially upon, the crest of the natural banks. The estimated cost of such works your committee submit is not extravagant.

It may be suggested, too, in this connection, as an additional reason why such new levee works should not be undertaken at present, that their permanency depends entirely upon the ability to hold the caving banks, and until it is demonstrated beyond all controversy that the banks can be held such work should not be entered upon. But further than this, it seems to your committee that before such an undertaking is entered upon, involving such an enormous expenditure, it should be made to appear beyond all controversy that such works are absolutely essential to the improvement of the low-water navigation. So far from this being established, there is not only great diversity of opinion among those who have made the improvement of the Mississippi a study, but even the members of the Mississippi River Commission do not agree upon this portion of the plan. General Comstock, president of the commission, testified before your committee as follows:

Q. You view as to the building of leeves on banks i

No portion of the first appropriation of \$1,000,000 was used for the repair or construction of levees, but out of the four millions one hundred and twenty-three thousand appropriated August 2, 1882, for the improvement of the Mississippi, under the direction of the commission, \$1,350,000 were allotted for the construction and repair of levees, one million of which had been expended on the 1st of October, 1882. In the allotment by the commission out of the current appropriation for levee work a considerable sum was set apart for the rebuilding of levees below the mouth of the Red River.

Mr. KING. That may be so, but— Mr. WHITE, of Kentucky. I do not yield. Mr. KING. That may be so—

Mr. KING. That may be so—
Mr. WHITE, of Kentucky. I decline to yield. Now, the gentleman will find this information in report 1985, Forty-seventh Congress, second session, pages viii and ix, Roman letters. [Laughter.]

Now, a word more. I want to call the attention of the committee to the original plan, the plan as it was adopted by Gillmore, by Suter, by Mitchell, by your immaculate James B. Eads, and by B. W. Harrod, your commission, as shown by Executive Document No. 58, second section Forty circle Congression. ond session Forty-sixth Congress:

A levee system aids and facilitates the postal service by protecting from injury and destruction by freshets and floods the various common roads and railways upon which that service is conducted to and from the river bank, and generally within that portion of the alluvial region subject to overflow.

I want to remind the gentleman from Louisiana that the work done at the Bonnet Carré crevasse was more for the benefit of the railroad which crosses the outlet at that point than for the improvement of the navigation of the Mississippi River; just as the improvement of the Potomac flats here at Washington is more for the benefit of the Virginia Midland Railroad than to prevent malaria in the District of Columbia.

In so far as this appropriation is for the Mississippi River, under that harbor commission without responsibility, which calls on the Secretary

of War to perform the duty of signing checks and giving them the money, but he has no responsibility devolving upon him as Secretary of War, I say it is simply a continuance of the same old plan by which already more than two millions of money that has been appropriated for the Mississippi River has gone for the improvement of the levees, and more than two millions of the amount appropriated for the river has gone to the repair of your fruitless works.

No, sir. I claim that we ought not to do anything in this bill for the Mississippi River until they can show at the Plum Point and Lake Providence reaches the grand success claimed, and not what has been shown by the argument of the gentleman from Arkansas is a mere experimental work that may lead to the expenditure, and the wasteful

expenditure, of \$150,000,000.

The CHAIRMAN. Does the gentleman from Maine withdraw the pro forma amendment?

Mr. REED, of Maine. I do.

Mr. KING. I renew it. [Cries of "Vote!" "Vote!"]
Mr. WILLIS. Let us have a vote.

Mr. KING. I wish to respond for a moment to the gentleman from

Mr. WILLIS. I ask my friend from Louisiana not to occupy further time, but let us have a vote.

Mr. KING. I will respond to him, and will not be stopped. I do

not wish the inference he makes to go unquestioned.

Mr. WILLIS. I appeal to the gentleman from Louisiana to let us

Mr. KING. I want to call his attention to one fact. [Clies of "'Vote!" "Vote!"]

The CHAIRMAN. The gentleman from Louisiana is entitled to the

Mr. KING. I wish to say, and the gentleman from Kentucky knows it, that no one work of any character whatever has been put upon the Mississippi River by the commission except under the law creating that commission. That law strictly confines them to the improvement of the river. If it be by dikes, by spur-dams, by the protection of its banks, or by levees, all well and good. There is nothing in the law confining them to the protection of private property. On the contrary, it strictly

forbids their doing so.

Mr. WHITE, of Kentucky. Mr. Chairman, I desire to call the attention of my friend from Louisiana— [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The committee will be in order. [Renewed]

crics of "Vote!"]

Ir. MILLER, of Pennsylvania. I hope we will have order. We are only losing time. Let the gentleman speak.

The CHAIRMAN. The gentleman from Pennsylvania is out of or-

The CHAIRMAN. The gentleman from Pennsylvania is out of order. [Laughter.]

Mr. WHITE, of Kentucky. Mr. Chairman, I hope this will not come out of my time. I do not desire to speak unless we have order.

The CHAIRMAN. The Chair will not charge the time against the gentleman from Kentucky when he is so much interrupted that he can not be heard. After order is restored the gentleman will proceed.

Mr. WHITE, of Kentucky. In response to the gentleman from Louisiana who has just taken his seat, I desire to call his attention to page 19 of this same Executive Document No. 58, Forty-sixth Congress, second session, in which it says: second session, in which it says:

Works for contracting the channel and protecting the banks, \$776,000 for New Madrid reach.

For Plum Point reach, works for contracting the channel and protecting the banks, \$599,000; Memphis reach, works for contracting the channel and protecting the banks, \$282,000.

For Helena reach, works for contracting the channel and protecting the banks, \$315,000. For the Choctaw bend, works for contracting the channel and protecting the banks, \$464,000; and for Lake Providence reach, works for contracting the channel and protecting the channel and protecting the banks, \$464,000; and for Lake Providence reach, works for contracting the channel and protecting the banks, \$507,000.

And so on I could quote at length. Now the gentleman says that none of this is to be given for the levees. Is this protecting the banks or for the levees? I ask him the question. And I have shown already that of the \$4,000,000 appropriated for this river in 1882 \$1,350,000 went for the levees alone. I want to call his attention again to this report. On page ix, Roman letters, of the same report he will find this:

Your committee are satisfied, from the evidence, that the people along the banks of the Mississippi are chiefly and naturally interested in the building of levees not so much in the interest of navigation as to secure their lands from overflow, and thereby enhance their value. If the building of levees was essential to the improvement of navigation, the fact that they afforded protection to the riparian owners would be no reason for discontinuing them. On the contrary, such a result would be extremely gratifying. Your committee, however, do not believe that they are essential to the improvement of the low-water navigation of the Mississippi, and that their construction for such a purpose can not be justified. It may be further suggested that if the views of your committee are concurred in, and the work of channel improvement restricted to one or two reaches, a system of levees will hardly be necessary while this experimental work is being tested. Certainly the superstructure should not be constructed until the permanency of the foundation is established.

There is where the pork in this pot lies. There is where lie the back-bone and ribs of this bill framed by this select committee to which the gentleman from Arkansas alluded. It is in your Mississippi River Commission, which has no responsibility but a limitless amount of cash at its fingers' ends to be spent for levees for the benefit of private property.

Do you not remember how it was when the appropriation for Algiers, just across the river from New Orleans, was about to be struck out? We then found that the vertebral column of this bill was about to be we then found that the vertebral column of this bill was about to be broken and the equanimity of the committee was only restored by keeping that in the bill. If you fail to put the Mississippi River Commission in this bill you will kill the bill. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. Does the gentleman from Louisiana withdraw the pro forma amendment?

Mr. KING. I do.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Indiana [Mr. HOLMAN]. The question being taken, there were—ayes 138, noes 57.

So the amendment was adopted.

Mr. BRECKINRIDGE. Mr. Chairman, I offer what I send to the desk to be inserted in the bill as a new section.

Mr. WILLIS. I hope the gentleman will not insist on offering that.

Mr. BRECKINRIDGE. I do. It is very important and very much

urged.
The Clerk read as follows:

The Clerk read as follows:

Insert as a new section the following:

"SEC. — That a board to be called the United States harbor board is hereby temporarily created, to consist of seven members, to be appointed by the President, by and with the advice and consent of the Senate. Three members of said board shall be appointed from the Engineer Corps of the Army, one from the Coast Survey, and three from civil life, all of which latter number shall be civil engineers, eminent in their profession. It shall be the duty of the said board to visit all works to be constructed by the Government for the improvement of outlets to the sea, as provided for in this bill, by means of what is known as the jetty system, and it shall report upon the same to the Secretary of War, which report shall be transmitted to Congress at its next regular meeting in December; and it shall embrace such remarks and recommendations relative to the correctness of the plans and methods of said improvements prosecuted, together with estimates for the proper improvement of said outlets and harbors, as said board may deem necessary to secure permanent and substantial relief to commerce. The members of said board shall be paid at the rate of \$5,000 per annum, except that those members appointed from the permanent service of the Government shall receive no other salary or compensation than is now allowed by law; and the existence of this board shall expire at the end of one year from the date of its appointment and organization.

"The Secretary of War is hereby authorized and instructed to detail an officer of the Engineer Corps of the Army to act as secretary of said board, upon being requested by it so to do, and likewise to extend to it all facilities in the way of maps, charts, instruments, books, reports, and so forth, that it may require and that may be at his disposal; and said board shall complete all necessary examinations, observations, and inquiries upon which to base plans for the proper and permanent improvement of said river and harbor ou

Mr. HISCOCK. I make the point of order on that amendment. Mr. WARNER, of Ohio. I desire to offer a substitute. The CHAIRMAN. A substitute is not in order at this time, the

point of order having been made on the amendment. The gentleman from New York will state the point of order.

Mr. HISCOCK. This is substantially the same provision which has

been once ruled out of the bill.

Mr. CANNON. I rise to a privileged motion. I move that the com-

mittee do now rise.

Mr. WILLIS. I hope the gentleman from Illinois will not insist upon that. I think we can finish the bill in ten minutes. I ask the gentleman from Arkansas [Mr. BRECKINRIDGE] to withdraw his amendment.

Mr. BRECKINRIDGE. I do not withdraw it.
Mr. WILLIS. I hope the motion that the committee rise may be voted down.

The question being taken on Mr. Cannon's motion, there wereayes 71, noes 117.

So the committee refused to rise.

Mr. BRECKINRIDGE addressed the Chair.
The CHAIRMAN. The gentleman from New York [Mr. HISCOCK]

has the floor on the point of order.

Mr. BRECKINRIDGE. By request I withdraw the amendment, with the statement that I will introduce it again at the close of the last section.

Mr. HISCOCK. I object to the amendment being withdrawn.
Mr. GIBSON. Let the point of order be decided now.
The CHAIRMAN. The Chair is ready to rule on the point of order

The CHARMAN. The Chair is ready to rule on the point of order in ogentleman desires to be heard on it.

Mr. HISCOCK. I desire to say a word. This is substantially the same provision which has already been ruled upon. We have all the machinery now for the expenditure of this money. It is legislation as to which there should be no recommendation from this committee, and it is not germane to the bill. Further than that, this having once been ruled out of the bill, and the decision of the Chair in ruling it out not having hear carpeled from I submit that the matter is dispersed of having been appealed from, I submit that the matter is disposed of.

The CHAIRMAN. There was very little argument upon the question of order made upon the section of the bill which was ruled out. The gentleman from New York [Mr. HISCOCK] was heard, but no gentlemen on the other side responded. The Chair, therefore, ruled on its own understanding of the point of order as presented by the gentleman from New York.

The point which attracted the attention of the Chair was this:

It shall be the duty of the said board to visit all works now being constructed y the Government * * * and it shall thoroughly examine into all such plans ow being prosecuted at said works, &c.

The Chair did not see at the moment how money appropriated in this bill could apply to works being constructed under former bills, and therefore ruled as it did. The Chair understands the proposition now to be to create a board to dispose of the money to be appropriated by this bill and for the works named in the bill. The Chair thinks that is in

order, and overrules the point of order.

Mr. BRECKINRIDGE. Now, one word. This board is now equally divided between civil engineers and military engineers, a point yielded by me at the solicitation of my friend from California [Mr. ROSECRANS], and entirely acceptable to him. One word more: This is one of the few propositions that met with the unanimous support of the River and

Propositions that met with the dualinate of the Harbor Committee as being exceedingly necessary.

Mr. REED, of Maine. There are other objections to it besides that.

Mr. BAYNE. I objected to it, and insisted that if a board was to be created four of the members should be chosen from the Engineer Corps, and subsequently I proposed that three members should be chosen from

that corps, but both propositions were voted down.

Mr. WARNER, of Ohio. That was the substance of my amendment.

Mr. BRECKINRIDGE. And the gentleman from Pennsylvania acquiesced in what we finally adopted and voted for it, although it went

further than what is now proposed.

Mr. BAYNE. I dissent from the gentleman's statement.

Mr. BRECKINRIDGE. Well, we will not dispute about it.

Mr. BRECKINGIGE. Well, we will not dispute about it.

Mr. HISCOCK. Mr. Chairman, we took a step in the right direction when we adopted the amendment of the gentleman from Indiana [Mr. Holman] to place the responsibility for the expenditure of this money with the head of a Department. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Arkansas [Mr. BRECKINRIDGE].

The question was taken by a viva voce vote, and the Chair stated in his indement the amendment was rejected.

his judgment the amendment was rejected.

Mr. BRECKINRIDGE. I ask for a division.

The CHAIRMAN. As many as are in favor of the amendment offered by the gentleman from Arkansas will rise and stand until counted.

Pending the count,

Mr. BRECKINRIDGE. I withdraw that, and ask for a vote in the

House.

Several members objected.

The CHAIRMAN. Objection being made, the demand can not be withdrawn.

The House divided; and there were ayes 57.

Mr. BRECKINRIDGE. No further count is demanded.
Mr. ANDERSON. I demand a further count.
The CHAIRMAN. The Chair understood the demand to be withdrawn.

Mr. ANDERSON. Well, go ahead. So the amendment was not agreed to.

Mr. COOK. I offer an amendment which I send to the Clerk's desk

The Clerk read as follows:

Add as an additional section the following:

"That the money which shall be appropriated by this act for the improvement
of the Missouri River shall be expended under the direction of the Secretary of
War and in accordance with plans approved by him.

Mr. COOK. Mr. Chairman, this is in the same line as the amendment just adopted with reference to the Mississippi River. [Cries of "Yote!" "Yote!"]

Mr. PERKINS. Mr. Chairman, I make the point of order that we

have passed the section to which that is germane or to which it applies.

The CHAIRMAN. This is offered as an independent section, and

the point of order is overruled.

The question was taken on the adoption of the amendment; and on a division there were-ayes 115, noes 30.

a division there were—ayes 115, noes 30.

Mr. MILLER, of Pennsylvania, and Mr. COSGROVE. No quorum.
The CHAIRMAN. The point of no quorum being made, the gentleman from Iowa, Mr. Cook, and the gentleman from Kentucky, Mr.
WILLIS, will take their places as tellers.

Mr. ANDERSON. I move that the committee now rise.
Several Members. No, no!

Mr. COSGROVE. I withdraw the point as to no quorum voting.
Mr. MILLER, of Pennsylvania. I have not withdrawn it, and I do not intend to.

Mr. WILLIS. I appeal to the gentleman from Pennsylvania [Mr. MILLER] to withdraw the point.

Mr. MILLER, of Pennsylvania. It is now after 6 o'clock, and you can not finish this bill to-night.

Mr. WILLIS. I ask the gentleman to withdraw the point.

The CHAIRMAN. The question is on the motion of the gentleman

from Kansas that the committee now rise.

Mr. HISCOCK. I wish to ask the gentleman from Kentucky [Mr. WILLIS] in charge of this bill a question: If you get the previous question upon the bill do you propose to call a vote to-night?

Mr. WILLIS. No, sir; not at all.

Several Members. Let us finish it.

The CHAIRMAN. Does the gentleman from Kansas [Mr. Ander-

son] insist upon a division?

Mr. ANDERSON. Yes, sir.

The House divided on the motion of Mr. ANDERSON; and there were-ayes 19, noes 141.

So the motion was not agreed to.

The CHAIRMAN. The question recurs on the amendment of the gentleman from Iowa [Mr. Cook]. The tellers will take their places.

Mr. MILLER, of Pennsylvania. If there is an understanding that

no vote by yeas and nays is to be taken to-night I will withdraw the point; but I want a definite understanding.

Mr. WILLIS. I will say to the gentleman that my object is to have the previous question ordered this evening and then take an adjourn-

Mr. MILLER, of Pennsylvania. I withdraw the point.
Mr. ANDERSON renewed the point; but before the count was concluded withdrew it.

So the amendment of Mr. Cook was agreed to.

The Clerk read as follows:

The Clerk read as follows:

SEC. 8. That the Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, and estimates of cost of improvements proper to be made at the following points, namely:
Harbor at Portland, Me.: To ascertain and report what further work, if any, is necessary in that locality.
Harbor at Camden, Me.
Big Rapids of Saint John's River, Maine.
Harbor at Wellfleet, Mass.
Taunton River, Massachusetts.
Vineyard Haven, Mass.
North River, in Salem, between Essex and North Bridges, Mass.
Duck Island Harbor, with a view to a harbor of refuge, Connecticut.
Susquehanna River between Owego and Binghamton, N. Y.
Channel between Jamaica Bay and Rockaway Inlet, Queens County, New York.

Susquehanna River between Jamaica Bay and Rockaway Inlet, Queens County, New York.

Harbor at Waddington, N. Y.
Mouth of the Patchogue River, New York.
Pond River, Kentucky.
The Secretary of War is directed to report to the next Congress whether or not the Government dry-dock at the Louisville and Portland Canal, Kentucky, is adequate for the purposes of commerce, and what alterations, if any, are necessary, and the cost of making the same.
Farm Creek, Illinois, with a view to changing its course.
Little River, Louisiana.
Bayou Rouge, Louisiana.
Harbor at Sandusky, Ohio, with a view to a straight channel from the north end of Cedar Point to the east end of the existing channel in front of the city.
Punta Rassa Harbor, Florida.
Biddle Point, at Mackinae Harbor, Michigan, with a view to a breakwater.
Pigeon River, Michigan.
Kaskaskia River, Illinois, from New Athens to mouth.
Islias Creek, California, off San Francisco Bay. A survey is directed to be made regardless of the fact of existing obstruction by the construction and maintenance of a bridge across the channel of said creek by the Protrero and Bay View Railroad Company.
Harbor of San Luis Obispo, California.

Before the reading of the section was concluded the following proceedings took place:
Mr. BOUTELLE. I offer the following amendment:

After line 6 insert the following:
"Penobscot Bay, from Bangor Bridge to Bucksport Narrows, to ascertain and report what further work is necessary for the removal of obstructions to navigation."

Mr. WILLIS. There is no objection to that.

The amendment was agreed to.

Mr. PETTIBONE. I offer the amendment which I send to the desk. The Clerk read as follows:

After line 44 of section 8 insert the following: "Holston River, Tennessee, from Kingsport, Tenn., to its junction with the French Broad River."

Mr. WILLIS. There is no objection to that; but I suggest that the

whole section be read before any of these amendments be offered.

The CHAIRMAN. The gentleman from Kentucky [Mr. WILLIS] suggests that before amendments be offered to this section the Clerk complete the reading.

There was no objection, and the reading of the section was concluded.

Many members addressed the Chair.

The CHAIRMAN. To avoid confusion the Chair will state that opportunity will be given to every gentleman desiring to offer an amend-ment; and as there seem to be very many the Chair will alternate, recognizing first a gentleman on the left and then one on the right.

The amendment of Mr. Pettibone, having been again read, was adopted.

Mr. HEPBURN. I move that the committee now rise.

The question being taken, there were—ayes 10, noes 130. Mr. HEPBURN. No quorum has voted. Mr. McMILLIN. No quorum is required on this vote.

Mr. McMILLIN. No quorum is required on this vote.
The CHAIRMAN. No quorum is necessary on a motion that the committee rise. The motion is not agreed to.
Mr. OATES. I move to amend by inserting the clause which I send

to the desk.

The Clerk read as follows:

The Secretary of War is hereby directed to cause a resurvey of the Choctaw-

hatchie River from the town of Geneva to Newton, Ala., with a view to low-water navigation on said river.

Mr. WILLIS. There is no objection to these surveys.

The question being taken on agreeing to the amendment, there were ayes 112, noes 8.

Mr. ANDERSON. No quorum.
Tellers were ordered; and Mr. ANDERSON and Mr. Willis were appointed.

Mr. GIBSON. I suggest that by unanimous consent all these surveys asked for be added to the bill.

Mr. ANDERSON. I object. These propositions are the entering-wedges to this great system of distributing appropriations.

Mr. GIBSON. None of these surveys are made except with the appropriation of the Secretary of War. proval and by the order of the Secretary of War. No appropriation is made for any of them. They will not cost a cent. They are "enteringwedges" to nothing in the world. I hope the gentleman from Kansas will not stand in the way of allowing members to secure that which their constituents ask. It facilitates the passage of the bill and hurts nobody. It enables us to bring the bill into such a position that in the morning we can take a vote on its passage and let other business go on.

Mr. ANDERSON. We all know that the initial step to an appro-

priation in a bill of this kind is a survey. We all know that gentlemen are anxious to have surveys made in their districts.

The CHAIRMAN. Gentleman will understand that this colloquy is proceeding by unanimous consent. Is there objection to the proposition of the gentleman from West Virginia [Mr. Gibson]?

Mr. ANDERSON. I object.

The committee again divided; and the tellers reported-ayes 152, noes 11.

So the amendment of Mr. OATES was adopted.

Mr. BAYNE. I ask unanimous consent that all amendments offered or to be offered by gentlemen to this section be printed in the RECORD and regarded as pending, and that the bill be considered as reported from the Committee of the Whole, with these amendments, for the action of the House

The CHAIRMAN. The Chair will put the proposition of the gentleman from Pennsylvania to the committee. He asks unanimous consent that members having amendments simply suggesting surveys shall hand them to the Clerk, that they shall be printed in the RECORD, and

considered as adopted and pending. Is there objection?

Mr. HISCOCK. Not to be considered as pending.

Mr. WARNER, of Ohio. We can not adopt amendments in that way or we will have a thousand streams to be surveyed.

The CHAIRMAN. The proposition is modified by withdrawing the word "adopted."

Mr. ANDERSON. I shall not object to that, on condition the committee rise and the House shall then adjourn. It is 7 o'clock now.

The CHAIRMAN. It is understood these amendments are to section 8 of the bill. Section 9 has not been read.

Mr. WILLIS. In one moment I think I can settle this whole difficulty. If gentlemen offering amendments will withdraw them from the desk and hand them to me the committee will examine them, and such as are found to be all right, and I have no doubt they all will be before the previous question is ordered they can be moved to the bill in the Hous

Mr. WARNER, of Ohio. I do not think we can afford to legislate in

any such way.

Mr. WILLIS. There is a law covering this matter now. It is a mere matter of form. The law prescribes where a suggestion is made to the Secretary of War he shall have a preliminary examination made, those found to be worthy of improvement are reported to the House. It goes

no further and costs no money.

Mr. WARNER, of Ohio. This House has no right to put such respon-

Mr. WARNER, of Ohio. This House has no right to put such responsibilities on the Secretary of War. You can not make up these thousand and one surveys without it costing something. It may cost millions. Mr. WILLIS. I ask my suggestion be adopted.

Mr. RANDALL. There is objection.

The CHAIRMAN. It can only be done by unanimous consent, and the remark of the gentleman from Ohio is in the nature of objection.

Mr. WILLIS. My proposition is that gentlemen shall not offer them, but hand them to me. but hand them to me.

The CHAIRMAN. The trouble about the motion is that the gentle-

man from Ohio objects.

Mr. WILLIS. There are no amendments pending before this committee, and there will be none if gentlemen cease to offer them.

The CHAIRMAN. But the gentleman from Ohio objects to anything

of the sort

Mr. WILLIS. I am not asking unanimous consent, but that each member shall bring them to me and I will submit them to the committee, and those found all right will be moved in the House before the previous question is ordered. I only ask gentlemen to recognize the situation and bring their amendments to me and then let us pass on to the next section. I ask whether there is any question pending before the committee. [Cries of "Vote!"] If there is not, let the Clerk read

The CHAIRMAN. There are numerous amendments on the desk to

be submitted. [Cries of "Read them!"] The Chair stated that one should be read from the left and one from the right. There are a great many remaining to be read. [Cries of "Regular order!" "Withdraw them!" "Read them!" "Vote!"]

Mr. HEPBURN. I move an amondment that the committee rise.

Mr. DUNN. I move an amendment that the committee rise and report the bill to the House

The CHAIRMAN. That is not in order.
Mr. DUNN. Why?
The CHAIRMAN. The bill can not be reported to the House while amendments are pending to it. Besides that there is one section which

has not yet been read.

Mr. BAYNE. I renew my proposition. [Cries of "Regular order!"]

The CHAIRMAN. The regular order is the motion of the gentleman from Iowa that the committee rise.

The committee divided; and there were—ayes 17, noes 118.

So the committee refused to rise.

The CHAIRMAN. The Clerk will report the next amendment, offered by the gentleman from Minnesota [Mr. WASHBURN].

The Clerk read as follows:

At the end of line 27 insert:

"The Secretary of War is hereby directed to cause an examination and survey of the Saint Mary's Falls Canal and locks, with a view to obtaining an estimate of the cost of enlarging the same, or of the construction of an additional canal and locks to meet the increasing demands of commerce, as shown in Executive Document 102, House of Representatives, Forty-eighth Congress, second session."

Mr. BLAND. I make the point of order that this is a canal and does not belong to this bill. It is not germane.

Mr. WASHBURN. This amendment is certainly in order. It is the amendment I offered to the main part of the bill, but at the request of the chairman of the committee postponed it until we got to this section.

Mr. WILLIS. I do not make the point of order upon it. Mr. WASHBURN. I understand that.

Mr. WILLIS. The gentleman from Missouri makes the point of order. I understand this canal is really a river.

Mr. WASHBURN. It is simply a lock in the river—

The CHAIRMAN. Is it a connection between the two parts of the

same river

Mr. WASHBURN. Yes, sir.

Mr. BLAND. I withdraw the point of order.

The amendment was adopted.

The CHAIRMAN. The Clerk will report the next amendment, by Mr. GARRISON.

The Clerk read as follows:

Amend in line 28, page 48, by adding "Mattox Creek," a tributary of the Potomac, with a view to deepening its mouth.

The amendment was adopted.

The next amendment (by Mr. MILLIKEN) was read, as follows:

Harbor at Belfast, Me.: Gilkey's harbor, in west side, with a view to ascertaining what buoys should be placed in said harbor.

The amendment was adopted.

Mr. WHITE, of Kentucky. I move to amend, in line 22, by adding what I send to the desk.

The Clerk read as follows:

Add, after line 22, the words "Salt River."

Mr. WHITE, of Kentucky. Mr. Chairman, I find in line 22 that there is to be a survey of "Pond River," Kentucky. I have interviewed two or three members of Congress from my State before I could find out where Pond River was, and I thought I was pretty well versed in the geography of Kentucky. I find that it is a tributary of the Green or Barren River above the locks or dams, which are owned by a private corporation in that State.

Now, the national Democratic platform has this to say with reference to these internal improvements, and I beg to call the attention of gen-

tlemen on the other side to it:

That the Federal Government should care for and improve the Mississippi River and the other great water ways of the Republic, so as to secure for the entire States easy and cheap transportation to tide water.

How are you going to get to tide water down this river over a lock and dam which has been placed under Democratic rule in Kentucky on that river, and is owned by a private corporation? You propose under this bill prepared in the secret chamber of this select committee—you propose to get a survey of a tributary of a river that is owned under the Democratic rule that afflicts Kentucky by a private corporation. That is worse than the appropriation for the improvement of the Survey of the Carel Sand Park. wanee or the Great Sunflower or the Great Pee Dee River. [Laughter.]

wanee or the Great Sunflower or the Great Pee Dee River. [Laughter.]
Mr. HATCH, of Missouri. May I ask the gentleman a question?
Mr. WHITE, of Kentucky. Yes, sir.
Mr. HATCH, of Missouri. Do I understand the gentleman from
Kentucky to say that he does not know where Pond River is?
Mr. WHITE, of Kentucky. I told the gentleman precisely what I
knew, and he must not occupy my time. I decline to be interrupted.
Mr. HATCH, of Missouri. I suggest to the gentleman from Kentucky that life is too short to go into an investigation of what the gentleman does not know. [Laughter.]
Mr. WHITE, of Kentucky. I hope this will not come out of my
time. [Laughter.] I want to remind the Democratic party of the

fact that they have an elephant on their hands in the form of internal improvements. I want the country to understand just how much that amprovements. I want the country to understand just how much that party believes in internal improvements. If you can get the Mississippi River as a backbone—if you can get the Missouri River and the levee system as the ribs to build your structure upon, with about two hundred millions of dollars at the disposal of your commission which is responsible to nobody, then you are willing to give a few catfish streams an appropriation and to cause a survey of Pond River. I want the country to understand that there is a discrimination in this select committee that is as unfair, that is as unjust and unmanly as only a Demittee that is as unfair, that is as unjust and unmanly as only a Demittee. mittee that is as unfair, that is as unjust and unmanly as only a Dem-

ocratic House could be guilty of.

The CHAIRMAN. The question is, Shall Salt River be improved for the use of the Republican party? [Laughter.]

The amendment was adopted. [Applause and laughter.]

The next amendment (by Mr. DINGLEY) was read, as follows: Amend section 8 by adding: Kennebec River at Bath, Me.

Mr. WHITE, of Kentucky. I move to strike out the last word of the amendment just read.

Now, the reason I wanted Salt River improved was for the benefit of the Democratic party four years from now. [Derisive laughter on the Democratic side.] It is not navigable for ships or boats of any size, but it will be navigable for the Democratic party, which I hope will go up that river four years from now.

Mr. McMILLIN. We supposed the gentleman from Kentucky de-

sired to improve that river for his own benefit.

The amendment offered by Mr. DINGLEY was adopted.
The CHAIRMAN. The Clerk will report the next amendment.
Mr. HEPBURN. I move that the committee do now rise.

The question was taken.

The CHAIRMAN. The "noes" have it. The motion is not agreed.

The Clerk will report the next amendment.

The Clerk commenced to read the next amendment.

Mr. HEPBURN. I call for a division.

The CHAIRMAN. The Chair announced the result of the vote with-

out any call being made for a division.

Mr. HEPBURN. I called for a division, I think, within five sec-

onds of the announcement of the vote. Mr. McMILLIN. The Clerk began to read before the gentleman from Iowa demanded a division.

Mr. REED, of Maine. This should not be a question of speed. The CHAIRMAN. If the gentleman from Iowa states that he intended to call for a division the division will be had.

Mr. HEPBURN. I made the demand as quickly as I could. The committee divided; and there were—ayes 14, noes 107.

So the motion was not agreed to.

The Clerk read the next amendment (offered by Mr McMILLIN), as follows:

Add at the end of line 4, section 8, as follows:
"Obed's River, Tennessee: Between the upper worksheretofore done by the Government and the mouth of the West Fork of said river."

The CHAIRMAN. If there be no objection this amendment will be

considered as adopted.

Mr. HEPBURN. I object.

The CHAIRMAN. The question is on the adoption of the amendment.

The committee divided; and there were—ayes 88, noes 11.

Mr. HEPBURN. No quorum.

The CHAIRMAN. A quorum not having voted, the Chair appoints as tellers the gentleman from Iowa, Mr. HEPBURN, and the gentleman from Tennessee, Mr. McMillin.

Before the result of the vote by tellers was announced Mr. McMillin (one of the tellers) said: The gentleman appointed with me as teller is satisfied that a quorum favors the proposition. He withdraws the point as to a quorum.

So (further count not being called for) the amendment was agreed to. The CHAIRMAN. The Clerk will report the next amendment, The Clerk read the following amendment (offered by Mr. Belford):

Add to the pending section the following:
"That \$250,000 is hereby appropriated to sink ten experimental artesian wells
on the plains, five of which shall be east and five west of the Rocky Mountains,
to be expended under the supervision of the Commissioner of Agriculture."

Mr. BROWNE, of Indiana. I make the point of order on that amend-

The CHAIRMAN. The point of order is sustained.

Mr. BELFORD. I move to strike out the last word.

are legislating about water here, and I therefore supposed my amendment would have been considered germane. You gentlemen of the Democratic party have seventy-eight majority in the House of Repre-Democratic party have seventy-eight majority in the House of Representatives, and yet you can not get a quorum without the help of the Republican members. How do you expect to govern the country in the next four years when you can not control this House?

There is not one dollar in that bill that comes to my State. Ninety per cent. of all the appropriations made by the Congress of the United States since this Government was organized has gone to the benefit of New York and New England.

New York and New England. Mr. WELLER. That is so.

[Mr. HORR], who made a like statement in his speech, that 90 per cent. of the appropriations made by Congress had gone to New York and New England.

Year after year my State passes into the Treasury of this Government hundreds of thousands of dollars. From two post-offices—one at Denver and one at Leadville—we pay more than is paid by the whole State of Florida, more than is paid by the State of West Virginia, and half as much as is paid by the State of Georgia. If you desire to controvert my statement look at the report of the Postmaster-General. I say that when Colorado comes forward and asks you to appropriate a small sum of money to reclaim the vast public domain that propriate a small sum of money to reclaim the vast public domain that this nation owns, and which is to be the home of millions of people in the future, you will not vote her a dollar, and yet you expect us to stand by and help you.

[Here the hammer fell].

The Clerk resumed and completed the reading of the bill.

Mr. WILLIS. I move that the committee do now rise and report

the bill back with the amendments.

Mr. BROWN, of Pennsylvania. I ask to have my amendment voted upon.

Mr. WILLIS. I have got it here. It will be admitted under the call for the previous question.

The motion was agreed to.

The committee accordingly rose; and Mr. Wellborn having taken the chair as Speaker pro tempore, Mr. Hammond reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had directed him to report the same back to the House with sundry amendments.

Mr. WILLIS. Before demanding the previous question I desire to say there are several amendments that I ask permission to offer. There

is one in regard to New York which I will ask the Clerk to read.

Mr. HAMMOND. I will ask the gentleman from Kentucky if all the amendments may not be considered as pending and let them all be printed in the RECORD, as they will not be voted on till to-morrow, and then let the previous question be considered as pending?

Mr. WILLIS. I agree to that suggestion.

Mr. WILLIS. I agree to that suggestion.

The SPEAKER pro tempore. Is there objection to the proposition of the gentleman from Kentucky [Mr. WILLIS] that these amendments may now be offered; that they shall be printed in the RECORD of tomorrow, and that they shall be considered as pending under the operation of the previous question, if the House shall order it? [After a pause.] The Chair hears no objection.

The amendments are as follows:

End of section 8, amend after line—, after the word "city:"

"Provided, That in each of the appropriations made under the provisions of this bill the Government of the United States shall not be deemed or in any case held liable or responsible to any individual or corporation in expending the money appropriated and in carrying on the improvements named for or on account of the laches or negligence of any contractor or employé performing service or labor under and by authority of the Government of the United States."

By Mr. DAVIS, of Massachusetts:

Survey harbor of refuge at Falmouth, Mass.

By Mr. DAVIDSON:

Between lines 34 and 35, in section 8, page 48, insert:

"Survey Caloosahatchee River from its mouth up to Fort Thompson, Florida.

"Survey channel between the mainland and coast islands, extending from Little Clearwater Pass to John's Pass, Florida.

"Survey Anclote River, Florida."

By Mr. DUNHAM:

After line 28 insert: "Survey Calumet River from the Forks to Blue Island."

By Mr. HATCH, of Michigan:

At the end of line 37, in section 8, insert: "Survey the west channel of the Saginaw River, opposite West Bay City, Michigan."

By Mr. HENLEY:

At the end of section 8, amend by adding the following: "Survey Crescent City Harbor, California, with a view to its improvement, by filling in or build-ing a wall from Battery Point to wharf rock.

Mr. HEWITT, of New York, offers the following amendment, to come in at the close of the bill:

For removing the débris resulting from the explosion of Flood Rock, at Hell Gate, \$100,000.

By Mr. JONES, of Texas:

Amend on page 48 as follows: After line 30 add "Sabine River, Texas and Louisiana."

By Mr. LORE:

Amend bill by adding after line 985: "Improving harbor at Wilmington, Delaware, \$25,000, which shall include the \$15,000 hereinbefore in this bill named for that purpose."

Survey for a water way from Lake Erie, at Toledo, by the Maumee Valley, to Fort Wayne, and thence up the Saint Joseph's River to Steuben County, and connecting with the Big Saint Joseph's at the most desirable point, and thence down the big Saint Joseph's to Lake Michigan by way of Bristol, Elkhart, and South Bend.

By Mr. MILLER, of Texas:

Mr. WELLER. That is so.

Mr. BELFORD. I refer to my distinguished friend from Michigan

At the end of line 38 insert: "For survey of the Colorado River, in Texas."

By Mr. OATES:

Add to section 2: "Provided, That the same shall in no wise commit the Government of the United States to purchase or improve any of such locks and dams or other improvements."

By Mr. OCHILTREE:

Survey: "From Galveston, via Saint Louis Bay and Canal, to the Brazos River."

By Mr. O'NEILL, of Missouri:

At end of section 8: "The Secretary of War is directed to report to the next Congress an estimate of the probable cost of completing the work between the Illinois and Ohio Rivers on the Mississippi River and what subdivisions of work are necessary to complete said work within five years."

By Mr. POLAND:

Insert at end of section 8: "Swanton Harbor, Vermont, with a view to determine whether the present breakwater is properly located, and what may be necessary for the proper improvement and protection of said harbor."

Amend by adding at the end of section 8: "And the Secretary of War is here-by directed to detail an officer of the Engineer Corps of the Army to make such surveys and examinations as will ascertain the causes of the extraordinary over-flows of the Chippewa River in and below the city of Eau Claire, in the State of Wisconsin, in the years 1880 and 1884, and report the most practical means of preventing a recurrence of such overflows."

By Mr. SKINNER, of North Carolina:

Insert at the end of section 8:

"Survey of Great Pee Dee River from the South Carolina line to the Narrows
North Carolina.

"Survey of Alligator River, North Carolina.

"Survey of Wysocking Harbor, North Carolina.

"Survey of Eaglehead Harbor, North Carolina."

By Mr. SMALLS:

Insert in line 44, after "California:"
"Survey of Mosquito Creek, between the South Edisto and Ashepoo Rivers, and as to connecting Ashepoo and South Edisto Rivers at or near Fenwick's Island, South Carolina."

By Mr. SNYDER:

Insert after line 37: "Survey of Gauley River, West Virginia."

By Mr. TILLMAN:

Little Salkehatchie River, South Carolina, from its mouth to Carter's Ford.

Add to section 1, at the end of line 985, the following words:

"SEC. 2. That each particular appropriation in section 1 of this act contained or mentioned shall be paid, as nearly as may be, only in the following moneys and currency of the United States of America; and the same and no part thereof shall be paid in any representative of the currency or moneys in said sections mentioned, namely: One-third part of each particular sum of the aforesaid appropriation shall be paid only in standard sliver dollars, one-third part in silver certificates, and one-third part in Treasury notes, and each sum of said appropriations shall be at the expense of the Government in said moneys and currency as herein mentioned actually transferred to and disbursed at the locality where the appropriation is to be expended."

By Mr. WILKINS:

After line 33:
"Survey the Muskingum River, Ohio, between Marietta and Dresden, with a view to the transfer of the improvements thereon to the United States."

Insert after line 44 of section 8 (page 49): "Survey Vancouver Harbor, Washington Territory."

Mr. MURPHY. Mr. Speaker, I desire to make a motion in relation to this bill.

The SPEAKER pro tempore. Under all usage the Chair recognizes the gentleman in charge of the bill. The question is on the motion of the gentleman from Kentucky [Mr. WILLIS].

Mr. WILLIS. I understood that unanimous consent had been granted,

and that the previous question had been ordered on the bill and the amendments.

The SPEAKER pro tempore. The Chair did not so understand. Mr. WILLIS. Then I now move the previous question on the bill and all amendments, including those just sent to the desk, which are to be printed under unanimous consent.

Mr. HEPBURN. Mr. Speaker, I move to recommit the bill with instructions

The SPEAKER pro tempore. That motion is not in order now. question is on the motion of the gentleman from Kentucky [Mr. WIL-LIS] that the previous question be ordered on the bill and the pending amendments

Mr. GIBSON.

Mr. GIBSON. On all amendments? The SPEAKER pro tempore. Yes: "pending amendments" includes all amendments.

Mr. MURPHY. Mr. Speaker, I rise to a parliamentary inquiry. The PRESIDENT pro tempore. The gentleman will state it. Mr. MURPHY. I wish to make a motion to recommit this bill to

the Committee on Rivers and Harbors with instructions to report in favor of the Hennepin Canal.

The SPEAKER pro tempore. That is not in order at this time, and will not be until the previous question shall have been ordered on the passage of the bill.

Mr. MURPHY. I understand, then, that I can make the motion hereafter.

The SPEAKER pro tempore. There is a time when that motion can be made, but not now.

The question was taken on the motion of Mr. WILLIS to order the previous question on the bill and the pending amendments.

The motion was agreed to.

Mr. WILLIS moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider

The latter motion was agreed to.

Mr. HENDERSON, of Illinois. Mr. Speaker, I wish to say that I shall demand a separate vote on each amendment.

Mr. WILLIS. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 7 o'clock and 40 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAGLEY: Petition of the New York State Cider and Cider Vinegar Makers' Association, asking the repeal of the so-called vaporizing law of March, 1879—to the Committee on Ways and Means.

By Mr. BRAINERD: Petition of citizens of Pennsylvania, relating

to the Mormon question—to the Committee on the Judiciary.

By Mr. ERMENTROUT: Petition of Barber Match Company, of Akron, Ohio, and others, praying for relief upon law imposing stamptax on manufacturers of friction matches, which went into effect September 1, 1864—to the Committee on Appropriations.

By Mr. FINDLAY: Memorial of owners of private dies, &c.—to the

same committee.

By Mr. FORAN: Petition of O. L. Olds and 50 others, citizens of Cleveland, Ohio, praying that laws be immediately passed by Congress to prevent the spread and evils of Mormonism—to the Committee on

the Judiciary.

By Mr. GUENTHER: Memorial of the Legislature of the State of Wisconsin, in favor of placing General U. S. Grant upon the retired-list of the Army—to the Committee on Military Affairs.

By Mr. HART: Petition of J. C. Leggett and 30 others, citizens of

Brown County, Ohio, praying for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. HOPKINS: Memorial of owners of private dies, asking for

indemnity—to the Committee on Appropriations.

By Mr. B. W. JONES: Memorial of the Legislature of Wisconsin, in favor of placing General U. S. Grant on the retired-list—to the Committee on Military Affairs.

Also, memorial-of match manufacturers, for the payment of certain

claims—to the Committee on Appropriations.

By Mr. McCOMAS: Petition of Solomon S. Lumm and of William H. Knode, both of Washington County, Maryland, for compensation for property taken and used by the Union Army during the late war—severally to the Committee on War Claims.

By Mr. PRICE: Petition of Mrs. R. C. Jones and 38 others, of Black

River Falls, Wis., praying for the suppression of Mormonism—to the Committee on the Judiciary.

Also, memorial of board of supervisors of the town of New Richmond, Saint Croix County, Wisconsin, for a law prohibiting railroads from charging more for a short than a long haul—to the Committee on Commerce

By Mr. STEPHENSON: Memorial of the Legislature of the State of Wisconsin, memorializing the Congress of the United States to place General U.S. Grant upon the retired-list of the Army—to the Committee on Military Affairs.

By Mr. STORM: Memorial of the Board of Trade of the city of Erie, Pa., for the purchase of the Lake Superior Ship Canal and Portage Lake and River Improvement Company's Canal by the United States-

Committee on Rivers and Harbors.

By Mr. E. B. TAYLOR: Petition of citizens of Cleveland, Ohio, on the Mormon question—to the Committee on the Judiciary.

By Mr. J. M. TAYLOR: Petition of Isaac M. Hudson, administra-

tor of James Love, asking a reference of his claim to the Court of Claims-to the Committee on War Claims.

By Mr. MILO WHITE: Concurrent resolution of the Legislature of the State of Minnesota, urging the purchase by the Government of the Portage Lake and Lake Superior Ship Canal and other works—to the Committee on Rivers and Harbors.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. F. B. BREWER: Of citizens of Frewsburg, of Nashville, and

of Limestone, N. Y.

By Mr. CLAY: Of citizens of Christian and Hopkins Counties, Ky.

By Mr. CLAY: Of citizens of Christian and Hopkins Counties, Ky.

By Mr. EATON: Of John Watson and others, citizens of Hartford;

of Stephen Raper and others, of New Britain; of Willard Griffin and others, of West Grandy; of D. H. Parsons and others, of Stafford Springs, and of David R. Hubbard and others, of Southington, Conn.

By Mr. HOUK: Of citizens of Allensville, of Dumplin, and Flat Gap,

By Mr. LACEY: Of Hiram N. Robinson and 63 others, of Battle Creek, Mich.

SENATE.

WEDNESDAY, February 25, 1885.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

NAMING A PRESIDING OFFICER.

Mr. ALLISON called the Senate to order, and the Chief Clerk read the following letter: To the Senate:

Pursuant to the rules, I hereby name and designate Hon. WILLIAM B. ALLI-son, a Senator from the State of Iowa, to perform the duties of the Chair in my absence this day, 25th February.

GEO. F. EDMUNDS,*
President pro tempore.

WASHINGTON, D. C.

Mr. ALLISON thereupon took the chair as presiding officer.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved. DISTRICT TAXES AND EXPENDITURES.

The PRESIDING OFFICER (Mr. Allison in the chair) laid before the Senate the following communication from the commissioners of the District of Columbia, by J. B. Edmonds, president; which was read, and referred to the Committee on the District of Columbia:

and referred to the Committee on the District of Columbia:

OFFICE OF THE COMMISSIONERS DISTRICT OF COLUMBIA,

Washington, February 24, 1885.

SIE: The commissioners of the District of Columbia have the honor to acknowledge the receipt this morning of a resolution passed in the Senate of the United States on the 20th instant, by which they are directed "to immediately inform the Senate of the causes that have prevented them from complying with the resolution of the Senate, adopted on the 24th of June, 1884, relating to the taxes collected from 1875 to 1884, and to receipts and disbursements on account of the water department, or water fund, for each year from 1875 to 1884."

In reply the commissioners have to state that they have made every reasonable effort to comply with the onerous task imposed upon them by the resolution passed June 24, 1884, but it has been impossible with the regular office force to make such subdivision of collections and expenditures as was called for, because the records have never been classified with reference to the arbitrary sectional divisions named in the resolution. The law does not require nor can such a system be followed without keeping a separate set of books and records for each section at some considerable increased annual expenditure. It should also be observed that within the period covered by the resolution there have been two different forms of government for the District; some offices have been abolished, and the duties and responsibilities relating to others modified, and corresponding changes in the system of records made. In a word, the only reason why the commissioners have not as yet replied to the resolution in question is that the force at their disposal has not been able, in addition to their regular duties, to pick from the records the special information called for and which could not be obtained therefrom directly.

A vast amount of work has been done toward compiling the information called for, and the results will be tabulated so as to present at least a

J. B. EDMONDS, President.

Hon. George F. Edmunds, President pro tempore United States Senate.

INDIANS ON UMATILLA RESERVATION.

The PRESIDING OFFICER. The Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 66) provid-ing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

Mr. DAWES. All the amendments of the House are verbal except

Mr. DAWES. All the amendments of the House are verbal except one; and in that I wish to have the Senate concur with an amendment. The PRESIDING OFFICER. The Chief Clerk will report the amendments of the House of Representatives.

The CHIEF CLERK. Page 2, line 16, after the word "approved," insert "by the Secretary of the Interior."

Page 3, line 4, after the word "reservation," insert the words "here-

after provided for them."

Page 3, line 24, after the word "money," strike out the words "or in other improvements upon his allotment as shall be determined by the Department."

Page 5, line 17, strike out all after the word "purchase" to and including line 20.

Page 5, line 29, after the word "established," insert:

Provided further, That the water right across a portion of said reservation through the town of Pendleton, granted by the Interior Department July 7, 1870, on the application of George A, La Dow, Lot Livermore, and other citizens of Pendleton, for manufacturing, irrigating, and other purposes, be confirmed and continued to W. S. Byers & Co., their successors.

The PRESIDING OFFICER. Does the Senator from Massachusetts recommend concurrence in all the formal amendments?

Mr. DAWES. I wish to have the Senate concur in all the amendments except one, to which I shall offer a slight amendment, and then I shall ask the Senate to concur in that. That will make an end of the

The PRESIDING OFFICER. The question is on concurring in all the amendments except the additional proviso to be added to section 2

Mr. DAWES. Before that motion is put I should like to have read

what is proposed to be stricken out.

The PRESIDING OFFICER. The matter proposed to be stricken out by the House of Representatives will be read.

The CHIEF CLERK. Page 5, line 17, strike out all after the word 'purchase' down to and including the word "thereof," in line 20, as follows:

Provided further, That after three years from the date when such lands shall be declared open for settlement and subject to sale, the lands which shall remain unsold may be purchased, without settlement, at the appraised value thereof.

Mr. DAWES. I move a concurrence in all the amendments but the

one in relation to the water right.

The PRESIDING OFFICER. Does the Senator move a concurrence

in the amendment just read?

Mr. DAWES. Yes, sir.

The PRESIDING OFFICER. The Senator from Massachusetts moves a concurrence in all the amendments of the House except the one indicated by him. Is there objection? The Chair hears none, and the amendments are concurred in.

Mr. DAWES. I move a concurrence in the last amendment with the amendment which I send to the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts moves a concurrence in the remaining amendment of the House of Representatives with an amendment. The question will be first upon the amendment proposed by the Senator from Massachusetts; which will be reported.

The CHIEF CLERK. It is proposed to add the following proviso:

Provided, That this act shall in no way impair or affect any existing right to a reasonable use of the water of said stream for agricultural purposes, nor shall confirm or grant any right to use the water thereof in any manner, nor to any extent, beyond or different from that to which it is now appropriated.

Mr. HARRIS. I suggest that the Chief Clerk read the amendment of the House of Representatives as it will be when amended.
The PRESIDING OFFICER. That will be done.

The CHIEF CLERK. Page 5, line 29, after the word "established,"

Provided further, That the water right across a portion of said reservation through the town of Pendleton, granted by the Interior Department July 7, 1870, on the application of George A. La Dow, Lot Livermore, and other citizens of Pendleton, for manufacturing, irrigating, and other purposes, be confirmed and continued to W. S. Byers & Co., their successors: Provided, That this act shall in no way impair or affect any existing right to a reasonable use of the water of said stream for agricultural purposes, nor shall confirm or grant any right to use the water thereof in any manner, nor to any extent, beyond or different from that to which it is now appropriated.

Mr. DAWES. I move to add the additional proviso. The object of it is to preserve any reasonable use of that stream for agricultural purposes, and also to prevent an absolute appropriation of it by these par-

Mr. HARRISON. I wish to suggest to the chairman of the Committee on Indian Affairs that the language he uses, the word "now," would speak from the time of the passage of the bill, and whether it would not be better to make it relate to future time.

Mr. DAWES. It was my intention to have it relate to the future. I suppose the condition of things will not alter between now and the passage of the bill. Mr. HARRISON.

Mr. HARRISON. There is a possibility that it might.
Mr. DAWES. I do not think it will. If there is danger of that of course I would not object to a modification. I do not apprehend that it is possible to do that.

Mr. MORRILL. To put in "heretofore" instead of "now" would be just as well.

Mr. DAWES. I will adopt the suggestion of the Senator from Vermont, and modify my amendment by striking out the words "is now" and inserting "has been heretofore;" so as to read:

In any manner nor to any extent beyond or different from that to which it has been heretofore appropriated.

I will explain this to the Senate, if there is any desire to have an explanation.

Mr. MORRILL and others. It is all right.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Massachusetts to the amendment of the House of Representatives.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

ORDER OF BUSINESS.

Mr. BLAIR. I ask unanimous consent to move that the Senate concur in an amendment made by the House of Representatives to the bill (S. 2009) granting a pension to Isabella Turner. It is simply for the purpose of preventing collection under the bill of any arrears. The bill as passed by the Senate covered about two years of arrears, and the

amendment takes that off.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent at this time to call up the bill indicated by

Mr. SAULSBURY. Is the morning business concluded?
The PRESIDING OFFICER. Morning business is not concluded.
Mr. BLAIR. By this course the Senate can concur in an amendment that will save money

The PRESIDING OFFICER. Is there objection?

Mr. HARRIS. I think we had better get through with the morning

business and take up that bill immediately after.

Mr. LAPHAM. I ask leave at this time to make a privileged report.

The PRESIDING OFFICER. Reports are not yet in order.

Mr. LAPHAM. It is a privileged report. I submit the report of the committee of conference on the disagreeing votes of the two Houses on House bill 3108.

The PRESIDING OFFICER. The Chair understands that the bill to which the report refers is not before the Senate. The Senator will withhold the report until the original bill is brought in.

Mr. LAPHAM. It is a conference report on the disagreeing votes

The PRESIDING OFFICER. But the bill and papers must be in the possession of the Senate. They are not on the Secretary's table.

PETITIONS AND MEMORIALS.

Mr. ALDRICH presented the petition of Anthony Bauer, of Washington, D. C., praying compensation for damages to his property by reason of public improvements in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of Hannah Cottrell, widow of Jesse Cottrell, late private Capt. Hazard Knowles's Company of Rhode Island Militia, in the war of 1812, praying allowance of service pension under the act of March 9, 1878; which was referred to the Committee

Mr. MILLER, of New York. I present a petition of residents of New Jersey praying the passage of the bill authorizing the construction of bridges across Staten Island Sound. As the bill is on the Calendar, I move that the petition lie on the table.

The motion was agreed to.

Mr. MILLER, of New York, presented a memorial of citizens of New

Mr. MILLER, of New York, presented a memorial of citizens of New York, remonstrating against the ratification of the proposed Spanish reciprocity treaty; which was referred to the Committee on Foreign Rela-

Mr. PENDLETON presented petitions of six publishing-houses of Ohio, praying for a reduction of postage on second-class mail matter, and that all papers shall be sent at the same rate of postage; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. MORGAN. I present the petition of Thomas Folkes and others, laborers on the session-roll of the Senate, praying that there be paid to each of them out of the contingent fund of the Senate the sum of \$41.10, in payment for labor done in November, 1884, for which they have received no pay, accompanied by a proposed amendment to the deficiency appropriation bill, and I desire to call the attention of the Committee to Audit and Control the Contingent Expenses of the Senate to it, to which committee I move its reference.

The motion was agreed to.

Mr. CONGER presented resolutions of the Produce Exchange of Toledo, Ohio, in favor of the bill providing for the purchase by the Government of the two canals across Keweenaw Point, Lake Superior, State of Michigan; which were referred to the Committee on Com-

Mr. BAYARD presented the petition of George W. Morrison, William Herbert, and other citizens of New Castle, Del., praying an increase of appropriation to improve the harbor of that place; which was referred to the Committee on Commerce.

Mr. PLUMB presented a resolution of the Legislature of Kansas, in favor of the passage of the Mexican pension bill; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Lawrence, Kans., praying an appropriation for the construction of a wagon-road from Caldwell, Kans., to Wichita Falls, Tex.; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MORRILL. I am directed by the Committee on Public Buildings and Grounds to report favorably the bill (H. R. 48) providing for the erection of a building to contain the records of the library and mu-

seum of the Medical Department, United States Army.

I desire to say that if the committee had deemed it necessary to amend the bill they would have amended it by specifically providing for the location of the site, which as they believe should be at the corner of B street and Seventh street southwest, for the reason that the regents of the Smithsonian Institution have a title to the land round about the Smithsonian to the extent of thirty acres; and unquestionably within a very short time, probaly less than half a dozen years, the museum there now will have to be doubled in order to contain even the amount of articles that are ready to go into it at the present time. I have conferred with two members of the commission, and I find that they would be both in favor of the location on the site mentioned by me-that is, on the corner of B and Seventh streets southwest. Therefore we do not make any amendment. As the bill is very short, I will ask to have it read for the purpose of asking its present consid-

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the bill reported by him from the Committee on Public Buildings and Grounds be now considered.

Mr. INGALLS. Is the morning business through?

Mr. INGALIS. Is the motion.

The PRESIDENT pro tempore. It is not.

Mr. INGALIS. I ask for the regular order.

The PRESIDENT pro tempore. The regular order is called for. The The PRESIDENT pro tempore. Sill will be placed on the Calendar.

Mr. SAULSBURY, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 6407) to regulate the let-

ting of mail contracts, reported it with amendments.

Mr. JACKSON, from the Committee on Claims, to whom was referred the bill (H. R. 4686) for the relief of Fendall Carpenter, reported it without amendment, and submitted a report thereon.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MILLER, of California. I am instructed by the Committee on Foreign Relations to report an amendment to the sundry civil bill for an appropriation to carry out the treaty between the United States and Mexico for the establishment of a boundary. I move that it be referred, with the accompanying papers, to the Committee on Appropriations, and printed.

The motion was agreed to.

Mr. MILLER, of California, from the Committee on Foreign Relations, reported an amendment intended to be proposed to the sundry civil appropriation bill; which, with the accompanying papers, was re

ferred to the Committee on Appropriations, and ordered to be printed.

Mr. McPHERSON. Without previous notice I offer an amendment to the naval appropriation bill, an important one, providing for the increase of the Navy, which I desire to have printed at once and referred to the Committee of the Committee of the Navy, which I desire to have printed at once and referred

to the Committee on Appropriations.

The PRESIDENT pro tempore. The Senator from New Jersey presents an amendment intended to be proposed to the naval appropriation bill. It will be printed and referred to the Committee on Appropria-

Mr. LAPHAM submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GORMAN submitted an amendment intended to be proposed

by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

THE WASHINGTON MONUMENT.

Mr. SHERMAN. I am directed by the commission organized under a joint resolution approved May 13, 1884, in relation to ceremonies to be authorized for the completion of the Washington Monument, to submit a brief report, accompanied by the various proceedings and ceremonies provided for under that joint resolution. I ask that the report

be printed.

The PRESIDENT pro tempore. The Senator from Ohio, from the special committee appointed on the subject of the Washington Monus ment ceremonies, submits a report, with the accompanying papers.

The report will be printed. Mr. SHERMAN. In thi In this connection I report from the same commission a concurrent resolution in regard to printing the report; which I ask to have acted on now.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That 10,000 extra copies of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed in memorial form under the direction of the Joint Committee on Printing; 3,000 copies for the use of the Senate; 6,000 copies for the use of the House of Representatives; 500 copies for distribution by Lieut. Gen. P. H. Sheridan, United States Army, to the civil and military organizations which participated in the procession; 400 copies for the Washington National Monument Association for distribution among its members, and 100 copies for Col. Thomas L. Casey, engineer, for distribution among the mechanics and workmen employed in the erection of the monument.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent that the resolution be now considered. Is there objec-The Chair hears none.

Mr. SHERMAN. I have no objection to a reference of the resolution to the Committee on Printing if it is desired. I do not know whether any Senator desires a reference. It may as well be acted upon,

as it is so late in the session.

Mr. HAWLEY. I should like to confer with the Senator about the numbers in one or two cases. If he will agree to a formal reference of the resolution, it will be reported very promptly.

Mr. SHERMAN. I have no objection to a reference if the Senator desires it

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Printing.

Mr. SHERMAN, from the joint commission on the dedication of the Washington Monument, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the thanks of Congress are hereby tendered to Col. Thomas Lincoln Casey, Corps of Engineers, United States Army, and to his assistants, and to the workmen, for the admirable manner in which he and they have performed their respective duties in the completion of the monument to the name and fame of George Washington.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its

Clerk, announced that the House had passed a bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2084) to amend chapter 464 of the acts of the first session of the Forty-seventh Congress, entitled "An act to provide for a public building at the city of Fort Wayne, in the State of Indiana;" A bill (S. 2327) for the relief of James Bedell, sr.; and A bill (S. 2375) to authorize the increase of the capital stock of the

Commercial National Bank of Chicago.

ARMY APPROPRIATION BILL.

Mr. ALLISON submitted the following report; which was read:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. S120) "making appropriations for the support of the Army for the fiscal year-ending June 30, 1886, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 11, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 15, 17, 18, 19, 20, 21, and 22, and agree to the same.

same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "And employed as train-masters, and in opening roads, and building wharves;" and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$675,000;" and the Senate agree to the same.

Amendment numbered 23: On amendment numbered 23 the committee are unable to agree.

W. B. ALLISON,
P. B. PLUMB,
M. W. RANSOM,
Managers on the part of the Senate. W. H. FORNEY, R. W. TOWNSHEND, J. WARREN KEIFER Managers on the part of the House

Mr. ALLISON. As will be seen from the reading of the report, the conferees have agreed upon all the differences between the two Houses except on amendment numbered 23. That is the last amendment in the bill, found on the sixteenth page of the printed bill, and relates to a change of existing law respecting the methods of trial by courts-martial. The House conferees insisted upon retaining that provision and the Senate conferees were not willing to accede to their request, it being important legislation in no way affecting appropriations for the Army.

Mr. INGALLS. General legislation? Mr. ALLISON.

General legislation.

I should like to hear the amendment upon which Mr. INGALLS. the committees disagree read.

The PRESIDENT pro tempore. It will be read.

Mr. ALLISON. It is the last amendment in the bill, section 2. The CHIEF CLERK. Amendment No. 23 is to strike out section 2, in the following words:

(23) Sec. 2. That article 94 of section 1342 of the Revised Statutes of the United States be, and the same is hereby, repealed, and amended so as to read as fol-

"Article 94. Proceedings of trials shall be carried on during such hours as the court-martial shall determine." Mr. INGALLS. Can the Senator from Iowa inform us how that

changes the existing regulation on that subject?

Mr. ALLISON. I can.

I should like to hear it. Mr. INGALLS.

Mr. ALLISON. Article 94 of the articles of war provides that courts-martial shall be conducted between the hours of 8 in the morning and 3 in the afternoon. This section proposes to leave those hours wholly to the court-martial itself, and the conferees on the part of the

Senate are opposed to the provision, believing it is an unwise one.

Mr. INGALLS. Can the chairman of the Committee on Appropriations advise us further what is the alleged necessity for changing the

articles of war in this particular?

Mr. ALLISON. So far as I know, it grows out of what is known as the Swaim court-martial, where I believe the court convened at 11 o'clock and under this article of war they were required to adjourn at

3, which only gave them four hours each day.

Mr. INGALLS. It concerns then the convenience of the court.

Mr. SEWELL. The ninety-fourth article of war leaves the discretion also in the officer ordering the court to change the hours if he pleases. If you do away with that article of war and allow the court-martial to be the judge of the time in which they shall sit, you will have junior officers doing as they please, and take it entirely out of the power of

their own superior officer who ordered the court.

Mr. ALLISON. So the conferees on the part of the Senate believed, and therefore insisted upon its amendment striking out the section.

Mr. HAWLEY. There is another reason for the existing law. There has been some gossip in newspapers and in military papers alleging that this came down to us from an old English custom because the dinner hour came about the time named for adjournment, and officers

were not fit for serious business after dinner. I am assured by an old veteran that the reason for it was that officers in many cases were put on courts-martial where the service could not spare them from other duties during a portion of the twenty-four hours, and after 3 they could attend to certain other duties; the dress-parade I might mention, and various other things; so that it was in accordance with the convenience of the service that that rule was made. Besides that, this veteran offi-cer assured me himself he had many times spent the night preparing the record of proceedings, from 8 or 9 until the hour of adjournment, so that it might be ready for the next day. Further he said it was due to the defense in many cases that the court-martial should not be allowed to hurry through the matter. I think the law ought to be allowed to stay as it is

Mr. INGALLS. Has the Committee on Military Affairs considered this question?

Mr. HAWLEY. No. sir.

Mr. INGALLS. The Senator from Connecticut I believe is a member of that committee.

Mr. HAWLEY. Yes, sir.

Mr. HOAR. The Senate some time ago directed the Committee on the Judiciary to consider what changes ought to be made in the law in regard to the matter of courts-martial, including the time of meeting, and that committee made a report, prepared by its chairman who now occupies the chair, which has been printed for the information of the Senate, but I believe it has not been read, in which it was declared as the judgment of the committee that there was no reason for maintaining in time of peace several of the distinctive practices which prevail in the matter of courts-martial, whether they may or may not be necsary in time of war.

A court-martial of course very often determines questions more important to the person tried than the question of life itself, affecting the reputation, the fortune, the career, and sometimes of course the life of the officer who is tried. Those trials are held by officers who are unacquainted with the rules of evidence and the rules of law except in the most imperfect manner. The committee suggested that wherever it is possible there ought to be associated with a court-martial held in

time of peace some experienced judicial officer.

In the next place, a court-martial is composed of not less than thir-teen persons, unless there be some grave reason which renders it im-practicable to have so large a number; and while the President is di-rected to compose the court-martial of officers equal or superior in rank to the person accused, where that is practicable, he is also authorized, where he does not find that convenient, to call juniors in the service into the court. The result is that a man is tried in that most jealous and ambitious of all professions, the military or the naval profession, by persons who have an interest in gaining a step or in vacating an office held by a senior. That enters unconsciously, perhaps sometimes consciously, into the determination, both in the matter of conviction and the matter of sentence.

Then the defendant is at another great disadvantage. advocate in theory is impartial between the two sides—that is, the Government and the accused; but in practice everybody knows the effect on the mind of a capable lawyer or advocate of having the duty of prosecution upon his hands. He becomes zealous for conviction. gards the acquittal of the accused as a defeat for himself, and the conviction of the accused as a victory for himself; and he gets all the spirit of the advocate and the prosecutor, and he has the great advantage over the defense of being present at all the secret deliberations of the court. He knows how to shape his evidence; he knows how to shape his argument after having learned just the state of mind as the case is going on of each of the members of the tribunal who are ultimately to determine the case—an advantage which is denied to the advocate of the accused or to the accused himself.

I make these remarks for the information of the public and of the Senate, not claiming, of course, that the Appropriations Committee err

Senate, not claiming, of course, that the Appropriations Committee err in not entering into an important field of legislation on this appropriation bill, but to express the hope that very early in the next Congress some measure will be adopted to cure these evils, as far as possible.

Mr. MAXEY. Our attention has been very sharply directed recently to proceedings by courts-martial. My judgment is from experience in matters of that kind that there should be a revision of the law regulating proceedings by court-martial, either by the Judiciary Committee or by the Committee on Military Affairs. If done by the Jumittee or by the Committee on Military Affairs. If done by the Judiciary Committee, it ought to be submitted by them to the Committee on Military Affairs, or, at all events, that committee ought to have an opportunity of examining it carefully before action by the Senate. It is impracticable to do that at this session, and I suggest to the Senator from Iowa, who has charge of this bill, that the reasons assigned by the Senator from Massachusetts and those that I have given heretofore should be conclusive against the proposed legislation at this time. For one, as a member of the Committee on Military Affairs, I am not willing to take up and act upon amendments to the Articles of War, affecting the service, in this appropriation bill. I think we ought to have an opportunity to look at them carefully. I am willing to have have an opportunity to look at them carefully. I am willing to have the Committee on the Judiciary report a bill, but I want to see that bill, as a member of the Committee on Military Affairs, considered by that

committee carefully, in order that we may act wisely, and say whether or not, in our judgment, the laws regulating the proceedings of courts-martial should be amended. There are many other things besides the time that should be looked into. I trust that there will be no action changing the laws regulating proceedings by courts-martial on a bill of

Mr. SHERMAN. I should like to have read the amendment now

in controversy, the proposed article of war.

The PRESIDENT pro tempore. The section that the Senate has proposed to the House to strike out will be read.

The Chief Clerk read section 2 of the bill.

Mr. SHERMAN. The only change that is made in article 94 is that under the existing article courts-martial can only be held between the hours of 8 in the morning and 3 in the afternoon. It seems to me that this is too small a matter to delay the passage of this appropriation bill. I believe that the House is right in the section proposed by it. Our attention has been called pretty sharply to the fact that a board of officers composed of some of the leading officers of the Army were detained here more than a month in the trial of a single case by the fact that they were compelled to adjourn at 3 o'clock each day and could not sit longer. As a matter of course they can not meet at 8 o'clock, unless they live at hotels where they can get breakfast at 6 or 7, by candle-light in the winter time. They can not meet, in the ordinary course of business here in Washington, before about 11 o'clock, or 10 o'clock at the earliest. They were compelled to adjourn at 3 o'clock, and the trial was prolonged on that account.

There is no danger in leaving to a court-martial the discretion as to its hour of adjournment. It is left to every justice of the peace, to every tribunal great and small, to determine the time when it shall ad-journ; and every court will at times hold longer or shorter sessions according to the exigencies of the case. A court-martial is already by the preceding article of war armed with the power to adjourn from day to day with almost unlimited control over the trial. Now, why should they not be intrusted with fixing the time during which they

Mr. MAXEY. If the Senator from Ohio will permit me a moment, I think the present hours fixed in our law were adopted from the proceedings of courts-martial in England, as fixed probably more than a century ago. I agree that the Senator is right in wanting a change,

but I do not see any use in chopping up the law when we ought to revise the whole of it; and there is no immediate necessity for taking up this particular item when the whole law ought to be revised.

Mr. SHERMAN. But now as the subject is before us, and as this proposition delays the passage of the Army bill, I think the better way is for us to recede from our amendment if we substantially agree to the wisdom of the proposition contained in the bill. It has got beyond the stage at which we can raise a question of order, or even a question of propriety or appropriateness; but here it delays the passage of the Army appropriation bill, and I think the simpler mode therefore is to recede. I will move that the Senate recede from this amendment, whatever its

The PRESIDENT pro tempore. That motion is not yet in order. The question now is on agreeing to the conference report, after which the question will be on the twenty-third amendment.

Mr. SHERMAN. Do the conference report a disagreement?
Mr. ALLISON. We report an agreement on every question except

the last amendment.

Mr. SHERMAN. Then I respectfully suggest to the Chair that now would be the time to submit a motion to recede.

The PRESIDENT pro tempore. The Chair thinks that under the rules the first question is on agreeing to what the conference committee has recommended, after which the residue of the bill will be before the Senate for action.

Mr. SHERMAN. All right. I will submit the motion then.

The PRESIDENT pro tempore. The question is on the motion of
the Senator from Iowa that the report of the conference committee be concurred in.

The motion was agreed to.

The PRESIDENT pro tempore. There is now before the Senate the action of the Senate in disagreeing to the last section of the bill which

Mr. SHERMAN. I move that the Senate recede from its amendment disagreeing to the section referred to. That would pass the bill.

The PRESIDENT pro tempore. The Senator from Ohio moves that

the Senate recede from its amendment No. 23. Mr. SEWELL. The present ninety-fourth article of war reads thus:

ART. 94. Proceedings of trials shall be carried on only between the hours of 8 in the morning and 3 in the afternoon, excepting in cases which, in the opinion of the officer appointing the court, require immediate example.

Mr. SHERMAN. The reason given for that is that a man might be caught in the act of committing crime, when a prompt and immediate

example would be required.

Mr. SEWELL. It leaves it entirely in the hands of the officer order

a few officers under his command all of them might be required to hold a court, and he would be practically without any officers under his orders whom he could control while that court was sitting. They might sit without regard to his orders.

Mr. SHERMAN. If the Senator will look at the preceding article

of war, article 93, he will see that-

A court-martial shall, for reasonable cause, grant a continuance to either party for such time, and as often, as may appear to be just.

So that they have practically the power to continue their existence if they choose, but at the same time a superior officer can disband a court-martial at any time.

Mr. SEWELL. Yes, he can disband it. Another suggestion occurs

to me. At the Military Academy, for instance, it has been customary to hold these courts. They are held very often there, so as not to interfere with the academic studies. It seems to me that an article of war which has passed the ordeal of a great many years and has never been criticised in the Army before to-day, should not be changed in

this manner.

Mr. INGALLS. Mr. President, I hope the Senator from Ohio, before asking us to agree to this legislation as it comes from the House of Representatives, will inform us how this article of war can at the same time be repealed and amended. Let me read the language of the bill as it came from the House:

SEC. 2. That article 94 of section 1342 of the Revised Statutes of the United States be, and the same is hereby, repealed, and amended so as to read as follows.

Mr. MILLER, of California. We had that under discussion when the bill was before the Senate, and it was supposed that was a misprint. There is a mistake evidently.

Mr. INGALLS. Then the Senator from Ohio wants us to agree to a

Mr. INGALLS. Then the Senator from Ohio wants us to agree to a misprint, an admitted and confessed misprint, a solecism, something admitted to be insensible, simply because we should not delay the passage of the bill? Mr. President, this can not be a misprint.

The PRESIDENT pro tempore. The Chair will state that there is no misprint. The engrossed House bill reads as the print does.

Mr. SHERMAN. I think it is proper and right as it is.

Mr. INGALLS. The Senator from Ohio, if he considers this as correct phraseology and a proper method in dealing with legislation, I am sure does not agree with the majority of his associates. In any event, the only objection that he makes to still further insisting upon the amendment made by the Senate is that it will delay action upon this bill.

Mr. President, I believe I am warranted in saying that the Committee on Military Affairs of this body, to which this subject would properly be referred, though they have taken no formal action, are unanimously opposed to this modification of the rules of war. I see no reason why the modification should be made. The discretion, as the Senator from New Jersey has just advised us by reading the article, is absolute in the authorities by which a court-martial may be ordered. And for the purpose of accommodating the habits of certain high officials of the Army who do not find it convenient in consequence of the lateness of the hour at which they breakfast to assemble before 11 o'clock, we are to be requested to assent to this crude, absurd, and ridiculous legislation, against the judgment of the Committee on Military

Affairs and against the express rule of the Senate which declares that there shall be no general legislation upon appropriation bills.

I hope, Mr. President, that the Senate will at least in a case as plain as this, where there is no necessity, where the form in which it appears is preposterous, not be called upon to stultify itself simply because we

may possibly delay for a few hours the passage of this bill.

I may add here that I am not willing to deal with the subject of courtsmartial and the rules of war in this fragmentary way. If the published proceedings of a recent very notable and conspicuous court-martial are correct, there are some things that need amendment about these tribunals far more than the hours at which they shall assemble in the morning and disperse in the afternoon. I refer, sir, to the trial of General Swaim, the Judge-Advocate-General of the Army of the United States, whose case was tried by a court-martial consisting of thirteen general officers, I believe, who examined with great care, minuteness, and patience, for many days, the serious allegations preferred against him; and after protracted investigation reported their findings and sentence to the President of the United States.

If the published statements are correct the subsequent proceedings were a disgrace to civilization. It is a shame that any tribunal independent, intelligent, competent to act, after having for days and weeks in pursuance of the authority of law investigated a charge, should be governed by such regulations that it may be twice subjected to such pressure, to such violent interference as appears to have been brought to bear in this case, not in the interest of justice apparently, but to extort and compel a more violent, severe, and degrading verdict against the accused than the court was willing to inflict.

But, sir, it seems that even twice would not suffice; that when the Mr. SEWELL. It leaves it entirely in the hands of the officer ordering the court whether they shall sit without regard to hours or not. If we were to change that article of war it would place the commanding officer of a post or garrison in a very unpleasant position. With only

was approved, with the addition of the most offensive and humiliating epithets and inferences against the court and the accused, to the effect that the result of their verdict was to make General Swaim a pensioner upon the Army Register while unfit to perform the duties of the office, and enabling him to draw one-half the compensation, to none of which he was entitled.

Sir, if we are to deal with the subject of courts-martial and the articles of war, I desire to begin with some more serious paragraph than that which says they shall meet at 8 o'clock in the morning and disperse at 3 o'clock in the afternoon. Let us not pay tithes of anise, mint, and cummin and omit the weightier matters of the law.

Therefore, sir, I hope that the Senate will not depart from the observation of its rule; that it will insist that this, being general and improper legislation, shall not be placed upon this appropriation bill, but that we may be permitted, if we are ever to deal with this anomaly in judicial procedure, to so deal with it that a tribunal properly appointed and constituted, having passed in a legal way upon matters subject to its jurisdiction, shall not be exposed to external compulsion that would not be tolerated in any other system upon the face of this

Mr. SHERMAN. Mr. President, the criticism of the Senator from Kansas upon the form in which this is sent to us it seems to me is hypercritical; at any rate, I do not choose to regard it as a matter of serious import. The substance of the proposition made by the House is that in place of the ninety-fourth article of war, which is repealed by their section, another article shall be inserted. That is the effect of it. As a matter of course, if this section is agreed to and the Senate recedes from its amendment, the language of the ninety-fourth article of war will be as contained in this proposed section, instead of the language now contained in the Revised Statutes. That is the substance of it; it makes no difference what the form is. It would probably have been better to use the word "substituted" instead of "amended;" that would have been more correct; but it is a very small matter. Here is an acknowledged evil, an acknowledged error in the Revised Statutes, brought prominently before us. The passage of the Army bill is de-layed because of resistance to a proposition to correct it.

Mr. ALLISON. I do not like to disturb the Senator, but this is not

an acknowledged evil as I understand it, but it is a question of severe dispute between people who understand the question.

Mr. SHERMAN. The Senator from Kansas says the Committee on Military Affairs are unanimous on this subject. That surprises me.

Mr. INGALIS. I had no right to say that, but I was informed that was, the case in current conversation about me. Of course I had no right to say that, but it was simply one argument that was proper to

be advanced in case it were true.

Mr. SHERMAN. If the Committee on Military Affairs have had this matter before them and have considered it, I should feel inclined to follow their judgment, not that their judgment would be final on us, but on the whole I should prefer to yield to their judgment. The subject has never been referred to the Military Committee, and I understand the Senator from Texas [Mr. Maxey], who is a member of that committee, to say that he thinks the change should be made; that this old article of war came to us more than a century ago from the British army, and that he thinks in addition to this or more important than this are many other changes which ought to be made in the Rules and Articles of War.

Mr. MAXEY. Of very much more importance.
Mr. SHERMAN. So I understood the Senator. That does not place the Senator from Texas against the idea suggested by the House of Representatives, nor do I understand that the Committee on Military Affairs has acted on it at all.

I do not want to enlarge upon the discussion opened up by the Senator from Kansas, although I sometimes for the last month or two have felt strongly inclined to do so. There is one thing connected with military courts-martial that seems to me very wrong, and it ought to be corrected by the proper authorities. We have an officer called a judge-advocate in each court-martial. His proper name according to the recent experience we have seen is that of a prosecuting attorney of the most vigilant and pushing kind. When he is a prosecuting attorney appearing only for the Government, met on the other side by attorneys on the part of the defendant, I think it is a gross shame and outrage that that prosecuting attorney should appear before the court-martial, participate in their secret deliberations, be present at all their conferences there to aid and represent one side while the other side is silent and unheard. He knows precisely the decision of the court-martial upon every question of evidence; he knows how to meet any difficulty on that point that may be in the mind of the court-martial, while the attorney for the defense has no such opportunity. Sir, the first change in the articles of war I would make is that when the judge-advocate is no longer a judge-advocate but is a prosecuting attorney, he shall not be present when the court-martial excludes the public to confer upon any question of evidence or upon the final decision. Yet it appears in this case according to the public prints that the prosecuting attorney, contesting the point against the defense, went with the court-martial into secret session and there aided them by his advice, his countenance, his opinion, his authority in the decision of the very questions that he had argued as an attorney. If that is the law of courts-martial, God

help me from ever falling under the law of courts-martial. That ought to be corrected; but I do not choose to discuss that now.

I think now we have one error in these articles of war presented by the House of Representatives very forcibly, and it ought to be corrected. To do so does not infringe on any authority, because now nobody has a right to change this arbitrary rule as to the time of meeting unless in a case demanding immediate action. The Secretary of War can not do it, nor can the President do it. The law is so. I should be perfectly willing that instead of the court-martial fixing the time of adjournment, the Secretary of War, if he is within reach, should do it; but he is not within reach in many cases, and so he can not do it. Somebody ought to have the power to extend the sessions of a court-martial beand 3 o'clock, so that the proceedings may be summary.

Mr. SEWELL. In time of war I remember that almost every order that was issued constituting courts-martial authorized them to sit

"without regard to hours."

Mr. SHERMAN. There ought to be some such power as that in time of peace. That is all I ask, and the court-martial can safely be invested with that power. That is the proposition made to us in the bill. In aid of public business, in aid of the rapid discharge and disposition of the business of courts-martial, in the interest of economy, the courtsmartial should be permitted to extend their sessions beyond 3 o'clock in the afternoon if they choose to do it. If they do not choose, they need not do it.

Mr. DAWES. It does seem to me that this whole discussion is like picking up a bird-seed. I can not conceive of anything about a courtmartial so unimportant and so trifling as to engage the Congress of the United States in determining at what time the members of it shall get up in the morning; for that is all. In the presence of the announcement in the public papers this morning of that which will be a reproach to the administration of justice in all time, we are told that an appropriation for the support of the Army shall not pass Congress unless the Senate of the United States will consent to a change of the law to the extent of determining when a court-martial shall adjourn. Let us do it at some other time if we are to do it at all, and not at this time when every one of us should have our minds turned to another more grievous and important question, whether the rights of accused men on trial have been trampled down under the forms of law or not.

Let us not trifle in this manner, and say that here to-day all we have got to complain of is that a court-martial can not be convened in accordance with the convenience of its members early enough to sit four hours in a day. Sir, more consequence attaches to what courts-martial of late have done than to what time they convene or what time it is necessary for them to adjourn. Better would it have been for the name of justice had they not convened at all, or if they had adjourned much earlier in the day than they have done, rather than to spread before this country, as has been done this morning, such proceedings as ought

to shock every man's sense of justice.

I am tired of being told that the regular appropriation bills for carrying on this Government are not to pass unless some change in the existing law shall go along with them. Sir, the laws ought to be changed when the two Houses of Congress upon fair deliberation shall determine that they ought to be changed, and when this branch or any other branch of the legislative department of this Government shall say that the appropriation bills necessary for carrying on this Government shall not pass unless there shall also be changes in existing law along with them, then we cease to be free and deliberative bodies.

This is the condition of things to-day, sir. One or the other branch is told that the wheels of Government shall stop until changes in laws

not pertaining to the administration of the Government and the expenditures of money shall be made law at the same time.

Mr. PLUMB. Will the Senator permit me to interrupt him?

Mr. DAWES. Yes, sir.

Mr. PLUMB. I desire to ask whence the Senator got that specific and valuable piece of information that has heretofore been imparted to him. I should be glad to know when that statement has been made and where

Mr. DAWES. Why, Mr. President, we are not deaf or blind, un-less when we will not see or hear. Every day, within the last week or ten days, we have been brought-one branch or the other-into a position that admits of no other interpretation than that. There is no other alternative. We are told—the Senator from Kansas knows to what I specifically allude—this morning that we can not have passed appropriation bills absolutely necessary for the carrying on of the Government; the Government must stop or an extra session of Congress be called before July, unless one body or the other will consent to have such changes in existing and established law as the other body shall determine are wise; and we are told to-day that our failure to recede from an amendment to the Army bill is delaying the passage of the Army bill. Now, the Army bill is a necessity, and all we ask is for an appropriation bill to carry on the Army; but we are told somewhere that unless we change existing laws we shall not have that; and we are told that we are delaying the passage of the Army bill; not some other body that refuses to take an Army bill. It will take no longer time for that body to recede from its proposition to change the law than it will for his body to concur in its action.

Mr. SAULSBURY. I should like to ask the Senator from Massa-

chusetts if he states publicly on the floor of the Senate that it has been said that unless we consent to the legislation proposed the Army bill shall fail, and there will be an extra session? I should like to know

who said that. Did any member of Congress say it?

Mr. DAWES. I have not said any such thing. I said that it had been stated here that the Army bill has been delayed in its passage because we would not recede from our amendment. I have said further

that there are other bills on which we are told that there shall be an extra session of Congress unless we shall change existing law.

Mr. SHERMAN. I ask the Senator from Massachusetts if I made such a declaration as that. I do not know any one else who is referred to unless it be myself. Did I make the declaration that unless we should recede from our amendment that would prevent the House from

Mr. DAWES. No, Mr. President, the Senator did not say any such thing; but the Senator said just this, that the Army bill was being de-layed, and it was being delayed because we insisted on this amendment; and insisting on this amendment is insisting on an Army bill pure and simple. As I said, it would not take any longer for another branch to recede than it would for us to concur, and when they recede we shall have an Army bill. When we concur we are forced to change existing law in order to get an Army bill. That is the difference.

Mr. PLUMB. The statement made by the Senator from Massachusetts, I regret to say, he did not fortify as well as I think he ought to have done, having made it with some degree of sonorousness and a good deal of emphasis and in a manner calculated, I think, to alarm all the people who do not think there ought to be an extra session. very glad, however, to see that he turned his whole batteries finally on the Senator from Ohio, because I do not know any one who is better qualified to resist solid shot than that Senator; and finally, when it came down to specifications it resolved itself into the very harmless

remark the Senator from Ohio had made about the few minutes' delay there might be (and which there would not be if nobody had spoken) in regard to the passage of the Army appropriation bill.

But I want to say that so far as I know anything about the temper of the House, which I suppose to have been referred to by the Senator from Massachusetts, there is nothing which indicates that they want to force an extra session of Congress on this question of legislation. there is or can be in it is this: Undoubtedly some sentiment exists in regard to the position the Senate has taken concerning the action of the House in putting legislation on appropriation bills which was in order under the rules of the House; but beyond that I know of no feeling existing which is liable to produce any kind of delay in the consideration of appropriation bills. That such a feeling as that should exist is not only inevitable, but it is proper. I have no doubt that if any member of this body were a member of the other House he would say that anything which was prepared to the rules of the today to the days to the rules. thing which was proper under the rules of that body to be put upon appropriation bills ought to receive some consideration here. The Senate has adopted another rule and has resolved to strike it out absolutely without reference to its merits simply because it is legislation; but that that difference will be composed I have no doubt, because I do not believe that any considerable number of men in either House desire an extra session of Congress. I think that there is no use of creating alarm on so slight a foundation.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio.

Mr. HARRISON. As some reference has been made to the views of the Military Committee on this subject, which is one that in the ordinary course of legislation would go to that committee for consideration, and as I at this time happen to be acting chairman of that committee, I desire to say a word or two.

The subject has never been considered by the Military Committee. No bill involving this proposition has been sent to the Military Committee for consideration. Therefore no one is authorized to express the opinion of that committee upon this subject. We can only arrive at that by the expressions which have fallen from members of that committee on the floor of the Senate.

For one, I am opposed to the proposed legislation in the shape in which it comes to us. I think if a proposition were submitted to the Military Committee to modify the law by extending the duration of the possible sessions of courts-martial, it would be acted upon favorably. If it were proposed, for instance, that they might sit from 9 until 4 or from 9 until 5, I think that such a proposition would likely meet the concurrence of a majority of the Committee on Military Affairs. But this proposition is not that. It is to give a court-martial liberty to sit during such hours as it pleases, to extend its sessions twelve hours a day if it chooses. It seems to me there are reasons why some limit should be fixed by law, giving the court abundant time for a reasonable day's work in the investigation of a judicial question, and there are other reasons why the discretion of the court-martial should not be absolute as to the hours during which it would sit. In the case to which reference has been made in this debate, I recollect an application for delay put I believe upon the ground of indisposition or sickness of the accused, and if I am not mistaken it was met by some suggestion that it was

simply for delay.

Now, Mr. President, in the line of what we have seen of courts-mar-

tial, for one I am not willing to give a court-martial unlimited discretion as to the hours during which it should sit. If there should be in any case a disposition to persecute an officer, if there should be in any case a disposition to deny to him a fair opportunity of presenting his case, this unlimited discretion as to the hours of sitting would put into the hands of the court-martial a power of executing their purpose, if such a purpose could be imputed to a court-martial, to prevent the accused from having that time which was necessary for the proper presentation of his case.

The Military Committee are constantly called upon to review the proceedings of courts-martial. Officers of the Army who have been dismissed or upon whom penalties have been imposed by the judgment of courts-martial are continually coming to Congress and to the Military Committee for relief against sentences which have been pronounced. In some of these cases the Military Committee have given careful attention to the record as presented, and while they have not believed that it was in their power to reverse the sentence of a court-martial which had received the approval of the reviewing authority, they have been impressed in more than one case with the injustice and cruelty of some of these tribunals, but have found themselves without the power to redress

For one I would favor a proposition that would make the hours more reasonable, and that would extend the period through which a court-martial might sit; but I am not willing to accept the legislation pro-posed by the House which gives a court-martial absolute power over

the question as to how many hours a day it shall sit.

Mr. HALE. Mr. President, the debate has wandered pretty wide from the question which was originally raised, not by any means the first time here, as to legislation put by the House of Representatives upon appropriation bills, and it has led to very serious reflections upon the methods and results of what is known as the Swaim court-martial. I have read the decision as finally reached by that court. It seems to me to be a severe decision, but I am not for one prepared to say that the officers who constituted that court and gave laborious service to the investigation intrusted to them have been actuated either by a desire or a willingness to do injustice to any one, or that they have been unduly impressed by superior authority. The court that tried the officer was an eminently distinguished one, presided over by one of the greatest of the generals and commanders in the Army of the United States.

Mr. INGALLS. Will the Senator pardon a momentary interruption?

Mr. HALE. Certainly.
Mr. INGALLS. I trust the Senator did not understand me by even the remotest indirection as casting any imputation upon that court, or any member thereof, of any desire to do injustice. The intention that I had was absolutely the reverse of that.

Mr. HALE. Law glad to get the Senator's disclaimer, so far as it.

Mr. HALE. I am glad to get the Senator's disclaimer, so far as it Not only was the court distinguished in its head, but the officers selected for the important trial committed to that court were all evidently selected with the greatest care, in the exercise of the highest iudgment, showing that the supreme authority in the War Department meant that this investigation should be clean and thorough and ex-haustive and conclusive, so that when the court was made up it was a testimonial not only as to its own fairness in its construction, but as to the desire to do justice on the part of the authority that selected the With that remark I leave the court.

Now, so far as concerns there having been any intrusion upon the deliberations and the results of that court-martial, I am not prepared to believe that any superior authority in the War Department desired to do injustice or to have injustice done. There is nothing whatever about the life and the record and the attitude of the Secretary of War that for a moment will justify any Senator in casting any imputation upon him. That Secretary has an inherited integrity. He has a position that he has gained in the four years of his administration which shows that while he is impatient of irresponsibility and incompetency. and while he is sensitive as to the good name of the War Department; from the beginning to the close of his service he has been actuated by motives only commensurate with the good of the service, and with the desire to see that the service shall be built up and increased in the regard of the American people, and not diminished. I am not prepared to sit here and allow any aspersion to be left upon him or upon the court. I may believe its sentence to be a severe one, but I have not given my days and my nights to the investigation as have the good men who conducted it. I have not the knowledge that the Secretary of War has upon the subject, and I am prepared to believe that a severe sentence may sometimes be justified by facts which I have not had the time to investigate.

Mr. SHERMAN. The Senator from Maine makes a remark as if somebody had assailed the Secretary of War.

Mr. HALE. I do not know that anybody here has meant to refer in any terms or in any way to the Secretary of War. I shall be glad if every Senator who has taken part in this debate disclaims that, and that will end it. But certainly when we are told that these proceedings are the sum of human outrage and that there has been an intrusion by superior authority, it must mean some person high in authority and above the court, and I supposed it referred to the Secretary of War.

Mr. SHERMAN. In this debate I have not heard a single person make the slightest reference to the Secretary of War. I certainly did I heard no remark made in regard to the Secretary of War. What I said was-and I always say what I think, so that nobody need misunderstand me-

Mr. HALE. I did not understand that the Senator made such a ref-

erence. I was not referring to him.

Mr. SHERMAN. I had not the Secretary of War in my mind. said that a judge-advocate, calling himself a judge-advocate, who acts as a prosecuting attorney, and, according to the public prints—and I have no information on this except what I have seen in the public prints conducts his case with great skill as a prosecuting attorney, should not be with the court in its secret deliberations. I did not even comment on him with severity. I merely said that he was a prosecuting attorney, and in any court would be considered an efficient one, prosecuting his case with great animation and with a determination, as he said him-self, to press it to the utmost.

Mr. MILLER, of California. Where there are counsel for the de-fense the judge-advocate becomes prosecutor, as a matter of course; he

Mr. SHERMAN. Then, for that judge-advocate to go into the secret councils of the court-martial, to be allowed to use arguments there when he has nobody to reply to him, and to be present when the court-martial are deliberating upon their verdict, is an outrage upon justice, I do not care by whom it is committed, and that prosecuting attorney, no longer judge-advocate, violates the first elements, the first princi-ples of substantial justice, the fair trial of a man defending his reputa-

tion or his life.

Mr. HOAR. I do not wish to prolong this debate, but the Senate has been led into the discussion of a system. The case is an example; the system is the thing which some time or other we must reform. Now, without putting any imputation upon any officer of the Government who has done his duty in executing the existing law as he finds it, I am sure that every Senator, I am especially sure that the Senator from Maine, representing a community famous for the intelligent and impartial and humane and just administration of the law from its earliest settlement, will agree that this thing is an abuse which nothing but the exigencies of war certainly could justify in the system, not in the particular instance, because every officer must carry out the law as he finds it. The thing complained of is that after a court has decided upon a case, having heard both parties and has fixed its judgment, there should be communicated to that court an opinion of the Attorney-General criticising it, calling for a change in its judgment, and the pressure of that great authority (and the abler, the better, the stronger the Attorney-General the worse the injustice) put upon the court to revise its judgment and come to a more severe conclusion upon the facts or a more severe sentence, when the accused has no opportunity to reply.

Just suppose the case of the poorest man or woman in our community charged with a petty larceny, and after the trial, after the argument, after the verdict, after the sentence the attorney-general of the Commonwealth or of the United States should be permitted to make a communication to that tribunal, urging a different verdict or a severer sentence, to which that person should have no opportunity by him or

her or counsel to reply!

Mr. MILLER, of California. When was that done?

Mr. HOAR. That is the regular course of things in regard to courtsmartial.

Mr. MILLER, of California. I do not think it is.

Mr. HOAR. I have here before me the return to the court-martial of its finding and its sentence, accompanied by a discussion of that finding and sentence by the Attorney-General of the United States full of severity, full almost of sarcasm, and indorsed by the President of the United States. Those officers did exactly what according to the law of Those officers did exactly what according to the law of the land, which they were sworn to carry out, it was their duty to do. I am not criticising the President; I am not criticising the Attorney-General; but does not my honorable friend from Maine agree with me that there can be no necessity for putting, in time of peace at least, the naval or military officers of this country under the operation of such pressure in a matter which involves fortune and may involve life?

Mr. HALE. Now, will the Senator allow me a moment?

Mr. HOAR. Certainly.

Mr. HALE. I did not in any way go into the general question of reforming the conduct and fashion of courts-martial. Quite likely legislation may be needed in the direction suggested by the Senator from Massachusetts. All that I said was drawn from me by what seemed to have been reflections upon the superior officers of the courts-martial, and I only wish now to emphasize the point I made that whatever was done there by any superior officer, the Secretary of War, or the Attorney-General, is in accordance with practice and with custom and with law, as courts-martial are now conducted. I do not believe that any-

body has infracted in that direction.

Mr. HOAR. I so understood the Senator from Maine, but it seemed to me proper to call the attention of the Senate, as the subject has been discussed, and has been discussed to some degree on its general merits, to this most extraordinary anomaly in the administration of the law in a country famous for the safeguards which it puts about the life or the

property or the honor of its citizens.

Mr. MILLER, of California. I will state to the Senator that if a court-martial makes a mistake in the law, makes a sentence which is impossible of execution, it is perfectly proper for the reviewing officer to call its attention to it, and have it reformed.

Mr. HOAR. Does the Senator from California maintain that it is proper for any person to be at liberty to attack the correctness of the sentence, and demand a more severe sentence or a different finding on the facts, without giving opportunity to the accused to reply?

Mr. MILLER, of California. I do not see that anybody has ever done it; I do not know of a single case.

Mr. HOAR. In this very case, what opportunity did the accused

Mr. MILLER, of California. In this case the sentence was to reduce the officer to the rank of major, which was an impossible thing; it could not be done, as there was no vacancy in that grade.

Mr. HOAR. That was the second sentence, and not the first.
Mr. MILLER, of California. I do not know what the first was.
Mr. HOAR. I do; and that is what I am referring to.
Mr. MILLER, of California. The reviewing officer may request the

court to reform its findings.

Mr. HOAR. It is not an uncommon practice in courts-martial.

Mr. MILLER, of California. I have never heard of a case, and I

served eight months on courts-martial myself.

Mr. HOAR. Perhaps the Senator made the sentence so severe that it was not necessary, or perhaps it was so eminently just that no review was required.

Mr. MILLER, of California. I speak of my own experience. Mr. HOAR. I have no doubt it was an eminently just sentence which was pronounced by any court of which the Senator was a mem-

Mr. INGALLS. Mr. President, the remarks of the Senator from Maine appear to call for some additional observation. In my remarks I intended to convey no imputation whatever upon the court-martial that tried General Senior that tried General Swaim. They were actuated by a sentiment of justice; they endeavored to be just, and they rendered judgment that they believed to be just. Their verdict or decision was sent to the President of the United States, sentencing the accused to be suspended from rank, duty, and pay for the period of three years. President Arthur—and here let me interpolate by saying that I assume that the President had no personal connection whatever with this transaction; he was the executive officer to whom the proceedings were transmitted, and through whom they were officially announced—I exonerate President Arthur from any participation in this transaction, because those who are familiar with executive business know that such matters are not examined by him personally; they are referred to subordinate heads of Departments, by whom they are investigated, and their results submitted to him for promulgation

Mr. COCKRELL. Will the Senator please inform the Senate who it

as-what officer acted upon this?

Mr. INGALLS. I do not know anything about it.

President Arthur, after examining and considering the findings and sentence, returned the record of proceedings to the court for reconsideration as to the findings upon the first charge only and as to the sentence, neither of which is believed to be commensurate with the offenses as found by the court.

Sir, was it ever before known upon the face of the earth in any civilized tribunal that a new trial was ordered by an appellate judge because the verdict was not of sufficient severity? Was it ever before permitted to be said by any appellate authority or tribunal that the man ought to have been hanged instead of being sent to the penitentiary, and upon that ground to have the decision reversed? And this, too, without giving the accused a hearing; in secret; without the oppor-tunity of a presentation of the case of the accused?

Sir, I repeat that never under any system with which I am familiar-Russian tyranny, Turkish despotism-was there ever any code that permitted so infamous an outrage upon the rights of a citizen as the system of so-called justice that allowed such an outrage upon the rights and the liberties of General Swaim.

Mr. HALE. Will the Senator let me interrupt him a moment?

Mr. HALE. Will the Senator let me interrupt him a moment?
Mr. INGALLS. With great pleasure.
Mr. HALE. I wish to ask this question: Has the Senator any doubt that precisely what was done in this case, calling the attention of the court-martial anew to the facts in the case and in effect suggesting a severer sentence, is found repeatedly in the annals not only of our War Department, but of the war department of every other civilized government? I do not raise the question about the courts. Undoubtedly whatever may be the impatience, the sense of injustice that a civil magistrate may feel when an undoubted criminal goes clear, he can not reverse the judgment of the jury that has tried the man; he can not send it back to that tribunal. He may give instructions from time to time, he may give the law that will tend to make the verdict more severe in his judgment; he can not send it back; but in all military law, as I understand—and I think I shall be borne out by Senators who have a better knowledge of military law than I have—this is a thing constantly occurring. I ask the Senator if he knows about that himself.

Mr. INGALLS. I do know about it, and I say that constitutes the infamy and shame of the system. If there were but a single instance it would be enough to condemn it in the soul of every man who loved justice. But when the Senator from Maine arises and endeavors to support it and apologize for it and justify it because there have been re peated instances of such invasions of the rights of the citizen that would never be tolerated in any country that has risen above barbarism, it is

merely an additional argument, a thousand-fold stronger than that which I have presented, why this system should not be permitted to stand longer without modification.

But, sir, the half has not been told. The most dangerous, the most suggestive, the most admonishing fact is the facility with which the court yielded to the suggestion of its superiors. Sir, there is some what a superiors is some what a superior is superiors. subtle magic, some mysterious influence, some incantation, it appears, by which, upon the mere suggestion of a desire for injustice from superior authority, the court receded, yielded to the suggestion, took up the testimony and the findings again for review, but were apparently unwilling materially to increase the severity of the judgment they had rendered. Their second finding after reconsideration was an adherence upon the first finding, with a modification of their sentence, as follows:

To be suspended from rank and duty for one year, with forfeiture of all pay for the same period, and at the end of that period to be reduced to the grade of judge-advocate with the rank of major in the Judge-Advocate-General's Department.

To that the President responded through the law officers of the Exceutive that the Fresident responded through the law omcers of the Executive that it was an illegal sentence, impossible of execution, and once more the case went back for further review, upon the potent suggestion from the superior authority. It would be invidious to suggest that in the minds of any of the members of this court there could have been any impulse arising from the fact that if a vacancy could be created somebody would profit by it. I make no such intimation; but that is one of the incidents, the perilous incidents of the situation. Two attempts to secure the end that was desired having failed, the findings and sentence went back for a third time.

Mr. HOAR. Not for hearing?
Mr. INGALLS. Hearing by the Executive. The Senator from Massachusetts properly suggests "not for hearing" in the technical sense of that term, because there was no hearing. It was as secret as the Star Chamber or the Court of the Inquisition. The accused was confined by illness in his house. No person was admitted to the arguments made before the tribunal after its findings had been made, except it may be the officer mentioned by the Senator from Ohio, the judge-advocate, the prosecuting officer of the Government.

It is apparent-

The President says-

from the terms of the amended sentence that it was the intention of the court to award a punishment of greater severity—

As the Executive had suggested. The evidence had not been changed; no more witnesses had been examined; there had been no addition of argument before the tribunal; but in consequence of an admonition from some unknown power, the President says it is apparent that the tribunal "intended to award a punishment of greater severity"—

and more nearly commensurate with the offenses of which the accused has been found guilty than was the penalty adjudged in the original proceedings; and if the terms of the amended sentence were such as could be legally carried out, the purpose of the court in that regard would have been accomplished.

* * The amended sentence, in effect, creates an office and fills it, thus at once embodying the exercise of legislative and executive functions and the approving power of the Senate.

And again it went back and was reviewed. Again the court endeavored to array themselves as a barrier against the encroachment of this hidden prerogative, and thereupon they revoked their former sen-tence and adjudged as follows:

To be suspended from rank and duty for twelve years, and to forfeit one-half his monthly pay every month-for the same period.

But this, sir, was not sufficient. What was wanted was a vacancy. It was not enough that accused should be stigmatized, humiliated, branded so that like Cain from this time henceforth he wanders an outcast among his fellows, but in accepting this sentence what is the lan-guage employed? Most victors are magnanimous. It is not considered heroic to exult over a fallen adversary. The sentence was returned with the following comments:

with the following comments:

The opinion of the President as to the proper consequence of the findings of fact made by the court in the within record has already been given, and no further comment will be made upon the final sentence than to say that it is difficult to understand how the court could be willing to have the officer tried retained as a pensioner upon the Army register, while it expressed its sense of his unfitness to perform the duties of his important office by the imposition of two different sentences, under either of which he would be deprived permanently of his functions. The idea that an office like that of Judge-Advocate-General should remain vacant in effect for twelve years merely to save a part of its emoluments to its incumbent under such circumstances would seem to come from an inversion of the proper relations of public offices and those holding them, and is an idea not suited to our institutions. While holding these views it is deemed to be for the public interest that the proceedings be not without result, and therefore the proceedings, &c., are approved, and the sentence will be duly executed.

Now, sir, I leave these facts to the candid judgment of an intelligent people. I make no accusation against any officer or Department of this Government; but no man can read the history of these proceedings without having a settled and established conviction that there was a

deliberate purpose somewhere not to do justice but to accomplish vengeance against General Swaim.

Sir, I know something about the history of this officer since he was first appointed. He was a volunteer soldier. He had not the honor of having the oil of coronation poured on him at West Point; he was lected by President Garfield to the office that he now holds and which, so far as I know, he has filled with a reasonable degree of ability.

Several SENATORS. President Hayes.

Mr. INGALLS. He was not confirmed under Hayes's appointment,

and was subsequently appointed by Garfield.

Mr. VOORHEES. He was appointed at the request of President Garfield before he was inaugurated. He was appointed by Hayes on President Garfield's request.

Mr. INGALLS. Was he not confirmed under the administration of

Garfield?

Mr. VOORHEES. Yes, sir.

Mr. INGALLS. So I thought; but in either event the accuracy of my statement would not be essentially modified. But since the time of his appointment, for reasons that are known to many of his comhas appointment, for reasons that are known to many of his comrades, he has been pursued with a studied, persistent malignity that
has no parallel so far as I am aware in the annals of revenge; and
this is the crowning act of the injustice that our system of courts-martial—to the disgrace of civilization I say it—renders possible.

If the Senator from Maine desires any more specific information as to
my belief of the source from which the spirit has emanated, I can give
it to him. I shall not be determed by a presentation in ground the

I shall not be deterred by any encomiums in general terms upon any official of this Government from expressing my convictions as to a transaction that I again characterize as being so infamous, so outrageous, and so unwarranted as that to which our attention has been

rageous, and so different rageous, and so different rageous, and so different rageous and rageous and rageous and rageous and rageous sion. I have no desire to make any charges or accusations against the court-martial or any of its officers or any of the officers of the Government. But, sir, I do say that for months and for years it has been whispered in the secret circles of Army officers that such a result as this by hook or by crook, by law or by influence, would be reached, and that that volunteer officer, the bosom friend of General Garfield, appointed by President Hayes on his special request to be Judge-Advocate-General because he was his most intimate friend during the war and his aid, would be crushed. It has been whispered in circles for years that the time was hastening on when Garfield's memory would be dimmed, when his opponents dared attack him and his friends and his judgment, when those he had favored, when those he had loved, when those whose interests he had tried to promote would be stricken down at the behest of opponents for one cause or another.

Sir, the result has come, and I venture to say that the good people of the United States throughout its length and breadth, the plain, honest,

sensible, judicious men of this country will read the evidence, will read the course of this trial, will read the history of this examination and its references back and forth from one tribunal and from one authority to another, and will doubt whether it can be possible that in the United States there can be a court so constituted, there can be such a mode of States there can be a court so constituted, there can be such a mode of trial, there can be such power as would hold that for the offense charged and on the proof that was presented in its support an honorable man should be subjected to such merciless indignity and infamy.

Sir, there is a secret history within a secret history there. There is a feeling against a volunteer officer of the Army who may have gained

credit during the war and who may be promoted to high office, which he may retain in the midst of those who have gone through West Point, and that has long been known and felt by every man who has sat in Congress and who has endeavored to promote the interests or secure the

Promotion of a volunteer officer in the Army.

What kind of a trial and mode of trial has there been here? I am not speaking of individuals or of the court or of its officers; but what kind of justice is there when a subordinate officer who may be looking to the very place held by the man whom he is trying, himself the next in rank, is the inveterate and determinate prosecuting officer, in the councils of the court, in the secrets of the court, dealing with the proofs and making remarks disparaging of his superior officer—he a junior judge-advocate waiting to depose his superior and employing all the arts of eloquence and all the energies of his nature in bringing to trial and conviction his superior officer that he may be removed and a vacancy made which must be filled out of the seven or eight judge-advocates of the rank of major, of whom this prosecuting attorney is one. I have not either the honor or the pleasure of knowing this officer, but I do know the spirit that pervaded the Judge-Advocate's Corps among those majors who formed the judge-advocates in that corps under General Swaim; and I do know that one of these men was appointed judgeadvocate.

What is a judge-advocate, and what is his duty, and what ought he to do? He stands there as the advocate of the accused. The Government is prosecuting; high military officers are making charges; a court-martial is appointed; and what is a judge-advocate appointed for? Under the law and its spirit he is there to defend the accused, to advise the court of the rights of the accused, and see that no injustice is done, not to be the malignant prosecutor, not to appear against a per-

son charged with wrong.

I will not say, however, that some were not unprepared for such a trial as this. Many of the people of the United States knew for years past, and I myself have told my friend, General Swaim, that it was necessary to be cautious, because all around him were those who had the power to seize the first opportunity to defame and destroy him. I am not alone in that. It has been the common remark of hundreds and thousands of friends of General Garfield that this victim would follow next. I am ashamed to say such things about my Government and about its officers; but this is not a thing that has been prepared and done in a corner, and I venture to say that when the information and the knowledge of this transaction is spread among the people there will be a quiet, solemn judgment of disapproval of courts-martial and of the power with which they can destroy men at will.

This case has gone beyond the control of the court and the President,

and to the judgment of the people. I do not say who is to blame about it; but I do say, as the Senator from Kansas has said, that in the minds of many people of the United States it has been believed for the last two or three years that a pretext to accuse was all that was necessary to bring down upon the devoted head of Garfield's last remaining friend in office the indignation of those who were offended because he, a volunteer officer of the Army, was appointed over the regular West Point officers who might have desired promotion. I know that has been the belief among very many good men in this country, for I have heard it uttered time and time again.

But, sir, whatever virtue there may be in courts-martial-and I have nothing to say against the officers composing this court-martial, for I believe they are good men, and of course I have nothing to say against the Executive or his advisers—I say that a system which will permit such a course, a system which can be used like a star chamber, a system that can be used like the Vehm Gericht in Germany, a subterranean court to control the destinies of men, their punishment, their existence, their lives, needs revision; and I think this will be the means of calling at-tention to the question whether the rights of the citizen and the rights of the people do not demand some revision of a system of trial and of verdict and of punishment so dangerous to the rights and liberties of

men that it may affect even the innocent as if they were guilty.

Mr. HAWLEY. Mr. President—

Mr. ALDRICH. Will the Senator from Connecticut allow me Will the Senator from Connecticut allow me to ask the Senator from Michigan a question?

Mr. HAWLEY. Certainly.

Mr. ALDRICH. I did not hear all he said in regard to the judge-advocate of the Swaim court-martial, but I ask him whether he said or intimated that that officer transcended the duties of the office to which

he was assigned in the conduct of this court-martial?

I said I was not acquainted with this officer, had never seen him, had nothing to say about the discharge of his duty; but I did say that a judge-advocate in the spirit and object of our laws had to stand there as well the advocate of the accused as the adviser of the court on the law, and I did say that in this case he has been a part of the court, he has been the prosecutor, he has publicly, if the papers are to be believed, made sundry remarks against the man whom he was there not to advocate exactly but to see that he had justice done him. He has taken that part which a prosecuting attorney or which an advocate would take against an opponent, using all the influences an advocate would take against an opponent, using all the inductives which could be used against a person accused of crime or against a defendant in a suit, so much so that it has been the remark and the comment of the newspapers that he appeared even a stronger prosecutor than the ordinary prosecutor in a court of law.

Mr. ALDRICH. Where the accused appears by special counsel in his own defense, I do not believe that it is the special duty of the

judge-advocate to defend the accused from the charges made against him; and I wish to say further that I do know the judge-advocate in this case, and I believe that a gross injustice has been done to a very deserving officer by any one who intimates or says that he has acted in this case other than according to the dictates of his duty and according to

the duty to which he was assigned by his superior officers.

Mr. CONGER. There has been no law by which because a man has Mr. CONGER. There has been no law by which because a man has counsel the judge-advocate's duty is changed. How absurd would it be that the judge-advocate, the advocate and the defender of the prosecuted man, because he got other aid and other assistance and other advisers, should presume that the law was changed, and instead of being the defender as far as innocence and propriety was concerned he should turn to be his relentless persecutor! No, sir, there is no law should turn to be his relentless persecutor! No, sir, there is no law which provides that because a man appears by counsel the duty of the judge-advocate is changed; and, without saying anything against this man, I assert that if there be a system by which the judge-advocate may look to a vacancy in the office above him, as he and the seven other judge-advocates of the rank of major may all do, it is a system which gives a strong inducement to a judge-advocate to forget his duty as the advocate of the accused and be his persecutor.

I do not say this judge-advocate did that, but all these other seven or eight judge-advocates are graduates of West Point, and there is no

one of them but what, from the very nature of the case, would feel indignant and did feel indignant that a volunteer officer was promoted to the head of the Bureau of Military Justice in the War Department.

I am willing that Senators here should express their views; and there bes out from this Capitol to every fair-minded and honest-minded man

goes out from this Capitol to every fair—minded and nonest-minded man in this land the conviction that Judge-Advocate-General Swaim has been the victim of a conspiracy to destroy him. I believe it.

Mr. HAWLEY. Mr. President—

Mr. CAMERON, of Wisconsin. Will the Senator from Connecticut give way a moment while I ask the Senator from Michigan a question?

The PRESIDING OFFICER (Mr. PLATT in the chair). Does the Senator from Connecticut yield to the Senator from Wisconsin?

Mr. HAWLEY. Yes, sir.
Mr. CAMERON, of Wisconsin. I merely desired to ask a question of the Senator from Michigan, or any other Senator who can answer the question, and that is, whether or not the sentence of the court-martial as finally pronounced against General Swaim creates a vacancy in the office of Judge-Advocate-General?

Mr. CONGER. I do not see how it can. It can not create a vacancy. They leave the officer there. They do not recommend dismissal, but only suspension; they leave the officer with such a judgment, with such a finding, for twelve years on half-pay, to represent the majesty and bravery and dignity of the Army by an officer at the head of one of its most important departments—a finding utterly incommensurate with the testimony and the proven fault of General Swaim. Instead of having a judgment of one year's suspension without any loss of pay, by the interference of somebody—I do not care whether it was the President, or the Secretary of War, or the Attorney-General, or the judge-advocate reviewing the case, or all of them together—by some process the honest verdict of high officers of the Army which declared that the offense as far as proved was worthy only of a suspension of one year without loss of pay, by some inextricable hocus-pocus, some infernal inside machinery which never will be accounted for, that same body of high, talented officers came to the conclusion that on the same proof and on the same testimony, without a word being said for the accused and without any new hearing, they could suspend this officer twelve years.

They would take away from a man who had served his country in

the Army and in the war long and faithfully half his salary in mere mockery of decency, in mere mockery of justice, in mere mockery of the rights of a volunteer officer who had rendered his country valuable service, and who was the chosen confidant of the man who, although these courts-martial care not for his memory, half the people of the United States reverence, and love, and admire, even after he has gone down to his long home beneath the assassin's stroke. These things will all come up among the people of the United States. I shall try to give them prominence myself, until a system which can produce such results as this shall receive the attention of Congress, and a system shall be produced which will render it impossible that such flagitious wrongs, such enormous wrongs, can be carried on under an approved system of administration of justice in the Army, or in the Navy, or in the coun-

Mr. HAWLEY. Mr. President, it is very disagreeable to be led so far from the true issue in this case, but some things have been said which certainly require a little comment. I will try to do it as briefly as possible, for I know the impatience of the Senate.

I will begin by referring to the remarks our friend from Michigan has

made concerning prejudice against volunteers in the Army. volunteer myself, and I have many intimate and dear friends who were volunteers who are now in the regular service, and I protest against giving the impression to the public that there is a disposition in the Army to do injustice to volunteers, and that such disposition prevails among the regulars. It is the uniform testimony of my friends—and I am happy to say I have none who were volunteers who were not honorable men-it is the uniform testimony of those gentlemen to me in private conversation that they are treated with courtesy and on terms

of equality.

Distinguished volunteer officers were summoned to this court. A volunteer officer who holds the highest position in the regular Army, General Terry, was one of the men summoned to this court. He was challenged off, to be sure, as the defense had a right to challenge him off, but there is no man of higher integrity or of more eminent ability both as a lawyer and soldier. There was no disposition shown in the both as a lawyer and soldier. both as a lawyer and soldier. There was no disposition snown in the making up of the court to hurt any man because of his having been a volunteer. The entire Corps of Judge-Advocates is composed of volunteers, and so of the predecessors of General Swaim. Judge-Advocate-General Dunn was a member of Congress from Indiana. In short, that corps is considered as a civilian corps, and men are selected because they are supposed to have some knowledge of law in general as well as military law. I leave that, therefore, with my protest that the Army in general can not be charged with a desire to do injustice to nearly half of its own number. They can not live except on terms of equality with volunteer officers.

Resulting from the resentments arising from this trial, the passions that have been evolved by it, there has been injustice done, in my opinion, to the court and to the general system of trial in the Army.

Of course, courts-martial are more or less arbitrary, imperative, hasty in

their proceedings. They bring down to us probably some anomalies and some practices that seem to us very harsh; but in this case there has been nothing unusual. I presume people who have never before thought on this subject think it is a great and gross outrage that the judge-advocate should have sat with the court all the while in its secret councilors. cils as well as appear before it as a prosecutor. That has always been the case. The court takes him for what he is worth. He does not vote upon the trial. He sits in the councils to answer questions and to assist. He is used as a sort of adviser to the court. You may say that ought to be changed. That is not the question to-day. That is the uniform law and has always been in courts-martial, and Judge-Advocate Gardner is no more to blame than any one of his honorable

Advocate Gardner is no more to blame than any one of his honorable predecessors who have been engaged in courts-martial.

The judge-advocate defends the accused, our friend says. Yes, in ordinary hasty trials, especially in war times, when counsel can not be obtained, the judge-advocate is charged with the duty of looking out for the person accused as well as for the Army. It is hardly to be called a court; in one sense it may be called a board of inquiry. It requires some person with legal experience as much as can be obtained to advise in both directions. But in a case like the one here, eminent counsel were engaged for the defense of General Swaim, and the judge-advocate was wholly released from that part of it. His appearance on behalf of the defense would have been resented as an impertinence. He was turned over to his duty on the part of the Government to pros-He was turned over to his duty on the part of the Government to prosecute what was alleged to be an abuse against military discipline. So there is no fault to be found with him in that respect.

Then again, the judgment of the court, or the opinion of the court, was sent back for further consideration and revision. That is done in thousands of cases. The court is only a sort of jury to find certain facts and to recommend a certain sentence and send it to the revising authority, the appointing authority. That is constantly done. It is in large case analogous to that which happens in our own civil courts every day. The indee religious a jury he instructs it he cards it head. every day. The judge rebukes a jury, he instructs it, he sends it back again and again. When a jury renders a judgment that the court is not satisfied with, but which it is compelled to accept, the court nevertheless deems itself entirely free to rebuke the jury in the severest pos-

Mr. HOAR. Is it not the law in nearly every State in the Union that the judge is prohibited from expressing an opinion in a matter of

that the judge is prohibited from expressing an opinion in a matter of fact before the jury?

Mr. HAWLEY. The laws are entirely familiar. Yes, the judge can not decide the facts for the jury.

Mr. HOAR. That is not the question; the Senator does not answer.

Mr. HAWLEY. The Senator is perfectly familiar with the ordinary practice that the judge is not to give his opinion of the facts. He does not instruct the jury as to what the finding shall be in matters of fact, but when he applies his law to the facts there he is the master; that is his duty. It is the old theory that it is the duty of the jury to receive the law from the judge, but the jury take both law and fact in their hands whenever they choose to do so. I simply refer to this fact; it is a matter of constant practice that the judge rebukes a jury and sends it out, and that he upsets its judgment sometimes in civil matsends it out, and that he upsets its judgment sometimes in civil mat-ters. Of course there are gross cases. Not long since we had a famous trial in this city to recover damages for alleged false imprisonment under an order of the House of Representatives, in which the judgment of the jury was set aside by the court. I have not heard any extraordinary gush of sympathy for the jury because it was not allowed any fire or anything to eat. It has happened within a comparatively short time in this city that a jury was not allowed any of the luxuries of life, to say the least.

In this case the usual course, which is very common, has been repeated of sending back the judgment for revision. That is the manner and the legal manner in which courts-martial are constituted. would not pretend to pass a judgment upon the court in this case. In my younger days as a lawyer I had some practice as a justice of the peace. I learned then, if I had not known it before, that there are two sides to every case. I have not read the vast pile of evidence given in this case. I do not know how near guilty or how near innocent General Swaim is, but I do know that as a rule I would as lief trust my life and honor to such officers of the Army as to any court I ever

Mr. HOAR. May I ask my honorable friend from Connecticut a question?

Mr. HAWLEY. Certainly.

Mr. HOAR. It is the practical question which has been before the Judiciary Committee and it will be before Congress pretty soon. No matter what has been the law from time immemorial or what has been done elsewhere, does the honorable Senator approve of having a communication made to a court-martial, after it had given its judgment, urging upon it a severer sentence or a different finding? Does the Senator approve that as a principle to be maintained in time of peace, with-

ator approve that as a principle to be maintained in time of peace, without having the accused appear, or does he think we may wisely amend the law? That is the question.

Mr. HAWLEY. We are not called upon now to revise the laws which govern courts-martial, or to consider what the present laws are and to point out their defects. Those laws are not before the Senate.

There is a simple question here as to whether we shall adhere to our

deliberate judgment in striking out a certain provision. I will read section 923 of the Regulations of the Army:

When a court-martial appears to have erred in any respect, the reviewing authority may reconvene the court for a reconsideration of its action, with suggestions for its guidance. The court may thereupon, should it concur in the views submitted, proceed to remedy the errors pointed out; and may modify or completely change its findings.

I wish the Senator from Massachusetts would listen a moment to

The object of reconvening the court in such a case is to afford it an opportunity to reconsider the record, for the purpose of correcting or modifying any conclusion thereon, and, also, to make any amendments of the record necessary to perfect it. Anything like a reopening of the case, by calling new witnesses, or recalling those already examined, is wholly foreign to the proceeding.

Mr. HOAR. If the Senator will pardon me, as he calls my attention to it, that is a provision undoubtedly necessary in time of war when a court-martial has the reputation and the official life of an officer in its hands as much as his physical life. Of course the judgment of a court martial, which might continue in service an incompetent, or corrupt, or even a traitorous officer, must be submitted to the supreme executive

or even a traitorous officer, must be submitted to the supreme executive for revision; but this is a question of proceeding in time of peace.

Mr. HAWLEY. It is not the question before us now whether we shall modify the system; it is whether it is right to pour unlimited reproach upon a body of men composed of both volunteers and regulars who have been trying to do their best. The President is a volunteer soldier so far as he is commander of the Army; the Secretary of War is a volunteer. Some members of that court are distinguished soldiers of the highest rank, and they have acted according to the uniform laws the highest rank, and they have acted according to the uniform laws of courts-martial. Whether they have decided right or not, I do not know, but I protest, with the imperfect statement before us, against this attempt to east reproach upon that court.

Then I come down to the question that is before us, and that is whether we shall strike out the clause which repeals the old law as to hours of session, and says those hours of session shall be at the discretion of the court-martial. That would be a revolution in one sense in Army life, saying that subordinates shall have a right to issue orders which overrule the will of their superior officers. The question is simply whether we shall strike that section out of the bill and leave the old

law ordering courts to sit between 8 and 3 o'clock.

I think that of itself is right; but if you wish to change it, do not, I beg you, change it to such a provision as this, because the reason of the existing law is found largely in the fact that in many cases in a post or garrison where a general court-martial is called it will take nearly all the officers at the post or the garrison to compose the court, and they must be relieved during a part of the day from the duties of the court, in order that the ordinary work of the post or garrison may go on: They are relieved of court duty after 3 o'clock, and then every one of them, excepting the judge-advocate, who is the only man relieved here; will have time in which to attend to the ordinary duties of the garrison. Suppose there are fifteen officers in the garrison and thirteen of them are on a court-martial. The young men may think it a very jolly thing to take a recess half the time, and leave the commanding officer to perform the duties of adjutant, quartermaster, and commissary at the post. The provision, allow me to say, with due respect to those who made it, would put the law in a ridiculous shape. I hope we shall refuse to agree to it, and that we shall adhere to our position and ask for a further conference on this matter. I think that of itself is right; but if you wish to change it, do not, I

ther conference on this matter.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Ohio that the Senate recede from its amendment No. 23.

The motion was not agreed to.

Mr. ALLISON. I move that the Senate further insist upon its amendment No. 23.

The motion was agreed to.

Mr. CULLOM. I desire to submit a motion to take up House bill 7659.

Mr. ALLISON. Mr. President—
The PRESIDENT pro tempore. It would be the duty of the Chair to lay before the Senate the unfinished business; but the Chair understands that the Senator from Iowa rises on the amendment to the Army

appropriation bill to complete what he omitted.

Mr. ALLISON. I will do that in a moment, but I also ask the attention of the Chair in order that I may now move to proceed to the consideration of the legislative, executive, and judicial appropriation bill. However, I will ask now that a committee of conference be appointed

on the Army appropriation bill.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate request a conference with the House of Representatives on the disagreeing votes of the two Houses on the amendment No. 23 of the Senate to the Army appropriation bill insisted upon by the Senate. The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. Allison, Mr.

enrolled bills and joint resolutions; and they were thereupon signed by

the President pro tempore:

A bill (H. R. 732) granting a pension to William Weddingfield;

A bill (H. R. 1164) to restore to the pension-roll the name of Elenor Stough:

A bill (H. R. 1502) granting a pension to William Robinson; A bill (H. R. 1711) granting pensions to Frederick Nelson, T. Caine,

and Henry C. Sanders;

A bill (H. R. 1984) granting a pension to Robert M. McKinlay;

A bill (H. R. 2136) granting an increase of pension to Merlin C.

Harris;
A bill (H. R. 2138) granting a pension to Martha Angell;
A bill (H. R. 2282) granting a pension to Adolph Weach;
A bill (H. R. 2325) granting a pension to Helen M. Harrison;
A bill (H. R. 2670) granting a pension to Sarah A. Scott, widow of John D. Scott, deceased, late first lieutenant of Company H, First Reg-

A bill (H. R. 2010) granting a pension to Sarah A. Scott, wittow of John D. Scott, deceased, late first lieutenant of Company H, First Regiment Pennsylvania Volunteer Cavalry;

A bill (H. R. 3000) for the relief of William R. Miller, for pension; A bill (H. R. 3403) for the relief of Jacob J. Morningstar;

A bill (H. R. 3681) granting a pension to William L. Sloan;

A bill (H. R. 3701) granting a pension to James Bradford;

A bill (H. R. 3901) granting a pension to Mrs. Olive W. Parker;

A bill (H. R. 4098) granting a pension to William Gibbons;

A bill (H. R. 4189) granting a pension to Caroline Van Norton;

A bill (H. R. 4247) granting a pension to Ann Maria Ressler;

A bill (H. R. 4246) granting a pension to Margaret A. Ringwalt;

A bill (H. R. 4317) increasing the pension of Julia A. Chambers;

A bill (H. R. 4548) granting a pension to Cordelia Gale;

A bill (H. R. 5082) granting a pension to Charles H. Phillips;

A bill (H. R. 5508) granting a pension to Jane Hilton;

A bill (H. R. 5508) granting a pension to Isaac R. H. Caldwell;

A bill (H. R. 5813) granting a pension to Isaac R. H. Caldwell;

A bill (H. R. 5969) increasing the pension of Frederic S. Rich;

A bill (H. R. 5090) increasing the pension to Rachel Smith;

A bill (H. R. 6196) granting a pension to R. D. Lawrence;

A bill (H. R. 5969) increasing the pension of Frederic S. Rich;
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A bill (H. R. 6205) granting a pension to Catherine S. Edmundson;
A bill (H. R. 6653) granting a pension to Mary C. Axline;
A bill (H. R. 6826) granting a pension to Rebecca Kupp;
A bill (H. R. 6835) granting a pension to Bernhard Donohue;
A bill (H. R. 6965) granting a pension to David T. Dudley;
A bill (H. R. 6966) granting a pension to Wealthy H. Seavey;
A bill (H. R. 7302) granting a pension to Elizabeth Smith;
A bill (H. R. 7313) granting a pension to Charles W. Baldwin;
A bill (H. R. 7315) granting a pension to Frederick P. Dearth;
A bill (H. R. 7386) granting a pension to Eliza M. Byers;
A bill (H. R. 7500) to restore the name of Lewis J. Blair to the pension-roll;

sion-roll:

A bill (H. R. 7561) to allow a pension to George F. West; A bill (H. R. 7571) granting a pension to Cornelia V. Blackman; A bill (H. R. 7673) granting a pension to Mrs. Adeline E. Chad-

A bill (H. R. 7707) granting a pension to Holden Cook;

A bill (H. R. 7724) granting a pension to Livdia Weatherbee; A bill (H. R. 7773) granting a pension to William E. Ayres; A bill (H. R. 7952) granting a pension to Mrs. Julia Hartley; A bill (H. R. 8033) granting an increase of pension to George W.

Clark;

A bill (H. R. 8038) granting a pension to Harriet A. B. Corts; A bill (H. R. 8133) granting a pension to Thomas McGill; and Joint resolution (H. Res. 335) to print 2,000 additional copies of Lieut. P. H. Ray's report of the International Polar Expedition to Point Barrow, Alaska.

LIMITATION OF CLAIMS.

Mr. CULLOM. Mr. President-

Mr. CULLOM. Mr. President—
The PRESIDENT pro tempore. It is the duty of the Chair to lay before the Senate the unfinished business of yesterday, being the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States. The bill is before the Senate as in Committee of the Whole, and the pending question is on agreeing to the amendment proposed by the Senator from Indiana [Mr. HARRI-

Mr. CULLOM. I ask that the unfinished business may be laid aside for a few moments informally, and I desire to make a statement. Yes-terday while we were in the midst of the consideration of pension bills the Senator from Missouri [Mr. COCKRELL] asked that we lay them aside for ten minutes for the purpose of enabling him to get up, and aside for ten minutes for the purpose of enabling nim to get up, and the Senate to consider and pass, two bills. It was upon my own suggestion that that was acceded to. I hope that the Senate will now allow us to call up and have considered a very few of the contested pension bills, which I think will not be debated very much, but on which there are adverse reports. The motion that I present now is to take up the bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord. I hope that there will be no objection to the consideration of the pension bills for a little while. Mr. ALLISON. I hope the Senator from Illinois-

The PRESIDENT pro tempore. The motion is not open to debate.
Mr. ALLISON. I ask unanimous consent to say a few words.
The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to be heard upon this question. Is there objection? The Chair hears none.

Chair hears none.

Mr. ALLISON. The legislative, executive, and judicial appropriation bill is now ready to be considered by the Senate, and it is a long bill. It will require of course a great deal of time for the clerks, after it is finally concluded, to engross the amendments. It seems to me it is wise for us, whenever appropriation bills are ready, to consider them. There will be ample opportunity, I will say to the Senator from Illinois, to bring forward these pension bills after we shall have considered the legislative appropriation bill. I hope to have the bill finished and sent to the House to-day, and I trust he will not interpose a motion now to interfere with the regular appropriation bills. interfere with the regular appropriation bills.

Mr. CULLOM. I am as anxious as the Senator is that the appropri-

ation bill-

The PRESIDENT pro tempore. Is there objection to the Senator from Illinois being heard on this question? ["No objection!"]

Mr. CULLOM. I only want to say one word. There are a few of these pension bills which are Senate bills and some of them are House these pension bills which are Senate bills and some of them are House bills. If any of the House bills should be amended by the Senate the chances are very great that they would not get through the other branch of Congress. They have been on the Calendar a good while, and I do not think it will take more than a few minutes' time to dispose of them. We have been waiting, and we could have gotten them through yesterday if the Senate had not determined to allow the consideration of the two bills to which I have referred.

I hope the Senator from Iowa, who is chairman of the Committee on Appropriations, will give way for the consideration of these bills for a short time. I make the motion that the Senate proceed to the consid-

eration of House bill 7659.

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of the bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord. The question is on agreeing to the motion.

WITHDRAWAL OF PAPERS.

Mr. BLAIR. I ask unanimous consent to have the following order made:

Ordered, That Mrs. Adeline E. Chadbourne have leave to withdraw from the files of the Senate the papers in her case, subject to the rules of the Senate.

The PRESIDENT pro tempore. Is there objection to the present reception and consideration of this order?

Mr. ALLISON. Is it in order for me now to move to take up the legislative appropriation bill?

The PRESIDENT pro tempore. The pending question is whether there is unanimous consent to consider the order offered by the Senator

from New Hampshire.

Mr. CULLOM. There is no objection to its consideration.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. SEWELL. I ask unanimous consent for the following orders:

Ordered, That Rose A. Braendle have leave to withdraw the papers accompanying Senate bill No. 1126, under the rules of the Senate.

Ordered, That Daniel Morris have leave to withdraw the papers accompanying Senate bill No. 244, under the rules of the Senate.

The PRESIDENT pro tempore. If there be no objection the orders will be received and entered. The Chair hears none.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. CULLOM. There seems to be a pretty universal disposition to consider the extensive appropriation bill which the Senator from Iowa has in charge, and I will withdraw my motion to proceed to the consideration of the bill that I referred to in the hope that when the appropriation bill is out of the way the Senate will allow us to take up

the pension bills and pass them.

The PRESIDENT pro tempore. The motion is withdrawn.

Mr. ALLISON. I am much obliged to the Senator from Illinois. Now I ask unanimous consent that the pending order be informally laid aside in order that I may report from the Committee on Appropriations House bill 8179, with sundry amendments, and ask the Senate to proceed to its consideration.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to make a report from the Committee on Appropriations at this time.

Mr. ALLISON. And to proceed to the consideration of the report.

The PRESIDENT pro tempore. Those are two separate questions.

The Chair hears no objection to the reception of the report.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, to report it with amendments, and I ask unanimous consent that the pending order he informally laid aside and that the Senate now proceed to the conbe informally laid aside and that the Senate now proceed to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The bill is before the Senate as in Committee of the Whole.

ISABELLA TURNER

Mr. BLAIR. I ask the Senator from Iowa to do me the kindness, for it would be a real personal kindness, as the matter has troubled me for a long time, to allow me to ask unanimous consent that the Senate at this time may take up the bill (S. 2009) granting a pension to Isabella Turner, which is a private pension bill passed by the Senate, and by the House with an amendment. I wish to move a concurrence in the

amendment of the House, which simply saves \$192 to the Treasury.

Mr. ALLISON. If it takes no time and causes no debate, I shall not object, but this is the last time I can yield.

The PRESIDENT pro tempore. Is the bill on the Calendar?

Mr. BLAIR. It comes from the House with an amendment. I wish

Mr. Blair. It comes from the House with an amendment. I wish to move to concur in the House amendment.

The PRESIDENT pro tempore. The Chair understands from the clerks at the desk that the bill is in possession of the Committee on Pensions. Does the Senator from New Hampshire now report it?

Mr. Blair. I move that the Committee on Pensions be discharged for the Committee on Pensions be discharged.

from its further consideration. I did not know that it had been re-

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Committee on Pensions be discharged from the further consideration of the bill.

Mr. JACKSON. May I inquire of the Senator from New Hamp-

shire what bill it is?

ator from New Hampshire asks unanimous consent that the bill with its amendment be now considered. Is there objection? The Chair hears none. The Secretary will read the amendment made by the House of Representatives to the Senate bill.

The Secretary read the amendment, which was to strike out all after the word "pension-rolls," in line 6 of the bill, down to and including "1882," in line 8 of the bill.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate concur in the amendment proposed by the House of Representatives.

The amendment was concurred in.

SENATE ELECTION CASES.

Mr. HOAR. I ask the Senator from Iowa to allow me to introduce a resolution at this time. As he is anxious to go on with the appropriation bill, I shall not ask its passage, although I believe it will pass unanimously. I wish to submit it now, so that it will be before the Senate as of right to-morrow.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent to offer a resolution at this time. It will be read

for information.

The resolution was read, as follows:

Resolved, That the Committee on Privileges and Elections be directed to cause to be prepared a compilation and digest of the contested-election cases which have arisen in the Senate since its organization, and to report the same to the Senate at the December session of Congress, and be authorized for that purpose to employ a clerk at the usual compensation until December 1, 1885, to be paid from the contingent fund of the Senate.

Mr. HOAR. I do not know whether there will be any objection to

passing the resolution at the present time.

Mr. MILLER, of New York. I ask that it may go over.

The PRESIDENT pro tempore. The Chair did not hear the Senator.

Is there objection to the reception of the resolution? The Chair hears The rules require that the resolution shall be referred to the Committee on Contingent Expenses. If there be no other suggestion the resolution will be referred to the Committee on Contingent Expenses, as it provides for a payment out of the contingent fund.

Mr. HOAR. I suppose by unanimous consent the resolution can be passed in its present form to-morrow. I do not ask that now; but I will call the attention of the Senate to it at some convenient time.

The PRESIDENT pro tempore. The resolution then goes over under objection.

Mr. HOAR subsequently said: I ask that the resolution introduced by me, which went over under objection, may be referred under the rule.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the resolution offered by him, and which went over under objection, be referred to the Committee on Contingent Expenses. The Chair hears no objection, and it is so ordered.

REPORT OF A COMMITTEE.

Mr. DOLPH. I ask leave to make a report from the Committee on

The PRESIDENT pro tempore. If there be no objection, the Chair

will receive the report at this time. The Chair hears none.

Mr. DOLPH. I am directed by the Committee on Claims, to whom Mr. DOLPH. I am directed by the Committee on Claims, to whom was referred the bill (S. 470) for the relief of the State of New York, and to pay off certain certificates issued by that State to the soldiers of the war of 1812, to report a substitute therefor, which I ask may be read twice and placed on the Calendar.

The bill (S. 2658) to authorize the proper accounting officers of the Treasury to settle and pay the claim of the State of New York for ex-

penses on account of volunteers and militia in said State called into the service of the United States during the war of 1812 was read the

first time by its title.

Mr. LAPHAM. I should like to have the bill read at length.

The bill was read the second time at length.

The Dill was read the second time at length.

The PRESIDENT pro tempore. Is the Senate bill reported adversely?

Mr. DOLPH. It is reported adversely.

The PRESIDENT pro tempore. What disposition does the Senate desire to have made of Senate bill 470?

Mr. DOLPH. I move that the bill be postponed indefinitely. The PRESIDENT pro tempore. That order will be entered if there be no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 1810) for the erection of a public building at Sacramento, Cal.

The message also announced that the House had passed the bill

(S. 78) for the erection of a public building at La Crosse, Wis., with amendments in which it requested the concurrence of the Senate.

LOSSES OF PROPERTY BY TROOPS

Mr. COCKRELL. I ask the Senator from Iowa to yield until I make a little motion. I move that the Senate insist upon its amendments to the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States. I hope there will be no objection to the request.

The PRESIDENT pro tempore. The bill passed the Senate yesterday with amendments. The Senator from Missouri asks consent to move at this time that the Senate insist upon its amendments and ask for a conference. Is there objection? The Chair hears no objection. How shall the conferees be appointed? ["By the Chair."] By the Chair, if there be no objection.

Mr. COCKRELL subsequently said: I discover, contrary to what I had a right, as I supposed to anticipate, that the bill which I thought a few moments ago was still in the possession of the Senate, has been returned to the House. I wish to accompany my motion for a confer-

ence with a request that the House return the bill to the Senate.

The PRESIDING OFFICER (Mr. HARRIS in the chair). If there be no objection the order asking the House to return the bill to the Senate will be entered. The Chair hears no objection, and it is so ordered.

The bill having been received at a later stage from the House of Representatives, Mr. Cockrell, Mr. Harrison, and Mr. Sewell were appointed by the President pro tempore the conferees on the part of the

UMATILLA INDIAN RESERVATION.

Mr. DAWES. I move that a committee of conference be requested with the House on the amendment of the Senate to the amendment of the House on the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other pur-

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate request a conference with the House of Representatives on the amendment of the Senate to the House amendment which was agreed to this morning. Is there objection? The Chair hears none, and it is so ordered.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. DAWES, Mr. CAMERON of Wisconsin, and Mr. SLATER were appointed.

CHRISTIAN BROTHERS' COLLEGE.

Mr. KENNA. With the permission of the Senator from Iowa, I desire to state that a report was made from the Committee on Claims yesterday of the bill (H. R. 6881) for the relief of the trustees of the Christian Brothers' College, of Saint Louis, Mo. The report was made as adverse, but as a matter of fact the minority report accompanying it contains the signatures of a majority of the committee. I make this statement in order that the matter may be properly treated on the Calendar.

Mr. COCKRELL. Then it is a majority report.
Mr. KENNA. What appears as a minority report is in fact the majority report of the committee.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from West Virginia submit a motion?

Mr. KENNA. I presume that none is necessary; that a mere statement of the fact will cause the correction to be made.

The PRESIDING OFFICER. The correction will be made accord-

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June

30, 1886, and for other purposes.

The bill was reported from the Committee on Appropriations with

amendments.

Mr. ALLISON. I ask that the first or formal reading of the bill be dispensed with, and that the amendments of the Committee on Appro-

priations be considered as the reading progresses.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the first reading at large be dispensed with, and

imous consent that the first reading at large be dispensed with, and that the reading proceed by paragraphs, and that the amendments recommended by the Committee on Appropriations be considered as the reading proceeds. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill. The first amendment reported by the Committee on Appropriations was, under the head of "Senate," in line 14, to increase the total appropriation "for compensation of the officers, clerks, messengers, and others in the service of the Senate," from \$282,195.10 to \$348,082.70.

The amendment was agreed to.

The next amendment was, in line 25, after the word "for," to strike out "Chaplin" and insert "Chaplain;" so as to read:

For Chaplain of the Senate, \$900.

For Chaplain of the Senate, \$900.

The amendment was agreed to.

The next amendment was, in the appropriations for office of Secretary of the Senate, in line 36, after the word "each," to insert "assistant financial clerk, \$2,400."

The amendment was agreed to.

The next amendment was, in line 39, in the appropriations for the office of the Secretary of the Senate, before the word "clerks," to strike out "six" and insert "five;" so as to read:

Five clerks at \$2,220 each.

The amendment was agreed to.

The next amendment was, in line 43, to increase the appropriation for compensation of the keeper of stationery for the Senate from \$2,102.40 to \$2,250.

The amendment was agreed to.

The next amendment was, in line 47, in the appropriations for the office of the Secretary of the Senate, before the word "laborers," to strike out "four" and insert "five;" so as to read:

Five laborers, \$720 each.

The amendment was agreed to.

The next amendment was, in line 49, to increase the total amount of the appropriations for office of the Secretary of the Senate and the clerks and employés in his office from \$61,518.90 to \$62,566.50.

The amendment was agreed to.

The next amendment was, in the appropriations for "Clerks and messengers to committees," in line 55, to increase the item for compensation of "clerk to the Committee on Appropriations" from \$2,500 to \$3,000.

The amendment was agreed to.

The next amendment was, in line 78, after the word "Judiciary," to strike out "and;" in line 79, after the words "Engrossed Bills," to insert "and Military Affairs;" so as to read:

And seven messengers, at the rate of \$1,440 per annum, for the following committees, namely: Finance, Post-Offices and Post-Roads, Pensions, Claims, District of Columbia, Judiciary, Engrossed Bills, and Military Affairs.

The amendment was agreed to.

The next amendment was, in line 79, to increase the total amount of the appropriations for "clerks and messengers to committees" from \$55,080 to \$57,020.

The amendment was agreed to.

The next amendment was, in the appropriations for the "office of Sergeant-at-Arms and Doorkeeper," in line 83, after the word "dollars," to insert "for one horse and wagon for his use, \$600;" so as to

· For Sergeant-at-Arms and Doorkeeper, \$4,320; for one horse and wagon for his use, \$600.

The amendment was agreed to.

The next amendment was, in line 89, after the word "each," to insert: One assistant messenger on the floor of the Senate, \$1,200.

The amendment was agreed to.

The next amendment was, in line 95, after the word "dollars," to

One clerk in the post-office, \$1,800.

The amendment was agreed to.
The next amendment was, in line 97, after the word "each," to in-

One laborer in the post-office, \$720.

The amendment was agreed to.

The next amendment was, in line 101, to increase the appropriation for compensation of "two assistants in document-room" from \$1,440 each to \$1,600 each.

The amendment was agreed to.

The next amendment was, in line 103, to increase the appropriation for clerk to the superintendent of the document-room from \$1,440 to

The amendment was agreed to.

The next amendment was, in line 105, to increase the appropriation for compensation of one page in the document-room from \$720 to \$900.

The amendment was agreed to.

The next amendment was, in line 108, to increase the appropriation for compensation of "one assistant in the folding-room" from \$1,200 to \$1,440.

The amendment was agreed to.

The next amendment was, in line 113, before the word "messengers," to strike out "twenty-four" and insert "twenty-eight;" so as to read: Twenty-eight messengers, at \$1,440 each.

The amendment was agreed to.

The next amendment was, after the word "each," at the end of line 121, to insert:

Two firemen, at \$1,080 each.

The amendment was agreed to.

The next amendment was, in line 128, before the word "skilled," to strike out "eight" and insert "ten;" so as to read:

Ten skilled laborers, at \$1,000 each.

The amendment was agreed to.

The next amendment was, in line 129, before the word "laborers," to strike out "twelve" and insert "fourteen;" so as to read:

Fourteen laborers, at \$720 each

The amendment was agreed to.

The next amendment was, in line 130, to insert:

Two janitors, at \$900 each.

The amendment was agreed to.

The next amendment was, in line 136, to increase the total amount of the appropriations for the "office of Sergeant-at-Arms and Doorkeeper of the Senate "from \$133,241.80 to \$151,621.80.

The amendment was agreed to.

The next amendment was, in line 139, before the word "clerks," to strike out "twenty-one" and insert "twenty-five;" in line 140, after the word "session," to strike out "twenty-six thousand seven hundred and twelve" and insert "thirty-one thousand eight hundred;" so as to make the clause read:

For twenty-five clerks to committees, at \$6 per day during the session, \$31,800.

The amendment was agreed to.

The next amendment was, after line 142, to insert:

For clerks to Senators who are not chairmen of committees, at \$6 per day during the session, \$39,432.

The amendment was agreed to.

The next amendment was, in the appropriations "for contingent expenses of the Senate," in line 147, after the word "stationery," to insert "and newspapers;" so as to read:

For stationery and newspapers, including \$6,000 for stationery for committees and officers of the Senate, \$15,500.

The amendment was agreed to.

The next amendment was to strike out after the word "dollars," in line 149, to line 159, inclusive, in the following words:

And section 3 of the act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1885, and for other purposes," approved July 5, 1884, be, and the same is hereby, amended by inserting after the words "Smithsonian Institution," where they occur in said section, the words "the Secretary and Sergeant-at-Arms of the Senate, and the Clerk, Sergeant-at-Arms, and Doorkeeper of the House of Representatives."

The amendment was agreed to.

The next amendment was, after line 159, to insert:

For postage-stamps for the office of the Secretary of the Senate, \$160; for the office of the Sergeant-at-Arms, \$100; in all, \$200.

The amendment was agreed to.

The next amendment was, in line 173, to increase the appropriation "for fuel and oil and cotton-waste for the heating apparatus" from

\$7,000 to \$8,000.

The amendment was agreed to.

The next amendment was, in line 176, to increase the appropriation "for miscellaneous items, exclusive of labor," from \$10,000 to \$15,000. The amendment was agreed to.

The next amendment was, in line 182, to increase the total amount of the appropriations "for contingent expenses of the Senate" from \$52,770 to \$58,770.

The amendment was agreed to.

The next amendment was, under the head of "House of Representa-tives," in line 209, to decrease the total amount of appropriation— For compensation of the officers, clerks, messengers, and others in the service of the House of Representatives from \$384,620.22 to \$386,175.10.

Mr. ALLISON. I ask leave to modify that amendment, so as to make the sum \$384,461.43 in lieu of the words already proposed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Sec-

retary will make the modification suggested by the Senator from Iowa, if there be no objection. The amendment is agreed to, as modified.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 219, after the word "for," to strike out "Chaplin" and insert "Chaplain;" so as to read:

For Chaplain of the House, \$900.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 272.

Mr. ALLISON. In line 266 I move to strike out "March" and insert "April;" so as to read: "April 4," 1885.

The amendment was agreed to.

Mr. ALLISON. In lines 272 and 273 I move to insert, in lieu of the words in italics, the words "seven thousand four hundred and seventy-seven dollars and ninety-eight cents;" and as modified I ask that the amendment may be agreed to.
The PRESIDING OFFICER.

The amendment will be so modified,

if there be no objection.

Mr. ALLISON. The words "four thousand nine hundred and twelve

seventy-seven" have already been stricken out, I believe.
The PRESIDING OFFICER. They have not.
Mr. ALLISON. They should be stricken out.
The PRESIDING OFFICER. The Chair intended that the Secretary should report the recommendation to strike out those words and insert others. He will now report the whole amendment striking out the text.

The CHIEF CLERK. In lines 272 and 273 it is proposed to strike out "four thousand nine hundred and twelve dollars and seventy-seven" and insert "seven thousand four hundred and forty-seven dollars and ninety-eight;" so as to read:

For the following additional employés in the Clerk's office, who are to be paid from and including April 4, 1885, to June 30, 1885: Three clerks to index private claims, at \$1,600 each per annum; one messenger-boy in chief clerk's room, at \$300 per annum; and two laborers in the Clerk's document-room, at \$900 per annum each; in all, \$7,447.98:

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "clerks and messengers to committees of the House of Representatives," in line 280, to increase the appropriation for compensation of "clerk to the Committee on Appropriations," from \$2,500 to \$3,000.

The amendment was agreed to.

The next amendment was, to strike out the following clause, from line 383 to 386, inclusive:

For two stenographers to committees, to be appointed by the Speaker on or after December 1, 1885, at \$4,000 per annum each, \$4,674.

Mr. INGALLS. I wish the chairman of the committee would ad-

Mr. INGALLS. I wish the chairman of the committee would advise the Senate why this item is to be stricken out.

Mr. ALLISON. This is a new method of compensating stenographers of committees of the House. We had considerable discussion upon that question last year, and the two Houses agreed upon a general plan for committee reporting; and we thought perhaps the House might have inserted this provision through inadvertence. We wish to give them the interior of contract their decision upon the question if they decision upon the superior if they decision. an opportunity of revising their decision upon the question if they desire to do so. We have provided for this reporting in another place, I will say to the Senator from Kansas

Mr. INGALLS. With that explanation I am content to have the amendment adopted; but I should not be willing to interfere in any way whatever with the service that the House of Representatives consider indispensable to the transaction of their business. I hope that if the chairman of the Committee on Appropriations shall be on the conference committee he will feel himself instructed to recede from this amendment if the House asks for it. I should insist so far as the Senate is concerned that the House should not interfere with the Senate,

and I would be willing to concede to them what we ask for ourselves.

Mr. ALLISON. I will say to the Senator from Kansas and the Senate that that is the mode of procedure hitherto in regard to officers in the House and Senate, and that the committee had no intention to depart from the uniform rule. We think of course that the House is the better judge of the number and character of its employés and the amount of money necessary to conduct its business in a proper and energetic way, and we consider also that the Senate is the best judge of the method of conducting its business. The committee has no intention of interfering with the just rights of the House in this regard.

The amendment was agreed to.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out lines 404 and 405, as

For miscellaneous items and expenses of special and select committees, \$30,000.

And in lieu thereof to insert:

For miscellaneous items and expenses of special and select committees, including compensation, at such rate as may be fixed by the Committee on Accounts, but not exceeding \$1.50 per printed page, to stenographers to committees, to be appointed by the Speaker or the application of committees, \$35,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, after line 416, to insert the following clause:

For postage-stamps for the officers of the House of Representatives, namely: or the Sergeant-at-Arms, \$50; the Clerk, \$50; and the Postmaster, \$50; in all,

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in line 441, after the word "library," to strike out "three" and insert "five;" in line 443, after the word "dollars," to strike out "including" and insert a semicolon, and after the semicolon to insert "for;" in line 447, after the words "Chief-Justice," to insert "\$2,000;" and in line 451, after the word "all," to strike out "eight" and insert "twelve;" so as to make the clause

For purchase of books for the library, \$5,000; for purchase of law books for the library, \$2,000; for the purchase, by the Librarian of Congress, of new books of reference for the Supreme Court, to be a part of the library of Congress, and purchased under the direction of the Chief-Justice, \$2,000; for expenses of exchanging public documents for the publications of foreign governments, \$1,000; for purchase of files of periodicals and newspapers, \$2,500; in all, \$12,500.

The amendment was agreed to.

The next amendment was, after line 451, to insert:

For the purchase of works of art, under the direction of the Joint Committee on the Library, \$10,000.

The amendment was agreed to.

The next amendment was, after the word "one," at the end of line 497, to insert "clerk of class 4, who shall be a;" in line 499, before the word "hundred," to strike out "six" and insert "eight," and in the same line, after the word "dollars," to insert "one clerk of class 2;" in line 500, before the words "one messenger," to strike out "and," in line 501, after the word "dollars," to insert "and one laborer," and in the same line, after the word "all," to strike out "inneteen thousand one hundred and forty" and insert "twenty-one thousand four hundred;" so as to make the clause read:

CIVIL-SERVICE COMMISSION.

For three commissioners, at \$3,500 each; one chief examiner, \$3,000; one secretary, \$2,000; one clerk of class 4, who shall be a stenographer, \$1,800; one clerk of class 2; one clerk of class 1; one messenger, \$840; and one laborer; in all, \$21,400.

The amendment was agreed to.

The next amendment was, after the word "expenses," in line 504, to insert "including those of examiners acting under the direction of the commission;" so as to make the clause read:

For necessary traveling expenses, including those of examiners acting under the direction of the commission, \$3,500.

The amendment was agreed to.

The next amendment was, in line 509, after the word "ice," to strike out "car-tickets;" so as to make the clause read:

For furniture and repairs of furniture, file-cases and file-boxes, books, stationery, printing, advertising, telegraphing, telephone service, type-writing, ice, and other absolutely necessary expenses, including heating, lighting, and altering rooms, and care of same, \$3,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Department of State," in line 519, after the word "four," to insert:

Stenographer to the Secretary, at \$1,800.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in line 526, to increase the total amount of the appropriations for compensation of the Secretary of State, First-Assistant Secretary of State, and two Assistant Secretaries of State, and the clerks and employés in the Secretary's office, from \$112,350 to \$114,150.

The amendment was agreed to.

The next amendment was, in the appropriations under the head of "Treasury Department," in the appropriations for "Secretary's office," in line 557, to increase the appropriation for the compensation of "Government actuary, under the control of the Treasury Department," from \$2,250 to \$2,400.

The amendment was agreed to.

The next amendment was, in line 558, after the word "copyist," to

Eight skilled laborers, at \$640 each.

The amendment was agreed to.

The next amendment was, in line 559, before the word "skilled," to strike out "five" and insert "eight;" so as to read:

Eight skilled laborers, at \$550 each.

The amendment was agreed to.

The next amendment was, in line 560, before the word "skilled," to strike out "five" and insert "eight;" so as to read:

Eight skilled laborers, at \$500 each.

The amendment was agreed to.

The next amendment was, in line 562, to increase the total amount of the appropriations for the compensation of the "Secretary of the Treasury, two assistant secretaries, and the clerks and employés in the Secretary's office," from \$35,080 to \$43,660.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Iowa to line 578, which reads "fifty-eighth watchmen." The Chair supposes it was intended for "fifty-eight."

Mr. ALLISON. I move to strike out the last letter "h." That is a misprint.

The PRESIDING OFFICER. If there be no objection, that modi-

The PRESIDING OFFICER. If there be no objection, that modification will be made. The Chair hears none.

The Chair also calls the attention of the Senator from Iowa to lines 579 and 580. The language is: "Twenty-nine laborers;" and that is followed by, "ten laborers, at \$500 each."

Mr. ALLISON. That is as it should be. The totals are all right. They are provided for in the totals.

The reading of the bill was resumed. The next amendment of the

Committee on Appropriations was, in the appropriations for the office of "Supervising Architect," in line 705, before the word "thousand," to strike out "twenty" and insert "forty;" so as to make the clause read:

And the services of skilled draughtsmen, civil engineers, computers, accountants, modelers, assistants to the photographer, copyists, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed in the office of the Supervising Architect to carry into effect the various appropriations for public buildings, to be paid for from such appropriations: Provided, That the expenditures on this account for the fiscal year ending June 30, 1886, shall not exceed \$140,000; and the Secretary of the Treasury shall each year, in the annual estimates, report to Congress the number of persons so employed and the amount paid to each.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of the "Commissioner of Customs," to strike out the clause from line 746 to line 751, inclusive, in the following words:

And each of the cities of Tacoma and Seattle, in Washington Territory, shall be, and it is hereby, made a port of delivery; and the deputy collector who shall be stationed at each of them shall receive such compensation, not exceeding \$1,200 per annum, as the Secretary of the Treasury shall prescribe.

The PRESIDING OFFICER. If there be no objection, the amendment will be agreed to.

Mr. DOLPH. Mr. President, there is objection. I hope the amend-

ment will not prevail.

On the 3d of June, 1884, the Senate passed a bill, Senate bill 1741, making the cities of Tacoma and Seattle, in the Puget Sound customs district, Washington Territory, ports of delivery, and providing for a deputy collector of customs to be stationed at each of them, who should receive such compensation, not exceeding the sum of \$1,800 per annum,

receive such compensation, not exceeding the sum of \$1,800 per annum, as the Secretary of the Treasury should prescribe.

In March last I reported from the Committee on Commerce unanimously in favor of that bill, and it passed the Senate without a dissenting voice on the 3d of June. It is necessary legislation. It is important to the commerce of Puget Sound and the Northwest. It has been placed on this bill in accordance with the rules of the House, and the only objection which can be made to it is that it has been so placed in the bill by the House, and is a matter of general legislation.

I do hope that the amendment striking out the clause will not prevail. As this is a matter which has been thoroughly considered by the

proper committee of the Senate, and passed heretofore without objection in the Senate, I trust that the clause may be permitted to remain.

I could go on and discuss the importance of this provision, but I do not suppose it is necessary from the fact, as I said before, that it has been thoroughly considered by the Committee on Commerce of the Senate, and that it passed the Senate without objection, even in my absence.

Mr. ALLISON. This provision is simply legislation relating to a subject that has no connection whatever with appropriations. If we are to maintain our rules at all, it seems to me this provision ought to

Mr. DOLPH. I do not understand that it is a question of maintaining our rules. Of course if the provision had been proposed to be put on the bill by a Senate committee and objection made to it, the rules of the Senate would come in question; but as I said, this provision has been placed in the bill strictly in accordance with the rules of the House, and it is legislation which has been amply and fully considered and passed upon by the Senate and is very important. This is the only way in which it can become a law; and I hope the Senate will reject the amendment of the Committee on Appropriations.

Mr. McMILLAN. I desire to suggest that this provision would seem to be for the increase of the revenue of the Government.

Mr. ALLISON. But this is not a tax bill, I will say to the Senator

from Minnesota; it is the very reverse.

Mr. McMILLAN. But it is a bill regulating the appropriation for the collection of customs, establishing appropriation for the payment of the officers engaged in the collection of the customs, in the collection of the revenue. This is the machinery, and the clause in question would seem to only add efficiency to that service.

Mr. DOLPH. It decreases the expenditure because there are inspect-

ors stationed now at both those points, I understand, whose salary is larger than that provided by this bill. The provision in the House bill tion.

decreases the salary of the deputy collectors from \$1,800, as the Senate

bill had it, to \$1,200.

Mr. SLATER. On this question I have voted steadily against the Mr. SLATER. On this question I have voted steadily against the ruling of the Chair, believing that not only was the ruling under the rule incorrect, but that by the ruling and the construction given the Senate abdicates its power under the Constitution. I do not believe we have the right in point of fact to do that. Of course, as a matter of experience it is done every day. In this case it is conceded that this is proper legislation. It has been reported from a proper committee in this body, received the sanction of this body, and the only point that is made against it is simply that under the rules of the House they have put it in the hill, and we now say that it shall go out under our have put it in the bill, and we now say that it shall go out under our rules. In other words, we say to the House that we will dictate to them the manner in which they shall present legislation to us. I do not think that is quite the way to transact the public business.

I hope the Senate will not strike out this provision; it is important legislation, very important to that section of the United States, and it

ought to be retained.

The PRESIDING OFFICER. The question is on the amendment

recommended by the Committee on Appropriations.

Mr. FRYE. That this is general legislation under the Senate rule of course there is no question; and that the next clause of the bill is legislation there is equally no question; and under the rules of the Senate, if they were offered as amendments here, they would both be subject to the point of order. But the presiding officer of the Senate, within the last two or three days, has insisted upon leaving to the Senate all question of order touching legislation on appropriation bills, and the Senate has deliberately determined in at least four or five instances to keep on the Post-Office appropriation bill general legislation which seemed healthy in itself. So I do not see how any Senator now can urge upon the Senate a Senate rule to keep out from one of these bills general legislation which, in the opinion of a majority of the Senate, is

I am in favor of the Senate rule, and I believe in it; but I am in favor of this legislation, and believe in that. As a member of the Committee on Commerce, I regard it as very important to the Government and to this section of the country, and I feel entirely relieved under the action of the presiding officer of the Senate and of the Senate itself to vote my conviction on these items.

The PRESIDING OFFICER. The question is, Will the Senate agree to the amendment recommended by the Committee on Appropri-

The question being put, there were on a division-ayes 10, noes 16no quorum voting.

Mr. ALLISON called for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 20, nays 21; as follows:

1001		At the second se	
	3	TEAS-20.	
Allison, Butler, Call, Cameron of Wis., Cockrell,	Coke, Garland, Groome, Hale, Harris,	Hawley, Ingalls, Jackson, Jones of Nevada, Maxey,	Mitchell, Morrill, Platt, Sewell, Van Wyck,
	N	XAYS-21.	
Blair, Brown, Colquitt, Conger, Dolph, Frye,	Gibson, Jonas, McMillan, Mahone, Manderson, Palmer,	Plumb, Pugh, Søbin, Sawyer, Slater, Vance,	Vest, Walker, Wilson.
	AI	BSENT-35.	
Aldrich, Bayard, Beck, Bowen, Camden, Cameron of Pa., Chace, Cullom, Dawes,	Edmunds, Fair, Farley, George, Gorman, Hampton, Harrison, Hill, Hoar,	Jones of Florida, Kenna, Lamar, Lapham, Logan, McPherson, Miller of Cal., Miller of N. Y., Morgan.	Pendleton, Pike, Ransom, Riddleberger, Saulsbury, Sherman, Voorhees, Williams.

So the amendment was rejected.

Mr. HALE. I desire to move an amendment to the clause which has just been left by the vote of the Senate in the bill; but I suppose the proper time for that would be after the committee's amendments have been gone through with.

The PRESIDING OFFICER. And, as the Chair thinks, after the bill shall have been reported to the Senate, the Senate having by vote refused to strike out the clause.

Mr. HALE. It will then be open to amendment?
The PRESIDING OFFICER. It will be open to amendment in the

Mr. ALLISON. This being legislation, I do not wish the Chair to overrule former decisions which require us not to amend legislative provisions. I understand that no amendment to this provision is in

Mr. HALE. I can offer the amendment when the time comes, and let it take its fate. Presumably on what the Senate has just done now, it will be very glad to embrace other features of general legisla-

Mr. ALLISON. I presume it is the intention of the Senate now to admit all legislation on these bills, so that there may be no question about legislation.

The PRESIDING OFFICER. All the Chair intended to rule by his answer to the Senator from Maine was that the committee having reported an amendment striking out this clause of the bill, and no amendment having been proposed to it pending that question, and the Senate having refused to strike it out while in Committee of the Whole, the Chair does not think it is amendable. As to whether the amend-ment would or would not be in order would, of course, depend necessarily on the nature of the amendment when offered.

Mr. HALE. I understood the Chair only to indicate the time and

place when the amendment could be offered.

The PRESIDING OFFICER. That it would be in order to offer an

amendment. The reading of the bill will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out the clause from line 752 to line 760, in the following words:

That the customs-collection district of Duluth, Minn., shall comprise all the waters and shores of Lake Superior, and the rivers connected therewith, in the State of Minnesota, and the harbor and city of Superior, with the bays of Saint Louis and Superior, and the rivers connected therewith, within the State of Wisconsin, in which district Duluth shall be the port of entry; and there shall be a collector, who shall reside at Duluth, and a deputy collector, who shall reside at Superior.

Mr. McMILLAN. I hope the Senate will not concur in this amendment. This legislation embraced in the bill, if it is legislation, conduces very largely to the public interest. The district of Duluth embraces the territory upon the north shore of Lake Superior, and Duluth is the point at which the custom-house is located. Superior is immediately across the bay from Duluth; it is in Wisconsin. At present it is embraced in the collection district of Marquette, which is three hundred miles down the lake, and vessels coming to the port of Superior and to Duluth must have clearances from each of these ports before they can go from one to the other. Vessels coming to Duluth and crossing to Superior go into a different collection district, and it is necessary for them to go through all the forms and take out all the papers that vessels are required to do in passing from one collection district to another. This is to avoid those serious inconveniences to commerce. It does not increase the number of officers; it does not change the relative position of the officers. There is now a collector at Duluth and a deputy col-

lector at Superior; so that there is no increase of expense.

Mr. CAMERON, of Wisconsin. I would inquire of the Senator from Minnesota, who is the chairman of the Committee on Commerce and who has been chairman of that committee for a number of years past, whether the question of changing the collection districts, as is now proposed in this bill, has ever been brought to the attention of that committee and what recommendation came from the committee, if any?

Mr. McMILLAN. Not until this session. This was inserted in the

House and fully considered there.

Mr. CAMERON, of Wisconsin. I am aware it was inserted in the House; but has it been considered by the Committee on Commerce of the Senate?

There has been no report from the committee. Mr. McMILLAN. Mr. CAMERON, of Wisconsin. I did not ask that question. Has it been considered by that committee?

Mr. McMILLAN. It has not been considered because it has not been there for action.

Mr. CAMERON, of Wisconsin. I did not ask what the reason was. I simply asked the question whether the committee had considered it.

Mr. McMILLAN. It is a matter that addresses itself so clearly to the judgment of Senators that it would not be necessary to rely in such a case upon the report of the Committee on Commerce.

Mr. CAMERON, of Wisconsin. With all respect to the Senator from Minnesota, I think he is equivocating.

Mr. McMILLAN. Certainly not. I certainly do not intend to equiv-

ocate. I have answered the Senator clearly and distinctly, and I was not aware that the Senator from Wisconsin was opposed to this provision. I understood that it met with the Senator's approval.

Mr. CAMERON, of Wisconsin. It does not meet with my approval. It does not meet with the approval of the people of Wisconsin or the

people of Superior.

Mr. McMILLAN. The Senator has changed his views within a short time, then. This certainly is greatly to the public convenience, and it does not increase the expense of the Government in any degree, as I understand. The collection officers are at Duluth and the same officers at Superior, and vessels going to one port often go to the other. Vessels that go to Duluth on going to Superior, carrying goods to Superior, are compelled to go through all these forms and this expense. It seems to me it would interfere very much with the commerce of Superior and operate altogether to the advantage of the other port. I hope the Santa will retain the logislation. the Senate will retain the legislation. It is not a matter that I have

any other than a public interest in in any way.

Mr. CAMERON, of Wisconsin. As the Senator from Minnesota has stated, Duluth is in Minnesota and Superior is in Wisconsin. Superior now is in the Marquette collection district. It has been in that district, I think, from the time the present district was organized, and it is per-

fectly willing and desirous to remain there. The people of Superior and of Wisconsin are not of the opinion that it will conduce to the public interest to have this proposed change in the collection district made, and they are opposed to it. They are perfectly willing, as I have stated, to remain where they now are, and they are satisfied that the public interest will be conduced by remaining where they are.

The PRESIDING OFFICER. The question is will the Secretary

The PRESIDING OFFICER. The question is, Will the Senate agree to the amendment recommended by the Committee on Appropriations? The question being put, a division was called; and the ayes were 22.

Mr. McMILLAN. I will not insist on a further count.

The PRESIDING OFFICER. The ayes have it, and the amendment is agreed to. The reading of the bill will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the office of "Auditor of the Treasury for the Post-Office Department," before the word "chiefs," in line 822, to strike out "nine" and insert "ten;" so as to read:

Ten chiefs of division, at \$2,000 each.

The amendment was agreed to.

The next amendment was, in line 823, before the word "clerks," to strike out "eighteen" and insert "twenty;" so as to read:

Twenty clerks of class 4, and additional to one clerk as disbursing clerk, \$200.

The amendment was agreed to.

The next amendment was, in line 826, before the word "clerks," to strike out "fifty-six" and insert "sixty-two;" so as to read:

Sixty-two clerks, at \$1,000 each.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in line 829, before the the word "assorters," to strike out "four" and insert "ten;" so as to read:

Ten assorters of moncy-orders at \$720 each.

The amendment was agreed to.

The next amendment was, in line 832, to increase the total amount of the appropriations for the office of "Auditor of the Treasury for the Post-Office Department" from \$494,670 to \$510,590.

The amendment was agreed to.

The next amendment was, in the appropriations for "Light-House Board," in line 908, after the word "Board," to strike out "who shall be paid from the appropriations for the Light-House Establishment;" so as to read:

For the following additional employés in the office of the Light-House Board, namely: One clerk of class 2; one clerk of class 1; ten clerks, at \$900 each; one assistant messenger; one laborer, \$600; one assistant civil engineer, \$2,400; one draughtsman, \$1,800; one draughtsman, \$1,600; one draughtsman, \$1,410; and one draughtsman, \$1,200; in all, \$21,320.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Statistics," in line 931, before the word "thousand," to strike out "six" and insert "seven;" so as to make the clause read:

For collecting statistics relating to internal commerce: For the payment of experts, and for other necessary expenditures connected with the collection of facts relative to the internal and foreign commerce of the United States, \$7,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Engraving and Printing," in line 936, after the word "dollars," to strike out "one clerk of class 3" and insert "two clerks of class 3, one of whom shall be disbursing clerk;" and in line 941, after the word "all," to strike out "twenty-four thousand seven," and insert "twentysix thousand three;" so as to make the clause read:

Bureau of Engraving and Printing: For Chief of Bureau, \$4,500; one assistant, \$2,250; accountant, \$2,000; one stenographer, \$1,600; two clerks of class 3, one of whom shall be disbursing clerk; four clerks of class 1; one clerk, \$1,000; additional to one clerk as disbursing clerk, \$200; three copyists, at \$900 each; two assistant messengers, and four laborers; in all, \$26,330.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in the appropriations for "Office of Life-Saving Service," in line 952, before the words "of class 4," to strike out "one clerk" and insert "two clerks;" and in line 956, after the word "all," to strike out "thirty-six thousand seven hundred" and insert "thirty-eight thousand four hundred and eighty;" so as to make the

Office of Life-Saving Service: For General Superintendent of the Life-Saving Service, \$4,000; assistant general superintendent of the Life-Saving Service, \$2,500; one topographer and hydrographer, \$1,800; one civil engineer, \$1,800: one draughtsman, \$1,500; one principal clerk and accountant, \$1,800; two clerks of class 4; three clerks of class 3; two clerks of class 2; five clerks of class 1; two clerks, at \$1,000 each; five clerks, at \$900 each; one assistant messenger, and one laborer; in all, \$33,480.

The amendment was agreed to.

The next amendment was to strike out the clause from line 966 to line 972, inclusive, in the following words:

That the Secretary of the Treasury be, and he is hereby, requested to submit to Congress, at the opening of the next regular session, such modifications of the laws relating to commerce and navigation as will simplify and improve the same, and remove from American vessels, whether engaged in fishing or in domestic or foreign commerce, all unnecessary restrictions and burdens.

Mr. FRYE. That is a piece of general legislation; but it is an exceedingly small one. It costs no money, it does no harm, and it may be productive of great good.

In the shipping bill which formerly passed Congress there was a reduction of certain fees charged upon vessels, and there are certain other fees that need adjustment. In order to enable Congress to enact a law which shall readjust those fees, the readjustment of which will make it absolutely necessary to readjust the fees of certain collectors of the smaller districts, the information which is called for here is actually necessary to the second of the smaller districts, the second of the smaller districts, the second of the smaller districts and this simply disease the Second of the smaller districts. needed early in the session, and this simply directs the Secretary of the Treasury to make that report. I hope the chairman of the Committee on Appropriations will let so small a general legislation as that go

through without any objection.

Mr. ALLISON. I think the Committee on Appropriations generally considered this to be a mere directory provision, and not legislation. I do not think it is, in the usual sense of the term, legislation. It is a directory provision. I think the Senator from Maine could tomorrow morning, if he chose, ask the Secretary of the Treasury by a resolution to furnish this information to the Senate and make such recommendations as he might choose to make on the subject. It is a directory provision; but the committee thought it was an entirely un-necessary provision that if the Secretary of the Treasury attended to his duties in his annual report, and especially the chief of the Bureau of Navigation, who is a new officer, if he attended to his duties at all, would call the attention of Congress to any revision or changes necessary in the public laws in reference to these subjects. I do not think the committee are very strenuous about it one way or the other, except that we consider the clause an entirely unnecessary provision to be inserted in the statutes.

In reply to the Senator from Iowa, I simply desire to say that the gentleman in the other House who represents the district which I formerly had the honor of representing, Mr. DINGLEY, and who is as familiar with all these questions touching commerce and naviga-tion as certainly any member of Congress of either branch, deemed this of very great importance, and as I understand the Special Commit-tee on Commerce authorized it, and requested it to be put into this

tee on Commerce authorized it, and requested it to be put into this bill. It is only directory, I admit, but it can not do any possible harm, and I hope the Senate will let it stay in.

Mr. PLUMB. The Secretary of the Treasury is simply the adjutant of the President. If this has any force at all, it will be because it is of that representative character which the Secretary of the Treasury occupies. The President of the United States is already commanded to address to Congress such recommendations as he may see fit concerning the public-welfare. Therefore we shall get nothing from this which we are not entitled to have, and which we shall not have in the ordinary course of events if the President believes that he is in possession of knowledge which Congress ought to be in possession of, or if he believes that he has some panacea which Congress is not otherwise advised of, or if advised of is likely to give the go-by to. But we are singling out the Secretary of the Treasury, who, as I said, is the mere clerk, so to speak, of the President, possessing no authority of himself to make reports to Congress, and dignifying his opinion in advance in a manner which I do not think is becoming to the dignity and responsibility of

This opens up a wide field in which we are supposed to be hungering for the knowledge that some man we do not know anything about knows more about than all the members of Congress and all other people, and that in a measure we shall be bound by it. Of course we are not literally to be bound by it, but at all events we give it an importance which will make it in a certain event a stumbling-block in whatever we may propose to do.

If the new President has anything to say to Congress let him propound it in the manner provided by the Constitution, and if his Secretary of the Treasury knows anything that he thinks Congress ought to know let him communicate that to his superior, his chief, and let his chief in turn give it to Congress, and I have no doubt he will if he thinks it of sufficient importance have it so done. But to call upon somebody to write an essay, somebody having no authority and an un-known person to deliver his opinion, we might as well go to the Cham-ber of Commerce of the city of New York or to any well-known person in the country who may desire to spread out at large his views on this subject for our edification. I think it is at least a useless provision and one that may do a great deal of harm.

The PRESIDING OFFICER. The question is on agreeing to the

amendment of the Committee on Appropriations.

The amendment was agreed to.

PUBLIC BUILDING AT LA CROSSE, WIS.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 78) for the erection of a public building at La Crosse, Wis., which were, in line 9 of the bill, after the word "dollars," to insert:

And it shall be the duty of the Secretary of the Treasury, after the site for said building shall have been purchased, to cause plans and specifications of said building to be prepared, which said plans and specifications shall not involve an expenditure in the erection and completion of said building exceeding the portion of \$100,000 remaining after the site of said building exceeding the portion of \$100,000 remaining after the site of said building shall have been paid for. No plan shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum which remains after paying for the site of said building.

And at the end of the bill to add the following additional section:

SEC. 2. That the sum of \$100,000 be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, for the purpose of carrying into effect the provisions of this act.

Mr. CAMERON, of Wisconsin. I have examined those amendments and move that the Senate concur with the House in the amendments.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent of the Senate to proceed to the consideration of the bill at this time. Is there objection? The Chair hears none. The Senator from Wisconsin moves that the Senate concur in the House amendments which have just been read.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

OBSTRUCTION OF ARKANSAS RIVER.

Mr. GARLAND. I offer a resolution and ask its present consideration merely for the purpose of getting some information from the Secretary of War in reference to the river and harbor bill:

Resolved. That the Secretary of War be directed to transmit to the Senate at his earliest convenience information of what is advisable and necessary to prevent the obstruction of navigation through the draw of the railroad bridge at Hob Roy, on the Arkansas River, Arkansas, to remove the sand-bars and to prevent the future formation of sard-bars in said river between the Rob Roy railroad bridge and Bell's Ferry and to insure stability to the Government works in said reach of river and to the channel section of that river.

The resolution was considered by unanimous consent, and agreed to.

RED CROSS OF GENEVA.

Mr. MANDERSON. I ask unanimous consent at this time to make

The PRESIDING OFFICER. The Senator from Nebraska, from the Committee on Printing.

The PRESIDING OFFICER, The Senator from Nebraska, from the Committee on Printing, asks unanimous consent to make a report at this time. Is there objection? The Chair hears none, and the re-

Mr. MANDERSON. I am directed by the Committee on Printing to report back the petition of Clara Barton, praying that Congress authorize the printing of additional copies of the History of the Red Cross of Geneva, with a concurrent resolution, and I am directed to ask for the immediate consideration of the resolution.

Mr. ALLISON. I do not object if it takes no time and does not

The PRESIDING OFFICER. The resolution will be read for information.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 copies of the History of the Red Cross, from the stereotype plates now at the Government Printing Office, for the use of the American Association of the Red Cross.

The resolution was considered by unanimous consent, and agreed to. ASTRONOMICAL AND METEOROLOGICAL OBSERVATIONS.

Mr. MANDERSON. I ask consent to report another resolution from the Committee on Printing.

The PRESIDING OFFICER. If there be no objection the report will be received.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably a concurrent resolution authorizing the printing of the volumes of the Astronomical and Meteorological Observations of the Naval Observatory. It is in the usual form, and I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the annual volumes of Astronomical and Meteorological Observations of the Naval Observatory for the years 1881 and 1882 be printed, and that 2,000 additional copies of each volume be printed, of which 400 copies shall be for the use of the Senate, 800 copies for the use of the House, and 800 copies for the use of the Navy Department, or for sale at the cost of paper and printing, in accordance with section 432 of the Revised Statutes of the United States.

BILLS INTRODUCED.

Mr. ALDRICH introduced a bill (S. 2659) for the relief of Ellen May Brown; which was read twice by its title, and, with the accompanying

papers, referred to the Committee on Claims.

He also introduced a bill (S. 2660) granting a pension to George Warmsley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3108) to protect fish in the Potomac River in the District of Columbia, and to provide a spawning-ground for shad and herring in the said Potomac River.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed

the following enrolled bills; and they were thereupon signed by the

President pro tempore:

A bill (H. R. 1046) granting a pension to Mary A. Griffin;

A bill (H. R. 1759) granting a pension to Robert Patterson;

A bill (H. R. 1759) granting a pension to James H. Reid; A bill (H. R. 2068) granting a pension to James H. Reid; A bill (H. R. 2284) granting a pension to Elizabeth Fowler;

A bill (H. R. 2284) granting a pension to Elizabeth Fowler;
A bill (H. R. 2537) granting a pension to Hugh Ryan;
A bill (H. R. 2539) granting a pension to George W. Kiser;
A bill (H. R. 2894) granting a pension to Henry Rodenback;
A bill (H. R. 3074) to grant a pension to Jasper J. Henry, on account
of wounds received while acting as guide for the First Arkansas Cavalry Volunteers, in the war of the rebellion;

A bill (H. R. 3352) to restore the name of Warren San s to the pen-

sion-roll;

A bill (H. R. 3605) granting a pension to Eliza Sluss; A bill (H. R. 3728) granting a pension to Charles P. Mahan; A bill (H. R. 3749) granting a pension to William Bolworth;

A bill (H. R. 4061) granting a pension to William C. H. Bowman; A bill (H. R. 4079) granting a pension to James D. Kirk; A bill (H. R. 4833) granting a pension to Louisa Earle;

A bill (H. R. 5069) granting a pension to Mrs. Mary J. Stotts; A bill (H. R. 5124) granting a pension to Samuel Z. Cooper;

A bill (H. R. 5555) granting a pension to Samter 2. Cooper; A bill (H. R. 5929) for the relief of Abigail Honey; A bill (H. R. 5938) to pension Julia A. Marcum; A bill (H. R. 5989) for the relief of Elizabeth A. Springsteed; bill (H. R. 6018) increasing the pension of George Tapp;

A bill (H. R. 6044) granting a pension to Eliza Pigeon;

A bill (H. R. 6235) granting a pension to Eliza J. Norris; A bill (H. R. 6310) granting a pension to Benjamin P. Lowell; A bill (H. R. 6663) restoring to the pension-roll the name of Caroline

Lewis

A bill (H. R. 7338) granting a pension to Samuel M. Bartlett;
A bill (H. R. 7326) granting a pension to James O. McKenna;
A bill (H. R. 7328) increasing the pension of Almira P. Spencer;
A bill (H. R. 7338) for the relief of David Fried;
A bill (H. R. 7338) granting a pension to T. A. Monta A bill (H. R. 7338) granting a pension to T. A. Monta A bill (H. R. 7524)

A bill (H. R. 7336) granting a pension to T. A. Morton;
A bill (H. R. 7338) granting a pension to Chloe A. Whipple;
A bill (H. R. 7524) granting a pension to Lavisa Heth;
A bill (H. R. 7602) granting a pension to Harriet M. Baily;
A bill (H. R. 7672) granting a pension to Elbert Hewitt;

A bill (H. R. 7709) granting a pension to Libert Hewitt;
A bill (H. R. 7709) granting a pension to Almira K. Parker;
A bill (H. R. 7731) granting a pension to Lois B. Smith;
A bill (H. R. 7732) granting an increase of pension to Edward P.

Quinn:

A bill (H. R. 7822) granting a pension to Mark Spencer Van Loan; and

A bill (H. R. 8104) granting an increase of pension to George S. Hawley.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BAYARD, Mr. GARLAND, and Mr. MAHONE submitted amendments intended to be proposed by them respectively to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. ALDRICH, Mr. MILLER of New York, Mr. MORGAN, and

Mr. PLUMB submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred

to the Committee on Appropriations, and ordered to be printed.
Mr. CALL, Mr. MAXEY, Mr. SAWYER, and Mr. VOORHEES submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. COCKRELL. I ask leave to offer an amendment to the sundry

civil, and also an amendment to the general deficiency appropriation bill. I move that they be referred to the Committee on Appropriations and printed.

The motion was agreed to.

Mr. COCKRELL. I hope these amendments will be printed immediately, so that the committee can have them when they come to consider the bills.

Mr. SHERMAN (from the Committee on the Library). I re amendment intended to be proposed to the sundry civil bill. that it be referred without printing, as I am told there is no time.

Mr. ALLISON. I desire to say that there will be time to print these amendments. I trust that all amendments submitted to-day will be printed.

Mr. SHERMAN. I was told by a member of the committee that it had better go without printing, but I have no objection to the amendment being printed. I ask that it be printed.

Mr. ALLISON. I trust all amendments submitted to-day will be

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amend-Jrent will be referred to the Committee on Appropriations and printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill'(S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof, with amendments in which it requested the concurrence of the Senate.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year

ective, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the office of "Commissioner of Internal Revenue," in line 1059, before the word "heads," to strike out "four" and insert "five; " and before the word "hundred," in line 1071, to strike out "eighty thousand six" and insert "eighty-two thousand five;" so as to make the clause read:

sert eignty-two thousand five;" so as to make the clause read:
Commissioner of Internal Revenue: For Commissioner of Internal Revenue, \$6,000; one deputy commissioner, \$3,200; two heads of division, at \$2,500 each; five heads of division, \$2,250 each; one superintendent of stamp-vault, \$2,000; one stenographer, \$1,800; twenty-four clerks of class 4; twenty-five clerks of class 5; thrity-four clerks of class 6; twenty-four clerks of class 1; fourteen clerks, at \$1,000 each; sixty-six clerks, at \$900 each, and hereafter no vacancies shall he filled in the grade of clerks at \$900 each in this bureau until the number is reduced to fifty; two messengers; fourteen assistant messengers; and thirteen laborers; in all, \$232,540.

The amendment was acceed to

The amendment was agreed to.

The next amendment was to strike out the clause from line 1072 to line 1075, inclusive, as follows:

For two stamp agents, at \$1,600 each; and two counters, at \$900 each; in all, \$5,000, the same to be reimbursed by the stamp manufacturers.

And in lieu thereof to insert:

For one stamp agent, at \$1,600; and one counter, at \$900; in all \$2,500, the same to be reimbursed by the stamp manufacturers.

The amendment was agreed to.

The next amendment was, in line 1083, to increase the appropriation "for stationery for the Treasury Department and its several bureaus" from \$30,000 to \$32,000.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in line 1092, after the word "publications," to insert "and not more than \$250 in the purchase of books, serials, and apparatus for the use of the Government actuary;" and in line 1094, after the word "thousand," to strike out "five hundred" and insert "seven hundred and fifty;" so as to make the clause read:

For purchase of material for binding canceled marine papers, requisitions, and other important records; newspapers, books, hand-stamps, and repairs of the same (and of the amount appropriated not more than \$500 may be used in the purchase of current publications, and not more than \$250 in the purchase of books, serials, and apparatus for the use of the Government actuary), \$2,750.

The amendment was agreed to. The next amendment was, after line 1095, to insort:

For purchase of law books and suitable books of reference for the library of the Treasury Department, \$500.

The amendment was agreed to.

The next amendment was, in line 1102, after the word "telegrams," to insert the word "and;" and in line 1103, after the word "service," to strike out "and car tickets;" so as to make the clause read:

For freight, expressage, telegrams, and telephone service, \$4,500.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, under the head of "collecting internal revenue, in line 1169, after the word "that," to strike out "hereafter;" in line 1170, before the word "dollars," to strike out "eight" and insert "ten;" and in line 1171, after the word "exceeding," to strike out "six" and insert "eight;" so as to make the proviso read:

Provided further, That the compensation of the chief of the internal-revenue agents shall not exceed \$10 per day, and of the other agents not exceeding \$8 per day each; and for per diem in lieu of subsistence, while traveling on duty, said agents shall receive, at a rate to be fixed by the Secretary of the Treasury, not exceeding \$3 per day.

The amendment was agreed to.

The next amendment was, in the appropriations for "office of assistant treasurer at New Orleans," in line 1233, to reduce the appropriation for compensation of "porter" from \$900 to \$500; and in line 1235 to reduce the total amount of the appropriation from \$14,090 to \$13,690.

The amendment was agreed to. The next amendment was, in the appropriations for the "assay-office at Boise City, Idaho Territory," in line 1438, to reduce the appropriation "for incidental and contingent expenses, including labor," from \$5,000 to \$4,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Territory of Dakota," in line 1485, after the word "dollars," to strike out the following clause:

And the Legislature of Dakota may divide said Territory into as many council and representative districts as they desire, which districts shall be as nearly equal as practicable, taking into consideration population (except Indians not taxed):

Provided, That the number of council districts shall not exceed twenty-four and the number of representative districts shall not exceed forty-eight.

Mr. McMILLAN. I rise to ask the Senate to disagree to the amendment proposed by the Committee on Appropriations from line 1485 to line 1491, inclusive. This clause provides that the Territorial Legislature of Dakota may apportion the council and representative districts of the Territory, and changes the limitation of the number, permitting the Territorial Legislature to increase the council districts to a number not exceeding twenty-four, and the representative districts to a number not exceeding forty-eight.

At present the number of districts is limited to just one-half that number—twelve council districts and twenty-four representative districts. By an act of Congress, passed on the 12th of June, 1884, it is

That the Legislature of the Territory of Dakota shall hereafter consist of twenty-four members of the council and forty-eight members of the house of representatives, and that there shall be elected at the next general election in said Territory two members of the council and four members of the house of representatives in each of the twelve legislative districts provided for in chapter 7 of the Territorial statutes of 1884 of said Territory.

It will be perceived that the law already fixes the number of members of the council of the Territory at twenty-four, and the number of representatives at forty-eight, while existing statutes limit the number of districts for councilmen to twelve and representatives to twenty-four. This legislation is for the purpose of remedying that defect. The act of Congress increasing the number of representatives in the Territorial council and house of representatives was passed at a time when the Legislature was not in session and would not meet until after the next general election, so that the case now stands that the Legislature consists of twenty-four councilmen and forty-eight representatives, and yet there are but twelve council districts and twenty-four representative districts; so that there must be two members elected to each of these bodies from each of the districts. The territorial area there is 150,000 square miles, and the population of Dakota is a half million, so that these districts must be of immense size and the people can not be fairly represented by having such large legislative or council districts.

It is a great burden and a serious detriment to the public interest to

It is a great burden and a serious detriment to the public interest to retain the law as it at present exists. I hope the Committee on Appropriations will see the almost imperative necessity for this change, and no other opportunity presents itself of having this change made.

There can be no objection, I think, that this legislation is embraced in an appropriation bill, because I find in the legislative, executive, and judicial appropriation bill for 1878, chapter 329 of the United States Statutes at Large, volume 20, that all these provisions in regard to the Territories were embraced in that bill. On page 193 of the United States Statutes at Large, volume 20, is the entire legislation affecting not only this Territory but all the Territories of the country, prescribing what the Territorial Legislatures should do with reference to apportioning the respective Territories forming council districts and representative districts in the Territories. It is all embraced in that bill. I hope there will be no objection made to retaining this legislation in hope there will be no objection made to retaining this, legislation in

Mr. ALLISON. The Legislature of Dakota, to which this provision

Mr. ALLISON. The Legislature of Dakota, to which this provision would apply, will not sit until two years from this winter, and I hope before that time Dakota will be a State in the Union.

Mr. McMILLAN. The Senator will permit me to correct him. The Legislative Assembly of Dakota is in session now.

Mr. ALLISON. So I understand. There is no appropriation in this bill for the Legislature of Dakota, and the Legislature sits only once in two years. There will be ample time to make some provision at the next session of Congress for a redistricting and redivision of this Territory into legislative districts if we shall not at an early period in the tory into legislative districts, if we shall not at an early period in the

session admit Dakota as a State.

This legislation may be all right; I do not know that it is wrong; but certainly it has been considered by no committee of the Senate. We do not know and can not know in the nature of things whether this is

wise legislation or unwise.

Mr. McMILLAN. The Senator from Iowa will permit me to explain. The statute before him has determined the propriety of having forty-

eight representatives and twenty-four members of the council.

Mr. ALLISON. So it has, and provided a method of filling them.

Mr. McMILLAN. And the only reason why the further provision was not embraced in that statute was because the election occurred in the fall succeeding the passage of the law, the law having passed in June and the election transpiring in November, and there was no session of the Legislature intervening.

Mr. ALLISON. The Senate will see that Congress dealt with this subject only last June, and made provision respecting it. If they intended that there should be a redivision and a relocation of the districts,

tended that there should be a redivision and a relocation of the districts, why did they not provide for it in the act when they were dealing with the subject? It was just as easy to deal with it then as now.

Mr. McMILLAN. I have just stated to the Senator that there was no session of the Legislature intervening between the passage of that law and the election. The election must transpire, and the necessity for the increase of members of the Legislature was so imperative—the population having increased to so large an extent that the increase of the members of the Legislature was necessary, and Congress provided

for it. Congress could not undertake to apportion the Territory into legislative districts, and they could not at that time prescribe that the Territory should be divided into legislative districts, because there could

have been no election then.

Mr. ALLISON. It seems I failed utterly to make myself understood. Only last June we provided for this increase in the Territorial council and house of representatives of Dakota, and we provided that the additional number of members should be elected in the districts as they then stood. If Congress, after looking into this subject, had sup-posed it a wise thing to provide for a reapportionment, all that would have been required then would have been a simple additional section saying that this Legislature when convened should have authority to reapportion the Territory; and the Senator from Massachusetts [Mr. HOAR] sotto voce says that is all they are going to say now, which I agree to.

We are confronted all the time with these legislative questions, and when they come from the House it seems to be an imperative necessity that they should pass without being considered by the proper committee of the Senate. I do not know but that this is wise legislation; I rather of the Senate. I do not know but that this is wise legislation; I rather think it is; but why is it that the committee having charge of this subject only last June did not make provision for it, and if not last June why not this winter? Why did they leave it to the last moment to be inserted here in an appropriation bill when in the nature of things we can not know whether it is wise or otherwise?

Mr. McMILLAN. Congress could not make the apportionment

Mr. ALLISON. So I think.
Mr. McMILLAN. It would be unwise in Congress to adopt any such legislation.

Mr. ALLISON. It has done so in many instances.
Mr. MCMILLAN. Still it is an exercise of power which is of very doubtful propriety. The people of the Territory are capable of prescribing their own representative districts, and that should always be permitted to the inhabitants of a Territory.

permitted to the inhabitants of a Territory.

Mr. ALLISON. It is usually done by the executive council of the Territory. I do not know of an instance where we have provided for reapportionment by Territorial legislation.

Mr. McMILLAN. In reference to inserting this in the appropriation bill, as I suggested when I first took the floor, in the appropriation bill of 1878, the legislative, executive, and judicial bill, a bill of the same character as that which we are now considering, there is one whole clause appropriated to the government in the Territories, and it prescribes—

That from and after the adjournment of the next session of the several Territorial Legislatures the council of each of the Territories of the United States shall not exceed twelve members and the house of representatives of each shall not exceed twenty-four members, and the members of each branch of the said several Legislatures shall receive a compensation of \$4 per day each during the sessions provided by law, and shall receive such mileage as the law provides; and the president of the council and the speaker of the house of representatives shall each receive \$6 per day for the same time. And the several Legislatures at their next sessions are directed to divide their respective Territories into as many council and representative districts as they desire, which districts shall be as nearly equal as practicable taking into consideration population, except "Indians not taxed:" Provided, The number of council districts shall not exceed twelve, and the representative districts shall not exceed twenty-four in any one of said Territories.

It was to amend that legislation inserted in an appropriation bill that the act of last June, to which I have referred the Senator, was passed; and this legislation is merely to carry into effect that act of Congress and permit the Territorial Legislature of Dakota to prescribe the council and representative districts. An area of 150,000 square miles and a population of 500,000 people certainly should be respected and regarded, and the rights of their citizens should be regarded to that extent. I hope the Senate will retain the clause.

The PRESIDING OFFICER. The question is on the amendment recommended by the Committee on Appropriations.

Mr. McMILLAN. I call for the yeas and nays. Perhaps a division may be taken if Senators understand the amendment.

The PRESIDING OFFICER. Does the Chair understand the Sen-

The PRESIDING OFFICER. Does the Chair understand the Senator to withdraw the demand for the yeas and nays?

Mr. McMILLAN. Yes, sir; I will take a division.

The question being put, there were on a division—ayes 19, noes 13—

no quorum voting

Mr. PENDLETON. I call for the yeas and nays.

Mr. PENDLETON. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. McMILLAN. The Territory of Dakota by law has twenty-four members of the council and forty-eight representatives. That number was prescribed by an act of Congress passed last June. Now, the number of districts consists of twelve council districts and twenty-four representative districts. This legislation merely permits the Legislature of the Territory to increase the number of the districts to conform to the number of representatives, so that there shall be one representative from each council district, and one from each representative district. That is a principle that certainly should be recognized as one to which every portion of the country is entitled; and legislation of this character, more extended and more general, was inserted in the legislative, executive, and judicial appropriation bill in 1878, which renders this

legislation necessary. There certainly can be no objection to permitting this change to be made.

Mr. ALLISON. I do not wish to prolong the discussion, but the legislation of 1878 has nothing whatever to do with this.

Mr. McMILLAN. The principle certainly is the same, and there the legislation was much more general and much more extensive, referring the whole legislation for the Territy. to all the Territories and covering the whole legislation for the Terri-

The question being taken by yeas and nays, resulted—yeas 36, nays 9; as follows:

	1.13	A5-00.		
Allison, Bayard, Beck, Brown, Call, Cameron of Wis., Chace, Cockrell, Coke,	Colquitt, Dawes, Edmunds, Fair, Frye, Garland, George, Groome, Hale,	Hampton, Harris, Hawley, Hoar, Ingalis, Maxey, Morgan, Morrill, Pendleton,	Pike, Platt, Pugh, Ransom, Saulsbury, Sherman, Vance, Vest, Walker.	
	NA.	Y8-9.		
Conger, Dolph, Lapham,	McMillan, Mahone,	Miller of N. Y., Palmer,	Van Wyck, Wilson.	
OTE SOCIETA DESCRIPTION	ABSI	ENT-31.		
Aldrich, Blair, Bowen, Butler, Camden, Cameron of Pa., Cullom,	Gibson, Gorman, Harrison, Hill, Jackson, Jones of Florida,	Kenna, Lamar, Logan, McPherson, Manderson. Miller of Cal., Mitchell,	Riddleberger, Sabin, Sawyer, Sewell, Slater, Voorhees, Williams.	

Farley, Jones of Nevada, Plumb, So the amendment was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, this day, approved and signed the following acts:

An act (S. 305) for the relief of Thomas T. Stratton, assignee of W. B. Waldron;

An act (S. 1031) for the relief of W. C. Marsh; An act (S. 1347) for the relief of the sufferers by loss of the Govern-

ment steamer J. Don Cameron;

An act (S. 1412) authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States;

An act (S. 1839) for the erection of a public building at Chattanooga, Tenn :

An act (S. 2623) to remove the political disabilities of Alexander W. Stark; and

An act (S. 1915) to remove the disabilities of James D. Johnston, of Georgia, incurred under the fourteenth amendment of the Constitu-

FISH IN POTOMAC RIVER.

Mr. LAPHAM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3108) to protect fish in the Potomac River in the District of Columbia, and to provide a spawning-ground for shad and herring in the said Potomac River, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses

ence have agreed to recommend and do recommend to their respective house as follows;

That the House recede from its disagreement to the amendment of the Senate and agree to the same in the following form:

"Sec. 3. That from and after three months from the date of the passage of this act it shall be unlawful to allow any tar, oil, ammoniacal liquor, or other waste products of any gas-works or of works engaged in using such products, or any waste product whatever of any mechanical, chemical manufacturing, or refining establishment to flow into or be deposited in Rock Creek or the Potomae River or any of its tributaries within the District of Columbia, or into any pipe br conduit leading to the same; and any one guilty of violating this section shall on conviction as provided in section 2 of this act be fined not less than \$10 nor more than \$100 for each and every day during which said violation shall continue, to be prosecuted for and recovered as provided in the preceding section."

And the Senate agree to the same.

E. G. LAPHAM,

WILLIAM I. SEWELLA

E. G. LAPHAM, WILLIAM J. SEWELL, JAMES B. GROOME, Managers on the part of the Senale. J. THOS, SPRIGGS, JOHN S. BARBOUR, LOUIS E. McCOMAS, Managers on the part of the House.

The report was concurred in.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8179) making appropriations for the legislative,

too of the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the Territory of Wyoming, in line 1558, after the word "printing," to strike out "laws;" and after the word "dollars," at the end of line 1590, to insert:

And for printing code and laws of the Ninth Legislative Assembly, \$2,500; in all \$24,500.

So as to make the clause read:

For legislative expenses, namely: For per diem of officers and members of the Legislative Assembly; rent of two halls and committee-rooms for Legislature; fitting up halls; removing furniture; new carpets, stoves, furniture, and repairing old; fuel, lights, and incidentals; stationery; record-books; printing journals, bills; fuel, rent, light, furniture, stationery; postage, messenger, and incidentals of secretary's office, \$22,000; and for printing code and laws of the Ninth Legislative Assembly, \$2,500; in all, \$24,500.

The amendment was agreed to.

The next amendment was to strike out the following proviso, from line 1503; to live 1506; inclusive:

line 1593 to line 1606, inclusive:

Provided, That on the first Monday in September, A. D. 1885, or within ten days thereafter, the governor of the Territory and the presiding officers of the houses of the last Legislature shall meet and reapportion the Territory in accordance with the population, as ascertained by the best possible means; and that in accordance with such new apportionment members shall be elected to the Ninth Legislative Assembly, on the second Tuesday of November, 1885, in accordance with the election laws of the Territory; and the members of the council and house of representatives so elected shall be the legal members and constitute the Ninth Legislative Assembly of the Territory.

The amendment was agreed to.

The next amendment was, under the head of "War Department," in the appropriations for "the Signal Office," in line 1665, before the word "thousand," to strike out "forty-five" and insert "forty;" so as to read:

And for the services of scientific experts, clerks, draughtsmen, copyists, messengers, mechanics, laborers, and such other services as the Secretary of War may deem necessary, in the office of the Chief Signal Officer, to carry into effect the appropriations for observation and report of storms, and for the construction, maintenance, and repairs of military telegraph lines, \$40,000.

The next amendment was, in the appropriations for "office of the Quartermaster-General," in line 1672, before the word "clerks," to strike out "twenty-two" and insert "twenty-three;" so as to read:

Twenty-three clerks of class 2.

The amendment was agreed to.

The next amendment was, in line 1683, to increase the total amount of the appropriations for compensation of chief clerk and the clerks and employes in the office of the Quartermaster-General from \$155,375 to

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for "the office of the Chief of Engineers," in line 1748, after the word "messenger," to insert "one watchman;" and in line 1749, after the word "thousand," to strike out "two hundred and forty" and insert "nine hundred and sixty:" so as to make the clause read:

In the Office of the Chief of Engineers: One chief clerk, at \$2,000; four clerks of class 4; two clerks of class 3; three clerks of class 2; three clerks of class 1; one clerk, at \$1,000; one assistant messenger; one watchman, and two laborers; in all, \$23,960.

The amendment was agreed to.

The next amendment was, in line 1759, after the word "exceed," to strike out "fifty-six" and insert "sixty;" so as to make the clause

And the services of skilled draughtsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed in the office of the Chief of Engineers to carry into effect the various appropriations for rivers and harbors, fortileations, and surveys for military defenses, to be paid for from such appropriation: Provided, That the expenditures on this account for the fiscal year ending June 30, 1886, shall not exceed \$60,000; and that the Secretary of War shall each year, in the annual estimates, report to Congress the number of persons so employed, and the amount paid to each.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for "Office of publication of Records of the Rebellion," in line 1765, before the word "clerks," to strike out "two" and insert "three;" in line 1767, before the word "copyist," to strike out "five" and insert "four;" and in line 1773, after the word "all," to strike out "thirty-one thousand three" and insert "thirty-two thousand two;" so as to make the clause

Office of publication of Records of the Rebellion: For one agent, \$2,000; three clerks of class 4; two clerks of class 3; one clerk of class 2; three clerks of class 1; four copyists, at \$900 each; one foreman of printing, at \$1,600; one pressman, \$1,200; five compositors, at \$1,000 each; two copy-holders, at \$900 each; two assistant messengers, two watchmen, and one laborer, at \$600; in all, \$32,230.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," in line 1869, before the word "clerks," to strike out "four" and insert "five;" so as to read:

Five clerks of class 4.

The amendment was agreed to.

The next amendment was, in line 1881, to increase the total amount of appropriation for compensation of the Secretary of the Navy and the clerks and employés in his office from \$56,830 to \$58,630.

The amendment was agreed to.

The next amendment was, in line 1917, after the word "for," to insert "one clerk of class 3;" and in line 1920, after the word "all," to strike out "five thousand one" and insert "six thousand seven;" so as to make the clause read:

Hydrographic Office: For one clerk of class 3; two clerks of class 2; one clerk f class 1; one assistant messenger; and one office attendant, \$420; in all, \$6,740.

The amendment was agreed to.

The next amendment was, in line 1936, after the word "Ocean," to

strike out "twenty thousand seven hundred" and insert "twenty-four thousand;" so as so make the clause read:

For purchase of chart-paper, copper-plates, electrotyping copper-plates; ink and other materials necessary in printing division; materials for drawing division and for mounting charts; materials for engravers; for photolithographing charts for immediate use, and transfer of photolithographic and other charts to copper; repairs to printing-presses; for extra drawing and engraving, and for purchase of foreign charts and hydrographic works for the use of the vessels of the Navy; for the purchase of drawing-paper, drawing materials, and necessary instruments to be furnished naval vessels while surveying, and for repair of such instruments, and for printing Pilot Chart of North Atlantic Ocean, \$24,000.

The amendment was agreed to.

The next amendment was, in line 1950, after the word "at," to strike out "one thousand nine hundred and fifty" and insert "two thousand two hundred;" in line 1952, after the word "thousand," to strike out "seven hundred and fifty" and insert "calculate hundred." "seven hundred and fifty" and insert "eight hundred;" in line 1954, after the word "dollars," to insert "two computers, at \$1,200 each;" and in line 1959, after the word "all," to strike out "seventeen thousand nine hundred and seventy" and insert "twenty thousand seven hundred and twenty;" so as to make the clause read:

Naval Observatory: For pay of three assistant astronomers, one at \$2,200 and two at \$1,800 each; one clerk of class 4; one instrument-maker, \$1,500; two computers, at \$1,200 each; four watchmen, including one for new Naval Observatory grounds; two skilled laborers, one at \$1,000 and one at \$720; and seven laborers; in all, \$20,720.

The amendment was agreed to.

The next amendment was, after the word "dollars" at the end of line 1991, to insert "one assistant draughtsman, at \$1,000;" and in line 1995, before the word "thousand," to strike out "twelve" and insert "thirteen;" so as to make the clause read:

Bureau of Steam-Engineering: For chief clerk, \$1,800; one chief draughtsman, at \$2,250; one assistant draughtsman, at \$1,400; one assistant draughtsman, at \$1,000; two clerks of class 2; one clerk of class 1; one clerk, at \$1,000; one assistant messenger; and two laborers; in all, \$13,490.

The amendment was agreed to.

The next amendment was, in line 2020, to increase the item " for stationery, furniture, newspapers, plans, drawings, drawing materials, freight, expressage, postage, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices? from \$11,000 to \$13,500.

The amendment was agreed to.

The next amendment was, under the head of the "Department of the Interior," in line 2113, after the word "and," to strike out "one laborer" and insert "two laborers;" and in the same line, after the word "all," to strike out "ninety-seven thousand nine hundred and eighty" and insert "ninety-eight thousand six hundred and forty;" so as to make the clause read:

Indian Office: For compensation of the Commissioner of Indian Affairs, \$4,000; chief clerk, \$2,000; one financial clerk, at \$2,000; chief-of-division, at \$2,000; one principal bookkeeper, at \$1,800; four clerks of class 4, one of whom shall have charge of the educational division; ten clerks of class 3; one stenographer, at \$1,600; sixteen clerks of class 2, one of whom shall be a draughtsman; nine clerks of class 1; thirteen clerks, at \$1,000 each; fourteen copyists; one messenger; one assistant messenger; one messenger-boy, at \$360, and two laborers; in all, \$98,640.

The amendment was agreed to.

The next amendment was, to strike out the clause from line 2116 to line 2139, inclusive, as follows:

line 2139, inclusive, as follows:

That a committee consisting of five members-elect of the Forty-ninth Congress, to be appointed by the Speaker of the House of Representatives, shall, during the recess of Congress, inquire into and investigate the expenditure of appropriations for Indian schools, and the education of Indians, the established system of such schools or education, and whether any changes should be made therein. Said committee shall also inquire into the expenditure of public money for the Yellowstone Park, and the administration of the laws applicable to said park, whether any change should be made in said laws or the boundary of the park, and what steps, if any, can be taken to make of practical benefit and utility that portion of the public domain. That said committee have power to visit the places where appropriations mentioned herein are expended, and in doing so they are hereby authorized to use Government conveyances and means of transportation. Said committee shall have power to send for persons and papers, and to appoint a clerk, and may report by bill or otherwise to the Forty-ninth Congress. The expenses of said committee, and of witnesses that may be summoned before it, shall be paid out of any money in the Treasury not otherwise appropriated, on the draft of the chairman of said committee, in sums not exceeding \$1,000 at any one time.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for the Pension Office, after the word "dollars," in line 2167, to insert the following proviso:

Provided, That vacancies occurring in the clerical force of the Pension Office during the fiscal year 1886 shall not be filled by promotion or original appointment until a reduction of one hundred and fifty in all is made; and thereafter the number shall not be increased, and the number in the several grades shall remain as existing when said reduction is completed.

Mr. HOAR. I should like to reserve a point of order on that amendment until I learn what the necessity for it is. I should like to inquire of the chairman if the condition of business in the Pension Office

is such that this reduction may properly be made? The complaint is very great, coming in every mail very largely from pension applicants all over the country, of great delay in dealing with their cases.

Mr. ALLISON. I do not think the delay comes from any lack of clerical force. If the Senator will turn his eye to page 89, line 2184 to line 2190, inclusive, he will see that we continue for the next year a force of one hundred and fifty special examiners, which under the appropriation act of last year were to be retired on the last day of Inle. propriation act of last year were to be retired on the 1st day of July

next. Upon as thorough an examination as we could make of the situation, it was the opinion of the committee that if we continue this additional force of one hundred and fifty special examiners, gradually during the year 1886 we can from all the force reduce an equal number of employés. I do not think there is any likelihood of anybody suffering on account of this reduction.

Mr. HOAR. I do not propose to set up a question of order that will prevent the Senate from acting upon a matter which has been matured

by the committee.

Mr. ALLISON. If the amendment is subject to a point of order, I trust the Senator will make it. I do not understand what point of order it is subject to.

Mr. HOAR. It certainly is new legislation. It provides that the now existing authority to appoint a particular class of officers shall not be exercised.

Mr. ALLISON. As the Senator will see, it relates wholly to the clerks provided for in the paragraph and appropriated for in the para-

Mr. HOAR. But the clerks in that office that now exist are officers beyond the particular year. If we do not appropriate for them, and they go on with their work, would they not have a claim against the United States?

Mr. ALLISON. Perhaps a portion of them may be recognized by some permanent law, but these clerks are appropriated for annually in the appropriation bills, and their number is increased or diminished

from year to year.

Mr. HOAR. There is a change in method of machinery of appointment and putting a limitation on authority. However, I was about to say that I wanted merely to have a clear and distinct affirmation from the committee and the chairman, the organ of the committee, of a belief that the clerical force is sufficient to transact the business of the Pension Office promptly and without delay, because undoubtedly the most objectionable part of our civil administration for the last few years has been the clumsy and imperfect manner and the great delays which have attended the settlement of pension cases. There are a great many cases of fraud, a great many cases of doubt, a great many cases of improper evidence; there are a great many cases of negligence on the part of applicants or their attorneys; but allowing for all that, the fact remains that here are thousands and tens of thousands of soldiers, soldiers' widows, and soldiers' orphans who have done everything that in them lies to secure the pension to which they are entitled by law, and who are growing old and dying of poverty and want and suffering by reason of the imperfection of the mechanism which we have devised for the establishment of their rights.

I do not mean to say that any Commissioner of Pensions has failed to do his best with the machinery at his command. I do not mean to say that there is not much difficulty inherent in the nature of the subject. My own belief is that the whole scheme has been wrong and the pension applicants should have been permitted to try their cause in a dission applicants should have occupied to try their cause in a district court of the United States, or before some special tribunal in their neighborhood, with a proper officer to represent the Government. I think that such a scheme would have long ago disposed of the vast number of pension cases which still await the tardy process of justice.

If the chairman of the Committee on Appropriations, with the great responsibility which rests upon him and his committee, says that the force of clerks in the Pension Office at the present number is not necessary to remove this difficulty and that the settlement of these ages.

sary to remove this difficulty, and that the settlement of these cases will go on as rapidly as may be in the nature of things even with the reduced number, I do not undertake to set up any opinion of mine

against his authority.

Mr. PLUMB. I wish to say in regard to the amendment that last year the Commissioner of Pensions himself recommended an important reduction in the force of that office because of the lack of the necessity for its continuation. But it was not reduced; or rather, the force having been reduced by the bill as it came from the House, the Senate increased it again upon the belief that what is known as the Mexican pension bill would become a law and add very largely to the business

of the office.

Of course if this amendment were in any way to diminish the efficiency of the office and prevent the allowance of any claim at a proper time after the completion of the testimony, I should not myself vote in favor of its adoption; but from a somewhat extended knowledge of the condition of business in the Pension Office my belief is that the force can be reduced one hundred and fifty during the year (although it will not probably be reduced so much by reason of this amendment) without diminishing its efficiency in any degree; that to-day it is not a lack of force which is impeding the business of the office; and if we were to add 500 or 1,000 clerks to the office I believe the business would not be expedited in view of the facility thus afforded to transact it.

I wish to say one thing further in regard to the one hundred and fifty special examiners. I do not think the anticipations that were had when that force was provided have been justified. I would be very glad to cut off part of them, believing as I do that they encumber largely the business of the office rather than tend to expedite it.

I do not believe that under this provision there will be any delay more than has been, and I believe the force can be so reorganized, and

it ought to be so reorganized, as to really expedite the business much more rapidly than ever has been done heretofore.

The PRESIDING OFFICER (Mr. HALE in the chair). The question is on agreeing to the amendment of the Committee on Appropria-

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "United States Patent Office," before the word "principal," in line 2206, to strike out "twenty-four" and insert "twenty-six;" so as to read:

Twenty six principal examiners, at \$2,400 each.

The amendment was agreed to.

The next amendment was, in line 2207, before the word "first," to strike out "twenty-eight" and insert "thirty;" so as to read:

Thirty first assistant examiners, at \$1,800 each.

The amendment was agreed to.

The next amendment was, in line 2209, before the word "second," to strike out "twenty-eight" and insert "thirty;" so as to read:

Thirty second assistant examiners, at \$1,600 each.

The amendment was agreed to.

The next amendment was, in line 2210, before the word "third," to strike out "thirty" and insert "thirty-five;" so as to read:

Thirty-five third assistant examiners, at \$1,400 each.

The amendment was agreed to.

The next amendment was, in line 2212, before the word "fourth," to strike out "thirty-five" and insert "forty;" so as to read:

Forty fourth assistant examiners, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in line 2222, before the word "clerks," to strike out "fifty" and insert "fifty-five;" so as to read:

Fifty-five clerks of class 1.

The amendment was agreed to.

The next amendment was, in line 2223, to insert:

Fifteen examiners' clerks, at \$1,000 each.

The amendment was agreed to.

The next amendment was, in line 2236, after the word "each," to insert:

Ten messenger-boys, at \$360 each.

The amendment was agreed to.

The next amendment was, in line 2238, to increase the total amount of the appropriations for compensation of the Commissioner of Patents, Assistant Commissioner, and the clerks and employés in the office from \$597,170 to \$646,370.

The amendment was agreed to.

The next amendment was, in line 2274, after the word "dollars," to insert "one engineer and skilled laborer, at \$1,000;" and in line 2279, after the word "all," to strike out "forty-four" and insert "forty-five;" so as to make the clause read:

Bureau of Education: For the Commissioner of Education, \$3,000; collector and compiler of statistics, \$2,400; chief clerk, \$1,800; two clerks of class 4; one statistician, \$1,800; two clerks of class 3; one translator, \$1,600; four clerks of class 2; six clerks of class 1; two clerks, at \$1,000 cach; soven copyists; two copyists, at \$300 cach; one copyists, \$720; one engineer and skilled laborer, at \$1,000; one assistant messenger; two laborers; two laborers, at \$480 cach; one laborer, at \$400; and one laborer, at \$360; in all, \$45,580.

The amendment was agreed to.

The next amendment was, in line 2287, to increase the appropriation "for collecting statistics for special reports and circulars of informa-" from \$2,200 to \$5,000.

The amendment was agreed to.

The next amendment was, in line 2294, before the word "thousand," to strike out "two" and insert "our;" so as to make the clause read:

For the distribution and exchange of educational documents, and for the collection, exchange, and cataloguing of educational apparatus and appliances, articles of school furniture, and models of school buildings illustrative of foreign and domestic systems and methods of education, and for repairing the same, \$1,000

The amendment was agreed to.

The next amendment was, in line 2313, after the word "law," to strike out "thirty" and insert "thirty-five;" and in line 2314, after the word "all," to strike out "thirty-five" and insert "forty;" so as to make the clause read:

Bureau of Labor: For Commissioner of Labor, \$3,000; chief clerk, \$2,000; for rent of rooms for use of bureau, and for fuel, light, stationery, employes, and all other necessary expenses of said bureau, and to make investigation into the statistics of labor in the United States and elsewhere, to be expended under the direction of the Secretary of the Interior and as provided by law, \$35,000; in all, \$40,000. And it shall be the duty of the commissioner to report the number and salaries of employés, with the estimates for said bureau, to the first session of the next Congress.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 2358.

Mr. ALLISON. I move to strike out the words "horse-railroad car tickets" in line 2354. I supposed that amendment of the committee had been noted.

Committee on Appropriations was, in line 2361, to increase the appropriation "for stationery for the Department of the Interior and its several bureaus and offices, including the Geological Survey," from \$70,000 to \$72,500.

The amendment was agreed to.

The next amendment was, after the word "may," at the end of line 2370, to insert "in the discretion of the Secretary;" so as to make the clause read:

For the rent of other buildings for the use of the Department of the Interior, to be selected by the Secretary of the Interior, \$58,160: Provided, That any building rented hereunder may, in the discretion of the Secretary, be vacated on the part of the Government as soon as the new Pension Office building is ready for occupancy.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," in line 2500, to strike out "one clerk" and insert "two clerks;" in line 2501, after the word "dollars," to strike out "one female clerk, at \$900;" and after the word "all," at the end of line 2502, to strike out "thirty thousand nine hundred" and insert "thirty-one thousand;" so as to make the clause read:

For compensation of the Postmaster-General, \$8,000; chief clerk to the Postmaster-General, \$2,500; stenographer, \$1,800; appointment clerk, \$1,800; law clerk, at \$2,500; and one clerk of class 4 (in office of Assistant Attorney-General for Post-Office Department); two clerks of class 3; one clerk of class 2; three clerks of class 1; two clerks, at \$1,000; one copyist; one messenger; one assistant messenger; in all, \$31,060.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of
"First Assistant Postmaster-General," in line 2515, before the word "clerks," to strike out "four" and insert eight;" so as to read:

One clerk of class 2 and eight clerks at \$1,000 each, for one year, in the salary and allowance division.

The amendment was agreed to.
The next amendment was, in line 2524, to insert:

One clerk, at \$1,000.

The amendment was agreed to.

The next amendment was, in line 2526, to increase the total amount of the appropriation for compensation of First Assistant Postmaster-General and the clerks and employés in his office from \$111,500 to \$120,500.

The amendment was agreed to.
The next amendment was, in line 2530, after the word "dollars," to strike out "chief of foreign mails division, \$2,000; eleven" and insert "ten;" in line 2532, before the word "clerks," to strike out "thirtyfive" and insert "thirty-four;" in line 2533, before the word "clerks," to strike out "twenty" and insert "eighteen;" and before the word "hundred," in line 2538, to strike out "fifty-one thousand nine" and insert "forty-three thousand seven;" so as to read:

For Second Assistant Postmaster-General, \$4,000; chief clerk, \$2,000; chief of division of inspection, \$2,000; superintendent of railway adjustment, \$2,000; ten clerks of class 4; thirty-four clerks of class 3; eighteen clerks of class 1; nine clerks, at \$1,000 cach; three female clerks, at \$900 each; three assistant messengers; and one laborer; in all, \$143,720.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 2538, to strike out:

And the Second Assistant Postmaster-General shall have the supervision over the foreign mails.

For superintendent of foreign mails, \$3,000; chief clerk, \$2,000; one clerk of class 4; three clerks of class 5; one clerk of class 2; one clerk of class 1; two clerks, at \$1,000 each; one assistant messenger; in all, \$16,920.

The amendment was agreed to.

The next amendment was, in line 2613, after the word "dollars," to insert "for the purchase of free penalty envelopes \$3,600," and in line 2624, after the word "all," to strike out "sixty-thousand eight" and insert "seventy thousand four;" so as to make the clause read:

For contingent expenses of the Post-Office Department: For stationery and blank books, \$9,000; for the purchase of free penalty envelopes, \$3,600; fuel, and for repairs to heating apparatus, \$7,200; for gas, \$6,600; plumbing and gas fixtures, \$4,700; telegraphing, \$5,000; painting, \$1,700; carpets and matting, \$5,900; furniture, \$7,500; keeping of horses and repair of wagons and harness, \$1,500; hardware, \$1,700; miscellaneous items, \$13,000; in all, \$70,400.

The amendment was agreed to.

The next amendment was, in line 2631, after the word "dollars," to insert "for rent of additional buildings for the use of the money-order insert for rent of additional buildings for the description of the money-order division of the Office of the Auditor of the Treasury for the Post-Office Department, \$4,500;" and in line 2635, after the word "all," to strike out "nine thousand five hundred" and insert "fourteen thousand;" so as to make the clause read:

For rent of topographer's office, \$1,500; for rent of a suitable building or buildings for the use of the money-order office of the Post-Office Department, and of the money-order division of the Auditor of the Treasury for the Post-Office Department, \$8,000; for rent of additional buildings for the use of the money-order office of the Post-Office Department, and of the money-order division of the Office of the Auditor of the Treasury for the Post-Office Department, \$4,500; in all, \$14,000.

ittee had been noted.

The amendment was agreed to.

The next amendment was, under the head of "Judicial" in the appropriations for the office of the Attorney-General, in line 2671, before

the word "copyists," to strike out "seven" and insert "ten;" so as to read:

Ten copyists

The amendment was agreed to.

The next amendment was, in line 2768, to increase the total amount of the appropriation for compensation of the Attorney-General and the clerks and employés in his office from \$112,110 to \$114,810.

The amendment was agreed to.

The themendeen was agreed to.

The reading of the bill was resumed and concluded.

Mr. HARRISON and Mr. ALLISON addressed the Chair.

The PRESIDENT pro tempore. The Chair feels bound under the understanding to recognize the Senator in charge of the bill, that further amendments from the Committee on Appropriations, if there be any, may be offered.

Mr. ALLISON. If the Senator from Indiana will yield for just a

moment I will then give way to him.

Mr. HARRISON. Very well.

Mr. ALLISON. In line 2317, after the word "the" where it first occurs, I move to strike out the words "first session of the next" and insert "Secretary of the Interior for transmission to;" so as to read:

And it shall be the duty of the Commissioner to report the number and salaries of employés, with the estimates for said bureau, to the Secretary of the Interior for transmission to Congress.

The Bureau of Labor is under the Interior Department.

The amendment was agreed to.

Mr. ALLISON. After line 411, I move to insert:

For pay of E. J. Babcock, secretary of the commission on the dedication of the Washington Monument, \$200, to be paid from the appropriation for the ded-

The amendment was agreed to.

Mr. ALLISON. I now yield to the Senator from Indiana. Mr. HARRISON. In line 71, after the words "Indian Affairs," I move to insert the words:

Clerk to the Committee on Territories.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Indiana.

Mr. MILLER, of New York. I move to amend the amendment by

adding the words:

And clerk to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York to the amendment offered by the Senator from Indiana.

Mr. VAN WYCK. Another amendment is not in order now?

The PRESIDENT pro tempore. Another amendment is not in order. Mr. VAN WYCK. Then I desire to give notice that when the amendment is in order I shall propose to so amend the bill as that the clerks of all the standing committees of the Senate shall be annual clerks. This matter has drifted away from the necessities of requiring clerks to the committees. That is evident. I look over the list and find those committees which have annual clerks and those which have not, and there is no difference between the labor of the committees. For instance, here is the Committee on the Census. I will ask the Senator from Maine [Mr. Hale], the chairman of that committee, whether the

Committee on the Census has had any meeting this session?

Mr. HALE. It is a very laborious committee.

Mr. VAN WYCK. Very! That committee has an annual clerk.

Next is the Committee on Private Land Claims. Let me ask the Senator from Delaware [Mr. BAYARD] a question, if he will give me his attention for a moment. Will he please inform me how many times that committee have met during this session, and how many reports they have made?

Mr. BAYARD. The Committee on Private Land Claims?
Mr. VAN WYCK. Yes; I am inquiring about the relative labor of committees, and I am directing attention to the Committee on Private Land Claims. I desire to propound the inquiry to the chairman of that committee how many meetings they have had at this session?

Mr. BAYARD. On the regular day, which is Friday. I have the impression that there may have been two Fridays since the 1st of December on which the committee did not have a session, owing to the absence of members of the committee, but otherwise the committee has been in session on its regular meeting day in each week.

Mr. VAN WYCK. The Senator will understand that I am not ar-

raigning the committee for neglect of duty by any means. That is not

the purpose of my inquiry.

Mr. BAYARD. Will the Senator state his purpose

Mr. VAN WYCK. I have no doubt of the faithfulness and zeal with which that committee does everything which properly comes

It is no disrespect to the committee or suggestion of their want of intelligence or diligence or activity. The Senator was not probably paying attention to my statement, and he is not required to do it. The Senator from Indiana [Mr. HARRISON] proposed an amendment to this bill. We have seen very much of this appropriation bill, and certainly

it is a very large thing.

The Senator from Indiana proposes that among the annual committee clerks there shall be enrolled the clerk of the Committee on Territories of the Senate. That is probably very proper. With that the Senator from New York [Mr. MILLER] proposes that there shall also be added to the list of annual clerks the clerk of the Committee on Agriculture and Forestry, which is very important probably. Then I suggested to the Senate that at the proper time I should propose an amendment that the clerks of all the standing committees should be annual clerks. That naturally suggested the inquiry, as I stated, that we had got a good ways from the first introduction of clerks to committees where they are absolutely necessary, and I took up the list, commencing backward.

I asked the Senator from Maine [Mr. HALE] who is chairman of the Census Committee, which has an annual clerk, as to the duties of that committee, as to the necessity for an annual clerk, and he answered very promptly that there are serious and arduous duties performed by the Committee on the Census. Having received a satisfactory answer to that inquiry, I went along the list and found the Committee on Private Land Claims. Therefore it was that I turned to the chairman of that committee to know as to the nature or arduous character of the duties

connected with that committee. I trust now the Senator understands and will excuse the inquiry that I made.

Mr. BAYARD. There is no excuse required. Anything that relates to the public business is a very proper matter for public inquiry. I may only state that before I became chairman of that committee some of the most experienced lawyers of the body, the present presiding officer of the Senate, Judge Thurman, and Judge Davis were all members of the committee, and I think they found themselves sometimes very constantly occupied to frame proper laws for the very important cases that came before them. It was under their supervision and control that the annual feature was made for the clerkship. I found it so, and I trust it will remain so.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York [Mr. MILLER] to the amendment offered by the Senator from Indiana [Mr. HARRI-

The question being put, there were on a division—ayes 20, noes 20. Mr. MILLER, of New York. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. CALL. I wish to announce that my colleague [Mr. Jones, of Florida] is detained from the Senate by illnes

The result was announced-yeas 29, nays 28; as follows:

	YE	AS-29.	THE TELEVISION SAME
Aldrich, Blair, Bowen, Call, Chace, Conger, Cullom, Dolph,	Frye, George, Harrison, Hill, Hoar, Ingalls, Jones of Nevada, Lapham,	McMillan, Mahone, Manderson, Miller of Cal., Miller of N. Y., Mitchell, Palmer, Pike,	Sawyer, Sewell, Van Wyck, Williams, Wilson.
	NA NA	YS-28.	PARTY SEASON
Allison, Bayard, Beck, Brown, Camden, Cameron of Wis., Cockrell,	Colquitt, Dawes, Edmunds, Groome, Hampton, Harris, Hawley,	Jackson, Jonas, Lamar, Maxey, Morgan, Morrill, Platt,	Pugh, Ransom, - Riddleberger, Sherman, Vance, Vest, Walker.
	ABSI	ENT-19.	
Butler, Cameron of Pa., Coke, Fair, Farley,	Garland, Gibson, Gorman, Hale, Jones of Florida,	Kenna, Logan, McPherson, Pendleton, Plumb,	Sabin, Saulsbury, Slater, Voorhees.

So the amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment as amended.

Mr. VAN WYCK. After the word "Forestry" I move to insert-And clerks to each of the other standing committees of the Senate.

Mr. COCKRELL. I move to amend that.

Mr. ALLISON. I ask whether an amendment is in order?
Mr. COCKRELL. I think it is in order. I want to amend it so as
to include the clerks of the select committees of the Senate, making it
read "the clerks of the standing and select committees."

with which that committee does everything which properly comes before it. Will the Senator furthermore state how many reports that committee has made at this session, if he remembers?

Mr. BAYARD. I can procure for the Senator, if he desires, the statement of the clerk as to the exact number of reports.

Mr. VAN WYCK. Yes; I should like to have it.

Mr. BAYARD. I should like to ask now, if the Senator has no objection, what is the object of his inquiry?

Mr. VAN WYCK. The Senator did not hear me. I will tell him.

then I think in the estimation of nearly every Senator here outside of the Appropriations Committee they have failed very seriously in the correct discharge of that duty.

The clerks of committees should be established, if they are made annual, upon the necessity of labor being done after the close of the session, if we require that of some of our committees. Among the committees for which annual clerks are recommended there are those which have no pretense of requiring an annual clerk. Such, I think, are the two committees to which I have referred, the Committee on the Census and the Committee on Private Land Claims. I do not think the Senator from Delaware, although he voted against the amendment of the Senator from New York, believes for a moment that there is any pretense for having a clerk to the Committee on Private Land Claims after the session closes. We should do one thing or the other.

session closes. We should do one thing of the other.

If there is any justice or honesty about the distribution of this part of the patronage, or plunder, as it should more properly be called—patronage, if we choose to call it by a milder term, because probably one-half the persons employed about this building are not necessary—we should act equally. We have doubled the expenses connected with the running of this part of the Capitol beyond what is actually necessary. It is significant that we have here clerks of committees carried on the annual roll to-day when there is no pretense of necessity or duty for them. The Appropriations Committee has retained some, and we find that the Census Committee and the Private Lands Committee have annual clerks. There is no necessity for annual clerks to these committees. Why do the Appropriations Committee, who watch everything so carefully, suffer this to pass out of their grasp and fasten committee clerks on the Treasury when there is no necessity for them?

Then I ask the question why did not the Appropriations Committee go further and make the clerks of all standing committees annual clerks? Let us make a reform one way or the other. Let us make a reform in justice by only apportioning the clerks where the duties of the committee require them, or let us make the reform on the other line, on the basis of honest equality, and make the clerk of every committee an an-

I say to my friend from Iowa that it is not necessary to state that I say to my friend from Iowa that it is not necessary to state that some committees work more than others. Certainly; but they are provided with additional clerical help. The Appropriations Committee has not only one clerk, but two clerks to the committee. So all committees whose duties require it are provided for already by this bill. I have asked only that the committee shall strike down those that are useless or add others that are also useless, and have an equality one way or the other.

There is no necessity for this, Mr. President. There is no occasion for it. There are officers provided for here for whom there is no necessity. We have messengers at \$1,440 a year and the compensation of others is increased and so is that of the clerk of the Appropriations Committee, and every gentleman on the Appropriations Committee has taken especial care I suppose to see to it that the clerk of his particular committee is an annual clerk. I do not think this necessary. I should like the Senate if possible to be consistent on one line or the other, either on the basis of honest equality for all the committees or on the basis of economy. If it is a donation, if it is a gift, a matter of favor to a Senator having charge of a committee, let it be uniform. That is all.

Mr. ALLISON. I suppose there is no more difficult question affecting our internal affairs here than the one we are now considering. Cer-

tainly no one question gives the Committee on Appropriations more trouble at each recurring session than the consideration of the commit-

The Senator from Nebraska wants to know why it is that we have reported this bill providing for the clerks of certain committees, which committees, he says, have no labor or very inconsiderable labor to perform. The Committee on Appropriations have reported the annual clerks in accordance with the action of the Senate hitherto. We have not taken upon ourselves the responsibility of revising the judgment of the Senate with reference to those clerks of committees; and where we have found resolutions of the Senate or votes of the Senate making clerks annual officers we have adhered to them.

If the Senator from Nebraska thinks that some of these annual clerks ought not to be so provided for, I should think with his judgment in reference to the economy of the Senate he would have addressed himself rather to correcting the errors of the Committee on Appropriations by proposing to strike down clerks that the Senate has hitherto made annual; but instead of that his proposition is now a sweeping proposition that every committee of this body shall have an annual clerk, without reference to the business of the committee and without reference to the question whether or not that committee has work for an annual clerk

to perform.

I shall not go into a discussion of the respective labors of committees in this body. Every Senator here is as capable of Judging of ter as I am. Nor am I intending to lecture the Senate as to whether or ter as I am. That is not clerks of committees shall all receive annual compensation. That is a question for the Senate, which I do not choose as a member of the Committee on Appropriations to interfere with. I only say that the Committee on Appropriations have from time to time made these reports in view of facilitating the business of the committees of this body

and of the Senate. Last year, I believe, we did add one annual clerk to the list of annual clerks; that was the clerk of the Committee on Indian Affairs, of which the venerable Senator from Massachusetts [Mr. DAWES] is chairman. I think the Senate will agree that that committee for the last year or two years has been one of the hardest worked committees in this body.

Now, if the Committee on Agriculture which has just been voted in is a committee that requires work in the vacation, is a committee that requires the labor of a clerk in vacation, no Senator will be more willing to vote for it than I will; and so with the clerk of any other committee where the committee can show a reason why that should be done. It has been shown in the past with reference to the several committees named in the bill, and the Committee on Appropriations

did not choose to reverse the judgment of the Senate.

But I ask that the Senate pause before it adopts the proposition of the Senator from Nebraska to provide sweepingly for annual clerks to all the standing committees of this body; because if that shall be done, surely the Senator from Missouri will insist upon his amendment which shall provide for the inclusion of all the select committees of this body. If that is the disposition of Senators I shall not interfere with it; but I submit that it will add largely to the expenditures of the Senate, and in that respect I do not think I am illiberal.

In that respect I do not think I am illiberal.

The Senator from Nebraska said that the Committee on Appropriations had two clerks. It has two clerks, and neither of these clerkships is a sinecure, I can tell the Senator from Nebraska. They are as hard worked clerks as there are connected with this body; and one of those clerks, the chief clerk of the Committee on Appropriations (and I say it without invidious distinction in regard to other clerks), is an officer who not only works during the session of Congress, but in season and

who not only works during the session of Congress, but in season and out of season in the committee-room with reference to public measures.

Mr. VAN WYCK. Allow me right there one moment?

Mr. ALLISON. I will.

Mr. VAN WYCK. I do not undertake by any means to intimate that the clerks of the Appropriations Committee were not just such officials as the Senator represents. My only idea was to answer what I supposed be an argument made, that annual clerks are given because some committees do more work than others. I only said in that connection that when that was the case the Senate took care to provide that they should have additional clerks. I beg the Senator not to misunderstand me. understand me

Mr. ALLISON. Of course I will not misunderstand the Senator; but the Senator from Nebraska undertook to say, and did say, that the Committee on Appropriations in deciding this matter, so far as they had the power to decide the matter, were actuated by principles of favoritism with regard to the members of this body. I do not so understand the action of the Committee on Appropriations. Now take the clerk of the Committee on Indian Affairs, made annual last year. The Senator from Massachusetts, although a member of the Committee on Appropriations, did not ask for that annual clerk, although he might as well have asked for it, and so I might say of other gentlemen the clerks of whose committees have been made annual.

I have no feeling about this. I think we ought to have competent men as clerks of committees, competent men in the administration of our affairs at the desk here and elsewhere; and if they are not paid sufficiently now, let us pay them a larger salary; but let us not do it by a wholesale amendment such as is proposed by the Senator from Ne-

braska.

Mr. MILLER, of New York. I do not desire to go into any general discussion of this subject, as I do not think it is necessary. I understand that from time to time the list of the annual committee clerks has been changed and added to. It seems to have come to a point now where, in the opinion of many Senators, if not a majority, there is a discrimination in this matter which ought no longer to exist. There are a number of the committees which are standing committees, but the clerks of which are merely appointed for the session and are paid

a per diem.

Last session the Senate by quite a majority decided to allow a private secretary to every Senator in this body who was not the chairman of The pay of these secretaries is precisely the same as the a committee. pay of the clerks of standing committees, which are not included in the annual list in this appropriation bill. I submit that that is not a fair distribution; for if these committees are of any value at all, if they have any work to do, certainly the clerk of such a committee should receive more than the secretary of a Senator, who is paid for doing the ordinary business of a Senator and nothing else. A number of these committees are very important and do a large amount of work. There can be no doubt about that,

Then in the making up of the force about the Senate and arranging their salaries, a matter entirely in the hands of the Appropriations Com-mittee, it so happens that the men who are appointed as messengers to these very committees about which we are now talking receive an annual salary of \$1,440, which is more than the clerks of the committees receive. I submit that this is not a fair distribution, and it should oot be so. They are general messengers, and they are assigned to act is messengers to these very committees on the days they sit and at other times they are distributed to other work; but they do act as mes-

sengers to those identical committees. Of course their appointment is general, but they are assigned specially to committees.

Mr. PLUMB. The messenger in charge of the room of the Committee on Public Lands acts as messenger to that committee during the days when that committee is in session and at other times he does other essenger duty. He is not messenger to that committee specially.

Mr. MILLER, of New York. I understand, but they are assigned

to special duty as messengers to the particular committees and they receive the salary which I have stated.

As to the main question whether all the standing committees should have permanent clerks, I am not prepared to say. As I look over the list I am not able to select any which I think should not come under that rule. I do not care to go into any discussion as to the importance of some of the committees which I find in this bill. The Senator from Nebraska has done that to some extent. I submit to any fair-minded Senator if he will take that list of committees whose clerks are made annual by this appropriation bill and then take the list of the committees which are standing and the clerkships which are not annual, he will say that it is not right. The only way to make it right is to change it here and now in this bill.

Mr. ALLISON. I suggested to the Senator from Nebraska when he offered his amendment that I thought it was not in order. It has not been reported by any committee nor has it been referred to the Com-

been reported by any committee nor has it been referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The Chair thinks, if the Senator makes the point, it is not in order.

Mr. ALLISON. I do.

Mr. VAN WYCK. It is an amendment to an amendment. Do I understand that it is the rule of this body that where a gentleman has presented an amendment properly, as the Senator from Indiana did, and then any other Senator desires to propose an amendment to that amendment, it must be submitted to the Committee on Appropriations the day previous?

the day previous?

The PRESIDENT pro tempore. The Chair understands the rules to require in respect of amendments to appropriation bills that all amendments. ments which add new items of appropriation (as this does in substance as the Chair thinks) must be reported from a standing or select committee and be referred, one day previous to their being considered, to the Committee on Appropriations. The Chair understands that the same rule applies to amendments to amendments. If any question of order shall be raised on the first amendment the Chair will rule upon it when made. The Senator from Iowa makes the question of order that the amendment proposed by the Senator from Nebraska is not in order under this rule. The Chair is bound to sustain the point of or-

Mr. VAN WYCK. Will the Chair hear another suggestion? This amendment was received without opposition and has been discussed without opposition, and now I submit it is too late for the Senator from

without opposition, and now I submit it is too late for the Senator from Iowa to raise the question of order.

The PRESIDENT pro tempore. The Chair thinks the practice of the Senate has always been to have these questions of order determined when they are raised until the bill has gone to a stage where the amendments become a part of the bill and can not be touched.

Mr. VAN WYCK. Speaking upon the bill, then, I desire to ask the Senator from Kansas a question. The Senator from New York spoke in regard to messengers, and the Senator from Kansas replied that the general messengers were detailed to wait on committee rooms and

general messengers were detailed to wait on committee-rooms, and when not waiting there were engaged in other services. Let me call his attention to this:

Seven messengers at the rate of \$1,440 per annum for the following commit-tees, namely: Finance, Post-Offices and Post-Roads, Pensions, Claims, District of Columbia, Judiciary, Engrossed Bills, and Military Affairs.

Are not those messengers appointed for and especially assigned to

Mr. PLUMB. I suppose they are; but I was referring to the messengers generally, not to those specially named.

Mr. VAN WYCK. Here are seven placed in this bill by the Committee on Appropriations, whose only duty is merely to sit at the doors of these committee recognitions.

mittee on Appropriations, whose only duty is merely to sit at the doors of those committee-rooms.

Mr. ALLISON. Will the Senator allow me?

Mr. VAN WYCK. Let me get through with this first.

Mr. ALLISON. It is right on this point.

Mr. VAN WYCK. Let me finish my sentence. They are at the doors of these committee-rooms. My friend from Kansas admits that their only duty is at those committee-rooms. I want still further to ask him—and then I will hear the Senator from Iowa—what duties have they to discharge during the vacation?

Mr. PLUMB. That I do not know. I can not tell about that.

Mr. PLUMB. That I do not know. I can not tell about that.
Mr. VAN WYCK. Probably the chairman of the committee can.

Mr. VAN WYCK. Probably the chairman of the committee can.
Mr. PLUMB. The Senator from Nebraska probably knows more
about it than I do. I was speaking in reference to the general messengers. I suppose these special messengers probably do the duty of waiting upon those committee-rooms during the session, but I understand—
though I do not know anything about it—that they have other duties
during the vacation. But I want to say one thing further. The Committee on Appropriations did not put anything at all in the bill on this

subject. These provisions were found in the bill as it came from the House, and the House committee presumably—I have no doubt that is the fact—took the regular establishment as provided for at preceding sessions of Congress; and these committee clerks and messengers, as I understand, have been put in in obedience to a resolution of the Senate made prior to the time when they were put in; and in putting them in the committee has simply accepted the judgment of the Senate text. in the committee has simply accepted the judgment of the Senate ex-

pressed independently on the proposition.

Mr. VAN WYCK. Now I will hear the Senator from Iowa.

Mr. ALLISON. I am much obliged to the Senator from Nebraska.

If I were to say anything it would be a repetition of what the Senator from Kansas has just said, and that is that the Committee on Appropriations'do not pretend to consider these questions where the Senate has taken action. We find an existing statute with reference to the number of employés and the compensation of employés, and except in a very few instances we do not undertake to change that statute. Now with reference to the messengers that have been put on from time

to time, some of them have been put on against my vote, as I remember very well. Last year a messenger to the Committee on Military Affairs was by a resolution of the Senate, and a large majority too, placed on that list, and we felt bound to make an appropriation for that messenger in accordance with the judgment of the Senate, and so

we have acted with reference to the annual committee clerks.

Mr. VAN WYCK. Let me ask the Senator from Iowa a question, which the Senator from Kansas said he could not answer. I find in

Seven messengers at the rate of \$1,440 per annum, for the following commit-tees, namely: Finance, Post-Offices and Post-Roads, Pensions, Claims, District of Columbia, Judiciary, Engrossed Bills, and Military Affairs.

The Senator from Kansas admits that these messengers are specially assigned for duty to these committees. Let me ask my friend from

assigned for duty to these committees. Let me ask my friend from Iowa if these messengers have any duty to discharge in vacation.

Mr. ALLISON. I suppose they have; otherwise I presume the Senate would not have given them an annual salary. What those duties are I do not know. I happen to be a member of the Committee on Finance, which is the only committee of which I am a member of those nance, which is the only committee of which I am a member of those committees indicated in that list. I suppose the chairman of the Committee on Finance could indicate what his messenger does. Of course I can not follow him up day by day. But I take it that when the Senate deliberately provided for a messenger they did so upon some idea that service was to be performed, and I have no doubt these messengers perform their relative proportion of the work that is done by messengers gers of the Senate during the vacation.

It is impossible for any Senator here to run the Senate in vacation. It is the business of the Sergeant-at-Arms to take care of this wing of the building during the vacation and to assign a sufficient number of messengers, laborers, and other employés to see that the building is taken care of; I do not know what particular ones he uses at different

Mr. MORRILL. If the Senator from Iowa will permit me, I will say that the Sergeant-at-Arms has the sole charge of these seven men, and places them at any duty he sees fit. They can not be absent without his leave.

Mr. MITCHELL. I would suggest in the same line that the mes-senger of the Committee on Pensions was summoned here in vacation

by the Sergeant-at-Arms.

Mr. VAN WYCK. That is not one of the committees I am asking

Mr. MITCHELL. Yes, it is.

Mr. VAN WYCK. Then I beg pardon; I see it is. That is one of
the seven specially assigned by a resolution of the Senate, my friend
says deliberately adopted. The resolution of the Senate was for duty
to these committees. Then I desire to know—I do not suppose the Appropriations Committee know—what they do when Congress is not in
session? I venture to say that they may assigned be a part of the session. session? I venture to say that these men assigned here have no duty to perform, as most of the annual clerks have no duty to perform dur-

ing vacation. That is the point I was designing to make.

Then the gentlemen on the Appropriations Committee say they are powerless, they can not do anything, because the Senate has deliberately resolved that these appointments should be made; but I see the Appropriations Committee struck down some things. Only a moment ago propriations Committee struck down some things. Only a moment ago they were striking down one hundred and fifty clerks in the Pension Office. How were they on the roll. Does my friend from Iowa understand me? He was saying that it was not proper for the Appropria-tions Committee to retrench of their own motion when the Senate detions Committee to retrench of their own motion when the Senate de-liberately by resolution said these messengers were beyond their reach. Then I alluded to the fact that only a moment ago the Appropriations Committee were asking us to strike down one hundred and fifty clerks in the Pension Office. Was that not taking the power in their own Those clerks were placed there by law or by resolution of this hands? body. My friend must know this.

I want to show that that committee can do it when inclined. They can strike down one hundred and fifty pension clerks, but they can not strike down the annual clerk of the Committee on the Census or the annual clerk of the Committee on Private Land Claims.

Mr. HARRISON. Mr. President, there can be no doubt, indeed I

do not understand that the chairman of the Committee on Appropriations denies, that there are great inequalities in the provision made in this bill for the clerks of the committees of the Senate. The Appropriations Committee evade responsibility for some of these things by saying that at some previous session of the Senate an annual clerk was ordered for a particular committee, that they have felt that order to be binding upon them, and therefore they report an appropriation for that

Now, I think this whole subject ought to be reconsidered and put upon a fair and equal basis all around. So far as the clerk of my com-mittee is concerned, I do not ask anything else. As these clerks are now serving, perhaps at this session of Congress the pay of one of these clerks who is paid a per diem would be between five and six hundred dollars. At the longer session of Congress it would be probably a thousand dollars, or something more. I do not think the average annual pay amounts to a sum that is equal to the service they render, because any competent clerk who comes here and takes a position as clerk of a any competent cierk who comes here and takes a position as cierk of a committee, if he is a stenographer, loses his place and his business at home. He may pick up something in the intervals of the sessions of Congress, but he practically gives up his place; he loses his identity in the community in which he has been engaged, and the best he can do is to supplement his salary in the vacation by picking up some work, more or less, as he may be fortunate about it.

It seems to me that as to many of our committees the appeal salary.

It seems to me that as to many of our committees the annual salaries fixed here of \$2,200 a year would be too large, but if as to many of these committees there could be an annual salary fixed of say \$1,800 a year, and perhaps others \$1,600 a year, putting them upon an annual basis, but not at the rate named here, and that this rate of \$2,200 should be allowed only in the case of those clerks who hold such committees

Mr. MILLER, of New York. Will the Senator allow me to ask if he does not discover that there are numerous clerks here receiving \$2,500 and \$3,000?

Mr. HARRISON. I know there are some.

Mr. MILLER, of New York. The advances have already been made

Mr. MILLER, of New York. The advances have already been made for the great Committees on Appropriations and Finance and others.

Mr. HARRISON. The clerk and stenographer of the Committee on Finance, I see, has a salary of \$2,500. The clerk of the Committee on Appropriations has \$3,000. It is increased by this bill \$500 by an amendment recommended by the committee. It does seem to me that it is the duty of the Committee on Appropriations to harmonize this bill and put it on a basis that is fair all around to the different committee.

Mr. ALLISON. I will say to the Senator that last year we put a Houses to take up this whole question of compensation to the employés of both Houses with reference to the distinctions between the two Houses and with reference to the inequalities in the Senate; and that committee I think made a report; I do not remember what the report was, but at any rate after a long sitting our committeemen were unable to agree with the House of Representatives in relation to a general scale and schedule of salaries.

Mr. HARRISON. It is not necessary that there should be an agree-ment with the House. This is a matter I think as to our own clerks that the Appropriations Committee of the Senate could control if they would take hold of it.

I am not in favor of the proposition of the Senator from Nebraska to make all committee clerks annual and to give them all the salary specified here. I do not think we could justify ourselves in doing it. There are some of the committees, and I think the committee of which I am chairman is one, that have a great deal of work to do which requires a competent man, and I do not think the present adjustment of his pay is adequate. It is certainly out of proportion to the pay allowed to others who do no more work than he does.

I do not know how generally this proposition should be extended. I have no disposition to seem to be greedy in making this proposition for the clerk of my own committee. I believe he is entitled to more money than he receives, under the present adjustment, for the work he does, and I would be entirely willing to meet the Committee on Appropriations on some amendment that would put these clerks on some fair basis as

on some amendment that would put these clerks on some fair basis as to the pay that they should receive, involving annual employment.

Mr. MAHONE. I believe it is in order to offer an amendment to the amendment now under consideration.

The PRESIDENT pro tempore. It is in order to offer a further amendment. There is only one amendment now pending.

Mr. MAHONE. I offer the following amendment under the instruction of the Committee on Public Buildings and Grounds; after the word "Forestry" I move to insert "and clerk to the Committee on Public Buildings and Grounds."

Mr. ALLISON. I suppose that the amendment is in order from the fact that it was offered a few days ago and regularly referred to the Committee on Appropriations.

Committee on Appropriations.

The PRESIDENT pro tempore. That being the case, it is in order.

The question is on the amendment proposed by the Senator from Virginia to the amendment of the Senator from New York.

Mr. GORMAN. I dislike very much to oppose an amendment offered

by any Senator providing for a clerk to his committee; but I find upon a hasty examination to-day of the rolls of the Senate that there are two hundred and five persons now employed annually in the service of the Senate, and with the list of temporary employés added the aggregate number is two hundred and fifty-six officers of this body; and the total amount of compensation paid per annum to officers of this body by the bill which is now under consideration is \$348,082.70, divided thus:

In the office of the Vice-President	\$4,742	40
Chaplain	900	00
Office of the Secretary of the Senate	62, 566	50
Clerks and messengers to committees	57, 020	00
Offices of Sergeant-at-Arms and Doorkeeper	151, 621	80
Session clerks to committees	31,800	00
Clerks to Senators	39, 432	00

Making an aggregate of

It appears also by this bill that the whole amount paid in the other branch to clerks and messengers to committees is only \$37,900, as against \$57,020 here.

I submit that on that statement it would be very unwise, indeed, to increase this list. I desire to say to the chairman of the Committee on Appropriations that one year ago he himself, as I remember, knowing what great abuse there was in this matter ingrafted upon an appropriation bill a clause for the appointment of a committee to revise the list, but nothing has been done. At this session of the Senate, without the slightest reason for it, and with no reason in the world—for you

the slightest reason for it, and with no reason in the world—for you can not hide them away in the corridors of the Capitol—a large increase of force has been made. Now, I submit that it is unwise and improper with this immense list, with more men than can possibly be used in transacting the affairs of this body, to increase the force.

Mr. CALL. Mr. President, I do not take any part in this sort of small economy which fails to measure the importance of the public duties confided to this body. There is nothing shown in these objections, no particularity; there is merely a general statement that the service of the Senate is extravagant and unreasonable. Now, sir, I want to say, with the committees that we have here; that if the judgment of the Senate that established these standing committees was correct, if they are charged with the highly responsible duties of legislation for this country, with the vast amount of public moneys that are appropriated, with the care of public property, there is not a standing committee of this body that ought not to have a capable and well-informed annual clerk to discharge the duties of that committee, to prepare its papers, and furnish the necessary information for legislation, and correct legislation upon the subjects committed to it. rect legislation upon the subjects committed to it.

We are not to measure the great duties confided to this body in a spirit of small and narrow economy. We ought to be prepared with every efficient means of legislation, with information at our hands, and the service of this body ought to be discharged in the most prompt and the most efficient manner. If we have public servants and fail to exact of them the proper measure of public duty, it is our fault; but there is no propriety in objecting to a proposition, when the judgment of the Senate has been passed and created a committee, that it should be furnished with proper and efficient service. I deny the charge that the nished with proper and emcient service. I deny the charge that the service of the Senate is extravagant. I deny that it is out of proportion to the necessary and proper means for performing legislative duties, and I protest against a spirit of small and narrow economy which is to menace the efficiency of this body in the discharge of its public duties.

Mr. RIDDLEBERGER. Mr. President, it happens to have come within my knowledge that this small spirit has been perhaps too small to be observed. I have known since I have been here this winter that

messengers, so called, are appointed to take care of committee-rooms, and that the Sergeant-at-Arms, because some Senators perhaps did not want to vote appropriations, has not allowed their committees the serv-

ices of those who are called messengers. It is a fact that I state, and it is susceptible of all the proof that you can want.

This thing of appointing this committee clerk or that committee clerk to an annual place is quite easy. If the Senator from New York will show that he requires for the Committee on Agriculture an annual clerk, he can get it; but I venture to say that that committee does not meet once a fortnight, and I ask that Senator to show now whether the clerk that he has for his committee is required to perform service two hours in a week. I am chairman of the Committee on Manufactures. It has met once in two years. If there be any reason why the clerk of that committee should not have an annual salary, I shall be obliged to some Senator who will assign it. [Laughter.]

Mr. CALL. Will the Senator from Virginia allow me to interrupt

Mr. RIDDLEBERGER. Certainly.
Mr. CALL. I ask the Senator from Virginia why he does not move that the committee be dispensed with. That is the proper course to pursue if there are committees here that are not required for the service of the body.

Mr. RIDDLEBERGER. I can answer the Senator very quickly. I am not in a position to make that kind of a motion. If I belonged to a Democratic caucus possibly I would have a right to do that, and I

should bring it in here as a measure and have it defeated; and if I belonged to a Republican caucus I might make the same motion here and have it prevail; but I have as much right, I think, to have a committee as others. Possibly there may be a mistake about the word "honesty," but I should be honest if I simply told the truth about the Committee on Manufactures; and as the Senator from Florida wants to know, I tell him that the fact about it is just as I have stated.

But I did not rise to speak to that. I want to know now for myself whether one Senator who happens to be a member of the Committee on Appropriations represents more than one State or more than one-half of one State. I can not understand that the rules of the Senate preclude me from offering an amendment to any bill that comes in here, and the Senate can not make a rule that will preclude me from doing so. If the Senator from Iowa, as Chairman of the Committee on Appropriations, is larger than a Senator who is not a member of that committee, then we ought to know it, and know it quickly. I understood the Chair to rule that a single objection from the Appropriations Commit-

Chair to rule that a single objection.

tee could preclude an amendment.

The Chair only ruled that the ex-The PRESIDENT pro tempore. The Chair only ruled that the express rules of the Senate provide that all amendments proposing anything that has the effect to increase an appropriation must be proposed to carry out an existing law or treaty, or moved in pursuance of an estimate of the head of a Department, or reported from a standing or

estimate of the head of a Department, or reported from a standing or select committee of the Senate; and if reported from such committee, it must have been referred one day previous to its action to the Committee on Appropriations. The Chair has only endeavored to enforce that rule when the objection was made.

Mr. RIDDLEBERGER. That is a rule of the Senate, and as a rule perhaps it is a good one. But it is not law; it binds nobody; and when I choose to offer an amendment to an appropriation bill in this body, and ask the Senate to vote whether they will adopt it or not, you can not preclude me from offering it by an objection from any member of the Appropriations Committee. If that were so, I and every other Senator had better leave here and so where we can at least maintain Senator had better leave here and go where we can at least maintain a decent self-respect.

Now, sir, I say again with respect to these clerks that the Committee on Agriculture and Forestry is no more entitled to an annual clerk than any other committee in this body. There is no committee here that ought to have an annual clerk, in my judgment. I will take the Committee on the District of Columbia; I will take the Pensions Committee; and it has been a mere favoritism that has made these annual clerks, and the property of the control of the contr nual clerks—nothing else. Therefore I am going to vote against all of them, and I wish it were possible for some Senator who has some comprehension of his possible rights in this body outside of the Appropriations Committee to move to strike out the whole of it, and I would vote for that

Mr. WILLIAMS. In the absence of the chairman of the Committee on Agriculture and Forestry, to which I belong, I must respond in a few words to the Senator from Virginia.

I thinkall the standing committees of the Senate are of equal dignity, and if any division of the public business is such as to require a standing committee, that committee ought to have an annual clerk or no committee ought to have one. No committee's clerk transacts business in vacation. By law if a committee is allowed to sit during vacation it carries with it the clerk and he gets his pay. I think this is a very small business for the Senate of the United States, the most august body in the world, to be engaged in—chaffing over the pay of a few clerks of committees. It is a small business, Senators, for us to be talking about—the representatives of the richest and grandest and greatest Republic in the world to be talking about the pay of a committee clerk! It is a mere bagatelle, the whole of which amounts to nothing.

Mr. RIDDLEBERGER. Will the Senator allow me to make a sug-

Mr. WILLIAMS. Not now.
The PRESIDENT pro tempore. The Senator from Kentucky declines to yield.

Mr. WILLIAMS. I have but a few more words to say.

Mr. RIDDLEBERGER. Mr. President

Mr. RIDDLEBERGER. Mr. President—
The PRESIDENT pro tempore. The Senator from Kentucky declines to yield. The Senator from Virginia is not in order.
Mr. WILLIAMS. So far as the Committee on Agriculture and Forestry is concerned, if it has but little business it is because the Senate of the United States has been disposed to take but little notice of the farmers of the country. That is the reason it has not business. But the Committee on Finance, that interests the banks, the Committee on Pailwards that interests the great corporations of the country have Railroads, that interests the great corporations of the country, have clerks provided for them; and so has even the Woman Suffrage Committee. But I say, Mr. President, to the Senator from Virginia that if the expectations of the fathers of this country are carried out this Agricultural Committee is soon to be one of the foremost committees of the Senate. The House has passed a bill making the Commissioner of Agriculture a Cabinet officer; and when we have somebody in the Cabinet of the President to represent the agricultural interests of this country that committee is going to be one that ranks in dignity with the first of the Senate.

Mr. ALLISON. Will the Senator yield to me?
Mr. WILLIAMS. Certainly.
Mr. ALLISON. I had hoped to be able to finish this bill to-night.
Mr. WILLIAMS. I do not want to make a speech.
Mr. ALLISON. I am afraid others will, and other amendments are

to be offered. If the Senator will give way I will move either an adjournment or an executive session.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. The Senator from Iowa has the floor.

Mr. ALLISON. I am appealed to by gentlemen all around me who have business to present. I will yield a moment for the introduction of business

Mr. ALDRICH. I ask unanimous consent to make a report from the Committee on the District of Columbia.

The PRESIDENT pro tempore. Is there objection to receiving the report? The Chair hears no objection.

REPORTS OF COMMITTEES.

Mr. ALDRICH, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8236) relating to sales for taxes in the District of Columbia, reported it with an amendment.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Several Senators addressed the Chair.

Mr. WILLIAMS. I have the floor except for a motion to adjourn, I understand.

The PRESIDENT pro tempore. The Senator from Kentucky declines to yield. The Senator from Kentucky is entitled to the floor.

Mr. VAN WYCK. I ask the Senator from Kentucky to yield a mo-

ment that I may introduce some amendments for reference to the Com-

ment that I may introduce some amendments for reference to the Committee on Appropriations.

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. WILLIAMS. For that purpose.

The PRESIDENT pro tempore. The Senator can yield for no particular purpose. He can only hold the floor in his own right. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. WILLIAMS. No, sir.

Mr. VAN WYCK. May I make a parliamentary inquiry? I think since I have been a member of this body the practice has invariably hear for a person upon the floor to yield for a purpose when it is spec-

been for a person upon the floor to yield for a purpose when it is specified and without objection. It may be contrary to the rules, but for the past four years the rules have been violated.

The PRESIDENT pro tempore. It has been constantly the practice,

except when other gentlemen were claiming the floor and complaining

that one gentleman could not farm it out.

Mr. VAN WYCK. There was no complaint made, as I understand.

The PRESIDENT pro tempore. The Chair heard many complaints.

Mr. HOAR. I ask the Senator from Kentucky if he will yield to me to make a motion to proceed to the consideration of executive business. ["No!" "No!"]

Mr. WILLIAMS. I will yield to a motion to adjourn.

Mr. RIDDLEBERGER. I ask the Senator from Kentucky The PRESIDENT pro tempore. Does the Senator from Kentucky rield to the Senator from Virginia?

Mr. WILLIAMS. For a question, of course.

Mr. RIDDLEBERGER. To make a reply to what observations he has made. I think, Mr. President, that if Senators would stop talking and give the Senator from Kentucky an opportunity to understand what I say, he would possibly do me the courtesy either to continue his remarks and give me an opportunity to reply to them or he would give me a chance now to respond.

Mr. WILLIAMS. No; I can not give you an opportunity in the

midst of my speech.

Mr. RIDDLEBERGER. If I may be permitted to respond, I should like to do so. I think the Senator said he would not yield unless to a motion to adjourn.

Mr. WILLIAMS. I will yield to a motion to adjourn or to a ques-

The PRESIDENT pro tempore. Senators will address the Chair.
Mr. RIDDLEBERGER. My remarks were directed to the Chair and
with the approbation, as I understood, of the Senator from Kentucky.
Mr. HARRIS. I desire to ask the Senator from Kentucky—
The PRESIDENT pro tempore. The Senator from Kentucky has
yielded only to the Senator from Virginia, who now has the floor by

Mr. RIDDLEBERGER. I have no question to ask, and I will sit

Mr. ALLISON. Now I ask the Senator from Kenfucky to yield to

me that I may move an adjournment.

Mr. VAN WYCK. Before that is done let me—
The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. WILLIAMS. Yes, sir.

Mr. ALLISON. I move that the Senate do now adjourn.
Mr. VAN WYCK. I desire to know—
The PRESIDENT pro tempore. Does the Senator from Iowa withdraw his motion?

Mr. BLAIR. Let us vote down the motion to adjourn.
Mr. VAN WYCK. I desire to know—

The PRESIDENT pro tempore. Does the Senator from Iowa withdraw his motion?

Mr. ALLISON. I withdraw it.
Mr. VAN WYCK. I offer some amendments which I send to the
Secretary's desk that they may be printed and referred to the Commit-

tee on Appropriations.

The PRESIDENT pro tempore. The Senator from Nebraska presents sundry amendments intended to be proposed to what bill?

Mr. VAN WYCK. To the bill under consideration.

The PRESIDENT pro tempore. To the legislative, executive, and judicial appropriation bill. They will be printed and referred to the Committee on Appropriations.

Mr. CULLOM. I desire to make a motion that the Senate proceed

to the consideration of executive business.

Mr. BLAIR. I ask the Senator to withdraw his motion.

The PRESIDENT pro tempore. Does the Senator from Illinois withdraw the motion?

Mr. CULLOM. If I may be allowed to do it I will yield. I withdraw it for the purpose indicated by the Senator from New Hampshire. Mr. BLAIR. I ask leave to introduce a bill for reference. Mr. WILLIAMS. I have the floor.

The PRESIDENT pro tempore. The Senator from New-Hampshire is

now entitled to the floor.

Mr. WILLIAMS. I have been standing on the floor all the time.

The PRESIDENT pro tempore. Will the Senator from New Hampshire state what he proposes?

Mr. BLAIR. I ask leave to introduce a bill for reference, a pension

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent to introduce a bill at this time. Is there objection?

Mr. HARRIS. I object to-night.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. MAHONE].

Mr. CULLOM. I move that the Senate proceed to the consideration

of executive business

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

Mr. HARRIS. Pending which I move that the Senate do now ad-

The PRESIDENT pro tempore. The Senator from Tennessee moves that the Senate do now adjourn.

Mr. CULLOM. I call for the yeas and nays on that motion.

The yeas and nays were ordered; and being taken, resulted-yeas 17, nays 24; as follows: YEAS-17.

Wallen

Cockrell, Coke, George, Gorman,	Harris, Jackson, Jonas, Lamar,	Pugh, Ransom, Vance, Vest,	Williams,
	NA'	YS-24.	
Aldrich, Blair, Bowen, Cameron of Wis., Chace, Conger,	Cullom, Dolph, Edmunds, Hill, Hoar, Jones of Nevada,	MeMillan, Mahone, Manderson, Miller of N. Y., Morrill, Palmer,	Platt, Riddleberger Sawyer, Sewell, Van Wyck, Wilson.
	ABSI	ENT-35.	
Allison, Bayard, Beck, Brown, Butler, Camden, Cameron of Pa., Colquitt, Dawes,	Fair, Farley, Frye, Garland, Gibson, Groome, Hale, Harrison, Hawley,	Ingalls, Jones of Florida, Kenna, Lapham, Logan, MoPherson, Miller of Cal., Mitchell, Morgan,	Pendleton, Pike, Plumb, Sabin, Saulsbury, Sherman, Slater, Voorhees.

So the Senate refused to adjourn.

So the Senate refused to adjourn.

The question recurs on the motion recurs of the motion recurs of the senate proceed to The PRESIDENT pro tempore. The question recurs on the motion of the Senator from Illinois [Mr. Cullom] that the Senate proceed to

the consideration of executive business.

Mr. PUGH. I call for the yeas and nays.

Mr. CULLOM. The executive session will last only a few minutes. The yeas and nays were ordered; and being taken, resulted—yeas 24, nays 9; as follows:

YEAS-24

Allison, Biair, Bowen, Cameron of Wis.,	Cullom, Dolph, Edmunds, Harrison, Hoar,	Miller of N. Y.,	Palmer, Plati, Plumb, Sawyer, Van Wyck,
Conger,	Ingalls,	Morrill,	Wilson.

The state of the s	THE PROPERTY.	NAYS-9.	Committee and the second
Call, Cockrell, George,	Harris,	Maxey, Ransom,	Riddleberger, Williams.
	A	BSENT-43.	
Aldrich, Bayard, Beck, Brown, Butler, Camden, Cameron of Pa., Coke, Colquitt, Dawes, Fair,	Farley, Frye, Garland, Gibson, Gorman, Groome, Hale, Hawley, Hill, Jackson, Jonas,	Jones of Florida, Kenna, Lamar, Lapham, Logan, McPherson, Miller of Cal., Mitchell, Morgan, Pendleton, Pike,	Pugh, Sabin, Sauisbury, Sewell, Sherman, Slater, Vance, Vest, Vorhees, Walker.

The PRESIDENT pro tempore. There is not a quorum voting.

Mr. HARRIS. Mr. President—
The PRESIDENT pro tempore. It is the duty of the Chair to direct The PRESIDENT pro tempore. It is the duty of the Chair to direct call of the Senate, pending which the Senator from Tennessee—Mr. HARRIS. Mr. President, I move that the Senate do now ad-

The PRESIDENT pro tempore. The Senator from Tennessee moves

that the Senate do now adjourn.

Mr. RIDDLEBERGER. On which question I ask for the yeas and

nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. It is moved that the Senate do now

The motion was not agreed to.

The PRESIDENT pro tempore. The Secretary will call the roll of

The Secretary called the roll, and forty-four Senators responded to their names

The PRESIDENT pro tempore. Forty-four Senators have answered to their names. A quorum is present. The question recurs on the motion of the Senator from Illinois that the Senate proceed to the consideration of executive business

Mr. WILLIAMS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. GORMAN. Pending that motion I move that the Senate ad-

The PRESIDENT pro tempore. The Chair thinks no business has been done since the last motion to adjourn.

Mr. RANSOM. Yes, there has been a call of the Senate.

The PRESIDENT pro tempore. That is a call the rules provide for.

Mr. CULLOM. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. CULLOM. I ask unanimous consent to make a request.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent to make a statement. Is there objection? The Chair hears none

Mr. CULLOM. I do not think the executive session, if we can get one, will last more than a few minutes. I ask the Senator from Kentucky to withdraw his call for the yeas and nays and let us go into executive session. There is no quorum present.

Mr. HARRIS. I ask unanimous consent of the Senate that the call

for the yeas and nays on the motion to go into executive session be withdrawn.

The PRESIDENT pro tempore. The pending question is on the mo-tion of the Senator from Illinois that the Senate proceed to the consideration of executive business

Mr. HARRIS. On that I ask annimous consent to withdraw the

demand for the yeas and nays.

The PRESIDENT pro tempwe.

The Senator from Tennessee asks unanimous consent that the demand for the yeas and nays be recalled. Is there objection?

Mr. PUGH. I object.

Mr. HOAR. I move to reconsider the demand.

Mr. BLAIR. I ask unanimous consent to make a statement.

Mr. CAMERON, of Wisconsin. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. BLAIR. Just withdraw that objection. You will get through

a great deal sooner.

The PRESIDENT pro tempore. Debate is not in order. The question is on agreeing to the motion that the Senate do now proceed to the

onsideration of executive business.

Mr. GORMAN. I now renew my motion that the Senate adjourn.

The PRESIDENT pro tempore. The Senator from Maryland moves that the Senate do now adjourn. The Chair thinks that motion is now in order. The question is on that motion.

Mr. BLAIR. I ask the Senator—

The PRESIDENT pro tempore. Debate is not in order. The question is on the motion to adjourn.

The motion was not agreed to; there being on a division-ayes 17.

The PRESIDENT pro tempore. The question recurs on the motion

that the Senate proceed to the consideration of executive business, on

which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. SEWELL (when his name was called). I announce my pair with my colleague [Mr. McPherson], who is absent.

The roll-call having been concluded, the result was announced—yeas

24, nays 5; as follows:

	YE	AS-24.	
Allison, Beck, Blair, Bowen, Cameron of Wis., Chace,	Conger, Cullom, Dolph, Edmunds, Harrison,	Hoar, Jones of Nevada, McMillan, Mahone, Manderson, Miller of N. Y.,	Morrill, Palmer, Platt, Plumb, Sawyer, Wilson.
	NA.	YS-5.	
Hale, Hampton,	Harris,	Maxey,	Ransom.
Samuel Account	ABSI	ENT-47.	
Aldrich, Bayard, Brown, Butler, Call, Cameron of Pa., Cockrell, Coke, Colquitt, Dawes, Fair,	Farley, Frye, Garland, George, Gibson, Gorman, Groome, Hawley, Ingalls, Jackson, Jonas, Jones of Florida,	Kenna, Lamar, Lapham, Logan, McPherson, Miller of Cal., Mitchell, Morgan, Pendleton, Pike, Pugh, Riddleberger,	Sabine, Saulsbury, Sewell, Sherman, Slater, Vance, Van Wyck, Vest, Voorhees, Walker, Williams.

The PRESIDENT pro tempore. There is not a quorum voting. Mr. ALLISON. I move that the Senate do now adjourn. Mr. CONGER. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BLAIR. Before the vote is taken I hope the Senate—
The PRESIDENT pro tempore. Debate is not in order.

Mr. BLAIR. I hope the Senate will give unanimous consent that I

may introduce some bills for reference only. They are pension bills, and they need to be printed to-night. No quorum has voted, and the Chair

The PRESIDENT pro tempore. No can receive no bill or any other business Mr. BLAIR. The yeas and nays have been ordered on the motion

to adjourn.

The PRESIDENT pro tempore. That does not make any difference. No quorum has voted. No quorum for any business purpose is now present. The question is on agreeing to the motion of the Senator from Iowa [Mr. Allison] that the Senate adjourn, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted—yeas 20, nays 21; as follows: YEAS-20.

Allison, Beck, Call, Coke, George,	Gorman, Hale, Hampton, Harris, Jackson,	Jones of Nevada, Lamar, Maxey, Plumb, Pugh,	Ransom, Vance, Vest, Walker, Williams.	
		NAYS-21.		
Blair, Cameron of Wis., Chaee, Conger, Cullom, Dolph,	Edmunds, Harrison, Hill, Hoar, Ingalls, McMillan,	Mahone, Manderson, Miller of N. Y., Morrill, Palmer, Platt,	Riddleberger, Sawyer, Wilson.	
	66	ABSENT-35.		
Aldrich, Bayard, Bowen, Brown, Butler, Camden, Cameron of Pa., Cockrell, Colquitt,	Dawes, Fair, Farley, Frye, Garland, Gibson, Groome, Hawley, Jonas,	Jones of Fla., Kenna, Lapham, Logan, McPherson, Miller of Cal., Mitchell, Morgan, Pendleton,	Pike, Sabin, Saulsbury, Sewell, Sherman, Slater, Van Wyck, Voorhees.	

The PRESIDENT pro tempore. The Senate refuses to adjourn, and a quorum is present. The question recurs on the motion that the Senate proceed to the consideration of executive business.

BILLS INTRODUCED.

I ask leave to introduce two bills for reference only. The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent to introduce two bills for reference. Is there objection? The Chair hears none.

Mr. BLAIR introduced a bill (S. 2661) granting a pension to Miss

— Gill; which was read twice by its title, and referred to the Com-

mittee on Pensions.

He also introduced a bill (S. 2662) granting an increase of pension to Ella W. Thornton; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BOWEN, Mr. DOLPH, Mr. GORMAN, Mr. HAMPTON, and Mr. SEWELL submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be

Mr. ALDRICH, and Mr. JONES, of Nevada, submitted amendments intended to be proposed by them to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 5828) for the relief of Saint Mark's Protestant Episcopal church in the District of Columbia, reported it with an amendment.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations,

and ordered to be printed.

EXECUTIVE BUSINESS.

Mr. CULLOM. I desire to state, by permission, that very early to-morrow I shall move that the Senate proceed to the consideration of executive busine

The PRESIDENT pro tempore. Debate is not in order.
Mr. CULLOM. I now desire to move that the Senate adjourn.
Mr. MAHONE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. MAHONE. I wish to make a conference report.

The PRESIDENT pro tempore. Is there objection to receiving the report at this time? The Chair hears none.

Mr. CULLOM. There is no objection to the Senator submitting the report. Does he desire the consideration of it?

Mr. MAHONE. Yes, sir.
Mr. CULLOM. I yield for that purpose.
The PRESIDENT pro tempore. The motion for an executive session is withdrawn, the Chair understands.
Mr. CULLOM. I withdraw the motion.

PUBLIC BUILDING AT DETROIT.

The PRESIDENT pro tempore. The Senator from Virginia presents a report from a conference committee.

The Chief Clerk read the report, as follows:

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (8, 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from their disagreement to the amendment of the House, and agree to the same with an amendment as follows: Add as an additional provision to said House amendment the following: "And provided further, That nothing herein contained shall be construed in any event to increase the cost of the site and building, including approaches, when completed, beyond the sum of \$900,000, as provided in this section;" and the House agree to the same.

WM. MAHONE,
ANGUS CAMERON,
G. G. VEST,
Managers on the part of the Senate,
S. M. STOCKSLAGER,
JAS. H. HOPKINS,
EDWARD BREITUNG,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report of the conference committee. [A pause.] The Chair is informed at the desk that this conference was asked for by the Senate and granted by the House. The report of the committee in this body first is therefore irregular. It should first be presented to the House of Represent-

Mr. CULLOM. I move that the Senate do now adjourn.

The motion was agreed to; and (at 7 o'clock and 26 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, February 25, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2375) to authorize the increase of the capital stock of the

Commercial National Bank of Chicago; and

A bill (S. 2084) to amend chapter 464 of the acts of the first session of the Forty-seventh Congress, entitled "An act providing for a public building in the city of Fort Wayne, in the State of Indiana."

ALASKA.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, relating to the protection of seal and the enforcement of the laws in Alaska, and recommending an appropri-

ation of \$25,000 for the revenue marine service in that Territory; which was referred to the Committee on Appropriations.

CLAIMS.

Mr. GEDDES. I ask unanimous consent to submit a report from the Committee on War Claims.

Mr. MILLS. Mr. Speaker, is it allowable under the special rule for the Chair to entertain a request of this kind for unanimous consent?

The SPEAKER. Under that rule the Chair can not entertain a request for unanimous consent for the consideration of a bill, but the

gentleman from Ohio asks to make a report.

Mr. MILLS. The temporary Speaker declined the other day to entertain the request when I desired unanimous consent to make a report.

Mr. GEDDES, by unanimous consent, reported back with amendments from the Committee on War Claims a bill (H. R. 8177) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CHARLES E. JOHNSON.

Mr. YAPLE, by unanimous consent, introduced a bill (H. R. 8273) for the removal of the charge of desertion against the record of Charles E. Johnson; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS

Mr. BLOUNT. I call for the regular order.
Mr. TOWNSHEND. I ask the gentleman from Georgia to withdraw that demand in order that I may call up the Post-Office appro-

Mr. BLOUNT. I withdraw the call for that purpose.

The SPEAKER. The gentleman from Illinois [Mr. Townshend] asks unanimous consent to take from the Speaker's table the Post-Office appropriation bill with Senate amendments—

Mr. TOWNSHEND. And that the amendments be non-concurred

Mr. PAYSON. I object.
Mr. HISCOCK. I object to that. I will consent to the bill going to the Committee on Appropriations for consideration of the Senate amend-

Mr. TOWNSHEND. I ask my friend from New York to consent that this matter come up for consideration. Then he can submit, if he wants to, the motion to send it to the committee.

Mr. HISCOCK. The usual course is to let a bill of this character go to the committee

Mr. TOWNSHEND. The usual course always has been-

The SPEAKER. This question is not debatable.

Mr. TOWNSHEND. But in reply to the gentleman from New York I desire to say that the usual course at this stage of the session is to non-concar in Senate amendments, in order that we may more promptly bring the matter into conference.

bring the matter into conference.

The SPEAKER. Two gentlemen have made objection.
Mr. TOWNSHEND. What gentlemen have objected?
The SPEAKER. The gentleman from New York [Mr. HISCOCK] and the gentleman from Illinois [Mr. PAYSON].

Mr. TOWNSHEND. I ask that I be allowed to call this question may be submitted to refer it to the committee.

up, and then the motion can be submitted to refer it to the committee.

Mr. HISCOCK. Do you mean call it up for consideration now?

Mr. TOWNSHEND. I mean let it be called up for the purpose of testing the sense of the House as to whether the bill shall go to the Committee on Appropriations or go at once to a committee of confer-

Mr. BLOUNT. Would not the Committee on Appropriations be ready to report the matter back in a very short time?

Mr. TOWNSHEND. Very well; let it go to the committee.

Mr. PAYSON. I object to that.

Mr. TOWNSHEND. Now, I submit to the House, what can we do with this question? One gentleman objects because he wants the bill referred to the Committee on Appropriations; another gentleman objects to such reference. [Cries of "Regular order!"]

The SPEAKER. The House will be in order. The regular order has been demanded.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I desire to offer a privileged resolution, which I send

The Clerk read as follows:

Resolved, That the rules be suspended, so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending Jnne 30, 1885, and for other purposes, and pass the same, together with certain amendments to be submitted thereto by the Committee on Apprepriations.

The SPEAKER. Is a second demanded?

Mr. BLOUNT. I would like to ask whether there is anything in this bill except the ordinary appropriations—
Mr. RANDALL. The bill will have to be read, at any rate.

Mr. HOLMAN. Ought not the bill to be read before the vote is taken?

The SPEAKER. It will be read before the vote is taken on the adoption of the resolution to suspend the rules; but the first question whether a second is demanded.

Mr. REED, of Maine. I demand a second. Mr. RANDALL. Is it in order to state why this resolution should be adopted?

The SPEAKER. Only by unanimous consent. If the motion to suspend the rules should be seconded, debate will then be in order for half an hour.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, notified the House of the passage of bills of the following titles; in which concurrence was requested:

A bill (S. 544) granting an increase of pension to Elijah W. Penny; A bill (S. 1113) granting a pension to Ann E. Manchester; A bill (S. 1612) granting a pension to Bryson R. McCartney; A bill (S. 1633) granting a pension to James Bond; A bill (S. 1739) granting a pension to the widow and children of the

late Bryam Pitney

A bill (S. 1836) granting a pension to Sarah Hague; A bill (S. 1877)

bill (S. 1877) granting an increase of pension to John Hall; bill (S. 1960) for the relief of Mary Howard Farquhar;

A bill (8. 2125) granting a pension to Sarah Jane Prince;
A bill (8. 2153) granting a pension to Benjamin F. Brockett;
A bill (8. 2245) granting a pension to William N. Morris;
A bill (8. 2262) granting a pension to Sedate P. Martin;
A bill (8. 2268) for the relief of Robert J. Ballort;

A bill (S. 2279) granting a pension to Lewis L. Canady;

bill (S. 2302) granting a pension to John Lowe;

A bill (S. 2302) granting a pension to John Lowe;
A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;
A bill (S. 2367) granting a pension to Sarah A. White;
A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
A bill (S. 2443) granting an increase of pension to Polly Young; and
A bill (S. 2527) granting a pension to Robert Sheridan.
The message further announced the passage of bills of the following

A bill (H. R. 256) granting a pension to Mary A. Land;
A bill (H. R. 891) granting a pension to Reuben J. Ebberman;
A bill (H. R. 1046) granting a pension to Mary A. Griffin;
A bill (H. R. 1219) granting a pension to Charles Hendrix;
A bill (H. R. 1653) granting a pension to John R. Hurlburt;
A bill (H. R. 1659) granting a pension to Robert Patterson;
A bill (H. R. 1898) granting a pension to Harriett Armstrong;
A bill (H. R. 2068) granting a pension to James H. Reid;
A bill (H. R. 2398) granting a pension to Elizabeth Fowler;
A bill (H. R. 2398) granting a pension to Elizabeth Fowler;

A bill (H. R. 2398) granting an increase of pension to Mrs. Ann W.

Mulvey;
A bill (H. R. 2537) granting an increase of pension to Hugh Ryan;
A bill (H. R. 2538) granting an increase of pension to Christiana Al-

A bill (H. R. 2539) granting an increase of pension to George W. Kiser;

A bill (H. R. 2540) granting an increase of pension to Priscilla J.

Small;
A bill (H. R. 2627) granting an increase of pension to Noah Caton;
A bill (H. R. 3074) to grant a pension to Jasper J. Henry on account
of wounds received while acting as guide for the First Arkansas Cavalry
Volunteers in the war of the rebellion;
A bill (H. R. 2894) granting a pension to Henry Rodenback;
A bill (H. R. 3336) for the relief of Sherman C. Perry;
A bill (H. R. 3352) to restore the name of Warren Sams to the pen-

A bill (H. R. 3355) for the relief of Mary Mulholland;

A bill (H. R. 3355) for the relief of Mary Mulholland;
A bill (H. R. 3605) granting a pension to Eliza Sluss;
A bill (H. R. 3728) granting a pension to Charles P. Mahan;
A bill (H. R. 3729) granting a pension to William Bolwork;
A bill (H. R. 3751) granting a pension to Francis Curran;
A bill (H. R. 4061) granting a pension to William C. H. Bowman;
A bill (H. R. 3994) granting a pension to William Strickland;
A bill (H. R. 4079) granting a pension to James D. Kirk;
A bill (H. R. 4263) granting a pension to Elizabeth Hood;
A bill (H. R. 4833) granting a pension to Louisa Earle;
A bill (H. R. 4869) for the relief of Morris Geld;
A bill (H. R. 5069) granting a pension to Mrs. Mary J. Stotts;
A bill (H. R. 5123) granting a pension to Frederick Braunwald;
A bill (H. R. 5124) granting a pension to Samuel Z. Cooper;
A bill (H. R. 5374) granting a pension to Philip Wiggins;
A bill (H. R. 5555) granting a pension to James Frazier;
A bill (H. R. 5925) granting a pension to Margaret A. Berry;

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A bill (H. R. 5929) for the relief of Abagail Honey;
A bill (H. R. 5938) to pension Julia A. Marcum;
A bill (H. R. 5989) for the relief of Elizabeth A. Springsteed;
A bill (H. R. 6018) increasing the pension of George Tapp;
A bill (H. R. 6044) granting a pension to Eliza Pigeon;
A bill (H. R. 6235) granting a pension to Eliza J. Norris;
A bill (H. R. 6287) for the relief of John H. Johnson;
A bill (H. R. 6310) granting a pension to Benjamin P. Lowell;
A bill (H. R. 6596) granting a pension to John Hazelwood;
A bill (H. R. 6663) restoring to the pension-roll the name of C
                A bill (H. R. 6663) restoring to the pension-roll the name of Caro-
           Ine Lewis;
A bill (H. R. 6798) to grant a pension to Lloyd W. Hixon;
A bill (H. R. 6928) granting a pension to Leonard King;
A bill (H. R. 6948) granting a pension to George V. Eagles;
A bill (H. R. 7256) granting a pension to John A. Vanderhoff;
A bill (H. R. 7026) granting a pension to Jeremiah P. Swatzell;
A bill (H. R. 7092) for the relief of Anthony Beyer;
A bill (H. R. 7094) granting a pension to Samuel M. Bartlett;
A bill (H. R. 7094) granting a pension to Samuel M. Bartlett;
A bill (H. R. 7092) for the relief of Harriet L. Stevens;
A bill (H. R. 7002) for the relief of Harriet L. Stevens;
A bill (H. R. 7262) increasing the pension of Elmira P. Spencer;
A bill (H. R. 7308) for the relief of David Fried;
A bill (H. R. 7336) granting a pension to T. A. Morton;
A bill (H. R. 7338) granting a pension to Chloe A. Whipple;
A bill (H. R. 7373) for the relief of Sarah A. Burchfield;
A bill (H. R. 7524) for the relief of Lavisa Heth;
A bill (H. R. 7602) to grant a pension to Harriet M. Baily;
 line Lewis;
            A bill (H. R. 7622) for the relief of Lavisa Heth;
A bill (H. R. 7602) to grant a pension to Harriet M. Baily;
A bill (H. R. 7672) granting an increase of pension to Elbert Hewitt;
A bill (H. R. 7696) granting a pension to Thomas D. Fitch;
A bill (H. R. 7709) granting a pension to Louisa A. Estes;
A bill (H. R. 7722) granting a pension to Almira K. Parker;
A bill (H. R. 7731) granting a pension to Lois B. Smith;
A bill (H. R. 7732) granting an increase of pension to Edward P.
 Quinn:
             A bill (H. R. 7769) to grant a pension to Joseph R. Dodds;
A bill (H. R. 7822) granting a pension to Mark Spencer Van Loan;
A bill (H. R. 7869) granting a pension to Emeline L. Fitch; and
A bill (H. R. 8104) granting an increase of pension to George S.
Hawley.
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The message further announced the passage of bills of the following titles, with amendments; in which concurrence was requested:

titles, with amendments; in which concurrence was requested:
A bill (H. R. 3467) granting a pension to H. D. Prior;
A bill (H. R. 5364) granting a pension to William H. Whitcomb;
A bill (H. R. 5713) to provide for the settlement of the claims of
officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States;
A bill (H. R. 5798) granting a pension to John E. Denham;
A bill (H. R. 6011) granting an increase of pension to Robert Casey;
A bill (H. R. 6029) for the relief Jeremiah McCarty; and

A bill (7617) granting a pension to Mrs. Ann E. Gridley.

DEFICIENCY APPROPRIATION BILL.

The SPEAKER. The Chair will appoint as tellers the gentleman from Maine, Mr. Reed, and the gentleman from Missouri, Mr. BURNES.

Mr. GIBSON. Before the vote is taken I desire to ask if this motion is carried whether the vote on this bill will take precedence of the vote on the river and harbor bill.

The SPEAKER. The river and harbor bill does not come up, under the practice of the House, until after the morning hour.

Mr. KEIFER. I ask unanimous consent that a second be considered

Mr. ANDERSON. I object.
The SPEAKER. The tellers will take their places.

The House divided; and the tellers reported—ayes 147, noes 16. So a second was ordered.

Mr. ADAMS, of Illinois. I wish to ask a parliamentary question. Does this motion include the amendments proposed by the committee; and will it be in order, if it does include them, to ask that they be now

mr. KEIFER. They will have to be read.

The SPEAKER. The Chair thinks they must be read.

Mr. KEIFER. I desire to submit this proposition: This bill has been printed and on the tables of members for a number of days. My propo-My proposition is that by unanimous consent we dispense now with the reading of this bill, but not to dispense with the reading of such amendments as the committee propose to offer or may permit to be offered in connection with it

Mr. HOLMAN. Let the bill be read.

Mr. KEIFER. It will take all the afternoon; it is quite a long bill and I hope it will not be insisted upon. Let the amendments be read.

The SPEAKER. Is there objection to the request of the gentleman from Ohio to dispense with the reading of this bill and to have read only the amendments which are proposed by the Committee on Appropriations?

Mr. THOMAS. I object.

The SPEAKER. The Clerk will read the bill.

The Clerk proceeded to read the bill.

Mr. THOMAS (interrupting the reading). I withdraw my objection.

The SPEAKER. Is there further objection? The Chair hears none. The objection being withdrawn, the Clerk will report the amendments The objection being withdrawn, the Ciefa will report the amendments proposed by the Committee on Appropriations.

Mr. WARNER, of Ohio. Do I understand that there is unanimous consent asked again to pass this bill without having it read at all?

The SPEAKER. There was unanimous consent asked to dispense

with the reading of the bill and to have read only the amendments proposed by the Committee on Appropriations, to which request the gentleman from Illinois [Mr. Thomas] objected. The reading of the bill then was begun, after which the gentleman withdrew his objection. The Chair asked for further objection, and, there being none, unanimous

The Chair asked for further objection, and, there being none, manimous consent was given to dispense with the reading of the bill.

The Clerk will now report the amendments.

Mr. WARNER, of Ohio. I did not hear the request or I certainly should have objected to it. I desire to enter my protest now upon record against passing a bill in this manner without having it read.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amend by adding, after line 156, the following:

"And all suits or proceedings pending in the district courts of Dakota and Washington Territories at the time of the passage of said act, and which would, if instituted after the passage of said act, be required to be brought in the new district created and provided for in said act, may be transferred by consent of the parties to said new district courts, and there disposed of in like manner and with like effect as if the same had been there instituted; and all writs and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the courts of the said new districts, respectively, in the same manner and with like effect as if they had issued or been taken in reference thereto originally; and the counties of Skamania and Spokane, in said Washington Territory, shall constitute part of the fourth judicial district thereof until the Legislature shall meet and otherwise provide."

The next amendment is as follows:

"For one clerk to continue the work of making a consolidated index of the Southern Claims Commission reports and claims referred to the Court of Claims under the Bowman act, and authorized by resolution of the House July 3, 1834, from March 4 to December 1, 1885, at \$6 per day."

In line 113 strike out "50" and in lieu thereof insert "58."

After line 187 insert:

"For paper, express charges, and printing of national-bank notes, \$40,000."

On page 13, after line 303, insert as follows:

"COURT OF CLAIMS.

"For payment of the judgments of the Court of Claims, as follows:

"To the Great Falls Manufacturing Company, \$15,692, with interest thereon at 5 per cent, per annum from June 16, 1881; Sallie H. Palmer, \$30; James W. Harvey and James Livesey, \$46,693.7, with interests on \$16,230.95 thereof at 5 per cent, per annum from November 24, 1883; Charles Morton, \$162,00.75 thereof at 5 per cent, per annum from November 24, 1883; Charles Morton, \$169.07; William H. Emory, \$18.9; James H. North, \$375; John M. Mueller, \$748.22; Joel F. Kinney, \$6,693.30; Jeremiah Harrison and William F. Harrison, \$940; Henry G. Brookings, \$1,722.25; Delvaille and Joubert, \$477.72; Levi J. Harris, executor, \$6,600.8; Aristide Delvaille, \$422.93; the National Match Company, \$1,300; Frederick P. Newton, \$1,560; William Gates's Sons, \$8,419.80; Melvin T. Fripp, administrator of J. E. Lawrence Fripp, \$488.81; the Cape Ann Granite Company, \$23,291; the board of field officers of the Fourth Brigade of South Carolina Volunteer State Troops, \$5,329.67; Edgar A. Waiz, \$12,335.11; the Barber Match Company, \$12,632; the Saint Louis Wine Company, \$22,39; the Home Bitters Company, \$132,79; E. Wilder & Co., \$81.39; John F. Henry & Co., \$233.82; Bernard Riley, administrator of Thomas Gorman, \$100; V. E. Manger and John Petrle, ir., \$464.10; V. E. Manger, \$188.60; Seth W. Fowle & Son, \$135.30; Robert Selden, \$100; Alexander C. Rhind, \$250; Charles H. McBlair, \$450; Stephen P. Quackenbush, \$180.95; James H. Watmouth, \$500; Dabney H. Maury, \$100; Marius Duvall, \$200; Alexander C. Rhind, \$250; Charles H. McBlair, \$450; Stephen P. Quackenbush, \$180.95; James H. Watmouth, \$500; Dabney H. Maury, \$100; Marius Duvall, \$200; Alexander C. Rhind, \$250; Charles H. McBlair, \$450; Stephen P. Quackenbush, \$180.95; James H. Watmouth, \$300; Dabney H. Maury, \$100; Marius Duvall, \$200; Alexander C. Rhind, \$250; Charles H. Schlein, \$250; Alexander C. Rhind, \$250; Charles H. Schlein, \$250; Alexander C. Rhind, \$250; Alexander C. Rhind, \$250; Alexander C. Rhind, \$250; Alexander

insert "33."

On page 42, after line 1016, insert, "to supply a deficiency in the appropriation for session employés of the House, as follows:

"For committee cierks, \$1,302;
"For pages, \$507.50;
"For messengers in the Post-Office, \$86.60;
"For laborers, \$137;
"For cloak-room men, \$90.32; in all, \$2,223.42."

Strike out lines 1017 to 1019 and insert: "For allowance to the parties named below in full of expense incurred by them in contested-election cases; "To Martin Maginnis, \$1,500; "To A. C. Botkin, \$1,200; "To J. O. Broadhead, \$1,000; "To J. H. McLean, \$1,000; and "To George H. Craig, \$750; in all, \$5,450." Insert after line 1022: "To pay Charles M. Shelley in full for expense incurred in his contested-election case, \$500."

In line 1047, strike out "84" and insert "83." After the amendment last considered insert: "To pay Harry Neal for services as messenger to the Speaker's room, in addition to his pay as laborer, from December 1, 1833, to July 7, 1884, and from December 1, 1834, to March 4, 1835, at the rate of \$40 per month, \$409.30.

Mr. GIBSON (interrupting the reading of the amendments). I desire to ask unanimous consent-

The SPEAKER. The Clerk is now engaged reading the amendments proposed by the Committee on Appropriations. The reading can not be interrupted.

Mr. GIBSON. I desire to ask unanimous consent to offer an amend-

The SPEAKER. This is not the time to do that.

The Clerk resumed and completed the reading of the amendments.

Mr. GIBSON addressed the Chair.

The SPEAKER. For what purpose does the gentleman from West Virginia rise

Mr. GIBSON. I rise to ask unanimous consent to offer an amendment. I will state to the House that it provides for the payment of the pages according to a resolution passed at the last session of this House. The Comptroller will not allow the payment because of some technicality

The SPEAKER. The gentleman from West Virginia asks unanimous consent to offer an amendment which he sends to the desk. It

The Clerk read as follows:

To enable the Clerk of the House to pay each of the pages borne upon the rolls at the close of the first session of the Forty-eighth Congress the balance due them for the remaining twenty-four days of the month of July, 1884, under resolution of the House adopted July 7, 1884, \$2,220; which sum shall be immediately available.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia for unanimous consent to offer this amendment?

There was no objection. The SPEAKER. The Chair will put the question on the adoption of

the amendment.

The amendment was adopted.

Mr. WHITE, of Kentucky. I ask unanimous consent to offer the amendment which I send to the desk.

The Clerk read as follows:

To pay the balance of \$3,342.44 to Robert Smalls for expenses due him for contesting the seat of G. D. Tillman in the Forty-seventh Congress.

Mr. COOK. I object.

Mr. COOK. 1 object.

Several members called for the regular order.

Mr. BEACH. I ask unanimous consent—

The SPEAKER. The regular order is demanded, which cuts off requests for unanimous consent. Under the rules of the House thirty minutes are allowed for debate—fifteen minutes in support of the motion of the gentleman from Missouri [Mr. BURNES] and fifteen minutes

Mr. LONG. I send up one more amendment recommended by the Committee on Appropriations. The Clerk read as follows:

The Clerk read as follows:

That the Office of the Tenth Census is hereby abolished, and the terms of office of the Superintendent and of all employes appointed under the provisions of the act of March 3, 1879, entitled "An act to provide for the taking of the tenth and subsequent censuses," or of any subsequent act relating to the Tenth Census, shall cease and terminate from the date of the passage of this resolution; and no further expenditures, whether for salaries or expenses, shall be made on account of the Tenth Census, except as hereinafter provided. The unfinished work of the Tenth Census shall be completed in the office of the Secretary of the Interior, to whom the records and other property of the Census Office shall be transferred. And the Secretary of the Interior is authorized to appoint, from the date of the passage of this act, and for the term of one year from date of such appointments, a clerical force for duty in said division, which force shall consist of one clerk of class 2; one clerk of class 3, who shall also be a practical printer; one clerk of class 2; one clerk of class 1; and one copyist, at \$900 per annum; and for the payment of the salaries of such force the sum of \$6,000, or so much thereof as may be necessary, is hereby appropriated; and any balances of appropriations for the Tenth Census which shall remain unexpended at the date of the passage of this resolution shall be applied to the liquidation of any liabilities for the work of the Tenth Census which have been incurred heretofore and remain unpaid at such date; but this provision shall not apply to any unexpended balance of the appropriation for printing the report of the Tenth Census made by act of August 7, 1882, but such balance shall be applied as provided in that act. The foregoing provisions relating to the Tenth Census shall take effect from the passage of this act.

The SPEAKER. There is another amendment sent up by the Com-

The SPEAKER. There is another amendment sent up by the Committee on Appropriations which the Clerk will read.

The Clerk read as follows:

To reimburse the Clerk of the House for postage-stamps, \$75.

Mr. BURNES. I call for the regular order.
Mr. KEIFER. Will the gentleman from Missouri allow me to correct a mere clerical error on line 716, page 30, of the bill? The words "the legal representatives of" should precede the words "William M.

Garvey," and those words "the legal representatives of" should go out where they appear in the next line; so that it will read:

Payment to legal representatives of William M. Garvey: To pay amount found due by the accounting officers to William M. Garvey, &c.

The SPEAKER. This a mere clerical error, which will be corrected if there be no objection.

There was no objection.

Mr. KEIFER. If the gentleman from Missouri will permit me I ask permission to offer another amendment which I send to the desk.

The Clerk read as follows:

To enable the Clerk of the House of Representatives to pay to the officers and employés of the House of Representatives borne on the annual and session rolls on the 3d day of March, 1885, one month's extra pay at the compensation then paid them by law, which sums shall be immediately available.

The SPEAKER. Is there objection?

Mr. KEIFER. It is usual.
Mr. BURNES. I am constrained to object.

Mr. KEIFER. I think the gentleman will not object. This has been done at the close of every Congress for a number of years.

Mr. BURNES. It would give me a great deal of pleasure to agree to it, but the committee has not authorized me.

ENROLLED BILLS SIGNED

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills and a joint resolution of the following titles; when the Speaker signed the same:

Joint resolution (H. Res. 335) to print 2,000 additional copies of

Lieut. P. H. Ray's report of the International Polar Expedition to Point Barrow, Alaska; A bill (H. R. 732) granting a pension to William Weddingfield; A bill (H. R. 1164) to restore to the pension-roll the name of Elenor

Stough:

A bill (H. R. 1502) granting a pension to William Robinson; A bill (H. R. 1711) granting pensions to Frederick Nelson, T. Caine,

and Henry C. Sanders;
A bill (H. R. 1984) granting a pension to Robert M. McKinlay;
A bill (H. R. 2136) granting an increase of pension to Merlin C. Harris.

A bill (H. R. 2138) granting a pension to Martha Angell;

A bill (H. R. 2138) granting a pension to Martha Angell;
A bill (H. R. 2282) granting a pension to Adolph Weach;
A bill (H. R. 2325) granting a pension to Helen M. Anderson;
A bill (H. R. 2670) granting a pension to Sarah A. Scott, widow of
John D. Scott, deceased, late first lieutenant of Company H, First Regiment Pennsylvania Volunteer Cavalry;
A bill (H. R. 3000) for the relief of William R. Miller for pension;
A bill (H. R. 3403) for the relief of Jacob J. Morningstar;
A bill (H. R. 3681) granting a pension to William L. Sloan;
A bill (H. R. 3701) granting a pension to James Bradford;
A bill (H. R. 3901) granting a pension to William Gibbons;
A bill (H. R. 4489) granting a pension to Caroline Van Norton;

A bill (H. R. 498) granting a pension to William Gibbons;
A bill (H. R. 4189) granting a pension to Caroline Van Norton;
A bill (H. R. 4247) granting a pension to Anna Maria Ressler;
A bill (H. R. 4266) granting a pension to Margaret A. Ringwalt;
A bill (H. R. 4317) increasing the pension of Julia A. Chambers;
A bill (H. R. 4548) granting a pension to Cordelia Gall;
A bill (H. R. 4837) granting a pension to Charles H. Phillips;
A bill (H. R. 4837) granting a pension to Charles H. Phillips;

bill (H. R. 5082) granting a pension to Jane Hilton;

A bill (H. R. 5062) granting a pension to Jane Hilton;
A bill (H. R. 5207) granting a pension to Adalbert Stickney;
A bill (H. R. 5508) granting a pension to Isaac R. H. Caldwell;
A bill (H. R. 5762) for the relief of Ann Lumphrey;
A bill (H. R. 5813) granting a pension to Rachel Smith;
A bill (H. R. 5969) increasing the pension of Frederic S. Rich;
A bill (H. R. 6205) granting a pension to Catherine S. Edmondson;
A bill (H. R. 6205) granting a pension to Catherine S. Edmondson;

A bill (H. R. 6635) granting a pension to Catterine S. Laun A bill (H. R. 6635) granting a pension to Rebecca Kupp; A bill (H. R. 6835) granting a pension to Bernard Donohue; A bill (H. R. 6965) granting a pension to David T. Dudley;

A bill (H. R. 6966) granting a pension to Wealthy W. Seavy; A bill (H. R. 7302) granting a pension to Elizabeth Smith; A bill (H. R. 7313) granting a pension to Charles W. Baldwin;

A bill (H. R. 7315) granting a pension to Frederick P. Dearth; A bill (H. R. 7386) granting a pension to Lydia M. Byres; A bill (H. R. 7500) to restore the name of Lewis J. Blair to the pen-

sion-roll:

A bill (H. R. 7561) to allow a pension to George F. West; A bill (H. R. 7571) granting a pension to Cornelia V. Blackman; A bill (H. R. 7673) granting a pension to Mrs. Adeline E. Chadbourne

A bill (H. R. 7707) to pension Holden Cook; A bill (H. R. 7724) granting a pension to Lydia Wetherbee; A bill (H. R. 7773) granting a pension to William E. Ayers;

A bill (H. R. 7952) granting a pension to Mrs. Julia Hartley; A bill (H. R. 8033) granting increase of pension to George W. Clark; A bill (H. R. 8038) granting a pension to Harriett A. B. Corts; and A bill (H. R. 8133) granting a pension to Thomas McGill.

DEFICIENCY APPROPRIATION BILL.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BURNES] has the floor.

Mr. KEIFER. Mr. Speaker, I ask the gentleman from Missouri [Mr. Burnes] if he will not withdraw his objection to the amendment I have offered?

Mr. BURNES. The gentleman from Ohio [Mr. Keifer] knows that I would like to yield to him if I felt at liberty to do so. I will say this, however, that I am perhaps authorized by the committee to accept the suggestion that by unanimous consent a vote may be had in the House upon the proposition.

Mr. KEIFER. I have no objection to that. Let us take the vote

Mr. BURNES. If we can have unanimous consent, of course the

vote can be taken now.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

To enable the Clerk of the House of Representatives to pay to the officers and employés of the House of Representatives borne on the annual and session rolls on the 3d day of March, 1885, one month's extra pay, at the compensation then paid them by law; which sum shall be immediately available.

The SPEAKER pro tempore. Is there objection to the present con-

sideration of the amendment?

Mr. O'NEILL, of Missouri. Mr. Speaker, I want to ask the author of this amendment if it embraces all the employés?

Mr. KEIFER. All the employés.

Mr. COOK. I object.

Mr. KEIFER. Oh, do not object. This is the same thing that has been done from one Congress to another.

Mr. COOK. I know it, and I object to it. [After a pause.] I withdraw the objection.

The SPEAKER pro tempore. The question is on the amendment submitted by the gentleman from Ohio [Mr. Keifer].

Mr. HOLMAN. Mr. Speaker, I ask for a division on that amend-

The House divided; and there were—ayes 147, noes 18.

So the amendment was agreed to.

Mr. McCOID. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. McCOID. I wish to ask unanimous consent to offer an amendment.

The SPEAKER pro tempore. The Clerk will read the amendment. The Clerk read as follows:

To pay Buford Lee \$180, Alexander Thomas, James Hall, and Charles Carter \$260 each, being the difference of pay at \$1 per day which they received and the usual rate of compensation at \$2 per day during the Forty-fifth Congress.

Mr. STORM. I object. There are plenty of claims in that same situation.

Mr. McCOID. I hope the gentleman will not object. This is unanimously reported by the Committee on Claims.

Several Members. Regular order!

The SPEAKER pro tempore. The regular order is demanded, and the gentleman from Missouri [Mr. BURNES] has the floor.

Mr. BURNES. Mr. Speaker, of all the bills that come before the House of Representatives perhaps none can be so safely passed the a suspension of the rules as the general deficiency bill. Its items of appropriation come, or ought to come, from existing laws and deficient appropriations by preceding legislation. Mere claims have no place in such a bill, and from it should be rigidly excluded everything not clearly authorized by law. If any question of fact is involved, or if any fact is to be found, the Committees on Claims should have the exclusive jurisdiction.

It is therefore a safe conclusion that no objections will be urged against anything that is in the bill; only those things left out of the bill can defeat its passage. Everything that is in the bill, I apprehend, will meet with the approval of every member upon this floor. The trouble is, if there be any, that there are some things outside of the bill which various gentlemen would like to have in it. In view of that fact, I beg to say that there may be some matters omitted from the bill which it would have been safe for the committee to have inserted and allowed, but so far as our limited time and strength would permit, we have given due consideration to everything submitted to us for investigation, and believe no substantial injustice has been done to any one in the exclusion of many items pressed upon our deliberations. It may, perhaps, be some consolation for me to say to gentlemen who believe that meritorious items have been omitted from this bill, that in the other end of the Capitol its provisions will be reviewed with great freedom and independence, and if amendments are made, a review will be had in conference that must be satisfactory to both bodies.

Mr. Speaker, general debate upon a general appropriation bill is, it seems to me, a misnomer. It is impossible to conclude what general debate would be appropriate to a general deficiency bill. It is a bill consisting of numerous items, and if we should take up item after item,

it would occupy from now until after the 4th of March to consider the merits or, if you please, the demerits of them all. Hence, as we can not stop to consider the merits of each particular item, I will simply call attention to one principle that has guided us in the preparation of the bill.

Under existing law the accounting officers of the Treasury seem to be authorized to audit and allow certain claims against the Government, and when they shall have audited them it is made their duty to report them for the consideration of Congress. There is a deep desire on the part of certain gentlemen not members on this floor, but gentlemen interested outside, to construe the action of the accounting officers of the Treasury in these cases as adjudications and to give to such adjudications the form and effect of the judgment of a court of competent jurisdiction.

The committee in the preparation of this bill have acted upon the principle that the action of the accounting officers of the Treasury is only prima facie evidence, if that—merely presumptive evidence of a meritorious claim for appropriation. Wherever the element of claim was found to exist we refused to consider it, for the reason that we have here a Committee on Claims having jurisdiction of such matters, and we sought to avoid trespassing upon the authority or jurisdiction of a co-ordinate committee of the House

Mr. BLOUNT. If the gentleman will allow me I wish to ask him if section 4 of this bill, which seems to be intended as a statute of limitation against claims to be examined by the Treasury Department, is approved by the Treasury Department in the form in which it appears

Mr. BURNES. I will answer my distinguished friend from Georgia by saying that section 4 of the bill is the work of a former Secretary of

by saying that section 4 of the bill is the work of a former secretary of the Treasury, fully and warmly approved by him; and, so far as the committee have been informed, it has been approved by each succeeding Secretary of the Treasury for several years past.

Mr. BLOUNT. If my friend will allow me one other question I will not interrupt him further. I see in this bill a provision for the abolition of the National Board of Health. I wish to ask what is the purpose of the Committee on Appropriations as to providing in this or any other bill for protection against the appearance of cholera or any

epidemic of that kind. Mr. BURNES. The Mr. BURNES. The matter of the protection of the public health has been provided for most liberally in the sundry civil appropriation bill, by an appropriation to be disbursed at the discretion of the President

Mr. BEACH. Does not this bill contain legislation-

Mr. BURNES. Undoubtedly.
Mr. BURNES. Undoubtedly.
Mr. BURNES. Undoubtedly.
Mr. BEACH. Does it not wipe out of existence the National Board of Health?

A MEMBER. It ought to be wiped out.

Mr. BURNES. The National Board of Health was wiped out a year ago, but its members did not know it. [Laughter.]

Mr. BEACH. That is a mistake, Mr. Speaker. The board is still in existence. The act of 1879 under which it was created is still the law of the land.

The SPEAKER pro tempore (Mr. HATCH, of Missouri). The gentleman from New York [Mr. BEACH] is not in order. The gentleman from Missouri [Mr. BURNES] will proceed.

Mr. BURNES. I was considering for a moment the force and effect we should give to claims audited by the Treasury Department. I have found in my investigation—and I think the Committee on Appropriations has about reached the same conclusion, perhaps unanimously—that it is not every audited claim that has either justice, or merit, or law in its favor. Therefore, as upon examination we find specific claims which it would be a wrong and an outrage to allow simply because of their being audited, we have concluded that they are not entitled to absolute verity. Congress can not aborcate its functions or transfer them to mere clerical agents in the Departments. Its authority and duty to adjudicate upon the rights of the Government and the rights

of the people can not be so transferred or abandoned.

The work of these Department officers is not the constitutional and intelligent consideration and action of the Congress of the United States, and it must not be allowed to grow upon us as a substitute for direct Congressional investigation and decision by the proper committees. We have sought, therefore, to allow no appropriation without due consideration. The circumstances surrounding us, the condition of the business of the House, and the shortness of the session remaining are known to us all. We could earnestly wish for time to submit the work of the committee to the closest scrutiny of the House, but the necessity for my motion to pass this bill under a suspension of the rules must be ap-

my motion to pass this bill under a suspension of the rules must be apparent to every member. Reserving the remainder of my time, I yield to my friends on the other side, if general debate is desired.

Mr. REED, of Maine. Mr. Speaker, I am ready to admit that there may be occasions when it is proper to pass an appropriation bill without discussion under a suspension of the rules. In the Forty-seventh Congress, when we had before us a tariff bill of which the country demanded the passage, it became necessary to pass the deficiency appro-

priation bill in this way. But in this case I called for a second for the priation bill in this way. But in this case I called for a second for the purpose of demanding, and with the expectation of receiving, some explanation either from the gentleman from Pennsylvania [Mr. RANDALL] or the gentleman from Missouri [Mr. BURNES] of the reasons for this extraordinary course. For if the supervision of the House of Representatives over the expenditure of the public money amounts to anything, it is when that supervision is exercised item by item. The passage of this bill in this way really demands an explanation, which has not been given

has not been given.

Why is it that this bill has been so long delayed? It can not be on account of the pressure of other public business, for it is known to this House and to the country that the other public business of the country has not been transacted. Why, then, has this bill been delayed, and why is it that we are remitted by the gentleman from Missouri to the Senate of the United States for among the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the Country of the United States for a monthly of the Country of the United States for a monthly of the Country of the Country of the Country of the United States for a monthly of the Country of the C Senate of the United States for amendments? The gentleman from Missouri in the sole explanation which he has vouchsafed to give says that this is a bill eminently fit to pass under a suspension of the rules, if any is. Why? Because it is a deficiency bill; and he says that those items which have been adopted can safely pass. Why, sir, that is not items which have been adopted can safely pass. Why, sir, that is not an auditing of the public accounts. What the country has a right to have is a vote of the House of Representatives upon the demands and the rights of every citizen, and these ought to be presented here by the representatives of the people, who ought not to be told by the Committee on Appropriations that they can go to another body to have

I hold it is just as much a right for a claimant to have his claim passed upon, even if it is rejected, as it is to have it passed upon and sustained. What hearing does a man get here? None at all. His sole hearing is before that self-constituted tribunal, the Committee on Appropriations—a valuable collection of gentlemen, but one uncommonly overworked—one that has so much business to do that it does not seem to be able to do it except under a suspension of the rules in this House.

I certainly hope that in the time reserved on the other side some explanation may be given; because members are put in this position: they can not freely vote against the passage of such a bill, because its failure may stop the necessary supplies of the Government. They are, as it were, coerced by the action of the committee. I do think that the committee owe to the country and to the House a further and fuller explanation of this matter.

I yield five minutes to the gentleman from Illinois [Mr. CANNON], unless the gentleman from Pennsylvania [Mr. RANDALL] desires to go

on now.

Mr. RANDALL. No, sir; I will wait.

Mr. CANNON. Mr. Speaker, perhaps at this stage of the session as wise a thing as could be done is to pass this bill under a suspension of the rules. That the bill might have been reported earlier is true. That many appropriations for deficiencies which have been omitted might have been recommended with as much propriety as those which have been recommended is, I have no doubt, true, and so state the fact to be. However, I call the attention of the House to the fact that this is a much better deficiency bill than the one which was passed last year.

much better deficiency bill than the one which was passed last year. That is not very high praise, but it is some. I hold in my hand estimates submitted last year by the Treasury Department, and not then allowed—estimates which have been resubmitted this year, and in large part allowed. I recollect that at the last session I stood here for a whole day offering amendments, contained in this list of estimates, line by line, subject by subject, explaining as best I could that there were hundreds of small claims which had passed the accounting officers—claims of soldiers and sailors, private soldiers and sailors—claims the payment of which was due and of such a character as had uniformly been appropriated for by previous Congresses.

Without rhyme or reason, under the lead of the Democratic Committee on Appropriations, a Democratic House refused to appropriate for them. Now they come at this session and put them in. I have here one claim as a sample: Joseph A. Steele, \$91.50, commutation of much better deficiency bill than the one which was passed last year.

for them. Now they come at this session and put them in. I have here one claim as a sample: Joseph A. Steele, \$91.50, commutation of rations under the law; due for seventeen or eighteen years for service in the late war. They refused to appropriate for that item, although it came recommended by the Auditor, had passed the Comptroller, and was verified by the Adjutant-General's official record. That, with three hundred claims just like it, they refused to appropriate for. When I went home this man, suffering from disability incurred in the army, poor, unable to work, came and asked me why we did not appropriate \$91.50 to pay him what was due? He said he had been informed by the Comptroller that it could not be paid because the money was not appropriated. The only answer I could give him was that, forsooth, the money was not appropriated because it did not please a Democratic House to follow the precedents which had been followed by Democratic and Republican Houses since these claims had been made, namely, to pay them as they were audited.

pay them as they were audited.

Now, sir, what is true as to these claims of last year is also arue in reference to them this year. It is no answer for the gentleman from Missouri [Mr. Burnes] to say he had not time to investigate them. He had as much time to investigate them and just as much authority to put in many claims he has omitted that he had to put in those he has provided for. There are hundreds and hundreds of claims (and I ask provided for. There are hundreds and hundreds of claims (and I ask his attention to it) put into this bill because they were audited at the

Treasury Department and recommended, and never examined by him or any other member of the House

As a general rule it is safe to follow the accounting officers of the Treasury Department. Ido not mean universally, but generally. The law has created the Treasury Department with an excellent system of checks and balances, the Auditors stating accounts, the Comptroller investigating and passing upon them, backed up by the Secretary of the Treasury and all the official records of the Departments from which claims come under contract or law for services performed. When they pass upon a claim it is right, as a general rule, that Congress should appropriate the money to pay it. Congress generally has appropriated the money to pay claims under such circumstances when passed upon favorably by the accounting officers of the Treasury Department. But now our Democratic friends refuse in many instances to make

the appropriation.

I call attention to this that citizens-many of them soldiers and sailors—who are entitled to pay for services performed do not receive the same because this Democratic House refuses by law to authorize the money to be taken from the Treasury for that purpose.

[Here the hammer fell.] Mr. REED, of Maine. I will yield now to the gentleman from

Pennsylvania, reserving my time.

Mr. BURNES. I will yield to the distinguished gentleman from Pennsylvania, if he desires to proceed at this time.

Mr. RANDALL. No; we have the right to close.
Mr. REED, of Maine. Then I yield to my colleague [Mr. DINGLEY] for five minutes

Mr. DINGLEY. I desire to call the attention of the House to what seems to me to be a serious omission in this deficiency bill. First of all I regret exceedingly the Committee on Appropriations should have deferred action to so late a day. We find ourselves unable to consider the bill item by item.

What I wish especially to call to the attention of the House is the omission of a deficiency appropriation asked by the Secretary of the Interior for printing and binding. He asks for \$60,000 for that purpose. At the last session the appropriation asked for was reduced from \$402,000 to \$342,000, and that caused necessarily a deficiency of \$60,000 in the printing and binding of the Interior Department, covering the printing of the Patent Office, of the Indian Bureau, of the Educational Office, and of all the other bureaus. It seems to me in a matter of routine like this, when every gentleman knows it will be needed, to omit an appropriation of that kind asked for by the Secretary and recommended by the Secretary of the Treasury, even with the expectation the Senate will insert it, is not meeting the just demands upon this House. I suggest to the chairman of the subcommittee this omission ought to be supplied before the bill leaves the House. By unanimous consent the item can be inserted. The Department asks for \$60,000, and it should be granted.

Mr. LONG. From personal examination of the matter I am sure it

ought to go in.

Mr. BURNES. I will answer the gentleman from Maine by saying the Interior Department has expended, out of the appropriation of \$342,000, in the first five months \$185,000, in round numbers. That was an expenditure in the first five months of the current fiscal year.

At present there are but \$31,000 left of the fund, but it will be perceived that an extraordinarily large amount has been expended in less than the first half of the year. I will say frankly that a desire on the part of the committee to look into what seems to be an abuse generally in all this printing business by the Departments determined the ma-jority of the committee not to make an additional appropriation for the

balance of the current year.

Mr. DINGLEY. I desired simply to call the attention of the gentletleman and of the committee to the fact that the printing of the Patent Office reports, which are sold in the community, is dependent upon our making that appropriation. There should also be deducted, which was not deducted in the report, all the receipts from the sale of Patent-Office documents. If there is no appropriation for this purpose it will be impossible for the Department to go on with the printing of the ordinary Patent-Office reports that sell to the public everywhere for their convenience

I repeat, I desire simply to call the attention of the gentleman and of this committee to these facts, leaving to themselves the responsibility of supplying the omission. This printing, I will here add, is all re-

dried by law.

Mr. Speaker, a deficiency bill is necessary, because the amounts which were embraced in the general appropriation bills the amounts which were embraced in the general appropriation bills. at the last session of Congress for the various objects for which appropriations were made were not enough, in the judgment of those who administered the affairs of the Departments of the Government generally, to carry on those affairs, and hence it is necessary to provide a sum sufficient to meet these expenditures up to the 30th of June-which necessitates a bill of this character.

A deficiency bill ought not in reality to contain any claims; but there is a practice which has crept into the preparation of this bill which has permitted the incorporation of appropriations to pay the judgments of the Court of Claims, and also to pay audited claims which have been passed upon by the proper officers of the Departments under existing law. Now, as to the bill itself, on behalf of the Committee on Appropriations permit me to say that there has been no delay on the part of

that committee in its preparation.

The estimates of deficiencies did not come to us at all until the 20th of January, and the supplemental estimates of the deficiencies did not reach us until the seventh day of the present month. The audited claims did not reach this House, if my memory serves me right, until the 29th day of January just past. It required then five days to print these various estimates and documents which contain the audited claims. these various estimates and documents which contain the audited claims. So the House will at once see that there has been no delay whateverin presenting this bill for its consideration; and if there be a bill which can be safely passed under a suspension of the rules it is a bill of this character, because it contains no original matter.

It contains simply appropriations which were not sufficient, under the administration of the general objects of appropriations, to execute

the laws of the Government.

Let me say as to claims that as much time was given to the considthe say as to claims that as inter time was given to the consideration of them as it was possible for the committee to give since about the 4th day of February until this time. It would be a herculean task, and an impossible physical and mental labor, to undertake to delve into the merits of each of the numerous claims which may be presented; and I for one will never assent, so far as my vote is concerned, nor have I in committee allowed the position to be taken, that the mere auditing of a claim by the Department is conclusive upon

Mr. REED, of Maine. Then would it not be a good plan to divide up the appropriation bills among the several committees, so that they may have an opportunity of looking into the work?

Mr. RANDALL. I know very well what the gentleman from Maine

Mr. RANDALL. I know very well what the gentleman from Maine is driving at.

Mr. REED, of Maine. Certainly you do.

Mr. RANDALL. I do not go by indirection at anything. I will meet the question when it comes up. But in justification of the committee, and in conclusion, let me say again that there has been no time wasted in the consideration of these subjects, and that they had the unlimited attention of the subcommittee who prepared this bill from the very moment that they were received up to the time that they were reported to the general committee and passed upon by them. I now yield the remainder of my time to the gentleman from Massachusetts [Mr. Loya]

[Mr. Long].

Mr. Long. I simply desire to say as a member of the subcommittee which prepared this bill, that since it was placed in their charge it these which prepared this bill, that since it was placed in their charge it has received diligent attention from them. I quite agree in many of the criticisms which have been passed on the bill. I doubt very much the policy of passing a bill of this importance, which involves an appropriation of money, under suspension of the rules. But I do desire to say that, from a thorough study of the bill, I quite agree with the gentleman from Illinois [Mr. Cannon] that it is not only an improvement on the deficiency bill of last year, but, so faras it goes, it is a very good bill. Its fault is not in what it contains, but in what it does not contain. And while I believe there should be some items put in this bill that are And while I believe there should be some items put in this bill that are

And while I believe there should be some items put in this bill that are not here, I simply desire to say, in the one moment left me, that I believe the House will make no mistake in passing the bill as it is.

The SPEAKER. The time allowed for debate has expired. The question is on the motion made by the gentleman from Missouri [Mr. BURNES] to suspend the rules and pass the bill with the amendments which have been read; and on that question the yeas and nays will be

Mr. KEIFER. I wish to inquire if it is necessary that the yeas and

nays should be taken, the motion being to suspend the rules.

The SPEAKER. This is a motion to suspend the rules and pass the

bill with the amendments.

Mr. REED, of Maine. It is a motion to suspend all the rules, including that which requires the yeas and nays to be taken as well as the

Mr. ANDERSON. When the bill has not been read, and it is pro-osed to pass it under a suspension of the rules, I think we should have the yeas and nays.

The SPEAKER. The gentleman from Kansas [Mr. Anderson] calls

for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were-yeas 240, nays 38, not voting 46; as follows:

		DIEC MEO.	A magazina and a majeriary
Adams, J. J.	Boyle,	Campbell, J. M.	Culbertson, W. W.
Aiken.	Bratton,	Cannon,	Cullen,
Alexander,	Breckinridge,	Carleton,	Curtin,
Arnot.	Breitung,	Clardy,	Dargan,
Bagley,	Brewer, J. H.	Clements,	Davidson.
	Broadhead.	Cobb.	Davis, G. R.
Ballentine,		Collins.	
Barksdale,	Brown, W. W.		Davis, L. H.
Bayne,	Browne, T. M.	Connolly,	Davis, R. T.
Belmont,	Buchanan,	Cook,	Deuster,
Bisbee,	Buckner,	Covington,	Dibble,
Blanchard,	Budd,	Cox, S. S.	Dibrell,
Bland,	Burleigh,	Cox, W.R.	Dingley,
Blount,	Burnes,	Craig.	Dixon,
Boutelle.	Cabell,	Crisp.	Dockery,
Bowen,	Caldwell,	Culberson, D. B.	Dorsheimer,

Dowd,	Holman,	Murray,	Springer,
Dunham,	Holmes,	Mutchler,	Steele,
Dunn,	Hopkins,	Nelson,	Stevens,
Eaton,	Horr,	Nicholls,	Stewart, Charles
Eldredge,	Houk.	Nutting,	Stewart, J. W.
Elliott,	Houseman,	Oates,	Stockslager,
Ellis,	Hunt,	Ochiltree,	Stone,
English,	Hutchins,	O'Ferrall,	Storm,
Ermentrout,	Jones, B. W.	O'Hara,	Strait,
Everhart,	Jones, J. H.	O'Neill, Charles	Struble,
Ferrell,	Jones, J. K.	O'Neill, J. J.	Sumner, C. A.
Fiedler.	Jones, J. T.	Paige,	Sumner, D. H.
Findlay,	Kean,	Parker,	Swope,
Finerty,	Keifer.	Patton,	Talbott,
Follett,	Kelley,	Payne,	Taylor, J. D.
Foran,	Ketcham,	Peel,	Taylor, J. M.
Forney,	King,	Perkins,	Thomas,
Funston,	Kleiner,	Phelps,	Tillman,
Fyan,	Lacey,	Poland,	Townshend,
Garrison,	Lamb,	Post,	Tucker.
Geddes,	Lanham,	Pryor,	Tully,
George,	Le Fevre,	Pusey,	Valentine.
Gibson,	Lewis,	Randall,	Van Alstyne,
Glascock,	Libbey,	Reagan,	Vance,
Goff,	Long,	Reese,	Van Eaton,
Graves,	Lore,	Reid, J. W.	Wallace,
Green.	Lovering,	Riggs.	Ward,
Greenleaf,	Lowry,	Robinson, W. E.	Warner, A. J.
Guenther,	Lyman,	Rogers, J. H.	Warner, Richard
Halsell,	McAdoo.	Rogers, W. F.	Washburn,
	McCormick,	Rosecrans,	Wellborn,
Hammond,		Rowell,	Wemple,
Hancock,	Matson, Maybury,	Russell,	White, Milo
Hardeman,	Mayoury,		Whiting,
Hardy,	Miller, J. F.	Ryan,	Wilkins,
Hart.	Milliken, Mills,	Seney,	Willis,
Hatch, W. H.		Seymour,	
Hemphill,	Mitchell,	Shively,	Wilson, James
Henley,	Money,	Singleton,	Wilson, W. L.
Herbert,	Morgan,	Skinner, C. R.	Winans, E. B.
Hewitt, A.S.	Morrill,	Skinner, T. G.	Winans, John
Hewitt, G. W.	Morse,	Smith, A. Herr	Wise, G. D.
Hill,	Moulton,	Smith, H.Y.	Woodward,
Hiscock,	Muldrow,	Snyder,	Worthington,
Hitt,	Muller,	Spooner,	Yaple,
Hoblitzell,	Murphy,	Spriggs,	York.
	NA NA	YS-38.	
Anderson,	Henderson, T. J.	Peters,	Stephenson,
Atkinson,	Hepburn,	Pettibone,	Turner, H. G.
Beach,	Holton,	Pierce,	Turner, Oscar
Bennett,	Jeffords,	Potter,	Wakefield,
Bingham	Lawrence	Price	Weaver

Henderson, T. J.	Peters.
Hepburn,	Pettibone.
Holton.	Pierce,
Jeffords,	Potter.
Lawrence,	Price.
McComas,	Ranney,
McMillin.	Ray, G. W.

Reed, T. B. Rockwell, Smalls, Millard, Miller, S. H. Payson,

NOT VOTING-46.

Adams, G. E.
Barbour,
Barr,
Belford,
Blackburn,
Brainerd,
Brewer, F. B.
Brumm,
Campbell, Felix
Campbell, J. E.
Candler,
Chalmers, Jordan, Kellogg, Laird, McCoid, Morrison, Clay, Converse, Cutcheon, Ellwood, Hatch, H. H. Haynes, Henderson, D. B. Neece, Rankin, Henderso Hooper, Howey, Hurd, James, Johnson, Rankin, Ray, Ossian Rice, Robertson, Robinson, J. S. Shaw, Slocum, Taylor, E. B. Thompson, Throckmorton, Wadsworth, Wait, Williams, Wise, J. S. Wolford, Wood,

Weaver, Weller, White, J. D. Young.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. McMILLIN. I ask unanimous consent to dispense with the

reading of the names of members voting.

Atkinson, Beach, Bennett, Bingham, Cassidy, Cosgrove, Evans, Hanback,

Harmer,

There was no objection.

Mr. RYAN. I am paired with Mr. BLACKBURN, of Kentucky, but I am advised by that gentleman's friends that if present he would vote as I have voted. I therefore let my vote stand.

The following members were announced as paired on all political questions until further notice:

Mr. Monney with Mr. Loun S. Wight.

Mr. Morrison with Mr. John S. Wise.
Mr. Shaw with Mr. Laird.
Mr. Rankin with Mr. Kellogg.
Mr. Throckmorton with Mr. Ezra B. Taylor.
Mr. Jordan with Mr. Henderson, of Iowa.

Mr. HURD with Mr. RICE.

The following members were annouced as paired on this vote:

Mr. CAMPBELL, of New York, with Mr. ELLWOOD.
Mr. LOWRY with Mr. HATCH, of Michigan.
Mr. CLAY with Mr. BRUMM.
Mr. CONVERSE with Mr. ADAMS, of Illinois.
The following members were announced as paired for this day:

Mr. THOMPSON with Mr. JOHNSON.

Mr. RYAN with Mr. BLACKBURN.

Mr. CANDLER with Mr. RAY, of New Hampshire.

Mr. ROBERTSON with Mr. CHALMERS.

Mr. Neece with Mr. Cutcheon.
Mr. LOWRY. I ask to be permitted to record my vote. I was in the Hall during the second roll-call and did not hear my name called.
The SPEAKER. If there be no objection the name of the gentleman

Mr. LOWRY. I vote "ay."

The SPEAKER. The gentleman has been announced as paired on this vote

Mr. LOWRY. That was an involuntary pair. I vote "ay." The result of the vote was then announced as above stated.

DR. W. LEIGH BURTON.

The SPEAKER. The hour under the special rule begins at 1 clock. The gentleman from Virginia [Mr. John S. Wise] is entitled

Mr. JOHN S. WISE. Mr. Speaker, I ask to have the report in re-lation to the pending bill read. Mr. WELLER. Mr. Speaker, is this the proper time to offer an ob-

jection to this bill?

The SPEAKER. It is not. The gentleman from Virginia [Mr. John S. Wise], who is entitled to five minutes in support of the bill, asks for the reading of the report. The Clerk will read the report.

The Clerk read the report, as follows:

The Clerk read the report, as follows:

The Clerk read the report, as follows:

The Committee on Patents, to whom was referred bill H. R. 8021, for the relief of Dr. W. Leigh Burton, have had the same under consideration and report:

A patent was granted Dr. Burton, No. 88006, dated March 23, 1869, for "improvement in electro-heating," and antedated March 12, 1869. The following describes the invention:

The electric heater is based on the well-known fact that electricity, in passing through a conductor of insufficient capacity, such, for instance, as a wire of small diameter, evolves or develops heat.

It is also well known that a wire of any great length and small diameter will not conduct a strong current of electricity without difficulty and loss; for as the wire becomes heated its resistance is increased, and in consequence the heat becomes so great that the wire will be fused.

The object of this invention is to obviate this difficulty by enabling a strong current of electricity to pass through a heat-evolving apparatus of any length; and to this end it consists of an electrical conducting chain or coil, with intervals of small conducting power, in traversing which the electricity will be caused to develop heat; and further, in interposing between said obstructing intervals free conductors of much larger size, which constitute absorbents and radiators of heat. The heater exhibited, therefore, consists of an alternate arrangement of obstructing media and free conductors or radiators, arranged in a compact form, and insulated within a suitable fire-proof casing, covered by a metal plate. In this heater the obstructing media consists of platinum wire No. 25, English standard, and the free conductors of copper blocks one and three-fourths inches in length and one-half inch square. The aggregate length of the obstructing media is about seven inches, and the weight of the fifty-seven blocks of copper about eight pounds. The entire length of chain or coil is about to feopper about eight pounds. The entire length

Mr. ANDERSON. Mr. Speaker, I desire, when the proper time comes, to oppose this bill.

The SPEAKER. The gentleman from Virginia [Mr. John S. Wise]

has one minute of his time remaining.

Mr. JOHN S. WISE. Mr. Speaker, I do not know that I can add to what is stated in the report. The invention made by Dr. Burton was, as is there stated, in advance of the discoveries in the science to which it relates; and although he has spent a great deal of money and a great deal of time in connection with the invention, he has never received a dollar for it. It is only within the last six months that it has been available, and it is solely for the purpose of allowing him to reap the legitimate fruits of his own labor, ingenuity, and expenditure of

legitimate fruits of his own labor, ingenuity, and expenditure of money that this bill is presented.

Mr. ANDERSON. Mr. Speaker, this presents the question of the extension of patents. In this particular case the gentleman from Virginia [Mr. John S. Wise] and the report state that the inventor has not obtained any benefit from his invention; but it is clear that that neglect is not the fault of the United States Government.

Mr. JOHN S. WISE. Will the gentleman yield for a moment?

Mr. ANDERSON. Not now. I say, Mr. Speaker, that it is either his

Mr. JOHN S. WISE. Will the gentleman yield for a moment? Mr. ANDERSON. Not now. I say, Mr. Speaker, that it is either his own fault or his own misfortune if he has not profited by this invention. So that the question presented to the House is this: Shall a patent be extended? Now, for one, I wish to state that I am wholly opposed to the extension of a patent to anybody. For seventeen years this gentleman has had the opportunity to place his invention. He has not done so, and now he comes here and asks for a renewal of it, or what amounts

to that, for seventeen years more.

Mr. VANCE. Seven years.

Mr. ANDERSON. Well, seven years. Now, sir, if this invention is of value to anybody, it is of value to the consumer; and when the United States Government has for seventeen years allowed this inventor an opportunity to obtain the financial benefit of his invention

Mr. GEORGE D. WISE. Will the gentleman allow me to say that this inventor has not obtained a dollar from it?

Mr. ANDERSON. Very well; that was not the fault of the Government. My point is that the Government is not called upon to step in now and give him this further benefit. It seems to me that in dealing with this patent question some attention should be paid to the people.

Mr. TUCKER. Is it not the object of the law to secure to the patentee the benefit of his idea—his invention?

Mr. ANDERSON. For seventeen years the Government has done that in this case, and it is not our fault if he has not made money out of his invention; and now if there be a dollar to be made out of it, or half a million dollars, or a million dollars, why not let the people have the benefit of it? In this matter of electrical apparatus there are the most complete monopolies that exist in the country, and they are created and maintained by the patent system, in so much that the tele-phone, the electric wire, your whole electrical apparatus, is to-day in the hands of a very few men, and gentlemen well know that when they come to consider the tariff they find that immense sums are extorted from the people by means of patents, apart from the sums properly collected as duties. I am opposing this bill, not because I am opposed to this particular patent or this particular gentleman. I would be glad indeed if he should make out of his invention all that can possibly be made out of it. I am opposing the bill on principle; on the principle that the people of the United States have some rights which ought to be respected, and that this House is not called upon to extend any Mr. VANCE. Will the gentleman yield for a moment?
Mr. ANDERSON. The gentleman has had his time.
Mr. VANCE. No, sir; I have not had any time.
Mr. ANDERSON. You might have had it.
Mr. VANCE. Will you yield to me for

Mr. VANCE. Will you yield to me for a minute?
Mr. ANDERSON. I beg the gentleman's pardon, but I have not time. Mr. VANCE. Go on, then.

Mr. VANCE. Go on, then.
Mr. ANDERSON. Mr. Speaker, this is the first of these cases that has been brought up. Where there is an extension of a patent you will ordinarily find large sums of money behind it. When men extend or renew patents they do so because they are valuable, and I desire to raise now upon this case the general question as to the renewal or ex-tension of patents. I ask gentlemen to consider what vast sums—

tension of patents. I ask gentlemen to consider what vast sums—
[Here the hammer fell.]
Mr. JOHN S. WISE. Mr. Speaker, have I any time left?
The SPEAKER. The time prescribed for debate by the rule has expired. Is there objection to the present consideration of this bill?
Mr. WELLER. I object.
The SPEAKER. The gentleman from Iowa [Mr. WELLER] objects.
Is there further objection? [After a pause.] Twenty-three gentlemen have risen to object—more than a sufficient number under the rule—and the bill will be laid aside.

PUBLIC BUILDING, SACRAMENTO, CAL.

Mr. GLASCOCK. Mr. Speaker, I call up for present consideration the bill (S. 1810) for the erection of a public building at Sacramento,

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office, land office, internal-revenue office, signal office, and other Government offices, at the city of Sacramento, Cal. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The SPEAKER. Ten minutes are now allowed for debate.

Mr. GLASCOCK. Mr. Speaker, I think the House will concede that I have not often inflicted myself upon its patience. I wish to state in a few words the absolute necessity for the passage of this bill.

Sacramento is the capital of the State of California. According to

the report of the House committee which I hold in my hand its population is about 30,000. In reality its population is nearly 35,000. It is one of the few capital cities in the United States, if not the only one, having within its limits no public building of the Government of the United States. There are four Government offices located in that citythe signal-service office, the internal-revenue office, the post-office, and the land office. The Government is now paying as rent for its offices in that city \$4,200 a year, representing 6 per cent. on a capitalization of nearly three-fourths of the amount asked for in this bill. It would be economy on the part of the Government to expend the modest sum here asked for-only \$100,000-for the erection of a public building at

Mr. Speaker, I reserve the residue of my time to answer any questions that may be asked. I hope the House will allow this bill to go

Mr. STORM. Is there a report on this subject?
Mr. GLASCOCK. I send to the desk the report of the House com-

mittee upon a bill precisely like this Senate bill.

Mr. COOK. Before the report is read, I wish to ask the gentleman from California whether there are any Federal courts held at Sacra-

Mr. GLASCOCK. Not one. Mr. COOK. That is all. The report (by Mr. Breitung) was read, as follows:

The report (by Mr. Breitung) was read, as follows:

The committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 105) to provide for the crection of a post-office building at Sacramento, Cal., and appropriating \$100,000 therefor, beg leave to favorably report the accompanying substitute for said bill, and recommend its passage for the following reasons, namely:

Sacramento is the capital of the State of California, and is a city of about 30,000 inhabitants.

Four departments of the United States Government have offices in the city, namely, the post-office, the land office, the internal-revenue office, and the signal office.

All of said offices are now rented, and are insufficient and inconvenient for the transaction of the business appertaining thereto, and their books, records, and papers are without security from destruction by fire.

The location of said offices is inconvenient, inasmuch as no two of them are in the same building, or even in the same locality.

The annual rental now paid by the United States Government for the inadequate and unsafe quarters now used for said offices is \$4,200.

The business of said offices is large, and increasing, as may be seen from the following statistics of the business transacted at the post-office at Sacramento:

Table showing postal receipts at Sacramento.

Table showing postal receipts at Sacramento.

The state of the s	1882.	1883.
Received from sale of stamps, &c	\$41,903 32 2,430 00 172,416 82 328,241 54	\$44,880 90 2,415 50 188,304 72 394,288 50
Letters and parcels registered. Letters received for delivery Registered matter in transit. Through pouches received. Through pouches dispatched.	6, 423 15, 621 44, 832 1, 281 1, 032	8, 962 19, 925 53, 280 1, 429 1, 236
Total	69, 189	84, 832

The following is a statement of the number of letters, postal cards, &c., deliv-red and collected by carriers for the fiscal year ending June 30, 1883 :

Registered letters delivered.	2,671
Mail letters delivered	409, 280
Mail postal cards delivered	74, 443
Local letters delivered	38, 109
Local postal cards delivered	OH #00
Newspapers, &c., delivered	351, 995
Letters collected	000 00.
Postal cards collected	65, 329
Newspapers, &c., collected	22,000
- Aggregate pieces bandled	1, 327, 874
Carriers employed	7
	101 105

Average per carrier...... Postage on local matter. 191, 125 \$1, 864. 65 The SPEAKER. The time of the gentleman from California has ex-

Mr. COOK. I yield a moment to the gentleman from Ohio [Mr.

MR. COOK. Tytest a month of the WARNER, if the wishes to offer an amendment.

Mr. WARNER, of Ohio. I hope the gentleman from California will accept an amendment to this bill, in the usual form, so as to avoid the approval of any plan which will ultimately require a larger expenditude of the control of the ture than the amount which this bill appropriates. If this amendment be accepted I shall not object to the bill.

I wish to say in this connection that the back door of the Treasury seems to have been opened by the Appropriations Committee in the sun-dry civil bill, and the bills for public buildings brought up under this order are opening wide the front door. When we find that now the very "watch-dogs" seem to be relaxing their vigilance at the back door of the Treasury, I think it about time that we should close the front door. But I will not raise objection to this bill if the amendment I

have indicated be accepted. The SPEAKER. The amendment will be read for the information

of the House. The Clerk read as follows:

Add, after "dollars," in line 9, the following:

"And no plan shall be approved that will involve for site and building, including approaches thereto, an expenditure greater than the sum herein appropriated."

Mr. GLASCOCK. Mr. Speaker, nothing would afford me greater pleasure than to accept this amendment, were it not the fact that at pleasure than to accept this amendment, were it not the fact that at this late stage of the session it would be almost impossible to get the bill as amended through the Senate. I trust, therefore, the gentleman will not press the amendment now; but I am willing that a vote of the House be taken upon it; and if the House decides that the amendment is proper I will submit.

Mr. WARNER, of Ohio. That is all I ask. Of course the amendment does not come up till the bill is before the House.

The SPEAKER. If the House should decide to consider the bill the amendment will be in order.

the amendment will be in order.

Mr. COOK. We want to know whether the gentleman from Cali-

fornia will accept the amendment?

Mr. WARNER, of Ohio. I desire to send up the amendment to be pending when the bill shall come before the House.

The SPEAKER. It can not be pending yet, because the House has not yet decided to consider the bill. Is there objection to the consid-

eration of the bill? The Chair hears none. The gentleman from Ohio [Mr. WARNER] moves an amendment, which will be read.

The Clerk read as follows:

Add, after "dollars," in line 9:

"And no plan shall be approved that will involve for site and building, including approaches thereto, an expenditure greater than the sum herein appropriated."

The amendment was not agreed to.

The bill was ordered to a third reading; and it was accordingly read

the third time, and passed.

Mr. GLASCOCK moved to reconsider the vote by which the bill was assed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

PUBLIC BUILDING AT HOULTON, ME.

Mr. BOUTELLE. I ask the House to take up and pass the bill (H. R. 707) to provide for the erection of a public building at the town of Houlton, Me.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase or otherwise procure a suitable site, and cause to be erected thereon, at the town of Houlton, in the State of Maine, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the United States custom-house and post-office, and for other Government uses. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$50,000; and for the purposes herein mentioned the sum of \$50,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, and the State of Maine shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

Mr. BOUTELLE. Mr. Speaker, recognizing as I do the importance of economizing time, I will not ask for the reading of the entire report of the committee, which was unanimously favorable to the passage of

of the committee, which was unanimously favorable to the passage of this bill, but will very briefly state some of the substantial points.

The town of Houlton, in which it is proposed to erect this custom-house and post-office building, is the shire town of the county of Aroostook, in the State of Maine, the Aroostook customs district comprising a territory about as large as that of the State of Massachusetts, with a frontier line of some two hundred and fifty to two hundred and seventy miles. The customs collections there rank high among the collections of the districts of the State of Maine. The report gives figures showing the very rapid development of that section of the State, its increase in the last decade having been more than 40 per cent. It is the most rapidly growing section of the State of Maine.

For the thirty-one and a half months from 1878 to 1881 the customs collections in the district amounted to \$38,311. For the thirty-one and a half months ending November, 1883, the customs collections there amounted to \$92,673, an increase of nearly threefold, and the later re-

amounted to \$92,673, an increase of nearly threefold, and the later returns show that the increase is progressing.

Mr. MILLS. What is the population?

Mr. BOUTELLE. The population of the district of Aroostook has increased, as I have said, more than 40 per cent. during the last decade, and is now about 50,000. The population of the town of Houlton, which is the shire town of the county and of the district, was about 4,000 in 1880, and is now about 6,000. It is the business center of that region. It is the railroad terminus.

Mr. MILLS. Is there a Federal court there?

Mr. BOUTELLE. No Federal court is held there now. This bill provides for a custom-house and post-office building. The post-office is a distributing office for that large section of country. The amount received for money-orders during the year ending June 30 last was \$17,000 and the amount paid \$24,522. I will state here, Mr. Speaker, that the accommodations at present are entirely inadequate to the necessities of the customs office and post-office.

I desire to say further, in view of the fact that recommendations have

been made by the Secretary of the Treasury heretofore in regard to certain possible consolidations of districts in the State of Maine and New England, that under any consolidation which may be made the town of Houlton will be the natural headquarters for the district of that sec-

of Houlton will be the natural headquarters for the district of that section. I reserve the balance of my time.

The SPEAKER. The gentleman's time has expired.

Mr. STORM. Mr. Speaker, I do not know anything I can say will stop this irresistible raid upon the Treasury, for it seems after all there are hardly ten righteous in this House to save the Treasury from plunder. Nevertheless I shall attempt to call the attention of the plunder. Nevertheless I shall attempt to call the attention of the House to this subject, not with a view of specially antagonizing this particular bill, because the objection I make now would lie against all bills we have considered heretofore, and I have no doubt would lie against three-fourths of all that may come up hereafter for considera-

I have no doubt, Mr. Speaker, the fact of a deficiency in the revenues of any government is a misfortune, but I still think there is a greater misfortune to any government when it finds itself with a large surplus in its treasury. We have seen bills passed in this House within the last week, and bills of like character no doubt will be passed during the next six days, which would never have been thought of—never stood the ghost of a chance of passing had there been a deficit instead of an excess of revenue. It is because there is a surplus in the Treasury, which a large number of members of the House on both sides seem determined to get out, that it is utterly impossible to stay this raid.

We are erecting public buildings at towns that our school geographies heretofore never heard of. Yesterday we allowed a public building in a town which no railroad has yet reached. We are now asked to allow a public building in a town—I do not know how old it is—which during the whole century up to 1880 had never more than 4,000 inhabitants. And a remarkable fact with all these towns is that they have all had such rapid growth or increase of population between 1880

have all had such rapid growth or increase of population between 1880 and the present time. [Laughter.]

I yield the balance of my time to the gentleman from Ohio.

Mr. WARNER, of Ohio. Mr. Speaker, one of two things ought to be done. We should stop here with these public buildings for towns of one, two, three, or four thousand inhabitants, or else we ought to open the door and let every member decide upon the location of a public building and make appropriation of money for it.

Mr. MONEY. Offer an amendment to that effect.

Mr. WARNER, of Ohio. Yes, and it would go through I have no doubt. Governor Allen, of Ohio, once said, you might as well undertake to run an ice-house in hell as an economical government with a surplus in the treasury. [Laughter.] I have come to the conclusion he was about right. I think this a good place to draw the line—in the case of a town of 4,000 inhabitants without a court simply for a post-office, I suppose.

office, I suppose.

A Member. And a custom-house.

Mr. WARNER, of Ohio. Custom-house and post-office. Let us draw the line here, or let every member in the House have a public

building.

Thirty public buildings are reported in the sundry civil bill. Seventytwo have been reported to the House from the Committee on Public
Buildings and Grounds. Thirty, as I have said, come from the Committee on Appropriations in the sundry civil bill. How many millions
they will amount to I do not know. I have not had time to make the
calculation. The Treasury is being robbed from both sides, by the
front door and by the back door. Let us draw the line somewhere. I
think it is right to draw the line here.

Mr. WELLER. I ask whether the gentleman from Ohio is willing
to stand up now and commence the work of drawing the line? I have
been waiting for that a long time.

been waiting for that a long time.

The SPEAKER. The time for debate is exhausted. Is there objection?

Mr. WELLER. I object.

The objection was sustained-18 voting in the affirmative; and so the bill was not taken up for present consideration.

PUBLIC BUILDING, LA CROSSE, WIS.

Mr. WOODWARD. I call up under the rule the bill (S. 78) for the erection of a public building at La Crosse, Wis.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United States district and circuit courts, internal-revenue office, post-office, and other Government offices, at the city of La Crosse, Wis. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys; and that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Wisconsin shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. WOODWARD. Mr. Speaker, the Government of the United

Mr. WOODWARD. Mr. Speaker, the Government of the United States has at the city of La Crosse a post-office, two land offices, surveyor of customs, and collector of internal revenue. It maintains there a marine hospital, post-office, land office, and for the last fifteen years the a marine hospital, post-office, land office, and for the last fifteen years the United States courts have been held in that city under authority of law passed in 1870, and the Government has been borrowing the county court-house for the use of its officers. This, I think, Mr. Speaker, constitutes a sufficient ground for asking this appropriation for a public building at this point. The public business requires and justifies it. As to the city itself, I have only to say that it is located on the Mississippi River at the mouth of a large stream; that it is a true railroad center; that these roads radiate to six different points of the compass from it; that it has large business connections by railroads as well as by the river, and that its manufactures are important and constantly increasing.

increasing.

In 1880, by the census of that year, the city had a population of 15,000. Since then, not less than 1,500 additional dwelling-houses have been put up in the city, and by an accurate census that has been taken recently it is ascertained that the population at the close of the year 1883 was over 20,000.

I hope objection will not be made to the consideration of the bill. I

think it is as meritorious as any measure presented to the House at this session. I reserve the remainder of my time.

The SPEAKER. The gentleman has two minutes of his time re-

maining.

Mr. BROWNE, of Indiana. Mr. Speaker, I am satisfied that we are Mr. BROWNE, of Indiana. Mr. Speaker, I am satisfied that we are exhausting the surplus too rapidly, and I fear that just now this controversy will take a partisan direction. I shall not, however, contribute to that end. My first objection to this bill is that the construction of this public building will cost money. Now if this economical Congress, with the assistance of the distinguished gentleman from Ohio and the gentleman from Pennsylvania, can only devise some plan by which brick and mortar may be made and labor performed without costing anything, I shall vote for all these bills. Then I do not believe the Government of the United States needs public buildings, any way. What is the necessity for them? Why do we not buy a big circustent.

Mr. MILLER, of Pennsylvania. And take it around.
Mr. BROWNE, of Indiana. A caravan of wagons, and send the court
and the district attorney and the pension agent and the revenue collectors around through the country and let them tent out? [Laughter.]
Well Lide not know whether continues record the few remarks that

lectors around through the country and let them tent out? [Laughter.]
Well, I do not know whether gentlemen regard the few remarks that
I have been making as against the measure or not.
Mr. WELLER. It is difficult to tell, I guess.
Mr. BROWNE, of Indiana. I want to say, however, that I believe
just at this time there can be no more judicious expenditure of the
public moneys than in the construction of necessary public buildings.
Labor is out of employment all over the country.
Mr. WELLER. The product of Republican maladministration, I
recken [Langhter.]

Mr. WELLER. The product of Republican maladministration, I reckon. [Laughter.]

Mr. BROWNE, of Indiana. Did somebody speak?

Mr. WELLER. Mr. Speaker, there did. [Great laughter.]

Mr. BROWNE, of Indiana. I have said that labor is seeking employment. For reasons that I need not give if I knew, manufacturing establishments are closed and the trustees of the poor are employed day by day in distributing charity. I wish it were possible for the Government of the United States to open the Treasury at such a time as this and allow every necessary work to be constructed, and that the people who to-day cry for bread might receive a remunerative return for their and allow every necessary work to be constructed, and that the people who to-day cry for bread might receive a remunerative return for their labor. It would not be waste. I am not claiming it as a charity. I say that the Government is in a condition to do this, and it ought to be done, and now is the time. Mr. Speaker, I have nothing but inexpressible contempt for that niggardly parsimony which says let us stand at the door of the Treasury and allow no cent to come out of it unless it can go in the direction which we individually are pleased to indicate can go in the direction which we individually are pleased to indicate.

[Here the hammer fell.]
The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STORM. Which side has the gentleman from Indiana spoken

The SPEAKER. The gentleman from Indiana spoke in his own time and right.

But to what side was the time occupied by the gen-

tleman charged—in opposition or in favor of the bill?

The SPEAKER. The Chair does not understand the gentleman

Mr. STORM. The gentleman from Wisconsin was heard himself in behalf of the bill, and the Chair I supposed would yield the remainder of the time to those who opposed the bill. I want to know, therefore, whether the time occupied by the gentleman from Indiana is charged for or against the bill.

The SPEAKER. That is not for the Chair to determine.

Mr. STORM. I suppose it is difficult to determine what side the

gentleman occupied.

The SPEAKER. The gentleman from Indiana rose and no other gentleman claimed the floor, nor was objection made to his occupy-

Mr. WOODWARD. I would like to offer myself two amendments. one of them similar to those which have been offered to other bills of

The SPEAKER. The first question is, Is there objection to the consideration of the bill?

There was no objection.

Mr. WOODWARD. I now ask the adoption of the amendment I send to the desk.

The Clerk read as follows:

Insert before the word "provided" in line 12 of the printed bill:

"And it shall be the duty of the Secretary of the Treasury, after the site for said building shall have been purchased, to cause plans and specifications of said building to be prepared, and said plans and specifications shall not involve an expenditure in the erection and completion of said building exceeding the portion of \$100,000 remaining after the site of said building shall have been paid for. No plan shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum which remains after paying for the site of said building."

ing."
Also add as an additional section:
"SEC. 2. That the sum of \$100,000 be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated for the purpose of carrying into effect the provisions of this act."

The bill as amended was ordered to a third reading; and it was ac-

cordingly read the third time, and passed.

Mr. WOODWARD moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

SUPPLIES TO INDIANS OF MINNESOTA 1860-'62.

Mr. STRAIT. I call up for consideration the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, de., That the Secretary of the Interior be, and is hereby, authorized and directed to investigate and determine the amounts due licensed traders, citizens of the United States, for supplies furnished, in the course of trade and business, to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the outbreak and massacre of said Indians in August, 1862, and for which damages were not awarded by the commissioners appointed under the act entitled "An act for the relief of persons for damages sustained by reason of depredations and injuries by certain bands of Sioux Indians," approved February 16, 1863, for the reason that said act limited the action of said commissioners to claims arising from depredations, and did not authorize them to act upon claims arising upon contract or upon accounts for supplies furnished; and the said claims, when ascertained, shall be paid by the Secretary of the Interior out of the money hereby appropriated.

SEC. 2. That for the purpose of enabling the Secretary of the Interior to carry out the provisions of the foregoing section the sum of \$120,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

Mr. STRAIT This bill has been favorably reported to the House

Mr. STRAIT. This bill has been favorably reported to the House every time it has been introduced for the last six or eight Congresses. The Senate has passed the same or a similar bill during the past five

The Senate has passed the same or a similar bill during the past five Congresses. The present bill has been reported favorably to the House from the Committee on Indian Affairs by the gentleman from New York [Mr. STEVENS]. I yield to that gentleman for a moment.

Mr. STEVENS. The object of this bill is to make remuneration to certain licensed traders on the Sioux reserve for property taken and destroyed by the Indians and for provisions and supplies furnished to the Indians at the request of the then Indian agent. In 1862 the Indians were gathered together at the regular agencies in Minnesota for the purpose of receiving their annuities, but owing to the troubles existing at that time the agents did not appear and the payments were not made. pose of receiving their annuities, but owing to the troubles existing at that time the agents did not appear and the payments were not made. The Indians became dissatisfied. As the agents state they became "very ugly, threatening death and disturbances." The agents applied to the licensed traders who were there by the authority of law to furnish supplies to these Indians. That was done; but the annuities not coming for a long time, about a month after these supplies were furnished the Signa on threak, with the facts of which every member of this House is

for a long time, about a month after these supplies were furnished the Sioux outbreak, with the facts of which every member of this House is probably familiar, took place. A large number of people were killed and the property of these traders was destroyed.

In the following February Congress by an act confiscated all of the funds belonging to these Indians; it confiscated all of their annuities and covered them into the Treasury of the United States. Several claims have been paid by acts of various Congresses since that. There is now, not at the credit of the Indians, because it is confiscated money, but of the original funds belonging to these Indians there are now nearly \$4,000,000 in the Treasury.

nearly \$4,000,000 in the Treasury.

The object of this bill is to allow the Secretary of the Interior to take the necessary evidence, get the necessary proof, and ascertain the amount of supplies furnished to these Indians by the authority of Mr. Galbraith, who was then agent. The proof is clear and distinct as to the losses and as to the authority given by the agent to these traders to furnish the supplies.

Mr. ANDERSON. What is the aggregate amount covered by the

bill?

Mr. STEVENS. It will not exceed \$100,000; I should say about \$70,000. This bill provides that an amount not to exceed \$100,000 shall be paid for this purpose; and as I have said the Indians, of what once was theirs, have now in the Treasury about \$4,000,000.

Mr. MILLS. I wish to ask the gentleman from New York whether it is claimed that this bill stands on higher ground than the claims for other property destroyed by Indian depredations?

Mr. STEVENS. There is this distinction: that this property and these supplies, bread, flour, and various kinds of provisions, were fur-

Mr. STEVENS. There is this distinction: that this property and these supplies, bread, flour, and various kinds of provisions, were furnished by request of the Indian agent to prevent the Indians from committing the outbreak which did actually occur shortly afterward. Mr. COOK. What reason exists for paying the post-traders for the property destroyed by the Indians that does not exist for paying for the property of the settlers or other parties destroyed by the Indians during the outbreak?

Mr. STEVENS. It has been the practice of Congress continually where Indians under control of the Government have destroyed the where indians under control of the Government have destroyed the property of those who were there by proper license of the Government to reimburse those licensed traders for their losses.

Mr. ELLIS. With the permission of the gentleman from New York I will state that it is one of the very treaty stipulations with these Indians that these depredation claims shall be paid.

Mr. STEVENS. I thank my friend from Louisiana for his suggestion.

The SPEAKER. The five minutes allowed in support of the bill

have expired.

Mr. WARNER, of Ohio. Is there a report in the case?

The SPEAKER. Does the gentleman from Ohio desire to have it

Mr. WARNER, of Ohio. I think it had better be read. The SPEAKER. The Chair will state the report is somewhat

The SPEAKER. The Chair will state the report is somewhat lengthy.

Mr. WARNER, of Ohio. Then I do not call for the reading.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. REAGAN. I object.

Mr. HOLMAN. I wish to make an inquiry as to the funds out of which this money will be paid. I understand the gentleman from New York [Mr. STEVENS] to say that immediately after this massacre occurred the funds belonging to this tribe of Indians were covered into the Treasury as confiscated money. The case, as I understand, is put on the ground that it is an appropriation virtually of that money which ought to go to the payment of these claims. Has the gentleman any objection, to avoid any mistake, to that being stated in the bill, so that it shall appear that it is not money out of the public Treasury which is appropriated? My friend from New York will agree with me that the United States should not be held responsible for the acts of spoliation committed by this Indian tribe, and that the Government should only be held liable on the ground of having appropriated to its own use money which might otherwise have been appropriated to the payment money which might otherwise have been appropriated to the payment of these claims.

Now, has the gentleman any objection to adding this provision:

That said sum shall only be paid out of money which heretofore belonged to said tribe, if any, and has been confiscated by the United States.

Mr. STEVENS. I have no objection to that, sir; I am willing to

Mr. REAGAN. Mr. Speaker, if the principle of this bill were enacted into law, even with the amendment of the gentleman from Indiana [Mr. Holman], and followed as a precedent, the Treasury of the United States could not pay the claims that would come against the Government.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause]. Only nine gentlemen have risen—not a sufficient number under the rule. The bill is before the House, and the question is on the amendment offered by the gentleman from Indi-

ana [Mr. HOLMAN].

The Clerk read the amendment, as follows:

Provided, however, That said sum shall only be paid out of money which heretofore belonged to said tribe, if any, and has been confiscated by the United States.

The amendment was agreed to.

Mr. STEVENS. Mr. Speaker, I have one or two amendments which I have been instructed by the committee to offer, as follows:

In line 7 of the printed bill strike out "August" and insert "June 1."
In line 8, after the word "sixty," insert "one."
In section 2, line 3, strike out the words "and twenty;" so that it will read "one hundred thousand dollars."

The amendments were severally agreed to.

Mr. REAGAN. Mr. Speaker, I desire to say that this is a claim not Mr. REAGAN. Mr. Speaker, I desire to say that this is a claim not founded upon any provision of law, made by persons not in the line of the discharge of any duty to the United States. It is a voluntary creation of a demand against the Government, without its consent or authority. [Cries of "Regular order!"]

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER. Unless there be objection, the title will be amended

to conform to the amendments made in the bill.

There was no objection.

Mr. STEVENS moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The hour set apart under the special rule has ex-

Mr. WILLIS. Mr. Speaker, I move to dispense with the morning

The question was taken; and there were—ayes 130, noes 21—more than two-thirds voting in the affirmative.

So the motion was agreed to.

Mr. DAVIS, of Illinois. Mr. Speaker, I ask unanimous consent to present a report. [Cries of "Regular order!"]

Mr. WILLIS. Mr. Speaker, there are two or three gentlemen who

have reports which they desire to offer.

The SPEAKER. But the regular order is insisted upon by gentle-

men on the left.

Mr. HENLEY. Mr. Speaker, I desire to make a privileged report.

[Cries of "Regular order!"]

The SPEAKER. The regular order is demanded, and the Chair will enforce it; but a privileged report is in order.

PORTAGE LAKE CANAL COMPANY LANDS

Mr. HENLEY, from the Committee on the Public Lands, reported a joint resolution (H. Res. 344) relative to lands selected by the Portage Lake and Lake Superior Canal Company.

The SPEAKER. Will the gentleman from California [Mr. HENLEY] inform the Chair whether this restores lands to the public domain?

Mr. HENLEY. It authorizes the Attorney-General to do so.
The SPEAKER. Then it is privileged under the order of the House.
The joint resolution was read a first and second time, referred to the

House Calendar, and, with the accompanying papers, ordered to be printed.

FISH IN THE POTOMAC.

Mr. BARBOUR. Mr. Speaker, I rise to make a privileged report. I present a report from a committee of conference.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3108) to protect the fish in the Potomac, in the District of Columbia, and to provide a spawning-ground for shad and herring in the said Potomac River, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same in the following form:

"SEC. 3. That from and after three months from the date of the passage of this act it shall be unlawful to allow any tar, oil, ammoniacal liquor, or other waste products of any gas works, or of works engaged in using such products, or any waste product whatever of any mechanical, chemical, manufacturing, or refining establishment, to flow into or be deposited in Rock Creek or the Potomac River or any of its tributaries within the District of Columbia, or into any pipe or conduit leading to the same; and any one guilty of violating this section shall, on conviction, as provided in section 2 of this act, be fined not less than \$10 or more than \$100, for each and every day during which said violation shall continue; to be prosecuted for and recovered as provided in the preceding section."

And the Senate agree to the same.

And the Senate agree to the same.

JOHN S. BARBOUR,
J. THOMAS SPRIGGS,
J. LEWIS MCCOMAS,
Managers on the part of the House.
E. G. LAPHAM,
W. J. SEWELL,
JAMES B. GROOME,
Managers on the part of the Senale.

VENTILATION OF THE HALL OF THE HOUSE.

Mr. HARDY, from the Committee on Ventilation and Acoustics, submitted a report accompanied with the following resolution; which was ordered to be printed and laid over:

was ordered to be printed and laid over:

Resolved, That the proposition of the Exhaust Ventilation Company, of Chicago, to the Committee on Ventilation and Acoustics, and herewith reported, be, and the same is hereby, accepted; and that said company be, and they are hereby, authorized and empowered to proceed with the introduction of their proposed system in accordance with the terms of said proposition; the work not to be paid for until it shall be certified by the Speaker of the House of Representatives, the chairman of the Committee on Ventilation and Acoustics, and the Supervising Surgeon-General of the Marine-Hospital Service, who shall have power to take the opinion of such experts as they may deem advisable, that the said company shall have performed their contract and have succeeded in improving the ventilation of the Hall of the House of Representatives, which certificate shall be made by them on or before the 15th day of June, 1886; it being understood that on failure by said company to receive such certificate they shall, if they have changed, interfered with, or disarranged the present system, restore it to its present condition without delay or cost to the Government.

ORDER OF BUSINESS.

Mr. MILLIKEN. I ask unanimous consent to make a report from the Committee on Public Buildings and Grounds.

Mr. WELLER. I object.

The SPEAKER. The regular order has been demanded, which is

the unfinished business coming over from yesterday

Mr. TOWNSHEND. The gentleman from Kentucky [Mr. WILLIS] yields to me

Mr. PAYSON. I demand the regular order.

RIVER AND HARBOR APPROPRIATION BILL.

The SPEAKER. The gentleman from Illinois [Mr. PAYSON] insists on the regular order, which is the river and harbor appropriation bill, coming over from yesterday as unfinished business. The question is on concurring in the amendments reported from the Committee of the Whole House on the state of the Union. The Clerk will report the first amendment.

Mr. WHITE, of Kentucky. I desire to inquire whether the previ-

Mr. WHITE, of Kentucky. I desire to inquire whether the previous question was ordered yesterday on this bill?

The SPEAKER. It was ordered upon the amendments and upon ordering the bill to be engrossed and read a third time. It was not ordered on the passage, because the bill has not reached that stage.

Mr. WHITE, of Kentucky. By the RECORD it does not appear that the previous question was ordered yesterday.

The SPEAKER. It so appears in the Journal.

Mr. WHITE, of Kentucky. Is it in order still to offer amendments without debate?

without debate?

The SPEAKER. It is not; no amendments are now in order. The amendments reported from the Committee of the Whole House on the state of the Union will be read. Is a separate vote demanded on each of these amendments?

Mr. ANDERSON. Yes, sir.

Mr. WILLIS. I hope the gentleman will not insist on a separate

vote on all these verbal amendments.

Mr. ANDERSON. I have no desire to take up time unnecessarily. When the question comes on any amendment merely verbal, I am willing to waive a separate vote. But I do not wish to waive the right to a separate vote on certain amendments to this bill.

Mr. WILLIS. I only asked that the vote might be waived as to

verbal amendments, such as those relating to survey

Mr. ANDERSON. We can determine about that as the amendments are reached. I will indicate when I desire a separate vote.

The SPEAKER. The amendments will be read, and when no objections. tion is made, will be considered as agreed to without a formal vote.

The Clerk proceeded to read the amendments.

Mr. COX, of New York. I desire, by unanimous consent, and the good will of the committee, which I trust I shall have, to strike out, on page 5, in line 103, the words "five thousand dollars" and insert "twenty thousand dollars or so much thereof as may be recovered." twenty thousand dollars, or so much thereof as may be necessary.'

Mr. WILLIS. That relates to New York Harbor; and the commit-

tee, as I understand, have no objection to it.

Mr. MURPHY. I will inquire of the chairman of our committee when that conclusion was arrived at by the committee?

Mr. WILLIS. If the gentleman objects, it never has been arrived at.

Mr. MURPHY. I only wanted that statement made.

The SPEAKER. Is there objection to this amendment? The Chair

hears none, and the amendment is adopted.

The Clerk read as follows:

After line 118 insert the following:
"That the United States harbor board, herein provided for, shall report a plan and estimate for obtaining a permanent channel sufficient for the wants of commerce over the Sandy Hook bar entrance into New York Harbor."

Mr. ADAMS, of Illinois. I have the impression that the provision for the harbor board is now out of the bill.

Mr. COX, of New York. It is.

The SPEAKER. But the amendments must either be agreed to or

Mr. COX, of New York. I would like to have that amendment

changed by striking out the language as to the harbor board.

Mr. REAGAN. No; we will take a vote upon restoring the harbor board.

Mr. COX, of New York. As this is a proposition for a survey, I would suggest, in order to make the bill harmonious—
Mr. WHITE, of Kentucky. Regular order.
The SPEAKER. The question is not debatable.
Mr. WHITE, of Kentucky. No one knows that better than the

entleman from New York.

The question being taken, the amendment was agreed to; there beinges 38, noes 19.

The Clerk read as follows:

In line 173 strike out "seventy-five" and insert "two hundred;" so as to read: "Improving harbor at Baltimore, Md.: Continuing improvement, \$200,000."

The question being taken on agreeing to the amendment, there wereayes 41, noes 27.
Mr. ANDERSON. No quorum.

Tellers were ordered; and Mr. ANDERSON and Mr. WILLIS were ap-

The House again divided; and the tellers reported—ayes 101, noes 64. So the amendment was agreed to.

The next amendment on which a separate vote was requested was read, as follows:

Strike out from line 213 to line 305, inclusive, and insert: "For improving Galveston Harbor, \$500,000; and the harbor board herein provided are directed to proceed at once to examine, survey, and report to the Secretary of War, for his approval, plans, specifications, and estimates for said improvement; and when said plans, specifications, and estimates shall have been approved, said work shall be carried forward with all possible expedition.

Mr. WHITE, of Kentucky. I raise the point of order on this amendment that in good faith this has no business here.

Mr. THOMAS. Regular order.

Mr. WHITE, of Kentucky. I claim it has not been adopted in com-

The SPEAKER. The Chair will examine it.

Mr. WHITE, of Kentucky. It is not introduced in good faith.

The SPEAKER. That is not a point of order. The Chair understands the gentleman's point of order to be that this amendment is erroneously included in the bill and was not adopted in committee.

Mr. WHITE, of Kentucky. Precisely so.

Mr. WILLIS. I do not understand what the member from Kentucky means. Does he say the Committee of the Whole did not adopt this?

The SPEAKER. The Chair so understands him.
Mr. THOMAS. I rise to a question of order. The gentleman says in the first place this was not adopted, and in the second place that it was not offered in good faith. I want to say in the first place, Mr. Speaker, that it was adopted by the Committee of the Whole House on the state of the Union, and in the second place that it was recommended by the unanimous vote of the Committee on Rivers and HarMr. WILLIS. We ask its passage, as it was offered in good faith and

The SPEAKER. The Chair has nothing to do except with the question of order, and the Chair is compelled to overrule that because the amendment has been reported to the House from the Committee of the Whole House on the state of the Union as one of the amendments agreed

to by that committee.

Mr. WHITE, of Kentucky. I desire the Speaker to recur to the RECORD to see that from line 213 to line 305 was on my own motion struck out and agreed to by the chairman of the committee.

Mr. WILLIS. The gentleman is talking about one thing and this committee is acting on another thing, a condition of things not unusual in this House. [Laughter.]
The House divided; and there were—ayes 95, noes 5.

Mr. WHITE, of Kentucky. No quorum.

The SPEAKER appointed as tellers Mr. WHITE, of Kentucky, and Mr. BRECKINRIDGE.

The House again divided; and the tellers reported—ayes 150, noes 7. Mr. WHITE, of Kentucky, demanded the yeas and nays.

The yeas and nays were not ordered.

So the amendment was agreed to.

The next amendment on which a separate vote was asked was read, as follows:

In line 332, after the word "improvement," strike out the word "fifteen" and insert "twenty-five;" making it read:
"Improving ice-harbor at the mouth of the Muskingum River, Ohio: Continuing improvement, \$25,000."

Mr. HENDERSON, of Illinois. I demand a vote on that amend-

The House divided; and there were—ayes 56, noes 60.

Mr. HENDERSON, of Illinois. No quorum has voted.

The SPEAKER appointed as tellers Mr. HENDERSON, of Illinois, and Mr. BLANCHARD.

The House again divided; and the tellers reported—ayes 70, noes 57.

Mr. HENDERSON, of Illinois. I withdraw the point of order.

So the amendment was agreed to.

The next amendment on which a separate vote was requested was

In line 435 strike out "\$31,500" and insert "\$50,000;" so it will read: "Improving harbor at Duluth, Minn.: Continuing improvement, \$50,000."

The SPEAKER. The noes seem to have it.

Mr. WASHBURN. Division.

The House divided; and there were—ayes 76, noes 6.

Mr. THOMAS. No quorum.

The SPEAKER appointed as tellers Mr. THOMAS and Mr. BRECKIN-

The House again divided; and the tellers reported—ayes 113, noes 30.

Mr. THOMAS. I withdraw the point of no quorum.

So the amendment was agreed to.

The next amendment on which a separate vote was requested was read, as follows:

After the word "corporation," in line 543, strike out the words "for this improved navigation" and insert "on this river;" so it will read:

"But no toll shall be collected by any person or corporation on this river."

Mr. GIBSON. I ask for a separate vote on this amendment.

The House divided; and there were-ayes 86, noes 19.

So the amendment was agreed to.

The next amendment on which a separate vote was requested was read, as follows:

After line 755 insert: "Improving West Branch of the Susquehanna River, \$7,500."

The amendment was disagreed to.

The next amendment on which a separate vote was requested was read, as follows:

At the end of line 770, page 32, add:

"And authority is hereby given to any individual or corporation to strengthen, repair, or rebuild the bridge across the Louisville and Portland Canal at Eighteenth street in said city of Louisville, now owned by the United States, without cost to the Government, and to use the same for railroad and other purposes free of charge to the Government, provided it shall in no way interfere with the free use of said canal."

Mr. HEPBURN. Let us have a vote on that amendment.
The House divided; and there were—ayes 77, noes 60.
Mr. WELLER. No quorum.
The SPEAKER appointed as tellers Mr. WELLER and Mr. WILLIS. MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, an-nounced the adoption of the report of the committee of conference on

nounced the adoption of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 8120) making appropriations for the support of the Army for the year ending June 30, 1886, and for other purposes.

It further asked for a committee of conference on the disagreeing votes of the two Houses on the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, granting patents therefor, and for other purposes, and had appointed Mr. DAWES, Mr. CAMERON of Wisconsin, and Mr. SLATER as said conferees on its part.

It further requested the return of bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United

It further announced agreement to the amendments of the House to

the bill (S. 2009) granting a pension to Isabella Turner.

It further announced the adoption of a resolution of thanks to Col. Thomas Lincoln Casey and others, in which concurrence was requested.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

titles; when the Speaker signed the same:

A bill (H. R. 1046) granting a pension to Mary A. Griffin;

A bill (H. R. 1759) granting a pension to Robert Patterson;

A bill (H. R. 2068) granting a pension to James H. Ried;

A bill (H. R. 2284) granting a pension to Elizabeth Fowler;

A bill (H. R. 2537) granting a pension to Hugh Ryan;

A bill (H. R. 2539) granting a pension to George W. Kiser;

A bill (H. R. 2894) granting a pension to Henry Rodenback;

A bill (H. R. 3074) to grant a pension to Jasper J. Henry on account of wounds received while acting as guide for the First Arkansas Cavalry Volunteers in the war of the rebellion;

Cavalry Volunteers in the war of the rebellion; A bill (H. R. 3352) to restore the name of Warren Sams to the pen-

sion-roll;

on-roll;
A bill (H. R. 3605) granting a pension to Eliza Sluss;
A bill (H. R. 3728) granting a pension to Charles P. McMahan;
A bill (H. R. 3749) granting a pension to William Bolwork;
A bill (H. R. 4061) granting a pension to William C. H. Bowman;
A bill (H. R. 4079) granting a pension to James D. Kirk;
A bill (H. R. 4833) granting a pension to Louisa Earle;
A bill (H. R. 5069) granting a pension to Mrs. Mary J. Stotts;
A bill (H. R. 5069) granting a pension to Sampel Z. Cooper:

A bill (H. R. 5069) granting a pension to Mrs. Mary J. Stotts;
A bill (H. R. 5124) granting a pension to Samuel Z. Cooper;
A bill (H. R. 5555) granting a pension to James Frazier;
A bill (H. R. 5929) for the relief of Abigail Honey;
A bill (H. R. 5938) to pension Julia A. Marcum;
A bill (H. R. 5989) for the relief of Elizabeth Springsteed;
A bill (H. R. 6018) increasing the pension of George Tapp;
A bill (H. R. 6044) granting a pension to Joseph Pigeon;
A bill (H. R. 6235) granting a pension to Eliza J. Norris;
A bill (H. R. 6310) granting a pension to Benjamin P. Lowell;
A bill (H. R. 6663) restoring to the pension-roll the name of Carone Lewis:

A bill (H. R. 7092) for the relief of Anthony Beyer;
A bill (H. R. 7094) granting a pension to Samuel M. Bartlett;
A bill (H. R. 7175) granting a pension to James O. McKenna;
A bill (H. R. 7256) granting a pension to John A. Vanderhoff;
A bill (H. R. 7262) increasing the pension of Almira P. Spencer;
A bill (H. R. 7308) for the relief of David Fried;

A bill (H. R. 7334) granting a pension to Judson Bostwick;

A bill (H. R. 7334) granting a pension to Judson Bostwick;
A bill (H. R. 7338) granting a pension to Chloe A. Whipple;
A bill (H. R. 7524) granting a pension to Lavisa Heth;
A bill (H. R. 7602) granting a pension to Harriet M. Bailey;
A bill (H. R. 7672) granting a pension to Elbert Hewitt;
A bill (H. R. 7709) granting a pension to Louisa A. Ester;
A bill (H. R. 7722) granting a pension to Elmira K. Parker;
A bill (H. R. 7731) granting a pension to Louis B. Smith;
A bill (H. R. 7732) granting an increase of pension to Edward P. Quinn;

A bill (H. R. 7822) granting a pension to Margaret Spencer Van Loan; and
A bill (H. R. 8104) granting a pension to George S. Hawley.

RIVER AND HARBOR APPROPRIATION BILL.

The House again divided; and the tellers reported-ayes 144, noes 11. So (no further count being demanded) the amendment was agreed to. The next amendment on which a separate vote was ordered was read, as follows:

After line 777 insert: "Improving Fox River, Wisconsin: Continuing improvement, \$75,000." The question was taken; and on a division there were-ayes 78, noes

So the amendment was agreed to.

The next amendment on which a separate vote was ordered was read,

Provided. That so much of the amount herein appropriated for the Osage River shall be used for surveying the same from its mouth to Tuscumbia, Mo., and report thereon as to the cost and possibility of improving the same by movable locks and dams.

The question was taken; and on a division there were—ayes 72, noes

Mr. HEPBURN. No quorum.

The SPEAKER pro tempore (Mr. Cox, of New York, in the chair).

The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. HEPBURN and Mr. BLAND were appointed tellers.

The House again divided; and the tellers reported—ayes 124, noes 40. So (no further count being demanded) the amendment was agreed to.

The next amendment on which a separate vote was ordered was read,

After line 901 insert:

"Also of which the sum of \$8,000, or so much thereof as may be necessary, shall be applied to riprap the west bank of the river at and above Guttenberg, to prevent substantially the erosion of the bank by high-water currents."

The question was taken; and on a division there were—ayes 102, noes 9.
Mr. WHITE, of Kentucky. No quorum.
The SPEAKER pro tempore. The Chair will appoint tellers.
Mr. WHITE, of Kentucky, and Mr. WELLER were appointed tellers.
The House again divided; and the tellers reported—ayes 133, noes 21.
Mr. WHITE, of Kentucky. Ithink we had better have the yeas and nays on this question to see whether we want to throw away the public

money by providing improvements of this character for private property.

The SPEAKER pro tempore. Debate is not in order.

Mr. WHITE, of Kentucky. I withdraw the point of no quorum and demand the yeas and nays.

The yeas and nays were not ordered—24 members only voting in favor

thereof, and 182 in opposition to the demand.

Mr. WHITE, of Kentucky. I challenge the correctness of the count and call for tellers. Evidently there is no such number on the floor.

Tellers were not ordered—4 only voting in favor thereof.

So the amendment was agreed to.

The next amendment on which a separate vote was ordered was read, as follows:

After the amendment just adopted, insert:

"Provided, That if in the judgment of the Mississippi River Commission such improvement be necessary, the sum of \$20,000 of the sum therein appropriated shall be applied to continuing the improvement of the harbor and adjacent channel at Fort Madison, Iowa."

The question was taken; and on a division there were-ayes 13, noes 132

So the amendment was not agreed to.

The next amendment on which a separate vote was ordered was read,

Insert immediately at the end of line 910 the following words:

"Including also the strengthening of the Snycarte levee where it crosses the Snycarte slough and other sloughs referred to in the report of Engineer Maj. A. Mackenzieto the Chief of United States Army Engineers, dated January 26, 1885, which work of strengthening said levee shall be done according to the suggestions and estimates made by said Mackenzie as set forth in his said report."

The question was taken; and on a division there were-ayes 6, noes

Mr. RIGGS. No quorum.

The SPEAKER pro tempore. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. RIGGS and Mr. BRECKINRIDGE were appointed tellers.

The House again divided; and there were—ayes 97, noes 35.

Mr. ANDERSON. I demand the yeas and nays.

The yeas and nays were not ordered.

So the amendment was agreed to.

The next amendment on which a separate vote was asked was read.

In line 916, strike out "four" and insert "six;" so that the paragraph may read: "Continuing improvement, \$600,000."

Mr. ANDERSON. Where?

The Clerk read as follows:

Improving the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio: Continuing improvement, \$600,000.

The question was taken; and on a division there were-ayes 142, noes 33

Mr. MILLER, of Pennsylvania. I ask for the yeas and nays.

The yeas and nays were not ordered—26 members voting in favor thereof, and 208 in opposition.

Mr. MILLER, of Pennsylvania. I ask tellers on the yeas and nays.

Tellers were not ordered.

So the amendment was agreed to.

The next amendment on which a separate vote was asked was read, as follows:

as follows:

Strike out from line 922 to 944 inclusive, as follows:

"Improving Mississippi River from the head of the passes to the mouth of the Ohio River, including the rectification of the Red and the Atchafalaya Rivers at the mouth of Red River, and for keeping open a navigable channel through the mouth of Red River into the Mississippi River: Continuing improvement, \$2,800,000; which sum, together with the sums herein appropriated for the Mississippi River from Des Moines Rapids to the mouth of the Ohio River, shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, estimates, and recommendations of the Mississippi River Commission, as approved or amended by an advisory engineer of said commission, which office is hereby created, said advisory engineer to be appointed by the President, at a salary of \$3,500 per annum; and James B. Eads is hereby recommended to the President for that position.

"For examinations and surveys at South Pass, Mississippi River, pursuant to the act of March 3, 1875, \$10,000.

"For survey of the Mississippi River from the head of the passes to its headwaters: Continuing survey, \$75,000."

Mr. WILLIS. I want to make a suggestion which I think will be exceptable to both sides of the House. That is that this portion of the acceptable to both sides of the House. That is that this portion of the bill stricken out from lines 933 to 938 be considered as eliminated from the bill. I mean that part referring to Captain Eads—

Mr. WHITE, of Kentucky. We can not hear the proposition of the gentleman from Kentucky.

Mr. WILLIS. I simply ask, if the House should put back those three paragraphs, that the portion referring to Captain Eads, from line 933 to line 938, shall be omitted.

Mr. WHITE, of Kentucky. I object to that. We want the regular

Mr. BROWNE, of Indiana. That would make it more palatable, and for that reason we object.

Mr. WILLIS. We propose to strike out that portion which relates

to Captain Eads

to Captain Eads.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent for the proposition he has stated.

Mr. WHITE, of Kentucky. I object, and call for the regular order.

Mr. WILLIS. Under the regular order I desire to make another request for unanimous consent. Under the rules of the House, being in charge of the bill, I am entitled to one hour to close debate. I wish to all the regular order is the regular order. ask unanimous consent that, instead of occupying that hour at the usual time, I be allowed thirty minutes now. My object is—I say it with perfect frankness—to let this matter in reference to the Mississippi River be discussed. It is a great question and one that ought to be discussed. Mr. HISCOCK. I object.

The SPEAKER pro tempore. The gentleman from Kentucky has asked unanimous consent to take a portion of his hour at this time, to which the gentleman from New York objects.

which the gentleman from New York objects.

Mr. HISCOCK. We have striven for the privilege of debate on this question, and I do not propose to agree to anything of the kind such as is now proposed by the gentleman from Kentucky.

The SPEAKER pro tempore. Objection is made.

Mr. WILLIS. I desire to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILLIS. As I understand, a vote against this amendment of

the Committee of the Whole will put back this clause into the bill. I want the House to understand that.

The SPEAKER pro tempore. The Chair understands the amendment reported by the Committee of the Whole House on the state of the Union to be to strike out this clause which has been read by the Clerk.

Mr. WILLIS. And to vote against the amendment puts that clause

back into the bill.

The SPEAKER pro tempore. If the amendment should be rejected the clause will be restored to the bill.

Mr. WHITE, of Kentucky. I call for the regular order. I make the point of order that this is not a time for debate or for the chairman of the River and Harbor Committee to make a speech by asking

questions of the Chair.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. REAGAN, Will the Chair state the question, or have the amendment again read?

Mr. ELLIS. If you vote for this amendment the Mississippi River will be left without appropriation.

Mr. WHITE, of Kentucky. That is what we want. Mr. KING. That is what you want, but not what the country

Mr. ANDERSON. I rise to make a parliamentary inquiry.
The SPEAKER pro tempore. The reading of the amendment has been called for. It will be again read.
The Clerk again read the amendment.
Mr. HUNT. I rise to make a parliamentary inquiry.
The SPEAKER pro tempore. The gentleman will state it.
Mr. HUNT. I wish to know, after the statement of the chairman of

the Committee on Rivers and Harbors, whether we can vote without being embarrassed by the provision of the bill relating to Captain Eads.

The SPEAKER pro tempore. The Chair can not answer that question.

Mr. WHITE, of Kentucky. I call for the regular order.
The SPEAKER pro tempore. The previous question is still operatg. The Chair will read clause 3 of Rule XVII:

All incidental questions of order arising after a motion is made for the previous question and pending such motion shall be decided, whether on appeal or otherwise, without debate.

Mr. WHITE, of Kentucky. I call for the regular order.

The SPEAKER pro tempore. The regular order is the question on the amendment reported from the Committee of the Whole to strike

Mr. WILLIS. I desire to ask a parliamentary inquiry in perfect good faith. The House ought to understand that when this matter was stricken out amendments under the order of the House had been sent to the Clerk's desk and were pending under the special order of the House. They were amendments proposed by the committee and by one or two gentlemen. One of those amendments was to strike out that part of this provision which refers to Captain Eads—

Mr. KEIFER. All amendments went with the clause when it was

stricken out.

Mr. WILLIS. The question I desire to ask is this: whether if the House votes back this clause, the amendment of the committee, striking out the portion relating to Captain Eads, is not then pending under previous order of the committee?

Mr. REED, of Maine. Oh, no; of course it is not pending. The SPEAKER pro tempore. The Chair will state that it is not pend-

ing.

The yeas and nays were ordered.

Mr. WARNER, of Ohio. I ask the Chair to state the proposition on

The SPEAKER pro tempore. The question is on the amendment of the Committee of the Whole to strike out the words which the Clerk has already read twice.

Mr. ANDERSON. And an "ay" vote strikes out Eads.
Mr. HUNT. I give notice that if the clause is restored I will move at the proper time to strike out that portion of it which relates to Cap-

tain Eads. [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order is called for, and the Clerk will proceed to call the roll.

The question was taken; and there were—yeas 136, nays 141, not voting 48; as follows:

YEAS-136. S-136.
McComas,
McCormick,
Matson,
Millard,
Miller,S. H.
Milliken,
Mitchell,
Morrill,
Morse,
Muller,
Murray Seymour, Skinner, C. R. Smalls, Smith, A. Herr Smith, H. Y. Adams, G. E. Adams, J. J. Arnot, Atkinson, Elliott, English, Ermentrout, Evans, Everhart, Fiedler, Finerty, Funston, Geddes, Greenleaf, Hanback. Barr. Barr, Bayne, Beach, Belmont, Bingham, Boutelle, Spooner, Steele, Stephenson, Stevens, Stevens, Stevens, J. W. Greenleaf, Hanback, Hardy, Harmer, Hart, Haynes, Hepburn, Hewitt, A. S. Hiscock, Hitt. Boyle, Brainerd, Stone. Murray, Mutchler, Brainerd,
Breitung,
Brewer, F. B.
Brewer, J. H.
Brown, W. W.
Browne, T. M.
Burleigh,
Campbell, J. M.
Cannon,
Carleton,
Cobb,
Collins,
Cook, Storm, Strait, Nutting, O'Hara, Parker, Patton, Swope, Taylor, J. D. Valentine, Van Alstyne, Payne, Payson, Peters, Phelps, Poland, Potter, Price, Vance, Wadsworth, Hiscock, Hitt, Holman, Holmes, Hopkins, Howey, Hutchins, Lames Wadsworth, Wait, Wakefield, Wallace, Warner, A. J. Weaver, Weiler, Cook, Cox, W. R. Cullen, Davis, G. R. Davis, R. T. James, Jones, B. W. Kean, Kelley, Ketcham, Lacey, Pusey, Randall, Weller,
Wemple,
White, J. D.
Whiting,
Wilkins,
Wilson, James
Winans, E. B.
Winans, John
Yapile,
York. Randall, Ranney, Ray, G. W. Reed, T. B. Reid, J. W. Rockwell, Deuster, Dingley, Lawrence, Le Fevre, Long, Lyman, Dixon, Dunham, Eaton, Eldredge, Rowell, Russell,

NAYS-III. Jones J. T. Davis, L. H. Aiken, Alexander, Anderson, Dibble, Dibrell, Dockery, Dowd, Dunn, Kellogg, King. Lamb, Lanham, Lewis, Libbey, Bagley, Ballentine, Barbour, Barksdale, Belford, Bennett, Bisbee, Blanchard, Ellis, Ellwood, Ferreil, Findlay, Follett, Foran, Lore. Lore, Lowry, McCoid, McMillin, Maybury, Miller, J. F. Mills, Money, Morrey Bland. Bland, Blount, Breckinridge, Broadhead, Buchanan, Buckner, Budd, Caball Forney, Garrison, Garrison, George, Gibson, Glascock, Graves, Green, Halsell, Money,
Morgan,
Moulton,
Muldrow,
Murphy,
Nelson,
Oatles,
Ochillree,
O'Ferrall,
O'Neill. J. J.
Paige:
Peci.
Perkins,
Pettibone,
Pierce,
Post, Cabell, Caldwell, Carlisle, Cassidy, Clardy, Halsell,
Hancock,
Hardeman,
Hatch, W. H.
Hemphill,
Henderson, T. J.
Henley,
Herbert,
Hewitt, G. W. Clay, Clements, Connolly, Converse, Cosgrove, Cox, S. S. Craig, Crisp, Culberson, D. B. Culbertson, W. W. Curtin, Dargar Connolly, Hill, Hoblitzell, Pierce, Post, Pryor, Reagan, Reese, Riggs, Robertson, Rogers, J. H. Houseman, Hunt, Jeffords, Jones, J. H. Dargan, Davidson

NOT VOTING-48. TING—48.

Keifer,
Kleiner,
Laird,
Lovering,
Morrison,
Neece,
Nicholls,
O'Neill, Charles
Rankin,
Ray, Ossian
Rice,
Robinson, J. S. Fyan, Goff, Guenther, Hammond, Hatch, H. H. Henderson, D. B. Holton, Blackburn. Brumm, Burnes, Campbell, Felix Campbell, J. E. Candler, Chalmers, Hooper, Hurd, Covington, Cutcheon, Dorsheimer, Johnson, Jones, J. K. Jordan, So the amendment was not agreed to.

Rosecrans,
Shively,
Singleton,
Skinner, T. G.
Snyder,
Springer,
Stewart, Charles
Stockslager,
Sumner, C. A.
Talbott,
Taylor, J. M.
Thomas,
Thompson,
Tillman,
Townshend,
Tucker,
Tully,
Turner, H. G.
Turner, Oscar
Van Eaton,
Ward,
Warner, Richard Rosecrans, Ward, Warner, Richard Washburn, Wellborn, White, Milo Williams, Willis, Wilson, W. L. Wise, G. D. Wolford, Woodward Woodward, Wood.

Robinson, W. E. Rogers, W. F. Ryan, Shaw, Slocum, Slocum, Spriggs, Struble, Sumner, D. H. Taylor, E. B. Throckmorton, Wise, J. S. Worthington.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to dispense with the reading of the names.

Several members objected.

The SPEAKER. Objection is made, and the Clerk will recapitulate the names of members voting.

Pending the reading of the names,

Mr. LOWRY. Mr. Speaker, with the understanding on my part that the bill is to be recommitted, with a view to striking out the Eads proposition, I desire to change my vote from "ay" to "no." Mr. HISCOCK. What understanding is that, Mr. Speaker?

Mr. WHITE, of Kentucky. There may be some understanding in the secret committee, but it is not understood in the House.

The SPEAKER. The gentleman from Indiana [Mr. Lowry] is simply stating his own understanding about the matter. The Clerk will proceed to read the names.

Mr. BLOUNT. Mr. Speaker, I ask that by unanimous consent the

reading of the names be dispensed with.

Several members objected.

Mr. STONE. Mr. Speaker, I wish to inquire if there is an amendment pending which—

The SPEAKER. The result of the vote has not been announced.

Mr. STONE. I wish to change my vote if I am not mistaken as to the posture of this question, and I wish to inquire of the Chair whether

there is an amendment pending to strike out the last part of this section, commencing with line 933?

The SPEAKER. The Chair is unable to answer the gentleman's question, because the Chair has not examined the amendments.

Mr. BELFORD. Mr. Speaker, I demand the regular order.

The SPEAKER. The Chair will announce the result of the vote as soon as it can be ascertained. So many changes have been made that the Clerks have some little difficulty in ascertaining the vote.

The following additional pairs were announced from the Clerk's desk:
Mr. Robisson, of New York, with Mr. Keifer, for this day.
Mr. Jones, of Arkansas, with Mr. Hooper, for the rest of the day.
Mr. Nicholls with Mr. Ketcham, for the remainder of the day.
Mr. Nicholls with Mr. Guenther, on this vote.
Mr. Williams with Mr. Holton, for this day. If Mr. Williams
were present, he would vote "ay" on the river and harbor bill.
Mr. Hammond with Mr. Johnson, for this day.
Mr. Campbell, of New York, with Mr. Goff, on this vote.
Mr. O'Neill, of Pennsylvania, with Mr. Singleton.
Mr. Stone. Mr. Speaker, I think I have a right to stand here without getting into a false position. I receive different reports. I desire to vote "no" upon this question if there is an amendment pending which will give the House a chance to pass upon the proposition I have which will give the House a chance to pass upon the proposition I have

The SPEAKER. That is a matter about which the gentleman must inform himself. The Chair is not able to inform the gentleman as to what amendments are pending, because the Chair has not examined them.

Several MEMBERS. Regular order.

Mr. STONE. Well, Mr. Speaker, I understand that there is no such amendment pending, and I desire to have my vote changed if that is the posture of the matter.

The SPEAKER. How does the gentleman desire to vote? Mr. STONE. I desire to vote "ay," unless there is such an amendment pending.

Mr. REED, of Maine (to Mr. STONE). Say "ay.' Mr. STONE. "Ay"—if that is so. [Laughter.] Say "ay."

The result of the vote was then announced as above stated. [Applause on the Democratic side.]

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House, by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had approved and signed

An act (H. R. 8039) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1886, and for other purposes;

An act (H. R. 3258) to authorize the construction of a bridge across

the Saint Croix River at the most accessible point between Stillwater

and Taylor's Falls, Minn.;
An act (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, and for other purposes; An act (H. R. 7585) for the relief of William M. Gardner;

An act (H. R. 7584) for the relief of A. B. Montgomery; An act (H. R. 5479) to prevent unlawful occupancy of the public

An act (H. R. 6816) for the relief of Nathan J. Shark;

An act (H. R. 483) for the erection of a public building at Keokuk, Iowa; and

An act (H. R. 7496) for the relief of Wehrle, Werk & Son.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. HUNT. I move to reconsider the vote just taken; and also move that the motion to reconsider be laid on the table.

Mr. WHITE, of Kentucky. On that I call for the yeas and nays. The yeas and nays were ordered.

Mr. PAYSON. I desire to inquire upon what question the vote is

now to be taken.

The SPEAKER. The Chair was about to state it. The gentleman from Louisiana [Mr. HUNT] moves to reconsider the vote by which the amendment was disagreed to; and also moves to lay that motion on the table. The question is upon laying on the table the motion to reconsider, on which the yeas and nays have been ordered.

Mr. WAIT. Pending that, I move that the House now adjourn.

The motion of Mr. WAIT was not agreed to, there being—ayes 45,

noes 124.

The SPEAKER. The Clerk will now call the roll.

Mr. HEWITT, of Alabama. I rise to a parliamentary inquiry. Can
not the motion to reconsider, and to lay that motion on the table, be

not the motion to reconsider, and to lay that motion on the table, be withdrawn by the gentleman who made it?

The SPEAKER. The gentleman has a right to withdraw it before the vote is taken; but he has not withdrawn it.

Mr. HUNT. I withdraw it.

The SPEAKER. The gentleman withdraws his motion.

Mr. ANDERSON. I renew the motion to reconsider.

Mr. WILLIS. I move to lay that motion on the table.

The SPEAKER. The gentleman from Kansas [Mr. ANDERSON] moves to reconsider the vote by which the House refused to agree to the amendment; and the gentleman from Kentucky [Mr. WILLIS] moves to lay that motion on the table.

Mr. WHITE, of Kentucky. I rise to a point of order. The gentleman from Louisiana [Mr. HUNT] made a motion to reconsider, and on that motion I demanded the yeas and nays, which were ordered. The Speaker had directed the Clerk to proceed with the call of the roll. Now I make the point that the gentleman from Louisiana can not withdraw his motion without unanimous consent.

The SPEAKER. The point of order is made too late; but at any rate

The SPEAKER. The point of order is made too late; but at any rate the same question is still pending, because the gentleman from Kansas [Mr. Anderson] has renewed the motion to reconsider, and the gentleman from Kentucky [Mr. Willis] has moved to lay that motion on

the table. The same question is presented.

Mr. MILLS. I desire to ask whether the gentleman from Kansas voted with the prevailing side upon agreeing to the amendment? Does the record show that? If not, he has no right to make the motion to

The SPEAKER. The gentleman from Kansas voted in the negative,

Adams, G. E. Adams, J. J. Anderson,

which was the prevailing side.

Mr. WILLIS. Then I move to lay the motion to reconsider on the table.

The SPEAKER. That motion has been stated by the Chair.
Several MEMBERS. Yeas and nays.
Mr. BAYNE. The yeas and nays have already been ordered.
The SPEAKER. Not on this question. The motion on which the yeas and nays were ordered was withdrawn.
Mr. BAYNE. Then I call for the yeas and nays.
The yeas and nays were ordered, 51 voting in favor thereof.
The question was taken; and it was decided in the affirmative—yeas.

The question was taken; and it was decided in the affirmative—yeas 145, nays 133, not voting 46; as follows: VEAS_145

		3753 7.07.	
Aiken,	Davidson,	Jeffords,	Rosecrans,
Alexander,	Davis, L. H.	Jones, J. H.	Shively,
Bagley,	Dibble,	Jones, J. T.	Skinner, T. G.
Ballentine,	Dibrell,	King.	Snyder,
Barbour,	Dockery,	Lamb.	Springer,
Barksdale,	Dowd.	Lanham,	Stevens.
Belford,	Dunn,	Lewis,	Stewart, Charles
Belmont,	Ellis,	Libbey,	Stockslager,
Bennett,	Ellwood,	Lore.	Sumner, C. A.
Bisbee,	Ermentrout,	Lowry,	Talbott,
Blanchard,	Ferrell,	McCoid,	Taylor, J. M.
Bland,	Findlay,	McMillin.	Thomas,
Blount,	Follett,	Maybury,	Tillman,
Bratton,	Foran,	Miller, J. F.	Tucker,
Breekinridge,	Forney,	Mills,	Tully,
Broadhead,	Funston,	Money.	Turner, H. G.
Buchanan,	Garrison.	Morgan,	Turner, Oscar
Buckner,	George,	Moulton,	Vance,
Budd,	Gibson,	Muldrow,	Van Eaton,
Cabell,	Glascock,	Murphy,	Wallace.
Caldwell.	Goff,	Nelson,	Ward,
Campbell, J. E.	Graves,	Oates,	Warner, Richard
Cassidy,	Green,	Ochiltree,	Washburn.
Clardy,	Guenther,	O'Neill, J. J.	Wellborn,
Clay,	Halsell,	Paige,	Weller.
Clements,	Hancock,	Peel.	White, Milo
Converse,	Hardeman,	Pettibone,	Wilkins,
Cosgrove,	Hatch, W. H.	Pierce,	Willis,
Covington,	Hemphill,	Post,	Wilson, W. L.
Cox, S.S.	Henley,	Pryor,	Wise, G. D.
Cox, W. R.	Herbert,	Reagan,	Wolford,
Craig,	Hewitt, G. W.	Reid, J. W.	Wood,
Crisp,	Hill,	Reese,	Woodward,
Culberson, D. B.	Hoblitzell,	Riggs,	Young.
Culbertson, W. W.	Houk.	Robertson.	
Curtin,	Houseman,	Rogers, J. H.	
Dargan,	Hunt,		
Dai Barri	Hunt,	Rogers, W. F.	

NAYS-133.

Bayne, Beach, Bingham,

Boutelle, Boyle, Brainerd.

Arnot, Atkinson, Barr,

Breitung,
Brewer, F. B.
Brewer, J. H.
Brown, W. W.
Browne, T. M.
Burleigh,
Campbell, J. M.
Cannon,
Carleton,
Cobb,
Collins,
Coonnolly,
Cook,
Cullen,
Davis, G. R.
Davis, R. T.
Deuster, Hardy, Harmer, Hart, Hatch, H. H. Haynes, Henderson, T. J. Milliken, Mitchell, Morrill, Morse, Muller, Spooner, Spriggs, Steele, Stephenson, Stewart, J. W. Murray. Mutchler, Stone Henderson, Hepburn, Hewitt, A. S. Hiscock, Hitt, Holman, Storm, Strait, Struble, Sumner, D. H. O'Hara, O'Neill, Charles Parker, Patton, Payne, Sumner, D. H. Swope, Taylor, J. D. Valentine, Van Alstyne, Wadsworth, Wait, Wakefield, Warner, A. J. Weaver. Holmes. Hooper, Hopkins, Howey, Hutchins, James, Payson, Peters, Phelps, Poland, Potter, Price, James,
Kean,
Keifer,
Kelley,
Ketcham,
Lacey,
Lawrence,
Le Fevre,
Long,
Lyman,
McCormick,
Matson,
Millard,
Miller, S. H. Dingley, Warner, A. J. Weaver, Wemple, White, J. D. Whiting, Wilson, James Winans, E. B. Winans, John Worthington, Yaple, York. Price, Pusey, Randall, Ranney, Ray, G. W. Reed, T. B. Rockwell, Dixon, Dunham, Eaton, Eldredge, Elliott, English, Evans, Evans, Everbart, Fiedler, Finerty, Geddes, Greenleaf, Hanback, Rockwell, Rossell, Seney, Smalls, Seymour, Smith, A. Herr Smith, H. Y. NOT VOTING-46

Blackburn, Holton, Bowen, Horr, Burnes, Johnson, Campbell, Felix Jones, B. W. Candler, Jordan, Cutcheon, Kellogg, Dorsheimer, Fyan, Horton, Kellogg, Kleiner, Fyan, Laird, Lovering,	Morrison, Neece, Nicholls, Nutting, O'Ferrall, Perkins, Rankin, Ray, Ossian, Rice, Robinson, J. S. Robinson, W. E.	Shaw, Singleton, Skinner, C. R. Slocum, Taylor, E. B. Thompson, Throckmortor Townshend, Williams, Wise, J. S.

So the motion to reconsider was laid on the table.

The following additional pairs were announced:
Mr. CAMPBELL, of New York, and Mr. Bowen, on this vote. Mr. TOWNSHEND and Mr. SKINNER, of New York, on this vote. The result of the vote was announced as above stated.

RETURN OF A BILL TO THE SENA

The SPEAKER. The Senate has requested the House to return to that body the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States. If there be no objection an order will be made directing the Clerk to return this bill to the Senate. The Chair hears no objection, and it is so ordered.

REPORT OF COMMISSIONER OF FISH AND FISHERIES.

The SPEAKER. In conformity with the statute, the Chair lays before the House a Senate concurrent resolution for reference to the Committee on Printing.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, February 24, 1885.

IN THE SENATE OF THE UNITED STATES, February 24, 1885.

Resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Fish and Fisheries for the year 1885 be printed, and that there be printed 1,000 extra copies, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House, 1,500 for the use of the Commissioner of Fish and Fisheries, and 500 for sale by the Public Printer, under such regulations as the Joint Committee on Printing may prescribe, at a price equal to the additional cost of publication and 10 per cent, thereto thereon added; the illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. WHITE, of Kentucky. Regular order.
The SPEAKER. The Clerk will report the next amendment.
Mr. WILLIS. I ask unanimous consent that all that part of the clause just voted on and restored to the bill in relation to Captain Eads be stricken out.

Mr. WHITE, of Kentucky. I object, and demand the regular order. The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

After line 926, insert-

Mr. WAIT. I move that the House do now adjourn.

The question was taken.

Mr. REED, of Maine. On that I ask the yeas and nays.

The yeas and nays were ordered, 46 members voting therefor, and

124 in opposition. The question was taken; and there were-yeas 76, nays 176, not voting 72; as follows:

YEAS-76.

Adams, G. E.	Bingham,	Collins,	Dixon,
Anderson,	Boutelle,	Cook,	Dunham,
Atkinson,	Brewer, J. H.	Cullen,	Everhart,
Barr.	Brown, W. W.	Davis, G. R.	Fyan.
Bayne,	Campbell, J. M.	Davis, R. T.	Fyan, Hanback,
Relford	Cannon	Deuster.	Hart.

Haynes,

Long,

Strait,

Henderson, T. J.	McComas,	Price,	Struble,
Hepburn, Hewitt, A.S.	Millard, Miller, S. H.	Ranney, Ray, G. W. Reed, T. B. Rockell,	Sumner, D. H. Taylor, J. D.
Hiscock,	Milliken,	Ray, G. W.	Wadsworth,
Hitt,	Morgan.	Rockwell	Wait,
Holmes,	Morgan, Morrill,	Rowell,	Wakefield,
Howey,	Morse,	Russell,	White, J. D.
James,	Murray, O'Neill, Charles	Skinner, C. R.	White, J. D. White, Milo
Kean,	O'Neill, Charles	Smalls, Smith, H. Y.	Whiting,
Keifer,	Parker,	Smith, H. Y.	Wilson, James
Kelley, Lawrence,	Peters, Phelps,	Spooner, Stephenson,	Whiting, Wilson, James Winans, E. B. Winans, John.
Zawrence,		YS-176.	wmans, sonn.
Adams, J. J.	Culbertson, W. W		Poid I W
Alexander,	Curtin,	Jones B W	Reid, J. W. Reese,
Arnot.	Dargan,	Jones, B. W. Jones, J. H. Jones, J. T.	Rogers, J. H.
Bagley, Ballentine,	Dargan, Davidson,	Jones, J. T.	Rogers, J. H. Rogers, W. F.
Ballentine,	Davis, L. H.	Ketcham.	Rosecrans,
Barbour, Barksdale,	Dibble.	King,	Seney,
Barksdale,	Dibrell,	Lacey, Lamb,	Seymour, Shively,
Beach, Belmont,	Dowd, Dunn,	Lanham,	Skinner, T. G.
Bennett,	Eldredge,	Le Fevre,	Snyder,
Bisbee.	Elliott.	Lewis,	Springer.
Bisbee, Blanchard,	Ellis,	Libbey,	Springer, Steele,
Bland.	Eliwood,	Lore,	Stevens, Stewart, Charles
Blount,	English,	Lovering,	Stewart, Charles
Boyle,	Ermentrout,	Lowry,	Stockslager,
Brainerd,	Evans,	Lyman,	Stone,
Bratton, Breckinridge,	Ferrell, Findlay,	McCold, McMillin,	Sumner, C. A.
Breitung.	Follett,	Maybury, Miller, J. F.	Swope, Talbott
Breitung, Brewer, F. B.	Foran,	Miller J. F.	Talbott, Taylor, J. M.
Broadhead, Browne, T. M.	Forney.	Mills,	Thomas,
Browne, T. M.	Garrison,	Mitchell,	Tillman,
Buchaban,	Geddes,	Money, Muldrow,	Townshend.
Buckner,	George,	Muldrow,	Tucker,
Budd,	Gibson,	Muller, Mutchler,	Tully,
Burleigh, Cabell,	Glascock, Goff,	Nelson,	Turner, H. G.
Coldwell	Graves,	Nutting,	Turner, Oscar Valentine,
Campbell, J. E.	Green,	Ochiltree	Van Alstyne,
Carleton,	Greenleaf,	O'Hara, O'Neill, J. J.	Vance,
Cassidy,	Guenther,	O'Neill, J. J.	Vance, Van Eaton,
Clardy,	Halsell,		Wallace, Warner, Richard
Clay,	Hancock,	Patton,	Warner, Richard
Clements, Cobb,	Hardeman,	Payne, Peel,	washourn, -
Connolly	Hatch H. H.	Pierce,	Weaver, Wellborn,
Converse.	Hatch, W. H.	Perkins,	Wemple,
Converse, Cosgrove, Covington, Cox, S. S. Cox, W. R.	Hardy, Hateh, H. H. Hateh, W. H. Hemphill,	Pettibone.	Wilkins.
Covington,	Henley,	Poland.	Willis.
Cox, S. S.	Herbert.	Post,	Wilson, W. L. Wise, G. D.
Cox, W. R.	Hewitt, G. W.	Pryor,	Wise, G. D.
Camp,	Hill, Holman,	Pusey, Randall,	Wolford,
Crisp, Culberson, D. B.	Houseman,	Reagan,	Yaple, Young.
		OTING-72.	Touris.
Aiken,	Henderson, D. B.	Matson,	Singleton,
Blackburn,	Hoblitzell,	Morrison,	Slocum,
Bowen,	Holton,	Moulton,	Slocum, Smith, A. Herr Springs
Brumm, .	Hooper,	Murphy,	WPI ISSO
Burnes,	Honkins,	Neece,	Stewart, J. W.
Campbell, Felix Candler, Chalmers,	Horr.	Nicholls,	Storm,
Chalmens	House,	Oates, O'Ferrall,	Taylor, E. B.
Cutcheon,	Hutchins,	Payson,	Thompson, Throckmorton,
Dingley,	Jeffords,	Rankin,	Ward,
Dockery,	Johnson,	Ray, Ossian	Warner, A. J.
Dorsheimer,	Jones, J. K.	Rice,	. Weller,
Eaton,	Jordau,	Ricora	Williams.
Fiedler,	Kellogg,	Robertson, Robinson, J. S. Robinson, W. E.	Wise, J.S.
Finerty,	Kleiner, Laird,	Robinson, J. S.	Wood,
Funston, Hammond,	McAdoo	Ryan.	Woodward, Worthington
Harmer,	McAdoo, McCormick,	Ryan, Shaw,	Worthington, York.
			A STATE OF THE STA
	refused to adjour		
Mr. WILLIS.	1 ask unanimou	is consent to disp	ense with the re-
ing of the names			

Potter,

The Clerk then recapitulated the names of those voting.

The following additional pairs were announced:

Mr. O'FERRALL with Mr. McCormick, on this vote.

Mr. OATES with Mr. FIEDLER, on the river and harbor appropriation bill. Mr. OATES would vote "ay" on the bill, Mr. FIEDLER

The result of the vote was then announced as above recorded.

Mr. MILLER, of Pennsylvania. I move that the House take a recess until 10 o'clock to-morrow. Mr. WILLIS. I hope gentlemen will let us get on with this bill to-

night.
The SPEAKER. Debate is not in order.
The question was taken; and on a division there were—ayes 29,

Mr. MILLER, of Pennsylvania. No quorum.

The SPEAKER. No quorum having voted, the Chair will order

Mr. MILLER, of Pennsylvania, and Mr. WILLIS were appointed tellers. The House again divided; and the tellers reported—ayes 22, noes 131. Mr. MILLER, of Pennsylvania. Still no quorum. Mr. WHITE, of Kentucky. I move a call of the House. The motion was agreed to.

Several members objected.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Adams, J. J.	Ermentrout,	Lovering,	Robinson, W. E.
Aiken,	Ferrell,	McCoid,	Rockwell,
Atkinson,	Fiedler,	McCormick,	Rowell,
Barksdale,	Finerty,	Matson,	Russell,
Beach.	Funston,	Milliken,	Shaw,
Belford,	Fyan,	Mitchell,	Shively,
Bennett,	Geddes,	Money,	Singleton,
Blackburn, .	George,	Morgan,	Skinner, T. G.
Blanchard,	Glascock,	Morrill,	Sloeum,
Blount,	Hammond,	Morrison,	Spriggs,
Brainerd,	Hancock,	Morse,	Springer,
Breitung,	Harmer,	Moulton,	Stewart, J. W.
Brewer, F. B.	Henderson, D. B.	Murray,	Stockslager,
Brewer, J. H.	Henderson, T. J.	Neece,	Storm,
Brumm,	Henley,	Nicholls,	Struble,
Campbell, Felix	Herbert,	Oates,	Sumner, C. A.
Candler,	Hewitt, A. S.	O'Ferrall,	Taylor, E. B.
Chalmers,	Hoblitzell,	Perkins,	Thompson,
Cobb.	Holton,	Peters.	Throckmorton,
Collins,	Hooper,	Pettibone,	Tillman,
Converse,	Hopkins,	Poland,	Tully,
Covington,	Houk,	Post,	Van Alstyne,
Cox, S. S.	Hurd,	Randall,	Wadsworth,
Cox, W. R.	Johnson,	Rankin,	Warner, A. J.
Cutcheon,	Jones, J. K.	Ray, G. W.	Whiting,
Dargan,	Jordan,	Ray, Ossian	Williams,
Davidson,	Kelley,	Reagan,	Wise, J. S.
Dingley,	Kellogg,	Rice,	Wood,
Dorsheimer,	Laird,	Robertson,	
Eaton,	Long,	Robinson, J. S.	

The SPEAKER. The Doorkeeper will now close the outer doors of the Hall. The Chair will state that this is the proper time to offer

excuses for absentees.

Mr. YORK. I will state that my colleague from North Carolina,
Judge Bennett, not feeling very well, has gone to his hotel to get a cup of tea, with the intention of returning presently.
Mr. MILLS. I ask if a quorum has responded.
The SPEAKER. The Chair will see.

Mr. WHITE, of Kentucky. The chairman of the Committee on Rivers and Harbors not being present, and as I understand a quorum is not present, I move that the House do now adjourn.

The SPEAKER. The call of the roll shows that there are two hun-

dred and five members present.

Mr. WILLIS. I move to dispense with further proceedings under the call.

Mr. WHITE, of Kentucky. I move that the House do now adjourn.

The SPEAKER. The gentleman from Kentucky [Mr. WILLIS] moves to dispense with further proceedings under the call, and pending that the gentleman from Kentucky [Mr. WHITE] moves that the House do now adjourn.

The question being taken on the motion to adjourn, it was not agreed

The SPEAKER. The question recurs on the motion of the gentleman from Kentucky [Mr. WILLIS] to dispense with further proceedings under the call.

The question was taken; and there were ayes 65. Before the negative vote was counted,

Mr. WHITE, of Kentucky, said: I rise to a question of order.
The SPEAKER. The House is now dividing.
Mr. WHITE, of Kentucky. I rise to a question of order relative to
the vote. I ask whether my colleague from Kentucky, the chairman
of the Committee on Rivers and Harbors, who was not present here at
the call to answer to his name, has the right to move to dispense with
further proceedings under the call.
The SPEAKER. The gentleman from Kentucky [Mr. WILLIS] answered to his name on the call.

swered to his name on the call.

swered to his name on the call.

Mr. WHITE, of Kentucky. I think not.

The SPEAKER. The record shows he did.

The negative vote being called for, there were noes 18.

So further proceedings under the call were dispensed with.

The SPEAKER. The question recurs on the motion made by the gentleman from Pennsylvania [Mr. MILLER] that the House take a recess until to-morrow morning at 10 o'clock, on which no quorum voted. voted.

voted.

The question being taken, there were—ayes 59, noes 62.

Mr. HEPBURN. No quorum.

The SPEAKER. A quorum not having voted, the Chair orders tellers, and appoints the gentleman from Nebraska, Mr. VALENTINE, and the gentleman from Kentucky, Mr. WILLIS.

The House again divided, and the tellers reported—ayes 59, noes 78.

Mr. HEPBURN. No quorum.

Mr. WILLIS. I move a call of the House.

Mr. WILLIS. I move a call of the House.

The SPEAKER proceeded to put the question on the motion of Mr.

Mr. WHITE, of Kentucky. Pending that motion, I move that the House adjourn

The SPEAKER. The House is now dividing.
The question being taken, it was decided in the affirmative; and a call of the House was ordered.

The Clerk proceeded to call the roll, when the following members failed to answer:

Adams, J. J.
Aiken,
Atkinson,
Bagley,
Barbour,
Barksdale,
Bayne,
Beach,
Belford,
Blackburn,
Blount,
Bowen,
Breitung,
Brewer, J. H.
Brown, W. W.
Brumm, Lowry,
Lyman,
McAdoo,
McCoid,
Millard,
Milliken,
Mitchell,
Money,
Morrill,
Morrison,
Morrison,
Morse,
Moulton,
Murray,
Neece, Eaton, Ermentrout, Fiedler, Finerty, Funston, Geddes, Glascock, Graves, Hancock, Rowell, Russell, Seymour, Shaw, Shively, Singleton, Skinner, T. G. Slocum, Smith, A. Herr Hancock, Hemphill, Henderson, D. B. Herbert, Hewitt, A. S. Hill, Hoblitzell, Holton, Holton, Spriggs, Springer, Stewart, J. W. Stockslager, Neece, Nelson, Nicholls, Stone,
Strail,
Struble,
Sumner, C. A.
Taylor, E. B.
Thompson,
Throckmorton,
Townshend,
Tully,
Wadsworth,
Washburn,
Whiting,
Williams,
Wise, J. S.
Wood,
Young, Stone, Brumm. Brumm, Burnes, Campbell, Felix Candler, Chalmers, Collins, Nicholis, Oates, Ochiltree, Peel, Perkins, Peters, Pettibone, Phelps, Rankin, Rankin, Ranney, Ray, G. W. Reagan, Rice, Robertson, Robinson, J. S. Robinson, W. E. Holton, Hooper, Hopkins, Houk, Hurd, Jeffords, Johnson, Jones, J. K. Jordan, Kean, Kelley, Kellogg, Lacey Converse, Converse, Cosgrove, Covington, Cox, S. S. Cox, W.-R. Curtin, Cutcheon, Dargan, Davidson, Dingley, Dockery, Dorsheimer, Lacey, Laird, Young. Lamb, Long, Lovering

The SPEAKER. The Doorkeeper will close the outer doors of the Hall and the Clerk will report the names of the absentees.

Mr. DUNHAM. Has the House been informed whether a quorum

is present or not? The SPEAKER.

The House has not been so informed.

Mr. DUNHAM. That was done before.

The SPEAKER. The Chair has no objection to giving any information to the House; but there is no rule requiring that information to

Mr. DUNHAM. There may be no rule requiring that information to be given, but I presume the Chair will have no objection to letting the House know what is the fact as to a quorum being present.

The SPEAKER. The Chair will state what is the number of members present as soon as the Clerk reports the names of absentees. The names of absentees will now be called, and this is the proper time to offer excuses, if any. Mr. DUNHAM.

I desire to make a parliamentary inquiry. The gentleman will state it.

The SPEAKER.

Mr. DUNHAM. Is there any rule which prevents the Speaker from

informing the House whether there is a quorum present or not?

The SPEAKER. There is not, The Chair has stated as soon as the list of absentees is certainly ascertained the Chair will make the announcement to the House.

Mr. DUNHAM. On the previous call of the House did not the Chair, on the request of the gentleman from Texas [Mr. Mills], inform the

House that there were something over two hundred members present?

The SPEAKER. The Chair did.

Mr. DUNHAM. Is the Chair willing to make the announcement

now?
The SPEAKER. If there be no objection.

Mr. GIBSON and others objected.

The SPEAKER. The names of members who have not answered to their names will now be read, that excuses may be offered.

The Clerk read the names of absentees, as follows:

Mr. ADAMS, of New York: No excuse offered.

Mr. AIKEN: No excuse offered.
Mr. ATKINSON: No excuse offered.
Mr. BAGLEY: No excuse offered.
Mr. BARBOUR: No excuse offered. Mr. BARKSDALE: No excuse offered.

Mr. BAYNE: No excuse offered.

Mr. BEACH.

Mr. SKINNER, of New York. My colleague, Mr. Beach, went home sick. I ask that he be excused.

Mr. ELLIS. I object.

The SPEAKER. Objection being made, the question is on the motion of the gentleman from New York [Mr. SKINNER] that his colleague be excused from further attendance this day.

The motion was agreed to; there being-ayes 51, noes 43.

Mr. Belford: No excuse offered. Mr. Blackburn.

Mr. CLAY. My colleague, Mr. BLACKBURN, is confined to his room by sickness. I ask that he be excused.

There being no objection, Mr. BLACKBURN was excused.

Mr. BLOUNT: No excuse offered. Mr. BOWEN: No excuse offered. Mr. BREITUNG: No excuse offered. Mr. Brewer, of New Jersey: No excuse offered.

Mr. Brown, of Pennsylvania: No excuse offered.

Mr. BRUMM: No excuse offered. Mr. BURNES: No excuse offered.

Mr. CAMPBELL, of New York.
Mr. HARDY. My colleague, Mr. CAMPBELL, went home to attend the funeral of a friend who was to be buried to-day. I ask that he be excused.

There being no objection, Mr. CAMPBELL, of New York, was ex-

Mr. CANDLER.

Mr. CANDLER.

Mr. CRISP. My colleague, Mr. CANDLER, has been confined to his room the last few days by sickness. I ask that he be excused.

There being no objection, Mr. CANDLER was excused.

Mr. CHALMERS: No excuse offered.

Mr. COLLINS: No excuse offered.

Mr. CONVERSE

Mr. CONVERSE.

Mr. WALLACE. I ask that my colleague, Mr. CONVERSE, be excused from attendance. He went home very much indisposed.

The SPEAKER. The gentleman from Ohio [Mr. WALLACE] states that his colleague [Mr. CONVERSE] left the House on account of indisposition, and asks that he be excused.

A MEMBER. On account of what?

A MEMBER. Undisposition

Another MEMBER. Indisposition.
The SPEAKER. Is there objection?

Several members objected.

The question being taken on excusing Mr. Converse, it was not agreed to; there being—ayes 39, noes 44.

Mr. MILLER, of Pennsylvania. I rise to a parliamentary inquiry.

Does the vote on excusing a member require a quorum?

The SPEAKER. It does not. A call of the House is now proceeding, and less than a quorum may compel the attendance of members or excuse members from attendance.

Mr. Cosgrove: No excuse offered.

Mr. Cosgrove: No excuse offered.
Mr. Covington: No excuse offered.
Mr. Covington: No excuse offered.
Mr. Cox, of New York.
Mr. STEVENS. My colleague, Mr. Cox, left the House stating to me that he was feeling quite indisposed; and he requested me, if there should be a call of the House, to ask that he be excused.
Mr. ELLIS. His indisposition was indisposition to stay here.
The SPEAKER. Objection is made; and the gentleman from New York [Mr. STEVENS] moves that his colleague [Mr. Cox] be excused.
Mr. PAYSON. What is the reason assigned?
Mr. STEVENS. When my colleague left the House he stated to me that he was feeling quite unwell and indisposed; and he asked me, in case there should be a call of the House, to request that he be excused.
Mr. ELLIS. I have known that gentleman to be arrested, brought here, and then dodge the Doorkeeper, and go away,
The question being taken on the motion to excuse Mr. Cox, of New York, it was not agreed to, there being—ayes 16, noes 56.
Mr. Cox, of North Carolina: No excuse offered.

Mr. Cox, of North Carolina: No excuse offered.

Mr. CURTIN.

Mr. MUTCHLER. My colleague, Governor Curtin, left the House a short time ago, saying that he felt too unwell to remain. I ask unanimous consent that he be excused.

Several Members. That is right.

There being no objection, Mr. CURTIN was excused.

Mr. CUTCHEON.

Mr. HORR. My colleague [Mr. CUTCHEON] has indefinite leave of

absence on account of sickness.

The SPEAKER. That is the fact. He is so marked.
Mr. DARGAN: No excuse offered.
Mr. DAVIDSON: No excuse offered.
Mr. DINGLEY: No excuse offered. Mr. Dockery: No excuse offered. Mr. DORSHEIMER: No excuse offered.

Mr. EATON

Mr. SEYMOUR. I move that my colleague, Mr. EATON, be excused from attendance. His health is not strong enough to allow him to be out at night.

There being no objection, Mr. EATON was excused.

Mr. ERMENTROUT: No excuse offered.

Mr. FIEDLER

Mr. FERRELL. I move that my colleague, Mr. FIEDLER, be excused from attendance this evening.

Mr. WILLIS. I object.

Mr. DUNHAM. Mr. Speaker, on what ground is this request

made.

The SPEAKER. The Chair does not know.

The motion of Mr. FERRELL was not agreed to. Mr. FINERTY: No excuse offered.

Mr. Funston: No excuse offered.

Mr. GEDDES.

Mr. WELLER. I ask that the gentleman from Ohio, Mr. GEDDES, be excused. It is known to the House that he is in feeble health.

Mr. WILLIS. I ask the gentleman from Iowa whether he makes

Mr. WELLER. No, sir. I make the motion because I think it a very proper one, from my knowledge of the condition of the gentleman's health.

Mr. KEIFER. The motion ought to prevail.
Mr. MATSON. Judge GEDDES told me during the last week that it was impossible for him to come here at night on account of the state of his health.

Mr. KEIFER. There is no doubt that is true.

There being no objection, Mr. GEDDES was excused.

Mr. GLASCOCK.

Mr. VANCE. The gentleman from California, Mr. GLASCOCK, has placed in my hands a request for leave of absence for the residue of this day, on account of sickness in his family.

Mr. FOLLETT. His wife has been seriously ill for the last two

weeks, so that he has been able to attend only a portion of the time.

There being no objection, Mr. GLASCOCK was excused.

Mr. BROWNE, of Indiana. The gentleman from Missouri, Mr. GRAVES, came to me requesting me to pair with him, stating that sickness in his family compelled him to be absent. I am sure he ought to be excused, and I make that request.

There being no objection, Mr. GRAVES was excused.

Mr. HANCOCK: No excuse offered. Mr. HEMPHILL: No excuse offered.

Mr. HENDERSON, of Iowa. Mr. PAYNE. The gentleman from Iowa, Mr. HENDERSON, has been confined to his room for two weeks. I supposed he had leave of

The SPEAKER. The gentleman from Iowa has leave of absence, and will be so marked.

Mr. HENLEY: No excuse offered.

Mr. HERBERT.

Mr. HEWITT, of Alabama. I ask that my colleague, Mr. HEBBERT, be excused from attendance this evening on account of sickness in his family.

There being no objection, Mr. HERBERT was excused. Mr. HEWITT, of New York: No excuse offered. Mr. HILL: No excuse offered.

Mr. HOBLITZELL: No excuse offered.

Mr. HOLMAN.

Mr. COBB. I move that my colleague, Judge HOLMAN— [Cries of "Object!" and laughter.]

The SPEAKER. The House will be in order. The gentleman from Indiana has a right to state his motion.

Mr. COBB. I move that my colleague, Judge HOLMAN, be excused.

Mr. MILLER, of Pennsylvania, and others objected.

Mr. WILLIS. If Judge HOLMAN were present, I know he would

object. Representing him on this occasion, I object.

The question being taken on the motion of Mr. Cobb, there were

ayes 54, noes 72.

Ayes 54, noes 72.

Mr. DAVIS, of Illinois. I call for the yeas and nays.

On ordering the yeas and nays there were—ayes 25, noes 104—less than one-fifth voting in the affirmative.

Mr. HEPBURN. I call for the tellers on ordering the yeas and nays.

The tellers were not ordered.

So the yeas and nays were not ordered; and the motion of Mr. COBB was not agreed to.

Mr. HOLTON.

Mr. McCOMAS. My colleague, Mr. Holton, has gone to Baltimore on account of sickness in his family. I ask that he be excused.

The SPEAKER. The gentleman from Maryland [Mr. McComas]

asks that his colleague [Mr. HOLTON] be excused.

Mr. TALBOTT. On account of sickness in his family. I know that

to be a fact.

There being no objection, Mr. Holton was excused. Mr. Hooper: No excuse offered. Mr. Hopkins: No excuse offered.

Mr. Houk.

Mr. ADAMS, of Illinois. The wife of the gentleman from Tennessee. Mr. Houk, is, as I am informed and believe, seriously ill. I think

there is no question about the fact. I ask that he be excused.

Mr. GIBSON. Mr. Houk, before he left, came to members of the committee and stated the cause of his leaving, as the gentleman from Illinois has stated it.

There being no objection, Mr. Houk was excused. Mr. Hurd: No excuse offered.

Mr. JEFFORDS: No excuse offered.

Mr. JOHNSON.

Mr. WEAVER. The gentleman from New York, Mr. Johnson, has been confined to his room for several days by sickness. I ask that he be excused.

There being no objection, Mr. Johnson was excused. Mr. Jones, of Arkansas: No excuse offered.

Mr. JORDAN.

Mr. FOLLETT. I think my colleague is absent on leave.
The SPEAKER. The Chair is advised that the gentleman's colleague

[Mr. JORDAN] has no leave of absence.

Mr. FOLLETT. He obtained leave of absence, and has been gone

some weeks on important business.

The SPEAKER. His leave has expired.

Mr. FOLLETT. I ask, then, that he be excused.

Mr. BRECKINRIDGE. I object.

The motion was disagreed to.

Mr. KEAN: No excuse offered. Mr. HATCH, of Missouri. I ask that the gentleman from South Carolina, Mr. Aiken, who is in the gallery, may be allowed to come into the Hall.

Mr. WELLER. He is accompanied by a lady, and I move that he be excused.

Mr. DUNHAM. There is no objection, provided the glass doors of the barber-shop are locked.

The SPEAKER. The Chair has instructed the doorkeepers under

the rule of the House to close the outer doors.

Mr. WILLIS. And I hope that will be done whether they be glass

Mr. WILLIS. And I hope that will be done whether the good doors or any other doors.

The SPEAKER. If there is any report made to the Chair that the order has been disobeyed the Chair will act promptly.

The motion of Mr. HATCH, of Missouri, was agreed to.

Mr. MILLER, of Pennsylvania. There are several gentlemen at the doors who want to come in, and I move that they be allowed to enter the Hall.

Mr. HEWITT, of Alabama. I object.

Mr. KELLEY.

Mr. O'NEILL rose.

The SPEAKER. The gentleman from Pennsylvania has obtained leave of the House to absent himself during evening sessions, and is therefore excused.

Mr. KELLOGG: No excuse offered.

Mr. LACEY: No excuse offered. Mr. LAIRD.

Mr. ELLIS. I move that the gentleman from Nebraska be excused. The SPEAKER. The gentleman from Nebraska had leave of absence, but has since appeared in the Hall. Is there objection to excusing the gentleman from Nebraska?

There was no objection, and it was ordered accordingly.

Mr. LAMB.

Mr. MILLER, of Pennsylvania. I move that Mr. LAMB be excused. He is up in the gallery, and he will be all right when he gets here. I move that he be excused.

The motion was disagreed to. Mr. Long: No excuse offered.

Mr. LOVERING: No excuse offered.

Mr. LOWRY: No excuse offered. Mr. LYMAN: No excuse offered.

Mr. McADoo: No excuse offered.

Mr. McCoid: No excuse offered.

Mr. MILLARD: No excuse offered. Mr. MILLIKEN: No excuse offered.

Mr. MITCHELL: No excuse offered. Mr. MONEY: No excuse offered.

Mr. Morgan: No excuse offered.

Mr. MORRILL

Mr. ANDERSON. My colleague remained here until late and has gone home for dinner. I ask that he be excused for one hour.
Mr. BLANCHARD. I object.

Mr. MILLS. We will not object if the gentleman will substitute himself for his colleague.

Mr. MORRISON.

Mr. DUNHAM. I move that my colleague, Mr. Morrison, be excused.

Mr. BRECKINRIDGE. Is not Mr. Morrison absent on leave?
The SPEAKER. He has not a leave of absence.
Mr. ANDERSON. Will somebody be kind enough to say why Mr.
Morrison is absent? [Laughter.]

The SPEAKER. The Chair thinks the noes have it. Mr. DUNHAM. I ask for a division on my motion.

The House divided; and there were—ayes 60, noes 41.
Mr. WHITE, of Kentucky, called for tellers.
Tellers were not ordered.

So the motion was agreed to. Mr. Morse: No excuse offered.

Mr. MOULTON: No excuse offered. Mr. MURRAY: No excuse offered.

Mr. RIGGS. I would inquire whether my colleague has not leave of absence?

The SPEAKER. No leave of absence has been granted or asked for.

Mr. RIGGS. My colleague was suddenly called from the Hall by

telegram, and I move that he be excused. He has been uniformly constant in his attendance upon the sessions of the House, and under the circumstances he ought to be excused for the evening session.

Mr. DUNHAM. The House should know the reason of the gentle-

man's absence

The SPEAKER. The House can not compel anybody to give a reason for him.

The House divided; and there were-ayes 37, noes 44.

So the motion was disagreed to.

Mr. HORR. Is it in order to go back to the list? [Cries of "Regular order!"] I ask that Mr. HANCOCK, of Texas, be excused, as it is well known to many of us he ought not to be here on account of his health, and it is not right to bring him here.

Mr. ELLIS. There is no objection.
Mr. HORR. I move that he be excused.

The motion was agreed to.

Mr. NELSON: No excuse offered. Mr. NICHOLLS: No excuse offered.

Mr. OATES: No excuse offered. Mr. OCHILTREE: No excuse offered.

Mr. PEEL: No excuse offered.

Mr. PERKINS: No excuse offered. Mr. PETERS: No excuse offered.

Mr. PETTIBONE: No excuse offered.

Mr. PHELPS.

Mr. HITT. Mr. Speaker, the gentleman from New Jersey [Mr. PHELPS] was here the greater part of the afternoon, and went away feeling quite unwell. I know that he was severely indisposed, and I move that on account of his indisposition he be excused.

The motion was agreed to.

Mr. ELLIS. I ask that Judge POLAND, of Vermont, be excused.

The motion was agreed to.

Mr. GUENTHER. I ask that Mr. Springer be excused on account of sickness in his family.

The motion was disagreed to.

Mr. RANDALL.

Mr. HAMMOND. I move that Mr. RANDALL be excused. He has been quite unwell for some time.

Mr. BRECKINRIDGE. I move that Mr. RANDALL be excused. The SPEAKER. The gentleman from Georgia has already made the

motion.

Mr. VAN ALSTYNE. I believe Mr. RANDALL is a member of a committee which is entitled to sit during the sessions of the House, and I venture to say he is now in his committee-room, and if advised he is wanted will come into the Hall.

The motion was agreed to.

Mr. RANKIN.

Mr. DEUSTER. Mr. RANKIN has leave of absence and is away from the city. I move that he be excused.

The motion was agreed to.

Mr. RANNEY: No excuse offered.
Mr. RAY, of New York. Night before last I was sick with a cold and confined to my bed, and to-day I have been suffering with a cough. I am not able to continue longer in this night's session, and therefore ask to be excused.

There was no objection, and it was ordered accordingly.

Mr. RAY, of New Hampshire.
Mr. HAYNES. Mr. Speaker, I was informed this morning that my colleague, Mr. RAY, was confined at home by sickness and unable to be here. He has a very bad cold and is unable to speak aloud. I think it is a case that justifies an excuse, and I ask that he be excused.

There was no objection.

Mr. LANHAM. I move that my colleague, Mr. REAGAN, be excused from attendance to-night. He left here about an hour ago not feeling at all well, and stated that he was unable to attend. As is well known his health is not vigorous at best.

There was no objection, and Mr. REAGAN was excused. Mr. RICE: No excuse offered.

Mr. ROBERTSON.

Mr. KOBERTSON.

Mr. WOLFORD. My colleague, Mr. ROBERTSON, went away from here, as he said, sick; and in addition to that—

Mr. BROWNE, of Indiana. Do I understand the gentleman from Kentucky to say that his colleague is sick?

Mr. WOLFORD. He said he was.

Mr. BROWNE, of Indiana. Looking pale, I suppose? [Laughter.]

Mr. WOLFORD. In addition to that he has not seen his wife for a long time, and she is now here, having just come. I move that he be excused.

The motion was not agreed to.

Mr. WHITE, of Kentucky. Division.
Mr. POST, of Pennsylvania. I ask that the gentleman from Texas, Mr. OCHILTREE, be excused, as I understand, owing to some recent unpleasantness, it is not safe for him to be out after dark. [Laughter.] Objection was made.

Mr. WHITE, of Kentucky. I demanded a division on the motion to excuse my colleague, Mr. ROBERTSON.

The House divided; and there were—ayes 24, noes 63.

So the motion was not agreed to.

Mr. WELLER. I move that the gentleman from New York, Mr. ADAMS, be excused. [Cries of "Regular order!"]

Mr. CANNON. The gentleman from Connecticut, Mr. WAIT, is present, and has asked me to request that he be excused to night.

present, and has asked me to request that he be excused to-night.

Mr. WAIT. I have had a great deal of work to do in various ways to-day in the line of my duty, and I hardly feel as if I ought to stay here through the night, particularly when I know from experience in the past, and believe now, that no good results follow from such sessions. I have paired with the gentleman from Missouri, Judge Buckner, for whom I entertain a great deal of esteem, and ask that he also be excused.

Mr. ANDERSON. Let us have a division of the question.

Mr. ANDERSON. Let us have a division of the question.
Mr. HATCH, of Missouri. I demand a division of the question. am perfectly willing to excuse the gentleman from Connecticut, but not

the gentleman from Missouri.

The SPEAKER. The gentleman has a right to demand a division and a separate vote. The question is, Shall the gentleman from Connecticut be excused.?

Mr. WAIT was excused.

The question recurred on the motion to excuse Mr. Buckner.
Mr. WHITE, of Kentucky. I move to amend that by excusing as many from our side as from the other. It is not fair to excuse gentlemany from our side as from the other. It is not fair to excuse gentlemen who are against the bill and keep all those here who favor it.

The SPEAKER. Debate is not in order.

Mr. GEORGE D. WISE. Would it be in order to move to amend by excusing the gentleman from Kentucky, Mr. WHITE?

The SPEAKER. It would not. The question is, Shall the gentleman from Missouri, Mr. BUCKNER, be excused?

The question was taken; and on a division there were-ayes 47, noes

So the motion was not agreed to.

Mr. DAVIS, of Massachusetts. I had supposed my colleague [Mr. Rice] had leave of absence, until I heard his name called. It is well known that he has been ill for a long time, and he is now at his home in Massachusetts on that account.

There was no objection, and Mr. RICE was excused.

JAMES S. ROBINSON: No excuse offered. WILLIAM E. ROBINSON: No excuse offered.

Mr. Rockwell: No excuse offered.
Mr. Rowell: No excuse offered.
Mr. DUNHAM. I move that Mr. James S. Robinson, secretary of

state of Ohio, be excused.

Mr. HART. Mr. Robinson is not a member of the House, and has not been since the 12th of January.

Mr. BROWNE, of Indiana. I understand he is in this city, and as we need a quorum we might as well send for him.

Mr. CANNON. I ask that my colleague, Mr. Rowell, be excused. The SPEAKER. There is a question before the House.

The Chair will state to the gentleman from Ohio that the question as to whether or not his late colleague [Mr. Robinson] is a member of this House or not has been referred to the Committee on Elections by order of the House to settle that very point, and is still pending, no report having been made.

Mr. DUNHAM. Is he not a member of the House? The SPEAKER. The Chair prefers not to decide the

The Chair prefers not to decide the question which the Committee on Elections are instructed to investigate.

Mr. DUNHAM. Then I insist upon my motion that he be excused.
Mr. HART. Mr. Speaker, I suppose I will be permitted to make a suggestion at least. I stated to the House that Mr. Robinson was not a member of this House and had not been since January 12. That day he filed his resignation with the governor of the State of Ohio, and it has been entered upon the records there. The matter was referred here to the Committee on Elections and the report is ready to be presented as soon as it can be reached.

Mr. DUNHAM. Bring it in, then.

Mr. HART. You had better send for it.

Mr. BAYNE. I move to lay the motion on the table.

Mr. VAN ALSTYNE. I would like to call attention to one fact: If this man shall be arrested and is not a member of this House, we

this man shall be arrested and is not a member of this House, we would be liable for false imprisonment.

Mr. COOK. The Sergeant-at-Arms would be.
The SPEAKER. This motion is not debatable.
The motion to lay on the table was agreed to.
Mr. POTTER. I move that my colleague, Mr. WILLIAM E. ROBINSON, be excused. He is a very old man and not able to be here tonight.
There was no objection.

Mr. RUSSELL: No excuse offered.

Mr. SHAW.

Mr. WORTHINGTON. I move that my colleague, Mr. SHAW, be excused. He has not been able to attend the House during this ses-

Mr. PAYSON. I think Mr. SHAW has indefinite leave of absence, on account of sickness.

The motion to excuse Mr. Shaw was agreed to.

Mr. SHIVELY: No excuse offered.

Mr. MULDROW. I move that my colleague, Mr. SINGLETON, be excused.

There was no objection.

Mr. THOMAS G. SKINNER: No excuse offered.

Mr. SLOCUM.

Mr. WEMPLE. I move that my colleague, Mr. SLOCUM, be excused from further attendance this day. He is now engaged on the committee preparing for the inauguration.

The motion was agreed to.

Mr. SMITH, of Pennsylvania.

Mr. O'NEILL, of Pennsylvania. I ask that my colleague, Mr. SMITH, be excused from attendance at the night session.

There was no objection.

Mr. SPRIGGS: No excuse offered.

Mr. SPRINGER.

Mr. VAN ALSTYNE. The gentleman from Illinois, Mr. Springer, is chairman of a committee that is privileged to sit during the session of the House. I know that to-day he was engaged with the business of that committee

Mr. HENDERSON, of Illinois. And I know that Mr. Springer's

wife is sick.

Mr. PAYSON. Mr. SPRINGER is in attendance on his wife, who is ill, and has been so the entire winter. I move that he be excused.

There was no objection.

Mr. STEWART, of Vermont: No excuse offered.

Mr. STOCKSLAGER.

Mr. MATSON. I am informed by the gentleman from Michigan [Mr. MAYBURY] that my colleague, Mr. STOCKSLAGER, left the Hall within the last hour requesting him to see some of his colleagues and have him excused on account of ill-health. I know that Mr. STOCK-SLAGER is in delicate health, and I think he ought to be excused. There was no objection.

Mr. STONE: No excuse offered.

Mr. VAN EATON. I ask that the gentleman from Texas, Mr. Ochil-TREE, be excused, on account of sickness in his family

The SPEAKER. That request is not in order at this time.

Mr. STRAIT

Mr. WAKEFIELD. I ask that my colleague, Mr. Strait, be excused. He is now standing outside the door.

Objection was made.

Mr. STRUBLE: No excuse offered.

Mr. SUMNER, of California.
Mr. BUDD. I ask that my colleague, Mr. SUMNER, be excused. Mr. BUDD. I ask that my colleague, Mr. Sumner, be excused.

He has been ill for several days and is not able to be out this evening.

Mr. GEORGE D. WISE. The gentleman's colleague [Mr. Sumner]

is in the lobby now. [Laughter.]
The SPEAKER. Does the gentleman from Virginia object?
Mr. GEORGE D. WISE. I do.

Mr. BUDD. I do not know whether my colleague is in the lobby or not, but I know he has been dangerously ill for several days. If he is in the lobby now it is because he has determined to discharge his duty, however sick he may be.

Mr. GIBSON. I know that Mr. SUMNER has been sick. I ask that

he be allowed to come in.

The SPEAKER. The gentleman from California [Mr. BUDD] moves that his colleague [Mr. SUMNER] be excused.

The question was taken; and there were-ayes 65, noes 10.

So the motion was agreed to.

Mr. O'NEILL, of Pennsylvania. I ask that my colleague, Mr. ER-MENTROUT, be excused. I understand he is not well.

The SPEAKER. The name of Mr. ERMENTROUT has been passed. The Chair will recognize the gentleman hereafter to make that re-

Mr. EZRA B. TAYLOR: Absent on leave.

Mr. THOMPSON: No excuse offered.

Mr. THROCKMORTON

Mr. MILLS. I ask that my colleague, Mr. THROCKMORTON, be ex-

There was no objection.

Mr. TOWNSHEND.

Mr. McCOMAS. I move that Mr. Townshend be excused. I understand he had to attend a conference.

The motion was not agreed to. Mr. TULLY: No excuse offered.

Mr. WADSWORTH: No excuse offered.

Mr. WASHBURN: No excuse offered.

Mr. WHITING: No excuse offered.

Mr. WILLIAMS.
Mr. HEWITT, of Alabama. I ask that my colleague be excused on account of sickness. He has been sick all day.

There was no objection.

Mr. John S. Wise: No excuse offered. Mr. Wood: No excuse offered.

Mr. Young: No excuse offered.

Mr. WHITE, of Kentucky. I move that Mr. Wood be excused.
Mr. WELLER. I would like to know the reason for the request to

excuse Mr. Wood.

The SPEAKER. The gentleman from Kentucky [Mr. White] moves that the gentleman from Indiana [Mr. Wood] be excused.

Mr. HATCH, of Missouri. I move as an amendment that the gen-tleman from Indiana [Mr. Wood] be allowed to come from the gallery of the House

The SPEAKER. That motion is not in order as an amendment. It requires unanimous consent.

Mr. HATCH, of Missouri. I ask unanimous consent.

The SPEAKER. The request for unanimous consent can not be en-

The SCEARLE. The request for unanimous consent can not be entertained pending the motion that Mr. Wood be excused.

The motion that Mr. Wood be excused was not agreed to.

Mr. HATCH, of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Wood] be allowed to come in.

Several members objected.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana, Mr. LOWRY, be permitted to come in. He was here all day. He went down to the restaurant to get some lunch and

happened to miss answering to his name when called.

Mr. HISCOCK. Mr. Speaker, I ask the gentleman to include in that request the gentleman from Massachusetts, Mr. RANNEY, and the gentleman from New York, Mr. MILLARD.

Mr. ELLIS. Certainly.

Mr. WHITE, of Kentucky. Mr. Speaker, I ask unanimous consent that all members now in the lobby be admitted to the floor of the

Mr. BUDD. I object.
Mr. WILLIS. I hope that objection will be withdrawn.
Mr. BUDD (after a pause). I withdraw it.
The SPEAKER. There being no objection, the order will be made.
The Doorkeeper will admit the gentlemen, and their names will be recorded by the Clerk.

A number of members who had been waiting in the lobby entered

the Hall and were proceeding to their seats.

The SPEAKER. The Chair will state to the gentlemen who have just come in that unless they take their place in such order that the Clerk can distinguish them, their names will probably be included in the order of the House for the arrest of absentees by the Sergeant-at-Arms.

Arms.

The following-named gentlemen appeared in front of the Clerk's desk and, as they were called, answered to their names: Messrs. Adams of New York, Bagley, Brown of Pennsylvania, Dingley, Ermentrout, Henley, Long, Lowry, Millard, Mitchell, Money, Ochiltree, Ranney, Rowell, Strait, Shiveley, Skinner of North Carolina, Tully, and Wood.

Mr. Willis. Mr. Speaker, I move the adoption of a resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Sergeant-at-Arms take into custody and bring to the bar of the House such of its members as are now absent without the leave of the

Mr. WHITE, of Kentucky. Mr. Speaker, I move to dispense with all further proceedings under this call.

The SPEAKER. That motion is not in order at this time. The question is upon the adoption of the resolution offered by the gentleman from Kentucky [Mr. WILLIS].

Mr. MILLER, of Pennsylvania. Mr. Speaker, I rise to ask whether or not a quorum is now present in the House, according to the count? [Cries of "Regular order!"]

The SPEAKER. The Chair thinks there is more than a quorum. The question is on the adoption of the resolution offered by the gentleman from Kentucky [Mr. WILLIS].

Mr. WHITE, of Kentucky. I move to lay that resolution on the table.

Mr. HISCOCK. Mr. Speaker, ought not the names of the absent members to be included in the resolution?

The SPEAKER. The Chair thinks that is not usual.

The question was taken on the resolution offered by Mr. WILLIS; and

it was agreed to.

Mr. HATCH, of Missouri. Mr. Speaker, I move to dispense with all further proceedings under the call. [Cries of "No!" 'No!"]

Mr. HATCH, of Missouri. We have a quorum now present.

A MEMBER. No matter.

The SPEAKER. The gentlemen from Missouri moves to dispense with further proceedings under the call.

Mr. WILLIS. I hope that motion will be withdrawn. We want to

pass this bill.

pass this oil.

The SPEAKER. The question is on the motion made by the gentleman from Missouri [Mr. HATCH].

Mr. WILLIS. I hope it will be voted down.

The question was taken on the motion of Mr. HATCH to dispense

with further proceedings under the call; and on a division there wereayes 39, noes 93.

So the motion was not agreed to.

After a pause, during which the Clerk was engaged in making out the warrant for the arrest of the absentees, the following proceedings

Mr. Speaker, I rise to a question of privilege. ER. The gentleman will state it.

The SPEAKER.

Mr. LONG. A few moments ago, returning from my dinner and attempting to enter this Hall, officers of the House refused me admittance. I claim that that is a violation of my privileges as a member of this House. I understand the rule to be that-

In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

That is, absent members who are under arrest for violation of the order of the House shall be discharged on rendering proper excuse. claim that I was here not under arrest; that I presented myself at the door and sought to enter, and that I was excluded-

The SPEAKER. What motion does the gentleman submit?

Mr. LONG. It might be said that the House was justified in excluding me because of the constitutional provision which says that the House shall make rules to regulate its proceedings. The first question is: What are the proceedings there referred to? Whether they are the ordinary transaction of business, or whether those "proceedings" go so far as to include the matter of the attendance or the exclusion of members

It should be remembered that this is a personal right; that the constitutional provision and all rules and laws relating to personal rights should be construed very strictly; and that no member, either in his representative or his personal capacity, should be excluded unless the right to exclude him is very clear. Now, it is doubtful whether the constitutional provision applies any further than to the ordinary proceedings of the House, the transaction of business, and whether it applies at all to the regulation of the movement of members; and further than that, I take it that the constitutional right of each House to regulate its own proceedings does not apply to the personal attendance of members, because there is another provision in the Constitution which regulates that matter.

The provision is that the House may compel the attendance of absent members. That provision also must be construed strictly, because it affects a personal right. It gives the House no power over the persons of members present, no authority with regard to keeping members in the Hall; it simply gives the House power to compel the attendance of absent members, and a member must be absent before the House has, in this way, any constitutional right over him. I claim that I was not an absent member, that I was here, not under arrest, not in contempt, not absent in any sense, but a member of the House present and seeking to enter this Hall, and that my privilege was impaired by not per-

mitting me to enter.

The SPEAKER. Under Rule IX questions of privilege are defined, and there must be some question presented in order to constitute a ques-

on of privilege. Does the gentleman make any motion?

Mr. ADAMS, of Illinois. Mr. Speaker, if it is in order I will submit a resolution expressive of the sense of the House. I think it raises a practical question, and an important one. Nothing should be done under the guise of the constitutional right of members to prevent a small part of this House from compelling the attendance of absent members, but it is not necessary, when a gentleman returns here and offers voluntarily to come into the Hall of the House, that he should be prevented from so doing; and the rule of the House requiring the doors to be closed might be construed, and in my opinion ought to be construed, as providing a means whereby members who are here present and whose presence is needed should be prevented from leaving the House—which I take to be a legitimate exercise of the authority of the House. [Cries of "No!" "No!"] Therefore, Mr. Speaker, if it is in order, I will submit the following resolution:

Resolved, That it is the sense of this House that the rule requiring the doors to be closed upon a call of the House should not be so construed as to prevent members from voluntarily returning to the Chamber, provided they are not under arrest by the Sergeant-at-Arms.

Mr. WILLIS. Mr. Speaker, I make the point of order upon that resolution that it would change existing rules.

Mr. KING. I move that that resolution be referred to the Committee on Rules.

tee on Rules.

Mr. MUTCHLER. Mr. Speaker, I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. MUTCHLER. I desire to inquire whether at this time there is anything in order except a motion to adjourn or further proceedings under the call. The SPEAKER.

There are various motions which might be in order, such as questions relating to excusing members, imposing fines upon members, or other conditions upon which they might be released. Mr. MUTCHLER. Mr. Speaker, I raise the point of order that the

resolution offered by the gentleman from Illinois [Mr. ADAMS] is not

in order at this time.

The SPEAKER (continuing). But the effect of the resolution offered by the gentleman from Illinois [Mr. Adams] appears to be an instruction to the Doorkeeper during these proceedings to admit to the floor of the House all members who are not under arrest. The Chair thinks the resolution affects the proceedings now going on.

Mr. McMILLIN. In order to determine the facts I would like to ask

a question. The gentleman from Massachusetts [Mr. Long] has risen to a question of privilege and made his point. The doors of the House were closed pursuant to the order of the House after a call of the House under the rules. What I desire to ask the gentleman is whether he was

present when his name was called as a member and answered?

Mr. LONG. I will answer the gentleman, I was not present.

Mr. McMILLIN. He was not. Then it was for the purpose of securing the attendance of those in the same condition that the call of

the roll was had.

Mr. WILLIS. I ask that clause 1 of Rule VIII be read.

Mr. PAYSON. I rise to a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. PAYSON. Is the motion of my colleague subject to amendment?

The SPEAKER. The Chair has not decided yet whether the motion is in order.

Mr. PAYSON.

Is a point of order pending?

2. It is. The Clerk will read clause 1 of Rule VIII. The SPEAKER. The Clerk read as follows:

1. Every member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented.

The SPEAKER. Now, another rule of the House provides that when members are not present in the House during its sitting, and it is so disclosed by the call of the roll, the doors shall be immediately closed, and that, the Chair thinks, is what was done to-day. The Chair does not understand the gentleman from Massachusetts to contend that any rule of the House has been violated, but that the rule which was adopted was perhaps beyond the power of the House. Mr. LONG. That is the point.

The SPEAKER. Therefore there is no question for the Chair to decide. If any question is presented it must be decided by the House.

Mr. LONG. The rules of the House are not valid unless they are authorized by the Constitution. My point is in regard to the first rule, which has been read, which says that every member shall be present and shall not absent himself without leave of the House; that no power is given by the Constitution to the House to so far abridge the personal liberty of a member that he can not go and come as he pleases, but if he goes and is absent then the power is given by the Constitution to the House to compel his attendance.

Mr. ADAMS, of Illinois. I have reduced my resolution to writing,

and ask it be read.

The Clerk read as follows:

Resolved. That hereafter the order of the House that the doors be closed and absent members be sent for shall not be so construed as to prevent members not in arrest from voluntarily entering the Hall of the House.

The SPEAKER. The Chair thinks that resolution is not in order, because that is a proposition either to change or to construe a rule for all time to come in the House. The Chair does think any proposition which is in the form of instruction to doorkeepers as to what course they shall pursue on the present occasion during these proceedings would be in order. If the House adopted such a resolution it would be taken as

a precedent for the guidance hereafter, as a matter of course.

Mr. ADAMS, of Illinois. I ask unanimous consent to say a few words and submit the reference of that resolution to the Committee on

The SPEAKER. It can not be referred while the House is proceeding under a call of the House.
Mr. MILLER, of Pennsylvania.

I rise to a parliamentary inquiry. I find in the Digest, page 242, the following:

'At the conclusion of the call of the roll, the names of the absentees are called over, and a list of those for whom no sufficient excuse is made and furnished the Sergeant-at-Arms, and thereupon the doors are closed.

Now, the inquiry I wish to make is, Was it proper to close the doors until the call had been made for members to make their excuses? I understand the doors had been closed.

The SPEAKER. The Clerk will read Rule XV, page 195, clause 2.

The Clerk read as follows:

In the absence of a quorum fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members.—RULE XV, clause 2. But where less than that number are present, a motion for a call can not be entertained.—Journal, 1, 28, page 885.

Mr. MILLER, of Pennsylvania. As I understood, the doors were closed while the Clerk was calling the roll for excuses

The SPEAKER. The rule says the names of the members shall be called and the absentees entered, and then the doors shall be closed, and after that members for whom no excuse was offered may be brought in.

Mr. MILLER, of Pennsylvania. I hold the latest edition of the
Manual in my hand, and it is different from that on page 242.

The SPEAKER. Then it is in opposition to the rules of the House.

Several members are at the door Mr. O'NEILL, of Pennsylvania.

waiting to come in. I think the House should permit them to do so as

we did with others a while ago.

Mr. ROGERS, of Arkansas. I object.

Mr. WILLIS. I hope that will be done, their names being called as before.

The was no objection, and it was ordered accordingly. Mr. ADAMS, of Illinois. I desire to offer a resolution.

The SPEAKER. The Clerk will first call the names of gentlemen who are entitled to admission under the unanimous consent given.

who are entitled to admission under the unanimous consent given.

The Clerk called the roll of the following gentlemen, who responded to their names, and were entered, as present: Mr. Pettibone, Mr. Tillman, Mr. Spriggs, Mr. Davidson, Mr. Barksdale, Mr. Finerty, Mr. Russell, Mr. Whiting, Mr. Collins, Mr. Struble, Mr. Hill, Mr. Cosgrove, Mr. Burnes, and Mr. Dockery.

Mr. ADAMS, of Illinois. I nowask to offer the resolution which I

send to the desk

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the doorkeepers be, and they hereby are, instructed to admit any member in the House who may present himself, and who is not under

Mr. ADAMS, of Illinois. That, Mr. Speaker, will not relieve any member who is absent and who does not voluntarily return before being served with a process of arrest by the Sergeant-at-Arms.

Mr. COSGROVE. But that is a change of the rule, and I make the

point of order on it.

The CHAIRMAN. The Chair thinks not. It simply relates to the proceeding now going on-under the call of the House. It is the same precisely as the unanimous consents which have been given some two or three times to-night to admit members who were at the doors of the

House after a call of the House had been ordered.

Mr. ADAMS, of Illinois. The adoption of that resolution, Mr. Speaker, will not relieve any member from the penalty for being absent without leave. It will simply relieve him from the physical inconvenience of waiting in the lobby until there shall be a number of members gathered and somebody asks unanimous consent to let them in. When any member comes in under this resolution his name can be reported, and there is no practical inconvenience to result from it, while on the other hand there is great practical inconvenience to result from the adoption of that instruction.

Mr. BAYNE. I hope that resolution will be adopted. I think it important hereafter to be regarded as a precedent in cases of this kind. For that reason I believe the rule which contemplates the arrest of members for absence without leave is intended to apply to those who willfully, or, it may be, contumaciously, absent themselves without the consent of the House. It has often occurred that members, as I have observed on many occasions during the years I have been a member of this House, have gone out temporarily, intending to return, or leave the House perhaps in the belief that it would soon adjourn, and as soon as they learned that the House was in session, or that a call of the House was going on, or that their presence was needed, have made haste to get back to be in attendance.

On all such occasions they have been stopped by this order which the resolution now before us seeks to set aside; and I believe the spirit and the meaning of the rule would be embraced in that proposition, and that when any member not under arrest comes to the door of the House and presents himself desiring to be admitted, it should be the rule of the House, and if it is not the rule that it should be so amended or construed as to allow the member to be admitted without being subjected to the indignity of being arrested and brought before the bar of the House to offer an excuse, or perhaps, as is usually the case on such occasions, to be made a mere butt of ridicule by the members.

I hope for these reasons that this resolution will be adopted, because I think it is a proper resolution and one that will commend itself to the judgment of the House.

Mr. MATSON. Mr. Speaker, I can not agree with the gentleman from Massachusetts or with the gentleman from Illinois in their construction of this rule. More than that, it seems to me that the adop tion of the resolution proposed by the gentleman from Illinois would be to establish a bad precedent, for the reason that it would necessarily encourage absenteeism.

Whenever it is known that a member may absent himself-from the House, and that if he can possibly escape the Sergeant-at-Arms he may return at will without being arrested, it will have the effect of inviting members to stay away. It ought to be well understood that if a member is absent without leave and in contempt of the House, he subjects himself to arrest and is liable to be called upon to answer at the bar of the House an account of his absence.

Mr. ROGERS, of Arkansas. I agree fully with the views expressed by my friend from Indiana who has just taken his seat. If it is an indignity to be arrested, an indignity which members of Congress desire to avoid, they can readily do so by being present during the sessions of the House and avoid absence without leave. It is also a very great indication for the House and avoid absence without leave. indignity for them to go and leave other members of the House here to

transact the public business without a quorum.

Mr. Speaker, I believe the custom heretofore adopted in arresting

members of Congress who had absented themselves without leave during its session, and of releasing them here by making a farce of the whole proceeding, is a custom that is more honored in the breach than in the observance. We ought to enforce or change that rule, and have it understood that when a member of the House during its sessions leaves the House without its consent and leaves the House without a quorum during its sessions, to the detriment of the public business and the inconvenience of other members, he should not only be subjected to the

indignity of arrest, but he should be punished and made to attend the sessions of the House. That is my view.

We have sat here several nights during this session of Congress without a quorum because members of Congress have neglected their duties and left the House without leave. The rule now is bad enough in itself. But this resolution which is presented by the gentleman from Illinois will simply allow members hereafter to absent themselves without leave, and when they have gone from the presence of the House to return and slip in at one of the doors so as to avoid the Sergeant-at-

Arms, thereby preventing our ascertaining when we have reached a quorum to go on with the public business.

Now, Mr. Speaker, I do not mean to say that when a gentleman has sat here for six, or eight, or ten hours he should not be permitted to go to the restaurant or some other place to get his dinner. What I mean to say is that when a man willfully and deliberately leaves this body and goes to his room understanding that the House is in session and leaves us without a quorum for the discharge of our public duties he ought to be subjected to the indignity of a public arrest for not being here, because he is in contempt of the dignity of this body.

Mr. BROWNE, of Indiana. The rules of the House have never been

enforced so far as this question of absenteeism is concerned. The coercive power of the rule amounts to nothing. For eight years past I have seen on repeated occasions members arrested; no one has ever been punished or even reprimanded because of his absence. I do not believe that this rule ought to be continued any longer by the House. It were

better that we leave representatives of the people upon their honor to be present here in the discharge of their public duties.

I assert, as within the experience of all of us, that when there has been a call of the House, and the officers have been sent to arrest those been a call of the House, and the officers have been sent to arrest those who are absent, they come or remain away, as they please. If they please to do so, they disregard the orders of the House, and decline to accompany its officers. I know that that has been the experience of the officers of the House during the present session of this Congress. Where is the necessity, let me ask, of continuing a rule that has never been enforced, that we laugh at, that we sneer at? When men have been arrested and brought into the presence of the Speaker, and have been inquired of as to the reason of their absence, there then begins a sturendows farce, all of us who are now putting currelyess on our dignity pendous farce, all of us who are now putting ourselves on our dignity joining in it. Even my distinguished friend from Arkansas [Mr. ROGERS], I have no doubt, would enjoy himself with the rest in bringing reproach and ignominy upon the rules and upon the authority of the House. [Cries of "Vote!" "Vote!"] The rule is perhaps good enough, but we have made it exceedingly absurd in the manner in which we have sought to enforce it; and I

predict that if members are arrested by the Sergeant-at-Arms and brought before the House to-night there will be such an exhibition as orought before the House to-night there will be such an exhibition as ought at least to gratify every gentleman who has a proper sense of the dignity of his position. I call your attention to what will happen in the event members are arrested; and after we have gone through with these proceedings, I would then like to see some gentleman get up in his place and say we ought to preserve the dignity of the House and secure the transaction of its public business by the enforcement of

Mr. COSGROVE. I move to lay the resolution on the table.

The question being taken, there were—ayes 106, noes 36.

Mr. VALENTINE. I call for the yeas and nays.

On the question of ordering the yeas and nays, there were ayes 9 not a sufficient number.

So the resolution was laid on the table.

Mr. GEORGE D. WISE. I move to dispense with all further proceedings under the call.

Mr. WHITE, of Kentucky. I desire to present a motion precedent

to that.

The SPEAKER. The gentleman from Kentucky will state his mo-

Mr. WHITE, of Kentucky. I do not know if it will be in order until I submit it to the Chair. It is that the Sergeant-at-Arms, having been directed not to arrest the members who voluntarily—
The SPEAKER. There is a motion pending to dispense with all

further proceedings under the call.

Mr. WILLIS. I ask my friend from Virginia to withhold that mo-

tion for three or four minutes.

The question being taken on the motion of Mr. George D. Wise, the Speaker stated that in the judgment of the Chair the "noes" had it

Mr. GEORGE D. WISE. I call for a division.

The House divided; and there were—ayes 66, noes 88.
Mr. GEORGE D. WISE. I call for the yeas and nays.

On the question of ordering the yeas and nays, there were-ayes 27,

So (the affirmative not being one-fifth of the whole vote) the yeas and nays were refused, and the motion to dispense with further proceedings under the call was not agreed to.

Mr. WHITE, of Kentucky. I rise to make a privileged motion. The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. Clause 2 of Rule XV, which has been read by the Speaker, provides as follows:

2. In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

Now, Mr. Speaker, we have had the roll called; we have had the absentees ascertained; we have ascertained who are still absentees; and I now move that the Sergeant-at-arms be directed to bring in the absentees but that he shall not arrest any member who voluntarily presents himself at the door of the House for admission. And I desire to make a few remarks on that point.

Mr. Speaker, I call attention to section 5 of the Constitution (page 4

of the Manual), which provides that-

Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide.

Now, Mr. Speaker, the House has provided by Rule VIII (which is on page 167 of the Manual) that "every member shall be present within on page 101 of the Manual that "every memoer shall be present within the Hall of the House during its sittings"—

Mr. BLAND and Mr. WILLIS addressed the Chair.

Mr. WHITE, of Kentucky. Mr. Speaker, I hope I shall have order.

[Laughter.]

The SPEAKER. The gentleman from Kentucky [Mr. WHITE] has the floor.

Mr. WHITE, of Kentucky. Mr. Speaker, I was calling attention to the first clause of Rule VIII, which provides that—

Every member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless, on motion made before division or the commencement of the roll-call and decided without debate, he shall be excused, or unless he has a direct personal or pecuniary interest in the event of such question.

Cries of "Vote!" "Vote!" "Louder!" "Louder!"

Mr. WHITE, of Kentucky. I would like to have order, Mr. Speaker.

I am clearly speaking upon the question before the House.

The SPEAKER. The House will be in order.

Mr. WHITE, of Kentucky. Mr. Speaker, I have called attention to the fact that under the rules which I have read and under the Constithe fact that under the rules which I have read and under the consti-tution we have the right to compel the attendance of members. Now, sir, when any member is here and seeking to enter this Hall it is not necessary that we should compel his attendance. These provisions are designed for that class of members who are at Welcker's, who are at the theaters, who are in one place or another away from their duties; they are designed to enforce the attendance of such members as, in the language of the chairman of the Committee on Rivers and Harbors, have been away "making cabinets" for the next administration [laughter]; such men as the chairman of the Committee of Ways and Means, who is now disturbing the Illinois Legislature. [Renewed laughter.]
I desire to call the attention of the House also to sections 40 and 41

of the Revised Statutes, which were passed in order to enforce the attendance of members; and in order to rest my voice, which is feeble [laugh-

ter], I ask the Clerk to read.

The Clerk read as follows:

SEC. 40. The Secretary of the Senate and Sergeant-at-Arms of the House respectively shall deduct from the monthly payment of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House respectively, unless such Member or Delegate assigns as a reason for such absence the sickness of himself or of some member of his family.

Mr. VAN EATON. Mr. Speaker, I rise to a parliamentary inquiry. I desire to inquire whether the gentleman from Iowa [Mr. Weller] is present? [Laughter.]

Mr. WHITE, of Kentucky. Mr. Speaker, before asking the Clerk to read the next section, I will say to the gentleman from Mississippi [Mr. VAN EATON] that even Mr. Weller, if he were present, would know here to believe himself.

how to behave himself.

Mr. WEAVER. Mr. Speaker, I desire to know if it necessarily follows that the man who has the most mouth is entitled to all the time

of this House? [Laughter.]

The SPEAKER. The House will be in order.

Mr. WHITE, of Kentucky. Mr. Speaker, I think the suggestion of the gentleman from Nebraska is correct, and as soon as I get through

I will yield to him. [Renewed laughter.]

Now, Mr. Speaker, I desire the House to listen to the reading of these two short sections of the Revised Statutes to which I have called attention. They are not welcome sections to some gentlemen here, but they

are in the Revised Statutes, and they bear directly on this question of compelling the attendance of members. By the provisions of those sections of the Revised Statutes the House has the right (which as a means of compelling the attendance of members is worth much more than all this performance here to-night) of withholding the salary of a member who is absent without proper excuse. That is the point I want to make. You smoke your cigars, gentlemen; you lie back in your seats and jeer at me, but the RECORD will show to-morrow morning whether I have spoken the truth or not. I now ask the Clerk to read these two sections, section 41 and also section 40, again, because members did not hear it; and I ask the Speaker to preserve order.

The Clerk read as follows:

SEC. 40. The Secretary of the Senate and the Sergeant-at-Arms of the House, respectively, shall deduct from the monthly payment of each Member or Delegate the amount of his salary for each day that he has been absent from the House or Senate respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family. Sec. 41. When any Member or Delegate withdraws from his seat and does not return before the adjournment of Congress, he shall, in addition to the sum deducted for each day, forfeit a sum equal to the amount which would have been allowed by law for his traveling expenses in returning home; and such sum shall be deducted from his compensation, unless the withdrawal is with the leave of the Senate or House of Representatives, respectively.

Now, Mr. Speaker, to these gentlemen who have laughed here so eloquently [laughter], and to this committee, which is doing nothing here to-night because it lacks a quorum, and to those who would arrest a member who appears at the door asking to be admitted, I commend a careful reading of these two sections of the Revised Statutes.

If you are going to compel the attendance of members, enforce the

law. You can withhold the salary of every member who does not attend on this floor. No member has a right to be absent from a roll-call unless But, sir, from whose salary has there been any deduche is excused. tion made? The gentleman from Nebraska [Mr. WEAVER] rises here and makes fun of me for calling attention to these laws; yet he stands in contempt of the House—in violation of Rule XIV, clause 7, on page 195, which says that no gentlemen shall smoke on the floor of the House. [Laughter.] Any man can play the part of a boor; but to a gentleman

Mr. WEAVER. I suggest to the gentleman from Kentucky that it is necessary for a person to do something to keep from being bored to

death. [Laughter.]

Mr. WHITE, of Kentucky. Anybody can discover that he is a boor.

Upon such gentlemen I have no time to waste.

Upon such gentlemen I have no time to waste.

Now, Mr. Speaker, what is the situation? Here we are without a quorum, with the river and harbor bill upon our hands. It reminds me very much of a little anecdote I once heard. During that remarkable contest in 1876, when it was a question whether Tilden had the one majority or whether Hayes had the one majority, Zack Chandler, the great hero of Michigan, was Secretary of the Interior. One of the clerks in the Interior Department drew a picture of the elephant that was supposed to be on Mr. Zack Chandler's hands as chairman of the national Republican committee. national Republican committee

A MEMBER. Will the gentleman allow me to ask a question?

Another MEMBER. Oh, let him finish his anecdote.

Mr. WHITE, of Kentucky. I was talking about an elephant, Mr. Speaker. I will attend to the other animals by and by. [Laughter.]

Mr. Speaker, I was saying that we had the river and harbor bill on our hands, and that it reminded me of a little anecdote. This clerk drew the picture of Zack Chandler; and the hands of Mr. Chandler were represented as holding to the caudal appendage of the elephant. [Laughter.] Mr. Chandler was driving the elephant across a bridge. The bridge had broken down; and Mr. Chandler was represented with one foot on each pillar on which the bridge had been supported. The question was whether Mr. Chandler would be able to get his elephant across. Mr. Chandler thought this picture so good a joke that he presented it to General Grant, then President, and asked him whether he thought he would be able to deliver the elephant. General Grant told him he thought he would if the tail-hold did not break.

Now, Mr. Speaker, here is the situation we are in. For seventy years the Democratic party has told us that it was unconstitutional to appropriate money out of the public Treasury for river and harbor improvements. Away back when the old Cumberland turnpike road was appropriated for it was declared by the Democratic party unconstitutional to make such an appropriation. A few years ago, Mr. Speaker, you and the chairman of this committee and a few other prominent gentlemen, while floor to deay together with other resultance of the country on on this floor to-day, together with other gentlemen of the country, entered your solemn protest against the passage of a river and harbor bill which was as far superior in merit to this one as the angel of light is

to the fiend of infernal darkness

Now we have the elephant on the hands of this Speaker, and on the hands of this chairman of the River and Harbor Committee to-day who made that protest, but whom I now hear urging us to pass a bill which the elegant and eloquent gentleman from Arkansas says has for its backbone the Mississippi River Commission and the Mississippi River appropriation, which has for its ribs the tentacles of that Mississippi River Commission—\$150,000,000 to be sunk in the fruitless work which the gentleman from Arkansas describes, which has in the past been begun

on the Mississippi River. Here is your elephant. Now the question is, can you in the next five days of this Forty-eighth Congress get your elephant across the bridge? Look at the gentleman from Arkansas, and my colleague, the chairman of this committee, and their cohorts who are supporting them, and say, do you think they will be able to deliver the elephant? Not even if the tail-hold hangs in place!

Mr. VAN EATON. I rise to a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. VAN EATON. Mr. Speaker, I understand that the successor of

the gentleman from Kentucky is present. I move that he now be

sworn in. [Laughter.]

Mr. WHITE, of Kentucky. Mr. Speaker, I will say to the gentleman that if there had been a fair election in his district his face would never have been seen in this Hall. If there had been a fair election in his State there would have been no representative to interrupt and

insult me on this floor.

Mr. VAN EATON. If there had been a fair, intelligent election in the gentleman's district he never would have been here. [Laughter

Mr. WHITE, of Kentucky. I want to say to the gentleman in behalf of my successor that he is a gentleman, and that is more than I can say of the gentleman from Mississippi. [Laughter.]

Mr. VAN EATON. It is more than I can say for his predecessor.

[Renewed laughter.]
Mr. WHITE, of Kentucky. I shall not be diverted from my purse. [Laughter and applause.]
Mr. KING. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it

Mr. KING. My point of order is this: What is the order of business before the House?

The SPEAKER. The gentleman from Kentucky makes a motion to instruct the Sergeant-at-Arms in execution of the order of the House.

I move that it be laid upon the table. The SPEAKER. The gentleman has not the floor.

Mr. KING. Then let us proceed to business.
Mr. O'NEILL, of Missouri. I make the point of order that the gentleman from Kentucky is not confining himself to the question before the House

The SPEAKER. That point of order is well taken. The gentleman from Kentucky made a motion to instruct the Sergeant-at-Arms not to arrest gentlemen who were at the doors of the House seeking admission, and that is the only question before the House.

Mr. WHITE, of Kentucky. I submit to you as a fair-minded man

that I was not digressing from my subject.

The SPEAKER. The gentleman was discussing the river and harbor bill.

Mr. WHITE, of Kentucky. I will state to the Chair—if he will keep the member from Mississippi who holds a position on this floor contrary to the will of the people of his district from interrupting me—that he will bear in mind that I did not digress from the resolution until I was interrupted repeatedly by the gentleman—if the House will allow me to call him so—from Nebraska [laughter] and the member from Missis-

sippi.

Mr. HAMMOND. I demand the words of the gentleman from Kentucky be taken down. Under the rule he will now take his seat until

the words have been taken down.

Mr. BROWNE, of Indiana. Then we should take down almost all the words that have been said this evening.

Mr. WHITE, of Kentucky. If it be unparliamentary, I will with-

draw the expression.

The SPEAKER. The gentlemen will proceed in order. The Chair will state that the gentleman from Kentucky can not be interrupted without his consent, and the Chair will protect him.

Mr. WHITE, of Kentucky. I hope the Chair will do so.

The SPEAKER. The gentleman must confine himself to the ques-

tion before the House.

What has become of my demand?

Mr. HAMMOND. What has become of my demand?
The SPEAKER. The gentleman has withdrawn his language.
Mr. GIBSON. I ask whether a member can rise and be impudent

and offensive and then withdraw his remarks and proceed?

The SPEAKER. It is always in the power of the House to take such action as it sees proper concerning any gentleman who violates its rules. The withdrawal of the remarks by the gentleman does not deprive the House of the right to take any course it sees proper in reference to the matter; but it does, the Chair thinks, dispense with the taking down

Mr. GIBSON. I wish to ask whether if under the parliamentary law, when a gentleman has transgressed the rules by offensive and unparliamentary remarks, simply by withdrawing them he can go on, or whether it is in the power of the House to stop the gentleman until those re-

marks can be acted on by the House.

Mr. SPEAKER. But no proposition has been made to take any action in regard to the gentleman from Kentucky.

Mr. GIBSON. I object.

Mr. BOUTELLE. I rise to a point of order, that this whole proceeding is out of order.

Several members rose to interrupt.

Mr. BOUTELLE. I am not, I believe, obliged to answer for my remarks to any gentleman who may interject questions from the floor. I am addressing the Speaker of this House, and I have every confidence I will be fully protected in my rights by that official. My point of order is that objection having been made to the remarks of the gentleman from Kentucky and a motion made that his words be taken down, the gentleman from Kentucky thereupon having withdrawn the expressions against which objections were urged, and having been permitted to do so and pursued his line of remark in order, it is not now in order for any gentleman to raise the point against him.

The SPEAKER. It is not, unless the gentleman offers some propo-

sition in regard to the matter.

Mr. HAMMOND. May I be permitted to make one remark?

Mr. WHITE, of Kentucky. This does not come out of my time?

[Laughter.]
The SPEAKER. It will not be taken out of the gentleman's time. Mr. HAMMOND. As soon as the gentleman from Kentucky with-drew his remark I had no further thought of any motion, because I drew his remark I had no further thought of any motion, because I desire to state, while I think the gentleman's remarks were out of order, the gentleman from Kentucky had been greatly provoked. [Cries of "That is true!" and applause.]

The SPEAKER. The gentleman from Kentucky will proceed.

Mr. O'NEILL, of Missouri. I rise to a point of order, that before the gentleman can debate the question his motion should be submitted

and stated by the Chair.

and stated by the Chair.

The SPEAKER. The Chair has stated it more than once.

Mr. WHITE, of Kentucky. I hope I shall be allowed before proceeding to return my sincere thanks to the gentleman from Georgia for his very sincere and kind remark. I would not have departed from the subject but from frequent and unkind interruptions. The House this subject but from frequent and unkind interruptions. The House will bear me witness when I rose to discuss this question I was met by jeers and laughter and cries of "Vote!" which culminated in gentleman after gentleman rising to interrupt me. Up to that time I assert, and to-morrow morning you will find by the RECORD, without correction by me, that I had not digressed one iota from the resolution which is on the Clerk's desk, which is as to how we shall compel the attendance of absent members.

Now we are here wasting hours, you say, but we are not wasting the hours if you with seventy majority can not produce a quorum. If a member gets to that door and wishes to be admitted I do not want a page to put his hand on his breast, as one did on me a few moments ago, and as another officer did on the distinguished ex-governor of Massachusetts, and say you shall not come in because the rules show you were not

On further examination they found that I had been present, and that I had not been absent from any roll-call, and had simply gone down to get a meal of victuals and had returned before the completion of the roll. I say, sir, a member who wants to attend here and is at the door

waiting to enter should not be prohibited from entering.

Now, the objection is made to the resolution of the gentleman from Illinois [Mr. ADAMS] that it was a change of the rule. I am endeavoring to show that under the rule and under the general statutes, if the rules and the laws were enforced by fining members—not fining them, but by withholding their pay if they are absent without leave, or if absent without an excuse—that you will never find yourselves without a quorum. Members of Congress must eat. Members of Congress in order to eat in this city must draw their pay of about \$17 a day under this law which I have read.

A MEMBER. No, not \$17, but \$14.
Mr. WHITE, of Kentucky. I am told that it is less than \$14. I think it is between \$16 and \$17. But that does not matter.

Now, under this section 40 it is provided:

That the Sergeant-at-Arms of the House shall deduct from the monthly payment of each member the amount of his salary for each day that he has been absent from the House, unless such Member or Delegate assigns as the reason of such absence the sickness of himself or some member of his family.

That is the law. Here is our rule, Rule VIII, upon the same subject, which goes further and says that he shall vote on all questions unless he shall be excused, or unless he has some pecuniary interest in the matter. Now what I want to do is to let members come in who want to come in.

But the members who are in Illinois, the members who are away making cabinets, who are giving big dinners at Welcker's, who are at the theaters, and who are absent without excuse and who are not sick, who in justice to their constituents and in justice to you and to me, who are endeavoring to make a quorum here for the transaction of the publie business, ought to be in their seats, I say they should not be permitted to draw their salaries under the law, and should be brought here under that clause of the Constitution to which I have called your attention, and the other clause which provides that a majority of each House shall constitute a quorum to do business. Without a quorum we can not do business.

If they are absent we have not a quorum. If you enforce the law, and deduct the pay from their salary for each day they are absent with-

out leave or excuse, you will make much better headway.

I speak here, sir, for a personal reason. It has been alleged through your Democratic press, through your mercenary press, that I am here

obstructing public business. Has it come to this, that one member on this floor under the rules of this House can obstruct the business when you have a majority of 70 over my head and over the heads of the Republican minority who occupy seats on this floor? And, sir, do you believe the people of this great nation are such fools that they will believe your newspaper liars on that subject?

It occurs to me, sir, that another reason holds in this case. It occurs to me, sir, that another reason holds in this case. Every member knows that when you fill that lobby with members who voluntarily present themselves there, with the Sergeant-at-Arms closing the door in their faces, that when they come in here it is to go through a simple farce; for they are excused, they are permitted to take their seats and are rehabilitated with all the power vested by the Constitution and the people in a member on this floor. Now, I say you should not prohibit those persons from entering. Let them come in, the sooner the better; and have your Sergeant-at-Arms not go through a mere empty form, but in reality arrest members that are not earning their empty form, but in reality arrest members that are not earning their

pay.

Let him arrest those who are away seeking to interfere with a State
Legislature; seeking to corrupt the President-elect, who, the last time
I heard from him, was in a saloon in Buffalo telling, as they say, a few of "the boys" he could not be with them at a dinner, and was very sorry for it. [Hisses on the Democratic side.] Oh you may hiss, but it has never been denied—it has never been denied—and I pause. I will not consider it an interruption if any gentleman on this floor will rise in his place and say he denies that the President-elect was in a saloon in Buffalo and wrote on a piece of paper—

Mr. WILLIS. I rise to a question of order. The gentleman is pro-

ceeding without order.

The SPEAKER. The gentleman will confine himself to the question before the House, which is on the motion as to how the Sergeant-

at-Arms shall be directed to arrest absent members.

Mr. GIBSON. It is disgraceful.

Mr. WHITE, of Kentucky. I would like, Mr. Speaker, for the Clerk to state how many are absent, as shown from the last roll-call, if it be in order, in my time.

The SPEAKER. The gentleman can have it read as a part of his

Mr. GIBSON. Mr. Speaker-

Mr. WHITE, of Kentucky. I do not want to have the names read; I only want to have the number given by the Clerk.

The SPEAKER. The Clerk can not, except by unanimous consent,

make a statement.

Several members objected.

The SPEAKER. The gentleman has a right to have anything read

Mr. WHITE, of Kentucky. I ask that the number be read.

The SPEAKER. Objection is made.

Mr. WHITE, of Kentucky. I do not wish to advertise those who are absent. They may have good excuses.

Mr. TULLY. Give him the names if he wants them.

Mr. GIBSON. The gentleman shall not utter deliberate falsehoods

Mr. BROWNE, of Indiana. I ask that the words of the gentleman

from West Virginia be taken down.

Mr. GIBSON. I do not take them back. I repeat them.

Mr. BROWNE, of Indiana. I ask that the additional statement of the gentleman from West Virginia be taken down also.

The SPEAKER. That will be done.

Mr. GIBSON. And if the House—

Mr. MILLER, of Pennsylvania. I ask that the gentleman whose

words are being taken down be required to take his seat.

The SPEAKER. The rules require that the gentleman whose language has been ordered taken down should take his seat.

The reporter proceeded to write out the words ordered to be taken down.

Mr. BOUTELLE. I submit that under the rules the gentleman whose words are being taken down shall take his seat.
The SPEAKER. The rule will be enforced.

Mr. BLAND. I ask that I be excused from further attendance. I have been here all day and have been sick all evening, and am notable to continue in attendance.

There was no objection, and Mr. BLAND was excused from further attendance.

Mr. YORK. I have been here all day and all evening, but am very

unwell. I ask to be excused from further attendance.

Mr. BROWNE, of Indiana. It is well known the gentleman from
North Carolina [Mr. York] has been in bad health for a long time.

The SPEAKER. If there be no objection the gentleman from North

Carolina will be excused.

There was no objection.

Mr. WELLER. I desire to make a similar request on behalf of the gentleman from North Carolina, Mr. VANCE. His wife is very ill.

Mr. WILLIS. I hope that request will be granted.

The SPEAKER. The gentleman from Iowa [Mr. Weller] asks unanimous consent that the gentleman from North Carolina [Mr. VANCE] be excused on account of sickness in his family. Is there objection? There was no objection.

The SPEAKER. The Clerk will now read the language of the gentleman from West Virginia which was ordered to be taken down.

The Clerk read as follows:

Mr. Gibson. The gentleman shall not utter deliberate falsehoods on this floor.
Mr. Browne, of Indiana. I ask that the words of the gentleman from West
Virginia be taken down.
Mr. Gibson. I do not take them back. I repeat them.

Mr. BROWNE, of Indiana. I am not surprised that in the confusion which prevailed in the House the reporter should have been somewhat inaccurate in repeating the language of the gentleman from West Virginia. I took it down at the time. His language to which I excepted was this:

And the gentleman has been standing here to-night uttering deliberate false-

The SPEAKER. The Chair did not in the confusion hear the language to which exception was taken—that is, the first part of it—and is therefore unable to say whether the language has been accurately taken

Mr. MILLS. I ask that the language of the gentleman from Kentucky [Mr. White] to which the gentleman from West Virginia replied be coupled with the language of the gentleman from West Vir-

ginia, which has been taken down.
Several MEMBERS. Too late.
Mr. MILLS. It is not too late.
The SPEAKER. The Chair will cause the rule to be read.
The Clerk read clauses 4 and 5 of Rule XIV, as follows:

The Clerk read clauses 4 and 5 of Rule XIV, as follows:

4. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another member, to explain, and the House shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case require it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

The SPEAKER. The Clear thinks the gentlemen from Texas [Mr.]

The SPEAKER. The Chair thinks the gentleman from Texas [Mr.

The SPEAKER. The Chair thinks the gentleman from Texas [Mr. MILLS] is, under the rule, too late in asking the language of the gentleman from Kentucky [Mr. White] to be taken down.

Mr. MILLS. I do not ask to have the language of the gentleman from Kentucky taken down in order to put him on trial; but I desire that the language of the gentleman from Kentucky shall be read in connection with the reply made by the gentleman from West Virginia.

The SPEAKER. That may be done as a matter of debate.

Mr. BROWNE, of Indiana. I submit the first question that concerns the House is to ascertain the language used by the gentleman from West Virginia, and then to determine whether or not it is parliamentary.

mentary.

Mr. GIBSON. Mr. Speaker, may I be allowed to correct the statement of my friend from Indiana [Mr. Browne] as to the language I used. I used the word "advertise."

Mr. Speaker. I make the point of order that the gen-

Mr. KEIFER. Mr. Speaker, I make the point of order that the gentleman from West Virginia [Mr. Grbson] should not participate in this discussion. I make the point as much for his protection as for the enforcement of the rule.

The SPEAKER. The gentleman from West Virginia can not take part in the discussion without the consent of the House.

Mr. ELLIS. Mr. Speaker, the language used by the gentleman from West Virginia [Mr. GIBSON] has been misquoted here, and if he has not a right to be heard, I state for him that the gentleman from Indiana [Mr. Browne] is mistaken as to the language used. The gentle-man from West Virginia [Mr. Gibson] says that he used the word "ad-

Mr. KEIFER. Oh, we heard him.
Mr. BROWNE, of Indiana. Will the gentleman from Louisiana
[Mr. ELLIS] state his recollection of the entire sentence?
Mr. ELLIS. I did not catch the language, but I am contending for the right of the gentleman from West Virginia [Mr. GIBSON] to utter

Mr. BROWNE, of Indiana. Mr. Speaker, I am entirely willing that

the gentleman from West Virginia should do so. I do not submit this question in malice or with the least ill-will.

Mr. ELLIS. Then, Mr. Speaker, I ask that the gentleman from West Virginia [Mr. GIBSON] be allowed to state the language he did

Mr. KEIFER. That can only be done by unanimous consent.
Mr. GIBSON. Mr. Speaker, I did say—— [Cries of "Regular order!"

The SPEAKER. The House will be in order.

Mr. BROWNE, of Indiana. Mr. Speaker, I understand that the
House has consented that the gentleman from West Virginia shall correct the language that I have attributed to him wherein he deems that there is inaccuracy in my statement of it.

The SPEAKER. The Chair has been endeavoring to secure order so

that these proceedings may go on in a regular way. The gentleman from West Virginia [Mr. Gibson] asks consent to make a statement. Mr. MILLER, of Pennsylvania. No; not to make a statement. I

object to that.

Mr. TALBOTT. Mr. Speaker, under the rules the gentleman has a

right to make a statement.

The SPEAKER. He has no right to make any statement without the consent of the House

Mr. ELLIS. Consent is asked only for the gentleman to reiterate

The SPEAKER. That, the Chair supposes, can be done only by a

Mr. BUCKNER. Mr. Speaker, there is no misunderstanding among several gentlemen here, including myself, as to what the gentleman from West Virginia [Mr. Gibson] said. We understand that he used the word "advertise."

Mr. BROWN, of Pennsylvania. What was the balance of the statement'

"Deliberate falsehood." A MEMBER

Mr. BROWNE, of Indiana. I am willing to take it that way; "and the gentleman has been standing on the floor to-night advertising deliberate falsehood."

Mr. VALENTINE. He did not say that.

A. MEMBER. He said "utter;" there is no question about that.

Mr. MORSE. Admit that, and then it is true.

The SPEAKER. Is there objection to allowing the gentleman from West Virginia [Mr. Gibson] to make a statement simply as to what he did say

Mr. AIKEN. Mr. Speaker, does that require unanimous consent? The SPEAKER. The Chair is asking unanimous consent—

Mr. AIKEN. I object.

The SPEAKER (continuing). But the House by a vote has a right to permit the gentleman to make a statement.

Mr. AIKEN. If it requires unanimous consent I object.

Mr. ELLIS. Then, Mr. Speaker, I move that the gentleman from West Virginia [Mr. Gibson] be allowed to proceed to make his state-

The SPEAKER. The gentleman from Louisiana [Mr. Ellis] moves that the gentleman from West Virginia [Mr. Gibson] be allowed to make a statement as to what he said at the time his language was objected to.

The motion was agreed to.

The SPEAKER. The gentleman from West Virginia [Mr. Gibson]
has permission of the House to make a statement as to what he did say

when his language was objected to.

Mr. BROWNE, of Indiana. Let me suggest, Mr. Speaker—

The SPEAKER. The House will be in order. The gentleman from

West Virginia [Mr. Gibson] has the floor.

Mr. Gibson] has the floor.

Mr. Gibson Mr. Speaker, I said: "I submit that the gentleman from Kentucky has no right to stand on this floor and advertise a deliberate falsehood." [Applause on the Democratic side, and cries of

The SPEAKER (after a pause). What order will the House take

The SPEAKER (after a pause). What order will the House take with reference to this matter?

Mr. HAMMOND. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. HAMMOND. The gentleman who requested that the words of the gentleman from West Virginia [Mr. Gibson] should be taken down makes no motion, and there is nothing pending before the House.

Mr. BROWNE, of Indiana. I have been waiting, Mr. Speaker, for the purpose of ascertaining, if we could, what the language employed by the gentleman from West Virginia [Mr. Gibson] was.

Mr. HAMMOND. And the gentleman from Indiana [Mr. Browne] had it read from the Record and said that was wrong, gave his own version of it, and then consented that the gentleman from West Virginia [Mr. Gibson] should state it himself. The gentleman from West Virginia [Mr. Gibson] stated it, and the House has waited in vain for a motion, and there is nothing now pending before the House. [Cries of "Regular order!"] We wait for a motion.

The SPEAKER. The Chair has asked what action the House will take in the matter.

take in the matter.

Mr. BROWNE, of Indiana. I ask the Speaker under the rules to determine whether or not the language of the gentleman from West Virginia [Mr. GIBSON] was in order, whether it was parliamentary?

A MEMBER (to Mr. BROWNE, of Indiana). Now offer your reso-

lution.

Mr. BROWNE, of Indiana. I do not care whether the language was as I understood it, or as understood by the reporter, or as now stated

by the gentleman from West Virginia himself.

The SPEAKER. If the gentleman from Indiana will examine the rule he will find that in cases where exception is taken to the language of a member and it is reduced to writing, it is for the House to determine whether the member shall be censured, or what other course

Mr. BROWNE, of Indiana. I move, therefore—
Mr. MILLS. Now, Mr. Speaker, in order that the House—
The SPEAKER. The gentleman from Indiana has the floor.
Mr. BROWNE, of Indiana. I move, therefore, that it is the judgment of this House that the language used by the gentleman from West Virginia was unparliamentary and in violation of its rules, and that he is subject to the censure of the House.

Mr. HAMMOND. And I move to lay that proposition on the table. Mr. MILLS. Now, Mr. Speaker, I desire to have read the utterance of the gentleman from Kentucky which preceded the remark of the gentleman from West Virginia.

The SPEAKER. But the motion to lay on the table is not debat-

able

Mr. MILLS. I hope the gentleman from Georgia will not make the motion until the language of the gentleman from Kentucky has been

read.

Mr. BROWNE, of Indiana. I had not yielded the floor.

The SPEAKER. If the gentleman from Indiana says he had not yielded the floor the Chair must respect his right to the floor.

Mr. HAMMOND. My only purpose is to cut off debate. I am perfectly willing to yield such time as will allow the gentleman from Texas [Mr. MILLS] to have the other language read; and I am perfectly willing to yield for a reasonable time to the gentleman from Indiana if then the motion to lay on the table can be voted upon. My whole purpose is not to waste time in talk. is not to waste time in talk.

The SPEAKER. The gentleman from Indiana had the floor— Mr. STEELE. I make the point of order that my colleague [Mr.

Mr. STEELE. I make the point of order that my colleague [Mr, BROWNE] had the floor.

The SPEAKER. The Chair had so decided. The gentleman will

proceed.

Mr. BROWNE, of Indiana. I do not intend—and I never do, I hope—to waste the time of this House. When I asked that the lan-When I asked that the language of the gentleman from West Virginia be taken down I was inspired to do so because I believed it was an insult to the House itself and to its dignity. I had no hope that the gentleman would be censured by the House, whatever language he might have employed.

Mr. WILLIS. Let me ask the gentleman, in order to determine our judgment, what was his opinion of the language used by my col-

league?

A MEMBER. That is not before the House.

Mr. BROWNE, of Indiana. Whenever I am called upon in a proper way to give an expression of my opinion of the conduct of the gentle-man's colleague, I shall do so freely and frankly. Mr. WILLIS. I do not think the gentleman within parliamentary

rules can do so.

rules can do so.

Mr. BROWNE, of Indiana. Now, Mr. Speaker, I think I can get through much more speedily if gentlemen will not interrupt me. I said that when I asked to have this language taken down and when I submitted this resolution I had no expectation that the gentleman would be censured by any vote or expression of opinion on the part of the majority of this House. The time has come when a member here may charge upon his fellow-member that he is a liar, a scoundrel, or anything else within the catalogue of invective, yet it is not a violation of the decorum of this dignified body.

I have seen exhibitions of this kind repeatedly during the brief period.

I have seen exhibitions of this kind repeatedly during the brief period of my service here. I have heard language used on this floor by one member against another that would have disgraced the vilest pot-house in this iniquitous city; and while temporarily we became very indig-nant, we have permitted the offending member to make some lame apology or to withdraw his offensive language, and the dignity of the

House was vindicated.

If these things are to continue let it be so understood. laughter.] I am not conscious, Mr. Speaker, that I have said anything that should have excited the laughter of any gentleman in this House. I suppose, however, it is in keeping with the dignity of our proceedings. The SPEAKER. The House will be in order.

Mr. BROWNE, of Indiana. The Speaker takes upon himself, I think, too onerous and burdensome a duty in attempting to keep order in this I state that; and I am willing to take whatever share of the

odium of our proceedings may belong to me.

I shall not detain the House a minute longer. I think it is time that we should put our disapprobation upon such scenes as have occurred repeatedly here to-night—not in this instance alone, but in language employed by other gentlemen whose names I shall not mention. our rules have been violated repeatedly; and if now we are to express no disapproval of such proceedings, then, so far as I am concerned, I shall to the end of my short service here believe that it is decorous and entirely in order for one gentleman to say of another whatever he chooses. That is it. Let us turn this thing into really what it is. looses. That is it. Let us turn this thing into really what it is. Now, gentlemen, I hope that no member will accuse me of having

said this because I entertain the slightest feeling of hostility to the gentleman from West Virginia or any other member of this House; but the time has come when this House should maintain some degree of respect for its own character and dignity of its proceedings. If we do not respect ourselves we deserve the contempt of our constituents.

Mr. PETTIBONE. Correct.

Mr. BROWNE, of Indiana. I said here a winter or two ago I regretted each of our constituents could not be assembled on some night like this in these galleries to watch our proceedings and pass judgment upon them. We do here what we would not attempt in the presence of those people by whose suffrages we occupy seats here.

Now, I have said all I desire to, and I close as I began, with the expression of the belief that the gentleman from West Virginia will not

be censured, not because he is not subject to a reprimand on the part

of the House, but because a fellow-feeling makes us wondrous kind. Scarcely one but expects, if these things continue, he will be in like position.

So far as I am concerned, I hope during my service here I have at no time under any sort of provocation used a single unperliamentary expression or said anything that was calculated to wound the feelings of the most sensitive gentleman who may have heard me.

I yield the balance of my time, if I have any, to my friend from

South Carolina [Mr. TILLMAN].

The SPEAKER. The gentleman has forty-five minutes left.

Mr. HISCOCK. Mr. HEWITT, of New York, has come to the House voluntarily, but is unwell. I ask he be excused from further attend-

The SPEAKER. That can not be done now, except by unanimous

Mr. HISCOCK. I ask unanimous consent for that purpose.

There was no objection, and Mr. Hewitt, of New York, was excused.
Mr. TILLMAN. Mr. Speaker, for about four hours this House has been engaged in a very extraordinary proceeding, in what I shall call a minority veto of the river and harbor bill. Most people who read our Constitution superficially think there is but one veto power on legislation, and that the President has it—that it is a one-man power only. There is such a one-man power in analogy to the veto of the ribune of Rome; but, sir, our Constitution recognizes two other legislative veto powers: First, a minority of one-fifth of the House can prevent the action of the other four-fifths; and second, one-fifth of the Senate can thwart the will of the other four-fifths. In other words, we have what I shall call a minority veto. If the House will bear with me I will quote the Constitution to show how it is we are entangled and estopped in public business, and endeavor to call members back to the proprieties of legislative action, and ask them to act in a becoming manner.

The third clause of the fifth section of the first article of the Consti-

tution reads as follows:

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

I ask members to mark the language: "And the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal."

Now, sir, whenever one-fifth of the members of this House of Representatives or one-fifth of the Senators in the other end of the Capitol deliberately make up their minds to defeat any measure that the other four-fifths of either body are in favor of passing, the Constitution gives that one-fifth a veto power to baffle the other four-fifths by calling the yeas and nays and having them entered upon the Journal until the term of the Congress shall have expired, if they think proper to do it.

Shortly after 6 o'clock this evening it was very evident that more than one-fifth of the members on this floor had unalterably decided that the river and harbor bill should not become a law, and the gentlemen of the majority, with whom I co-operated on that bill, may sit here until 12 o'clock on the 4th day of March protesting against the veto of one-fifth of the members on this floor in trying to coerce them, and they will

protest in vain.

Sir, as a member or as a contestant or contestee I have been a constant observer or participant in the proceedings of this body for eight years, and I have never yet seen a determined filibustering minority who meant business beaten or driven from their resolution to veto the pending measure.

Mr. WILLIS. I am compelled very reluctantly to make the point of order on my friend. We are here in good faith, and the moment I get

the floor I propose—

Mr. TILLMAN. I hope I will not be taken from the floor. I have right to introduce my remarks and present them in any way I wish, if I do it decorously.

The SPEAKER. If the gentleman confines himself to the question under debate.

Mr. TILLMAN. I propose to come to the question under debate as

speedily as practicable.

The SPEAKER. It is on the resolution of the gentleman from Indiana, which proposes to declare the language of the gentleman from West Virginia as out of order and subject to the censure of the House. Mr. TILLMAN. I am coming to it, sir, and I propose to come to it in my own time and in my own way.

The SPEAKER. But the gentleman from Kentucky makes the point of order that the rule shall be enforced which requires each member addressing the House to confine himself to the question before the House

Mr. TILLMAN. I suppose I can talk some common sense and make some philosophic or general comments on the situation. [Laughter.]
The SPEAKER. It becomes the duty of the Chair in enforcing the rule to call the attention of the member addressing the House to the fact that the point of order is made against his remarks and to request him to confine himself to the subject before the House. It is always difficult for the Chair to decide whether the gentleman is doing so or not, because a gentleman may make an argument totally irrelevant in

the opinion of the Chair, but which, in his own opinion, has direct relation to the subject pending. The Chair, therefore, can only say to the gentleman in general terms under the rules of the House he must con-

fine his remarks to the pending question.

Mr. TILLMAN. I propose to do that. I suppose the gentleman from Indiana who took the floor had an hour's time, and that he consumed some fifteen or twenty minutes of it. He then yielded the remainder to me. If I choose to discuss principles germane to the subject under consideration, I think I have a right to do so in that time.

Now, sir, I have made these remarks with a view to try to get this

House to quiet its excitement, act as the representatives of 55,000,000 of American citizens ought to act, and adjourn at a decent hour tonight, so that we can come back here refreshed to-morrow for the transaction of the public business

As long as there is crimination and recrimination allowed to go on and mere personalities to be indulged in, nothing in the way of the public business can be done; and this disgraceful struggle of the four-fifths

majority attempting to coerce the vetoing one-fifth of this body, even if every member of the House were present, should have an end.

During the eight years of my observation in this House, as I said before when I was interrupted, I have never known a resolute vetoing minority of one-fifth who were willing to face the responsibility to the country and their constituents for preventing the passage of a particular law to be defeated in their purpose. And, sir, when the majority attempts to coerce such a minority, who under the Constitution choose to assert their rights and face their constituents and be responsible to them for it, it simply becomes a question of physicial endurance as to which party shall yield, and when the contest resolves itself into that s are superior to the most intellectual statesmen. [Laughter.]

Therefore, sir, to make the application, whenever the majority who are in favor of a measure that commands even four-fifths of the House find out that the vetoing minority are fixed in their purpose to defeat the pending legislation, such majority, after putting the vetoing mem-bers on record, ought to be satisfied and adjourn. Ay, not only that, not only ought they to be satisfied, but they must be satisfied, because they can not help themselves. Most of the ill-temper, most of the un-seemly personalities that are exhibited on such occasions, arise from the helpless impotency of baffled rage. Every intelligent members of the helpless impotency of baffled rage. Every intelligent member of the majority here must be absolutely conscious that he can not coerce the vetoing minority, that is bent upon defeating this river and harbor

It can not be done because that vetoing minority has, under the ægis of the Constitution, this power which permits them, on motions to adjourn or to take a recess or to lay upon the table or to reconsider, authority to demand roll-call after roll-call, and have the yeas and nays recorded during the whole term of Congress, if they choose to take the

recorded during the whole term of Congress, if they choose to take the responsibility.

It is a question between them and their constituents. It is a privilege they have not under the rules of the House, as many seem to think, but under the Constitution, and we ought to rejoice that it is so. Any proposed measure which one-fifth of the peoples' representatives here are so violently opposed to that they are willing to take the sole responsibility of defeating in all probability ought not to pass. A majority is often the result of a conspiracy, and the minority ought to be able to thwart it. The Constitution and the rules of this House were both framed to protect minorities because majorities can protect were both framed to protect minorities, because majorities can protect themselves.

Let us stand by the great charter of our liberties. There is only one instance in our history so far where the vetoing minority has been deprived of its power to veto the action of the four-fifths majority, when the minority determined to do so, and that was in the last Congres when the revolutionary Republican party suspended the constitutional right of the minority to veto the will of the majority in election cases, but still that bold, reckless party did not dare to override the veto of the minority on any other question.

Therefore, in order not to consume the time of the House further and to appeal to the good sense of gentlemen to cease this wrangle that never can accomplish any good, I hope that the majority will first move to dispense with all further proceedings under the call and then adjourn. And if I am in order, I will offer such motion. But as I would not be in order to make the motion pow, I shall move to dispense with all further proceedings under the seconds I can get the opportunity. all further proceedings under the call, as soon as I can get the oppor-

tunity.

Mr. WILLIS. I have been waiting to make that motion for some time.

Mr. TILLMAN. And now I yield the remainder of the time back to the gentleman from Indiana, thanking him for his kindness, and apologizing to the House for having occupied so much time.

Mr. HAMMOND. As I understand the gentleman from Indiana [Mr. Browne] yielded the balance of his time to the gentleman from South Carolina [Mr. TILLMAN].

Mr. BROWNE, of Indiana. And the gentleman from South Carolina has returned to me that portion of the time which he has not used. But I do not intend to occupy a moment of it unless something shali

But I do not intend to occupy a moment of it unless something shall be said requiring a response, in which case I may give what time remains to me to some of my friends.

The SPEAKER. Does the gentleman from Indiana reserve his time?

Mr. HAMMOND. I hope the gentleman will use his time now.
Mr. BROWNE, of Indiana. I will say in good faith I have no intention of talking further on this question. If gentlemen on the other side desire to discuss it they may discuss it, and meanwhile I will reserve my time for some gentleman who may desire to respond. But if the gentleman from Georgia [Mr. HAMMOND] will make his motion now to lay the resolution on the table I will yield to him for that pur-

pose.

Mr. HAMMOND. The gentleman from Indiana can not control me

in that way.

The SPEAKER. The Chair will state if the gentleman from Georgia [Mr. HAMMOND] obtains the floor in his own right he can proceed to debate the proposition and then he can make any proper parliamentary motion he sees fit.

Mr. REED, of Maine. I suppose the gentleman from Indiana [Mr.

BROWNE] has the right to open and close debate on this subject.

The SPEAKER. The gentleman from Indiana is entitled to an hour

The SPEAKER. The gentleman from Indiana is entitled to an hour under the rules of the House.

Mr. WILLIS. I beg to state that the gentleman from Indiana [Mr. Browne] yielded the balance of his time to the gentleman from South

Mr. TILLMAN. He did so on condition that I should return to him any time that I did not consume.

Mr. BROWNE, of Indiana. I merely desire to reserve the balance

of my time

The SPEAKER. But the Chair desires that the gentleman from Indiana shall not be under any mistake about the position. If another gentleman obtains the floor in his own right, the Chair can not prevent that gentleman from making any proper parliamentary motion he sees fit to make; and that may result in depriving the gentleman from Indiana of the privilege of using the remainder of his time.

Mr. BROWNE, of Indiana. How much time have I?

The SPEAKER. The gentleman has twenty-two minutes of his

time remaining.

Mr. REED, of Maine. Why should not the gentleman from Indiana yield to the gentleman from Georgia [Mr. HAMMOND] the time that gentleman wants?

Mr. BROWNE, of Indiana. I understood the gentleman from Georgia desired to occupy his own time.

Mr. HAMMOND. The gentleman from Georgia does not desire to be indebted to the gentleman from Indiana for the privilege of speaking. I say so politely, because I want my own time and not his.

Mr. BROWNE, of Indiana. The gentleman from Georgia is always

polite.

Mr. HAMMOND. Now, will the gentleman from Indiana politely answer me whether he desires to go on now or whether I shall go on?

Mr. BROWNE, of Indiana. As I have the floor, and I presume have the right to do so under the rules, I now move the previous question on the resolution

The SPEAKER. The gentleman from Indiana demands the previous question on the adoption of the resolution.

The question being taken on the motion for the previous question, here were—ayes 86, noes 52.

Mr. BLANCHARD. I call for the yeas and nays.

On the question of ordering the yeas and nays there were ayes 19not a sufficient number.

Mr. BLANCHARD. I call for tellers on ordering the yeas and nays. Tellers were not ordered, only 21 members voting therefor-not onefifth of a quorum.

So the previous question was ordered.

Mr. GIBSON. I rise to a question of privilege.

Mr. KEIFER. I think the gentleman from West Virginia has not the right to do that pending this proceeding.

The SPEAKER. The proposition before the House is, that certain language used by the gentleman from West Virginia was out of order and that that subjects him to the converge of the House. The Chair thinks that that subjects him to the censure of the House. The Chair thinks that pending that proposition the gentleman can not proceed under the rules of the House except by the consent of the House. The House has ordered the previous question on the resolution, which cuts off all debate.

Mr. HAMMOND. I now make the motion to lay the whole proceeding on the table.

Several Members. Too late!
The SPEAKER. The Chair will cause the rule to be read.

The Clerk read clause 4 of Rule XVI, as follows:

4. When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order.

The SPEAKER. There is nothing in the rule which prevents the motion at this time to lay on the table, which motion, of course, is not debatable.

Mr. BROWNE, of Indiana. There is no objection on the part of myself, or I think on the part of gentlemen on this side—

Mr. HAMMOND. I object to further argument. If we are not allowed to debate we insist there shall not be debate on the other side.

Mr. BROWNE, of Indiana. What I wish to say is that we have no Mr. BROWNE, of Indiana. What I wish to say is that we have no objection to hearing the gentleman from West Virginia if he wants to to be heard. That is all.

The SPEAKER. The question is on the motion of the gentleman from Georgia [Mr. HAMMOND] to lay the resolution on the table.

The question being taken, the Speaker stated that in the judgment of the Chair the "ayes" had it.

Mr. BROWNE, of Indiana. I call for a division.

The House divided: and there were—aves 92 nose 51.

The House divided; and there were—ayes 92, noes 51.

Mr. BROWNE, of Indiana. Although not at all disappointed in the result [cries of "Regular order!"], I will ask for the yeas and nays. The SPEAKER. The gentleman from Indiana asks for the yeas and

nays.

The yeas and nays were ordered, 43 members voting therefor—more

than one-fifth of the last vote.

Mr. WELLBORN. Mr. Speaker, I desire to submit a request for unanimous consent that my colleague, Mr. MILLER, who is now in the Hall but quite unwell, be excused from further attendance upon this sitting of the House.

The SPEAKER. That can be done only by unanimous consent.

Mr. HISCOCK. If there be objection to letting in all the gentlemen

who have come here voluntarily-

The SPEAKER. This is a proposition to excuse a gentleman who is

resent in the Hall.

Mr. WELLBORN. He has been here all evening, and he is now quite sick.

Mr. COBB. Mr. Speaker, the Sergeant-at-Arms, who has called upon my colleague, Judge Holman, reports that he found him sick in bed and unable to attend here this evening. Therefore I ask unanimous consent that he be excused.

The SPEAKER. Is there objection? [After a pause.] No objection being made, it is so ordered.

The question was taken on the motion of Mr. HAMMOND, and there were—yeas 132, nays 66, not voting 126; as follows:

ALL PERIN		AS-132.	
Adams, J. J.	Eldredge,	Le Fevre,	Shively,
Aiken,	Elliott,	Lewis.	Snyder,
Alexander.	Ellis,	Lore,	Spriggs,
Arnot,	English,	Lowry,	Stewart, Charles
Bagley,	Ferrell,	McMillin.	Storm,
Barksdale,	Findlay,	Matson.	Sumner, C. A.
Blanchard,	Finerty,	Maybury.	Sumner, D. H.
Boyle,	Follett,	Mills.	Swope,
Bratton,	Foran.	Mitchell,	Talbott,
Breckinridge,	Forney,	Money,	Taylor, J. M.
Broadhead,	Fyan,	Morse,	Tillman,
Buchanan,	Garrison,	Muldrow,	Tucker,
Buckner,	Graves.	Muller,	Tully,
Budd,	Green.	Murphy,	Turner, H. G.
Cabell,	Greenleaf,	Mutchler,	Turner, Oscar
Caldwell.	Halsell,	Ochiltree,	Van Eaton,
Campbell, J. E.	Hardy,	O'Ferrall,	Wallace,
Carleton,	Harmer.	O'Neill, J. J.	Ward,
Cassidy,	Hatch, W. H.	Paige,	Warner, Richard
Clardy,	Hemphill,	Patton,	Wellborn,
Clay,	Henley,	Pierce,	Weller,
Clements,	Hewitt, A. S.	Post,	Wemple,
Cobb,	Hewitt, G. W.	Potter,	Wilkins,
Collins,	Hill,	Pryor,	Willis,
Connolly,	Houseman,	Pusey,	Wilson, W. L.
Cook,	Hunt,	Reid, J. W.	Winans, E. B.
Davidson,	Jones, B. W.	Reese,	Winans, John
Deuster,	Jones, J. H.	Riggs,	Wise, G. D.
Dibble,	Jones, J. T.	Rogers, J. H.	Wolford,
Dibrell,	King,	Rogers, W. F.	Wood,
Dockery,	Kleiner,	Rosecrans,	Woodward,
Dowd,	Lamb,	Seney,	Worthington,
Dunn,	Lanham,	Seymour,	Yaple.

NAYS-66. Adams, G. E. Anderson, Barr, Bayne, Bingham, Bisbee. Boutelle, Brewer, F. B. Brown, W. W. Browne, T. M. Cannon, Craig, Culbertson, W. W. Cullen, Davis, G. R. Davis, R. T. Dingley, Keifer, Ketcham, Lawrence, Long, McComas, McCormick, Millard, Miller, S. H. Nutting Dickson, Dunham, Ellwood, Evans, Everhart, Hanback, Rockwell, Rowell, Rowell, Russell, Smalls, Steele, Stephenson, Strait, Taylor, J. D. Thomas, Valentine, Wakefield, White, J. D. White, Milo Whiting, Wilson, James, Rockwell. Hart, Hatch, H. H. Miller, S. H. Nutting, O'Hara, O'Noill, Charles Parker, Payne, Pettibone, Price, Ranney, Reed, T. B. Hatch, H. H. Haynes, Henderson, T. J. Hepburn, Hiscock, Hitt, Holmes, Horr, Howey, James, NOT VOTING-196 Atkinson, Ballentine, Barbour, Beach, Belford, Belmont, Bennett,

*****	CARATO ABOT	
Blackburn, Bland.	Brumm, Burleigh,	Converse, Cosgrove,
Blount,	Burnes,	Covington,
Bowen, Brainerd.	Campbell, Felix Campbell, J. M.	Cox, S. S. Cox, W. R.
Breitung,	Candler,	Crisp,
Brewer, J. H.	Chalmers,	Culberson,

D. B.

Curtin,	Houk,	Nelson,	Smith, H. Y.
Cutcheon,	Hurd,	Nicholls,	Spooner,
Dargan,	Hutchins,	Oates,	Springer,
Davis, L. H.	Jeffords,	Payson,	Stevens,
Dorsheimer,	Johnson,	Peel,	Stewart, J. W.
Eaton,	Jones, J. K.	Perkins,	Stockslager,
Ermentrout,	Jordan,	Peters,	Stone,
Fiedler,	Kean,	Phelps,	Struble,
Funston,	Kelley,	Poland,	Taylor, E. B.
Geddes,	Kellogg,	Randall,	Thompson,
George,	Lacey,	Rankin.	Throckmorton,
Gibson,	Laird,	Ray, G. W.	Townshend,
Glascock,	Libbey,	Ray, Ossian	Van Alstyne,
Goff,	Lovering,	Reagan,	Vance,
Guenther,	Lyman,	Rice,	Wadsworth,
Hammond,	McAdoo,	Robertson,	Wait,
Hancock,	McCoid,	Robinson, J. S.	Warner, A. J.
Hardeman,	Miller, J. F.	Robinson, W. E.	Washburn,
Henderson, D. B.	Milliken,	Ryan,	Weaver,
Herbert,	Morgan,	Shaw,	Williams,
Hoblitzell,	Morrill,	Singleton,	Wise, J. S.
Holman,	Morrison,	Skinner, C. R.	York,
Holton,	Moulton,	Skinner, T. G.	Young.
Hooper,	Murray,	Slocum,	
Hopkins,	Neece,	Smith, A. Herr	and a management
On motion of	Mr. HAMMON	ND, the reading of	the names was d

ensed with.

The following additional pairs were announced:

Mr. Ballentine with Mr. Burleigh, on this vote.

Mr. Young with Mr. York, for the rest of the day.

Mr. Singleton with Mr. Morrill, for this day.

Mr. Randall with Mr. Kelley, for this day.

Mr. Aiken with Mr. Belford, for this day.

Mr. Aiken with Mr. Belford, for this day.

Mr. Wait with Mr. Buckner, for this evening.

Mr. Reagan with Mr. Poland for this evening.

Mr. WAIT WITH Mr. BUCKNER, for this evening.

Mr. REAGAN with Mr. POLAND, for this evening.

Mr. SUMNER, of California, with Mr. ROCKWELL, for this evening.

Mr. TOWNSHEND with Mr. SKINNER, of New York, until changed by mutual consent. Mr. TOWNSHEND would vote "yea" and Mr. SKINNER would vote "nay" on this vote.

Mr. Springer with Mr. Cosgrove, for the remainder of this day.

Mr. Stockslager with Mr. Kean, for this vote.

Mr. BLAND with Mr. SMITH, of Iowa, for this day. Mr. COVINGTON with Mr. BREWER, of New Jersey. Mr. ERMENTROUT with Mr. McCord, for this day. Mr. Hardeman with Mr. Atkinson.

Mr. HARDEMAN with Mr. ATKINSON.

The result of the vote was announced as above stated.

Mr. WELLER. I move that the House do now adjourn.

Mr. MILLER, of Pennsylvania. Pending that motion I move that when the House adjourns it be to meet on Friday next at 12 o'clock.

The SPEAKER. That would change the regular order of the House fixing 11 o'clock as the hour of meeting each morning.

Mr. MILLER, of Pennsylvania. Then I will change my motion and

move that when the House adjourns it adjourn to meet at 11 o'clock on Friday next.

The House divided; and there were—ayes 15, noes 106. So the motion of Mr. MILLER was not agreed to.

Mr. HORR. Now, Mr. Speaker, I renew the motion that the House adjourn.

The SPEAKER. That motion is now pending.

Mr. HEWITT, of Alabama. Mr. Speaker, I rise to a parliamentary

inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEWITT, of Alabama. I would like to know what becomes

of the order if this motion to adjourn shall prevail.

The SPEAKER. What order does the gentleman mean?

Mr. HEWITT, of Alabama. The order for a call of the House.

The SPEAKER. Of course all proceedings under the call of the House terminate with the adjournment of the House. The question is upon the motion to adjourn.

The question being taken on the motion to adjourn, there were-ayes

104, noes 73. Several MEMBERS. Tellers.

Several MEMBERS. Tellers.

Mr. WILLIS. I call for the yeas and nays.

The yeas and nays were ordered, 60 voting in favor thereof.

Mr. WHITE, of Kentucky. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. At the time this interruption occurred I was occupying the floor, and I did not yield it.

The SPEAKER. But the gentleman did not resume the floor when the proceedings terminated, and the Chair thought, of course, that he had surrendered the floor. Several motions have since been made and voted on.

Mr. WHITE, of Kentucky. What becomes of my resolution?
The SPEAKER. The gentleman's resolution is pending.
The question on the motion to adjourn was taken; and it was decided in the negative—yeas 106, nays 110, not voting 108, as follows:

YEAS-106.

Adams, G. E. Aiken, Anderson, Arnos, Boyle, Brainerd, Breitung, Brown, W. W. Browne, T. M. Buckner, Campbell, J. E. Cannon, Cobb, Collins, Connolly, Cook, Craig, Gulbertson, W. W. Cullen,
Davis, G. R.
Deuster,
Dingley,
Dixon, Dockery, Dunham, Eldredge, English, Evans, Everhart, Ferrell, Fiedler, Finerty, Funston,

Hanback,
Hardy,
Harther,
Harther,
Hatch, H. H.
Haynes,
Henderson, T. J.
Hepburn,
Hill,
Hiscock,
Hitt,
Holmes,
Hopkins,
Horr,
Howey,
Hutchins,
James,
Jones, B. W.
Kean,
Keifer,
Long,
Lovering,
Lyman,

McAdoo,
McComae,
McCormick,
McCormick,
Maybury,
Millard,
Miller, S. H.
Murphy,
O'Neill, Charles
Parker,
Patton,
Payson,
Pettibone,
Post, Post, Potter, Price, Pusey, Ranney, Reed, T. B. Rowell, Russell, Seney, Skinner, C. R. Spriggs,

Steele, Straight, Struble, Sumner, D. H. Swope, Taylor, J. D. Tillman, Tillman,
Tully,
Van Alstyne,
Wadsworth,
Wakefield,
Wallace,
Ward,
Weller,
Weller,
Wehte, J. D.
White, Milo
Whiting,
Wilson, James
Winans, John
Worthington. Worthington.

NAYS-110.

Adams, J. J. Alexander, Bagley, Barksdale, Bisbee, Blanchard, Follett,
Foran,
Forney,
George,
Gibson,
Goff,
Greenleaf,
Guenther,
Halsell,
Hatch, W. H.
Hemphill,
Henley,
Hewitt, G. W.
Houseman,
Hunt,
Jeffords, Follett, Blanchard, Bratton, Breckinridge, Buchanan, Budd, Burnes, Cabell, Caldwell, Carleton, Cassidy, Clardy, Clardy, Clardy, Clay, Clements, Davidson, Dibble, Dibrell, Jeffords, Jones, J. H. Jones, J. T. Kellogg, King, Kleiner, Lamb, Lanham, Lewis, Dibreil,
Dunn,
Elliott,
Ellis,
Ellwood,
Findlay,

Lowry, McMillin, Matson, Mills, Mitchell, Money, Muldrow, Mutchler, Mutchler,
Nutting,
Ochiltree,
O'Ferrall,
O'Hara,
O'Neill, J. J.
Paige,
Payne,
Pierce,
Pryor,
Reid, J. W.
Reese,
Riggs,
Rogers, J. H. Rogers, J. H. Rogers, W. F. Rosecrans, Seymour, Shively, Smalls,

Snyder, Stephenson, Stevens, Stevens, Stevens, Stevens, Stewart, Charles Storm, Talbott, Taylor, J. M. Thomas, Tucker, Turner, H. G. Turner, Oscar Van Eaton, Warner, A. J. Warner, Richard Weaver. Weaver, Wellborn, Wilkins, Willis, Wilson, W. L. Wise, G. D. Wolford, Woodward, Yaple.

NOT VOTING-108.

Atkinson, Ballentine, Barbour, Dargan, Davis, L. H. Davis, R. T. Dorsheimer, Beach, Belford, Dorsneimer, Dowd, Eaton, Ermentrout, Geddes, Glascock, Graves Belmont, Bennett, Blackburn, Bland, Blount, Morgan, Morrill, Morrison, Morse, Moulton, Muller, Murray, Neece, Nelson, Nicholls, Graves, Hammond, Bowen, Brewer, F. B. Brewer, J. H. Broadhead, Hanmond, Hancock, Hardeman, Henderson, D. B. Herbert, Hewitt, A. S. Hoblitzell, Brumm,
Burleigh,
Campbell, Felix
Campbell, J. M.
Candler,
Chalmers,
Converse,
Cossrove. Oates, Hoblitzel Holman, Holton, Hooper, Houk, Hurd, Peel, Perkins, Peters, Phelps, Poland, Randall, Converse, Cosgrove, Covington, Cox, S. S. Cox, W. R. Crisp, Culberson, D. B. Curtin, Cutcheon, Johnson, Jones, J. K. Jordan, Kelley, Ketcham, Lacey. Rankin, Ray, G. W. Ray, Ossian Reagan, Rice, Robertson,

Lawrence, Le Fevre, Libbey, McCoid, Miller, J. F. Milliken, Morren Robinson, J.S. Robinson, W.E. Rockwell, Ryan, Shaw, Singleton, Skinner, T. G. Slocum, Smith, A. Herr Smith, H. Y. Smith, H. Y. Spooner, Spooner, Springer, Stewart, J. W. Stockslager, Stone, Sumner, C. A. Taylor, E. B. Thompson, Throckmorton, Townshend, Valentine, Vance, Vance, Vance, Wait, Washburn, Williams, Wise, J. S. Wood, York, Young.

So the motion to adjourn was not agreed to.

Mr. WELLER (when the roll-call had been concluded). I ask unan-

Mr. Weller (when the roll-call had been concluded). I ask unanimous consent that the reading of the names be dispensed with.

Mr. McMILLIN. I object.

Mr. DUNHAM. I ask the gentleman from Tennessee [Mr. McMILLIN] whether, out of regard for the clerks whose voices during this prolonged session have been subjected to severe labor, he will not have the kindness to withdraw his objection to dispensing with the reading of the names

of the names.

Mr. McMILLIN. I should be very glad indeed to relieve the clerks; but this is a close vote, and I think the names should be read.

The names having been read,

Mr. ROCKWELL. I desire to withdraw my vote. I understand that I am paired with the gentleman from California [Mr. SUMNER].

Mr. BREWER, of New Jersey. I voted "ay," but I believe I am paired with the gentleman from Maryland [Mr. COVINGTON]; and I withdraw my vote.

The result of the vote was announced as above stated.

The result of the vote was announced as above stated.

Mr. MILLER, of Pennsylvania. I rise to make a privileged motion.

Mr. WILLIS. I move that the House take a recess till to-morrow

morning at 10 o'clock.

The SPEAKER. The motion of the gentleman from Kentucky
[Mr. WILLIS] is not in order while the House is acting under a call.

Mr. WILLIS. I move, then, to dispense with further proceedings

Mr. MILLER, of Pennsylvania. I move that when the House ad-

The SPEAKER. The motion of the gentleman from Kentucky to dispense with further proceedings under the call takes precedence.

Mr. WHITE, of Kentucky. I desire to resume my remarks, if I am entitled to the floor now. [Laughter.]

The SPEAKER. The gentleman is not entitled to the floor. He did not resume the floor and the fl

did not resume the floor, and the House proceeded with the transaction of other business, in which it has been engaged for the last half-

Mr. WHITE, of Kentucky. My resolution is still before the House.
The SPEAKER. It is still pending; but the gentleman from Kentucky [Mr. WILLIS] has made a motion that takes precedence.
Mr. WHITE, of Kentucky. What is the motion?
The SPEAKER. To dispense with further proceedings under the call. The motion of the gentleman from Kentucky [Mr. WHITE], which relates to the call of the House, will be dispensed with if this motion be adouted. motion be adopted.

The motion of Mr. WILLIS was agreed to.
Mr. WILLIS. I now move that the House take a recess until 10 o'clock to-morrow morning.
Mr. WELLER (at 11 o'clock and 50 minutes). I move that the

The SPEAKER. The motion to adjourn has precedence over the motion for a reces

The question being taken on the motion of Mr. Weller, there ere—ayes 83, noes 80.
Mr. WILLIS. I call for tellers.

Tellers were ordered, 47 voting therefor; and Mr. Weller and Mr. Willes were appointed.

he House again divided; and the tellers reported-ayes 92, noes 82. So the motion of Mr. Weller was agreed to; and accordingly (at 11 o'clock and 55 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's deski under the rule, and referred as follows:

Mr. BAGLEY: Petition of manufacturers of matches, asking payme of commission to those who furnished private dies-to the Com-

mittee on Appropriations.

Mr. BARKSDALE: Papers relating to claim of Naomi J. Fowler, of efferson County, Mississippi—to the Committee on War Claims.

Mr. BAYNE: Petition of the Women's Foreign Missionary Society of the Sandusky Baptist church, of Allegheny, Pa., urging early action by Congress for checking the evil of Mormonism—to the Committee on the Indicions.

mittee on the Judiciary.

Also, petition of W. Robinson and others, of Allegheny County,
Pennsylvania, urging speedy action by Congress for checking the evil
of Mormonism—to the same committee.

By Mr. BINGHAM: Petition of citizens of Philadelphia, Pa., asking

that the citizens of South Carolina, Alabama, Mississippi, Louisiana, Tennessee, and Missouri may have all the rights guaranteed under article 4, section 2, clause 1 of the Constitution of the United Statesthe same committee

By Mr. F. B. BREWER: Petition of citizens of Chautauqua County,

Now York, in regard to the Mormon question—to the same committee.

liv Mr. BUDD: Memorial of the Grand Army of the Republic, Department of California, favoring placing General U. S. Grant on the retired-list of the Army—to the Committee on Military Affairs.

By Mr. CLEMENTS: Petition of Joel R. Prewett, of Paulding County, Georgia, for reference of his claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War

By Mr. DEUSTER: Memorial of the Legislature of the State of Wisconsin to place the name of General U. S. Grant upon the retired-list of the Army—to the Committee on Military Affairs.

By Mr. HAMMOND: Petition of D. T. Estes and others, citizens of

Atlanta, Ga., for the prevention of Mormonism—to the Committee on the Judiciar

By Mr. HOLMAN: Petition of Rev. John G. Chaffee and 33 others, citizens of Brookville, Franklin County, Indiana, for effective legislation against polygamy—to the same committee.

By Mr. HOLMES: Petition of John C. Hall and 179 others, citizens

of Boone, Iowa, praying for additional legislation against the continuance of polygamy in the United States—to the same committee.

By Mr. KEIFER: Petition of H. A. Ketchum and 35 others, citizens

of Urbana, Ohio, praying for legislation to eradicate the evils of Mormonism—to the same committee.

By Mr. LACEY: Petition of William L. Cobb and 18 others, citizens of Middleville, Mich., for the increase of the rate of pensions to widows and dependent relatives of Union soldiers—to the Committee

By Mr. LONG: Various petitions in aid of, and memorial of Womans'

National Indian Association, for education and citizenship of Indiansto the Committee on Indian Affairs.

By Mr. MULDROW: Petition of Harriet F. McPeters, of Alcorn County, Mississippi, for reference of her case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims

By Mr. PETTIBONE: Petition of A. M. Cloud, administrator of Ben. F. Cloud, deceased, of Claiborne County, Tennessee, asking reference of claim to the Court of Claims for rehearing, under the provisions of the Bowman act—to the same committee.

By Mr. ROGERS: Petition of Charles A. Gould and others, citizens of

Buffalo, N. Y., in reference to the Mormon question—to the Committee on the Judiciary.

By Mr. ROSECRANS: Petition of A. W. Hicks, messenger to Military Committee House of Representatives, for arrears of pay, extra session Forty-fifth Congress and part of regular session—to the Committee

By Mr. RYAN: Petition of Rev. P. S. Cleland and others, of To-peka, Kans., for legislation suppressing polygamy in the Territories—to

the Committee on the Judiciary.

By Mr. VALENTINE: Petitions of J. H. McCall and 86 others, and of Ferdinand Zimeven and 60 others, citizens of Nebraska, praying for law granting bounty-land warrants to soldiers of the late war—to the Select Committee on Payment of Pensions, Bounty, and Back Pay. By Mr. MILO WHITE: Petition from James M. Goodwin Post, No.

81, Grand Army of the Republic, Owatona, Minn., in favor of purchase by the Government of Miss Ransom's portrait of General George H. Thomas—to the Committee on the Judiciary.

By Mr. WOOD: Petition of citizens of the tenth judicial district of Indiana, for bounty land—to the Select Committee on Payment of

Pensions, Bounty, and Back Pay.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. KEIFER: Of James McCafferty and 38 others, citizens of Vi-

enna Cross Roads, Ohio.

enna Cross Roads, Ohio.

By Mr. VALENTINE: Of William H. Thompson and 48 others, citizens of Custer County; of H. F. Hill and 33 others, citizens of Holt County; of O. Graves and 74 others, citizens of Merrick County; of Joseph Westervelt and 17 others, citizens of Custer County; of A. A. Sherman and 50 others, citizens of Sherman County; of H. M. Grimes and 31 others, citizens of Holt County; of William Terhune and 61 others, citizens of Brown County; of J. H. Skinner and 32 others, citizens of Brown County; of James D. Russell and others, citizens of Buffalo County; of William Young and 31 others, citizens of Holt County; of F. F. Rexford and 10 others, citizens of Cass County; of W. H. Staley and 62 others, citizens of Saline County; of A. W. Powers and 61 others, citizens of Wheeler County; of J. F. Woods and 55 others, citizens of Colfax County; of C. L. Harris and 48 others, citizens of Boone County; of Charles Harlocker and 61 others, citizens of Burt County; of H. H. Haven and 62 others, citizens of Buffalo County; of Boone County; of Charles Harlocker and 61 others, citizens of Burt County; of H. H. Haven and 62 others, citizens of Buffalo County; of Samuel Monroe and 61 others, citizens of Holt County; of C. H. Moulton and 28 others, citizens of Red Willow County; of W. H. Webster and 57 others, citizens of Merrick County; of W. H. Bristol and 32 others, citizens of Custer County; of John A. Wood and 63 others, citizens of Holt County; of I. W. Harris and 130 others, citizens of Valley County; of Fred. Wright and 65 others, citizens of Hall County; of T. M. Kirby and 140 others, citizens of Washington County; of A. C. Abbott and 61 others, citizens of Burt County; of J. M. Ellington and 30 others, citizens of Holt County; of William Watts and 33 others, citizens of Boone County; of Jacob Rounds and 29 others, citizens of Valley County; of J. S. Cramer and 126 others, citizens of Dixon County; and of W. C. Sutton and 45 others, citizens of Boone County, Nebraska. Nebraska.

SENATE.

THURSDAY, February 26, 1885.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. E. D. Huntley, D. D. The Journal of yesterday's proceedings was read and approved. CREDENTIALS.

The PRESIDENT pro tempore presented the credentials of John P. Jones, chosen by the Legislature of Nevada a Senator from that State for the term commencing March 4, 1885; which were read, and ordered to be filed.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting appropriation estimates submitted by the Secretary of the Navy for completing the new naval cruisers and dispatch-boat; which, with the accompanying estimates, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a report of the allowance, by the accounting officers of the Treasury, of the twelfth installment of the war claims of the State of Pennsylvania in the sum of \$4,378.30, now awaiting an appropriation for its payment; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

printed.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of the 23d instant, a report of the Commissioner of Education regarding the progress of Indian education and civilization. If there be no objection the letter will be printed, and, with the accompanying report and papers, referred to the Committee on Printing. The papers seem to be quite voluminous, and unless some other direction is suggested the Chair will refer them to the Committee on Printing.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Legislature of Wisconsin; which was read, and referred to the Committee on Appropriations, as follows:

Memorial to Congress

Memorial to Congress.

To the Senate and House of Representatives in Congress assembled:

The memorial of the Legislature of Wisconsin respectfully represents—
That at the last session of Congress an appropriation of \$50,000 was made for the purpose of experiments in sorghum machinery and improved methods of making sugar; therefore your memorialists respectfully ask that the unexpended balance of said appropriation be made for the purpose as will enable the Agricultural Department to continue and extend the experiments contemplated by said appropriation.

SAM. S. FIFIELD, President of the Senate. HIRAM O. FAIRCHILD, Speaker of the Assembly.

Approved February 19, 1885.

J. M. RUSK, Governor.

STATE OF WISCONSIN,
Department of State, ss:
To all to whom these presents shall come:

I, Ernst G. Timme, secretary of state of the State of Wisconsin, do hereby certify that the foregoing has been compared by me with the original in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at the capitol, in the city of Madison, this 23d day of February, in the year of our Lord 1885.

ERNST G. TIMME.

SEAL.

ERNST G. TIMME, Secretary of State.

The PRESIDENT pro tempore presented a petition of the Chamber of Commerce of New Orleans, La., praying that J. W. Pearce, of that place, be appointed United States minister to Liberia; which was referred to the Committee on Foreign Rélations.

He also presented the petition of Reuben N. Hill, of Summum, Ful-

was referred to the Committee on Pensions.

Mr. SHERMAN. I present the petition of Barber & Peckham, William Gates's Sons, F. P. Newton, and others, citizens of Ohio, Massachusetts, New York, and other States, praying for the refunding of taxes erroneously collected. As the petition is based upon a claim founded upon a judgment of the Supreme Court, I move that it be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. SHERMAN presented a resolution of the Toledo (Ohio) Produce
Exchange, favoring the acquisition by the Government of title to Lake
Superior and Portage Lake Canals; which was referred to the Committee on Commerce.

Mr. JACKSON. I present a petition of members of the Tobacco Board of Trade of Clarksville, Tenn., praying that the tobacco report of J. B. Killebrew, prepared for the census reports of 1880, may be published in full by the Census Bureau. The petition is addressed to my colleague [Mr. HARRIS] and myself, but is evidently intended for the Senate, and I ask that it be received and referred to the Select Committee to make provision for taking the Tenth Census and ascertaining the results thereof.

The PRESIDENT pro tempore. If there be no objection, the petition will be received, and so referred.

SUPPLIES TO MINNESOTA SIOUX INDIANS.

The PRESIDENT pro tempore. The Chair will lay before the Sen

ate a message from the House of Representatives, returning Senate bill No. 84 with an amendment. The title of the bill will be read.

The CHIEF CLERK. A bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

The PRESIDENT pro tempore. The amendments of the House of Representatives will be read.

The amendments of the House of Representatives were, in line 5 of section 1, to strike out "August" and insert "June 1;" in line 8, after the word "sixty," to insert "one;" in line 3 of section 2, before

the word "thousand," to strike out the words "and twenty;" and on the end of the bill to add the following proviso:

Provided, however, That said sum shall only be paid out of money which here-tofore belonged to said tribe, if any, and has been confiscated by the United States.

Amend the title by striking out "August, 1860," and inserting "June 1, 1861;" so as to make the bill read:

"June 1, 1861;" so as to make the bill read:

A bill to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the payment thereof.

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to investigate and determine the amounts due licensed traders, citizens of the United States, for supplies furnished, in the course of trade and business, to the Sioux or Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the outbreak and massacre by said Indians in August, 1862, and for which damages were not a warded by the commissioners appointed under the act entitled "An act for the relief of persons for damages sustained by reason of depredations and injuries by certain bands of Sioux Indians," approved February 16, 1863, for the reason that said act limited the action of said commissioners to claims arising from depredations, and did not authorize them to act upon claims arising upon contract or upon accounts for supplies furnished; and the said claims, when ascertained, shall be paid by the Secretary of the Interior out of the money hereby appropriated.

SEC. 2. That for the purpose of enabling the Secretary of the Interior to carry out the provisions of the foregoing section the sum of \$100,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated: Provided, however, That said sum shall only be paid out of money which heretofore belonged to said tribe, if any, and has been confiscated by the United States.

Mr. CAMERON, of Wisconsin. I move that the Senate disagree to

Mr. CAMERON, of Wisconsin. I move that the Senate disagree to the House amendments to the bill, and ask the House for a conference on the disagreeing vote of the two Houses.

The motion was agreed to.

Mr. CAMERON, of Wisconsin, subsequently said: Upon further examination, I have concluded that I am in favor of concurring in the amendments made by the House of Representatives to Senate bill 84.

amendments made by the House of Representatives to Senate bill 84. I therefore move to reconsider the vote by which the Senate disagreed to the amendments and asked for a committee of conference.

The PRESIDENT pro tempore. The Senator from Wisconsin moves that the vote of the Senate disagreeing to the amendments of the House of Representatives to the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof, be reconsidered. The question is on agreeing to the motion to reconsider.

The motion to reconsider was agreed to.

The PRESIDENT pro tempore. The question recurs on agreeing to the motion of the Senator from Wisconsin that the Senate disagree to

the amendments of the House of Representatives.

Mr. CAMERON, of Wisconsin. I withdraw that motion, and move

that the Senate concur in the House amendments.

The PRESIDENT pro tempore. The Senator from Wisconsin withdraws the motion to disagree, and moves that the Senate concur in the amendments of the House of Representatives. The question is on agreeing to that motion.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. HARRISON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1266) for the relief of Alexander D. Schenck, reported it without amendment, and submitted a report thereon.

Mr. HARRISON. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2637) to authorize the Secretary of the Interior to release a right of way across lands of the United

States at Carlisle, Pa., to report it favorably.

With the indulgence of the Senate I desire to say that this is the military reservation or establishment at Carlisle, which under the law military reservation or establishment at Carlisle, which under the law is now used by the Interior Department as an Indian school. An important line of railroad has been surveyed and must go through those grounds. The Secretary of the Interior and the superintendent of the school have agreed upon a location and upon terms. The bill authorizes the Secretary of the Interior to allow the railroad to go through; and as it must pass the other House I am requested by the Senator from Pennsylvania [Mr. MITCHELL] to ask for the present consideration of the bill. It is very brief and well guarded.

The PRESIDENT pro tempore. Is there objection?

Mr. ALLISON. I think we had better finish the morning business. The PRESIDENT pro tempore. Objection is made. The bill will be placed on the Calendar.

placed on the Calendar.

Mr. SEWELL, from the Committee on Railroads, to whom was referred the bill (H. R. 7081) to amend section 17 of an act approved July 2, 1864, entitled "An act to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862," reported it without amendment.

He also, from the Committee on Military Affairs, to whom the sub-iect was referred, reported a joint resoulution (S. R. 133) authorizing the President of the United States to grant permission to one or more

officers of the Army to accept temporary service under the Government of Corea; which was read twice by its title.

Mr. GORMAN, from the Committee on Indian Affairs, to whom was referred the bill (S. 1963) for the relief of J. G. Fell, Edward Harper, and George Burnham, reported it without amendment.

He also, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6122) to extend the time specified in an act approved June 27, 1882, entitled "An act to authorize the Southern Maryland Railroad Company to extend a railroad into and within

ern Maryland Railroad Company to extend a railroad into and within the District of Columbia," reported it without amendment.

Mr. HALE. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, to report it with sundry amendments. There is a report accompanying the bill, and I ask that the bill and report be printed. I give notice that I shall endeavor to call up the bill to-morrow morning.

SENATE ELECTION CASES.

Mr. JONES, of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution providing for a compilation and digest of contested-election cases in the Senate, to report it favorably without amendment. I ask that the resolution may be immediately acted upon.

By unanimous consent the Senate proceeded to consider the resolution and the control of the contr

Resolved, That the Committee on Privileges and Elections be directed to cause to be prepared a compilation and digest of the contested-election cases which have arisen in the Senate since its organization, and to report the same to the Senate at the December session of Congress, and be authorized for that purpose to employ a clerk at the usual compensation until December 1, 1885, to be paid from the contingent fund of the Senate.

Mr. HOAR. I ask leave to make a statement. The contested-election cases of the Senate have not been collected since 1865. which had arisen both in the House and Senate were collected in 1834 and again in 1865; but that compilation is an exceedingly imperfect one, owing to the imperfection of the reports. There is a great deal of valuable matter found in Niles's Register which is not found in those volumes. Since 1865 those cases which arose in the House have been separately published four times, once in 1871—those which had arisen for the then past six years—again in 1876, again in 1880, and again in 1882; but there has been no collection of the cases which have arisen in the Senate since 1865; and, as Senators are aware, there have been very numerous and important cases of that class.

If the resolution passes I expect to have the compilation made under

my own supervision and care.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A. L. SINGLETON.

Mr. JONES, of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report favorably a resolution directing a payment out of the contingent fund to the widow of A. L. Singleton, and I ask that the resolution may be immediately acted upon.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Resolved. That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to the widow of A. L. Singleton, deceased, late a fireman in the heating department of the United States Senate, a sum equal to three months' salary as fireman aforesaid, at the rate of \$1,095 per annum, this amount to be considered as including the funeral expenses of A. L. Singletion and all other allowances

The resolution was agreed to.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884, to report it without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORTS OF BUREAU OF ETHNOLOGY.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology, to report it without

amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, pro-

By unanimous consent, the Senate, as in Committee of the whole, proceeded to consider the joint resolution.

Mr. COCKRELL. I wish to ask a question in regard to this matter. I should like to ask the Senator from Nebraska, the chairman of the Committee on Printing, why it is that the previous volumes of this work have not been furnished us for distribution? They were ordered to be printed, it seems to me, a year or two ago. I have constant applications for them, and they are not in the document-room. Is there any reason known why they should not have been furnished long ago?

Mr. MANDERSON. There is none known to me. The consideration of that matter did not come before the committee in connection with this joint resolution. It may be that the volumes are not yet issued from the Printing Office. I shall be very glad to make inquiry for the Senator.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and

REPORTS OF GEOLOGICAL SURVEY.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey, to report it without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and

passed.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey, to report it without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMITTEE ON RULES.

Mr. FRYE. I am instructed by the Committee on Rules to report a resolution continuing the Committee on Rules during vacation. ask the reference of the resolution to the Committee on Contingent Expens

The PRESIDENT pro tempore. The resolution will be read. The resolution was read, as follows:

Resolved, That the Committee on Rules be, and is hereby, continued and authorized to sit during the recess of Congress, and that the necessary expenses thereof be paid out of the "miscellaneous items" of the contingent fund of the

Mr. HOAR. Would that include anything more than the recess between the present session of the Senate and the called session of the 4th of March?

Mr. FRYE. I find the resolution all right upon examination; it speaks of the "recess of Congress." I move that it be referred to the Committee on Contingent Expenses.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Commit-

the sundry civil appropriations, and ordered to be printed.

Mr. SHERMAN, from the Committee on the Library, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and

ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN and Mr. VANCE submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Public Buildings and

Grounds, and ordered to be printed.

Mr. WALKER and Mr. PLATT submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and or-

dered to be printed.

Mr. WALKER submitted two amendments intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

JOHN H. IVERS.

Mr. CONGER. I move to reconsider the vote by which the bill (H. R. 6399) granting a pension to John H. Ivers, alias John H. Wilson, was indefinitely postponed, and that the case be placed on the Calendar. The PRESIDENT pro tempore. When was the action taken?

Mr. CONGER. I find that the report was made on the 24th instant. I suppose the bill was reported on the 24th.

The PRESIDENT pro tempore. The Senator from Michigan moves to reconsider the vote indefinitely postponing the bill (H. R. 6399) granting a pension to John H. Ivers, alias John H. Wilson. The vote was taken on the 24th instant, and the Senator is in time, the Chair understands. The question is on agreeing to the motion to reconsider.

The motion to reconsider was agreed to.
The PRESIDENT pro tempore. The que to indefinitely postpone the bill. The question recurs on the motion

Mr. COCKRELL. Does the Senator from Michigan desire the bill to go on the Calendar or to have action upon it now?

Mr. CONGER. I desire to have it go on the Calendar. I stated that

before

The PRESIDENT pro tempore. The Senator from Michigan desires that the bill, with the motion to indefinitely postpone, be placed on the Calendar. That order will be entered if there be no objection.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 2663) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and to provide for a settlement of the claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned; which was read twice by its

Mr. HOAR. The bill contains the provisions of a bill which has been popularly called the funding bill, dealing with the question of proper and further security for the debt due from the subsidized Pacific Railroads, with several amendments and changes which have been suggested by experience to Senators while that bill has been upon the Calendar. That bill stands as the order of business which I suppose would be next taken up in course, except the appropriation bills and the silver bill, but that statement indicates that it is very unlikely that it can be considered at the present session of the Senate. It is a matter which deserves and undoubtedly would receive great attention and considerable discussion.

I think, therefore, that it would be useless to have this bill referred to the Committee on the Judiciary, and I introduce it for the information of the public. I hope that before the first session of the next Congress this matter will receive full attention from the business men of the country, so that any suggestion as to its justice or injustice which they see fit to make may reach Congress. I move that the bill be printed and lie on the table.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes; in which it requested the concurrence of the Senate.

ORDER OF BUSINESS.

Mr. MORRILL. I desire to ask consent that we may take up the bill (H. R. 48) providing for the erection of a building to contain the records of the library and museum of the Medical Department, United States Army. It is a bill that in substance and for the same amount has heretofore passed the Senate. It will not take two minutes to read it and have it passed, I think.

Mr. HILL. Has the regular morning business been concluded?

Mr. HILL. Has the regular morning business been concluded?

The PRESIDENT pro tempore. It has not.

Mr. HILL. I call for the regular order.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Vermont. The introduction of bills and joint resolu-

tions is still in order.

Mr. INGALLS. It is important that there should be a brief executive session. I move that the Senate do now proceed to the consideration of executive business.

The PRESIDENT pro tempore. The Senator from Kansas moves that the Senate proceed to the consideration of executive business.

Mr. BECK. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 31, nays 23; as follows:

	Allison, Blair, Bowen, Cameron of Wis., Chace, Conger, Cullom, Dawes,	Dolph, Edmunds, Frye, Harrison, Hawley, Hoar, Ingalls, Lapham,	AS-31. MeMillan, Mahone, Manderson, Miller of Cal., Miller of N. Y., Mitchell, Morrill, Palmer,	Pendleton, Pike, Platt, Sewell, Sherman, Van Wyck, Wilson.	printed. ARMY MEDICAL MUSEUM. Mr. MORRILL. If there be no further "concurrent or other resolutions," I ask for two minutes and a half of the Senate merely to pass a bill that has once been passed by the Senate and now comes from the House of Representatives. It will take no longer than to read the bill—not over two minutes probably.
17.5	Bayard, Beck, Call, Coke, Fair, George,	Gibson, Gorman, Groome, Hampton, Harris, Hill,	YS-23. Jackson, Jonas, McPherson, Morgan, Pugh, Saulsbury,	Slater, Vance, Vest, Walker, Williams.	The PRESIDENT pro tempore. If there be no further resolutions that order is closed. The Senator from Vermont is recognized. Mr. MORRILL. I ask that House bill 48 be taken up for present consideration. The PRESIDENT pro tempore. The Senator from Vermont moves
	Aldrich, Brown, Butler, Camden, Cameron of Pa., Coekrell, So the motion	Colquitt, Farley, Garland, Hale, Jones of Florida, Jones of Nevada,	ENT—22. Kenna, Lamar, Logan, Maxey, Plumb, Ransom, and the Senate p	Riddleberger, Sabin, Sawyer, Voorhees.	that the Senate proceed to the consideration of the bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department, United States Army. The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. The bill was reported to the Senate without amendment, ordered to n-* a third reading, read the third time, and passed.

sideration of executive business. After thirty-seven minutes spent in executive session the doors were reopened.

ILLEGAL LAND ENTRIES IN CALIFORNIA.

Mr. ALLISON. Mr. President-

The PRESIDENT pro tempore. Concurrent and other resolutions are now in order.

Mr. ALLISON. I do not wish to interfere with morning business. The PRESIDENT pro tempore. The Chair lays before the Senate a resolution offered on a previous day by the Senator from Colorado [Mr. Hill] which has not yet been laid before the Senate. The resolution will be read.

The Chief Clerk read the following resolution, submitted by Mr. HILL on the 24th instant:

on the 24th instant:

Resolved, That the Secretary of the Interior be directed to furnish to the Senate copies of the reports of Special Agent of the Land Department Wilson T. Smith, with accompanying affidavits and papers, sent to the Commissioner of the General Land Office in August and September, 1883, which reports, affidavits, and papers referred to the illegal timber-land entries and fraudulent issuance of titles under the act of June 3, 1878, in the Humboldt land district, California, said entries being confined to townships 8, 9, 10, 11, and 12 north, range 1 and 2 east H. M., and townships 7 north, range 2 east, and 13 north, range 1 erst H. M., and embracing over 100,000 acres of redwood timber land.

Also copies of the reports of Special Agents George D. Orner and W. H. Goucher, of the Land Department, sent to the Secretary of the Interiorand Commissioner of the General Land Office, which refer to the same illegal timber-land entries in Humboldt County, California, and inform the Senate what action has been taken by the Commissioner and Secretary of the Interior, as to the cancellation of the illegal timber-land entries in the above-described townships, and if any patents have been issued by the Commissioner since June 1, 1883, under the act of June 3, 1878, for timber lands in the above-enumerated townships, to give the date of their issuance, name of entry-men, and description of land.

The PRESIDENT pro tempore. The question is on agreeing to the

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

DEBATE ON APPROPRIATION BILLS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution offered by the Senator from Iowa, Mr. Allison, on the 24th instant, which went over under objection. It will be read.

The Chief Clerk read as follows:

Ordered, That during the remainder of the present session of the Senate it shall be in order to move at any time that debate on any amendment, or all amendments, to any appropriation bill then before the Senate be limited to five minutes for each Senator, and that no Senator shall speak more than once on the same amendment in form or substance. The question on such motion shall be determined without debate.

Mr. PLUMB. I hope that resolution will lie over. I think it will

excite some debate.

Mr. ALLISON. Very well, let it lie over.

The PRESIDENT pro tempore. It is moved that the consideration of the resolution be postponed until to-morrow.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

Mr. COCKRELL. I think we ought to ask that the Public Printer

have the bill printed immediately, so that the committee may consider it this evening

The PRESIDENT pro tempore. The Chair will give directions for its immediate printing.

EVENING SESSIONS.

Mr. FRYE. I offer the following resolution and ask for its present consideration:

Resolved, That, until otherwise ordered, the Senate take a recess each day at 6 $^{\circ}$ o'clock to 8 p. m.

The PRESIDENT pro tempore. The Senator from Maine asks that the resolution be now considered.

Mr. COCKRELL. Let it lie over and be printed.

The PRESIDENT pro tempore. The resolution will go over and be

ARMY MEDICAL MUSEUM.

NAVAL OFFICERS' MILEAGE.

Mr. VOORHEES. I ask leave to offer the following resolution, to be printed and lie over until to-morrow:

Resolved, That the Secretary of the Treasury be directed to inform the Senate on what character of evidence the claims of naval officers for mileage reported by him to Congress in House Executive Documents 55 and 153 of the present session have been allowed by the accounting officers.

The PRESIDENT pro tempore. The resolution will be printed and go over.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes, further insisted on its disagreement to the twenty-third amendment of the Senate insisted on by the Senate the state of the senate with the Senate of the Senate to the said bill, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. W. H. FORNEY of Alabama, Mr. R. W. TOWNSHEND of Illinois, and Mr. J. WARREN KEIFER of Ohio managers at the further conference on the part of the House.

The message also announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon

The message further announced that the House had non-concurred in the amendment of the Senate to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Melvin C. George of Oregon, Mr. Olin Wellborn of Texas, and Mr. R. S. Stevens of New York managers of the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 1810) for the erection of a public building at Sacramento,

A bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.; and

A bill (S. 2009) granting a pension to Isabella Turner.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALLISON, Mr. DAWES, Mr. VEST, Mr. VOORHEES, and Mr. WILLIAMS submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORRILL, from the Committee on Public Buildings and

Grounds, reported two amendments intended to be proposed to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. McPHERSON and Mr. MAHONE submitted amendments in-

tended to be proposed by them to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the considera-tion of House bill 8179, being the legislative, executive, and judicial appropriation bill.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of House bill 8179. The question is on agreeing to the motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other

The PRESIDENT pro tempore. The pending question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. Mahone] to the amendment offered by the Senator from Indiana [Mr.

HARRISON] as amended.

Mr. HARRISON. I ask the Senator from Iowa to yield for a moment that I may ask consent to take up the bill I reported from the Military Committee this morning and put it on its passage.

Military Committee this morning and put it on its passage.

Mr. ALLISON. I hope the Senator from Indiana will not ask that until we have finished this bill. Then there will be no trouble.

Mr. HARRISON. I have no interest in it. The result will be that it will not come up at all. That is all there is of it.

Mr. ALLISON. Before the pending amendment is taken up I ask unanimous consent to offer two amendments of the Committee on Appropriations which were omitted and to present some which were sub-

mitted to the committee last night. On page 5, line 109, I move to insert "two hundred" after the word "thousand;" so as to read:

One clerk in the folding-room, at \$1,200.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent pending the present question to offer an amendment on page 5, line 109, after the word "thousand" to insert "two hundred." Is there objection? The Chair hears none. The amendment is agreed to.

Mr. ALLISON. Now on page 32, line 767, I move to strike out "five" and insert "four."

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to amend the bill on page 32, line 767, by striking out "five" and inserting "four;" so as to read:

Four copyists and counters.

Is there objection? The Chair hears none.

Mr. ALLISON. In line 768, I move to strike out "one" and insert two" where it first occurs.

The PRESIDENT pro tempore. The Chair would suggest to the Senator from Iowa that in line 767, the word "copyist" should be made plural. If there be no objection the word "copyist" will be make to read "copyists." It is agreed to.

Mr. MORGAN. Let me ask the Senator about line 768.

Mr. ALLISON. In line 768, I propose to strike out "one" and insert "two" and add the letter "s" to the word "messenger;" so as to read "two assistant messengers."

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent, in line 768, to amend by striking out "one" and inserting "two," and after "messenger" to insert the letter "s;" so as to read "two assistant messengers." Is there objection? The Chair hears none, and the amendment is agreed to.

Mr. ALLISON. On page 60, I offer this amendment: In line 1461, I move to strike out "one" and insert "two;" so as to read:

For the actual and necessary expenses of the judge, marshal, and attorney, when traveling in the discharge of their official duties, \$2,000.

The PRESIDENT protempore. Is there objection? The Chair hears none, and the amendment is agreed to.

ALLISON. I also move to amend the bill on the same page, after line 1461, by inserting:

For rent of office for the marshal, fuel, books, stationery, and other incidental expenses, \$1,000.

The PRESIDENT pro tempore. Is there objection to this amend-ent? The Chair hears none, and the amendment is received and ment? agreed to.

Mr. ALLISON. In line 1464, on the same page, I move to strike out the words "one thousand five hundred" and insert in lieu thereof "three thousand;" so as to read:

For incidental and contingent expenses of the Territory, to be expended under the direction of the governor, \$3,000.

The PRESIDENT pro tempore. Is there objection? The Chair hears The amendment is agreed to.

Mr. ALLISON. On page 82, line 2015, I move to strike out "one thousand" and insert "two thousand five hundred;" so as to read: For professional books for Department library, \$2,500.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to amend the bill on page 82, line 2015, by striking out "one" and inserting "two;" and in line 2016, after the word "thousand," inserting "five hundred;" so as to read:

For professional books for Department library, \$2,500.

Is there objection? The Chair hears none, and the amendment is agreed to.

I have one more amendment. On page 56, line 1357, Mr. ALLISON.

in the appropriations for the mint at San Francisco, Cal., I move to strike out "sixty" and insert "forty."

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to amend the bill on page 56, line 1357, by striking out "sixty" and inserting "forty;" so as to read:

For incidental and contingent expenses, \$40,000.

Is there objection? The Chair hears none, and the amendment is agreed to.

Mr. HALE. I offer an amendment to come in on page 31.

The PRESIDENT pro tempore. The Chair must inform the Senator from Maine that the amendment proposed by the Senator from Virginia [Mr. MAHONE] to the amendment of the Senator from Indiana [Mr. HARRISON] is still pending. These amendments of the Senator from Iowa have been made by unanimous consent pending that question.

Mr. HALE. I thought the road was clear.

The PRESIDENT pro tempore. It is not clear.

Mr. SHERMAN. I have consent of the Senator from Virginia to offer an amendment which has been several times before adopted by the Senate. On page 19, after line 451, I move to insert:

To enable the Librarian of Congress to arrange, select, edit, and prepare for publication the historical manuscripts in the Library of Congress collected by the late Peter Force for the publication known as the fourth and fifth series of the American Archives, not heretofore published, and to incorporate such additional manuscript or rare unpublished materials relating to the period embraced as may be approved by the Joint Committee on the Library, the same

to be printed in folio form, at the Government Printing Office, under the supervision of the Librarian of Congress, \$4,000.

The PRESIDENT pro tempore. Is there objection to receiving and agreeing to this amendment? The Chair hears none, and it is agreed to.

Mr. SHERMAN. I wish to say just a word so as to impress upon the conferees who will represent the Senate in this matter the importance of this proposition. This amendment has been four times reported by the unanimous vote of the Committee on the Library, composed of many different Senators and Members of the House as well-These documents for the continuation of the American Archives, a well-known work, have been prepared and should be now collected, and we have arranged to print one volume a year, so that in ten years the osed of many different Senators and Members of the House as well.

archives will be completed.

Mr. BECK. I rise to ask unanimous consent to reconsider an amendment on page 65, beginning in line 1594, and going down to and including line 1606, striking out the provision of the House relative to the Territory of Wyoming. I do this on a statement made to me by the Peritory of Wyoning. I do this on a statement made to me by the Delegate a moment ago, which I have not had time to lay before the committee. The last Legislature failed to make an apportionment of the Territory. The Legislature elected last fall was illegal, and has been so declared by the legal authorities. New counties have been organized that have no representation, and others have grown until their representation is not one-third what it ought to be. The legislation in the House bill is absolutely necessary to give them a Legislature at I was not aware of it until just now.

Mr. ALLISON. I would say to the Senator from Kentucky that that is a seriously controverted question about which there is great division in the Territory of Wyoming, and it is a party question.

Mr. BECK. I did not know that.

Mr. ALLISON. And this is legislation. So I shall have to object to a reconsideration.

Mr. BECK. I can bring it up in the Senate and move to insert the

clause because they have no Legislature there.

The PRESIDENT pro tempore. The Chair thinks the Senator from Kentucky is entitled to make a motion to reconsider. The Chair is informed there was no division on this question; and the Chair therefore thinks the Senator from Kentucky has a right to move now to reconsider the vote.

Mr. BECK. I move to reconsider the vote whereby this amendment

was agreed to, striking out the provision of the House bill.

The PRESIDENT pro tempore. The Senator from Kentucky moves to reconsider the vote of the Senate agreeing to the amendments of the Committee on Appropriations to amend the bill by striking out from line 1594 to 1606 inclusive. The question is on the motion to recon-

Mr. HALE. I ask the Senator to postpone his motion for a few moments, as I am called out on a conference committee and desire to offer an amendment, or to ask unanimous consent, as I do, to offer an amend-

ment at this time to come in on page 31, at the end of line 751.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent pending this question that the bill be amended on page

The amendment will be read.

The CHIEF CLERK. At the end of line 751 it is proposed to add:

That the port of Mount Desert Ferry, in the town of Hancock, in the State of Maine, be, and the same is hereby, established as a port of entry, subject to the same regulations, privileges, and facilities as other ports of entry in the United States: Provided, That the official duties of said port shall be performed under the direction of the collector of customs for the district of Frenchman's Bay and by a deputy detailed by him for that purpose.

The PRESIDENT pro tempore. Is there objection to this amend-

Mr. ALLISON. Mr. President—
Mr. HALE. Will the Senator before he objects hear me for a mo-

Mr. CAMERON, of Wisconsin. Will the Senator give way for one moment so that I may ask the Chair to lay before the Senate the unfin-

The PRESIDENT pro tempore. The Chair will request unanimous consent for action on that bill when this is disposed of.

Mr. CAMERON, of Wisconsin. Very well.

Mr. HALE. I have offered this amendment at a place in the bill where the Senate inserted a clause of this nature making a port of entry. The amendment which I have offered has passed the Senate in a separate bill after having been regularly considered by the committee a separate bill after having been regularly considered by the committee having the subject in charge, and it is offered now in the terms and language of that bill which has already passed the Senate. I should not have thought of offering it had not the Senate put on the provision that immediately precedes line 751. Under these circumstances I hope the Senator from Iowa will not feel called upon to object.

Mr. ALLISON. I shall feel constrained to object to that amendment if I have the recover to do it.

ment if I have the power to do it.

Mr. HALE. Does the Senator raise the point of order?

Mr. ALLISON. I raise the point of order.

Mr. HALE. It is the precise subject-matter which the Senate has considered and has passed upon, and so far as it can has made an en-

Mr. FRYE. At the present session.

Mr. HALE. At the present session.

The PRESIDENT pro tempore. The Senator from Iowa makes the point of order. Does the Senator object to unanimous consent?

Mr. ALLISON. I do not object to the amendment being offered at

this time, but I make the point of order whether it is admissible.

The PRESIDENT pro tempore. Is there objection to the Senator from Maine offering this amendment, another question being pending

at this time? The Chair hears none.

Mr. ALLISON. Now I make the point of order.

The PRESIDENT pro tempore. The Senator from Iowa makes the point of order that the amendment proposed by the Senator from Maine conflicts with the rule regarding legislation. The Chair submits that question to the Senate.

Let the amendment be read again.

The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the amendment of Mr. HALE.

The PRESIDENT pro tempore. The question is, Is the amendment of the Senator from Maine in order? The Chair submits it to the Senate for the reason that the Senate in acting upon the body of the bill appears to have been of opinion that certain clauses should be retained. The Chair therefore leaves it to the Senate to decide whether this species

of legislation is in order.

Mr. FRYE. The only ground of course under which by any possibility the amendment could be held to be in order is the portion of Rule XVI which authorizes and makes in order as an amendment to an appropriation bill a resolution or bill under certain circumstances

which has passed the Senate during the same session.

I will take advantage of the opportunity to say a word touching the merits of the amendment, as that seems to be usual in the Senate. The Maine Central Railroad, the leading New England railroad, last season extended its road to Mount Desert Ferry, which is the best harbor probably on the coast of Maine. As soon as the road was extended there the company built extensive buildings and depots, and an immense trade has sprung up between that port and the ports of Canada. There are now in progress negotiations for a regular steam line between there and Europe. The regular port of entry is forty miles above, away up and Europe. The regular port of entry is forty miles above, away up a river. It must be a port of entry in order to enable vessels carrying a foreign flag to discharge their cargoes at Mount Desert Ferry. The amendment is entirely in the interest of the Government; it is entirely in the interest of our revenues.

Mr. HALE. It has been submitted to the Treasury Department. Mr. FRYE. It has been submitted to the Committee on Commerce, was unanimously reported by the committee, was submitted to the was unanimously reported by the committee, was submitted to the Treasury Department, was recommended by the Treasury Department, and has been passed by the Senate without division, after a full understanding. There is no objection to it anywhere. It has been submitted to a committee elsewhere and unanimously regarded favorably there. There can not possibly be any objection to it. It is an absolute necessity to commerce. I hope the Senate will allow it to go on to the bill. The PRESIDENT protempore. The question is, Is the amendment submitted by the Senator from Maine [Mr. HALE] in order?

The question being put there were on a division—aves 17 poes 16.

The question being put, there were on a division-ayes 17, noes 16;

no quorum voting.

Mr. ALLISON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SHERMAN. I hope that by unanimous consent the amendment will be put on, and that we shall not be called upon to vote on the proposition of order. I have no objection to its being put on by unani-

Mr. HALE. Suppose the Senator asks for unanimous consent.
Mr. SHERMAN. I do. I ask it now.
Mr. ALLISON. I made the point of order on the amendment. wish to know whether it is in order or not. I will simply say to the Senator from Maine and other Senators that there are a great many bills here and a great many suggestions that are not in order which I should be glad to insert on this bill. The Senate during the last session passed a bill with absolute unanimity increasing the compensation of the judges of the district courts of the United States; and there is an item of appropriation in the bill for the compensation of those judges; yet under the rules of the Senate we can not appropriate the sum necessary to properly compensate those judicial officers, because it is not within our rule. If we can put on these things by unanimous consent, I think we ought to put on as many of the bills that the Senate has passed as possible, in order that they may reach the other House for consideration.

Mr. HALE. Let me ask the Senator if he does not think the attitude of the Senate different, after it has deliberately, upon a yea-and-nay vote, admitted a clause of this kind coming from the House of Rep-resentatives creating a port of entry and delivery? Has not the Senate thereby declared that legislation of that kind for the time being is appropriate in an appropriation bill? But for that I should not have offered the amendment. It was only in accordance with the will of the Senate expressed on this particular bill that I introduced a germane

Mr. FRYE. A full Senate did it yesterday.

Mr. HALE. The Senate has been doing it all the time, for that

Mr. ALLISON. The Senate can do it now.

The PRESIDENT pro tempore. The question is, Is the amendment proposed by the Senator from Maine [Mr. HALE] in order under the rules of the Senate? On this question the yeas and nays have been ordered.

The Secretary proceeded to call the roll. Mr. KENNA (when his name was called). I am paired on all ques-

tions with the Senator from Minnesota [Mr. Sabin].

The roll-call having been concluded, the result was announced—yeas 21, nays 24; as follows:

	1 E	AS-21.	
Brown, Call, Camden, Coke, Conger, Frye,	Gibson, Hale, Jackson, Mahone, Manderson, Maxey,	Miller of Cal., Miller of N. Y., Palmer, Pike, Pugh, Riddleberger,	Sewell, Van Wyck, Williams.
	NA	YS-24.	
Allison, Bayard, Beck, Colquitt, Edmunds, Fair,	Garland, Gorman, Groome, Hampton, Harris, Harrison,	Hoar, Ingalls, Jonas, McPherson, Morgan, Morrill,	Plumb, Ransom, Sherman, Slater, Vest, Wilson.
Tanana and a	ABS	ENT-31.	
Aldrich, Blair, Bowen, Butler, Cameron of Pa., Cameron of Wis., Chace, Cookrell	Cullom, Dawes, Dolph, Farley, George, Hawley, Hill, Lones of Florida	Jones of Nevada, Kenna, Lamar, Lapham, Logan, MeMillan, Mitchell, Pendleton.	Platt, Sabin, Saulsbury, Sawyer, Vance, Voorhees, Walker,

The PRESIDENT pro tempore. The Senate holds that the amendment is not in order. The question now is on the motion of the Senator from Kentucky [Mr. Beck] to reconsider the vote of the Senate agreeing to the amendment of the Committee on Appropriations on page 65, striking out the words from line 1594 to line 1606.

Mr. BECK. Mr. President—

The PRESIDENT pro tempore. Debate on a motion to reconsider, the rule says, is not in order.

Mr. BECK. I beg pardon.

The PRESIDENT pro tempore. The question is on agreeing to the motion to reconsider. [Putting the question.] The noes appear to

I desire to ask if I can renew my motion in the Senate. The PRESIDENT pro tempore. The question can be raised again in the Senate.

Mr. BECK. Then I do not care about it now.

Mr. BECK. Then I do not care about it now.

The PRESIDENT pro tempore. The noes have it, and the motion to reconsider is not agreed to. The Senate resumes consideration of the amendment proposed by the Senator from Virginia [Mr. MAHONE] to the amendment offered by the Senator from Indiana [Mr. HARRISON].

Mr. MAHONE. Mr. President—

Mr. VAN WYCK. If the Senator from Virginia will allow me before he proceeds I desire to state that I suggested last evening an amendment which will not occupy much time, and I trust the Committee on Appropriations will assent to it. I think it will be a pleasure for the

Appropriations will assent to it. I think it will be a pleasure for the Senate to assent to it. In line 99 I propose to move to strike out "\$2,592" and insert in lieu thereof "\$3,000." That is for the compensation of Amzi Smith, who is in charge of the document-room of the

I trust that while we are adding to the number and increasing the salaries of other officers we shall at least pause long enough to do justice salaries of other officers we shall at least pause long enough to do justice to Mr. Smith. Every member of the Senate knows probably more than I can say in behalf of this proposition. No more valuable man is connected with this branch of the Government—only one other man possibly. He is like Mr. Spofford, the Librarian, and like the clerk of the Committee on Appropriations. Mr. Amzi Smith stands as those two gentlemen stand. We are paying \$2,220 to clerks in this body who really do no public business, as every member of the Senate knows. Mr. PLUMB. Cut them down! No, sir; you can not do that. Why do not the members of the Committee on Appropriations seek to

Why do not the members of the Committee on Appropriations seek to cut them down? That can not be done; but do not let that prevent us from doing an act of stern justice. The loss to the Senate of the three men whom I have named would be a public calamity greater than the loss of two or three Senators; I mean those who do not belong to the Committee on Appropriations, of course. It would be a public

the Committee on Appropriations, of course. It would be a public calamity to the country.

I do not even know what State Mr. Smith is from. I do not know his politics. He is not asking for this proposed increase, neither does he know that this little amendment is to be offered; but I trust now that when a man who has made himself so valuable, and is wearing his life out very evidently in the document-room, the Senate will not refuse to increase his pay. Every Senator has been benefited by the value of his services. Take the clerk of the Committee on Appropriations, Mr. Spofford the Librarian, and Mr. Smith, and you can not

I trust the Senate will measure the services of such men in dollars.

measure the services of such men in dollars. I trust the Senate will not hesitate a moment to do to this man this little act of justice.

The PRESIDING OFFICER (Mr. SHERMAN in the chair). The Senator from Nebraska asks unanimous consent at this time to offer the amendment indicated by him. Is there objection?

Mr. ALLISON. I object just for the moment. I think we had better dispose of the pending question.

The PRESIDING OFFICER. Objection being made, the question recurs on the amendment of the Senator from Virginia [Mr. MAHONE] to the amendment of the Senator from Indiana [Mr. HARRISON].

Mr. MAHONE. Mr. President. the proposition before the Senate is

Mr. MAHONE. Mr. President, the proposition before the Senate is to amend the amendment which undertakes to put certain clerks of committees on the roll of annual clerks. Three amendments to that effect were proposed by their respective committees in conformity with the rules of the Senate; they were referred to the Committee on Appropriations, and that committee thought it wise and expedient to leave them out. Those propositions of amendment have now come before them out. Those propositions of amendment have now come before the Senate. The Senate has substantially given evidence of its inten-tion to adopt two of the propositions, and in the amendment which I offer on behalf of the Committee on Public Buildings and Grounds I ask the Senate to adopt the third. I wish only to say that it will oc-cur to the Senate, I think, that there is as much propriety in making the clerk of the Committee on Public Buildings and Grounds an annual clerk of the Committee on Public Buildings and Grounds an annual clerk as there is in making the clerks which have already been in substance adopted as annual by the Senate.

The PRESIDING OFFICER. The Secretary will report the amendment proposed by the Senator from Virginia as an amendment to the amendment proposed by the Senator from Indiana.

The Secretary. It is proposed, after the words "the clerk of the Committee on Agricultations and the clerk of the Committee on Agricultations."

ure and Forestry," to add the words "and the clerk of the Committee on Public Buildings and Grounds."

The PRESIDING OFFICER. The question is on agreeing to the

The PRESIDING Officers amendment to the amendment.

Mr. RIDDLEBERGER. Before the question is put, after the word

No. 1971 Appears to insert, as an amendment, "and the clerk of "grounds" I propose to insert, as an amendment, the Committee on Manufactures."

The PRESIDING OFFICER. That amendment will not be in order until the question is taken on the pending amendment.

Mr. RIDDLEBERGER. I wish to reserve the right to offer it then. Mr. COCKRELL. Why is it not in order? This is only an amendment to the amendment.

The PRESIDING OFFICER. The Chair understands that an amend-

ment to the amendment is now pending.

Mr. COCKRELL. How is it?
The PRESIDING OFFICER. The Chair is informed by the clerks that the pending amendment is an amendment to an amendment. The amendment proposed by the Senator from Indiana [Mr. HARRIson] has been amended, and now a second amendment is pending to the amendment proposed by the Senator from Indiana, and until the question is taken upon the amendment to the amendment no further amendment is in order. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. MAHONE].

Mr. RIDDLEBERGER. I think, sir, we ought not to adopt any of these amendments. I do not think that any one Senator on this floor

would like to put himself in the attitude of discriminating between the clerks of these committees, and especially discriminating in favor of those who do the least work. That is what we are doing now. I can take the very committees the clerks of which it is proposed to increase the pay of, and I can demonstrate from the record of those committees

If there should be a proposition here to increase the pay of all the committee clerks and make them all annual clerks I should vote for it; but I am not willing for one to take the Committee on Agriculture and Forestry, from which committee there have been four bills reported during this whole session, and the Committee on Public Buildings and Grounds, which meets possibly once a week, and to say that they shall have annual clerks, and that the clerks of all the other committees now excluded from the annual list shall be per diem clerks. I am as liberal as any Senator on this floor, but I am not liberal to the extent of giving the man the most money who does the least work. If there shall be brought in a proposition from the Committee on Appropriations to make. all the committee clerks annual I shall vote for it.

Mr. MAHONE. I should like to be allowed to interrupt the Sen-

ator The PRESIDING OFFICER. Does the Senator from Virginia yield

Mr. RIDDLEBERGER. Certainly.

Mr. MAHONE. It seems to me he would be singularly falsifying his position in proposing to amend this amendment by putting on the Committee on Manufactures which he told us yesterday met once in two years. I doubt very much whether he has seen his clerk in the last three months.

Mr. RIDDLEBERGER. Very well and very playfully said, Mr. President. I am not trying to take care of my clerk. If he is not here, possibly he is boarding. I am not asking the Senate to increase his pay;

I am not asking the Senate to make him an annual clerk. I am opposing making an annual clerk of him who is the clerk of the Committee on Public Buildings and Grounds. But I say that if we are going to make one an annual clerk, let them all be annual clerks. Why should we make the clerk of the Committee on Agriculture and Forestry an annual clerk? I should like to have some Senator assign a reason for it except the mere fact that the proposition is made. Why should we make an annual clerk of him who writes for the Committee on Public Buildings and Grounds? Make them all annual clerks or leave them just as they are. I undertake to say that if the yeas and nays are called on a proposition of this sort the Senate will not adopt any of these amend-

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Virginia [Mr. MAHONE] to the amendment of the Senator from Indiana [Mr. HARRISON].

Mr. MAHONE. I ask for the yeas and nays.
The yeas and nays were ordered and taken.
Mr. ALLISON (after having voted in the negative).

negative, forgetting for the moment that I am paired with the Senator from Massachusetts [Mr. Hoar]. Therefore I withdraw my vote.

The result was announced—yeas 24, nays 30; as follows:

***************************************	YE	AS-24.	
Aldrich, Blair, Bowen, Brown, Call, Chace,	Conger, Cullom, Dolph, Fair, Harrison, Hill,	Ingalls, Jones of Nevada, Lapham, Mahone, Miller of Cal., Miller of N. Y., YS-30.	Mitchell, Palmer, Sawyer, Sewell, Van Wyck, Wilson.
Bayard,	Gorman,	Maxey,	Saulsbury
Beck, Cockrell,	Groome, Hampton,	Morgan, Morrill,	Sherman, Slater,
Colquitt,	Harris,	Pendleton,	Vance,
Dawes, Frye,	Hawley, Jackson,	Pike, Platt,	Vest, Walker.
Garland,	Jonas,	Pugh,	Walker.
Gibson,	McPherson,	Riddleberger,	
The state of the state of	ABSI	ENT-22.	
Allison,	Edmunds,	Kenna,	Ransom,
Butler, Camden,	Farley, George,	Lamar, Logan,	Sabin, Voorhees,
Cameron of Pa.,	Hale,	MeMillan,	Williams.
Cameron of Wis., Coke,	Hoar, Jones of Florida,	Manderson, Plumb,	

So the amendment to the amendment was rejected. The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Indiana as amended.

Mr. VAN WYCK. I suppose now the amendment which I presented last night, and which has been printed, will be in order, to insert after the word "Senate," in line 72, the words:

And clerks to each of the other standing committees of the Senate

That, I think, will commend itself to the idea of equity which ought to prevail in this body. I do not desire to prolong the discussion which followed upon that proposition last night when my amendment was ruled out of order. Because of that ruling I submitted it and had it

The PRESIDING OFFICER. The Chair will inform the Senator

The PRESIDING OFFICER. The Chair will inform the Senator from Nebraska that the amendment would not now be in order. The amendment of the Senator from Indiana is in a different part of the bill. Mr. VAN WYCK. The same part, I think.

The PRESIDING OFFICER. A previous line. The amendment of the Senator from Indiana is in line 71, after the words "Indian Affairs," while the amendment proposed by the Senator from Nebraska comes in on line 72 at a different place. comes in on line 72, at a different place.

Mr. VAN WYCK. Will the Secretary state where the amendment of the Senator from Indiana is to be inserted?

The Secretary. In line 71, after the words "Indian Affairs."
Mr. VAN WYCK. Mine comes in on the next line, after the word "Senate." It is germane to this amendment and was intended to be

an amendment to the amendment of the Senator from Indiana The PRESIDING OFFICER. It can be offered as an amendment to

the amendment of the Senator from Indiana, if the Senator desires.

Mr. VAN WYCK. I trust there will be no point on that.

Mr. ALLISON. I desire to make the point of order on this amendment. I understand it was simply referred by the Senator from Nebraska, and was not the report of a standing or select committee of the Senate. I presume, therefore, it is not in order. The PRESIDING OFFICER. Does the Senator from Nebraska offer

the amendment as a Senator, or does it come from some committee?

Mr. VAN WYCK. Not from a committee. I offered it yesterday

as a Senator in this body, and had it printed and referred to the Com-

mittee on Appropriations.

The PRESIDING OFFICER. Under the sixteenth rule it would not be in order unless it came from a committee. The rule will be read.

The Secretary read as follows:

RULE XVI.

AMENDMENTS TO APPROPRIATION BILLS.

All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be

received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

Mr. VAN WYCK. Then do I understand that a Senator has no power

to offer an amendment to an appropriation bill?

The PRESIDING OFFICER. The Senator from Indiana [Mr. Harrison] reported from the committee of which he is chairman the amendment proposed by him, and that was in order; but the motion of the Senator from Nebraska is not in order unless he has authority from a committee to report it.

Mr. VAN WYCK. Isit not in order to present an amendment to the

Mr. VAN WYCK. Is it not in order to present an amendment to the amendment presented by the Senator from Indiana?

The PRESIDING OFFICER. It would be in order, the Chair thinks, The PRESIDING OFFICER. It would be in order, the Chair thinks, but for the fact that the same rule governs amendment to amendment as original amendments; the proposition must be reported from a committee. Such the Chair is advised is the practice.

Mr. VAN WYCK. Then do I understand that a member of the Senate, as an individual, has no power at any time to offer an amendment to an appropriation bill? Is that the rule, and has that been the practice of the Senate?

The PRESIDING OFFICER.

The PRESIDING OFFICER. The rule is as stated by the Chair, and such has always been the practice of the Senate, that an amendment can not be offered by a Senator if it involves a new appropriation or an increased expenditure, unless it is reported by direction of a

standing or select committee.

Mr. VAN WYCK. I submit whether this is not carrying out the rules and regulations of the Senate already. The Senate have directed the appointment of certain committees of this body, and as an incident to that they have appointed clerks to those committees. The Senate have done this. From the fact of the establishment of the committees first and from the fact of the appointment of clerks to those committees that the property of the senate have directly of the sen tees is not as a necessary incident thereto this matter properly in order? The only question is for what length of time the clerk shall be compensated. Everything else has been provided for, the establishment of the committee and the appointment of its clerk. Now, this amendment merely proposes to make a little more effective what the Senate has already ordered to be done.

I think it is important we should take the sense of the Senate on this

matter. Some Senator has said, particularly to the Committee on Appropriations who have charge of this matter, that we had better reduce expenses and level down salaries. That would do very well; but that will never be done. The only way of reaching a just and equitable and honest distribution is that we shall put it is such a shape that the Senate will be forced or the Committee on Appropriations will be forced

to do a little nearer justice in this matter.

Now I ask unanimous consent that this amendment, of which notice was given yesterday, be received and considered.

The PRESIDING OFFICER. The Senator from Nebraska asks

unanimous consent to offer this amendment at this time.

Mr. HAWLEY. What is the amendment?

Mr. HAWLEY. What is the amendment?

The PRESIDING OFFICER. The amendment will be again read.

Mr. HAWLEY. Making annual clerks to all the other committees?

The PRESIDING OFFICER. Yes.

Mr. HAWLEY. I object.

The PRESIDING OFFICER. Objection being made, the Chair is of

opinion that it is not now in order. Does the Senator from Nebraska

appeal from that decision?

Mr. VAN WYCK. No, sir.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Indiana [Mr. HARRISON] as amended.

Mr. MILLER, of New York. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HARRIS. Let the amendment be read.

The PRESIDING OFFICER. The amendment as amended will be

The SECRETARY. After the words "Indian Affairs," in line 71, it is proposed to add:

Clerk to the Committee on Territories, and clerk to the Committee on Agriculture and Forestry.

Mr. RIDDLEBERGER. Before the vote is taken I may be pardoned, perhaps, for asking of the Chair how one objection can control the Senate of the United States on a matter that goes only to a rule of the Senate. I perfectly understand that the limit of legislative authority is fixed by the Constitution of the United States, and it is not fixed by any rule of the Senate, and no one objection is equivalent to a majority vote of this body. I submit that now as a proposition, not from the foundation, but from the top down. If when a Senator here offers an amendment to an appropriation bill the objection of one Senator shall say that it is not in order, then there is no use of our being here. I say that a majority of this body fixes its own rules—let him who will deny that proposition—and the only limit to our authority here is fixed by the Constitution itself.

Mr. CAMERON, of Wisconsin. Allow me to suggest that the trouble

with the arguments of the Senator from Virginia is that the Senate has fixed its own rules, and under those rules the amendment to which he refers was not in order. The Senate can alter or amend those rules so

that such amendments may be in order, but it has not done that yet.

Mr. RIDDLEBERGER. The trouble with the Senator from Wisconsin is that he does not seem to comprehend the difference between

what one Senator does not seem to comprehend the difference between what one Senator does and what another tries to do.

Mr. CAMERON, of Wisconsin. Oh, yes; I have discovered that.

Mr. RIDDLEBERGER. I am glad of it. I care not how many rules the Senate may adopt, they can not limit or fix a limit to the action of the Senate. Why, sir, if I may be permitted to do what members of a committee here do, violate one of the fundamental principles of parliamentary law and tell what transpires in committee, which is often done here, I may be permitted to say that I went to the Appropriations Committee last year and I found not only a rule of the Senate but what they called a courtesy obtaining between the two committees of the two Houses of the United States Congress, and they said to me, "You must go to the House of Representatives and get the imprimatur of the chairman of the committee there before you can have an appropriation here."

The point that I want to make is this-and if I give away this point I and every other Senator here had just as well be at home and leave all the business to the Committee on Appropriations-that no rule can be prescribed outside of the Constitution itself that binds any Senator on this floor, and no one objection can prevent me from offering and having entertained by this body an amendment to an appropriation bill. I insist upon it, sir, that no rule can be prescribed by this Senate or any other that will inhibit the amendment proposed by the Senator from Nebraska. I care nothing about his amendment. I should vote against it; I shall vote against all these amendments; but I am not willing for one to say that there can be a rule which can circumscribe my action here; and there can be no valid rule under which the presiding officer can say that I am not entitled to any privilege that any Senator on this floor has, whether I be a member of one committee or another.

Sir, I submit that any amendment offered to this bill is in order and no one objection can preclude it; no one objection can defeat it. A majority of this body alone can say whether an amendment is to be put

upon the bill or not. That is the point I am making.

The PRESIDING OFFICER. The Chair does not see that the Senator from Virginia presents any point of order. The Chair is trying to enforce the rules as he finds them. The question now is on the amendment of the Senator from Indiana [Mr. HARRISON] as amended. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were here, I should

Blair,

Mr. MANDERSON (when his name was called). I am paired with the Senator from Florida [Mr. Jones]. If he were here, I should vote

yea."
The roll-call having been concluded, the result was announced—yeas 23, nays 26; as follows:

Pike,

Ransom, Sabin, Walker.

	TARREST MOS
Fair.	Lapham,
George,	Mahone,
Harrison,	Miller of

Chace, Conger, Cullom, Dawes.	Harrison, Hill, Ingalls, Jones of Nevada,	Miller of Cal., Miller of N. Y., Mitchell, Palmer.	Sawyer, Sewell, Van Wyck Williams.
Dawes		78—96	

	N N	AYS-26.	
Bayard, Beck, Camden, Cockrell, Coke, Colquitt, Gibson,	Gorman, Groome, Hampton, Harris, Jackson, Jonas, McPherson,	Morgan, Morrill, Platt, Pugh, Riddleberger, Saulsbury, Sherman,	Slater, Vance, Vest, Voorhees, Wilson.
	AI	BSENT-27.	
Aldrich, Allison, Brown, Butler,	Dolph, Edmunds, Farley, Frye,	Hoar, Jones of Florida, Kenna, Lamar,	Maxey, Pendleton, Plumb, Ransom,

Cameron of Pa.,	Hale,
Cameron of Wis.,	Hawley,
0 11 1	

So the amendment was rejected.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. Shall the vote upon the amendments made as in Committee of the Whole be taken in gross?

Logan, McMillan,

Manderson,

Mr. BECK. I ask for a separate vote on the amendment on page 65 striking out of the bill the lines from 1594 to 1606, inclusive.

The PRESIDING OFFICER. That amendment will be reserved. Mr. ALLISON. Unless some other amendment is reserved, I hope the question will be taken on the other amendments in gross.

The PRESIDING OFFICER. The Chair will put the question on

concurring in all the amendments except the one reserved at the request of the Senator from Kentucky [Mr. Beck].

The amendments were concurred in.

The PRESIDING OFFICER. The reserved amendment will now be read.

The CHIEF CLERK. In Committee of the Whole the Senate struck out the following clause:

Provided, That on the first Monday of September, A. D. 1885, or within ten days thereafter, the governor of the Territory and the presiding officers of the houses of the last Legislature shall meet and reapportion the Territory in accordance with the population, as ascertained by the best possible means; and that in accordance with such new apportionment members shall be elected to the Ninth Legislative Assembly, on the second Tuesday of November, 1885, in accordance with the election laws of the Territory; and the members of the council and house of representatives so elected shall be the legal members and constitute the Ninth Legislative Assembly of the Territory.

Mr. BECK. I think-it was a mistake to strike out that provision,

and for reasons which I shall state.

The last Legislature of the Territory of Wyoming failed to pass an apportionment law; and a Legislature was elected last fall which is believed by nearly all the prominent people in the Territory to be illegal, and I believe it is illegal. Unless this provision is made the Territory of Wyoming can have no Legislature next year. The provision which the House inserted allows a proper apportionment to be made and a legal Legislature to be elected under that apportionment. New counties have been organized within the last few years that have no representation at all at this time, while other counties have grown far out of proportion to other parts of the Territory since the last apportionment.

I have a letter in my hand addressed to Hon. M. E. Post, the present Delegate from Wyoming, from, I suppose, the leading Republican law-yer of that Territory, Mr. Corlett, who was at one time the Delegate here, in which he expresses the belief that the last election for a Territorial Legislature was illegal and unwarranted, and that to avoid any question provision ought to be made, which he drew himself and sent to the present Delegate, who offered it in the House. This letter shows all the facts; and the Delegate laid the correspondence before the House of Representatives, and the House inserted in this bill the provision which the Senate has stricken out.

The reason why the Delegate brought it to me, I assume, is that I was a member of the Committee on Appropriations and that I have been in the habit of going to that Territory for the last three or four years, having a son residing in Northern Wyoming. The county of Johnson, where he resides, illustrates pretty well what

the necessity of this legislation is. The county of Johnson has grown up from a population of two hundred in the last four or five years to somewhere near 5,000 actual, bona fide settlers, opening farms, irrigating the land, raising crops, with sheep and cattle and everything that farmers have about them. That county has grown, perhaps, more than any other three counties, but there being no apportionment it has only one representative, while perhaps it is entitled to three. The county of Carbon, which has been organized since that, has none, although it

of Carbon, which has been organized since that, has hone, atthough it is growing very rapidly.

I do not see why we should not authorize an apportionment to be had and representatives elected in accordance with law, so as to remove all doubts and allow the people of that Territory to pass legislation for their own good. Their legislation is generally confined to the building of bridges, the establishment of school-houses, and to doing matters which will aid them in their material advancement. There is very little poli-

tics in it as far as I know or believe.

It seems to me that in view of these facts the Senate ought to agree

to the provision made by the House.

Mr. HARRISON. Will the Senator from Kentucky allow me to ask him a question?

Mr. BECK. Certainly.

Mr. HARRISON. What is the particular matter that is thought to

affect the legality of this Legislature?

Mr. BECK. The Legislature that adjourned two years ago failed to pass an apportionment bill to apportion the representation in the Territory, and their failure to do this is believed to have made the last election illegal.

Mr. HARRISON. Then, if I understand it, it is upon the basis that the apportionment once made does not continue until it is changed

by a new apportionment?

Mr. BECK. I judge not, from the letter that Mr. Corlett, who is the best lawyer there and a former Delegate, wrote to the present Delegate. I have not had time to make a personal investigation of the subject, but knowing these gentlemen and relying upon them I believe that is the fact. That is all there is in the case as far as I know. I think we had better agree with the House. It can not do any harm, I think.

Mr. HARRISON. So far as I know—and the Senator from Ken-

tucky will correct me if I am wrong—this proposition has not been submitted to the Committee on Territories of the Senate.

Mr. BECK. Not that I know of. I am not aware of it.

Mr. HARRISON. I do not think it has been in any form. I do not know how it is that the emergency for this legislation has been so recently discovered. I do not know how it may have come about; but if there was this condition of things in that Territory, it is strange that the people should not have been advised of it in time to enable the Committee on Territories to consider the question and to report some appropriate legislation.

The proposition here is to give to certain executive officers of the

Territory, and to the presiding officers of the two houses of the Territorial Assembly power to make an apportionment. In an exigency where the Legislature had for some reason or other lost control over this subject, of course a resort to that method to secure a new apportionment might be justifiable; but I think the Senator from Kentucky will agree with me that it is not a good method of apportioning a Territory for legislative purposes. It gives a few persons, some of them appointed to executive offices, the right to apportion a Territory, and upon their apportionment the next Legislature is to be chosen. There may be always in that case some risk of partiality or unfairness of one sort or another, at least they are not the chosen representatives of the people to do this sort of thing. The Legislature of the Territory of Wyoming is the proper body to make an apportionment for the Legislature that is to succeed it, and I do not see myself that there is in this case, such an exigency as to justify us, without any information from the committee that has this subject in charge, in authorizing these men to make a reapportionment for legislative purposes.

I may say that, without any personal knowledge on the subject at all, there has been placed in my hands this morning by Judge Carey, the Delegate-elect from the Territory of Wyoming, a telegram signed by a dozen or more individuals, whom he represents to me to be leading citizens, in which they protest against this measure as an injustice and a needless expense to the Territory. I do not myself know what the facts are, and I do not know upon what line the citizens of that Territory are divided upon this question. I do not know whether it is a political division or upon what lines they divide, but it seems clear that they are divided in opinion as to whether this ought to be done. And it seems to me that, aside from the objection of the Appropriations Committee, that they are charged with a matter which appropriately belongs elsewhere, and that there has been an insufficient investigation, the committee ought to adhere to the same rule they applied in the case of Dakota, namely, strikeout the provision. The legislation in the case of Dakota, which provided for an increase of the number constituting the Territorial council and house of representatives, the committee have stricken out. That legislation had been favorably reported by the Committee on Territories, and the necessity for it was apparent, for, as the Senator from Kentucky knows, there are probably 500,000 people in that whole Territory, and they are governed by a council that consists of twelve men and a house that consists of twenty-four.

The Senate can see how inadequate the representation of the people must be in a Legislature representing so vast a Territory and so large a population; and yet the Committee on Appropriations have stricken out that legislation here, though it had secured the support of the particular committee of this body having the subject in charge, and we have made no resistance. Though we think that legislation ought to be passed we have not sought to retain it in this bill. In the other case there seems for some reason to be a divided sentiment in the Territory of Wyoming as to whether the legislation ought to be had, and it is a question that no one here seems to have investigated sufficiently

Mr. DAWES. I do not know anything personally of this matter; but I received yesterday a telegram from a gentleman a resident of that Territory who has resided there some time, a former resident of Massachusetts, whom I know to be a man of great intelligence and integrity, and who knows as well as any one man can the interests of the Territory, and he very strongly urges that this measure be rejected. He is very much opposed to the proposition contained in this clause of the House bill. He has identified himself and has for some time been a leading citizen of that Territory, and expects it to be his home for the future. Identified with its interests, he is very much opposed to this

Mr. BECK. I am not able to answer whether there is any political Mr. BECK. I am not able to answer whether there is any political matter in this or not. The Senator from Iowa thought there was. My only information comes from the Delegate from the Territory [Mr. Post], who handed me the papers which I have submitted to the Senate Both he and a former Delegate and the lawyers of that Territory who understand their Territorial laws believe that the Legislature purporting to have been elected last fall was illegally elected and can not therefore act as the Territorial Legislature. If this is so, it ought to be remedied. The county of Carbon, to which my attention has been called, has no representation: a former Delegate from the Territory in the has no representation; a former Delegate from the Territory in the House, evidently a fair man, says there is no representation from that county. Another county which is entitled to three members has only one. If the Legislature elected can not meet because of illegality, the defect ought to be remedied. The House has remedied it; but the Senate has stricken out the clause proposed by the House. I think it was ate has stricken out the clause proposed by the House. I think it was a mistake to do that. I believe the clause ought to be allowed to re-

I know personally the importance of very much legislation by that Territorial Legislature. Actual settlers are going in there with their families, many of them people of means, people of education. They want bridges over their rivers and streams, public highways, and many other things that the Legislature must provide for. If because of the illegality of the last election they are to be deprived of the right of having a Legislature for two or three years to come, there being only biennial sessions, it will be a great deprivation to those people. While a protest comes to the Senator from Indiana on the ground of expense,

it should be remembered that the expense is a very small matter compared to the benefits to be derived from it. That is all I care to say about it

Mr. HARRISON. In referring to the legislation in this bill in reference to Dakota I did it without more than glancing at it. I find the legislation contained in the bill was to enable the Territory to apportion their members of the council in single districts instead of as now two in a district, something that of course ought to be done, but it was obnoxious to the rule of the Senate and went out of this bill. We did not retain it notwithstanding it is undoubtedly wise legisla-

Mr. ALLISON. As I understand this question—and the Senator from Kentucky can correct me if I am mistaken—a Legislature of Wyoming was elected at the last election and will be known as the Ninth Legislature. This provision in the bill legislates that Legislature out of office and provides that next year a new apportionment shall be made and a new Legislature elected which shall be the Ninth Legislature. In view of the fact that there are serious difficulties in the way, and in view of the fact also that a very large number of the people of Wyoming, including the Delegate-elect, protest against this legislation and insist that the Legislature already elected is the proper Legislature of the Territory, it seems to me rather dangerous for us to interfere with the subject on an appropriation bill. If I am mistaken in my facts, the Senator from Kentucky can correct me.

Mr. BECK. I am advised that the reason for the House legislation is that while there were members elected to the Legislature last fall, that election was in fact illegal, null, and void by reason of the law re-

In that election was in met lilegal, fitth, and void by reason of the law requiring an apportionment to be made before an election could be had. If that is the case, nothing will come of the election.

Mr. ALLISON. But the Senator must see that the gentlemen who have been elected claim that the election was legal; and I think there is in the committee-room of the Committee on Appropriations now a telegram from one of the members elected to this Legislature to that We are undertaking here without a hearing and without full information of the facts to annul the election of last year and provide for an entirely new election next year. I do not think that ought to

be done in this summary manner.

Mr. CALL. It seems, on the statement of the Delegate from Wyo-ming and the action of the House in the bill now before the Senate, that there has been an election in the Territory of Wyoming under an apportionment law which has ceased by its terms to exist, and that that election has left a very large portion of the people of Wyoming unrepresented. The letter read by the Senator from Kentucky was from a Resented. The letter read by the Senator from Kentucky was from a Republican lawyer of eminence, as I understand, in the Territory of Wyoming, a former Delegate; and I understand it to be very largely the wish of the people of that Territory that there should be left no doubt as to the legality of the election of the Legislature that is to meet. The bill of the House simply proposes to add to that Legislature a representation made upon an apportionment of the population so as to make it a full representation. a full representation.

Mr. ALLISON. I do not so understand the provision. It provides for the election of an entirely new Legislature and says that shall be the Ninth Legislature of the Territory of Wyoming.

Mr. CALL. But only for the purpose of introducing the new representation of people who have not been represented in the apportion-

The PRESIDENT pro tempore. The question is on concurring in the amendment made as in Committee of the Whole, striking out the words which have been read.

Mr. BECK. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SAULSBURY. I desire to ask whether an amendment striking out the word "ninth" would be in order. I shall make that motion out the word "ninth" would be in order. I shall make that motion if it is in order, because I do not like to pass here by my vote on the question of whether the existing Legislature is a legal Legislature or not, but I am in favor of making some provision for another Legislature upon a new apportionment, inasmuch as a doubt exists as to the legality of the present Legislature. If it is in order, I make that motion.

The PRESIDENT pro tempore. Which word "ninth" does the Sena-

tor from Delaware move to strike out? There are two words "ninth."
Mr. SAULSBURY. I move to strike it out in both cases.

The PRESIDENT pro tempore. The Senator from Delaware moves to amend the paragraph proposed to be stricken out by striking therefrom the word "ninth," occurring in two places, in line 1601 and in line 1605.

Mr. SAULSBURY. By adopting my amendment and retaining the clause we do not pass on the question of the legality of the existing Legislature, but make provision for the election of another Legislature

under a new apportionment; and that is what I desire.

The PRESIDENT pro tempore. The question is on amendment of the Senator from Delaware. The question is on agreeing to the

Mr. CONGER. If the amendment should prevail and the Senate should insist upon striking out, then these two words would be left in the bill, as I understand.

The PRESIDENT pro tempore. If the motion of the Senator from Delaware prevails those words will already have been stricken out. If the motion of the Senator from Then if the recommendation of the Committee of the Whole should be agreed to, all the rest of the words would be stricken out. The question is on the amendment of the Senator from Delaware to strike out the word "ninth" in two different places.

The amendment was agreed to.

The PRESIDENT pro tempore. The question now recurs on agree-ing to the recommendation of the Committee of the Whole to strike out

the whole paragraph, on which the yeas and nays have been ordered.

The Secretary called the roll.

Mr. MANDERSON. My pair with the Senator from Florida [Mr. Jones] has been transerred to the Senator from Minnesota [Mr. Mc-

The result was announced-yeas 33, nays 15; as follows:

VEAS-33

Aldrich, Allison, Blair, Cameron of Wis., Chace, Conger, Cullom, Dawes, Edmunds,	Frye, Garland, Gorman, Harris, Harrison, Hawley, Hoar, Ingalls, Jones of Nevada,	Lapham, Manderson, Miller of N. Y., Mitchell, Morrill, Palmer, Pike, Platt, Plumb,	Riddleberger, Sawyer, Sewell, Sherman, Van Wyck, Wilson.
	NA'	YS-15.	
Bayard, Beck, Brown, Call,	Coke, Colquitt, George, Hampton,	Jackson, Maxey, Saulsbury, Vance,	Vest, Walker, Williams.
	ABSI	ENT-28.	
Bowen, Butler, Camden, Cameron of Pa., Coekrell, Dolph, Fair,	Farley, Gibson, Groome, Hale, Hill, Jonas, Jones of Florida,	Kenna, Lamar, Logan, McMillan, McPherson, Mahone, Miller of Cal.	Morgan, Pendleton, Pugh, Ransom, Sabin, Slater, Voorhees.
The state of the s			

So the amendment was concurred in.

Mr. ALLISON. In line 137, I ask that the footing may be corrected to correspond to an amendment agreed to by the Senate. Before the word "hundred" I move to strike out "six" and insert "eight;" so as to read "\$51,821.80."

The PRESIDENT pro tempore. That correction will be made, if

Mr. ALLISON. In line 769, I also wish to change the footing to correspond to the action of the Senate. Before the word "hundred" I move to strike out "nine" and insert "eight;" and before the word "dollars" to strike out "ninety" and insert "ten;" so as to read "\$88,810."

The PRESIDENT pro tempore. This amendment will be agreed to,

if there be no objection.

Mr. VAN WYCK. I now ask unanimous consent to offer an amendment to increase the compensation of the superintendent of the document-room, Amzi Smith, named in the bill. In line 99, I wish to move to strike out "\$2,592" and insert "\$3,000." I have already made some suggestions to the Senate in that behalf, and the matter was laid over

on the request of the Senator from Iowa.

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent that the bill be amended, in lines 99 and 100, by striking out "\$2,592" and inserting "\$3,000;" so as to read:

Superintendent of the document-room (Amzi Smith), \$3,000.

Is there objection?

Mr. ALLISON. Mr. Amzi Smith is a very competent and worthy officer, but I think I shall be obliged to object.

The PRESIDENT pro tempore. The Chair did not hear the Senator from Iowa. Does the Senator from Iowa object?

Mr. ALLISON. I object.

The PRESIDENT pro tempore. Objection is made, and the amendment can not be received.

The amendments were ordered to be engrossed and the bill to be

The bill was read the third time, and passed

PUBLIC BUILDING AT DETROIT.

Mr. MAHONE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from their disagreement to the amendment of the House, and agree to the same with an amendment as follows: Add as an additional provision to said House amendment the following: "And provided further, That nothing herein contained shall be construed in any event to increase the cost of the site and building, including approaches, when completed, beyond the sum of \$900,000, as provided in this section;" and the House agree to the same.

WM. MAHONE, ANGUS CAMERON, G. G. VEST, Managers on the part of the Senate. S. M. STOCKSLAGER, JAS. H. HOPKINS, EDWARD BREITUNG Managers on the part of the House.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following joint reso-

lutions; in which it requested the concurrence of the Senate:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United

States Geological Survey

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology;

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey; and
Joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by

the President pro tempore:

A bill (H. R. 256) granting a pension to Mary A. Land;

A bill (H. R. 891) granting a pension to Reuben J. Ebberman;

A bill (H. R. 1219) granting a pension to Charles Hendrix;

A bill (H. R. 1653) granting a pension to John R. Hurlburt;

A bill (H. R. 1898) granting a pension to Harriet Armstrong;

A bill (H. R. 2398) granting an increase of pension to Mrs. Anne W. Mulvey

A bill (H. R. 2538) granting a pension to Christiana Almier; A bill (H. R. 2540) granting a pension to Priscilla J. Small; A bill (H. R. 2627) granting a pension to Noah Caton; A bill (H. R. 3108) to protect fish in the Potomac River in the Dis-

trict of Columbia, and to provide a spawning-ground for shad and herring in said Potomac River;

A bill (H. R. 3336) for the relief of Sherman C. Perry;
A bill (H. R. 3335) for the relief of Mary Mulholland;
A bill (H. R. 3751) granting a pension to Francis Curran;
A bill (H. R. 3994) granting a pension to William Strickland,
A bill (H. R. 4263) granting a pension to Elizabeth Hood;
A bill (H. R. 4869) for the relief of Morris Geld;
A bill (H. R. 5123) granting a pension to Frederick Braunwald

granting a pension to Frederick Braunwald;

A bill (H. R. 5374) A bill (H. R. 5925) A bill (H. R. 6287) granting a pension to Phillip Wiggins;

granting a pension to Margaret A. Berry;

for the relief of John H. Johnson; A bill (H. R. 6287) for the relief of John H. Johnson;
A bill (H. R. 6596) granting a pension to John Hazelwood;
A bill (H. R. 6798) granting a pension to Lloyd W. Hixon;
A bill (H. R. 6928) granting a pension to Leonard King;
A bill (H. R. 6948) granting a pension to George W. Eagles;
A bill (H. R. 7002) for the relief of Harriet L. Stevens;
A bill (H. R. 7026) granting a pension to Jeremiah P. Swatzell;
A bill (H. R. 7292) to increase the pension of Jacob Wiener;
A bill (H. R. 7373) for the relief of Sarah A. Burchfield;
A bill (H. R. 7696) granting a pension to Thomas D. Fitch;
A bill (H. R. 7769) granting a pension to Joseph R. Dodds; and
A bill (H. R. 7869) granting a pension to Emeline L. Fitch.

Mr. MORRILL. I move that the Senate proceed to the consideration of the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

The motion was agreed to; and the Senate, as in Committee of the

Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The pending question is on the motion of the Senator from Kansas [Mr. INGALLS] to strike out section 5 of the amendment reported by the Committee on Finance.

Mr. CULLOM. I ask the Senator from Vermont if he will not yield

to me to take up a little bill.

Mr. BECK. I desire the yeas and nays upon the motion to strike

The PRESIDENT pro tempore. The Chair is hearing the Senator from Illinois on another request.

Mr. BECK. I thought the bill was up. •
The PRESIDENT pro tempore. The bill is up and the question is bending, pending which the Senator from Illinois rose to address the

Mr. CULLOM. I appeal to the Senator from Vermont if he will not allow the bill to be informally laid aside so that I may call up House bill 7659.

bill 7659.

Mr. BECK. I object before hearing the title of the bill. I do not know what the bill is, but I object.

The PRESIDENT pro tempore. Objection is made. The regular order is called for. The pending question is on agreeing to the motion to strike out section 5 of the amendment reported by the Committee on Finance, on which the yeas and nays are demanded by the Senator from Kentucky [Mr. BECK].

The yeas and nays were ordered.

Mr. SHERMAN. I believe upon that, or upon the pending question, whatever it is, I have the floor.

The PRESIDENT pro tempore. The Chair believes that the Senator from Ohio has the floor on the pending question.

Mr. SHERMAN. I should like to have that section read.

The PRESIDENT pro tempore. The section will be read which it is moved to strike out.

The CHIEF CLERK. In the amendment of the committee it is proposed to strike out section 5, which is in the following words:

SEC. 5. That in case no such treaties as aforesaid shall have been made and ratified prior to August 1, 1886, then and thereafter so much of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," as authorizes and directs the Secretary of the Treasury to purchase from time to time of silver bullion, at the market price thereof, not less than two million dollars' worth per month nor more than four million dollars' worth per month, and cause the same to be coined into such dollars monthly as fast as so purchased, shall be suspended.

The PRESIDENT pro tempore. The question is on agreeing to the motion to strike out the words which have been read, on which the Senator from Ohio [Mr. SHERMAN] is entitled to the floor.

Mr. SHERMAN. Mr. President, it has been so long since this bill

Mr. Shekman. Mr. Fresident, it has been so long since this only was before the Senate for consideration that no doubt the Senate have lost much of their interest in it. The feeling has prevailed that it would be ineffective to press upon the attention of the Senate the important questions involved in the silver coinage of the United States. Still if the Senator from Vermont thinks it is possible to pass any bill upon the subject at this session I desire to submit some remarks, but I do not wish to do so merely for the sake of making a speech. My I do not wish to do so merely for the sake of making a speech. My views upon this question are pretty well understood, and I certainly have no desire to agitate the question unless it is the intention of the Senate to vote upon the bill.

This is a House bill, which has been amended and greatly improved by the Senate Finance Committee, and as it now stands I should be willing to support the bill in the amended form. It presents only two

questions, both of which are important from the amount involved and

also from the principles involved.

The first question is whether the trade-dollars should be redeemed at their par in gold. The second is whether the coinage of the standard silver dollar should be discontinued in August, 1886. Upon these two questions only do I wish to make my observations. On account of the lapse of time that has occurred I propose, in order to condense my remarks, to confine myself mainly to what I have written, although I shall be very willing at any time as I proceed to answer any question that may arise in the process of my remarks.

arise in the progress of my remarks.

The House bill as it came to us is based upon the assumption that the United States is under a moral obligation to receive and redeem without exception or limitation all the trade-dollars issued under the coinage act of February 12, 1873.

I am convinced that no such obligation exists on the part of the United States; that the trade-dollar was coined for dealers in silver bullion at their expense, for their benefit, to enable them to secure a better market for their bullion by putting it in convenient form for exportation; that the only obligation assumed by the United States was to guarantee that each dollar issued contained 420 grains of standard silver; that the limited legal-tender quality given to these coins was repealed before they were in circulation in the United States, and that, with few exceptions, those now in the hands of the people were coined after they ceased to be a legal tender, and when they were what their name denotes, silver bullion in convenient form, for which the United States was no more liable than for the silver bars issued from the mints and assay-offices of the United States, and that these dollars in the hands of the holders should be taken only at their market bullion value, or be exported according to the object of their origin. their expense, for their benefit, to enable them to secure a better market

cording to the object of their origin.

Mr. MITCHELL. Will the Senator at that point allow me to ask

Mr. MITCHELL. Will the Senator at that point allow me to ask him a question?

Mr. SHERMAN. Yes; if it will not tend to prolong my remarks. Mr. MITCHELL. The Senator states that these coins were not in circulation in the United States prior to the passage of the joint resolution of 1876. Is it not a fact that they were in circulation before that time, at the close of the year 1875, on the Pacific coast, and that the Senator, while he was Secretary of the Treasury, so stated in a letter which was companying to the public? which was communicated to the public?

Mr. SHERMAN. Undoubtedly they were in circulation to a limited extent, but to a very limited extent, indeed; and I shall show hereafter

As the various petitions to Congress asking for the redemption of the trade-dollar at its nominal par in gold indicate a strong and no doubt sincere opinion that the United States is bound in honor to so redeem these coins, and some of these petitions charge the Government with fraud and repudiation for its neglect to do so, I deem it proper to more fully state the grounds of my opinion that neither honor nor public policy require or would justify Congress in giving to silver bullion in the form of trade-dollars any preference, advantage, or value over other forms of silver bullion daily purchased at its market value.

The coinage of this dollar was authorized by the coinage act of Feb-

ruary 12, 1873, in words as follows:

That any owner of silver bullion may deposit the same at any mint to be formed into bars or into dollars of the weight of four hundred and twenty grains troy, designated in this act as trade-dollars, * * * and the charges for converting standard silver into trade-dollars * * * shall be fixed from time to

time by the Director [of the Mint], with the concurrence of the Secretary of the Treasury, so as to equal, but not exceed, in their judgment, the actual average cost to each mint and assay-office of the material, labor, wastage, and use of machinery employed in each of the cases aforementioned.

As its name indicates, the purpose of this coin was for trade, not for circulation, though by classifying it with other silver coins the law made it a legal tender to the amount of \$5 in any one payment.

At the time of the passage of the act the actual value of this dollar, including the charge of 1½ cents for coinage, was a little more than \$1.04 in gold, or \$1.18 in United States notes.

in gold, or \$1.18 in United States notes.

Under such circumstances there could be no object for the owner to put the coins into circulation, and consequently they were exported mostly to China, where, from lack of a circulating medium, these pieces, convenient in size, and bearing the guarantee of a great Government as to their weight and fineness, obtained an extensive circulation, and created a market for the silver of the Pacific States, as intended by the

After a few months, however, an unforeseen depreciation in the value of silver bullion occurred, and in the early part of 1876 this depreciation reached such a point that one dollar in gold would purchase more than the necessary amount of silver for a trade-dollar and pay for its

Under such conditions dealers in bullion found a profit in putting trade-dollars into circulation at par in the Pacific States, where the currency was upon a gold basis, but the coin being a legal tender for only \$5, its circulation was necessarily limited in amount as well as re-

The people of the Pacific States, however, objected to its use at all for circulation, and the attention of Congress having been called to the matter, on the 8th of May, 1876, Hon. SAMUEL J. RANDALL, of Pennsylvania, introduced into the House a bill the third section of which

repealed the legal-tender quality of these coins.
On the 10th of June following, Hon. S. S. Cox, of New York, reported the measure to the House, urging its adoption.
No objection was raised, and it became a law July 22, 1876, without

modification or an opposing voice or vote in either House, and is as

That the trade-dollar shall not hereafter be a legal tender; and the Secretary of the Treasury is hereby authorized to limit from time to time the coinage thereof to such an amount as he may deem sufficient to meet the export demand for the same.

Mr. President, remember that up to this date the people of the United States east of the Nevada range had taken no interest in the trade-dollar. It was the people of the Pacific States who demanded the coinage of the trade-dollar to enable them to convert their silver bullion into a convenient form for exportation. When a few of these coins were issued and circulated among the people of the Pacific coast they remonstrated among the people of the Pacific coast they remonstrated. against that, and it was upon their remonstrance that a bill was introduced by Mr. RANDALL in the House and finally passed taking away from the trade-dollar all quality whatever as money, leaving it to stand where the law made it, a trade-dollar, to be coined for the benefit of the merchants or the owners of bullion and to be transported to China for the Chinese trade.

Up to that time probably no single citizen east of the Nevada range had the slightest interest in or care for the trade-dollar, for the simple reason that up to the time when the legal-tender quality was taken away from it it was worth from 10 to 15 per cent. more than the cur rency of the United States, and therefore it would not circulate East. What I said at the beginning is absolutely true as a fact, that up to the time of the taking away of the legal-tender quality of the trade-dollar there were none in circulation east of the mountains. All that were circulated east of the mountains and all that were coined after the 22d of July, 1876, were made at a time when the trade-dollars were not received by the Government, were not paid by the Government, and were not practically a legal tender to the extent of a single farthing.

Mr. McPHERSON. Would it interfere with the Senator to answer

a question?

Mr. SHERMAN. Oh, no.

Mr. McPHERSON. I do not wish to interfere with the continuity of the Senator's remarks, but there is one question which suggests it-

Mr. SHERMAN. It does not interfere, except that it tends to the prolongation of the few remarks I proposed to submit.

Mr. McPHERSON. There is one question which suggests itself to me right here. The Senator admits that Congress had passed a law providing for the coinage of the trade-dollars and making them coins of the United States; that from 1873 to 1876 they were coins of the United States and a legal tender. I wish to ask the Senator if he thinks it was honorable on the part of a great Government to take away the legal-tender quality of the trade-dollars without providing for their retirement at the time of the passage of the law of 1876.

Mr. SHERMAN. To have talked about the retirement of the trade-dollars without the trade-dollars without the trade-dollars.

dollar at that time would have been simple folly. At the time the legal-tender quality was taken away from it the trade-dollar was worth 13 cents more than any dollar of the money of the United States then in circulation. Perhaps it would have been better if Mr. RANDALL had provided in his measure that the holder of the trade-dollar might con-

vert it into a greenback, but that would have been simply a ludicrous and ridiculous proposition which would have been rejected with scorn, because the trade-dollar was then worth 13 cents more than the paper

Mr. McPHERSON. But I submit to the Senator that if the greenback currency or national-bank currency, or any of the paper money of the United States, was worth less than gold at that time, that is no reason at all for the Government commencing the coinage of a mone-tary metal, and then in the end demonetizing it or robbing it of all its value as a circulating medium.

Mr. SHERMAN. On and after the 22d of July, 1876, it would have been folly to call the trade-dollar money. It was money neither by

Iaw nor by custom.

Mr. McPHERSON. Did the Government continue to coin it?

Mr. SHERMAN. I am afraid I shall never get through if my friend continues to interrupt me.

ontinues to interrupt me.

Mr. McPHERSON. I wish to make my meaning plain, and I hope the Senator will bear with me. After the passage of the joint resolution of 1876, which only robbed the trade-dollar of its legal-tender value and still left it a coin of the United States, the Senator says it had no value at all, and that people should not have received it. What notice did you give to the people? Take the coin and the law, compare the two things together, and show me how any man in this country would know from either the coin or the law that it was not a legal-tander coin of the United States to the extent of \$5. tender coin of the United States to the extent of \$5.

Mr. SHERMAN. The Senator propounds quite a number of questions. What notice did we give the people? We gave them the notice of the law. What notice can Congress give to the people except in the law plainly written? Under the law as it stood after the 22d of July, 1876, the trade-dollars ceased to be a legal tender. They were only issued upon the demand of the holders of bullion, who brought their bullion to the mint, and at their cost, for their benefit, without any profit to the Government of the United States, those trade-dollars were issued, under a law which expressly made them the private property of the individual depositor, and under a law too which took away from

them the temporary quality they had had of being a legal tender.

Mr. McPHERSON. As to those issued prior to 1876?

Mr. SHERMAN. As to those issued after that time the law gave notice, and except those which have been brought back from China there may be a few exceptions here and there-all that were issued after the 22d day of July, 1876, were issued simply upon bullion owned

by private parties.

Mr. McPHERSON. If the Senator will bear with me a moment more, the Director of the Mint in his report in 1879 reports that of the number of trade-dollars issued up to that time, something like fifteen million in amount, about twelve million had been exported, showing plainly and clearly that under that issue three million were in circulation among the people of the country. The people certainly were deceived as to the three million that had not been exported. As to the twelve million of which the Senator speaks as being designed expressly for export, they were designed no more for export than the three million which remained in the country. What matters it, let me ask the Senator, as to the issue prior to 1876, if every one of them had been exported and returned to the country the next day, or the next week, or the next month, they were coins of the United States of a legal-tender value, and for the Government to repudiate them seems to me to be very strange.

Mr. SHERMAN. The only objection I have to an interruption, be-

cause I am a very patient man and I can take it very leisurely and it does not disturb me, is that it tends to prolong the discussion and scat-ters my argument instead of confining it, as I wish to confine it, to as

brief a period as possible.

Mr. McPHERSON. If the Senator will make that thing plain, I

shall not interrupt him again.

Mr. SHERMAN. I do not object to the interruption, and I intended to go on and state the points to which the Senator has called my at-

Mr. McPHERSON. I hope the Senator will make that thing plain. If he will do that, I shall certainly not interrupt him again.
Mr. SHERMAN. I make a marked distinction between the trade-dollars issued before the 22d of July, 1876, and those issued afterward. Before the 22d of July, 1876, they were a nominal legal tender, and the Government had pledged its faith to receive them to the extent of \$5 in a single payment, and that was all; but after that time the Government of the United States did not undertake to do anything with them except to issue them to the holders of bullion who brought their bullion to the mint and to give them back in trade-dollars the identical silver that they brought to the mint, unless they preferred or were in a hurry to get an advance payment, when they would be paid out of the trade-dollars on hand.

The fact must not be forgotten that the Government of the United States never received the trade-dollar into its Treasury; it never paid out a trade-dollar from its Treasury after the act of July 22, 1876; it never put these dollars in circulation except as it coined them for the benefit of the holders of silver bullion. This day any citizen of the United States has a right to go to the mint and have his gold coined and have the identical bullion put into coin without cost and receive

it; and also any citizen I believe (it used to be the law and I think it

is so yet) may go to the mint and get any coin of the United States in order to preserve it in a collection, merely by paying its actual cost.

I have here a table which is familiar to all Senators of the amount of coinage of the trade-dollar before the legal-tender quality was taken away and afterward. These coins were issued as follows:

During the fiscal year ending June 30-

1874	\$3,588,900
1875	5, 697, 500
1876	6, 132, 050
1877	9, 162, 900
1878, but prior to October 20, 1877	11,378,010
Make)	DY 050 000

It will be seen by this table that the total amount of trade-dollars issued prior to the passage of the law of July 22, 1876, was a little over 15,000,000, and it can be safely asserted that these, with the exception of a small number in circulation on the Pacific coast and a few held as curiosities at a time when coin was not in circulation, had been exported to foreign countries. If they are now in the United States they must have been imported since. A Senator stated that 80,000 trade-dollars, issued while they were a legal tender, were in the hands of a banker in New York. If so he probably imported them since July, 1876. More than 20,000,000 have been coined since, without any pretense whatever that it was a legal-tender coin of the United States for any amount, or that it bore the sanction or credit of the United States, except the guarantee that it contained 420 grains of standard silver, issued under a law which confined it to an amount sufficient to meet the export demand for silver. In this respect it was regarded by the law and the mint precisely like silver bars, as to which no pretense is made that the United States is bound, except only as to their weight and fineness; but substantially the whole of the trade-dollars now in circulation in the United States are part of the \$20,000,000 issued since the legal-tender quality was taken away from them.

Owing to the appreciation of the paper currency, however, in the fall of 1877, the trade-dollar became of less value than the paper dollar, and in December of that year a large number of them were put into circulation, at their face value, at a profit to the owners of the bullion.

Apprehensive of such misuse of the coins, on the 15th of October in that year the Secretary of the Treasury ordered the discontinuance of their coinage at the mint at Philadelphia, and four days later at the

other mints.

Mr. WILLIAMS. What year was that?

Mr. SHERMAN. In October, 1877. At that time they first commenced appearing in our circulation, because under the policy then adopted the notes of the United States were rapidly appreciating in value. The notes soon rose above the market value of the trade-dollars, and a year or more after the legal-tender quality of the trade-dollars had been taken away dealers and people, who could make a little money by getting the trade-dollars or taking bullion to the mint and having it coined into trade-dollars, began to issue the trade-dollars because they could make a little money by doing it, the paper money of the country having advanced above the market value of the tradedollar.

Then they commenced circulating in our country. It was for the purpose of profit that the owners of silver bullion then rushed their silver into the mints and had it converted into trade-dollars, and issued those trade-dollars, and the people took them, although there was no law which justified their being passed as current money. They were issued because they were cheaper to the bullion dealer than the paper money of the United States—they could pass them off on a par with the paper money of the United States, and thus make a profit. There was the commencement of this trouble.

Appreciating that, the Secretary of the Treasury, in October, 1877, under the law which I have already read, stopped the coinage of them; but in the few months from the 1st of July, 1877, to the 20th of October, 1877, when the then Secretary of the Treasury discontinued the coinage, there had been issued \$11,378,010 in those three or four months, in order to make the difference between the market value of the trade-dollar and the current value of the United States notes. The coinage was then stopped. Since that time no trade-dollars have been coinage was then stopped. Since that time no trade-dollars have been issued except occasionally as keepsakes or as curiosities, &c.; for under the law now anybody can go to the mint and get any of the coins of the United States in that way.

the United States in that way.

This is the history of the trade-dollar. I must confess my desire to oblige the many people who hold these trade-dollars; I appreciate their feelings; I know they are hearing me now; I sympathize with them in their loss; but I say, in spite of all that, they have no more right to complain of us or to call upon the Government to repair their losses in a failing speculation than they would if they had invested their money in wheat, or corn, or barley, or rice. To all the world except so far as the United States were concerned after the 22d of July, 1876, the silver in the trade-dollars was bullion, and if it fell in market value it was like other silver bullion mined by the miner, or held by anybody else. like other silver bullion mined by the miner, or held by anybody else, and it ought to have been so treated. The Government of the United States had no part or lot in this matter after the 15th of October, 1877.

Sometimes tables are misleading, as was shown in the case of even

my friend from Delaware [Mr. BAYARD], who is usually so very accurate in his remarks. In his remarks on this bill I agree, except that he made a mistake in the date; he supposed that this coinage was continued until 1878. It was continued into the fiscal year 1878, because the fiscal year 1878 commenced on the 1st of July, 1877; but the coinage of the trade-dollar was discontinued on the 20th of October, 1877, in Philadelphia, and three or four days afterward in California, as soon as by course of mail the order to discontinue might reach the mint at San Francisco.

In the use of the trade-dollars as money the United States has never had any interest or derived any profit. For the expense of their coinage the owner of the bullion reimbursed the Government, and this ended the connection of the Government with the transaction. time and on no account have they ever been received or paid out by the Treasury, and it is a cause of regret that so many of our people should have accepted them at more than their bullion value, thus enabling their owners to put them into circulation at a considerable profit.

The coinage act does not authorize their receipt or payment. The Government has uniformly treated them as bullion put in convenient form for the use of private parties. It has had no agency in their issue except to stamp them of legal weight and fineness. There is no equitable ground upon which the Government could be held to pay them, to redeem them, or to receive them except as four hundred and twenty grains of standard silver. Their market value has been ascertained and stated by the Director of the Mint from time to time. They are purchased at the mint as other silver bullion at current market rates.

This, so far as I am concerned, would end my argument on the silver question, but I know that a great many plausible arguments have been introduced. It is said that the credit of the Government is involved. introduced. It is said that the credit of the Government is involved. I am sure if I thought so I would rather spend \$5,000,000 than to vote to tarnish it in the slightest degree. But where is the credit of the Government involved? Where has the Government after the act of July 22, 1876, promised to pay the trade-dollars in anything? Indeed the law was plain and known to everybody. It was published all over the world. These dollars circulated around among the people, although they were tarnished and fell sometimes more or less below the par line. Then they got in large masses into the hands of persons who received them as an inducement for trade and held them as bullion, believing either that they could be passed off by being exported or that the Government of the United States would redeem them.

Sir, I have myself seen, as you have seen, published in the newspapers "trade-dollars received at par." Why was that done? It was because legally they had fallen below par. They were bullion, they were not at par, and as inducement to trade, especially by the butchers, by the grocerymen, and by the various retail dealers of the country, they were invited in as an inducement for trade, and probably a little extra price was put on the article sold. That would be the natural order of things.

Bullion dealers bought them as silver bullion. They were always worth a little more than their weight in other silver, because there was an indefinite idea that the Government would redeem them; but from 1876 to 1882, a period of six years, there was no demand made upon the Government of the United States to redeem the trade-dollars, although during all that time they were more or less falling in value. But when

during all that time they were more or less falling in value. But when they had become aggregated by the refusal of the banks to receive them and they were then being bought up in masses and held, this demand was made upon us for their redemption.

I do not speak about our being bound to redeem them in clear law, because there is no pretense that there is any legal obligation to redeem them; but if we are bound in honor to redeem them, if we have deceived our people, if we have misled them, or if the Government had ever said anything in the world that would indicate that it was bound to pay the trade-dollars in gold coin or in its equivalent, I should vote to pay them if it took the last dollar in the crib. But there was no such obligation made; it is all inferential. If you choose to pay \$5,000,000 to redeem the trade-dollars, well and good; it will make good some bad bargains of bullion dealers; that is about all there is of it.

There were 35,000,000 trade-dollars issued. They are worth now about 85 cents on the dollar, although one very intelligent and able gentleman, whom I respect very highly, tells me he thinks they are not worth that much now in market value. I assume that they are worth about 85 cents on the dollar as bullion. The Government has taken them as bullion. We have bought some of them as bullion, just like

them as bullion. We have bought some of them as bullion, just like any other bullion. Ever since the passage of the law of 1878, in the purchases of silver which have been made in the last six years we have bought more or less of these trade-dollars as bullion. We have fixed The Director of the mint has from time to time fixed their market value and announced it, and they are taken as bullion.

If the holders of the trade-dollars wish, they can now turn every one of them into the Treasury at the bullion value fixed every month by public advertisement, I may say; that is, at the lowest bid every week for the purchase of bullion to be coined into money. There is no difficulty now in the holder of bullion converting this form of bullion into money, and that will stop the interest. Some of these gentlemen say they have held this bullion so long that they have lost more in interest than the difference between the market value and the nominal value. That is their fault. The Government was willing to buy trade-dollars

at the bullion price always. Still I say if there could be shown any moral obligation because of any false inducement made by the Government or even by the officers of the Government I should not hesitate

at all to make good their losses. But there is none, sir.

My desire is, if possible, to avoid any controversy with any holder of anything bearing the impress of the eagle of the United States, but I have come to the conclusion that there is no moral obligation on the part of the United States to buy this bullion at any other price than is

paid for that of the miner. Why should we?

It is admitted on all hands that three-fourths, yes, four-fifths (I think the Senator from Kentucky has insisted, and most of those who believe that this measure ought to pass have insisted, that four-fifths) of these trade-dollars are in foreign lands, and yet it is proposed to pay \$1 in gold, I may say, or the equivalent of gold, for 420 grains of silver in the hands of the Chinese and the Japanese and the other foreign nations which hold these coins and in the hands of our own bullion brokers,

while we will only pay \$1 for 485 grains in the hands of the hardy miner who digs this precious metal from the bowels of the earth.

In other words, we discriminate against our own miners, our own citizens, our own workmen, and give a higher price for bullion in the hands of the money-dealers here and in foreign lands. It is true the Senator from Kentucky seeks to obviate that, and to the extent he goes Senator from Kentucky seeks to obviate that, and to the extent he goes I am willing to vote with him, by providing that wherever the Chinese have stamped the trade-dollar with their own insignia in order to give it additional credit there it shall not be redeemed. Although I do not see any reason in morals why if one ought to be redeemed the other ought not to be redeemed, yet, as I am opposed to the redemption of any, I am inclined to vote for the amendment of the Senator from Kentucky. tucky, because that will lessen the number to be redeemed. to think that many of these coins have gone into the melting-pots or have been stamped by Chinese characters, and that where they are so marked we can avoid the redemption of them; but in morals, if we are bound to redeem any one of them, we are bound to redeem them all, those in the bands of the Chinese as well as those in the hands of Amer-

There is another ridiculous feature about this measure. I think my There is another ridiculous feature about this measure. I think my friend from New Jersey was guilty of the solecism of suggesting that we do not propose to pay them in gold, but we propose to pay them in the standard silver dollar of 412½ grains. So say some of these gentlemen, "We will not redeem them ingold, but we will give you another dollar which contains 412½ grains." If that was all the value in the standard dollar of 412½ grains you could not get the Chinaman or anybody else to exchange 420 grains for 412½ grains. Such a bargain as that would all be on one side; it would be laughed at as frivolous and ridiculous. But we know very well that the coin of 412½ grains of standard would all be on one side; it would be laughed at as frivolous and ridiculous. But we know very well that the coin of 412½ grains of standard silver means more than 412½ grains of silver; it means a dollar in gold, unless we intend to go back to the silver standard in this country. Four hundred and twelve and one-half grains of silver are worth about 84 cents in gold. It would be no favor to the holders of the trade-dollar to pay them 412½ grains for 420 grains, but it is because that standard dollar has an artificial value growing out of the fact that we maintain it at warmith each of the same and the trade-dollar has an artificial value growing out of the fact that we maintain it at par with gold, that we receive it for all purposes, that we practically make it a legal tender, the equivalent of gold; it is because that standard dollar represents not only 412½ grains of silver, but it represents the promise and faith of the United States to make it as good as gold. Then the proposition to convert the 420 grains of silver in one form into 412½ grains in the other becomes a very different proposition. It involves the strange solecism of saying, "Oh, well, we will only give them 412½ for 420," when we give them in addition to the 412½ grains promise of the United States to make it good, because the 4121-grain

dollar is a legal tender, receivable for all public dues.

Mr. President, I would not care so much about this bill, nor would I have detained the Senate to make a speech upon it, if the trade-dollar were all there was in it. If Senators choose to give anywhere ranging from one and a half million dollars to five million three hundred thousand dollars to the holders of the trade-dollars, well and good; the Gov-

ernment can stand it; it will not break us up.

It is thought, and by my friend from New Jersey especially, that nearly all these dollars are circled around Philadelphia. That is the place of a great many good things, and nearly all the trade-dollars, I believe, now have in the course of commerce probably come within a radius of one hundred and fifty or two hundred miles of Philadelphia and New York taking them together. They are hold these the philadelphia and New York, taking them together. They are held there as bullion in large masses, and I have no doubt that Senators representing those communities are very sensitive now about the honor and good faith of the United States, but I think they are far more sensitive to the interests of the constitutents they represent. I do not blame them at all. If the Senate chooses under all the circumstances to redeem the trade-

dollars, well and good; it is only a matter of dollars and cents.

If the bill stood as the House sent it to us I would not vote for it, but as it is now amended on the motion of the Senator from Iowa [Mr. ALLISON] it contains a proposition of infinitely greater importance than all this dispute about the trade-dollar; that is, it declares that after the 1st of August, 1886, the standard silver dollar shall no longer be coined.

Mr. MITCHELL. Will the Senator allow me to interrupt him before he passes from the consideration of the other question?

Mr. SHERMAN. Certainly.

Mr. MITCHELL. The Senator stated that this coin is largely held in and about Philadelphia, and in that connection he stated that it is held as bullion. Is the Senator not informed of the fact that a very careful inquiry was made in respect to the holding of this coin in Pennsylvania since the subject has been under consideration and while it was under consideration in the House of Representatives, and that as the result of that inquiry it was found from the returns from bankers and business men and people at large in Pennsylvania that of \$2.500. and business men and people at large in Pennsylvania that of \$2,500,-000 held in that State less than \$100,000 had been taken at less than their face value?

Mr. SHERMAN. I have seen in the Philadelphia papers which have been sent to me that they were taken at par nominally, and some of the largest dealers there advertised that they would take them at par as an inducement to trade. In that way they were taken at par; but the bullion dealers never dealt with them at par. They never bought them The market men and the clothing men and barbers and the liquor-sellers and a great many other classes of people took them as an

inducement for business

Mr. MITCHELL. If the Senator will allow me I will inform him of the fact, at least as I understand it, that before the trade-dollar came into the hands of these dealers so largely as they may now be in their hands, this inquiry was made by actual communication, by letter, with persons who hold that coin, persons all over the State of Pennsylvania, in almost every county, I think, and that the computation was made from the facts as stated in those letters by a member of the House of

Representatives, who himself made the inquiry.

Mr. SHERMAN. Well, I have said all I care to say about the trade-

dollar

All business transactions in the United States, both foreign and domestic, are now based upon the gold dollar, weighing 25.8 grains of

standard gold.

The silver dollar, worth in market value .859 in gold, is maintained The silver dollar, worth in market value .859 in gold, is maintained at par in gold by a limit to its issue, and its receipt into the Treasury for all debts, public and private. The market value of silver bullion has been slowly and steadily declining since the passage of the act providing for the coinage of the standard dollar. No serious effect has thus far been caused by the widening difference between the two standards of value, but it is manifest that if the result of this difference ards of value, but it is manifest that if the result of this difference should lead to the large exportation and hoarding of gold, the sole standard of value would in time be based upon the market value of the silver bullion in the standard dollar. Already the occasional exportation of gold is one of the causes of financial stringency. By a law as immutable as fate, the gold dollar, demonetized, would then be quoted at a premium, and all current business transactions would be based upon a silver standard alone. based upon a silver standard alone.

What would be the effect of this? The immediate effect would be a contraction of the currency so sharp and abrupt as to extend its shock to every village in the country. Gold is now held here in such vast sums that it might not at once be exported, but it would be hoarded and sold only at a premium, while the volume of silver and paper money redeemable in silver being insufficient to meet the current wants of business would be used for the payment of all labor, but its purchasing power would gradually decline until it reached the level of its market value measured by gold—illustrated by what occurred in 1877-'79. This depreciated currency would then take the place of the hoarded gold and gold certificates, and yet be insufficient for the wants of business.

New would then have a monometallic currency composed of silver alone as the standard of value of United States notes and bank notes, and another standard of value. Gold coin and certificates based upon such coin would be quoted at a premium. The laborer will receive his hire in the depreciated coin. The capitalist would stipulate for gold. All Yoreign commerce would be based upon gold. The pound sterling would be quoted at \$5.56 instead of \$4.84. All domestic exchanges would vary according to the kind of coin used in payment. In regions where the silver dollar is so greatly favored by popular opinion they would be paid in such dollars and be cheated in the purchasing power of their dollar. The mysteries of exchange which have been the basis of nearly all the financial fallacies of mankind will lead them to sell their productions at gold prices and buy their supplies at silver prices, and the ductions at gold prices and buy their supplies at silver prices, and the bankers and brokers—the middlemen, who can see at a glance the chance of a profit—will make the difference. Then after the injury is done we will have an outcry for the redemption of the standard dollars in gold just as we now have for the redemption of the trade-dollars.

And that cry will be just and right. The standard dollar, unlike the trade-dollar, was issued by the United States to maintain the bimetallic policy, at the profit of the United States as the coequal of gold coin, to be received and paid in all respects and for all purposes like gold coin. If it is issued in excess of the demand, or for any reason falls below its coequal standard, then the United States are bound in honor as well as
policy to redeem it or put enough silver in it to make it equal in the
market to gold coin. Now the silver dollar represents 85 cents in actual
value and 15 cents in faith that the United States will not allow it to
fall below the gold coin. If that faith is doubted, the silver dollar will
decline. If that faith is broken, then it will fall to 85 cents, and we will

have two metallic standards.

I assume that in any event the Government of the United States would not willingly debase the standard of value upon which all contracts made since 1837 have been based. This unquestionably has been the gold dollar, the unit of value, which though for a time not in actual circulation, yet has always since been the nominal basis of silver and minor coins, and of all forms of paper money as well as of all contracts between private citizens. To take advantage of the fall in the value of silver bullion and base our contracts upon silver alone would be to reduce the commercial value of our dollar compared with the coin of other nations, derange the purchasing power of all annuities and of all bonds and securities, and enormously contract the currency by converting gold and gold certificates into articles of merchandise instead of active agents in commercial exchanges, and, whether designed or not, to bring dishonor upon the public credit and public securities.

The changing relations between gold and silver have continued for near four hundred years—since the discovery of America. During all that time, with slight pulsations, silver has steadily declined. Nations have many times changed the coinage ratio between the two metals. It is a matter of reproach that despotic governments have taken advantage of this change to reduce the standard of value in order to supply the extravagance of the court and waste of war, but it is hardly to be supposed that the United States, a free Government, founded upon the consent of the people, and desiring only to do equal and exact justice to all, would resort to an expedient so damaging to its own credit and so injurious alike to the laborer and the holder of property.

It is the true interest of all classes and all industries to maintain a circulation of both of the precious metals. The aggregate of both is necessary to form the basis of money, but it must be coined according to their respective market value, as near as may be. The miner sells his bullion according to its market value, and the Government should be a supervised to the coin it according to the same value. To purchase it at market value and coin it at a fictitious value, known to be above its real value, with and coin it at a fictitious value, known to be above its real value, with a view to make a profit on coinage, would seem to be bad alike in morals and in public policy. To debase the coinage, or to adopt the cheaper metal merely to make profit to the Treasury, can not be defended. The silver coin, in order to be freely taken, exported, or dealt in, must have the full, equal market value possessed by the gold coin. This alone constitutes bimetallic money. Any departure from this rule fills the market with cheaper money and drives out the better money. It is believed that the demonetization of either of the precious metals would be a wide-reaching calamity extending to all quarters of metals would be a wide-reaching calamity, extending to all quarters of

If there is any pressing question pending in our politics it is this question of making our standards of coin equal to each other seconding to their market value. This can only be done either—

First, by an international agreement with other nations to maintain a free coinage of silver at a fixed ratio; or

Second, by suspending the coinage of silver until it is demanded by the wants of business; or

Third by the adoption of an American bimetallic policy of the free

the wants of business; or

Third, by the adoption of an American bimetallic policy of the free coinage of silver and gold according to their market value.

The Committee on Finance does not seem inclined to meet this broad economic problem, though, in my judgment, it is wise at this moment not only to suspend the coinage of the silver dollar, but boldly to proclaim the purpose of the United States to maintain bimetallic money, even if it stands alone in that position among the nations of the earth. As the chief producer of both gold and silver we are better able to establish this new policy that any other country. France did it in 1795 and, with the aid of the Latin nations, preserved the equilibrium upon a given ratio of silver and gold for two generations. The same policy adopted now will, I confidently believe, secure steadiness in the relative market value of these two metals for a long period of time.

If any slight change occurs, the metal too highly valued will be retained here and the metal too cheaply valued will be exported. Slight mutations in this exportation between the two metals may from time

mutations in this exportation between the two metals may from time to time exist with no material injury, but the substantial converti-bility of one into the other in all the multiplied business of our country and the uniform steadiness of our paper money based upon both metals, including certificates based upon the deposit of both gold and silver, will secure us a currency of uniform value and steadiness, both of coin and paper, greatly superior to that enjoyed by any other nation in the world.

But the policy I have indicated is, perhaps, at this time in advance of the sentiment of the country and of Congress, and, therefore, I do not seek to press it now, but am content to deal with such propositions as will give us some safeguard against what I regard as the great threatened evil, that of the demonetization or hoarding and exporting

of gold.

I do not have much faith, and never had, that we could negotiate for an international ratio, for the first step in such a negotiation with the Latin nations would be to stipulate for the old ratio of 15½ to 1. Without the concurrence of Great Britain such a ratio could not be obtained, and I have no hope of such a concurrence, nor do I believe such a ratio is wise or could long be maintained. What we want now is to give to our own people assurance and confidence that we intend to maintain our silver and gold coins as equal and convertible standard—that a dollar of one shall be equal to a dollar of the other. In the absence of

such an assurance, and in view of the enormous accumulations of silver coin in the Treasury and the evident disposition to select silver coin and silver certificates for payment to the Treasury, there is danger that a continued coinage of the silver dollar may precipitate its decline in market value.

To check this tendency the Finance Committee propose by the amendment offered by the Senator from Iowa [Mr. Allison] to renew negotiations with the Latin Union and with other foreign powers to secure such co-operation as will enable these nations to open their respective mints to the free coinage of silver at an agreed ratio, and it provides that in case such treaties can not be concluded prior to August 1, 1886, then the coinage of the silver dollar of the United States shall be suspended. This important amendment will, in my judgment, arrest the tendency of the depreciation of the silver dollar by giving assurance that within a limited time the threatened danger will be averted. With this amendment I should vote for the bill, though it involves the payment of the trade-dollar, a measure of preference of one form of sil-

wer bullion to which it is not entitled.

Mr. BECK. Mr. President, I had expected that the Senator from Colorado [Mr. Hill] would reply to the Senator from Ohio [Mr. SHERMAN], and I shall detain him but a few moments.

I am prepared to stand on the argument I made the other day, but since the Senator from Ohio, who has himself been a distinguished Secretary of the Treasury, has reasserted with great emphasis that we are under no sort of obligation to retire the trade-dollar, that no one was misled by it, that no one has the trade-dollars except speculators and men who obtained them at less than par, and who want to substitute standard silver dollars for them, I desire to read what Hon. Charles J. Folger, late Secretary of the Treasury, in his report to Congress on the 3d day of December, 1883, said in regard to this matter, and there I will leave it between the two Secretaries, both distinguished representatives of the party that I differ with in your things. Mr. representatives of the party that I differ with in many things. Mr. Folger said:

representatives of the party that I differ with in many things. Mr. Folger said:

Here I may speak of "the trade-dollar," the debased coin to which attention has been drawn by public clamor and discussion. Doubtless the legislative purpose in creating it was to make a piece of money that would find favor with Asiatic people, and not one for use at home. That purpose was not made known, however, by the letter of the law under which it issued from the mint. The act of 1873, under which the coinage of it began, has these words: "The silver coins of the United States shall be a trade-dollar; a half-dollar, or fifty-cent piece; a quarter-dollar, or twenty-five-cent piece; a dime, or ten-cent piece." The act further declares that the relative proportion of pure metal and alloy in the trade-dollar, and the devices and legends upon it, shall be the same as those of the other coins of the United States. That act, and a later one of 1877, made it a crime to counterfeit any of our coins, and, as the trade-dollar was declared to be a coin, made it a crime to counterfeit it.

The act of 1873 made the silver coins of the United States, and hence the trade-dollars, a legal tender at their nominal value for any amount not over \$5. Thus the reading of the laws taught the people that the trade-dollar was a coin of their sovereignty, and for the redemption of which, at an unabated value, their Government was bound. The real legislative purpose is to be bindly sought for in tradition or in the record of Congressional discussion, and is indicated in the joint resolution of 1876, which took away from this coin the legal-tender quality of it, and held down the coinage of it to the call for it for exportation. It is plain that a busy people, finding this coin affoat in the channels of business styled a coin of the United States, would readily believe that it was an authentic issue of the Government, and to be redeemed by the Government the same as other money put out by it. From time to time, however, as it suits scheming men and the

Then he says:

The first of these contentions-

The one I have read-

The first of these contentions is too technical and close for use in dealing with so practical a matter, and one in which the prime action and continued silent sufferance of the Government has been so misleading.

That is the way he disposed of that argument. Again he said:

It is calculated that five-sixths thereof went abroad in the beginning, and it is believed that but a small part of that has come back, and that there is now held by our people but from five to eight millions. Of that which remained abroad there is good authority for saying that much of it found its way from China to India, and into the melting-pot at the mint in Calcutta, and has been there cast into the coin of that country.

That is all I care to take the time of the Senate in reading on that branch of the question. The Secretary proceeded:

A thorough and effective redemption of it can be brought about in this way: Let authority be given by Congress to the Treasury Department to barter for trade-dollars at their nominal value standard dollars at their nominal value, and melting the trade-dollars to recoin them into standard silver dollars, counting the trade-dollars got in this way as a part of the silver bullion which the act of 1878 empowers and directs to be bought and coined monthly.

That is precisely what I propose to do in the amendment referred to by the Senator from Ohio and precisely what the Senate Committee on Finance report, following the recommendation of Secretary Folger. Again that Secretary said:

This Department would rather see all the trade-dollars that are afloat anywhere brought in and made bullion of, even at a cost to the Government, if thus we may be rid of a discredited and debased coin; but if this may not be, it

still will wish that those in the hands of our people be redeemed in the mode recommended, with safeguards against foreign holders.

That is what my amendment to the original bill proposes, and not to readopt those which have been stamped by foreign nations as their own. Again the Secretary said:

And if the receipt of the trade-dollars by the exchange in any month shall be, when treated as bullion, more in sum than would be a purchase of two millions' worth of bullion, then the excess thereon can be carried forward from month to month, so far as need be to keep within the direction of the act of 1878 for monthly purchases.

And we have guarded that in the amendment applying only \$500,000

Mr. MORRILL. Will the Senator from Kentucky yield to me for

question? Mr. BECK.

Certainly.

LL. I desire to know if the whole proposition as stated Mr. MORRILL. by the Secretary of the Treasury was not to pay a small premium of

about 2 per cent.

Mr. BECK. No, sir. The Senator from Vermont the chairman of the committee will see before I am done reading—and I will only read a little more—that he proposed to take them dollar for dollar and exchange standard dollars for them. I have read that already, he repeats

it again in a passage which I will now proceed to read.

Mr. MORRILL. That was the position of the President—I was thinking about his message—and of the present Secretary of the Treas-

ury.

Mr. BECK. This is the report of Secretary Folger in December, 1883, to the Congress of the United States:

And if the receipt of the trade-dollars by the exchange in any month shall be, when treated as bullion, more in sum than would be a purchase of two millions worth of bullion, then the excess thereon can be carried forward from month to month, so far as need be to keep within the direction of the act of 1878 for monthly purchases. And this would be more or less likely to come into play as the limit of time for redemption is shorter or longer. If, indeed, no limit of time was fixed, or it was made as long as a twelvemonth, this Department could be empowered to refuse redemption in one month of a sum more than enough to meet the requirement of that act, and still make full redemption of all that is likely to be brought in therefor.

If it be said that much of this coin—

As seems to be now the scarecrow that is being used by gentlemen who oppose the view I take-

who oppose the view I take—

If it be said that much of this coin, discredited and practically debased, is in the hands of speculators who have taken it at a discount, and that they would profit by legislation which would increase the actual value of it; while it may not be denied that lamentably this is too far the case, still it is to be answered that such is the luck brought by all debased coin when at last it is fairly redeemed. Speculators will make by a depreciation and following appreciation. A law for a fair redemption must have, with its good, the evil of helping some to gain who ill deserve it. The fault is not much more with the speculative trader than with the legislation that has given him the chance for ignoble gain. His profit is a light incident, calling slightly for attention, because of the great general good to come from calling in a discredited coinage.

Besides, leave this coin unredeemed, and by and by, when public attention is at a lull again, it will be once more set afloat at nominal value, to be in fullness of time once more discredited and lowered in purchasing power to the harm of good people. Moreover, the information which I have from practical and reliable men, who are at the sources of knowledge on this head, is that those known as tradesfolk, and most of the working people not in straits, uncompelled by necessity to part with the trade-dollar at a loss, have held it during panies, looking and waiting for action by the Government; and that the amount stored by brokers is a small part of what is in domestic ownership, the larger part being held by those who took them at full face for labor and in traffic in legitimate and honorable dealing. It is best, once for all, to call it in and put it out of possible use.

That is the opinion given us by the Senator from New Jersey, and by others who appeared before the committee and by facts that have been exhibited, that there are many thousands of trade-dollars coined before 1876 yet held by the people who took them then, and this is the bill that I have advocated and now advocate. The Secretary concludes:

This Department does not recommend that a legal-tender quality be again given to the trade-dollar, to the sudden increase of the legitimate silver money of the country, with the inconvenience and incongruity of two dollars circulating together, of the same metal, of unequal real value and of different devices, yet of equal value in payment of debts and of purchase of property. It recommends that authority be given for the redemption of the trade-dollar in the standard silver dollar dollar for dollar of nominal value—

Does the Senator from Vermont hear that declaration with emphasis by the Secretary ?-

for the recoinage of the metal so received into a standard silver dollar to accord with the law for that coin, and for a reduction of the amount of silver bullion resulting from the exchange from the quantity of bullion required to be got by monthly purchases, for the purpose of coining under the act of 1878. In the fudgment of this Department that legislation is safe, and is demanded by the character of this issue, and by the need of the people for relief from the confusion and exposure to recurring loss caused by its presence in the monetary system of the country.

Mr. President, I lay the plain, practical, honest views of that Secretary of the Treasury before the Senate as a full answer to all that has

tary of the Treasury before the Senate as a full answer to all that has been said by the Senator from Ohio.

In regard to the section sought to be stricken out, I do not care to argue it any further than to say that whatever may happen hereafter this Congress should deal with the question carefully after full examination, but in the last hours of this Congress we ought not to be striking down our silver coinage in the mode proposed by telling foreign nations that if they can so far intervene as to keep the Latin Union or the silver-using countries from agreeing with us, then England and Germany shall have their way against silver and strike it down. And far less do

I think of any proposition that is being made to say to any President that he may in his discretion suspend or strike down the coin of the country, which every State, and every municipality, and every corpora-tion, and every individual has a right to have coined by the United States. It was because the States and the people believed the United States would coin silver that they gave that power to the General Government. I would as soon think of giving to any President, no matter how much faith I might have in him, the power to declare war as to give him the power to strike down or suspend the coinage of this country; and I am glad to be able to say that there is no danger of its being done; that elsewhere in a body that has power, on an attempt that was made this very day, it has failed and failed unmistakably.

Mr. HILL. Mr. President, in replying to Senators who have in this

debate advocated the extraordinary amendment proposed by the Finance Committee to the pending bill I must take up successively some

of the points which they have made, and this will necessarily give to my remarks somewhat of a desultory character.

The Senator from Vermont [Mr. MORRILL] praises the Secretaries of the Treasury for "pushing and industrious zeal" in attempting, as he thinks unsuccessfully, to get silver into circulation. Among these displays of zeal does he count the acquiescence of successive Secretaries in

plays of zeal does he count the acquiescence of successive Secretaries in the action of the New York Clearing-House, the principal point of Government payments, in the rule adopted by it on the 12th of November, 1878, under which neither silver dollars nor silver certificates were to be received at all for clearing-house balances?

Does he regard this assent of the Treasury Department to the tabooing of silver as money, at the place where the bulk of the Government disbursements is made, as being compensated for by its show of favor to the silver dollars, in sending them to the few people who may happen to make special amplication for them? In what light does he regard to make special application for them? In what light does he regard the action of the Treasury Department in 1882, and down to the present time, in tacitly agreeing, and in strictly acting upon its tacit agreement, not to offer silver in discharge of its balances at the New York Clearing-House after the New York banks had been compelled by Congress to repeal the rule under which silver was made non-receivable? Did this show a "pushing and industrious zeal" in circulating silver, or even

a decent regard of the Treasury Department to the law-making power?

The violation by the banks of New York of the plain intent of the act of 1882 in respect to the settlement of clearing-house balances in silver certificates and the palpable connivance of the present Secretary of the Treasury and of his immediate predecessor in this misconduct of those institutions have been many times pointed out in this Chamber. An occurrence which took place on the 9th of this month adds to their misdoings very aggravating features of evasion and hypocrisy. On the day referred to, and as is believed by a preconcert between the banks and the Treasury Department, the assistant treasurer at New York tendered to the banks in part settlement of the clearing-house balances a small sum in silver certificates, stated by the New York papers to be \$120,000, and the banks accepted it.

The local editor of the New York Tribune, a paper which has been distinguished for its zeal in supporting the refusal of the banks to receive silver certificates, gives in that paper of February 11 the following account of the motives of the banks in seeming on the 9th to have

relaxed in their exclusion of silver:

It is understood that the Monday payment by the subtreasury was intended to accomplish two objects, to soothe any jealousy on the part of country banks and to enable the Secretary of the Treasury to answer satisfactorily the Congressional inquiry whether any national banks or clearing-house associations refused to accept silver or silver certificates. As the New York Clearing-House has now accepted silver in payment of balances, both it and the subtreasury have complied with the Federal law. It is generally understood by bank of ficers that payment in silver will not be repeated except in cases of emergency.

This acceptance of silver certificates on the 9th instant is thus admitted to have been partly a temporary sham to enable the Secretary of the Treasury to answer troublesome inquiries from Congress, and

partly a soothing measure to keep banks in other cities from compress, and partly a soothing measure to keep banks in other cities from complaining that they are compelled to take silver certificates, while the New York banks are paid in gold and Treasury notes.

The country will understand, as this writer admits that the New York bank officers understand, that the New York Clearing-House will not hereafter be asked to accept silver certificates "except in cases of emergency," and that things will run along in their old course after Congress discusses unless the new administration shall enforce the extent. adjourns, unless the new administration shall enforce the act of

1882 in good faith, which is evidently not expected by the banks.

But is the Senator from Vermont quite sure that with all the ill-will to silver of successive Secretaries of the Treasury, apparently most malignant on the part of a free-trade doctrinaire and ex-London and New York banker who now presides over the Treasury by a mysterious dispensation of the power of President Arthur, there has been no success in getting silver into circulation? With all his painstaking attention to figures, is it not remarkable that the Senator from Vermont has overlooked the fact that of the silver dollars so far coined no greater proportion is owned by the Treasury Department than it owns and holds of the existing gold money, and that as great a proportion of the silver is in circulation, outside of the Treasury, in either the metallic or certificate form, as there is of the gold money?

At the close of business on the 31st of January, 1885, the Treasury

held and owned of gold, after deducting the amount belonging to the holders of outstanding certificates, \$125, 187,578, while it held and owned of the silver dollars, deducting the amount belonging to the holders of outstanding certificates, \$36,783,343. If we adopt the estimate that there is now in the country \$610,000,000 of gold money, and it is generally regarded as a correct estimate, one-fourth of it, within a minute fraction, was held and owned by the Treasury January 31, and only three-fourths of it was in circulation. But at the same date, of the \$192,000,000 of silver coined, a little less than one-fifth was held and owned by the Treasury, and slightly more than four-fifths was in circulation. And, furthermore, of the silver dollars and silver certificates outside of the Treasury, nearly the whole was in circulation from hand to hand, because the banks as a rule make it a point to keep as little silver as possible among their reserves; whereas of the gold outside of the Treasury a large part is locked up in the vaults of the banks.

Even if he has not examined the figures, how can the Senator from Vermont have failed to know, what is a matter of universal observation and knowledge, that the rarest thing to be seen in the circulation this side of the Pacific coast is a piece of gold money?

As a part of his objection to the silver dollar the Senator from Ver-

mont takes occasion to say that "all of our people prefer a paper-money

currency, if it is only the equal of our standard coins."

That is exactly what the framers of the silver law of 1878 knew and acted upon when they provided that the holders of silver dollars could, at their option, have them represented by silver certificates in "moneynote form" of the denomination of \$10 and upward. Nothing can be more nearly equal to standard coin, and more perfectly combine the convenience of paper with the safety of coin, than a certificate of gold or silver deposited in the Treasury of the United States, and required

or siver deposited in the Treasury of the United States, and required to be kept unused until the owners call for it.

During the last session of Congress I submitted a bill making such description of paper, backed by coin dollar for dollar, a legal tender. I have only been restrained from pressing it by the belief that the Senator from Vermont and those who act with him upon questions of currency would oppose it by all the resources of legislative delays.

It is contained that President Authors both the Senatories of the Trees.

It is certain that President Arthur, both the Secretaries of the Treas ury of his appointment, and numerous other official and unofficial persons, with whom the Senator from Vermont is in the habit of acting, have recommended, in addition to stopping the further coinage of silver dollars, that the issue of certificates for such dollars already coined shall not be hereafter permitted. I have reason to believe that the Senator from Vermont will support these recommendations when I notice that he stigmatizes the silver certificates as a "queer form of paper money," and says that it is a form of money which is "rapidly increasing and usurping the place of United States notes as well as of national-bank notes," and finally declares that "it is by far the dear-

est and nost expensive paper currency ever invented."

There is no mistaking the animus of a Senator who denounces as "queer" a currency of silver certificates when he has been since 1863 an assenting and supporting party, in either this or the other branch of Congress, to legislation providing for gold certificates, which are identical in character and principle with the silver certificates.

There is no mistaking the animus when he asserts that silver certifi-

cates are "usurping the place" of United States notes and national-bank notes, when the plain truth known of all men is that they have not taken the place of either class of notes, but have been a useful and much-needed addition to both. Within a few weeks after the passage of the silver law of 1878 Congress fixed absolutely by law the volume of United States notes, and it has not been varied by one single dollar from that day to this from the usurpation of their place by silver certificates, or in any other way.

The circulation of bank notes to-day is about the same in volume as it was when the silver law of 1878, with its provision for silver certificates, was enacted. During the time which has passed since 1878 the volume of bank notes first increased and has since decreased, but neither the increase nor the decrease was caused by the existence of silver certificates or of gold certificates. Their volume is now declining, but, as cates or of gold certificates. everybody knows, it is from the high premium which Government bonds have attained and from the small profits to be made from purchasing such bonds at their present prices as the basis for bank-note circulation.

Among the other amazing declarations made by the Senator from Vermont is the following, which I read in the exact language in which it appears in the RECORD: "Certainly no one has ever pretended that it [the silver law of 1878] could be successful without the co-operation of other nations, and it should not be charged to the friends of bimetallism (the supporters of the silver law of 1878) that they intended an insidious measure to separate the United States from the great commercial nations of the world by fastening upon us the silver standard of monometallism.

It is true that the supporters of the silver law of 1878, who were the great body of the people and of the representatives in Congress of the States and the people, did not intend by the law of 1878 to fasten upon the country "the silver standard of monometallism." It is also true that that law has not produced any such result, but that, on the contrary, the volume of gold in the country has more than doubled since the law was passed, and that the prospect for an indefinite future is that it will continue to increase. But the supporters of the silver law were and are determined that a gold ''standard of monometallism'' shall not be fastened upon the country, and as one of them I declare for myself that if we must have monometallism in any form, which I do not believe and to which I am opposed, I prefer silver monometallism to gold monometallism, because the latter will most completely sacrifice the interests of producers, laborers, and tax-payers to aggrandize the moneyed creditors and income classes.

When the Senator from Vermont says that the supporters of the silver law of 1878 believed its success to be dependent upon the co-operation of the "great commercial nations"—by which he means England and Germany—or that the law must be abandoned, unless we could make a bimetallic treaty with some of the nations of Europe, which is constantly becoming a less important part of the world, he must have totally forgotten the discussions which preceded and attended the pas-

sage of that law.

In the report of the United States monetary commission, appointed by Congress in 1876, the concluding language of the majority who recommended the remonetization of silver was:

The commission believe that the facts that Germany and the Scandinavian States have adopted the single gold standard, and that some other nations may possibly adopt it, instead of being reasons for perseverance in the attempt to establish it in the United States, are precisely the facts which make such an attempt entirely impracticable and ruinous. * * * The attainment of such a standard becomes difficult, precisely in proportion to the number and importance of the countries engaged in striving after it; and it is precisely in the same proportion the ruinous effects of striving after it are aggravated.

The provision for an international monetary conference with European powers was voted on as an amendment (February 15, 1878) of the bill for silver coinage sent up by the House. The vote on the amendment was yeas 40, nays 30. Of the Senators in favor of a gold standard, and who finally voted against the bill after the amendment was adopted, twenty-one voted in favor of the amendment, and only one [Mr. Edmunds] voted against it. Mr. Edmunds objected that the proposed conference was limited to an effort to regulate a double standard, whereas he was opposed to a double standard, and believed that the conference should be empowered to agree upon a single standard. His language

The commission is tied up; the matter is decided in advance to the theory of a double standard of value, which the experience of this country and every other has shown from the beginning to be only fraught with disaster to everybody who engages in it.

Of the Senators in favor of silver coinage, and whose votes passed the bill at last over the President's veto, 19 voted for the amendment and 29 voted in the negative. It thus appears that the amendment was carried by the unanimous votes, with one exception, of the Senators opposed to silver remonetization, combined with the vote of a minority of the Senators who were in favor of silver remonetization.

One view taken by the Senators who were in favor of silver coinage, and who voted against the amendment, was, as the record of the debate will show, that the amendment might be construed as an admission that the success of silver coinage in the United States depended upon European co-operation, which they utterly denied and repudiated. Another view was that it was unwise to fetter by treaty stipulation the free exercise at all times of the constitutional power of Congress over

the coinage of money.

As respects the great body of the Senators who were in favor of silver coinage and who voted for the amendment, there is no reason to doubt that their opinions were fairly expressed by Senator Ferry, of Michigan, who said: "My view is that it is desirable to secure the cooperation of foreign powers, but if they decline it we can stand alone." How extraordinary it will appear in the face of these authentic evidences of the opinions of the supporters of the silver coinage during the struggle which preceded the law of 1878 that it shall now be said that nobody ever maintained that we could coin silver in this country unless certain European nations, such as England and Germany, should also agree to coin it, or unless the larger part of the specie-paying European nations could enter into bimetallic arrangements with us!

Undoubtedly the supporters of silver money in the United States would have been willing in 1878 to admit that without some foreign co-operation silver could not be supported as one of the moneys of the world. But it was true then, as it is true to-day, that silver is the exclusive metallic money of the larger part of the human race; and it is impossible that the supporters of silver coinage in this country could have deplated in 1878 or that they now doubt the artise feasibilities of have doubted in 1873, or that they now doubt, the entire feasibility of sustaining silver, with the assured aid of Asia and of the great and advancing countries south of us in North and South America, and in the presence of the further fact that there is in Europe, which can not be exchanged for gold, more than eight hundred million dollars in full-

tender silver coins.

The Senator from Vermont affirms that the law of 1878 has been "of no benefit to our silver mines," and that it "has not sustained the price of silver," by which he means the value of silver in exchange for gold, or, in other words, the gold price of silver. But if there is any undisputed truth in political economy it is that the prices of everything deputed truth in political economy it is that the prices of everything depend upon the play against each other of the two forces of demand and supply, and it would be a waste of words to combat the proposition which the Senator advances that a new demand at our mints for silver. Bank of France?" What French or other authority does the Senator

to an extent of more than one-fourth of the world's total product has not helped to sustain its price and has not benefited the miners. To prevent a fall of 10 per cent when it might otherwise have been 20 per cent. is a benefit to producers equal in importance to that which would arise from raising it 10 per cent. British India, the principal silver market in the world, absorbed during the fiscal year ending March 31, 1878, the extraordinary amount of \$73,331,675 of silver, while it absorbed during its fiscal year ending March 31, 1879, only \$19,853,475. It was the unusually great India demand during the year immediately preceding the American silver law of February 28, 1878, which

brought up the price of silver from the point of depression which it had reached in 1876, and which was lower than it had reached before or has reached since, to the comparatively high point at which it stood when our silver law was passed. The price fell in 1878, after February 28, because the Indian demand fell off by a greater sum than the amount of the coinage at our mints, and the price would have fallen very much more if our coinage of silver had not prevented it. If the Senator really expects to carry his plan of closing our mints to silver by making either Congress or the country believe that a monthly de-mand of our mints for \$2,000,000 worth of silver bullion does not sustain the price of silver, and does not benefit those who mine it, he has undertaken an enterprise in which, with all his ability and all his perseverance, he will certainly fail.

The Senator admits that silver certificates, and of course silver dollars, which can at any time at the option of the holder be converted into silver certificates, are at a parity with gold, but he says that is only because the Treasury receives them "on the par of gold in the payment of duties." Without doubt the receivability of silver for all Government debts and taxes, including custom-house duties, assists the currency of silver, and so does also the function of being a legal tender for private debts assist it; but it is no more true of silver than it is of other descriptions of money that their currency and acceptability

as mediums of exchange depend upon the functions of legal-tender and tax-paying power with which the law endows them.

But without following the Senator into the mazes of a theoretical discussion of the causes of the actual parity of value in the markets between silver and gold coined money, it is sufficient that he admits that the parity exists, and that he also admits that men of business are constantly exchanging gold for silver certificates at the United States Treasury offices on equal terms, dollar for dollar, on account of the su-

perior convenience in the use of such certificates.

But while admitting that silver dollars are to-day, and have been during the seven years since the coinage was resumed, of equal value with gold dollars, he not only insists that this equality can not long exist, but he undertakes to fix the date beyond which it can not be expected to be maintained. Disclaiming the intention of being an expected to be maintained. Discusting the intention of being an alarmist he declares that the depreciation of silver, the expulsion of gold, and the bringing the country to a silver standard may not happen "in the present year, possibly not in the next," thus indicating that it is only barely "possible," but by no means probable, that the calamity can be averted beyond the end of 1886, but he abstains, and it seems to me very prudently abstains, from stating the reasons which have led his mind to that conclusion.

At the present rate of coinage we will have coined at the end of 1886 246,000,000 silver dollars. Is it conceivable that that number of silver dollars will depreciate when they are receivable on the par of gold for the taxes of every description of a government with an annual revenue of \$300,000,000, and when they are a tender for all the private debts of 57,000,000 of people who have no equals on the face of the globe in the activity, number, and magnitude of their industries, exchanges, and credit transactions? And especially can we conceive of this result when we know that France, with only two-thirds of our population and one-eighteenth of our territorial area, does to-day sustain, at a perfect parity with gold, \$537,000,000 of full-tender silver coins, containing 3 per cent. less of silver, as compared with its gold coins, than is con-

tained in the silver coinage of our mints?

The Senator says that "the Latin nations have kept silver on a par with gold by a limitation of its coinage, or by ceasing to coin it in excess." But neither France nor any other of the Latin nations has found by experience that its silver coinage was "in excess," and no one of them has melted down or withdrawn in any way any part of its silver coins. It is true that they have stopped their silver coinage at certain limits (and that this limit in the case of France was fixed at the amount of \$537,000,000) from mixed motives, of perhaps excessive caution, and of antagonism to Germany, whose operation of exchanging silver for gold the French people preferred rather to obstruct than to facilitate. But can it be gravely argued that because France has, from whatever motives, suspended its silver coinage at a certain limit, we ought either now or eighteen months hence to suspend our coinage, when we are not within twenty years of reaching that limit at our present rate of coinage, taking into account relative differences of area and population and the rapid growth of this country in all the elements of

cite in support of the statement that the Bank of France was ever obliged to gather up and hold a single dollar of silver because silver dollars were in excess, or ever took in a dollar of silver except in the course of its business and for the purpose of protecting its own safety, solvency, and solidity as a coin-paying institution? There is no such evidence and there is no such fac

While there is no public man in France who suggests the withdrawal of either the whole or any part of its coined silver money, the Bank of France has been from the beginning and is to-day the sturdiest and most pronounced opponent of any such impossible and suicidal policy. Instead of regarding the silver of France as a burden, which the Bank of France must carry, its managers regard it as the best bulwark of the safety of the institution over which they preside and of the finances

and prosperity of their country.

I do not charge the Senator from Vermont, who has served so long, so usefully, and so honorably in the highest councils of his country, with any set purpose of exciting alarms, false in themselves and dangerous to public confidence. Nevertheless his declaration that "silver certificates may ultimately prove less valuable than United States notes" must have the effect with those who believe that the declaration has any good foundation to induce them to receive such certificates with reluctance and to impair their acceptability and usefulness as a

But it is too plain that a certificate promising to pay silver dollars, and also promising to keep always on hand and unused the full amount of silver dollars promised, can never be less valuable than a note which is redeemable in silver at the option of the same Government, but for which the silver in which it is redeemable is not kept on hand. The act of 1875 directing the resumption of specie payments January 1, 1879, ordered the greenbacks to be then and thereafterward paid in There is not the slightest ground for pretending that at any time or in any act the Government ever made any promise, express or implied, to pay them in gold; and any Secretary of the Treasury who should dare to pay them in gold, if that method of payment was more onerous to the country, ought to be impeached and punished for it.

The notes of the United States are a perfectly safe currency, but they

can not become a more valuable currency than silver certificates until

our laws relating to currency and finances are fundamentally changed.

The Senator from Vermont says that "the vital spark in business industries is the solid and unchanging character of the money in circulation.

Without doubt frequent changes in our monetary system are at-tended with many mischiefs, and they can rarely be necessary; but the remark which I have quoted seems hardly a suitable one to come from a Senator who is the reporter and leading manager of a proposition to unsettle all that was deliberately done in 1878.

That proposition is to strike down the only coin we have ever had under the Constitution of the United States which has never been changed in its essential feature. The amount of pure silver which it contains, in its essential feature. The amount of pure silver which it contains, originally fixed by Alexander Hamilton at 371½ grains in 1792 is the same now as it was then. The gold eagle has been twice changed in the amount of pure metal which it contains, but the silver dollar has never changed in that particular, and has therefore come to be naturally regarded and spoken of as the "standard silver dollar."

If we have any old and time-honored landmark in monetary and financial affairs it is the silver dollar.

It is as old within three years as the beginning of George Washington's first Presidential term, and yet we have a proposition to destroy it from a Senator who tells us that nothing is more essential to business industries than the "unchanging character of the money in circulation."

If the efforts of the Senator from Vermont to introduce changes can

If the efforts of the Senator from Vermont to introduce changes can be defeated, as I feel assured they will be, it can be said of this Congress that it left the currency laws as it found them, and that if it had done no good in that particular it had done no harm.

The Senator from Delaware [Mr. BAYARD] has favored this body with a speech upon the pending bill. Rather more than half of it was devoted to a demonstration that this Government is not under the slightest obligation to redeem the trade-dollar at more than its bullion value, but closes with a declaration that he was ready to vote to pay for them at their nominal value, at a cost or loss to the Government of something like \$1,500,000, for the purpose of giving the country a moral lesson of some kind or other. I have never heard before that Congress had of some kind or other. I have never heard before that Congress had any right to appropriate the money of the tax-payers except to provide for carrying on the Government and paying its debts. No warrant is found in the Constitution for appropriating money for the purpose of giving moral lessons to anybody. The Senator from Delaware will doubtless explain to the Senate, and to his constituents, in his own way and at the proper time, on what political or ethical basis he will vote \$1,500,000 to individuals whom he says have no just claim to it.

A part of the speech of the Senator from Delaware is in support of the proposition to stop the coinage of silver dollars, to the resumption

of which in 1878 he was one of the strongest opponents, and which he has never ceased to denounce from that day to this. He reiterates statements which have been shown over and over again to be completely erroneous, and principles of political economy which are not banking classes should combine as a unit and instigate others who are

supported by a single good authority, and which are incomprehensible

as a matter of reasoning.

He says that the standard silver dollar, as compared with the tradedollar, is "confessedly less in actual value," when all market quotations and the knowledge of everybody proves it to be about 15 per cent. higher. The trade-dollar is worth a good deal less than a gold dollar, but I do not believe that the Senator from Delaware ever purchased a standard dollar at less than its face value in gold, or that he can name any market in the United States where it can now be purchased for less. If there is anybody who has confessed that the silver dollar is of less "actual value" than the gold dollar the Senator from Delaware does not name him. I am certain that no supporter of the double standard has ever "confessed" that the actual market and exchange-able value of the silver dollar is inferior to that of the gold dollar, or believes that it is likely to become so for an indefinitely long period to

If confessions of that kind have been made it must have been by the clearing-house bankers of New York or similar classes of persons.

The Senator from Delaware quotes, adopts, and indorses the statement of Mr. McCulloch, the Secretary of the Treasury, that the Government is under certain gold obligations. That statement is wholly gratuitous and without a shadow of foundation.

From the Secretary of the Treasury, who is an executive official, and bound to obey the laws enacted by Congress, it was an unwarrantable statement, inasmuch as Congress declared seven years ago that the silver dollar should discharge all public debts except where it was otherwise stipulated in the contract, and neither Mr. McCulloch nor anybody else has or can show any existing bond, contract, note, or other obliga-tion in which the Government has stipulated to pay gold.

The Senator from Delaware also quotes, adopts, and indorses the pre-

diction of Mr. McCulloch that unless the coinage of silver is soon stopped it will cause the total disappearance of gold by export or hoarding, or both, and a "severe contraction," which the Senator himself enlarges and emphasizes by predicting "a most severe contraction, convulsing

all business."

And to fortify these ominous predictions the Senator declares that they are confirmed by his correspondence from the money centers, doubtless meaning by that such sources of intelligence as Chestnut street in Philadelphia, State street in Boston, and last, but not least, Wall street in New York.

The following is an account in the Senator's own language of the

statement of these letter-writers:

They all say to me that there is a great apprehension that the evils depicted by Mr. McCulloch of the contractions to follow our embarkation upon the monometallic basis of silver will convulse business, and the other evil, that the prices of what is needed by the laboring classes necessarily will be increased by the measurement in the less valuable metal.

Elsewhere in his speech the Senator adopts his own and amplifies the theory that while the expulsion of gold will contract currency and convulse business, it will at the same time raise prices by causing them to be stated and estimated in a less valuable kind of dollar. To quote his exact language:

What will measure prices when gold is gone? In what will be the estimate of the cost of living for these for whom I am sure our hearts are anxious? Sir, the measure of prices will be in silver, and silver being of lesser value, those prices must be nominally increased to make up for the deficiency of real value. The scale will be higher.

It is not unnatural that the Senator from Delaware and his correspondents from the "money centers" whose "hearts are anxious" for the laboring classes should have had their fears concentrated upon the one point that a silver standard would increase the prices of the necessaries of life. It is nevertheless plain that if prices rise as a consequence of the depreciation of money, the prices of everything, luxuries as well as necessaries, will be raised, and that wages, the price of labor, will also be raised.

The mere statement of these propositions of Mr. McCulloch, of the Senator from Delaware, and of his correspondents from the "money centers" shows how untenable they are.

The coinage of silver can not possibly tend to contract the volume of money. On the contrary, to the extent of it the tendency must be to expand the volume of money in the world and to make our share of it absolutely greater. The coinage of silver will be followed by the expulsion of gold under only one or the other of the two following con-

First. That our silver coinage shall so expand our prices relatively to prices abroad as to cause an unfavorable balance of trade.

that the balance has been since 1878, and still is, heavily in our favor.

Second. That the banking and moneyed interests hostile to silver coinage shall by deliberately concerted action create a panicky fear of an impending depreciation of silver and a belief that the hoarding of gold would result in a profit from the premium upon it within some near period, and thereby cause the locking up of large quantities of gold.

under their influence to co-operate with them. But bankers as a body have too much prudence and know too well how large a share they must themselves bear of any calamity falling upon the business interests of the country to be concerned in getting up a panic in respect to an ap-

proaching premium on gold.

The hoarding of \$610,000,000 of gold for the purpose of profiting by an expected premium upon it would cost the banks and individuals engaged in it \$30,500,000 annually in interest, if we count it at 5 per cent. At the same time there would be no certainty that such a hoarding would of itself cause a premium on gold. Silver, greenbacks, and national-bank notes perform all the offices and answer all the purposes of money for domestic uses. Until there arose some demand for gold for foreign purchases and payments nobody would have any inducement to pay a premium on it. The present state of our trade enables us to pay gold abroad at less cost, by the method of using bills of exchange, than by shipping gold; and the time when gold will be in demand for foreign shipment is indefinitely remote.

The loss of interest in hoarding it is a certainty. The gain is prospective, doubtful, and really improbable. Bankers, who are not apt to be governed by their passions, will be slow to embark in such an en-terprise considered in the aspect of a plan for making money.

In all events, if the gold now in circulation is expelled, in whatever way it may be done, the money remaining in circulation, which will then consist of silver and of paper representing silver, must increase largely in value and purchasing power, because the total volume of the circulation will have been largely reduced. It is not enhanced prices of commodities which we shall then see, but prices lowered, and to such a degree that gold would flow here from all parts of the world.

It was not my intention to address the Senate at length at this time on the questions involved in this bill and in the amendments proposed

It was not my intention to address the Senate at length at this time on the questions involved in this bill and in the amendments proposed by the committee. I presented my views upon the general subject somewhat fully at an earlier day in the session.

In closing, I desire to call the attention of the Senate to the unadvisedness of attempting to dispose of such an important measure, affecting as it does the volume of the currency, and to the impossibility of doing so even if it is advisable, in the closing days of the session.

The pending bill was reported to the Senate on the 27th of January, when there remained only thirty-one working days of the life of this Congress, and with no warning or reason to expect that the Senate would be called upon during the brief remainder of this session to discuss any such measure as that of suspending either absolutely or contingently the coinage of the standard silver dollar. On the 27th of January, when the committee agreed to report the pending bill with amendments relating to entirely different subjects, it did not have before it by any reference made by the Senate the question of the continuance or discontinuance of the silver-dollar coinage.

At the beginning of the last session that question was before the committee by reference of a bill submitted by the senior Senator from Vermont [Mr. Morrill.], covering various things connected with the mints and the coinage, and containing among its provisions one for the suspension of the silver-dollar coinage. In the course of the last session the committee acted upon and reported that bill after having stricken from it that part which suspended the coinage of silver dollars, and by no subsequent vote of the Senate, within my knowledge, has that subject been referred to the committee. I feel justified, therefore, in saying that their report on the 27th of January of a silver dollar suspension law was without warning; that it was gratuitous and unauthorized, and, as it seems to me, violates good parliamentary practice, by attem

The bill sent up by the House proposes the purchase and withdrawal of the trade-dollar on certain terms, and has no provision in it relating of the trade-dollar on certain terms, and has no provision in it relating to the currency to which such a proposition as arresting the further issue of legal-tender silver dollars can by any possibility be germane. The bill, with the amendment proposed, was for the first time called up for consideration with only twenty-three working days of the session remaining, with the Calendars of both branches of Congress loaded with important measures, and with some of the most important of the regular appropriation bills for the support of the Government as yet scarcely

It must be quite obvious that under such circumstance very little time can be given to the consideration of the bill and proposed amendment in the Senate, and still less time to the consideration in the House of the amendment if it should be adopted here and sent to the other branch of Congress for its concurrence. The repeal or, what is the same thing, the suspension for an indefinite period of the silver-coinage law of 1878 is a measure of as much importance as the original passage of that law. It involves the same points of discussion; and unless the deliberations which preceded that enactment were protracted beyond all reason the time now provised in which to consider the repeal is all reason, the time now proposed in which to consider the repeal is totally inadequate.

The law of 1878 was debated by two successive Congresses, and it was considered inexpedient to take final action until a monetary commission had been appointed to hear such testimony and suggestions as might

be offered from any part of this country or from foreign countries, and until that commission in addition to reporting such testimony and sug-gestions had submitted their own opinion in an exhaustive and able

review of the whole subject.

How thorough and elaborate the debates in Congress were may be judged from the fact that during the session when the law was passed there were forty-one set speeches made in the Senate upon the law as a whole, in addition to the discussion of the various amendments proposed to it. It was not then considered that too much time was given to the subject, because everybody saw that it involved all the questions of a sufficiency of the money volume, of the prices of land, labor, and commodities, of the pressure of public debts, of the interest of tax-payers, and of the preservation of justice and equity in the relations between classes and geographical sections. All these questions are involved, and in an equal degree, in the repeal of the law of 1878, which is now proposed to be accomplished by a side blow in the form of an amendment of a bill on another subject.

With no disposition to impute motives to committees or members of this body, it is true and it is proper to be said that if not so intended the late day at which this measure has been sprung upon the Senate is calculated to favor a plan which may have been formed in certain quarters to secure snap judgment in this body and in the other House against the coinage of silver by the aid of the machinery which exists in such quarters for sounding and resounding false intelligence and false alarms through subsidized, unscrupulous, and widely circulated daily newspapers. Abundant motives for such planning and plotting are found in the enormous gain which would result to banks and bankers and creditor and income classes generally from that appreciation of the value of the money certain to be caused by confining coinage to the single metal, gold, the total current production of which from the mines

single metal, gold, the total current production of which from the mines is now swallowed up by consumption in the arts.

The pending bill as it came from the House, and when it was confined to the trade-dollar, was very objectionable and could not have failed to have provoked lengthy debates in the Senate. I refer to the proposition to give a price gratuitously enhanced 15 or 20 per cent. for approximately eight millions of trade-dollars, the present holders of which obtained them as a rule, although doubtless with some exceptions, at not more than their bullion value.

President Arthur and Mr. Folger, the late Secretary of the Treasury, both recommended that no more should be offered for the trade-dollar than a slight premium above its bullion value, barely sufficient to in-

than a slight premium above its bullion value, barely sufficient to in-

duce the holders to bring them to the mints.

Objectionable as the bill was as it come from the House, the amendment proposed by the Finance Committee in respect to the trade-dollar makes it very much worse. The House bill gave a 15 or 20 per cent. gratuity to the holders of the trade-dollars, but not at the expense of the Treasury or the tax-payers. By making the standard dollars coined the Treasury or the tax-payers. By making the standard dollars coined out of the trade-dollars an addition to the present coinage of standard dollars it gave the gratuity to the holders of trade-dollars out of the profit upon the additional number of standard dollars. But the amendment of the Finance Committee throws the burden of the gratuity, which will be approximately one and a half millions of dollars, upon the Treasury and the tax-payers. A proposition so offensive as that, and presented in this sudden way, after the bill itself to which we are asked to attach it had been held back in the Finance Committee for nearly a year, ought to be more thoroughly scrutinized than there is time for during the closing days of the Forty-eighth Congress.

If there is any justice in treating the trade-dollar as part of the

If there is any justice in treating the trade-dollar as part of the money of the country, and not merely as so much stamped bullion, let the question be considered on its merits and by itself. It is in any view we may take of it a matter of but slight importance, except to a comparatively few persons who hold these dollars. The amendments proposed by the committee involve the monetary system and the mon-

lead to disastrous results.

Mr. ALDRICH. The familiarity of the Senator from Colorado with these questions, and the fact that he is accepted as the representative of a particular class of the friends of silver, gives great weight to his opinions on these questions; and I should be very glad if he would permit me to ask him one or two questions. I should like to ask him if I understood him aright to say that he believes the United States can, unaided or aided only by the countries using a single silver standard, maintain a parity between silver and gold with the free coinage of sil-

maintain a parity between silver and gold with the free coinage of silver at the present ratio?

Mr. HILL. I will say in reply to the Senator that I do not make that statement. I did not go so far as to say that we could sustain the parity of the coins with the free coinage of silver under the existing conditions. I believe, however, that within a very short time, and as soon as arrangements can be made with certain other countries which use silver money mainly or solely, we could maintain such parity. I do not know that the Senator's question will cover the remark I propose to make now, but in my belief at the present rate of coinage we alone can sustain permanently a parity between the value of the gold and silver coins of this country for any length of time.

Mr. Aldrich. One other question. Did I understand the Senator correctly to say that if it had not been for the limited coinage provided

by the act of February, 1878, the price of silver bullion would have declined at least 20 per cent. more than the decline which has taken place since the passage of that act?

Mr. HILL. I did not make such a statement.

Mr. ALDRICH. I certainly so understood the Senator.

Mr. HILL. As an illustration, I said if the coinage of silver had prevented a decline of more than 10 per cent, when it would otherwise have been 20 per cent., it was equivalent to raising the price 10 per cent. No one can say what the decline would have been if we had not coined silver under the law of 1878.

Mr. ALDRICH. I understood the Senator to give it as his opinion that a further decline of 20 per cent. would have taken place in the price of silver bullion had it not been for the legislation of 1878.

Mr. HILL. No; I did not intend to make such a statement. It would be presumptuous for any one to say definitely what the decline would have been.

Mr. COKE. Mr. President, the House bill "for the retirement and recoinage of the trade-dollar" meets my approval. The holders of this coin have in my judgment a right to the relief proposed, to wit, to receive standard legal-tender silver dollars in exchange for the trade-dollars held by them. Rather than see a failure to pass any bill on this subject I am willing to accept the bill so far as it relates to this subject as amended by the Senate committee. The fourth section of the amendment to the House bill, authorizing the President to renew negotiations with the States of the "Latin Union" and other foreign powers for the purpose of securing the co-operation of those States in the free coinage of silver with full legal-tender power at an agreed ratio to gold I have because the object is a desirable one

to gold, I favor because the object is a desirable one.

But the fifth section of the Senate committee amendment, which provides that in case no such treaties as are provided for in the fourth section can be made and ratified prior to August 1, 1886, the coinage of silver under existing laws shall from that date be indefinitely suspended, I am opposed to, and if not stricken out I shall oppose the entire bill. We have made repeatedly such efforts as section 4 provides for, and have always failed. While I am willing to renew the effort, I am not willing to make the continued coinage of silver dependent upon the contingency of its success. I do not propose to go into a discussion of the silver question, as I have on two occasions since I have been a member of this body addressed the Senate at length on that subject, and have nothing now to add to what I have heretofore said.

I rise now simply to say that my opinions have undergone no change, except to be confirmed and strengthened, and that the experience of the country under the act of 1878 remonetizing silver has to the fullest extent vindicated the judgment of the advocates of that law and falsified the predictions and refuted the arguments of those who opposed it. That this is true is notorious, yet we find in the debate on this bill the same old stale and exploded theories and arguments rehashed and rehabilitated by the same Senators who urged and pressed them in opposition to the bill enacted into law in 1878. If there is anything fixed and settled and irrevocably determined in the minds of the great body of the American people it is that the silver dollar of 412½ grains is and shall continue to be legal-tender money.

is and shall continue to be legal-tender money.

No one doubts or questions but that this is the well-considered and immovable judgment and will of the American people. Notwithstanding this, we find on every occasion, in season and out of season, the national bankers who opposed the remonetization of silver, and the Senators on this floor who used every possible means to defeat the act of 1878, agitating the question of repealing, or what amounts to the same thing, suspending the law providing for the coinage of silver. The Finance Committee of the Senate has never, within my knowledge, had an opportunity to strike a blow at silver money that has not been delivered promptly and with all the force it could command, with one single exception, and that was the last session of this Congress.

The House bill providing simply for the redemption of trade-dollars in legal-tender silver dollars, which the committee propose to substitute the standard silver forms the House of the Senate has not been delivered promptly and with all the force it could command, with one single exception, and that was the last session of this Congress.

The House bill providing simply for the redemption of trade-dollars in legal-tender silver dollars, which the committee propose to substitute with the pending bill, came from the House and was referred to that committee on the 3d day of April, 1884. Congress sat until in July some time, and instead of reporting it so that it could be passed the bill was permitted to sleep in committee until this session. It is now reported with an amendment suspending the coinage of silver. The year 1884 was Presidential year, and the people were scanning the merits of parties and aspirants preparatory to their choice in November last, and it was not a propitious time for an attack upon a policy so highly favored by the people of all political parties, and for once the Senate committee forebore to strike; but since the election has passed, and another is four years distant, it is by the vigor of its assault now making up for lost time.

Why this attack upon silver now? Is it believed that this bill as it comes from the committee can be passed into law? No sane man can believe it or does believe it. The only argument against the further coinage of silver, the sole reason alleged for suspending the coinage of that metal, is that the bullion out of which the silver dollar is coined is worth in the market only about 85 cents as compared with gold; all the other arguments used are simply corollaries from this. Is our silver dollar worth as much as the gold dollar? Will it buy as much of any commodity in the market as the gold dollar? These questions

all men will answer in the affirmative, because it is true that the purchasing power and the debt-paying power of the silver dollar is, in all respects and every particular equal to that of the gold dollar.

respects and every particular, equal to that of the gold dollar.

Nobody denies this. Fifteen and one-half grains of silver to 1 of gold is the ratio throughout Europe, while our ratio is 16 grains of silver to 1 of gold. Our silver dollar contains a greater proportion of pure silver than any other silver coin in the world except that of Mexico. Throughout Europe the silver coin circulates by the side of gold at par and without discount. The bank of France, which regulates the circulation in France, as we are informed by the report of the Comptroller of the Currency, has in its vaults \$205,837,867 of silver and only \$210,927,912 of gold, while in our Treasury there is by the latest official report of the Secretary of the Treasury, from which I read, as follows:

art months at an our since	Total assets.	Liabilities.	Available assets.
Gold coin and bullion	\$222,536,360 43 32,477,750 00	ed the lettern of the letter to be a second to be a	repair sou la lama estreigo checha areas
Less gold certificates out-	255, 014, 110 43	\$120, 343, 320 00	\$134, 670, 790 43
Standard silver dollars and silver bullion	147, 573, 221 89 30, 814, 970 00	A properties in a affecting factors to a substantifica-	
Less silver certificates out- standing	178, 388, 191 89	131, 556, 531 00	46, 831, 660 89

From this statement it will be seen that France circulates very much more silver in proportion to gold than we do, and that the silver in our Treasury is represented by \$131,556,531 of silver certificates outstanding against it and in active circulation among the people, performing all the offices of good money, while the gold, largely in excess of the silver, is represented by only \$120,343,320 of gold certificates. In the face of this fact, so clearly shown in his report, the Secretary of the Treasury on the very next page of his report makes the statement I now read, which, while literally true as to the amount of silver in actual circulation, is utterly erroneous and misleading in the impression made on the country when it is remembered that the silver certificates in circulation represent the silver dollars in the Treasury which he says can not be circulated. I read the statement and leave the Senate to judge from it the character of warfare made on silver by the high officials of our Government.

The coinage of silver dollars under the act of February 28, 1878, has now reached the very large amount of \$184,730,829, being an increase of \$28,009,880 for the year ending November 1, 1884. The amount of these dollars in actual circulation is \$41,336,736. The increase in the circulation for the year has only been \$1,260,346, against an increase of \$4,136,321 for the previous year. These figures of themselves are an insuperable argument against the continued coinage of silver dollars.

Why did not the honorable Secretary of the Treasury tell the country that the silver in actual circulation is very greatly in excess of the gold in actual circulation—perhaps four or five dollars of the former to one of the latter? And why did he not say, what is true, that neither metal is much circulated in actual coin, but is stored away in bank and Treasury vaults to make good and current and redeemable the more convenient and portable paper circulation of the country, and that for this purpose silver is as good as gold?

this purpose silver is as good as gold?

Not only is the silver dollar in every conceivable aspect as good and valuable as the gold dollar, but silver certificates, redeemable in silver dollars, are frequently preferred to gold, as is shown by the response of the Secretary of the Treasury to a Senate resolution of January 14, 1884, in which that official states that from December 31, 1880, to December 31, 1883, \$79,754,000 of gold coin was received into the Treasury in exchange for the same amount of silver certificates. These silver certificates, it may be observed, represented on the 31st December, 1883, about half, or nearly so, of all the silver dollars coined up to that time. If the honorable Secretary had covered the time up to the 31st December, 1884, with his statement, it doubtless would have appeared that more than half of the silver certificates issued have been exchanged for gold.

The honorable chairman of the Finance Committee [Mr. MORRILL], not to be outdone by the Secretary of the Treasury, makes in his speech of February 4 a statement, remarkable as an illustration of the power of language literally true to convey an impression absolutely erroneous and untrue. I read from page 5 of the speech:

In eighty-five years, or up to 1878, the whole amount of silver dollars coined at our mints was only \$3,043,838, and the amount in circulation must have been far less. Since 1878 we have comed the immense sum of \$191,947,194, and kave got into circulation, according to the Director of the Mint, \$11,350,040, or about five times as much as was ever coined in all our previous history. If this does not show a pushing and industrious zeal on the part of the Treasury Department to get the silver dollar into circulation I know not what would.

No man uninformed on the subject can read the first clause of that statement without concluding that the \$8,045,838 of silver, which is

correctly said to be all the silver dollars coined during the period named, without concluding that the amount named was our entire stock of silver money, and even all of that is said not to have been in circulation. Now, the whole truth on this subject, as was conclusively shown by the Senator from Kentucky [Mr. Beck] in his able speech on this bill a few days ago, is that during the period named by the honorable chairman of the Finance Committee, while we did coin only the amount of standard silver dollars named, we also coined \$100,000,000 of halfdollars, \$40,000,000 of quarters, and a sufficient amount of smaller coins to make in all \$184,280,941.40 up to 1877, and all of it, with a large amount of the Spanish milled dollars, was in circulation.

The second clause of the statement, to the effect that out of \$191,947,-

194 we have been able to force into circulation only about \$41,350,040, is made in the face of the fact shown in the report of the Secretary of the Treasury, before adverted to, that silver certificates representing the silver dollars in the Treasury are in active circulation among the people, maintaining the prices of property, the wages of labor, and doing good service as ready instrumentalities in the business and commerce of the country. If anything were needed to complete the fullness and rotundity of this most remarkable statement it is found in the next proposition of the speech, in which it is said:

It is evident that all of our people prefer a paper currency, if it is only the equal of our standard coins. It is far more convenient, as the whole commercial world have ascertained, and the whole world, therefore, has not suddenly changed its habits, notwithstanding the oversanguine expectations of the promoters of the silver bill of 1878, who were unquestionably honest in their zeal, and who will be ready to claim that it has accomplished a great and important

Is not the fact that about one-half of the silver certificates issued have been exchanged dollar for dollar for gold coin evidence that this form of paper money is acceptable to our people and that it is "the equal of our standard coin?"

Mr. MORRILL. Will the Senator from Texas allow me to say a word?

Mr. COKE. Certainly.

Mr. MORRILL. Does not the Senator from Texas know that the siler certificates would not be in circulation except from the fact that

ver certificates would not be in circulation except from the fact that they are the equivalent of gold in paying duties upon imports?

Mr. COKE. Neither would gold be at par or worth anything unless it was money and could be used as such in paying debts and public dues.

Mr. MORRILL. Not one dollar of these certificates will ever be redeemed in silver, but they will all be used for the purpose of paying duties where gold is required otherwise.

Mr. COKE. I will proceed.

This great forten was be a particular.

This great fact can not be explained away, nor its significance be clouded. It makes no difference why it is true; the fact remains that it is true, and that is sufficient. Silver certificates measure fully up to the standard for good paper money prescribed by the honorable Senator. It is an axiom in mathematics that "things equal to the same thing are equal to each other." Silver certificates, the representatives of and redeemable in silver dollars, for which gold coin is every day being exchanged on equal terms, can not be held otherwise than as the equal in value of the gold coin.

If the honorable chairman of the Finance Committee had really desired to force the actual silver coin into circulation why did not he and his coworkers bring in a bill retiring all notes of denominations under \$10 or even under \$5. This would force silver dollars and small gold coins into circulation if enacted into law. It is in this way that such coins are maintained in circulation in Europe. This would increase the demand for both silver and gold, but would to that extent supersede the necessity for bank notes, and of course will not be recommended by those who in the interest of the banks bitterly opposed the remon-etization of silver and have in every possible way disparaged it since that metal was remonetized.

The European quotations for silver bullion control the price of that commodity in the American market. Silver bullion is as cheap there When their silver coin in the ratio of 15% of silver to 1 of gold maintains itself without discount in circulation by the side of gold, ought we to be alarmed about our silver dollar of 16 of silver to 1 of gold? It seems to me not.

The fact has been adverted to in this debate that many of the European states have ceased to coin silver, and the conclusion is drawn that we should also cease for the same reasons. The conditions surrounding this country are widely different from those prevailing in Europe. The states of Europe reached their highest point of development many years ago. They are now stationary in population, in commerce and production, while this country is advancing with wonderful rapidity in all those respects. Europe has enough of silver to answer all the needs of trade and population, and is content for the present. The United States, with enough for to-day, must provide an increased amount for increased population, increased commerce, and increased industrial activities certain to need it the next year, and so on with each recurring year as this vast country and its teeming wealth is populated and developed.

On page 33 of the latest report of the Secretary of the Treasury that official says: "The production of gold is diminishing; that of silver has practically reached its maximum, and there are strong indications that

from this time the yield of both gold and silver mines will speedily decline." The insufficiency of the world's supply of gold as a basis for the necessary supply of paper circulation is admitted on all sides. The decline in its production, if silver is discarded as money, will necessarily restrict the paper circulation, which is based upon it as a redemption fund. A contraction of the circulation means an increased purchasing power for money, lower wages, lower prices for property, an increased oppressiveness for debt; in a word, that the rich are made richer, and the poor made poorer. It is the duty of this Government to do all that is possible to avert such calamitous consequences, and the wisest and st method of preventing them is to continue its coinage of silver, thereby insuring a sufficient metallic basis for a safe, redeemable, and adequate paper circulation.

We coin only \$28,000,000 per annum, and this the Senate amendment proposes shall cease, because for sooth the silver bullion in the dollar is worth only about 85 cents, when, as I have shown, the silver dollar and silver certificates are in every respect equal in value to the European governments preserve the interconvertibility of silver and gold, notwithstanding the discount on bullion, by limiting, regulating, and at times stopping the coinage of silver. Adopting this idea, the remonetizing act of 1878 placed the limitation upon silver coinage, under which a fraction over \$2,000,000 per month has been coined. The facts to which I have adverted show conclusively that the limitation was unnecessarily restrictive, and that the industrial progress, the advantage would be added to the concept this country would in population and wealth, and the enterprise in this country would equally well have maintained interconvertibility between silver and gold had the amount coined been much greater, or indeed if the coin-

age of silver had been made free.

The power of the Government brought to its aid in this way would also have buoyed and appreciated the value of bullion and destroyed the margin between it and coin. It has been asserted in this debate that if silver coinage is not suspended the result will be to transfer our gold to Europe, and that we will be left with an exclusively silver currency. This argument is met and refuted so completely in the able speech of the Senator from Colorado, Mr. HILL, delivered a few weeks ago, that I will content myself with reading what he says:

It is often said that in dealing with European nations we must liquidate in gold the balances of trade when they are against us, because silver has no rights of coinage, and is therefore not a money metalin Europe; and that, on the other hand, when the balances of trade are in our favor we will be paid in silver. Paying Europe in gold but being paid by Europe in silver would sooner or later transfer our gold to the other side of the Atlantic. But in truth Europeans can no more pay us in silver than we can pay them in that metal. They could pay us in our silver dollars if they possessed any, but they have none, and they can not get any except at the price of gold dollars. Their own silver coins can not be disposed of in this country at a better rate than 80 per cent, of their value at home. As to silver bullion, it is as commercially impossible that it should be sent here from Europe as that coals should be sent to Newcastle.

We are the chief silver-mining nation in the world, and our total home demand for silver in the arts and at the mints (with our annual coinage of \$28,000,000) is less by about ten millions annually than the home production. The excess, whatever it is, must be sold abroad, and must always be, as it is now, put at a price which will force its sale in foreign markets. During the three fiscal years ending June 30, 1834, the excess of our exports of silver over imports was \$29,584,783, or at the rate of about \$10,000,000 annually. The flow of silver from the United States to the London market will continue constant until all the facts of the situation are changed. It is as idle to apprehend an import from the sure parter of timber, wheat, petroleum, naval stores, or cotton. No silver from Europe will ever be "dumped" upon this country until commodities move from dearer to cheaper markets.

The necessary effect of the whole situation is what we know as a fact of observation, that the money balances due to us from Europe are received always in

cheaper markets.

The necessary effect of the whole situation is what we know as a fact of observation, that the money balances due to us from Europe are received always in gold, and in nothing else. The other kinds of money which we use, namely, silver dollars, greenbacks, and national-bank notes, would be accepted by us with equal readiness, but foreigners possess neither, and can not obtain either at less than their face value in gold. Our position is precisely like that of France, in which silver francs are, at home, of the same value as gold francs, but are worth only four-fifths as much anywhere outside of the Latin Union. When the state of the exchanges requires the transmission of money from Paris to London, or to New York, it is only gold which can be sent, because it is only gold which will be accepted. But it is equally true that when London and New York send money to Paris it can only be gold, because they have no French silver francs.

I remember well in the debate in 1878 it was vehemently predicted that silver, being the cheaper metal, would expel gold from the country just as this reason is given now with great emphasis for repealing or suspending the law of that date, when the official reports show since that time an increase net of three hundred and fifty million seven hundred sev dred and ninety-three thousand five hundred and thirty dollars in the stock of gold in this country. Not only is this true, but the same official reports show that our monthly imports of gold in payment for balances due on our foreign trade, together with the product of our mines are largely in excess of our monthly silver coinage, more than double, thus maintaining up to the present moment the same ratio of increase of gold that has obtained ever since the silver law of 1878 was passed. If the law of 1878 had not been enacted—and it was enacted over the earnest and combined opposition of those now demanding its repeal—the condition of this country in respect of its currency would have been most deplorable. I read from the last report of the Secretary of the Treasury:

It will be noted that the circulation decreased \$25,156,452 during the year. The bonds deposited to secure circulation, which decreas d \$9,613,350 in 1833, were still further reduced \$25,442,300 during 1834—a reduction of \$35,055,650 in two years.

The 3 per cent. bonds of the United States have now been reduced to less than two hundred millions, and they will be further reduced through the operations of the sinking fund by nearly fifty millions each year.

The market prices of the 4 per cent. and the 4½ per cent. bonds of the United States have declined somewhat during the past year; but that these bonds are still too high to enable banks to base circulation upon them at a profit is plain, from the fact that the circulation has been voluntarily decreased more than \$25,000,000 during the year.

Among the measures of relief recommended in the last report were an increase of the issue of notes to the face value of the bonds deposited, a bill to authorize which passed the Senate during the last session of Congress; the acceptance of the 3.65 per cent. bonds of 1924 of the District of Columbia, the payment of which is guaranteed by the United States; and a repeal of the tax on circulation. I earnestly commend these propositions to the wisdom of Congress, believing that, if adopted, they will enable banks which now contemplate a surrender of their circulation in consequence of the calling of their 3 per cent, bonds to maintain it on the long-time bonds with a small profit, or at least without loss.

out loss.

Inasmuch as about \$135,000,000 of the circulation of banks is based upon our 3 per cent bonds, which are now redeemable and being rapidly redeemed, remedial action can not be postponed beyond the present session if a rapid reduction of our bank-note circulation is to be avoided. The subject is a very important one, and should receive immediate attention.

This statement shows a contraction of bank circulation for the last two years of \$35,055,650. It shows that of the less than two hundred millions of 3 per cent. bonds \$135,000,000 of them are the basis of bank circulation, that all of them are now redeemable and "being rapidly redeemed," and that they will continue to be redeemed at the rate of \$50,000,000 a year. It urges some vigorous action at this session of Con-\$50,000,000 a year. It urges some vigorous action at this session of Congress in order to arrest a ruinous reduction of bank circulation. The law providing for the recoinage of silver has taken monthly from the dead surplus buried in the vaults of the Treasury a little upward of \$2,000,000 for the purchase of silver bullion and put it in circulation. The silver has been coined and put in the Treasury, but silver certificates representing it have been issued and put in circulation, making the silver bullion and put in circulation, making the silver bullion and put in circulation and circulation and circulation and circulation and circulation and circulation a

ing \$2,000,000 more monthly, the two amounts aggregating about fifty millions a year addition to the circulation. This process has been going on since 1878, and has made a difference of about \$300,000,000 in the active circulating medium of the country, about one hundred and eighty-five millions of it, the coined silver, being a permanent addition to our stock of money. While the banks have been reducing their circulation silver and silver certificates have been much more than making up the loss. Had it not been for this constant addition to our circulation under the silver law, it is morally certain that the country would have suffered all the evils which flow from an insufficient circulation.

I presume I will be told that if the silver law had not passed the banks would have supplied the needed currency; indeed we have been informed to that effect by the report of a Secretary of the Treasury, not the present incumbent, but one of his predecessors. Exactly; and the meaning of this ceaseless war on silver is to put that metal and silver certificates out of the way, and leave the entire field clear to the national banks, so that they may furnish our currency on their own terms and contract or expand it at pleasure. These institutions fought savagely against the remonetization of silver, and when their representatives meet, as they do annually, in convention, they always denounce silver money and demand the repeal of the law. They are about as in-cessant and determined and untiring in their attacks as the Senate Finance Committee, except that they are not discreet like the latter in being silent just before Presidential nominations are made, for at their convention last summer they demanded a repeal of the silver law.

The denunciations of these people and the tirades in the messages of the Presidents, the reports of the Secretaries of the Treasury and of the Comptrollers of the Currency, have done more to discredit silver and degrade it than all other agencies combined, creating the apprehension that it could not be maintained as money against such powerful influences. It is simply wonderful that silver bullion under such combined and powerful assaults is not depressed to a lower point than it has yet reached; and that the silver dollar is still current and at par with gold and silver certificates preferred to gold is still more wonderful. If the same efforts had been directed to the maintenance of silver money that have been made to destroy it in the confidence of the world, and the banks had recognized and sustained it in their operations as the law requires them to do, and had not, in open violation of a positive law and with the consent and acquiescence of the Secretary of the Treasury, whose duty it was to enforce the law, kicked it out of the New York Clearing-House, silver bullion would to-day, in my judgment, and in that of others more competent than myself to form a correct opinion, be at par.

After waging a war upon silver which could only result in reducing it below par, the same persons now make the fact that it is discounted the chief, indeed the only, argument for discarding it; for that is the

real purpose of the Senate amendment pending before us.

Now, Mr. President, if the amended bill before the Senate should pass in what predicament will the country be left in respect to its circulating medium? I have read from the report of the Secretary of the Treasury that an annual contraction of fifty millions of the national-bank circulation is bound, under the operation of laws now on the statute-book, to ensue, and he urges remedial action at this session of Congress. This bill responds to his suggestion by contracting the currency fifty millions more per annum from the date when the suspension of silver coinage commences

When asked to provide against contraction already commenced and certain to continue if we pass this bill, we have simply doubled the evil we are called on to avert. We then will be called on to refund the national debt in such way as to enable the national banks to issue and national debt in such way as to enable the national banks to issue and maintain an adequate supply of currency for the country, at least such will be the next step in the programme of those who would discard silver, and the outcome would be that the banks would have won the fight they have been making for years, and find themselves in possession of a clear field, with all the people and wealth of this country to operate on in their own way and on their own terms. Believing this, I shall oppose to the end the fifth section of Senate amendment to the House bill. I believe the people engaged in national banking are neither better nor worse than other people. They are a fair average of American citizenship. can citizenship.

I will never by my vote intrust them or any other living men with the unrestrained power over the prosperity of the country and the property and values and products of labor of the people which they would possess if permitted to dictate the amount and character of money to be used in this country, as they will have if we abolish the use of sil-ver. God gave us gold and silver; the Constitution of the United States recognizes both metals, and declares that no State shall make any other a legal tender. Human labor is required to dig these metals out of the earth and human skill to refine and coin them, and when coined they are labor capitalized and represent intrinsic value. When these coins are stamped with the devices, and invested with the legal-tender qualities of money, and come within the protection of the laws against counterfeiting and alteration, they represent units and standards of value as prescribed by the supreme power of the Government. They differ from the bullion, out of which they are made, as the finely wrought fabric differs from the crude raw material from which it is worked. They are too far removed from the dirty ore, or the crude bullion, for the market values of the latter to determine their intrinsic value. This is as true of silver as it is of gold. These metals, both of them, are not more than sufficient to support the volume of redeemable paper money necessary for the trade, commerce, and business of the country.

To discard either will necessitate a reduction of volume of good, solvcnt, redeemable paper money, and this will increase the value of all money, will lessen the value of all the products of labor, will reduce

wages and bring down all prices, and make debts doubly hard to pay.

Those who are urging the destruction of silver money are, in my judgment, forcing these disastrous results, and, if successful, will inevitably build up a formidable party in this country favoring the issue by the Government of an irredeemable paper currency, for the simple reason that an insufficient gold basis now, with a rapidly declining gold product, if confined to gold alone as a redemption fund, will so reduce our volume of paper money that the country will not stand the contraction, and will demand and seek relief wherever it may be found. Seven or eight States in the northern and eastern sections of this Union, which hold three fourths of the bonds, the credits, and the money and active banking capital of this country, which would be immeasurably enhanced in value by the destruction of silver as money and whose representatives in both Houses of Congress are pressing this measure, will not be permitted, as long as any reasonable avenue of escape is left open, to hold this vast country in a condition of financial vassalage

such as would ensue from the success of the pending measure.

It is because I foresee these results that I am opposed to this bill. The \$346,000,000 of legal-tender notes now in circulation, and the silver coin and silver certificates now in existence and annually increasing in a proportion not adequate, it is true, to annually increasing demands for money, are nevertheless a check upon the power of the banks and a reasonable provision against contraction which I will never willingly surrender.

I desire to see silver have a fair chance. It has been dishonored by our highest officials in the executive department of the Government and by the national banks—the Government's fiscal agents. The Secretaries of the Treasury have refused to pay this money to the public creditors, although our obligations, except about \$122,000,000 of outstanding gold certificates, are payable in coin, and can and ought to be paid in silver as well as gold, and the national banks have refused to recognize it in their operations in violation of express law. These gold certificates are the only gold obligations due by this Government to anybody. All other debts, bonds, and obligations are payable in coin, and way in the debts bonds, and obligations are payable in coin, and may justly and honestly be paid in silver coin or in gold, or in both, at the option of the Government. With the incoming of a new administration I hope to see the laws on this subject obeyed and enforced. If they are bad laws, the best way to get rid of them is to enforce them. If good, this course will vindicate them.

The friends of the act of 1878 remonetizing silver have never ceased

to demand an honest enforcement of the law, and have ever been anxto demand an nonest enforcement of the law, and have ever been anxious to subject it to the test, with the fullest confidence that its beneficial results can not fail to be as great as they have claimed they would be. When the national banks are compelled, as they ought to be, to recognize silver and silver certificates, as the laws require; when the Secretaries of the Treasury pay public debts equally with silver and gold, as they should, and when the denunciations of silver money cease to come annually from the national banks, from the White House and the Treasury Department, and from the Finance Committee of the Senate, as they should, in deference to a public sentiment in favor of silver, believed to be fixed and immovable—when all these influences unite in sustaining silver coinage, as they are now and have been in breaking it down and dishonoring it, as they will be if the laws are obeyed and enforced, silver bullion will in a short time, both at home and abroad, in the opinion of many good judges, rise to par with the coined silver dollar, less the expense of coinage, thus removing the only

pretext for suspending the coinage of silver.

The Senator from Alabama has proposed an amendment to this bill, reposing in the President the power at his discretion to suspend the coinage of silver. The framers of the Constitution deemed it wise to make the legislative, executive, and judicial departments of the Government separate from and independent of each other. I believe it wise to maintain these departments thus separate and independent. Dicta-torial power over a great subject like this should not be reposed in the hands of any man, and will never be by my vote. I believe as firmly in the wisdom and patriotism of the President-elect as anybody can, and it is no disparagement of him to say that I will not so far as I am concerned consent that Congress shall abdicate its just powers and turn them over to his exercise and discretion. Besides, it is unjust to the new President to saddle this responsibility upon him which belongs to and should be fearlessly met by Congress. For one, I propose to take my share of the responsibility.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a concurrent resolution for printing 25,000 extra copies of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 78) for the erection of a public building at La Crosse, Wis.; and it was thereupon signed by the President pro tempore.

BILL INTRODUCED.

Mr. GIBSON introduced a bill (S. 2664) making an appropriation to preserve the works on the Mississippi River and to continue the improvement of said river; which was read twice by its title, and referred to the Committee on Commerce.

HOUSE BILLS REFERRED.

The following joint resolutions were severally read twice by their titles, and referred to the Committee on Printing:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology;

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey; and

Joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

year 1885.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CULLOM, Mr. HOAR, Mr. PIKE, and Mr. VOORHEES sub-Mr. CULLOSI, Mr. HOAR, Mr. FIRE, and Mr. VOURIBLES submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. BUTLER submitted an amendment intended to be proposed by

him to the general deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GARLAND, and Mr. JONES, of Nevada, submitted amend-

ments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

WASHINGTON MONUMENT DEDICATION PROCEEDINGS.

The following concurrent resolution of the House of Representatives was referred to the Committee on Printing:

In the House of Representatives, February 26, 1885.

IN THE HOUSE OF REPRESENTATIVES, February 26, 1885.

Resolved by the House of Representatives (the Senate concurring), That 25,000 extra copies of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed; 8,000 copies for the use of the Senate, 16,000 copies for the use of the House of Representatives; 500 copies for distribution by Lieut. Gen. P. H. Sheridan, United States Army, to the civil and military organizations which participated in the procession; 400 copies for the Washington National Monument Association, for distribution among its members; and 100 copies to Col. Thomas L. Casey, engineer, for distribution among mechanics and workmen employed in the erection of the monument.

WITHDRAWAL OF PAPERS,

On motion of Mr. McMILLAN, it was

Ordered, That John Jones, late ordnance sergeant United States Army and captain Third Minnesota Battery, have leave to withdraw from the files of the Senate the papers in his case, subject to the rules of the Senate.

EXECUTIVE MESSAGES.

Several executive messages were received from the President of the United States, by Mr. PRUDEN, one of his secretaries.

GEOLOGICAL SURVEY REPORTS.

Mr. MANDERSON. I have three joint resolutions that have just passed the House which are identical with three Senate resolutions passed this morning, and I ask consent at this time to report favorably upon these resolutions from the Committee on Printing and have them put on their passage.

The PRESIDING OFFICER (Mr. FRYE in the chair). The Senator

from Nebraska reports at this time a joint resolution, and asks for its present consideration. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United

States Geological Survey.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed. PRINTING OF ETHNOLOGICAL REPORTS.

Mr. MANDERSON. I also report from the Committee on Printing the joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONOGRAPH SECOND OF GEOGRAPHICAL SURVEY.

Mr. MANDERSON. I also report from the Committee on Printing the joint resolution (H. Res. 340) providing for printing monograph second of the publications of the United States Geological Survey, and ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PLANTS FOR INAUGURATION DECORATIONS.

Mr. VOORHEES. I ask leave to introduce a joint resolution for present consideration.

The PRESIDENT pro tempore. Is there objection to the joint resolution being received at this time? The Chair hears none.

The joint resolution (S. R. 134) relative to the use of plants belonging to the public conservatories of the District of Columbia for inauguration ceremonies, was read the first time by its title and the second time at length as follows: ond time at length, as follows:

Resolved, &c., That it shall be lawful to use for the approaching inauguration ceremonies and the decoration of the Executive Mansion and other public buildings such plants as may be spared without material injury by the officers in charge of the public conservatories of the District of Columbia.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent for the present consideration of the joint resolution. Is there objection?

What is that that is to be used? I did not catch it. Mr. HOAR. Mr. VOORHEES. Let the resolution be read again; it answers better than I can.

The joint resolution was again read.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and

MARIA G. UNDERWOOD.

Mr. JONES, of Nevada. I ask leave to make a report from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. If there be no objection the report

will be received.

Mr. JONES, of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, to report it favorably:

Resolved, That there be paid out of the contingent fund of the Senate, to Alice E. Underwood, executrix of the last will and testament of Maria G. Underwood, administrative of John C. Underwood, deceased, the sum of \$5,000, in full compensation for the time and expenses of the said John C. Underwood, in prosecuting his claim to a seat in the Senate as a Senator from the State of Virginia.

The PRESIDENT pro tempore. The resolution will be placed on the

DISTRICT TAX SALES.

Mr. ALDRICH. I ask unanimous consent to call up House bill 8236, Order of Business 1345, for present consideration. It is a House bill, which it is necessary should be passed immediately, as it is reported with amendments, in order to get the concurrence of the House in the

The PRESIDENT pro tempore. The Senator from Rhode Island asks

unanimous consent that the Senate now consider Order of Business 1345, being the bill (H. R. 8236) relating to sales for taxes in the District of Columbia. Is there objection to the present consideration of the bill? The Chair hears none.

The Senate as in Committee of the Whole proceeded to consider the

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in line 10, after the word "deed," to strike out "shall vest in the grantee a good and valid title, and."

The PRESIDENT pro tempore. The question is on the amendment recommended by the Committee on the District of Columbia, which has just been read.

Mr. PLATT. I should like to hear the bill read as it will be with the amendment

The PRESIDENT pro tempore. The Senator from Connecticut asks that the bill be read as it will stand with the amendment recommended by the Committee on the District of Columbia.

Mr. ALDRICH. There are two amendments. The last one ought to be read as well as the first.

Mr. PLATT. Let the bill be read as it will stand when amended in accordance with the recommendation of the committee.

The PRESIDENT protempore. The Chair understood that to be the request of the Senator from Connecticut. The bill will now be read as would stand if amended as recommended by the committee.

The CHIEF CLERK. As proposed to be amended by the Committee on the District of Columbia the bill will read:

That hereafter sales of real estate, after advertisement as required by law, by the collector of taxes for the District of Columbia, for taxes or assessments levied by the commissioners of said District, or by other lawful authority, shall entitle the purchaser, his heirs or assigns, if the property be not redeemed within two years from the date of such sale, as provided by law, to a deed from the commissioners of the District, which deed shall be presumptive evidence in all controversies in relation thereto that the property so conveyed was subject to the taxes for which the property was sold, that such taxes were not paid, that the property was not redeemed before the execution of the deed, and that the manner of levy, notice, sale, and all the other prerequisites of law were complied with necessary and proper to make such deed and title valid; and unless suit shall be brought within one year after the execution and record of such deed to annul the same, the same shall be conclusive evidence that all the steps in the assessment and collection of such tax were valid, and the said deed shall vest complete and valid title in the purchaser.

Mr. SAULSBURY. I did not observe in the bill that there was any saving for persons under disability.

Mr. HARRIS. I rose for the purpose of informing the Senator from Delaware that I held in my hand an amendment that I propose to offer containing the saving clause that the Senator thinks necessary. I quite agree with him that it is.

Mr. HOAR. Has consent been given to the consideration of this

bill at the present time?

The PRESIDENT pro tempore. Unanimous consent has been given that the bill be now considered.

Mr. HOAR. I did not so understand.

The PRESIDENT pro tempore. The Chair stated the question distinctly and paused for objection.

Mr. CALL. I did not understand that it was taken up.
Mr. ALDRICH. I will say that the amendment is offered by the
Senator from Tennessee as the agent of the committee, and so far as I

am able I am willing to accept it.

Mr. HOAR. My attention was called away at the time, and I did not understand that unanimous consent was given. It seems to me a very extraordinary and severe bill, a provision that as against the landowner the deed of the commissioners shall be prima facie evidence of everything necessary to be proved in a tax sale. I was not aware such

a system existed anywhere in the country.

Mr. GEORGE. We can not hear the Senator from Massachusetts. Mr. GEORGE. We can not hear the Senator from Massachusetts. Mr. HOAR. I hope the bill may go over. I ask to have the bill

read again as part of my remarks.

Mr. HARRIS. Before it is read I ask that the Secretary take the

amendment that I shall propose when in order, and read that to come in at the end of the bill.

The PRESIDENT pro tempore. The bill will be again read if there be no objection.

The Chief Clerk read the bill.

The PRESIDENT pro tempore. The amendments recommended by the Committee on the District of Columbia will now be read for infor-

The CHIEF CLERK. The first amendment is, in line 10, after the word "deed," to strike out "shall vest in the grantee a good and valid title and;" and the next amendment is, at the end of the bill, to insert:

And unless suit shall be brought within one year after the execution and record of such deed to annul the same, the same shall be conclusive evidence that all the steps in the assessment and collection of such tax were valid, and the said deed shall vest complete and valid title in the purchaser.

The PRESIDENT pro tempore The amendment intended to be proposed by the Senator from Tennessee [Mr. HARRIS] will now be read

The CHIEF CLERK. The proposed amendment is to add the following proviso:

Provided, That persons under legal disability shall not be precluded from bringing suit within one year from the removal of such disability.

The PRESIDENT pro tempore. The question is on the first amend-

ment reported by the Committee on the District of Columbia.

Mr. HOAR. I hope the bill will not be pressed for consideration.

Mr. MORRILL. I hope the Senator from Rhode Island will with-

draw his request.

Mr. HOAR. It is a very serious innovation on the present law to make as against the owner of real estate the simple deed of an official

presumptive evidence, that is, I suppose, prima facie evidence, of the great variety of steps which are necessary to divest his title. It seems to me those things ought to be proved as facts. Here they are made conclusive evidence after the expiration of a single year, putting on him the burden of bringing a suit. A person in possession of real estate is made by this bill, as I understand it, subject to have his estate divested unless he is able to disprove the regularity of a variety of proceedings. It may be almost impossible to do it.

I trust the bill will be taken up at some time when the Senate can

carefully consider it, and when the amendments proper to secure the rights of a citizen can be made. It seems to me, with great respect to the honorable Senator from Tennessee, that one year from the removal of a disability like that of coverture, or a disability like that of infancy, is an exceedingly short time in which to have a conclusive presumption established. The party in possession of his estate all the time may never even have heard of the assessment or of the sale.

Mr. MORRILL. I hope the Senator from Rhode Island will withdraw his request to have this bill considered now.

Mr. ALDRICH. I am willing the bill shall go over until to-morrow

Mr. MORRILL. I move that the bill be postponed until to-morrow.

The PRESIDENT pro tempore. The Senator from Vermont moves that the further consideration of the bill be postponed until to-morrow.

Mr. INGALLS. There are at the present time in this District about \$900,000 of delinquent taxes, and there is no possible power anywhere to enforce their collection. I know of no other community in which there is not some power lodged somewhere to enforce the payment of delinquent taxes, and I know of nothing that is more efficient than the issuing of a deed for property that is sold for taxes.

I heard the Senator from Massachusetts characterize this bill as vile and extraordinary. Sir, it is the mildest measure of the kind that I have ever heard of being recognized. Every guard that is possible has been thrown around the right of the citizen; the rights of those persons under disabilities are assiduously protected. The party has two years in which to set the deed aside.

Mr. HOAR. He may never have heard of it. Mr. INGALLS. Who never has heard of it?

Mr. HOAR. He may never have heard of it. Mr. INGALLS. True. If he never has heard of it that does not change the necessity of having some method of collecting taxes, I sup-

Mr. HOAR. Will the Senator from Kansas yield to me for a ques-

Mr. INGALLS. I do for the purpose of an interrogatory.
Mr. HOAR. The interrogatory is this: Does not the bill provide that a person within one year after the expiration of the disability of coverture or of infancy or of lunacy shall have his real-estate title divested by a conclusive presumption of the validity of these proceedings, the statute requiring no notice to the party whatever that they ever have existed, and there may be cases where they may never have heard

Mr. INGALLS. In the schedule of human life I never have heard the payment of taxes considered as a luxury. I do not know that it can be counted as one of the comforts of human existence. I believe it is usually considered as one of the stern necessities. There is in this community as in every other community a class of people that do not intend to pay their taxes as long as they can help it. There is an abundance of property in this town loaded with delinquent taxes, allowed to remain there by persons amply able to pay them, who take the income from day to day and put it in their pocket rather than pay their taxes,

because there is no way of enforcing taxes against delinquents.

Mr. HOAR. May I ask the Senator from Kansas if he is aware that he has not answered my question?

Mr. INGALLS. I do not intend to answer it, because it has no connection whatever with this subject. It is absolutely impossible to make any general law bearing upon this subject that does not hurt somebody. You can not enforce a law for the payment of taxes without in some way or other injuring somebody or hurting somebody's feelings. It is not a question whether somebody may be hurt by it, or whether somebody may be injured by it, or whether it may be inconvenient or macunification whether the somebody to real his taxes. uncomfortable to somebody to pay his taxes. It is a question whether there shall be machinery vested in the tax-levying power that shall be sufficient to compel the payment of taxes.

Mr. HARRISON. Will the Senator from Kansas, as we can not finish this discussion to-night, yield to a motion for an executive session?

Mr. INGALLS. If the Senator desires it. I do not wish to press

this matter on the consideration of the Senate.

Mr. HARRISON. There are a number of nominations, a large list of military nominations, and the Committee on Military Affairs meets to-morrow morning, and if they are not referred to-night it will be difficult to get a committee meeting for their consideration.

Mr. INGALLS. With the understanding that this bill will be the unfinished business for to-morrow morning, I have no objection to an

Mr. VAN WYCK. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. HARRISON. I understood the Senator from Kansas to yield to

Mr. INGALLS. I said that with the understanding that this bill might be the unfinished business for to-morrow morning I had no objection to yielding to a motion for an executive session.

The PRESIDENT pro tempore. Does the Senator from Kansas yield

to the Senator from Indiana or not?

Mr. MORRILL. I call for the regular order.

The PRESIDENT pro tempore. Pending which the Senator from The PRESIDENT pro tempore. Vermont calls for the regular order.

Mr. HARRISON. I move that the Senate proceed to the consideration of executive business.

Mr. KENNA. Will the Senator from Indiana allow me to offer an amendment?

Mr. HARRISON. I yield for that purpose.
Mr. BAYARD. Allow me to offer an amendment.
Mr. KENNA. I desire to offer an amendment to House bill 1457. The PRESIDENT pro tempore. Does the Senator from Indiana withdraw his motion?

Mr. HARRISON. No; I see the indications around are such that we shall be occupied for an hour, I think, if I do not insist on the motion.

The PRESIDENT pro tempore. Debate on the motion is not in order. Mr. HOAR. I rise to a parliamentary inquiry. The PRESIDENT pro tempore. The Senator from Massachusetts

rises to a parliamentary inquiry.

Mr. HOAR. What will be the pending or unfinished business in the

morning?

The PRESIDENT pro tempore. The Chair will answer that question in the morning; he is not obliged to do it at this moment.

Mr. VAN WYCK. Now I should like—

The PRESIDENT pro tempore. Debate is not in order.

Mr. VAN WYCK. I do not rise to debate—

The PRESIDENT pro tempore. The Senator from Indiana has moved that the Senata proceed to the consideration of executive business and that the Senate proceed to the consideration of executive business and

declines to withdraw the motion.

Mr. HARRISON. If it is the desire of Senators to offer some amendments to pending appropriation bills that ought to be in to-night I have no objection to yielding for that purpose.

The PRESIDENT pro tempore. Does the Senator withdraw his mo-

Mr. BAYARD. I will ask the Senator to withdraw the motion for a moment

Mr. HARRISON.

Mr. HARRISON. I withdraw it for that purpose.

The PRESIDENT pro tempore. The Senator from Indiana withdraws his motion, and the Chair recognizes the Senator from West Virginia [Mr. KENNA].

AMENDMENTS TO BILLS.

Mr. KENNA submitted an amendment intended to be proposed by

him to the bill (H. R. 1457) to establish a department of agriculture; which was ordered to lie on the table and be printed.

Mr. BAYARD and Mr. MORGAN submitted amendments intended to be proposed by them respectively to the bill (H. R. 8236) relating to sales for taxes in the District of Columbia; which were ordered to

to sales for taxes in the District of Columbia; which were ordered to lie on the table and be printed.

Mr. BOWEN, Mr. FRYE, Mr. GORMAN, and Mr. WILSON submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, and the proposed to the proposed to the committee on Public Buildings and Grounds.

reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropria-

tions, and ordered to be printed.

He also, from the same committee, reported an amendment intended to be proposed to the general deficiency bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MILLER, of California, submitted two amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. COKE, Mr. HAWLEY, and Mr. LAMAR submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

COINAGE OF SILVER DOLLARS.

Mr. VAN WYCK. Mr. President— Mr. HOAR. I call for the regular order.

The PRESIDENT pro tempore. The Senator from Nebraska. Mr. HOAR. I call for the regular order.

The PRESIDENT pro tempore. The Senator from Massachusetts insists upon the regular order, which is the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

Mr. VAN WYCK. I trust the Senator will not insist on that.

The PRESIDENT pro tempore. Senators will please address the Chair

and cease loud conversation to each other.

Mr. VAN WYCK. I desire to appeal to the Senator from Massachu-

setts in addressing the Chair.

The PRESIDENT pro tempore. Senators must address the Chair.

The question is on agreeing to the motion of the Senator from Kansas [Mr. INGALLS] to strike out section 5 of the amendment proposed by the Committee on Finance.

the Committee on Finance.

Mr. VAN WYCK. Mr. President—
The PRESIDENT pro tempore. The Senator from Nebraska.
Mr. HOAR (in his seat). Now I withdraw my call for the regular order, having found out what it is.
The PRESIDENT pro tempore. The Senator from Massachusetts is not recognized. The Senator from Nebraska has the floor.

INDEBTEDNESS OF PACIFIC RAILROADS.

Mr. VAN WYCK. I desire to offer three provisos as amendments intended to be proposed to the bill introduced this morning by the Senator from Massachusetts [Mr. HOAR]. I offer them so that they may be printed, and I shall ask that for the present they lie upon the table, because if that bill is not to be acted upon, as it should be, at this session, as the Senator from Massachusetts has invoked the examination of the public to this matter, I desire that some other suggestions shall go out that the public generally may understand the status of the enormous debt of the Pacific railroads. These are three provisos. One is that no dividends shall be issued upon stock, and another is that the consolidation shall not be recognized. I ask to have them printed and hald such that the consolidation of the public status of the status of the enormous debt of the public status of the status of the enormous debt of the public status of the status of the enormous debt of the public status of the enormous debt of

The PRESIDENT pro tempore. The Senator from Nebraska asks leave to submit sundry amendments intended to be proposed to the Pacific Railroad settlement bill, introduced this morning by the Senator from Massachusetts. The Chair hears no objection. The amendments

will be printed and laid on the table.

COINAGE OF SILVER DOLLARS.

Mr. HOAR. I wish to take the floor on the pending measure, and avail myself of my right to the floor long enough to express my astonishment at the very extraordinary response by the Chair to a courteous question as to what the pending measure would be to-morrow morning after the adjournment to-day.

The PRESIDENT pro tempore. The Chair does not feel called upon to make any reply. The Chair stated what the question was, and the question as to what will be the pending order to-morrow will depend upon the rules and will arise then. If the present occupant had been in the chair all the afternoon, and therefore had kept the run of the business, he would have been glad to have answered the question.

Mr. HOAR. I am happy to believe that no occupant of the chair since the organization of the Senate ever declined to answer that ques-

tion before

The PRESIDENT pro tempore. This will then be the first prece-

Mr. HOAR. And the last, I have no doubt.

Mr. MAHONE. I ask leave to offer a resolution at this time.

The PRESIDENT pro tempore. If no objection be made, the resolution will be received.

PUBLIC BUILDINGS.

Mr. MAHONE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses

Resolved, That the Committee on Public Buildings and Grounds be directed to compile a statement showing the number of public buildings constructed and authorized to be constructed under existing laws for each State, the amount expended or authorized for each such building from the first public building constructed to the 4th of March, 1885, and to report such statement to the Senate in December next; and for such purpose the said committee be authorized to employ a clerk at the usual compensation until the 1st of December next; to be paid from the contingent fund of the Senate.

EXECUTIVE SESSION.

Mr. HARRISON. I move that the Senate proceed to the consideration of executive business

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and ten minutes spent in executive session the doors were reopened, and (at 7 o'clock and 20 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 26, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Clerk proceeded to read the Journal of yesterday.

Mr. HOLMAN. I move that portion of the Journal not connected with the actual transaction of legislative business be omitted in the reading.

There being no objection it was ordered accordingly.

The Journal was then approved.

MRS. LIZZIE D. CLARKE, OF NEW ORLEANS.

Mr. TUCKER. I ask, by unanimous consent, that I may be permit-Judiciary, not for present consideration but merely for reference.

The SPEAKER. The Chair hears no objection?

Mr. TUCKER, from the Committee on the Judiciary, reported the

bill (H. R. 8275) for the relief of Mrs. Lizzie D. Clarke, of New Orleans; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

APPELLATE POWERS UNITED STATES SUPREME COURT ..

Mr. TUCKER, from the Committee on the Judiciary, also reported a bill (H. R. 8276) to extend the appellate powers of the Supreme Court of the United States in certain cases; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. TAYLOR WOOD.

Mr. TUCKER, from the Committee on the Judiciary, also reported the bill (H. R. 8277) to remove the political disabilities of J. Taylor Wood, of Louisiana; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS R. WARE.

Mr. TUCKER, from the Committee on the Judiciary, also reported the bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JURISDICTION OF PROBATE COURTS, DAKOTA TERRITORY.

Mr. TUCKER, from the Committee on the Judiciary, also reported back favorably the bill (H. R. 8173) to increase the jurisdiction of probate courts of Dakota Territory; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. TUCKER. I ask whether there will be any objection to putting

on their passage the bills reported from the Judiciary Committee merely for the removal of political disabilities?

The SPEAKER. Unless they are privileged matters the Chair, under the rule, can not entertain the request.

DEDICATION OF WASHINGTON MONUMENT.

Mr. DORSHEIMER. Mr. Speaker, I ask to submit the report of the joint committee in relation to the dedication of the Washington Monument and for the passage of the accompanying resolution.

The report is as follows:

The report is as follows:

The commission organized under the joint resolution approved May 13, 1884, "in relation to ceremonies to be authorized upon the completion of the Washington Monument," as notified by joint resolution approved December 18, 1884, respectfully report that at a meeting of said commission, held in the room of the Joint Committee on the Library, June 19, 1884, Hon. John Shernan was designated chairman, E. J. Babcock secretary, and F. L. Harney assistant secretary. An invitation was extended to Hon. Robert C. Winthrop to deliver an address in the House of Representatives on the occasion of the dedication, which was accepted. The correspondence relating thereto is herewith communicated. Special invitations were sent to the distinguished persons described in the joint resolution, and an engraved card of invitation was sent to a great number of civil and military organizations throughout the United States, the Regents of Mount Vernon, relatives of General Washington, and distinguished persons, a copy of which is herewith communicated.

Selections from the letters of acceptance and declination are also communicated.

Selections from the letters of acceptance and declination are also communicated.

The commission invited Lieut, Gen. P. H. Sheridan to act as marshal of the day, with an aid-de-camp from every State and Territory. This invitation was promptly accepted, and General Sheridan entered with zeal and activity upon the performance of the duties assigned him.

An order of proceedings for the dedication of the monument, for the procession from the monument to the Hall of the House, and for the arrangements at the Capitol was provided by the commission and approved by concurring resolutions of the two Houses. This order of proceedings was executed in all its details without any accident, interruption, or change.

The thanks of the commission are justly due to General Sheridan for the admirable manner in which the order of procession was executed.

The addresses, prayers, and ceremonies are herewith communicated in the order in which they occurred.

Your commission feel that they will not have fully discharged their duty without reporting to the two Houses a resolution of thanks to Col. Thomas Lincoln Casey, Engineer Corps, United States Army, for his skill, ability, and fidelity, and to his associates, and the workmen for the admirable manner in which they have performed their respective duties in the erection and completion of the monument.

A monument has been erected to the name and fame of George Washington

more imposing, costly, and appropriate than ever before was erected in honor of any man, and without the loss of a life in its construction or any accident or event to mar the hearty satisfaction of the American people at its successful completion.

JOHN SHERMAN.

JOHN SHERMAN.

JUSTIN S. MORRILL.

WILLIAM B. ALLISON.

THOMAS F. BAYARD.

LUCIUS Q. C. LAMAR.

WILLIAM DORSHEIMER.

JOHN RANDOLPH TUCKER.

JOHN RANDOLPH TUCKER.

JOHN H. REAGAN.

PATRICK A. COLLINS.

Mr. DORSHEIMER. I ask the Clerk to read the resolution accompanying the report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress are hereby tendered to Col. Thomas Lincoln Casey, Corps of Engineers, United States Army, and to his assistants, and to the workmen for the admirable manner in which he and they have performed their respective duties in the completion of the monument to the name and fame of George Washing-

The SPEAKER. The Chair will state there is a concurrent resolution from the Senate to the same effect precisely, which if acted upon will dispose of the whole matter.

Mr. DORSHEIMER. Then let the resolution be laid aside and the

Senate resolution taken up instead.

Mr. THOMAS. I object.

The SPEAKER. The question, then, is on the adoption of the concurrent resolution.

Mr. DORSHEIMER. Yes: I ask the adoption of the concurrent

The concurrent resolution was adopted,
Mr. DORSHEIMER. There is another resolution providing for the
printing of the proceedings, which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That 10,000 extra copies of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed, 3,000 copies for the use of the Senate. 6,000 copies for the use of the House of Representatives, 500 copies for distribution by Lieutenant-General P. H. Sheridan, United States Army, to the civil and military organizations which participated in the procession, 400 copies for the Washington National Monument Association for distribution among its members, and 100 copies to Col. Thomas Lincoln Casey, engineer, for distribution among the mechanics and workmen employed in the erection of the monument.

The SPEAKER. The Chair will state to the gentleman from New York by reason of the provision in relation to engraving it may be the House itself has not power to order that printing to be done, and there-

fore it ought to be a joint resolution.

Mr. DORSHEIMER. The view of the joint commission was that a concurrent resolution should be passed. The Senate has passed already this identical resolution.

Mr. HAMMOND. Why not pass the Senate resolution, then? Mr. DORSHEIMER. I am willing to do so.

This is not a concurrent resolution. It is a simple The SPEAKER. House resolution.

Mr. DORSHEIMER. I submit, Mr. Speaker, the view in the joint committee was that concurring resolutions would be sufficient—not a concurrent resolution; but the Senate has passed such a resolution.

Mr. HAMMOND. Take up the Senate resolution, then.

The SPEAKER. Is there objection?

Mr. DORSHEIMER. I ask the resolution beamended so as to make a concurrent resolution.

The SPEAKER. The gentleman has the right to make it a concur-

mr. THOMAS. Is it open to amendment? If so, I ask it be read as modified so we may see what it is.

The SPEAKER. The only modification is to make it a concurrent

resolution

Mr. THOMAS. I ask it be again read.

The resolution as modified, making it a concurrent resolution, was

Mr. THOMAS. I have no objection to that.
Mr. RUSSELL. I move to strike out "10,000" and insert "20,000."
Mr. WELLER. Mr. Speaker, I move to amend by inserting 25,000 copies, with the ratio of distribution changed to conform therewith.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. DORSHEIMER. I now suggest that the other numbers in the resolution be correspondingly changed; that is, that the same ratio of distribution shall prevail as was originally fixed in the resolution.

The SPEAKER. The gentleman had better suggest the numbers to the Clerk

Mr. MILLS. What is to be the method of distributing these addi-

The SPEAKER. The gentleman from New York [Mr. Dorsher-Mer.] is preparing an amendment to conform to the increased number ordered to be printed.

Mr. THOMAS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. I wish to ask, in reference to the resolution offered just before this, whether it was a House or Senate resolution. to the resolution just adopted.

The SPEAKER. It was a House resolution; the gentleman objected

to the Senate resolution.

Mr. DUNHAM. Is it understood that this additional printing is to be proportionately divided?

The SPEAKER. The gentleman from New York is preparing an

Mr. DORSHEIMER. I now offer the following amendment so as to make the distribution of the additional numbers ordered printed conform to the distribution heretofore provided in the resolution.

The Clerk read as follows:

Insert: "Of which 8,000 copies shall be for the use of the Senate, 16,000 copies for the use of the House of Representatives, and 500 copies," &c.

The amendment was agreed to.

Mr. WELLER. I desire to know what became of the resolution

preceding this.

The SPEAKER. It was passed. The question now is on the adoption of the resolution as amended. The resolution was agreed to.

Mr. DORSHEIMER moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. THOMAS. Mr. Speaker, I now move to reconsider the vote by which the former resolution was adopted—the resolution tendering the thanks of Congress to Colonel Casey and others.

Mr. BELFORD. I rise to a question of personal privilege.

The SPEAKER. There is a question of privilege pending—a motion

to reconsider.

Mr. DORSHEIMER. I move to lay that on the table, and on that

motion call the previous question.

Mr. THOMAS. I have not yielded the floor to the gentleman to submit a motion

The SPEAKER. The gentleman from Illinois [Mr. Thomas] will

Mr. THOMAS. Mr. Speaker, the reason I move this reconsideration is that the resolution which has been adopted is a proposition to tender the thanks of Congress to this officer, Colonel Casey. It is admitted that his achievement is a great engineering achievement; but, sir, in all cases where Congress has granted its thanks heretofore it has been, with three exceptions, to which I shall presently refer, for great military achievements in the service of the country, and only in cases of that kind.

I think the thanks of Congress have been voted in thirty-eight different instances, and with the exception of three cases always for gal-lantry in the military service. These three instances were: In the first instance where a captain of an American man-of-war went into the harbor of Smyrna and demanded the release of Koszta under the very guns of the fortress; next, the thanks of Congress were granted to the cap-tain of an American man-of-war who rescued a transport loaded with American marines, and rescued a man-of-war which had been abandoned at sea; and again to Captain Dahlgren for the invention of the Dahlgren gun during the war. In all of the other instances this great-

est of all honors was conferred for gallantry in action.

Now, the effect of this resolution, if adopted, is to extend the time of this officer on the active-list for ten years; and I want to know if this Congress is ready to grant this greatest of all honors that can be conferred upon an officer in the Army or the Navy and grant it together with all the privileges that go hand and hand with it, simply because he has succeeded in carrying out the plans of Capt. George W. Davis, which he admittedly did in the new foundation under the monument and completing it in accordance with the plans of Captain Davis. This resolution does not propose to give the thanks of Congress to Captain Davis, of the Corps of Engineers of the Army, who made and submitted the plan to the commission for its confirmation by which the foundation of the monument was strengthened and its completion made possible; but it proposes to give the thanks simply to a man who had executed that plan. I do not think, sir, it is right and proper. I think it is a step in the wrong direction. If the thanks of Congress are to be conferred at all, give them to Capt. George H. Davis, of the Army, who made the plans and furnished the specifications by which the foundations were strengthened, taking the old foundation from under the monument and replacing it with a new one more substantial and suit-

Mr. HAMMOND. May I ask the gentleman a question?

Mr. THOMAS. Certainly.
Mr. HAMMOND. Who are embraced by the words of this resolution under "assistants" and "laborers?"

Mr. THOMAS. It is only those who were subordinates; but as far as they are concerned the resolution amounts to nothing. The precedents are that the thanks of Congress are granted to those who receive the thanks of Congress by name. What is the benefit to Captain Davis in passing a resolution of this character when his name is not mentioned?

I think he was the man who deserved the greatest credit for this great

I yield five minutes to the gentleman from Connecticut [Mr. WAIT].

Mr. WAIT. Mr. Speaker, I agree most heartily in all that the gentleman from Illinois has said in regard to the marked ability and scientific attainments of Captain Davis, as well as in respect to the value. able service rendered by him in the construction of the Washington Monument. I have long known Captain Davis personally, for he is a native of my State and born in the district which I have the honor to represent. I believe him to be an intelligent and admirably trained engineer, who by his ability, rare skill, and scientific acquirements added greatly to the possibility of the successful work which was done on this monument.

If I have been correctly informed he has had the constant oversight of the work, and his suggestions, the fruit of his intelligence and admirable professional training, have been most invaluable to Colonel Casey. And, Mr. Speaker, let me here say that I do not mean to detract one iota from the ability of Colonel Casey or his well-earned reputation as an accomplished engineer, or the credit which is certainly due to him for most valuable service rendered in the prosecution of this que to him for most valuable service rendered in the prosecution of this great national work. It is a pleasure to me to unite with other gentlemen in paying every tribute to his ability, fidelity, and efficiency. But when it is proposed to amend the pending resolution by placing in it the name of Captain Davis as the able and faithful associate of Colonel Casey—and I call to mind the fact that he was the man upon whom Colonel Casey leaned for counsel and for aid from the beginning to the end of this great work, and also call to mind the extent and great value of his services—I do feel that the House should not for a moment hesitate his servicesto associate the names of these two distinguished gentlemen in this res-

If I understand the facts, and the gentleman from Illinois will correct me if I am wrong, it was Captain Davis who arranged and perfected all the elevating machinery that carried the stones one after another from the surface of the earth as they went up toward the sky in the con-struction of the monument. It was his skill and rare ingenuity that invented this machinery, which was so vitally important as a most efficient agent in the rapid and successful prosecution of the work. I have no hesitation in saying that in the important matter of strengthening and perfecting the foundation of the monument Colonel Casey, as an honorable gentleman, would say that the suggestions, the counsel, and the assistance of Captain Davis were invaluable to him.

Captain Davis is one of the most meritorious officers connected with the Engineer Department of the Army. Few, if any, men connected with that branch of the service rank higher in point of intelligence and attainments than he does; and I certainly think that we only pay due respect to him and show a proper appreciation of his ability and his services if we associate his name with that of Colonel Casey in the reso-

lution which is now pending.

Mr. THOMAS. I yield five minutes to the gentleman from New

Mr. BLOUNT. I rise to a question of order. There is a great deal of confusion. I hope the House will be brought to order.

The SPEAKER. Order will be secured if gentlemen would resume

their seats. Gentlemen will please do so.

Mr. COX, of New York. Mr. Speaker, my friend from Illinois [Mr. Thomas] has doubtless drawn his precedents from some suggestions that came to us the other day in the Naval Committee as to thanking cartain gentlemen connected with the Arctic expedition. We reported against giving them the thanks of Congress, because it tended to promotion in the first place, and in the second place because we did not

want to make the thanks of Congress too cheap.

So far as I am concerned, I would give unstinted thanks to any one who has achieved anything very notable and great in connection with our people and our country; and I would not be quite so particular unless certain consequences followed. I do not believe in giving thanks merely for martial or for civic achievements. I believe that the engineering qualities of our time-the new forces that are being harness by civilization-call for some notice from the Congress of Americans by civilization—call for some notice from the Congress of Americans sitting here in their connection with invention and physical progress. But there is nothing very great in this monument. In one respect it is the old Egyptian obelisk done over again and made a little higher. The lifting of these stones so praised by my friend from Connecticut [Mr. WAIT] is not a very great mechanical feat. It does not belong to the muse of mechanism, like the Eddystone light-house and some other things that might be mentioned. It only belongs to the plain old systhings that might be mentioned. It only belongs to the plain old system of masonry known from the time of Cheops down. Therefore I do not so much aggrandize what has been done. But if thanks are to be given at all, do not let us discriminate against the men or the man, Captain Davis, who originated this proposition, who gave the plan, who fixed the foundation on which this grand superstructure has been erected. Let us, if you please, and I suggest it to my colleague [Mr. DORSHEIMER]—let us include both men in the thanks of Congress if

Mr. DUNN (in his seat). And then lay the whole matter on the

Mr. COX, of New York. And then, if you please, on a fair vote table

it. But when a resolution comes in here so well considered, and on so patriotic an occasion, and for so grand an object, I would not, Isay, be stinted in the praise which belongs to the men who have done the work among so many vicissitudes and in so short a time.

Mr. THOMAS. I do not wish to detract anything from the achievements of Colonel Casey. I would be the last man on earth to do that. But I think if the thanks of Congress are to be given, the one who merits them most should not be left out in order that honor may be done to another officer who happens to be the superior in rank. And it was on that ground that I made the motion to reconsider, and on the further ground that I do not believe it safe, proper, or just to our officers engaged in the military service of this country to give the thanks of Congress to a man engaged in a purely civil enterprise over the heads of men fighting on the frontier and doing legitimate military duty. I do not think it right that his term of service on the active-list should be increased ten years for rendering this simple civil enterprise, while

be increased ten years for rendering this simple civil enterprise, while officers are fighting the enemy on the frontier without receiving the thanks of Congress. It is upon that ground I object to it.

If an amendment should be offered here including the name of Captain Davis, and if I could be allowed to offer a proviso that the length of service on the active-list shall not be increased thereby, then I should not object so much to the resolution. But I do not think we can afford, as the gentleman from New York [Mr. Cox] has said, to make the thanks of Congress, this greatest of our public honors, so cheap simply because a monument has been successfully erected to Washington.

Mr. Speaker, the gentleman from Georgia [Mr. BLOUNT] rose in his

Mr. Speaker, the gentleman from Georgia [Mr. Blount] rose in his place a moment ago; if he desires to make any remarks I will yield to

him.

Mr. BLOUNT. I do not.
Mr. THOMAS. Then I move the previous question on my motion.

Mr. DORSHEIMER. I hope the gentleman will not do that

Mr. THOMAS. The gentleman from New York [Mr. DORSHEIMER] proposed to cut me off from debate a while ago.

Mr. DORSHEIMER. I did not propose to cut you off.

Mr. THOMAS. You moved the previous question.

Mr. DORSHEIMER. I did not. I moved to lay on the table, in

Mr. DUNHAM. Mr. Speaker, let the resolution be reported.
Mr. THOMAS. I am willing to yield five or ten minutes to the gentleman from New York [Mr. DORSHEIMER] if he desires.
Mr. DORSHEIMER. I wish the floor in my right.
Mr. THOMAS. Then I move the previous question.
Mr. DORSHEIMER. Very well. Then I ask my friends on this side

of the House to vote it down.

Mr. DUNHAM. Mr. Speaker, is there any objection to having the

resolution reported again?

The SPEAKER. It has been reported twice, and the question is not now upon the resolution; it is on a motion for the previous question.

The question was taken; and on a division, there were-ayes 71,

Mr. DORSHEIMER. Mr. Speaker, I ask for the yeas and nays. The question was taken on ordering the yeas and nays, and 19 gentlemen voted in the affirmative-not a sufficient number.

Mr. DORSHEIMER. Mr. Speaker, I ask for tellers upon the motion for the previous question.

The SPEAKER. The ayes and noes are refused, and the gentleman

from New York demands tellers.

Mr. TOWNSHEND. Mr. Speaker, I make the point of order that no quorum has voted.

Mr. KEAN and others. Too late. Mr. TOWNSHEND. I insist on the point, Mr. Speaker. [Cries of

The SPEAKER. The result has not been announced, and the Chair is bound to take notice of the point made by the gentleman from Illinois [Mr. TOWNSHEND]. The Chair will appoint as tellers the gentleman from Illinois, Mr. THOMAS, and the gentleman from New York, Mr. DORSHEIMER

Mr. DUNHAM. Mr. Speaker, I rise to a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Is there enough in this to warrant filibustering? That is not a parliamentary inquiry. Mr. DUNHAM.

The SPEAKER.

Pending the count by tellers,

Mr. VALENTINE. Mr. Speaker, I should like a statement of this

The tellers disagree.

The SPEAKER. The Chair has stated the question very plainly, but if the House will be in order, so that the statement of the Chair can be heard, it will be repeated. The question upon which the House is now voting is the demand of the gentleman from Illinois [Mr. THOMAS] for the previous question upon his motion to reconsider.

Pending the announcement of the result of the vote by tellers, Mr. THOMAS. Mr. Speaker, an agreement having been reached by which the gentleman from New York [Mr. DORSHEIMER] accepts time from me, I withdraw the motion for the previous question and yield him

twenty minutes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, in-

formed the House that the Senate returned to the House of Represent-atives with amendments the bill (H. R. 5713) to provide for the settle-ment of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. Cockrell, Mr. Harrison, and Mr. Sewell

DEDICATION OF WASHINGTON MONUMENT, ETC.

Mr. DORSHEIMER. Mr. Speaker, by a joint resolution of Congress a commission was created to carry out appropriate ceremonies at the dedication of the Washington Monument and to recommend to Congress whatever it might regard as suitable upon that interesting historic occasion. That joint commission, by a unanimous vote, recommended that Congress should grant a vote of thanks to the officer of engineers who has had charge of the monument since its construction has been in the hands of the Government, and accordingly a resolution of thanks has passed the Senate and is now upon the Speaker's table.

The propriety of this action is challenged upon two grounds: First, it is said that it will increase the term of service of the officer receiving it. I have to say that the gentleman from Illinois [Mr. Thomas] is entirely mistaken in making that statement. A vote of thanks by Congress does, under certain circumstances, operate to extend the term of service of a naval officer, but it does not extend the term of service of an Army officer. General Sherman received the thanks of Congress, but the term of his service was not extended an hour by that circumstance. It is also said that some one other than Colonel Casey was the author of the bold design upon which the foundations were removed from underneath the monument when it stood at the height of one hundred and eighty feet and larger foundations substituted. I know Captain Davis, and I venture to say that the statement of the gentleman from Illinois is made without any authority from him whatever, and he would be the first to repudiate it. The plans for taking out the old foundations of the control tion were submitted to the committees of Congress by Colonel Casey in person and by designs which bear his name; and I now state that he claims those designs in general and in detail.

We have thought that the successful erection of the most important, the loftiest, the largest, and the most costly structure ever erected in human history to the memory of a man—erected under circumstances so extraordinary—was entitled to such a recognition as we now propose. When it was suggested in the Senate that this plan could be carried out the statement was met with incredulity and reproach. Senator Allison stated on the floor of that body that Colonel Casey was "singular among engineers" if he thought that his plan could be successfully carried out. But it was carried out, and with an infinitesimal loss in the height of the structure. I believe that the vest wass was

loss in the height of the structure. I believe that the vast mass was held up in the air, its foundations removed, and the new foundations put in their place with the loss of only about an inch in the total height of a structure then 180 feet high and with no variation at all from the perpendicular, but on the other hand correcting in its result a slight deviation from the perpendicular which had been discovered in the

monument as it stood.

The members of the House upon the joint commission, as well as the Senators, thought that a work so entirely without parallel or precedent in engineering was deserving of special recognition by Congress. Now that the joint commission of Congress has placed this resolution upon the records of this House, and in view of the fact that the Senate has by, I believe, a unanimous vote passed the resolution, I hope that we shall not stand here and refuse to give our proportion of the praise which is due this most skillful and meritorious officer.

In a debate on this floor a year ago the distinguished member from Indiana said that the officers of the Army of the United States, however skillful in war, had not won their fair proportion of the laurels of peace. Here is an instance in which a peaceful triumph has been achieved by one of the officers of our Army—a triumph which, as I have said, is without a parallel, and I hope there will be no hesitation on the part of the House in generously and with essential unanimity giving the thanks

of Congress to Colonel Casey.

Mr. THOMAS. Mr. Speaker—

Mr. DORSHEIMER. I understood the gentleman from Illinois [Mr.

THOMAS] to yield twenty minutes to me.

The SPEAKER. He did; but the remainder of the hour belongs to the gentleman from Illinois

Mr. THOMAS. So I understand. Mr. Speaker, how much time

The SPEAKER. About twenty-five minutes.

Mr. THOMAS. I shall not occupy that much time.

Mr. O'NEILL, of Pennsylvania, rose.
Mr. THOMAS. How much time does the gentleman from Pennsyl-

Mr. THOMAS. How much time does the gentleman from Pennsylvania [Mr. O'NEILL] desire?

Mr. O'NEILL, of Pennsylvania. Three or four minutes.

Mr. THOMAS. I yield three minutes to the gentleman.

Mr. O'NEILL, of Pennsylvania. I desire merely to make a suggestion to the gentleman from Illinois. If he will look at the Congressional Directory he will find that Col. Thomas L. Casey, Corps of Engineers, is in charge as engineer of the "State, War, and Navy building,

and Washington Monument," and that he has two prominent assistants under him—one Capt. G. W. Davis, United States Army, designated for the Washington Monument, and the other Mr. B. R. Green, civil engineer and architect, for the State, War, and Navy building. Now I wish to suggest that in voting the thanks of Congress to Colonel Casey we are reflectively voting thanks to these gentlemen who have been his subordinates, and who are gentlemen of distinguished skill and accomsubordinates, and who are gentlemen of distinguished skill and accomplishments, worthy of being associated with Colonel Casey in these great works, each of them, I have no doubt, consulted by him in their respective assignments of work. I believe the thanks of Congress are due to Colonel Casey. He has finished the monument. It is one of the completed structures in the city of Washington; and he is pushing rapidly to completion the building of the War, State, and Navy Departments, which, when finished, will have occupied in its construction a shorter time than any public building that has ever been erected here, and at less cost, I have always understood, comparatively. He deserves the thanks of Congress as being the engineer who has had in charge the work on this monument; and by thanking him, as I have said before, you thank every one who has worked under his direction.

If you give the thanks of Congress to the general of an army, to whom does such a testimonial in effect extend? The thanks of Congress were given to General Grant for bringing about the surrender at Appomat-

given to General Grant for bringing about the surrender at Appomattox. Did not his subordinate generals and officers help him to plan that great campaign which ended in that surrender? So Congress extended its thanks to General Sheridan; but did not his subordinate officers aid him in arranging his brilliant campaign in the valley? So you gave the thanks of Congress to General Sherman for his "march to the sea." Had he not the aid of subordinates in planning that grand military achievement? So I say, Mr. Speaker, when you thank Colonel Casey you thank these distinguished men who aided in bringing to casey you thank these distinguished men who aided in bringing to completion this great monument to the Father of his Country, and I think he should be thanked. Captain Davis, I am sure, will so understand this well-deserved compliment, and, my word for it, were he entitled to vote on this question, would do so most cheerfully for his chief, and would say to us that we are giving credit to the one entitled to it, and detracting nothing from his reputation as his assistant.

[Here the hemory foll 1]

to it, and detracting nothing from his reputation as his assistant. [Here the hammer fell.]

Mr. THOMAS. Mr. Speaker, if the suggestion of the gentleman from Pennsylvania [Mr. O'NEILL] were followed these subordinate officers might be called into the dining-room where the great chief feasts; but he alone is to be benefited by thanks of Congress as now proposed. Who will know five years from now that Capt. George W. Davis was the man who furnished the plans. I assert it again, and am borne out by the current literature of the day, the statement having been often repeated and so far as I have heard never denied before—

Mr. O'NEILL. of Pennsylvania rose.

been often repeated and so far as I have heard never denied before—
Mr. O'NEILL, of Pennsylvania, rose.
Mr. THOMAS. No, sir; not another word. This is the first time I have ever known the statement questioned that Captain Davis furnished the plans and was the officer who practically executed this work.

Now, if the thanks of Congress are given to Capt. George W. Davis at the same time they are given to his superior officer I shall not object so strenuously; but I do object to making fish of one and flesh of the other. I object to this officer in charge of the State, War, and Navy buildings and the Washington Monument receiving all the thanks of Congress, while the officer in charge of the Washington Monument is left out and barely permitted to shine by the reflected light of his superior officer. If this work entitles any one to the thanks of Congress it is Captain Davis, and the reason I move this reconsideration is that the resolution may be amended so as to include his name, and then he will not be compelled to stand while his superior officer feasts at he will not be compelled to stand while his superior officer feasts at

the sumptuous table spread for him by a generous Congress.

Mr. O'NEILL, of Pennsylvania. Bring in a separate resolution for Captain Davis, if you will.

Mr. THOMAS. I demand the previous question.

Mr. BLOUNT. Before the gentleman takes his seat I would like to

ask him a question. Mr. THOMAS.

I will yield for a question. [Cries of "Vote!"] What comes to Colonel Casey by reason of this vote Mr. BLOUNT.

of thanks by Congress?

Mr. THOMAS. I am under the impression it increases his rank, or rather increases his length of service on the active-list, but the gentleman from New York says I am mistaken about that. Without the statute before me I can not speak positively, but it has been my impression that if he receives a vote of thanks by Congress the term of service on the active-list of Colonel Casey will be increased not three years, but

Mr. BLOUNT. I wish to ask the gentleman further whether he is

making the point between Captain Davis and Colonel Casey?

Mr. THOMAS. In the first place, I question the propriety of conferring this greatest honor by Congress simply for civil services and achievements

Mr. BLOUNT. I understand the gentleman is willing to waive his

objection if Captain Davis is included?

Mr. THOMAS. I might have waived my objection if Captain Davis had been coupled with Colonel Casey in this resolution of thanks. I was compelled to move a reconsideration in order that the resolution

might be brought before the House for amendment, so as to include the the name of Capt. George W. Davis.

Mr. BLOUNT. Allow me one other question?

Mr. THOMAS. Certainly.

Mr. BLOUNT. Has the controversy between Captain Davis and

Colonel Casey been passed upon by the commission?

Mr. THOMAS. I do not know whether it has or not; but it does not preclude others who may have their own opinion in the matter. This can scarcely be regarded res adjudicata because Col. Casey may have made claim for the thanks of Congress.

Mr. BLOUNT. Will the gentleman allow the statute to be read?

Mr. THOMAS. I have no objection to yielding for a minute to have

Mr. DORSHEIMER. The only provision of the statute which relates to the thanks of Congress in relation to the retirement of an officer is section 1446. It is chapter 3, title 15 of the Revised Statutes, entitled "Retired Officers of the Navy," and this is the language of the section:

SEC. 1446. Officers on the active-list, not below the grade of commander, who have, upon the recommendation of the President, received by name, during the war for the suppression of the rebellion, a vote of thanks of Congress for distinguished service, shall not be retired, except for cause, until they have been fifty-five years in the service of the United States.

There is no provision whatever lengthening the term of an Army

officer by reason of the thanks of Congress.

Mr. HAMMOND. I simply desire to know whether I correctly un-

Mr. HAMMOND. I simply desire to know whether I correctly understand the gentleman's argument. As I understand it, the gentleman thought all this was wrong; but if he could get Captain Davis in, then he would be all right.

Mr. THOMAS. I did not say so.

Mr. HAMMOND. I so understood the gentleman.

Mr. THOMAS. Then you misunderstood me. I have denounced from the beginning the whole business of voting the thanks of Congress merely for civil services. They should be reserved, like the Iron Cross of Germany and the Victoria Cross of England, for distinguished and conspicuous gallantry and for successful military and naval achieveconspicuous gallantry and for successful military and naval achievements.

Mr. HAMMOND. You think it is all wrong?
Mr. THOMAS. It is all wrong, and the resolution should be voted down.

Mr. HAMMOND. If your fellow gets in, then it is all right.
Mr. THOMAS. I did not say that. It might palliate the wrong
thing being done if by amendment the right man was included in the vote of thanks as well as the wrong one. I now demand the previous question.

Mr. DORSHEIMER. I move that the motion to reconsider be laid on the table.

The House divided; and there were-ayes 58, noes 93.

So the motion was disagreed to.

The SPEAKER. The question recurs on the motion to reconsider the vote by which the resolution was adopted.

Mr. DORSHEIMER. I demand a division.

The House divided; and there were—ayes 110, noes 49.

So the motion was agreed to.

Mr. THOMAS. I move to lay the resolution upon the table.

The SPEAKER. It brings it before the House on the motion of the

entleman from Illinois.

Mr. THOMAS. And I have the floor, and have moved to lay the esolution upon the table. If necessary I will demand the previous

The SPEAKER. The motion to lay upon the table is not amendable or debatable.

The resolution was again read.

The House divided; and there were-ayes 127, noes 64.

So the resolution was laid upon the table.

Mr. THOMAS moved to reconsider the vote by which the resolution was laid on the table; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles;

when the Speaker signed the same, namely:

A bill (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.;

A bill (S. 1810) for the erection of a public building at Sacramento, Cal.; and A bill (S. 2009) granting a pension to Isabella Turner.

ARMY APPROPRIATION BILL.

Mr. FORNEY. Mr. Speaker, I rise to submit a privileged report. I am directed by the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes, to submit the following report.

The SPEAKER. The report will be read.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8120) "making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 11, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 15, 17, 18, 19, 20, 21, and 22, and agree to the same.

same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "And employed as train-masters, and in opening roads, and building wharves;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$675,000;" and the Senate agreed to the same.

Amendment numbered 23: On amendment numbered 23 the committee are unable to agree.

W. H. FORNEY,

W. H. FORNEY,
R. W. TOWNSHEND,
J. WARREN KEIFER,
Managers on the part of the House,
W. B. ALLISON,
P. B. PLUMB,
M. W. RANSOM,
Managers on the part of the Senate.

The SPEAKER. The Clerk will report the statement accompanying the report.

The statement is as follows:

The statement is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year 1886, submit the following in explanation of the action of the conference committee as submitted in the accompanying report.

The bill as agreed upon in conference appropriates \$24,014,052.50. being \$405,000 less than as it passed the House, \$65,000 more than as it passed the Senate, \$440,397.50 less than the law for the current year, and \$2,096,437.45 less than the estimates submitted for the fiscal year 1836.

On amendment numbered 23, which strikes out the provision contained in the bill as it passed the House, that proceedings of trial by court-martial shall be carried on during such hours as the court-martial shall determine, the conference committee have been unable to agree.

WM. H. FORNEY.

WM. H. FORNEY, R. W. TOWNSHEND, J. WARREN KEIFER Managers on the part of the House.

Mr. FORNEY. I move the adoption of the report.
Mr. WELLER. Is there an explanation accompanying this, showing the effects of the amendments?
The SPEAKER. It has just been read.
Mr. WELLER. In the confusion I did not hear it.

The report of the conference committee was concurred in.
Mr. FORNEY moved to reconsider the vote by which the report was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.
The SPEAKER. Without objection the House will agree to the rejuest of the Senate for a further conference on the disagreeing votes of the two Houses.

There was no objection.

The SPEAKER appointed Mr. FORNEY, Mr. TOWNSHEND, and Mr. KEIFER as conferees on the part of the House on said bill.

QUESTION OF PRIVILEGE.

Mr. BROWN, of Pennsylvania. Mr. Speaker, I rise to a question of

personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BROWN, of Pennsylvania. Last night on the first call of the House I was present and answered to my name, as the RECORD will show. I consulted with the gentleman from Kentucky having charge of the bill then under consideration shortly afterward as to whether I would have time to get my dinner. I went and returned with as great speed as possible, and was in the lobby of the House at the time of the second roll-call. I listened to that call from the lobby, but was not permitted to enter the Hall. I am reported this morning in the

RECORD as not having answered to my name on the second roll.

The SPEAKER. Did the gentleman answer?

Mr. BROWN, of Pennsylvania. I did not, because, as I have said, I was prevented by the officers of the House from being present.

Mr. RANDALL. Regular order.

The SPEAKER. The regular order is demanded.

Mr. BROWN, of Pennsylvania. I have not finished my statement.

The SPEAKER. The Chair does not see that the gentleman presents a matter of privilege. The gentleman states himself that he was not present and did not answer, and consequently there is no correction. tion to make.

Mr. BROWN, of Pennsylvania. I stated that I was not present on the second call, being temporarily out of the Hall, but I think I have the privilege of asserting that I was prevented from being present when I was entitled to be present by the officers of the House and through no fault or neglect of my own.

Mr. KEIFER. The officers of the House did what they are required.

to do when a call of the House is proceeding. The doors were ordered

to be closed and the gentleman was not entitled to come in, not having answered to the call

Mr. BROWN, of Pennsylvania. I claim that I was entitled to come

in and was prevented.

The SPEAKER. The officers executed the rule of the House and the order of the House. The rule may be wrong, but whether right or wrong it was being enforced under the order of the House, and the gentleman himself has shown by his statement that he was not present.

Mr. BROWN, of Pennsylvania. I was entitled to come in, having answered on the previous call, instead of being reported as absent as

shown by the RECORD of this morning.

The SPEAKER. If the gentleman had answered at the previous call he would be recorded as present.

Mr. BROWN, of Pennsylvania. I am so recorded; but claim that I was entitled to answer on the second call because I was present. I therefore ask that the RECORD be corrected

The SPEAKER. The statement the gentleman now makes will go into the RECORD.

ANNUAL REPORT OF COMMISSIONER OF AGRICULTURE.

Mr. ROGERS, of New York. I rise to submit some privileged reports from the Committee on Printing.

I am instructed by the Committee on Printing to report back the joint resolution (H. Res. 342) authorizing the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885 and recommend its passage. 1885, and recommend its passage.

The joint resolution is as follows:

Resolved, &c., That there be printed 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885; 300,000 copies for the use of members of the House of Representatives, 70,000 for the use of members of the Senate, and 30,000 copies for the use of the Department of Agriculture; the illustrations for the same to be executed, under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, the work to be subject to the approval of the Commissioner of Agriculture.

SEC. 2. That the sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the cost of the publication of said report.

The joint resolution was ordered to be engrossed for a third reading.

The joint resolution was ordered to be engrossed for a third reading;

and being engrossed, was accordingly read the third time, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which
the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

UNITED STATES GEOLOGICAL SURVEY.

Mr. ROGERS, of New York. I am also instructed by the Committee on Printing to report back the joint resolution (H. Res. 340) providing for printing monograph second of the publications of the United States Geological Survey, and recommend its adoption.

The resolution is as follows:

Resolved, &c., That there be printed at the Government Printing Office the usual number of monograph second of the publications of the United States Geological Survey, with the necessary illustrations, and to conform to the editions already issued by the Survey.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which

Mr. ROGERS, of New York, moved to reconsider the vote by which the joint resolution passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. ROGERS, of New York. I am also instructed by the committee to report back the joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United States Cooleried Symmetry and additional copies of the Director of the United States Geological Survey, and recommend its passage.

The joint resolution was read, as follows:

Resolved, &c., That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies of each of the sixth and seventh annual reports of the Director of the United States Geological Survey, uniform with the preceding volumes of the series; of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

Mr. ROGERS, of New York moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to re-

consider be laid on the table. The latter motion was agreed to.

REPORT OF BUREAU OF ETHNOLOGY.

Mr. ROGERS, of New York. I am also instructed by the Committee on Printing to report back the resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology, and recommend its adoption.

The joint resolution was read, as follows:

Resolved, &c., That there be printed at the Government Printing Office 15,500 copies each of the sixth and seventh annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series; of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to re-consider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ROGERS, of New York. I ask unanimous consent— The SPEAKER. The regular order is demanded.

PUBLIC BUILDING AT DETROIT, MICH.

Mr. STOCKLAGER. I desire to make a privileged report. I present the report of a conference committee.

The Clerk read as follows:

The clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill of the Senate No. 1609, to provide for the purchase of the site and the erection of a public building thereon at Detroit, Mich., after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from their disagreement to the amendment of the House, and agree to the same with an amendment as follows: Add as an additional provision to said House amendment the following: "Provided further, That nothing herein contained shall be construed in any event to increase the cost of the site and building, including approaches, when completed, beyond the sum of \$900,000, as provided in this section;" and the House agree to the same.

S. M. STOCKSLAGER,
J. H. HOPKINS,
E. BREITUNG.

Managers on the part of the House.
WM. MAHONE,
ANGUS CAMERON,
GEORGE G. VEST,
Managers on the part of the Senate.

Mr. STOCKSLAGER. The Senate recedes from its disagreement to the amendment of the House, with an additional provision which more certainly confines the limit of the cost of the building within \$900,000. I am sure there will be no objection to the adoption of the report.

The report was adopted. Mr. STOCKSLAGER moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. STOCKSLAGER. I ask unanimous consent to make a report from the Committee on Public Buildings and Grounds, not to be con-

The SPEAKER. The regular order has been demanded. The gentleman from Oregon [Mr. George] rises to a privileged matter.

UMATILLA RESERVATION, OREGON.

Mr. GEORGE. I move that the House insist on its amendments to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing on the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes, and agree to the conference asked by the Senate.

The motion was agreed to.
The SPEAKER. The Chair appoints as managers of the conference on the part of the House Mr. George, Mr. Wellborn, and Mr.

PUBLIC-LAND LAWS.

Mr. COBB. I move to take from the Speaker's table the bill H. R. 7004, with amendments by the Senate, with a view to having the bill and amendments referred to the Committee on Public Lands.

Mr. NELSON. I call for the regular order.

Mr. COBB. I move to suspend the rules.

The SPEAKER. The gentleman from Indiana [Mr. Cobb] moves to suspend the rules and take from the Speaker's table the bill he has indicated and refer the bill with Senate amendments to the Committee

on the Public Lands.

Mr. VALENTINE. On that motion I demand a second.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 7004) to repeal all laws providing for the pre-emption of the public lands and the laws allowing entries for timber-culture.

Mr. PERKINS. I demand a second on the motion of the gentleman from Indiana

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] has already demanded a second.

Mr. KEIFER. I think the amendments of the Senate should be

The SPEAKER. The gentleman has a right to have the amendments ad. The Clerk will report them.

The Clerk read as follows:

Page 1, line 1, after "that," insert "section 2299 and;".
Page 1, line 1, after "32," insert "excepting sections 2275, 2276, 2283, 2286, and 2288;"
Page 1, lines 1, 2, and 3, strike out "and sections 2299 and 2309;"
Page 1, lines 4, 5, and 6, strike out "and all other laws allowing pre-emption of the public lands of the United States;"
Page 1, strike out all after "repealed," in line 6, down to and including "laws," in line 15, and insert:
"Provided, however, That this repeal shall not affect any valid rights hereto-

fore accrued or accruing under said laws, but all bona fide claims lawfully initiated before the 1st day of July, 1885, may be perfected, upon due compliance with law, in the same manner, upon the same terms and conditions, and subject to the same limitations, forfeitures, and contests as if this act had not been passed: And provided further. That any person who has not heretofore had the benefit of the pre-emption law, and who has failed, from any cause, to perfect title to a tract of land heretofore entered by him under the homestead laws, may make a second homestead entry in lieu of the pre-emption privilege hereby repealed: And provided further, That all outstanding certificates of deposit on account of surveys heretofore issued under the provisions of sections 2401, 2402, and 2403 of the Revised Statutes and acts supplemental thereto shall be receivable as cash (except for fees and commissions) in the disposal of public lands at the land offices at which certificates are now receivable in commutation of homestead and pre-emption rights."

Strike out section 2 and insert:

"Sec. 2. That an act entitled 'An act to amend an act entitled "An act to encourage the growth of timber on the Western prairies," approved June 14, 1878, be, and the same is hereby, repealed: Provided, however, That this repeal shall not affect any valid rights heretofore accrued or accruing under said laws, but all bona fide claims lawfully initiated before the 1st day of July, 1885, may be perfected, upon due compliance with law, in the same manner, upon the same terms and conditions, and subject to the same limitation, forfeitures, and contests as if this act had not been passed."

Strike out section 3, page 3, line 14, changing section 4 to section 3.

Strike out all after the word "entry," in line 24, page 3, down to and including the word "patents," in line 4, on page 4, and insert:

"And before the expiration of five years and obtaining a patent therefor from the Government, as in other cases directed by law on making proof of set

Strike out section 6.

At the end of the bill insert the following section:

"Sec. 6. That section 2288 of the Revised Statutes be amended so as to read as follows:

"Sec. 2288. Any person who has already settled on the public lands either by pre-emption or by virtue of the homestead law or any amendments thereto, and any person who shall hereafter settle on the public lands by virtue of the homestead law or any amendments thereto, shall have the right to transfer by warranty against his own acts any portion of his pre-emption or homestead for church, cemetery, or school purposes, or for the right of way of railroads across such pre-emption or homestead; and the transfer for such public purposes shall in no way vitiate the right to complete and perfect the title to their pre-emptions or homesteads."

At the end of the bill insert the following section:

"Sec. 7. That an act entiled 'An act to provide additional regulations for homestead and pre-emption entries on the public lands,' approved March 3, 1879, be, and the same is hereby, repealed."

At the end of the bill insert the following section:

"Sec. 8. That wherever lands have been withdrawn from sale or disposition on the part of the United States by reason of grants made to aid inconstruction of railroads or other works of internal improvement, and such withdrawals have been terminated by act of Congress, executive order, or order of the Land Department, or where lands have been purchased, in good faith at said price,' or entered with warrants or scrip, and the officers of the Land Department have issued certificates or patents thereon in accordance with such purchase or entry without such lands having first been proclaimed by the President and offered at public auction, and where, on the 25th day of January, 1855, there were no conflicting claims thereto or settlements thereon, all such entries, and the certificates and patents issued thereon are hereby confirmed and declared valid and legal. And all questions relating to such conflicting claims or settl

The SPEAKER. The gentleman from Indiana [Mr. Cobb] moves to suspend the rules and take this bill from the Speaker's table and refer

the stage and take this bill from the Speaker's table and refer it, with the Senate amendments, to the Committee on Public Lands.

The SPEAKER. A second has been demanded. The Chair will appoint the gentleman from Indiana, Mr. Cobb, and the gentleman from Nebraska, Mr. VALENTINE, to act as tellers.

Mr. TOWNSHEND. Mr. Speaker, I ask unanimous consent that the second be considered as ordered.

Mr. VALENTINE and Mr. MAGINNIS. I object.

The House divided; and the tellers reported—ayes 92, noes 85.

The SPEAKER. Upon this question the tellers report ayes 92, noes 85.

The ayes have it, and there is a second. Under the rules thirty minutes are allowed for debate—fifteen minutes in support of the motion and fifteen minutes in opposition.

The gentleman from Indiana [Mr. COBB] will be recognized to control the time in support of the motion, and the gentleman from Nebraska

[Mr. Valentine] to control the time in opposition to it.

Mr. COBB. Mr. Speaker, I shall occupy the time of the House for only a few minutes. This bill which is proposed to be referred to the Committee on Public Lands has been amended by the Senate in some essential particulars. I do not believe the House fully understands the provisions of the bill. It provides for amending the homestead law so as to require the proof necessary to a patent to be made twelve months

before the patent issues. That amendment is recommended by the Commissioner of the General Land Office, and the object of it is to enable the Department to inquire into the question whether fraud in the home-steading has been committed. The bill also provides for the repeal of the timber-culture law and for the repeal of the pre-emption law. The pre-emption law is somewhat similar to the homestead law. The homestead law is left standing with the amendment which I have indicated, giving to each actual settler one hundred and sixty acres of land. As the law now stands he may become the owner of one hundred and sixty acres more under the pre-emption law, and then he may become the owner of one hundred and sixty more under the timber-culture law, making in all four hundred and eighty acres. Now, the knowledge and experience of the Commissioner of the General Land Office and of the Interior Department are to this effect—you will find it fully stated in three or four of the last reports of the Commissioner of the General Land Office—that under the pre-emption law and the timber-culture law lands are constantly being "gobbled" up and passing into the hands of monopolists.

Mr. MAGINNIS. Will the gentleman permit me to ask him a ques-

tion?

Mr. COBB. Yes, sir.
Mr. MAGINNIS. If that be the object of the bill why could you not easily provide that a man who takes up one hundred and sixty acres under one of those laws shall not take up land under the others?

Mr. COBB. Yes; and at the same time leave the imperfections of the three laws untouched.

Mr. VALENTINE. Correct them.
Mr. MAGINNIS. Why not correct the imperfections?
Mr. COBB. Instead of giving to the settler one hundred and sixty acres definitely under the homestead law, the gentleman would have him apply under the homestead law or the pre-emption law or the timber-culture law. Mr. MAGINNIS.

I would have the timber-culture law repealed

Mr. COBB. The Secretary of the Interior has said that frauds illimitable have been committed under the timber-culture law and the preemption law, and I can take the gentleman into Kansas and Nebraska and show him whole townships owned by capitalists under the timber-culture law, and there is not one stick of timber-on them. Mr. VALENTINE. The gentleman can not do that. Mr. MAGINNIS. Why not take means to prevent those frauds in-

stead of bringing in such a bill as this?

Mr. COBB. Mr. Speaker, I insist and submit to the House that the better way to get rid of the frauds committed under the pre-emption and the timber-culture laws is to repeal the laws themselves, leaving the homestead law, which was intended to be sufficient to supply the needs and demands of actual settlers. One hundred and sixty acres of land is enough, and I submit that we ought not to allow individuals of land is enough, and I submit that we ought not to allow individuals to procure more than that under these laws. Our public lands are rapidly passing into the hands of private owners. A few acres now exist in the public domain compared with its extent thirty years ago. Those few acres ought to be preserved intact for actual settlers and their homes in the future. I insist, sir, that no greater evil, no greater wrong, has been done to the future of this country than has been done under these laws. More than 10,000,000 of acres of the best lands in the country have been taken up through fraud and perjury and subornation of perjury under the pre-emption and the timber-culture laws, as the evidence shows. Now, I say the best way to remedy these wrongs is to repeal the laws themselves. The Commissioner of the General Land Office has stated in his report that under existing laws it is impossible to prevent these frauds. He tells you that he sends his agents into the territories or the sections where these public lands are to ferret out frauds, but that the parties who have committed the frauds sometimes buy up the agents, and in that and other ways escape the law. Now, in order to prevent parties from evading the law I believe the best thing to do is to repeal the timber-culture and the pre-emption laws, and leave the homestead act, so that actual settlers who in good faith seek homes on the public domains can still obtain them.

Mr. Speaker, I will occupy no further time unless some gentleman

wants to ask a question

I would like to ask the gentleman a question if he will Mr. BUDD. permit me.

Mr. COBB. Yes, sir.

Mr. BUDD. How is it that the Committee on Public Lands did not on the last suspension day call up one of the forfeiture bills?

Mr. COBB. Mr. Speaker, I do not know that that is the gentleman's business exactly, or that it is my business to answer the question. He can put his own construction upon the facts. I am doing my duty now. That is all I have to say.

my duty now. That is all I have to say.

Mr. HENLEY. If the gentleman from Indiana [Mr. Cobb] will yield I will answer the question. No land-forfeiture bill could be taken up and passed on suspension day for want of time.

Mr. BUDD. I will state to the gentleman that we did have the time; the committee was passed, and no bill was called up.

Mr. HENLEY. I beg the gentleman's pardon. If he will inform himself he will discover that it was impossible in the time we had to call up any land-forfeiture bill.

Mr. CONVERSE. I desire to ask the gentleman from Indiana [Mr. COBB] whether the great frauds in connection with the public lands have not been perpetrated mainly under the homestead law instead of the pre-emption or the timber-culture law?

Mr. COBB. No, sir.
Mr. CONVERSE. I desire to ask the gentleman whether the entire Estes Park and the valuable lands around Lake Tahoe have not all been taken up in that way? Have not the great frauds in the West in connection with the public lands been perpetrated under this "wise,

humane, and wholesome law "—the homestead act.

Mr. COBB. No, sir. I deny it entirely; and the report of the Commissioner of the General Land Office will bear me out in this denial.

Mr. CONVERSE. I wish to ask further whether the trouble is not in an improper execution of the laws as they now exist, rather than in the laws themselves?

Mr. ANDERSON. That is the point.
Mr. COBB. That may be; but it is claimed by the Commissioner of the General Land Office that he can not enforce the pre-emption law so as to prevent fraud. He has been appealing to Congress for four years to repeal that law and save the public lands. I deny the statement of the gentleman from Ohio. I say he is mistaken in stating that the lands to which he refers were taken up under the homestead law. While there may have been some frauds under the homestead law, the great body of the frauds have been committed under the pre-emption and timber culture laws. and timber-culture laws

Mr. CONVERSE. Will the gentleman allow me a suggestion right

Mr. COBB. Mr. Speaker, how much time have I. The SPEAKER protempore (Mr. HATCH, of Missouri). Six minutes.

Mr. COBB. I can not yield further.
Mr. PAYSON. Will my colleague on the committee [Mr. COBB] ield to me to answer the question propounded by the gentleman from Ohio [Mr. CONVERSE]?

Mr. COBB. Yes; I yield to my colleague on the committee.
Mr. PAYSON. Let me say to the gentleman from Ohio that the great fraud in connection with the Estes Park, by which that entire tract was taken up by the Earl of Dunraven, was not consummated under the homestead law, but under the pre-emption law. I have in my desk papers to prove this statement, and I shall be glad to submit them to the gentleman from Ohio. The whole fraud in connection with the Estes Park was perpetrated under the pre-emption law.

Mr. CONVERSE. I desire to state—

Mr. COBB. I can not yield to the gentleman.

The SPEAKER pro tempore. The gentleman from Indiana declines to yield further. The gentleman from Nebraska [Mr. VALENTINE] is recognized to control the time in opposition to this motion.

Mr. COBB. I reserve the residue of my time, intending to yield to

Mr. COBB. I reserve the residue of my time, intending to yield somy colleague [Mr. Holman].

The SPEAKER. The gentleman has five minutes remaining.

Mr. VALENTINE. Mr. Speaker, the question now before the House is one of great importance to the country, especially to that portion where the public domain is now located. If the bill before the House should become a law it will wipe out the present pre-emption and timber-culture acts and amend the eighth section of the homestead law relative to the commutation of homesteads.

law relative to the commutation of homesteads.

We who live in the West—and I have lived upon the public domain or adjacent to it all my life, and am perfectly familiar with these laws and the system which has grown up under them—we of the West are opposed to the repeal of these laws, because we believe they are beneficial to that section and to the whole country.

I believe—indeed, I think I can say I know—that this cry which has come up, commencing in a small way as it did until it has almost become a shout, for the repeal of the pre-emption and timber-culture acts has come directly from two sources. First, it has come from the great railroad corporations of the West, who desire to sell their lands but can not do so at a price beyond \$1.25 an acre so long as the Government not do so at a price beyond \$1.25 an acre so long as the Government permits the actual settler to go there and enter land at that price. The railroads of the West desire this legislation repealed so that they may advance the price of their lands. Next, it is desired by the great "cattle-kings" of this country. There is a fight going on to-day in my State, and in fact in all the Western States, between the actual settlers and the "cattle-kings" for supremacy. When we go upon the frontier and under the timber-culture act plant-ten, twenty, thirty, or forty acres with timber whereby we reclaim those lands and make them agricultural, the "cattle-kings" turn out upon those lands their herds to eat the trees as they sprout from the ground. These "cattle-kings" are anxious to have this law wiped out, that their cattle may roam over those prairies undisturbed by the settler.

those prairies undisturbed by the settler.

When the poor homesteader comes there with all he has in a wagon drawn by a pair of oxen, and sits down with his family, handles his spade and plow, gathers together a temporary hut in which he puts his family, then they send out their cowboys to drive him off. But, sir, they can not drive off the men who go there with sufficient capital and who reside upon the land a year or six months, pay for it, and are backed

by friends, influential financially as well as otherwise, who gather around them other homesteaders and establish a settlement which defies the efforts of the cattle-kings. Those are the men who open these Terri-

tories to actual settlers.

Therefore, Mr. Speaker, I speak the sentiment of the West when I say that these laws ought not to be repealed. These laws, and espesay that these laws ought not to be repeated. These taws, and expecially the pre-emption laws, have been those under which the West has been settled. I am in favor of a homestead law. If the law has not been enforced, if fraud has been practiced in reference to the public domain, then change it. To practice fraud a man must commit perjury, and if he does that, he can be sent to the penitentiary. Enforce the law criminally against these people, and there will be no trouble on this

How much time have I left?
The SPEAKER. Ten minutes.
Mr. VALENTINE. I wish to say simply that the fault is in the execution of the law and not in the law itself. I now yield to the gen-

tleman from Kansas

Mr. PERKINS. Mr. Speaker, as has been suggested by the gentleman from Nebraska, this is legislation of vital importance to our section of the country. It is indeed only legislation in the interest of the cattle organizations of this land, and I am astonished that men come upon organizations of this land, and I am astonished that men come upon the floor of this House professing to be in favor of legislation in behalf of the settlers and yet advocating this bill. What will be its effect if adopted? What will be the consequences precipitated upon the coun-try if this bill becomes a law? Repeal the provisions of the statutes which we have already given the people by which opportunities are afforded the pioneer of acquiring title to the public domain; strike them down, and say the people shall only acquire title under the provisions of the homestead law, and what is the effect?

There are thousands of acres in my own State, there are thousands of acres in Nebraska, there are thousands of acres in Colorado, there are thousands of acres in every Territory of the West which can not be taken under the homestead law. Compel the settler to settle on one hundred and sixty acres of that arid land and live there until he can secure the benefits and title under the homestead law, and he can not avail him-self of it. It is impossible to make a living on one hundred and sixty self of it. It is impossible to make a living on one hundred and sixty acres of that land in many cases. That is true, as I have said, in every Territory in the West. Repeal the pre-emption law, strike down the timber-culture act, abrogate the desert law, and strike down all provisions by which settlers may obtain title to the public domain except the homestead law, and all that vast domain will be reserved for occupancy by the cattle companies of the country; and hence I charge that this proposed legislation is in their interest, and that they are organizing and pressing for its enactment.

Who else is demanding or asking for the repeal of these several stat-

Have you had a petition from a settler anywhere asking for all this? Are they memorializing for this legislation? There is a concurrent resolution pending in the Legislature of my own State at this time asking for the sale of a large tract of land in Kansas at 50 cents an acre, and not to the speculator but for the people. But there is no legislation or memorial pending there or in any other Legislature of the West, so far as I laws. Instead, however, you find the people who have gone out upon the prairies of the West, cultivating and reclaiming them, building them up, paying taxes, and contributing to that wonderful growth, op-posing this legislation. can learn, asking for a repeal of the timber-culture and pre-emption

It is under the pre-emption law the West has grown up and thrived It is under the pre-emption law the West has grown up and thrived and prospered as it has and constructed those grand Commonwealths. But now, if it shall be the disposition of this Congress to say that no acre of our great domaim shall be disposed of or title obtained thereto except under the homestead law, the cattle companies will possess themselves of thousands of acres, and graze their vast herds without let or hindrance and smile at our simplicity.

They will organize at once for the occupation of thousands of acres of land that are not adapted to agricultural pursuits, but are of some value for grazing purposes, and will keep out the homestead settler and, under the provisions of this bill, will feed their herds and grow fat upon land owned by the Government, and from which the community and

land owned by the Government, and from which the community and State get no tax or return. Strike down every provision of law under which title may be obtained to the public domain except the homestead law, and large sections of our great West will remain Government land to be possessed in the manner I have suggested; and the honest pioneer is wronged, the community and State suffers, the Government realizes nothing, and only the cattle companies prosper and rejoice at our legis-

It is said that fraud has been practiced under these several statutes. Concede it; but set up against that what has been effected—the material growth and prosperity secured under these several laws—and the picture is all with us. The Government has got its money for the land. The property passes to individuals and becomes subject to taxation. Homes are made, industry is encouraged, and good is done to the country. I would, however, improve the legislation. I would enact laws which will protect against fraud, but give to the honest pioneer the right to choose between these several statutes. I am in favor of

extending the provisions of the homestead law to every acre of the public domain. I would give to the settler the right to secure a title to his home by continuous occupation and cultivation under the homestead law, if such should be his interest or desire; but I would also give to him these other statutes and the right of electing between, that all portions of our great domain may be occupied and owned by our honest yeomen who are struggling to secure homes for wife and little ones and those dependent upon them. If the homestead law can be amended so as to prevent fraud, so that those other statutes—
[Here the hammer fell.]

Mr. VALENTINE. I desire to call attention to one statement made

Mr. VALENTINE. I desire to call attention to one statement made by the gentleman from Indiana [Mr. Cobb] that he could go into Nebraska and Kansas and show whole townships fraudulently entered under the timber-culture act. Let me say, under the timber-culture act there can not be any more than one-fourth in every section of the public domain. That can not be true, therefore. I yield for three minutes to the gentleman from Ohio [Mr. CONVERSE].

Mr. WASHBURN. I ask the gentleman from Nebraska whether the Commissioner of the General Land Office has not stated that for the last five years 90 per cent of pre-countions have been fraudulently made?

five years 90 per cent. of pre-emptions have been fraudulently made?

Mr. VALENTINE. If so, most of them are in the timber lands of

Minnesota.

Mr. WASHBURN. The timber lands of Minnesota and the prairie lands of Dakota Territory.

Mr. CONVERSE. Mr. Speaker, I hope, if this bill is to pass, we shall have more consideration than is likely to be given in the closing hours of this session. My own observation, which runs through two years in connection with the public lands, is that the great stealing which has been carried on under this Government has been through its which has been carried on under this Government has been through its land system, and a large portion has been through the homestead law. The trouble is not with the laws themselves. The homestead law, the pre-emption law, the timber-culture act are each and all wise and wholesome laws, but the trouble is in the execution of these laws. What we want is reform in the administration. The thing to be done, Mr. Speaker, is to turn the rascals out and put in honest men to see that these laws are enforced as they were intended to be and as they were in former times.

I desire to repeat what I said a few moments ago-that my investigation as to Estes Park showed that every acre of that half was from the Government without the payment of a single dollar. If it had been taken under the pre-emption law we would have received \$1.25 per acre for the ten or twelve thousand acres in that park, but the payment received a cent to pay even for the survey of the land. The gation as to Estes Park showed that every acre of that land was taken we never received a cent to pay even for the survey of the land. The same is true of the fine timber lands about Lake Tahoe, amounting to millions of acres. Not a dollar went into the Treasury for the purchase of those lands, but men of straw filed homestead claims, made the necessary affidavits, transferred their titles to the mill companies, tim-

ber merchants, land companies, and thus the frauds amounting to millions were perpetrated upon the Government.

I saw more than a million acres of timber land around Lake Tahoe, which were in possession of five companies, for which the Government never received one dollar, although the Government had paid for all the expenses connected with the surveys, and when I saw the lands about 1880 they would have brought under the hammer in cash at

least \$15 per acre.

[Here the hammer fell.]

Mr. VALENTINE. I yield now to the gentleman from Montana

[Mr. Maginnis] for two minutes.

Mr. MAGINNIS. Mr. Speaker, the Committee on the Public Lands state that they urge the adoption of this measure for two reasons: First, because under the present land laws a settler, they say, can take advantage of three different laws; and secondly, on account of frauds claimed to be perpetrated under the homestead or pre-emption laws. These are the two reasons which they urge.

The proper answer to the suggestions made by the committee is, that if they simply want to confine a settler to one hundred and sixty acres of land instead of permitting him to take advantage of other land laws to acquire additional lands, all that is necessary for them to do here is to bring in a bill saying that the settler who has taken advantage of one of these acts and gets his one hundred and sixty acres of land shall not be entitled to the privileges of the other to acquire one hundred and sixty additional acres. That would cure that evil, which knocks the ground from under the committee on that proposition.

The next ground on which they propose to repeal this beneficent act made by our fathers in 1801, and under repeated Democratic adminis-

trations down to 1861, is on the ground of alleged or attempted fraud. Now, that there may be fraud committed under the act is very true;

but why not amend the law so that these frauds can not be committed?

Would not that seem to be the more reasonable policy? And I would like to have people who talk about fraud take the report of the Commissioner of the General Land Office and point me to the case of one single conviction of any person, or any prosecution under that Commissioner or his agents, for any frauds committed under any of the land laws, which would have been the case if it was true, as they state, that their purpose is to prevent fraud.

Now, sir, there are hundreds and thousands of acres which can not

be taken up or entered upon for cultivation in these desert or arid

Mr. PAYSON. Will the gentleman allow me a question?
Mr. MAGINNIS. No, sir; I can not yield for a question.
Under the desert-land act these arid lands, where there is no water,
a man to make a settlement would have to build a ditch costing him \$500 or \$1,000 or \$1,500 to convey the water to his farm and irrigate it. For the purpose of doing this he must have sufficient land to enable him to construct his ditch so that he may reclaim the land and make it valuable; otherwise it is worthless. I repeat, then, if there are frauds committed under the act, amend the act so as to prevent it. But if you repeal the laws in such manner as you propose you prevent settlement, and there is no way of getting title except through the railroad companies. This act should be entitled "An act in the interest of the cattle-kings and to double the price of railroad lands," which are the only lands settlers can buy if you pass this bill. [Here the hammer fell.]

Mr. COBB. I now yield two minutes to my colleague from Indiana

[Mr. HOLMAN].

Mr. Speaker, I trust the House will not be deceived as to the matter in issue. It is a question between the disposition of what remains of the public lands, under the homestead law with proper amendments under this bill to secure its efficiency, or the disposition of your lands through agencies to speculators. I repeat, it is an issue between the disposition of what remains of your public land under the homestead law or to speculators upon the public lands; and no gentleman who has made the subject a study can entertain any doubt

on that point.

On the 21st day of January a year ago the gentleman from Nebraska, the gentleman from Kansas, the gentleman from Ohio, and others, declared in favor of the policy by their votes, and the House too with great clared in favor of the policy by their votes, and the House too with great unanimity, of securing what remained of the public lands to actual settlers under the homestead law. But yet gentlemen are here on the floor of the House insisting that the law under which we are assured by the Commissioner of the General Land Office 90 per cent. of all the frauds have been committed shall still remain in force. I appeal to the friends of the homestead law to stand by the Public Lands Committee; for that accepts and that alone can put a stort to the enormous frauds by which agency and that alone can put a stop to the enormous frauds by which you build up these great landed estates.

[Here the hammer fell.]

Mr. COBB. I will now yield two minutes to my colleague on the

committee from Illinois [Mr. PAYSON].

The SPEAKER. The Chair thinks the time of the gentleman has been exhausted.

Mr. COBB. I thought I had five minutes of my time remaining and yielded two to my colleague from Indiana.

The SPEAKER. The Chair was under the impression that the

gentleman had yielded to the gentleman from Ohio a portion of his

Mr. COBB. No, sir, I did not. That was yielded by the other side. I now yield two minutes to the gentleman from Illinois, and I would like to ask how much time I have remaining.

The SPEAKER. According to the statement of the gentleman from

Indiana he has five minutes remaining.

Mr. PAYSON. This whole proposition may be very simply stated.

The proposal in this bill is simply this and this alone: That the public domain which is yet remaining shall be disposed of only under the pro-

domain which is yet remaining shall be disposed of only under the provisions of the homestead law and in quantities not exceeding one hundred and sixty acres to each individual, and existing law which conflicts with this scheme we propose to repeal. There is all there is of it.

The statement made by the gentleman from Nebraska [Mr. VALENTINE] that this legislation is in the interest of the cattle-kings in this country is his assertion alone. When gentlemen undertake to say here that frauds are not being perpetrated to any particular extent under the pre-emption law let me say to those gentlemen that there has not the pre-emption law, let me say to those gentlemen that there has not been a sundry civil appropriation bill reported for the last four years that has contained an appropriation of less than \$90,000 to ferret out these frauds.

Mr. STRAIT. Under the homestead law.
Mr. PAYSON. I deny it. It is under the pre-emption law, and the action recommended here by the Public Lands Committee has been recommended for the last four years by the Secretary of the Interior and the Commissioner of the General Land Office.

When my friend from Ohio [Mr. Converse] says that the proper method is to turn the rascals out from this land, we of the Public Lands Committee say: "Let us lock the doors and keep the rascals out in the first instance."

What gentleman can stand here in the light of public sentiment and assert that the American people are in favor of the continuation of a scheme which allows the public lands to be taken by the thousands and thousands of acres by speculators to be taken by the thousands and thousands of acres by speculators to be sold afterward at an increased price to actual settlers? No man dares do that.

Mr. STRAIT. It does not do that.

Mr. PAYSON. It does do that.

Mr. PERKINS. The Commissioner of the General Land Office ac-

knowledges under the homestead act frauds are perpetrated the same

as under the pre-emption law.

Mr. PAYSON. Precisely, and we extend the provisions of the law to meet that.

to meet that.

The SPEAKER. The question is on the amendment of the gentleman from Indiana [Mr. COBB].

Mr. BUDD. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BUDD. During the discussion of this question the gentleman from Indiana [Mr. COBB], the chairman of the Committee on Public Lands, yielded to the House for any question that might be asked. I thereupon asked him the question, why on the 16th of this month, when the Committee on Public Lands was called for a motion to suspend the rules as is shown by the Journal of that day, a copy of which when the Committee on Public Lands was called for a motion to suspend the rules, as is shown by the Journal of that day, a copy of which I have, no such motion was made; and with the politeness which characterizes him he informed me it was none of my business. Thereupon the gentleman from California [Mr. HENLEY] answered the question, stating that they had no time. For the purpose of showing that it was my business, that it was the business of the House, and that they did have time, and that the committee was then called after an anti-monopoly speech by one of the members. I simply read from the Lowrest nopoly speech by one of the members, I simply read from the Journal of the 16th.

The SPEAKER. The Chair does not see any question of personal privilege whatever. [Cries of "Regular order!"]

Mr. BUDD. I suppose it goes into the RECORD now, Mr. Speaker. ENROLLED BILLS SIGNED.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 256) granting a pension to Mary A. Land;
A bill (H. R. 891) granting a pension to Reuben J. Ebberman;
A bill (H. R. 1219) granting a pension to Charles Hendrix;
A bill (H. R. 1653) granting a pension to John R. Hurlburt;
A bill (H. R. 1898) granting a pension to Harriet Armstrong;
A bill (H. R. 2398) granting an increase of pension to Mrs. Ann W.

A bill (H. R. 2538) granting a pension to Christiana Almier;
A bill (H. R. 2540) granting a pension to Priscilla J. Small;
A bill (H. R. 2627) granting a pension to Noah Caton;
A bill (H. R. 3108) to protect fish in the Potomac River in the District of Columbia, and to provide a spawning-ground for shad and herring in the said Potomac River;
A bill (H. R. 3336) for the relief of Sherman C. Perry;

A bill (H. R. 3336) for the relief of Sherman C. Perry;
A bill (H. R. 3355) for the relief of Mary Mulholland;
A bill (H. R. 3751) granting a pension to Francis Curran;
A bill (H. R. 3994) granting a pension to William Strickland;
A bill (H. R. 4263) granting a pension to Elizabeth Hood;
A bill (H. R. 4869) for the relief of Morris Geld;
A bill (H. R. 5123) granting a pension to Frederick Braunwald;
A bill (H. R. 5374) granting a pension to Phillip Wiggins;
A bill (H. R. 53925) granting a pension to Margaret A Barry.

A bill (H. R. 5925) granting a pension to Margaret A. Berry; A bill (H. R. 6287) for the relief of John H. Johnson;

A bill (H. R. 6287) for the relief of John H. Johnson;
A bill (H. R. 6596) granting a pension to John Hazelwood;
A bill (H. R. 6798) granting a pension to Lloyd W. Hixon;
A bill (H. R. 6928) granting a pension to Leonard King;
A bill (H. R. 6948) granting a pension to George Eagles;
A bill (H. R. 7002) for the relief of Harriet L. Stevens;
A bill (H. R. 7026) granting a pension to Jeremiah P. Swatzell;
A bill (H. R. 7292) for the relief South A. Branchfold.

A bill (H. R. 7373) for the relief Sarah A. Burchfield; A bill (H. R. 7696) granting a pension to Thomas D. Fitch; A bill (H. R. 7769) granting pension to Joseph R. Dodds; and A bill (H. R. 7869) granting a pension to Emeline L. Fitch.

PUBLIC LAND LAWS.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. COBB] to suspend the rules.

Mr. VALENTINE. I ask that the question be taken by tellers.

Mr. WASHBURN. I think we had better have the yeas and nays.

Mr. COBB. I wish to inquire of the Chair whether I have not some

The SPEAKER. The gentleman from Indiana [Mr. Cobb], having The SPEAKER. The gentleman from Indiana [Mr. COBB], having five minutes, yielded two minutes to the gentleman from Indiana [Mr. HOLMAN] and two to the gentleman from Illinois [Mr. PAYSON]; but the gentleman from Illinois occupied the whole time.

Mr. COBB. I did not yield the whole time to him.

Mr. PAYSON. I did not intend to take it.

The SPEAKER. The gentleman did take it, notwithstanding.

Mr. VALENTINE. Let us have tellers.

Tellers were ordered, more than one-fifth of a quorum voting therefore.

Mr. COBB. I think we may as well have the yeas and nays. The SPEAKER. The gentleman from Indiana [Mr. COBB] demands

the yeas and nays.

The yeas and nays were ordered, 57 members voting therefor.

The question was taken; and there were-yeas 166, nays 92, not voting 66; as follows:

YEAS-166. Adams, J. J. Alexander, Ballentine, Barksdale, Skinner, C. R. Skinner, T. G. Smith, A. Herr Spriggs, Springer, Stephenson, Ermentrout, Lore. Ermentrous Fiedler, Findlay, Finerty, Follett, Foran, Garrison, Geddes, Gibson, Gibsook, Graves, Green, Guenther, Halsell, Hardy. Lore, Lowry, McAdoo, McComas, Matson, Maybury, Millard, Miller, J. F. Barksdale Bayne, Beach, Belmont, Bland, Blount, Stevens, Stewart, Charles Stockslager, Miller, J. F. Money, Moulton, Muldrow, Murray, Mutchler, Nicholls, Nutting, Oates, O'Ferrall, O'Hara, Parker, Patton, Payne, Payson, Breekinridge. Storm, Sumner, D. H. Breitung, Buchanan, Stumner, D. H.
Swope,
Talbott,
Taylor, J. D.
Taylor, J. M.
Thomas,
Thompson,
Tillman,
Townshend,
Tucker,
Tully,
Turner, H. G.
Turner, Oscar
Vance,
Van Eaton,
Ward,
Warner, A. J.
Warner, Richard
Wassburn,
Weaver,
Wellbern Buchanan, Buckner, Burleigh, Burnes, Cabell, Caldwell, Campbell, J. E. Clardy, Clay, Halsell,
Hardy,
Hatch, H. H.
Hatch, W. H.
Hemphill,
Heniey,
Hewitt, A. S.
Hewitt, G. W.
Hiscock,
Hoblitzell, Clardy, Clay, Clements, Cobb, Collins, Connolly, Cook, Cosgrove, Covington, Cox, S. S. Cox, W. R. Orisp. Payne, Payson, Peel, Phelps, Potter, Pryor, Randall, Hoblitzell,
Holman,
Holton,
Hopkins,
Horr,
Houseman,
Hunt,
Hutchins,
Johnson Reagan,
Reed, T. B.
Reid, J. W.
Riggs,
Robertson,
Robinson, W. E.
Rockwell, Washburn, Weaver, Weilborn, Wemple, Willis, Wilson, W. L. Winans, E. D. Winans, John Wise, G. D. Worthington, Yaple, Young. Cox, W. R.
Crisp,
Culberson, D. B.
Culbertson, W. W.
Dargan,
Davidson,
Davis, G. R.
Davis, L. H.
Denster Hutchins,
Johnson,
Jones, B. W.
Jones, J. H.
Jones, J. K.
Jones, J. T.
Lacey,
Lamb,
Lanham,
Le Fevre,
Lewis,
Long, Rockwell, Rogers, J. H. Rogers, W. F. Rosecrans, Rowell, Russell, Seney, Seymour, Shively, Deuster, Dockery, Dowd, Dunn, Eldredge, English,

NAYS-92. 8-92.

Kelley,
Kellogg,
Kleiner,
Lawrence,
Libbey,
Lovering,
Lyman,
McCoid,
McCormick,
McMillin,
Miller, S. H.
Mills,
Morgan,
Morrill,
Muller,
Murphy,
Nelson, Adams, G. E. Aiken, Anderson, Arnot, Atkinson, Dunham, Elliott, Post, Price, Price,
Pusey,
Ranney,
Ray, G. W.
Smalls,
Snyder,
Spooner,
Steele,
Strait,
Struble,
Valentine,
Wadsworth,
Waik,
Waik,
Walkefield,
Wallace,
Weller.
White, Milo
Whiting,
Wilkins,
Wolford,
Woodward,
York. Evans, Everhart, Ferrell, Funston, Goff, Greenleaf, Hammond, Hanback, Hardeman, Bagley, Barr, Boutelle, Bowen, Boyle, Brainerd, Brainerd, Bratton, Brewer, F. B. Brown, W. W. Budd, Campbell, J. M. Harmer, Haynes, Henderson, T. J. Henders Hill, Hitt, Holmes, Cannon, Nelson, O'Neill, Charles Carleton, Cassidy, Converse, Davis, R. T. Dibble, Dixon, Houk, Howey, James, Jeffords, Pierce, Perkins, Peters, Pettibone, Poland, Kean, Keifer,

NOT VOTING-66.

Ketcham, King, Laird, Milliken, Mitchell, Barbour, Belford, Bennett, Bingham, Bisbee, Blackburn, Cutcheon, Shaw, Singleton, Slocum, Smith, H. Y. Stewart, J. W. Cutcheon,
Dibrell,
Dingley,
Dorsheimer,
Eaton,
Ellis,
Ellwood, Mitchell, Morrison, Morse, Neece, Ochiltree, O'Neill, J. J. Paige, Rankin, Ray, Ossian Reese, Rice, Robinson, J. S. Ryan, Stewart, J. W. Stone, Stone, Sumner, C. A. Taylor, E. B. Throckmorton, Van Alstyne, White, J. D. Williams, Wilson, James Wise, J. S. Wood. Blanchard, Brewer, J. H. Broadhead, Browne, T. M. Brumm, Campbell, Felix Candler, Chalmers, Craig, Cullen, Curtin, Blanchard, Ellwood, Fyan, George, Hancock, Hart, Henderson, D. B. Hepburn, Herbert, Hooper, Hurd, Jordan,

So the rules were not suspended.

The following-named gentlemen were announced from the Clerk's desk as paired until further notice:

Mr. Morrison with Mr. John S. Wise,
Mr. Shaw with Mr. Laird.

Mr. RANKIN with Mr. KELLOGG. Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.

Mr. JORDAN with Mr. HENDERSON, of Iowa. Mr. Hurd with Mr. Rice. The following were announced as paired for this day: Mr. Blackburn with Mr. Ryan.

Mr. GEORGE with Mr. BLANCHARD.

Mr. NEECE with Mr. CUTCHEON.

Mr. DIBRELL with Mr. CULLEN.

Mr. CAMPBELL, of New York, with Mr. BRUMM. The following were announced as paired on this vote:

Mr. BROWNE, of Indiana, with Mr. BISBEE.

Mr. O'NEILL, of Missouri, with Mr. WILSON.
Mr. BENNETT, and Mr. BREWER, of New Jersey, were announced as

paired on this vote.

The result of the vote was announced as above stated, and was received with applause on the Republican side.

POST-OFFICE APPROPRIATION BILL.

Mr. RANDALL. Mr. Speaker—
Mr. TOWNSHEND. Mr. Speaker, I ask the gentleman from Pennsylvania [Mr. RANDALL] to yield to me for a moment while I make a request for unanimous consent to take from the Speaker's table the Post-Office appropriation bill and to refer it with the Senate amendments to the Committee or ments to the Committee on Appropriations.

There was no objection, and the bill with the Senate amendments

was so referred.

FORTIFICATION APPROPRIATION BILL.

Mr. HANCOCK, from the Committee on Appropriations, reported a bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. VALENTINE. Mr. Speaker, I desire to reserve all points of

order on that bill.

The SPEAKER. All points of order are reserved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed bills of the following titles; in which

the concurrence of the House was requested:

Joint resolution (S. R. 127) to authorize the printing of the reports

of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports

of the Geological Survey; and
Joint resolution (S. R. 129) to authorize the printing of the reports

of the Geological Survey.

The message also announced that the Senate had passed a joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

Also a bill (H. R. 48) to provide for the erection of a building to contain the records, library, and museum of the Medical Department of the United States Army.

The message also announced that the Senate had agreed to the amendments of the House to a bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL submitted the following resolution:

Resolved, That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and consider the same for four hours, which time shall be occupied in debate on the clauses relating to the suspension of silver coinage and the World's Industrial and Cotton Exposition, three hours to be occupied on the first-named clause and one hour on the second, said time to be equally divided; and said bill shall be subject only to amendments to strike out or amend said clauses, after which the previous question shall be considered as ordered.

I demand a second.

Mr. BLAND. I demand a second.

Mr. HAMMOND. I rise to a parliamentary inquiry. If this resolution be adopted can a point of order be made on the new legislation contained in this bill?

The SPEAKER. The Chair thinks not.

Mr. WARNER, of Ohio. I rise to a parliamentary question. If this resolution be adopted will more than a majority vote be required to pass the bill?

to pass the bill?

The SPEAKER. It will require a two-thirds vote to adopt this

The SPEAKER. It will require a two-thirds vote to adopt this resolution; if it is adopted a majority vote, after the consideration of the bill in the manner provided, can pass it.

Mr. RYAN. Mr. Speaker, I rose for the purpose of demanding a second upon this proposition, and supposed that I was entitled to recognition in accordance with the usage of the House, which has been so long in existence as to have, I believe, almost the force of law.

The SPEAKER. The gentleman from Kansas [Mr. RYAN] applied to the Chair for recognition for this purpose. The Chair informed him to the Chair for recognition for this purpose. The Chair informed him that he had already been applied to in connection with this question, and had agreed to recognize the gentleman from Missouri [Mr. BLAND], the chairman of the Committee on Coinage, Weights, and Measures.

Mr. BLAND. The Committee on Appropriations had no jurisdiction to bring this subject of silver coinage before the House; it is a matter belonging to the Committee on Coinage, Weights, and Measures.

Mr. KEIFER. A number of members of the Committee on Appropriations are encosed to some features of this bill

priations are opposed to some features of this bill.

Mr. RYAN. I have made this point, with the greatest respect to the Chair, and the statement the Chair has just made is correct in every

particular; but it has been the practice of the House, so far as I am aware, on questions of this character to allow a division of the time between members of the committee. To this bill in its present form I am opposed, as are many other members of the committee on this side of the House.

Mr. RANDALL. I think I can obviate this difficulty, if I may be allowed to suggest that in the present condition of things the gentleman from Missouri be recognized to control the time in opposition to the coinage clause. For one, I am willing that there shall be, besides the four hours' debate, an additional half hour, to be under the control of members of the Committee on Appropriations who are opposed to this proposition.
Mr. TOWNSHEND. That is fair.

Mr. KEIFER. That changes the practice of the House.

The SPEAKER. The Chair will state the request of the gentleman from Pennsylvania [Mr. RANDALL]. The gentleman suggests that unanimous consent be given that this debate shall continue for one hour instead of thirty minutes

Mr. RANDALL. No. The provision of the resolution states that there shall be three hours' debate as to the coinage clause, to be equally

divided-

The SPEAKER. But the present difficulty is about the debate on the proposition now pending.

Mr. RANDALL. I make no suggestion about that.

The SPEAKER. The Chair misunderstood the gentleman.

Mr. RANDALL. My suggestion was designed to meet the difficulty

suggested by the gentleman from Kansas [Mr. RYAN].

Mr. BLAND. As this subject of silver coinage belongs to the Committee on Coinage, Weights, and Measures, it is entirely proper that a representative of that committee should control the time in opposition to the proposition.

Mr. KEIFER and others addressed the Chair.

Mr. KEIFER and others addressed the Chair.

Mr. BLAND. Is debate now in order?

The SPEAKER. It is not; but, as the Chair understands, an attempt is being made to effect some arrangement.

Mr. KEIFER. The gentleman from Missouri [Mr. BLAND] insists upon claiming the recognition accorded him by the Chair.

The SPEAKER. The Chair understands that. But gentlemen have

been making an effort (which the Chair was, of course, disposed to indulge and hoped might be successful) to make some arrangement.

Mr. MILLS. Let us have the regular order. We all understand

this matter.

Mr. CANNON. If the gentleman from Missouri [Mr. BLAND] controls the time in opposition to this proposition, members of the Committee on Appropriations who are opposed to this bill will be, so far as I know, left without one minute of the fifteen.

The SPEAKER. But the gentleman from Pennsylvania [Mr. Ran-

DALL] simply took the floor as an individual member of the House and moved this resolution. It is not a resolution reported from the Committee an Appropriations. Before the resolution was presented by the gentleman from Pennsylvania the Chair, upon application of the gentleman who is at the head of the Committee on Coinage, Weights, and Measures, informed him that he would recognize him to control the time in opposition to the motion.

Mr. KEIFER. This resolution is authorized by the committee. Mr. RANDALL. I do not think the House clearly understood my

proposition-Mr. REAGAN. I object to any statement now.

Mr. BELFORD. I rise to a point of order. I submit that this resolution is just as bad as the section of the bill, inasmuch as its effect is to change existing legislation. We have now a law providing that so many silver dollars shall be coined each month. If this resolution be passed it makes a change in that respect.

The SPEAKER. The purpose of the resolution is to suspend the

Mr. PAYSON. I rise to a parliamentary inquiry. Are all points of The SPEAKER. They were when the bill was reported. This is a proposition to suspend the rules and consider the bill.

Mr. PAYSON. If this resolution be adopted does it amount to a

waiver of the point of order as to the suspension of the coinage of the

silver dollar on the part of the House?

The SPEAKER. The Chair thinks it does.

Mr. SPRINGER. I suggest, by unanimous consent, fifteen minutes be allowed to the gentleman from Kansas, as this seems to be a threecornered question.

Mr. COSGROVE. Can this resolution be divided so as to require the

suspension on each proposition?

The SPEAKER. A motion to suspend the rule is not divisible.

Mr. RANDALL and Mr. BLAND were appointed as tellers. The House divided; and there were—ayes 105, noes 89.

So the motion to suspend the rules was seconded.

The SPEAKER. Under the rules thirty minutes are allowed for debate, fifteen minutes on each side.

Alken,
Alexander,
Anderson,
Atkinson,
Ballentine,
Barksdale,
Belford,
Bennett,
Biackburn,
Bland,
Blount,
Breckinridge,
Breitung,
Broadhead,
Buchanan, Mr. BELFORD. When we come to a division of the time allowed I wish to know who has the right in this representative council of the

nation to parcel out that time—whether it is to be done by the Speaker or some other gentleman who has not a silver mine in his State at all?

The SPEAKER. The practice has always been to give control of the time in opposition to the gentleman demanding a second and the time in support to the introducer of the proposition.

Mr. BELFORD (at 2 o'clock and 20 minutes p. m.) moved that the

House adjourn.

The House divided; and there were-ayes 7, noes not counted.

So the House refused to adjourn.

Mr. RANDALL. I understood the gentleman from Ohio [Mr. KEI-FER] desired some time at this point.

Mr. CANNON. He is not here, and I should be glad to have a minute or two.

FORTIFICATION BILL.

Mr. ELLIS. I ask consent at this time to present a substitute for the fortification bill reported this morning, in order that it may be before the House printed when that bill is brought up.

There was no objection, and it was ordered accordingly.

LIABILITY OF OWNERS OF VESSELS.

Mr. DUNN, by unanimous consent, from the Committee on Commerce, reported back favorably the bill (H. R. 8225) to amend and re-enact section 2249 of the Revised Statutes, relative to limitation of liability of the owners of vessels; which was referred to the House Calendar, and the accompanying report ordered to be printed.

SUNDRY CIVIL APPROPRIATION BILL.

If the opening is imposed on this side will we not Mr. BLAND. have the close of debate?

The SPEAKER. That is not provided for in the rule. Under the rules applicable to ordinary proceedings the gentleman introducing a proposition has a right to open and close debate. There is no rule about debate under a suspension of the rules.

Mr. RANDALL. The gentleman from Ohio [Mr. KEIFER] to whom I wish to yield is not in his seat, and for one I am willing to go at once

The SPEAKER. If nobody proposes to address the House [cries of "Vote!" "Vote!"], the question is on the motion of the gentleman from Pennsylvania to suspend the rules and pass the resolution.

Mr. CASSIDY, Mr. BELFORD, and Mr. MILLS demanded the yeas

and nays.

The yeas and nays were ordered.

Mr. HAMMOND. If this resolution be passed will it take a two-

thirds vote or only a majority afterward to pass the silver clause or the clause in reference to the New Orleans Exposition?

The SPEAKER. The Chair has already stated that if this resolution be passed, which requires a vote of two-thirds, then the bill, whatever may be included in it, can be passed by a majority of the House.

The question was taken; and it was decided in the negative—yeas

118, nays 152, not voting 54; as follows:

Adams, G. E.	Dingley,	Hutchins,	Danner
Adams, J. J.	Dixon,	James,	Ranney, Ray, G. W.
Arnot,	Dunham,	Johnson,	
Bagley,	Eaton,		Reed, T. B. Rockwell,
Barbour,	Elliott,	Jones, B. W. Kean.	Pockwell,
Barr,	Ellis,	Kelley.	Rogers, W. F.
Bayne,	Ermentrout,	Ketcham,	Russell,
Beach,	Evans,	Lacey,	Seymour,
Belmont,	Everhart,		Skinner, C. R.
Bingham,	Ferrell.	Lawrence,	Smith, A. Herr
Bisbee,	Fiedler.	Long, Lyman,	Snyder,
Boutelle,	Findlay,	McComas,	Spooner,
Bowen.	Follett,	McCormick,	Spriggs, Steele,
Bratton,	Garrison,	Millard,	
Brewer, F. B.	Greenleaf.	Miller, S. H.	Stevens, Storm,
Brown, W. W.	Guenther,	Mitchell,	Strait,
Browne, T. M.	Hancock.	Morse,	Strait,
Buckner,	Hardy,	Moulton,	Swope, Talbott,
Burleigh,	Harmer,	Muller,	Tucker,
Campbell, J. M.	Hatch, H. H.	Mutchler,	Van Alstyne,
Collins,	Haynes,	Nutting.	Wadsworth,
Connolly,	Hewitt, A. S.	O'Neill, Charles	Wait,
Converse,	Hiscock,	Parker.	Washburn.
Cox, S. S.	Hitt.	Payne,	Wemple,
Craig,	Hoblitzell,	Phelps,	White, Mile
Cullen,	Holton,	Poland,	Whiting,
Dargan,	Hopkins,	Post,	Winans, John
Davis, G. R.	Horr,	Potter,	Woodward.
Davis, R. T.	Howey,	Pusey,	ii oodii ata.
Deuster,	Hunt,	Randall,	
A STATE OF THE PARTY OF THE PAR	The state of the s	The state of the s	

Randall,	
AYS-152.	
Cox, W. R.	Gedd
Culberson, D. B.	Gibs
Davidson.	Glas
Davis, L. H.	Goff,
	Grav
Dibrell.	Gree
Dockery.	Hals
Dowd,	Ham
Dunn,	Hanl
Eldredge,	Harc
Ellwood,	Hart
English,	Hate
Foran,	Hem
Forney,	Hene
Funston,	Henl
	AYS—152. Cox, W. R. Culberson, D. B. Davidson, Davis, L. H. Dibble, Dibrell, Dockery, Dowd, Dunn, Eldredge, Ellwood, English, Foran, Foran,

W. H. phill, derson, T. J.

Henley,

Hepburn,	Maybury, Miller, J. F.	Reid, J. W.	Turner, H. G.
Herbert.	Miller, J. F.	Reese,	Turner, Oscar
Hewitt, G. W.	Milliken,	Riggs,	Vance,
Hill.	Mills.	Robertson,	Van Eaton,
Holman,	Money,	Rogers, J. H.	Wallace.
Holmes,	Morgan,	Rosecrans,	Ward.
Houk.	Muldrow,	Rowell.	Warner, A. J.
Houseman,	Murphy.	Ryan,	Warner, Richard
Jones, J. H.	Murray,	Seney,	Weaver,
Jones, J. K.	Nelson.	Shively,	Wellborn.
Jones, J.T.	Ochiltree,	Singleton.	Weller.
Keifer.	O'Ferrall,	Skinner, T. G.	White, J. D.
Kellogg,	O'Neill, J. J.	Smith, H. Y.	Wilkins,
Kleiner,	Patton,	Springer,	Willis,
Lamb,	Payson,	Stephenson,	Wilson, James
Lanham,	Peel.	Stewart, Charles	Wilson, W. L.
Le Fevre.	Perkins.	Stockslager.	Winans, E. B.
Lewis.	Peters.	Sumner, C. A.	Wise, G. D.
Lore,	Pettibone,	Sumner, D. H.	Wood,
Lovering,	Pierce,	Taylor, J. M.	Worthington,
Lowry.	Price,	Thomas,	Yaple,
McCoid,	Pryor,	Tillman,	York.
Matson.	Reagan,	Tully,	Young.

NOT VOTING-54.

Blanchard,	Fyan,	Neece,	Stone,
Boyle,	George,	Nicholls,	Struble,
Brainerd.	Henderson, D. B.	Oates,	Taylor, E. B.
Brewer, J. H.	Hooper,	O'Hara,	Taylor, J. D.
Brumm.	Hurd,	Paige,	Thompson,
Campbell, Felix	Jeffords,	Rankin,	Throckmorton.
Chalmers,	Jordan,	Ray, Ossian	Townshend,
Covington,	King,	Rice,	Valentine,
Crisp.	Laird,	Robinson, J. S.	Wakefield,
Culbertson, W. W.	Libbey,	Robinson, W. E.	Williams,
Curtin,	McAdoo,	Shaw,	Wise, J. S.
Cutcheon,	McMillin,	Slocum,	Wolford.
Dorsheimer.	Morrill,	Smalls, .	
Winorty	Morrison	Stewart I W	

So (two-thirds not voting in favor thereof) the motion to suspend the rules was not agreed to.

Mr. BLAND. I ask to dispense with the reading of the names.
Mr. WELLER. I object. This is a very important matter, and
gentlemen should see that they are properly recorded.
The following additional pairs were announced:
Mr. WILLIAMS with Mr. OCHILTREE, for this day.

Mr. FYAN with Mr. BRAINERD, on this vote.

Mr. ROBINSON, of New York, with Mr. MORRILL, on this vote.

Mr. McADoo with Mr. GEORGE, for to-day.

Mr. NICHOLLS with Mr. HOOPER.

Mr. Townshend with Mr. RAY, of New Hampshire.

Mr. RANKIN with Mr. STRUBLE, on this vote.

Mr. CRISP with Mr. STEWART, of Vermont, on all questions relating to the suspension of the coinage of silver in the sundry civil appropriation bill. Mr. STEWART would vote "ay," Mr. CRISP "no."
The result of the vote was then announced as above recorded.

applause.]
Mr. RANDALL. Mr. Speaker, I would like to say a word if the
House will allow it. [Cries of "Go ahead!"]
The SPEAKER. The Chair will recognize the gentleman from Penn-

There was no objection.

Mr. RANDALL. Recognizing the significance of the vote which has just been taken, and knowing that the issue was distinctly made as against the silver clause of this bill, being aware also that a majority has declared against that proposition which under a direct vote to strike out would have carried, I therefore now assume to myself the responsibility, believing that the members of the Appropriations Committee if I had an opportunity to confer with them would unani-mously sustain me, of proposing to move to suspend the rules in man-ner as has been stated in the resolution, with everything connected with suspension of coinage of silver eliminated from the bill and from the resolution. [Applause.]
Mr. MILLS. What becomes of the New Orleans proposition?

Mr. RANDALL. That is left in the bill.
Mr. RYAN and Mr. KEIFER demanded a second on the motion to

suspend the rules.

The SPEAKER. The Chair will recognize the demand for a second, but will first endeavor to secure order on the floor. The Chair will inquire of the gentleman from Pennsylvania if it is his purpose to leave in the bill that portion of it relating to the New Orleans Exposition, and to modify the resolution so as to limit the time to one hour's dis-

and to modify the resolution so as to limit the time to one hour's discussion on that proposition, as contained in the original resolution?

Mr. RANDALL. That is the proposition. Fdo not attach any significance to the last vote as applying to that part of the bill.

Mr. SPRINGER. One hour will be ample on that proposition.

The SPEAKER. The resolution will be modified as suggested by the gentleman and will be read by the Clerk, onewhich the gentleman from Kansas demands a second.

Mr. WHITE, of Kentucky. I ask that the bill be read.
The SPEAKER. The bill is not before the House. This is simply a resolution, which will now be read.

The Clerk read as follows:

Resolved, That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill

of the House 8256, making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and to consider the same for one hour, which time shall be occupied in debate on the clause relating to the World's Industrial and Cotton Exposition, said time to be equally divided; and said bill shall be subject only to amendment, to strike out, and amend said clause, after which the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Pennsylvania states that the silver clause in the bill will be omitted.

Mr. VALENTINE. Let the resolution so state.

Mr. RYAN. I desire the attention of the gentleman from Pennsyl-

vania for a moment-

Mr. HAMMOND. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. HAMMOND. The resolution of the gentleman alludes to this bill which I hold in my hand, and it makes no exception as to the silver

clause which the bill contains. If, then, that resolution is passed will it not pass the silver clause with the bill?

The SPEAKER. The resolution passes nothing.

Mr. HAMMOND. But if that resolution passes then the silver clause will be a part of the bill and become as much a law as any other part of the bill if it should pass.

of the bill if it should pass.

The SPEAKER. If passed by the House it would.

Mr. HAMMOND. Therefore I submit to the gentleman from Pennsylvania that he omit that clause from the bill.

The SPEAKER. The difficulty, the Chair thinks, can be obviated if the gentleman will add a clause to the resolution providing that the part of the bill relating to the coinage of silver shall be omitted.

Mr. KEIFER. That is stricken out.

Mr. HAMMOND. It is not stricken out. The gentleman speaks of striking it out, but it is a part of the bill referred to in his resolution.
Mr. RANDALL. I ask, then, consent to strike it from the bill.
Mr. KEIFER. Do it yourself and then offer it in that form.
Mr. RANDALL. I am willing to take any responsibility in the mat-

ter that may be necessary.

The SPEAKER. Is there objection to the request of the gentleman

from Pennsylvania? Mr. PAYSON. I rise to a parliamentary inquiry. Is this bill be-

fore the House? The SPEAKER. It is not; but the gentleman from Pennsylvania asks unanimous consent to make a certain modification.

Mr. PAYSON. Is it in order for the gentleman to make that mo-

The SPEAKER. It is, of course, by unanimous consent.
Mr. PAYSON. To strike out a provision not in the bill?
The SPEAKER. It is in the bill.
Mr. PAYSON. It is in for consideration. I am in favor of the motion the gentleman makes; but I want his motion made in such a shape

that there can be no question in reference to it.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to strike from the bill the lines to which he has referred.

Mr. HEPBURN. I object.
Mr. RANDALL. Then I embrace in the resolution the motion to strike out. I now modify the resolution so as to strike out those lines from the bill.

om the bill.

The SPEAKER. That will be done.

Mr. BLAND. That is satisfactory.

Mr. HEPBURN. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. HEPBURN. I make the point of order that it is not competent for the gentleman from Pennsylvania to strike from this bill at this time these lines

The SPEAKER. The gentleman from Pennsylvania has not done so or attempted to do it except by unanimous consent. That was objected to. He now embraces in his resolution a proposition which the Clerk will read.

The Clerk read as follows:

Resolved. That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and consider the same for one hour, which time shall be occupied in debate on the clause relating to the World's Industrial and Cotton Centennial Exposition, said time to be equally divided; and said bill shall be subject only to amendments to strike out or amend the clause relating to the suspension of silver coinage and the clause

Mr. RANDALL. That is not correct. I move to suspend the rules and consider this bill which I hold in my hand and now send to the desk; and these lines relating to the suspension of silver coinage are not in this bill.

Mr. HAMMOND. That is the way to do it.

Mr. HAMMOND. That is the way to do it.
Mr. WHITE, of Kentucky. On that I demand a second.
Mr. RANDALL. With the understanding that a separate vote will
be taken on the clause relating to the New Orleans Exposition, and that
thirty minutes for debate shall be allowed on each side.
Mr. HAMMOND. Then I understand that the portion of the bill
from line 829 to line 841, inclusive, is stricken out.
Mr. RANDALL. Yes, sir; that is the bill I offer.
Mr. RYAN. I demand a second. But I desire the attention of the

chairman of the Committee on Appropriations for a moment to ask whether he is not willing to so modify his motion as to allow one hour's debate on each side on the exposition question?

Several MEMBERS. Oh, no.

Mr. RANDALL. If I thought that that would facilitate business I would consent.

would consent.

Mr. RYAN. I think it will.

Mr. RANDALL. I consent.

Mr. BLOUNT. Do I understand correctly that the separate vote on the New Orleans Exposition is to be a majority vote?

Mr. RANDALL. Yes, sir. I modify my motion so that there shall

Mr. HOLMAN. Will the gentleman agree that other portions of the bill shall be subject to amendment without debate?

Mr. RANDALL. I can not. That would destroy the object I have in view in moving to suspend the rules, because it would practically open the bill to amendment. It is important that this bill should go to the Senate.

The SPEAKER. The Chair desires to state the question. tleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules and consider the bill which he has sent to the Clerk's desk, with the and consider the bill which he has sent to the Clerk's desk, with the right of one hour's debate on each side on the clause relating to the World's Exposition at New Orleans and with the right to take a vote on striking out or amending that clause, to be decided by a majority.

Mr. KEIFER. Or to amend it.

Mr. RANDALL. Yes, sir; or to amend it.

Mr. RYAN. On that motion I demand a second.

Mr. WHITE, of Kentucky. I ask the gentleman in charge of the bill if he will not consent to allow some time for the consideration of the clause relating to the Vellowstone Park and the clause relating to

the clause relating to the Yellowstone Park and the clause relating to marshals and bailiffs? It strikes me those two clauses ought to be amended.

Mr. RANDALL. I will be willing to give the gentleman from Ken-tucky five minutes of the fifteen allowed me under the rule in regard to a motion to suspend the rules.

The SPEAKER. A second has been demanded and the Chair will

appoint tellers.
Mr. RYAN. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. Under the rule thirty minutes are allowed for debate-fifteen minutes on each side.

Mr. RANDALL. I yield five minutes to the gentleman from Ken-

tucky [Mr. WHITE].

The SPEAKER. The Chair will state that under the rule there will be fifteen minutes for debate on each side of the motion to suspend the rules, and then after the vote is taken two hours of debate will be allowed on the proposition as to the New Orleans Exposition. debate is the thirty minutes' debate.

Mr. WHITE, of Kentucky. I find that the gentleman from Pennsylvania [Mr. RANDALL] and myself are not agreed as to what was understood when he promised to yield to me. The request I made, and which I thought was granted, was that I might discuss and move to amend the clause relating to the Yellowstone Park at line 1211, and also the clauses in regard to bailiffs and marshals at lines 1946 and 1997.

The SPEAKER. The gentleman from Pennsylvania did not agree to that.

Mr. RANDALL. I said I would give the gentleman from Kentucky five minutes to discuss this subject under the rule which allowed fifteen minutes on each side.

Mr. WHITE, of Kentucky. But I desire to amend. The SPEAKER. The gentleman from Pennsylvania did not agree to

Mr. WHITE, of Kentucky. I understood the gentleman to agree, or I should certainly have contended for a division. If I am to occupy my five minutes in discussion, with no power of amendment as to those clauses, I shall occupy them in relation to the New Orleans matter. think it is fair to have the clause relative to the New Orleans Exposition read, that the House may understand what it is.

The SPEAKER. The gentleman has the right.

Mr. WHITE. I do not desire, however, that it shall be read in my

time.

The Clerk read the clause referred to, as follows:

WORLD'S INDUSTRIAL AND COTTON CENTENNIAL EXPOSITION.

For further aid to the World's Industrial and Cotton Centennial Exposition, \$300,000, the same to be immediately available, and to be used first in liquidating the indebtedness now outstanding of said exposition, preference being given to such debts as constitute a lien upon the buildings and machinery on the exposition grounds; said sum to be disbursed under the direction of the Secretary of the Treasury.

The SPEAKER. The discussion under the rule allowing thirty

minutes for debate will now begin.

Mr. WHITE, of Kentucky. Mr. Speaker, I regret that no opportunity has been offered to amend the clauses providing for bailiffs and marshals, and also the clause relating to the Yellowstone Park. But any talk on those subjects would result in nothing, as no amendment can be offered. I therefore shall occupy the remainder of my time in

opposition to this clause appropriating \$300,000 to the liquidation of the indebtedness of the New Orleans Exposition and to the payment of its preferred claims. We are called upon here to set a precedent for the Government to become security for the mismanagers of that great exposition. That it has been mismanaged the New Orleans papers them-selves bear witness, by telling us of the meetings that have been held, of the resolutions that have been proposed, and have only been laid aside lest they should stop this appropriation.

In those resolutions we see the misappropriation of the money and

the lack of confidence in the management of the funds. One gentleman speaking there—a gentleman who had a right to speak—tells us man speaking there—a gentleman who had a right to speak—tells us that the two millions and something over have been "dumped into the river." Here is a proposition for the benefit of preferred creditors. Who are the preferred creditors? Where are they? Are they in Pennsylvania? Are they in New York? Are they in Massachusetts? Are they in Kentucky, or are they in New Orleans? If we appropriate this \$300,000, who will guarantee to us that at the end of the next three months there will not be an indebtedness of a million to be liquidated? Where is the guarantee that these are just claims even against the management of the exposition? How do we know that there is not a Credit Mobilier within that management? That the management has been bad everybody knows. That the show down there has not paid expenses everybody knows. The gate fees, except during the week of Mardi Gras, were not sufficient to pay the current ex-

Will any gentleman rise on this floor and give us an itemized statement showing for what this \$300,000 is to go? Will the Louisiana delegation, will the friends of the exhibition, tell us that? The exhibition might as well have been put way off on the frontier—you might as well have put it at Pierre, Dak., you might as well have had it at Bismarck, Dak., you might as well have held it at Seattle, in Washington Territory, as at New Orleans, and with as good a chance of its success. Then, think of the management of it! And above all, think of the disrespect that was shown the old Liberty Bell, when the chief traitor of this country was sent out to escort it.

A MEMBER on the Democratic side. Bah!

Mr. WHITE, of Kentucky. Oh, you may "bah." The majority on that side naturally "bah." I am speaking of what every one knows to be a fact. If the Liberty Bell were back in Pennsylvania, is there a gentleman from Louisiana here who believes it would be permitted to go to New Orleans again?

As a member on this floor, under oath, responsible to my constituents and my country, and exercising the right to say, so far as my vote goes, whether this money shall be taken from the Treasury or not, I say that I would like to know first where it is going and what it is for. I would like to know that these claims are honest. I would like to know that this is not setting a precedent under which you propose to sink millions in your show down there as you have already sunk millions in your Misisssippi project. [Here the hammer fell.]

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has the floor.

Mr. RANDALL. Mr. Speaker, I do not desire to occupy any more of the time. If there be no objection we will go immediately to the debate as provided in the resolution.

The SPEAKER. That may be done unless some gentleman desires

to occupy the fifteen minutes, or a portion of it, in opposition to the

Mr. KELLEY. Mr. Speaker— Mr. RANDALL. I yield to the gentleman from Pennsylvania [Mr. KELLEY

Mr. KELLEY. Mr. Speaker, I desire to advocate this appropriation and to do it now on the threshold. I remember very well the morning on which the House appropriated the million dollars which we gave as a pledge of the good faith of the Government when it invited the nations of the world to take part in that exhibition and send their people to see the greatness of the Southern section of our country. I people to see the greatness of the Southern section of our country. I remember it, because I had heard that, owing to the recall of the money advanced by the Government to the great Centennial Exhibition, I would oppose any Government aid in this case, and, though suffering intense physical torture, loitered on the floor until the gentleman from Louisiana [Mr. Ellis] would give me time to say that I bade the exposition Godspeed, that I wished well to every effort which might be made in its behalf, and that I did so regardless of whether the Government should ever receive back one cent of the million dollars I de-

sired to see appropriated.

Mr. MILLIKEN. Will the gentleman allow me to ask him a question ?

Mr. KELLEY. Ishave but five minutes, and I propose to make my own speech and not that which the gentleman from Maine [Mr. MIL-

LIKEN] would like me to make.

Mr. MILLIKEN. Possibly your speech will be just what I want.

Mr. KELLEY. Mr. Speaker, I propose to sustain and vote for this appropriation now, in like disregard of whether there has been mismanagement or whether there has been a failure to receive the patronage that was hoped for, or whether there is a prospect that even a dollar of the money will come back to the Treasury. Our faith is pledged to every nation of the world that this exhibition shall not fail in the midst of its career and for the want of Government support. We, sir, should remember where that exposition is, and what it has already done for the honor and the glory and the strength of our Republic. Northern men and Southern men of enterprise know each other better now than they probably ever have done since the Revolutionary war and the few years that succeeded it. They have become acquainted in fostering a great industrial enterprise to the glory of our country

We are attempting to negotiate reciprocal treaties for the sake of pro-

moting our trade-

[Here the hammer fell.]

Mr. KELLEY. I ask for a minute or two longer.

Mr. RANDALL. I give the gentleman three minutes more.

Mr. KELLEY. We are attempting to negotiate reciprocal treaties for the sake of promoting our trade, but I believe, in all honesty and sincerity, as the result of my familiarity with the industries of the secondary and of the manager in which in these never times they are country and of the manner in which, in these newer times, they are being interlaced, that this exhibition will do more to promote the harmony of our country, to strengthen our Government, and to advance our industries, than all the treaties that have been sent to the Senate, or that are under consideration by the executive department of the Government.

And I should fail to represent not only the wishes of my constituents but the great industrial energies of my State if I did not appeal to Congress to supplement the aid which it has already given to this exposition by giving that which is now tendered in this bill.

Mr. MILLS. Will the gentleman permit me to ask him a question before he takes his seat?

Mr. KELLEY. Certainly.

Mr. MILLS. If at that exposition at New Orleans you see many peritorious and desirable products of the labor of foreigners who

meritorious and desirable products of the labor of foreigners who should propose to exchange those articles for the products of the labor of our people, would you be willing to vote for a law which would remove the barriers and let us have that trade?

Mr. KELLEY. I will meet the gentleman at Philippi [laughter] or in the room of the Committee on Ways and Means just after the election of Speaker of the Forty-ninth Congress.

Mr. RYAN obtained the floor and said: I yield two minutes to the gentleman from New York [Mr. POTTER].

Mr. POTTER. Mr. Speaker, I desire to protest against this method of passing under a suspension of the rules general appropriation bills carrying such amounts as this bill carries. If there is any matter upon which the care and vigilance of individual members of the House should be exercised under their responsibility to their constituents, it is upon the items of a bill like this. We are not sent here to waste our time in frivolous disputations upon unimportant matters or to vote for pub-lic buildings in advance of the need for them, and then when the last hours of the session come to excuse ourselves from scrutinizing the items of such bills as this in order that they may pass under a suspension of the rules on the ground of want of time, after time has been wantonly consumed and wasted. I claim, sir, that it is the duty of this House to sit here, if need be, day and night, and to go through with each and every one of these appropriation bills, discussing and understanding the items.

Why, sir, here is a bill carrying \$22,000,000. It is a question of 22,000,000 of taxation. This money must all be taken by taxation \$22,000,000 of taxation. from our constituents throughout the country. How are we to justify ourselves to them or to the country in the future if we repeat and confirm and make permanent as a practice in legislation that bills like this are to be passed upon in committee and practically in subcommittee, the body of the committee knowing nothing of the items, and then are to be brought in here and voted in solido. For one, sir, whatever others may do, I shall never vote in favor of passing an appropriation bill of this bridge under superprince of the rules.

this kind under suspension of the rules.

Mr. RYAN. I yield five minutes to the gentleman from Pennsyl-

wania [Mr. BAYNE].

Mr. BAYNE Mr. Speaker, I shall vote for this bill as an entirety.

It appropriates for the New Orleans Exposition. \$300,000. This is an absolute gift; the money will never be returned to the Government.

In connection with the money already given this is a vast fund appropriated out of the Treasury of the country to carry on an enterprise of this character. I shall vote for this bill the more cheerfully because the contempor from Michigan [Mr. HOPP] will propose an approximant. this character. I shall vote for this bill the more cheerfully because the gentleman from Michigan [Mr. HORR] will propose an amendment which will secure the payment to those who have just claims against this exposition. I desire to protect the interests of those individuals and to protect the honor of my Government. Yet I vote for this appropriation under protest; for I believe that the money already given has not been judiciously and properly expended in the management of

I regret for one reason that this bill is not subject to consideration in Committee of the Whole House on the state of the Union, because I find in it a provision for the sale of the arsenals at Allegheny, Pittsburgh, Augusta, Ga., Kennebec, Me., and Indianapolis-all proposed by the Committee on Appropriations and without any recommendation from the Committee on Military Affairs. There is some secret influence or

some power behind the Secretary of War that impels him to make year after year these recommendations to Congress. What that influence is so far as the State of Pennsylvania is concerned I well know. It is an effort to grasp from the Government there a property worth \$3,000,000 by a little coterie, a little ring, which wants to get that property without an equivalent compensation. The Secretary of War I acquit of all blame in this matter; for I know him to be a high-toned and honorable man; but I do know that he is being made the instrument of an infamous ring, which seeks to take this money from the Government.

That very ring sold a few years ago for \$37,000 a property known as the marine-hospital property which was worth more than \$100,000; and that ring went to a member of the ring itself and bought as a marinehospital site for \$30,000 a bare lot which was not worth \$5,000. This legislation—unconsciously on the part of the Secretary of War, unconsciously on the part of the Committee on Appropriations—is calculated and intended to promote the object which this ring has in obtaining this vast property from the Government without giving for it adequate

Mr. RANDALL. My colleague [Mr. BAYNE] will allow me to say that the provision to which he refers is inserted in this bill after re-

peated recommendations from the Secretary of War.

Mr. BAYNE. I am aware of that.
Mr. MAGINNIS. The proposition has never been approved by the
Committee on Military Affairs.

Mr. BAYNE. The proper committee to consider this question, as my colleague must admit—

Mr. RANDALL. Ithink there are proper safeguards thrown around this proposition. I do not believe for a moment that the Secretary of would permit the sale of this property without obtaining for it

the highest possible price.

Mr. BAYNE. I am satisfied the Secretary of War does not intend to do anything but what is right, but this is no time to sell this property at Pittsburgh, and it will be a great mistake if this proposition is

permitted to become a law.

Mr. LONG. I ask unanimous consent to fill a blank on page 3 by inserting \$225,000.

Mr. RANDALL. That is right.

Mr. LONG. It provides for the sale of the old court-house in Boston, and that fixes the minimum at which it will be sold.

There was no objection, and it was ordered accordingly.

Mr. BAYNE. Does this come out of my time?

The SPEAKER. The gentleman from Kansas is occupying the

Mr. HISCOCK. Is this provision in reference to the New Orleans

Exposition to be subject to amendment or not?

Mr. RYAN. Certainly it will be open to amendment. I will now yield for one minute of time to the gentleman from Maine [Mr. Mil-

Mr. MILLIKEN. I desire to say I voted against the former proposition, not upon the ground stated by the gentleman from Pennsylvania [Mr. RANDALL] on the silver question, but because I am opposed to passing an appropriation bill in this way under a suspension of the rules, and upon the ground so succinctly stated just now by the gentle-man from New York [Mr. POTTER].

There are some things in this bill which I believe should not become the law, and there are many things not in the bill which, in my judgment, should be there. I believe it is unjust to the country. I believe it is unjust to the members of the House that the Committee on Appropriations should hold back a bill like this until the close of the ssion and then give the members of this House no opportunity to examine and discuss the different items in the bill.

Mr. RYAN. I now yield five minutes of my time to the gentleman

from Maine.

Mr. REED, of Maine. Mr. Speaker, I do not propose to occupy five minutes, but I should feel I was doing injustice to this occasion if I did not repeat and reiterate what I said upon the passage of the last appropriation bill under suspension of the rules.

It seems to me, sir, that this is a most extraordinary spectacle. Here is a bill containing eighty-six pages and 2089 lines of printed matter and carrying \$22,346,749.74, every word and line of which is to have no discussion and no vote except the \$300,000 appropriation for the ex-

position at New Orleans.

Is that what the House of Representatives is for? Is that why we have been contending, a large number of us, for the right to originate appropriation bills—for the right to pass eighty-six pages of printed matter without examination, without reading, and without knowledge?

Is this the way the business of this country ought to be carried on?

I am surprised that this preliminary time has been employed in advocating the exposition at New Orleans or discussing other matters of that kind. Every minute of it ought to be employed in commenting upon this.

Mr. LEWIS. Did not the gentleman vote for the suspension of the

rules to put the silver clause in it?

Mr. REED, of Maine. I did, because I regarded it as a vote on the silver question, and for the same reason I may vote for this bill now.

As I was about to explain, when the somewhat previous gentleman

from Louisiana interrupted me, I was about to say, one of the worst things about such a presentation is that it forces gentlemen to vote on this subject and become, as it were, participes criminis in its favor, because otherwise they may take upon themselves the responsibility of an extra session of Congress.

I say that is the worst part of the whole business that I am obliged to do what the gentleman from Louisiana has been kind enough to remind me I have done. It is because this House is placed in a few days before its close in such a condition that it can not review the public

expenditures.

And another point of irritation with me is it comes from the hands of gentlemen who have reduced the function of this House almost entirely to auditing accounts. They have reduced us to this kind of business, and then they will not let us do this. Why surely the farce of this plan and system of the transaction of public business can not any further go.

We passed a deficiency bill carrying between three and four million dollars, but that was a mere bagatelle, and here is one that carries \$20,-

090,000, and, rich as the United States is, it is a large sum.

Now I have made my complaint about the matter and I hope some explanation will be vouchsafed the House, seeing how extraordinary the circumstances are, and that some gentleman will give an explanation that will justify the action of the House.

Mr. RYAN.

How much time have I remaining? : ER. The gentleman has two minutes remaining. The SPEAKER.

Mr. RYAN. I will give one minute to my colleague [Mr. ANDER-

Mr. ANDERSON. I will only occupy half a minute to say upon good authority, if this bill should reach the Senate by Saturday that body will have time to pass it. I do not want an extra session, but I do not want eight gentlemen, in whom I have great confidence—that eight gentlemen on the Appropriation Committee shall year after year, for last year they did the same thing—put the thumb-screws upon us, forcing us to suspend the rules and pass this bill. I will not vote to pass it, but on Saturday, after we have had a chance to consider the bill, I will be ready to vote on it.

Mr. RYAN. I concur in everthing that has been said in regard to the impropriety of passing a bill of this kind under a suspension of the rules. On the 9th day of this month I called the attention of the House to the peril which seemed to me to be imminent. It seemed to me then to be a physical impossibility almost to pass the appropriation bills in a regular and orderly way. It has already been developed to be a physical impossibility. It is apparent to me now, as it must be to everybody, that a bill of this character, covering eighty-five pages, covering appropriations for the entire domain of civil service, can not be considered under the five-minute rule in the Committee of the Whole House on the state of the Union without making it almost certain that we shall have to have the Forty-ninth Congress convened in extra session. It is for this reason that I yield my objections to passing a bill of this kind under a suspension of the rules. I do it to avoid a greater peril-

[Here the hammer fell.] Mr. RANDALL. Mr. Speaker, in season and out of season I have warned the House as chairman of the Committee on Appropriations that unless we had the right of way with our appropriation bills we were in danger of an extra session; and repeatedly the Committee on Appropriations has been denied the right of way in this House and voted down.

Now it is manifest by past experience that if this bill is to pass and go to the Senate in time to become a law before the 4th day of March

we must proceed in the manner I have suggested.

In the Forty-seventh Congress, when we came to consider the sundry civil bill in detail, as gentlemen now propose or desire to have it done, it took eight days; and in the second session of that Congress it took six days. The question is, then, whether it shall pass in this way, or whether it shall not pass at all, with the consequences that will necessarily flow from it.

[Here the hammer fell.]
The SPEAKER. The time for general debate on the motion to sus-

pend the rules has expired. There will be now two hours' debate upon the clause relating to the New Orleans Exposition.

Mr. KEIFER. That comes up after the suspension of the rules.

The SPEAKER. The Chair on examination of the original resolution finds that it was mistaken. The vote on the suspension of the rules will be first taken, and after that, if the bill shall be taken up for consideration, there will be two hours' debate.

Mr. WHITE, of Kentucky. I rise to a question of order. The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. I desire to know whether this would be the proper time to make the point of order that this New Orleans appropriation is not legitimately a part of this bill?

The SPEAKER. The bill is not before the House.

Mr. BISBEE. I ask unanimous consent to offer an amendment which

I think the chairman of the committee will accept.

The SPEAKER. The Chair will repeat that the bill is not yet be-fore the House. The first question is, Shall the rules be suspended and

the bill taken up for consideration in accordance with the resolution that has been read?

Mr. RANDALL. I wish to say that I should not object to the amend-

ment I understand the gentleman from Florida [Mr. BISBEE] proposes.
Mr. JOSEPH D. TAYLOR. I rise to a parliamentary inquiry. I
desire to know if the rules are now suspended and we proceed to consider the bill, whether one part of that bill will be carried by a twothirds vote and another by a majority?

The SPEAKER. There will be but one vote upon its passage. It

will be acted upon as an entirety.

The question being taken on the motion to suspend the rules, there

vere, on a division—ayes 118, noes 38.

Mr. HEPBURN. I ask for the yeas and nays. Let us see how many gentleman are willing to put themselves on record on a yea-and-nay vote in favor of passing a bill of this character.

Mr. KEIFER. The bill is not being passed by this vote.

The SPEAKER. The gentleman demands the yeas and nays.

The yeas and nays were not ordered, 29 members only voting therefor.

So (no further count being demanded, two-thirds having voted in favor thereof) the rules were suspended and the resolution agreed to. The SPEAKER. The Clerk will report the clause of the bill in relation to the World's Cotton Centennial Exposition.

Mr. BAYNE. I ask unanimous consent that lines 1417 to 1424, inclusive, be stricken out. I refer to those lines which give peremptory orders to the Secretary of War to sell certain arsenal property.

Mr. RANDALL. I have no such authority from the committee.

Mr. RANDALL. I have no such authority from the committee.
Mr. KEIFER. There is objection to that.
Mr. BISBEE. I ask unanimous consent to amend the bill from line 402, page 17, after the word "Georgia," to insert the words "Saint John's River, Florida." I understand the chairman of the committee has no

objection to the amendment.

Mr. RANDALL. That was intended, I think, to be put into the bill.

The money is appropriated for the lighting of that river, and of course

it ought to be put in. There being no objection, the amendment was incorporated in the

Mr. ANDERSON. I wish to inquire whether it is in order to have the bill read

The SPEAKER. Any gentleman can demand its reading before the

wote is taken.

Mr. ANDERSON. Can it be called for after the debate?

The SPEAKER. At any time before the vote is taken.

Mr. RANDALL. I will throw no obstruction in the way of that.

Mr. THOMAS. I wish to make a parliamentary inquiry as to whether amendments can now be offered before the general debate begins?

The SPEAKER. The Chair thinks they can after this paragraph is

Two hours are allowed for debate on this particular paragraph. The Chair thinks after the debate has closed amendments may be offered or they may be offered now.

Mr. THOMAS. Amendments may be offered to other sections of the

The SPEAKER. No; only to the one section.
Mr. MILLIKEN. I ask unanimous consent Mr. MILLIKEN. I ask unanimous consent to amend the bill by striking out all after the word "Indiana," in line 1422, and before the word "and" where it occurs the second time, being the following words: And Kennebec arsenal, Maine,

Mr. RANDALL. The committee have not authorized me to accept

such an amendment,
The SPEAKER. There is objection.
Mr. COX, of New York. I am requested to ask unananimous consent to insert at the end of line 2031 what I send to the desk. The Clerk read as follows:

One chief page, Alvin H. Pickens, \$900.

Mr. RANDALL. I have not the authority to accept that, although I think it is right. He is a good boy.
Mr. CONNOLLY. I object.
Mr. RANDALL. I think it is right, and it can be put on in the Sen-

Some time subsequently Mr. CONNOLLY withdrew the objection. There being no further objection, the amendment was incorporated in the bill.

Mr. WHITE, of Kentucky. I desire now to make a point of order on this clause relating to this New Orleans Exposition.

The SPEAKER. The House by a two-thirds vote has directed the

consideration of that.

Mr. WHITE, of Kentucky. I make the point of order that it is not germane to this bill, and that even if the rules have been suspended it must be considered under some parliamentary procedure. I therefore make the point of order that this proposition for New Orleans is for an

expenditure not previously authorized by law, that it is not germane to the bill or appropriate to it, and consequently not in order.

The SPEAKER. The Chair has already ruled that the House has suspended the rules by a vote of two-thirds and directed this particular matter, by being specially mentioned, to be considered and voted upon in the House, which of course precludes any question of order as to the right of the House to consider it.

Mr. HORR. Mr. Speaker, I rise for the purpose of calling the attention of the House to the clause in this bill which appropriates \$300,000 in aid of the Cotton Exposition now being held in the city of New Orleans; and I desire to say to the members present that what I shall say to-day is in no spirit of enmity toward that exposition nor in any spirit of sectionalism. You will all remember that I did everything in my power to get the Congress of the United States at its last session to make the loan of \$1,000,000, and the RECORD will bear me out that I went so far as to state that that loan should be made even if none of it should be repaid. But I wish to state to this House now, and I think I can prove it to 'the satisfaction of every member here, that the loan which we made at that time was obtained under false pretenses; that it was obtained upon statements that were claimed to be facts which are now admitted not to have been true. And I shall further prove to the House, I think, that the money already given has been expended in such a manner as not to warrant the appropriation of any more money to be

expended by the men at present managing that exposition.

Now, Mr. Speaker, in the first place, every member on this floor will recollect that we voted the loan of \$1,000,000 upon a direct assurance of the gentlemen in the vicinity of New Orleans—and they will not take it as an offense if I give their names—Mr. Ellis, Mr. Money, and Mr. BRECKINRIDGE, all of whom assured the House that \$700,000 had been paid in, and that they expected the city of New Orleans to give \$100,000 had been raised by the people of New Orleans and vicinity, and had been actually paid in, and that they expected the city of New Orleans to give \$100,000 in addition to that amount, and also that the State of Louisiana would donate another sum—\$50,000, or perhaps \$100,000.

Mr. Speaker, I know those gentlemen will not think for a moment that I claim or even insinuate that they misled the House purposely.

There is not one of those three gentlemen whom I have named in whom I have not unbounded confidence as being men of honesty and honor. Mr. BLOUNT, of Georgia, and he will excuse me for naming him, pressed this question very hard upon those gentlemen, as the RECORD I have here before me will show. He asked them what guarantee he had that any amount had been subscribed or had been paid in. Mr. Money answered (I read from the RECORD of that date):

There are already \$700,000 cash subscribed to this enterprise; and this sum is being increased day by day. In addition there are all the receipts of the exposition, the gate-money, and so on, which must be greater than the expenses.

If the gentleman will allow me, I will ask the gentleman from Mississippi if \$700,000 as a matter of fact has been paid in.

The gentleman's question was thus answered:

Mr. Money. I am told by the general director that is true. Mr. Ellis. Nearly \$750,000, and increasing all the time.

Mr. BRECKINGIDGE further on stated the same thing.

Now if it is possible to make a statement more complete than that I am unable to conceive the language in which it can be done. true? I have no doubt the managers of this enterprise told those gentlemen they had this amount raised. But what was the fact?

I have here the report of the general manager of this exposition made to the President of the United States. He shows that instead of \$750,000 having been subscribed and paid in at that time there was in fact only \$384,168 pledged at all; and that the \$100,000 spoken of from New Orleans was afterward given and the \$100,000 from the State of Louisiana was afterward donated, so that if the \$750,000 had been paid in at that time as stated, the people of Louisiana would have raised from \$900,000 to \$950,000, instead of the \$584,168 now claimed for

Ah, but stop! The city of New Orleans subscribed \$100,000. Did she pay it? How? Why, I suppose in cash. On what condition, Mr. Speaker? On condition that the exposition should occupy a park belonging to the city of New Orleans, and that they should improve that park by a public building costing \$50,000, and by underdraining and artificial lakes, &c. And this report of those gentlemen shows that while they got from New Orleans \$100,000 they turned around and paid out for her benefit in improving this park over \$130,000, so that New Orleans, instead of being out \$100,000 for the purpose of inducing the people of this country to come within her city limits and make the people of this country to come within her city limits and make this great exhibition a success, has already got in improvements \$30,000 more than she paid in. And Mr. Burke, the man who manages this thing, stated to our committee that the building the cost of which is a part of this \$130,000 does not belong to the United States as security for the \$1,000,000 loan, but belongs to the city of New Orleans.

Mr. POTTER. Has not the Government a lien on it?

Mr. HORR. We have no lien upon it. The arrangement was that it was to belong to the park and to be the property of the city of New Orleans. It is a part of the permanent improvement of the property

belonging to the city.

Now then, Mr. Speaker, if these people—I will use the term I mean—had been honest with us and had raised the money they said they had, that exposition to-day would be on its feet and would not be here begging for a further appropriation to keep in it the breath of life. But what have they done with the money that we have given them? That

is a conundrum. I defy any man to take their report and show what has been done with it except in a general indefinite way such as does not admit of any accuracy whatever or of any verification. They furnished to us a statement of their indebtedness. I will say to the members of this House that this exposition has had good success in getting into debt; the statements rendered leave no doubt as to that.

I hold in my hand a list of the stated amounts which they claim that they owe. It covers one hundred and fifty items, running from \$6 up

to \$30,000 each.

Mr. HAMMOND. Will the gentleman allow me to ask him a ques-

Mr. HORR. Yes, sir.
Mr. HAMMOND. How much of that is due in Pittsburgh, Pa.?

Mr. HORR. I will come to that immediately. They furnish another statement, Mr. Speaker, in which they attempt to show where this indebtedness is due. I wish to call the attention of the House to that debtedness is due. I wish to call the attention of the House to that statement, from which it appears that they owe in Saint Louis, Mo., \$7,400; in Grand Rapids, Mich., \$1,800; in New York, \$10,300; in Boston, \$1,200; in Baltimore, \$2,500; in Newark, N. J., \$5,000; in Pittsburgh, Pa., \$76,500; in Ohio, mainly in Cincinnati, \$45,700; in Chicago, \$4,250. Then there are premiums awarded which are due mostly to parties living outside the State of Louisiana, \$25,000, none of which have been paid. There is also due to the Electric Light Company \$25,000. And then there is the broad statement that they owe in New Orleans and vicinity \$164.772.

in New Orleans and vicinity \$164,772.

Now, it is utterly impossible for me to tell just how much of that is due to people in and about New Orleans. I have learned, however, that one item of a little over \$7,000 is due to people living in Mobile, Ala. No account has been rendered that will enable us to tell how much money they have put into any particular building, but it must be evident to anybody who examines these accounts, as I have tried to do, that the bulk of this indebtedness is for the material purchased in the States outside of Louisiana, while the mangement owes but little for the work and material furnished by the people in and about New Orleans. They also bought a railroad which cost over \$61,000. It is a road four or five miles long, and from all I can learn of little value after the exposition closes. This railroad, we are told, will be a part of the assets belonging to the United States as security for the \$1,000,000 loan.

I find another trouble. When I come to take the items of the account rendered as to debts due outside of the State, I find that they do not correspond at all with the same items given in the general list. There is not on the two papers, so far as I can find, a single account that agrees with itself on both lists. As stated on one paper each item varies from \$500 to \$2,000 from the statement on the other paper. That leads me to fear that there is not any great accuracy even in these apparently official statements. Now, Mr. Speaker, what I complain of is this: We loaned to these people \$1,000,000; it was done in good faith. We loaned it upon their statements to this House, through their general We loaned it upon their statements to this House, through their general agent, that they had already raised \$750,000, and would raise more. They come now and ask us for more money, saying that they are in debt, but they furnish no statement from which any man can get an intelligent idea of what has been done with the money they have already had, and they admit from the start that all that has been raised, including the donations from the city and State, is only \$584,168. One thing, however, is clear and certain—they have managed to leave the men who furnished them with their roofing, with their shafting, with their iron and steel, with their chairs and their settees, and all their furniture; they have managed to leave all those men unpaid who furnished their from and steel, with their chairs and their settees, and all their furniture; they have managed to leave all those men unpaid who furnished the material that has gone into the exposition buildings. They come to this House now and ask for \$300,000 more; they ask for \$500,000, but our committee has restricted them to \$300,000, and they propose what? Why, that that money shall be distributed first on the debts that are a lien under the laws of the State of Louisiana. What does that mean? I will be frank. I fear it means that every man on the ground—living right there in New Orleans—will get his proportion of the \$300,000, while the creditors in Pittsburgh, in Ohio, and all over the country where there is \$204,000 at least, I think about \$235,000 due, will not get a

Again, they leave the men who have taken their stock there, their cattle and their horses, their exhibits in general, from all parts of the United States on the promise that they should receive certain premiums if the quality of their goods entitled them to such premiums. The managers of this exposition have permitted these men to take their stock there and have made them awards of premiums, but have paid none of them. That is to say, the very men who have made the show a success, so far as the exhibits are concerned, have been to all the expense of getting their stock and wares there under a solemn prome of receiving certain premiums, have so far received simply an award

but no money.

Mr. HAMMOND. Will the gentleman allow me to ask him a question for information only?

Mr. HORR. Certainly.

Mr. HAMMOND. This proposed preference is to be given to such debts as constitute a lien upon the buildings and machinery on the exposition grounds. Why does the gentleman say that that would exclude non-resident creditors? It would not under the laws of Georgia.

Mr. ELLIS. Nor would it under the laws of Louisiana; but I did

not want to interrupt the gentleman.

Mr. HORR. I know nothing about the laws of Louisiana in that regard, although I have tried to learn them. But I find that laborers regard, although I have tried to learn them. But I mut that incorers and men who furnish material who are right on the spot have an advantage in regard to payment. There is no doubt about that, is there? Mr. ELLIS. The laborer and the material-man are paid first. Mr. RANNEY. I wish to inquire whether in paying off the liens the lien on that building which is to belong to the city is to be paid? Mr. HORR. I do not understand that there is any lien on that building. There have said on that as they went along. There is no

building. They have paid on that as they went along. There is no report of indebtedness on the city building. But, mark you, this matter as the bill now stands is left open to judicial decision. I am not acquainted with the lien laws of Louisiana; but I do know that up to this time those who are concerned in the management of this entermanagement of this entermana prise have succeeded in not paying these men from abroad; and my friend from Georgia well knows that a man from a distance is at a great disadvantage in enforcing even a lien. The amendment which I shall propose to this bill is intended to provide against all such difficulties; and I do not believe the gentleman from Louisiana will object to it.

Mark, Mr. Speaker, what Congress has already done for this exposition. We loaned it \$1,000,000, every cent of which has gone into Louisiana, into these buildings and other expenses, they tell us. Secondly, we gave \$300,000 on account of the exhibits that the United States Government has sent down there. Now if we give them \$300,000 more that will make \$1,600,000 that we have put into the lap of the people of New Orleans and vicinity. But that is not over one-third of what really goes there. Every man who pays his 50 cents at the gate what really goes there. Every man who pays his 50 cents at the gate leaves at least \$3 or \$4 at the hotels and other places in the city. If a

leaves at least \$3 or \$4 at the hotels and other places in the city. If a man gets off with \$3 or \$4 per day he is lucky, in my judgment.

Now this whole amount aggregates several millions; and I say it is no more than fair that the American Congress, if it is going to contribute any more money, should see that it goes to pay the debts of the people who live abroad, the people away from this center, and who have to work at arms' length in order to get their pay, and leave the management to take care of their own people in New Orleans and vicinity.

I am aware that in saying this I am compelled to speak somewhat against the present management of that exposition. I have letters by the half hundred here telling me that the management is such as to ab-

the half hundred here telling me that the management is such as to absolutely preclude men from abroad from getting any money either for premiums or material; and among them all there is not a single writer who does not advise against paying any more money to the present management. Several of the gentlemen who came here asking for this appropriation said in so many words, "If you give this money, for God's sake give it so that it will do some good to the men who are now in trouble." The amendment which I propose to offer is as follows:

For the purpose of aiding the World's Industrial and Centennial Cotton Exposition, now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$300,000, or so much thereof as may be necessary, to be immediately available, and to be used, first, in the payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations living and doing business outside of the State of Louisiana, including debts due to foreigners or foreign nations, and such as are due to States and Territories from said exposition.

Their statement shows that they owe Territories and States a little over \$17,000. I propose that this shall be paid.

Secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition in accordance with lists of awards heretofore published.

This will take probably about \$67,000. It will secure the payment to people who have taken their stock and material at great expense and gone down there, to make the exhibition a success

I hope you will all give attention to this-

Said money to be disbursed under the direction of the Secretary of the Treasury, who shall make proper rules and regulations for the form and verification of vouchers in proof of such indebtedness; and the Secretary of War is hereby directed to detail to the assistance of the Secretary of the Treasury a paymaster of the regular Army, who shall carry out the instructions of the Secretary of the Treasury and disburse said funds in such manner as the Secretary of the Treasury shall prescribe.

Mr. ADAMS, of New York. What are the total liabilities?
Mr. HORR. The total liabilities are \$436,080, but subject to a de-

crease, leaving actually about \$346,000.

Mr. BAYNE. The gentleman will allow me to suggest that the mechanics' lien law of Louis ana gives preference to the workingman, who, if the contractor fails to pay him, may under the mechanics' lien law of that State file lien after lien, piling them up one after another; and thus this entire sum may be absorbed unless some such amendment as that proposed by the gentleman from Michigan shall be adopted.

Mr. WHITE, of Kentucky, Mr. ELLIS, and others, sought to inter-

Mr. HORR. I can not yield. I want to close my remarks, because there are other gentlemen who wish to talk. I desire to say that from the best information I can get the indebtedness, after deducting cash on hand, is about \$346,000.

The question may be asked why it is that these premiums have not been paid by the gate-money? For this simple reason: While the gate-

money has been in excess of expenditures to the amount of quite a number of thousands of dollars—

Mr. LONG. The current expenditures.
Mr. HORR. I mean in excess of the current expenses, for several days, it turns out that in February last there was a loan effected, I do not recollect for how much.

Mr. LONG. Sixty thousand dollars.
Mr. HORR. Sixty thousand dollars, perhaps—and a lien was given on the gate-money to pay the parties who furnished the money in the city of New Orleans. So the exposition to-day is just in this fix: It is out of funds with the exception of gate-money receipts. The gate-money receipts are pledged to the parties there in New Orleans to pay for borrowed money. They owe outside of Louisiana, in my judgment, for borrowed money. They owe outside of Louisiana, in my judgment, two hundred and thirty-five or two hundred and forty thousand dollars. Their premiums will amount to about \$67,000.

Mr. ELLIS. Why does not the gentleman state that fairly. The impression he would leave on the House is that all the gate-money is

pledged.

Mr. HORR.

Mr. HORR. What is it?

Mr. ELLIS. State it fairly. The gentleman would leave the impression on the House that all the gate-money is pledged for debt there. That is the impression you leave, and you know it is not true.

Mr. HORR. What is not true? Did they not borrow the \$60,000, and did they not pledge the gate-money as security for its payment?

Mr. ELLIS. There was \$60,000 borrowed, and \$18,000 has been paid back day by day, and since we received the statement \$9,000

more; and that is the end of the busines

Mr. HORR. That is precisely what I tried to state. Mr. ELLIS. No; you said the gate receipts were pl Mr. ELLIS. I beg the gentleman's pardon.

Mr. ELLIS. I beg the gentleman's pardon.

Mr. HORR. Except for the payment of current expenses. That is the statement as it was made to me.

Mr. ELLIS. The record does not bear you out.

Mr. HORR. How much is pledged? Let us get at the facts. Let us understand this matter before we go on.

Mr. ELLIS. Sixty thousand dollars originally, and when we received the statement \$18,000 had been repaid.

Mr. HORR. Wall!

Mr. HORR. Well!

Mr. ELLIS. Since that it has been repaid under agreement at \$1,000 day, which makes twenty-five or twenty-six thousand dollars that

have been paid.

Mr. HORR. Very well; they are not paying these debts outside of New Orleans or any premiums, are they, until the \$60,000 shall all be

repaid? Mr. ELLIS.

Mr. ELLIS. They are paying a special loan. Mr. HORR. That is just what I said. The gentleman has taken three or four minutes of my time and he comes out just where I came We can not differ about the facts.

Mr. ELLIS. I will give you more out of my time.
Mr. HORR. I have stated it as it is. There is no use of trying to look at this in any other way than straight in the face.
Mr. ELLIS. The gentleman's statement was unlimited.
Mr. HORR. I stated that \$60,000 was borrowed in New Orleans.

A temporary loan.

Mr. HORR. A temporary loan, if you please; but to secure its payment the managers pledged the gate-money, as I understood it—that is, all over and above the current expenses, which had to be taken out first. But to conclude: The exposition owes about \$230,000 outside of the city of New Orleans for material furnished to put into these build-ings. The premiums, if I mistake not, amount to \$67,000. By my amendment I propose, if we give this money, we shall protect the parties who have been looking somewhat to the protection of the National Government by paying these premiums and leaving the gate-money, leaving the buildings, leaving everything to secure the people who live right around there and can protect themselves. My desire is to relieve the managers from embarrassment by paying all their outside debts and securing the payment of all their premiums.

I say this is a fair proposition and one which should be accepted in

good faith by the members representing this exposition.

Mr. ELLIS. If they accept it, will the gentleman vote for the appropriation?

Mr. HORR. Yes, if you will make it so the money will go to these people. I will do it regretfully, but I will do it. Will you put it in the bill in that way?

Mr. ELLIS. I will see. [Laughter.] Mr. HORR. Now, Mr. Speaker, I desire to yield five minutes, which

Mr. HORR. Now, Mr. Speaker, I desire to yield five minutes, which is all I can spare, to the gentleman from New York [Mr. POTTER].

Mr. POTTER. Mr. Speaker, in these five minutes I desire as well as I can to recall the House to what I said a year ago on this bill and to awaken it, if possible, to the dangers which lie before us in entering upon this policy. We were told here a year ago this was a loan for which sufficient precedent was found in the loan for the celebration of the one hundredth anniversary of the Declaration of Independence at

the city of Philadelphia in 1876. We were told there was no doubt this money would be paid back; we were assured with all the eloquence, earnestness, and persuasion of the honorable member from New Orleans [Mr. Ellis] that we were in no danger of losing anything in loaning this money. It was not then the most important objection with me that we were to lose it, nor is it now that we are to lose what is given in this bill, but my objection lies in the fact that we are in this way entering upon a course which will overthrow and annihilate the principles of our Constitution.

It is changing this Government into one of patronage, converting the States and people of the United States into beneficiaries and supplicants. If it shall go on, it is introducing into the affairs of this Government, under control of political parties which from time to time may

have possession of this Government and this Congress—it is introducing an element of influence, of patronage, and of destruction, I had almost said, of the fundamental principles of the Government itself.

This Government, sir, is one of prescribed and limited powers. To maintain and carry out these powers it may lay taxes and raise revenue, but beyond this it has no power to lay taxes, and can not lay them except in disregard and disobedience of our Constitution. It has no power to patronize States or the people of the States. Let it assume and exercise this power as governments of unlimited powers may and do exercise it, and the end of constitutional liberty is not dis-

Why, sir, if there is a doubtful State to be carried four years hence in some other part of this Union what are we to do but to get up another exposition and vote millions there to make the State solid? Can there be any doubt but that this element of patronage, this power to lay taxes and dispose of the public funds in this manner, so as to provide States with the ability to carry on such exhibitions as this, is an element that must undermine the very foundation of the Government it-

self if persisted in.

Sir, I said a year ago, and I repeat now, that there can be no justification for giving this amount of money that can not be urged with equal cogency and reason for almost every other State in this Union that equal cogency and reason for almost every other State in this Union that we may want to carry four years from now for political reasons. Four years from now California's vote may be doubtful, and it will be said that if you inaugurate a great exposition there and let the light of our great commerce shine over the Pacific Sea and extend to the nations of the West we shall be promoting the growth of this country and exercising the constitutional power of the Government in promoting commerce. That argument can be made with equal reason in that instance as in the case now before us, and that argument will be, if the eloquent and able member from Pennsylvania [Mr. KELLEY] shall then be here, in the exact line of the eloquent persuasiveness with which he addresses this House to-day.

Now, sir, I protest if we are to give this money at all, that with equal reason and justice we may be called upon to do the same thing in every seaport in this land. Ay! we may be called upon to grant the same at Buffalo, upon the lakes, upon the Pacific shore, and throughout all the States of the country, introducing this as a new element in the government of our country. I regret to see it entered upon under Democratic auspices and by a Democratic Congress. I regret to see this Congress introduce the doctrine that we may lay taxes upon the people of this country in order to provide money to bestow favors where it pleases the administration and the power that has charge of the Treasury of the nation to bestow them.

Here the hammer fell].

Mr. HORR. I now yield five minutes to the gentleman from Illi-

Mr. HORK. I now yield he minutes to the gentleman from filmois [Mr. ELLWOOD].

Mr. ELLWOOD. Mr. Speaker, my object in taking the floor to make a few remarks is simply to prepare the way for an amendment which I shall propose to offer at the proper time. As the gentleman who has just occupied the floor has said, from a statement made here by that committee at New Orleans, that they had raised \$750,000, this House was induced to appropriate in aid of that exposition the sum of \$1,-

I do not hesitate to say, sir, for one moment that had it not been for the fact, as we were assured, that \$750,000 had been raised by donation this House never would have appropriated a million of dollars for any such purpose. Now on a statement of that sort that a donation of that amount had been made this Congress, as I have said, appropriated \$1,000,000. That money was appropriated with certain conditions. It was appropriated with the understanding in the first place that \$750,-000 had been raised, and with the million of dollars appropriated by this House should be used to erect buildings not to exceed in cost that amount, and for this reason that when these building were completed they would be free from indebtedness. More than that, right in the act itself of the first session of this Congress they make another reservation, that all-the receipts from that exposition above the legitimate expenses are to be given to liquidate the indebtedness of the Government loan.

Now, Mr. Speaker, I make this point, that right in the face and eyes of that provision of law this board of managers has created an indebtedness that they had no right to create, and have enlarged and extended he fraud by pledging the very receipts for its payment that had been already pledged to this Government. For fear that this fraud would be perpetrated upon the Government, the House required the directors of the exposition to give a bond that this money should be judiciously invested according to the act passed at that time; and I propose to offer a resolution here with reference to that bond.

I am no lawyer, but I state this fact without fear of contradiction, that the bond as given under the statute as it now stands, that no in-debtedness should be made over and above the donation of \$1,000,000, and then this indebtedness created by them against the very surplus that was to pay that loan, that these bondsmen have not done their duty and should be held liable for the \$300,000 of the bond. My idea is, then, that we collect the \$300,000 and pay these premiums if necessary. I do not care, sir, to take up the time of the House, but I shall move an amendment at the proper time and at the right point, that a committee of three members, on which I will not accept a position, shall be appointed to investigate this whole transaction and report to this House previous to the 10th day of December. When that report is made, if we ought to pay any more for that exposition—if we are to be defrauded out of any more money—let us appropriate it when that report gives

Mr. HORR. I now yield three minutes to the gentleman from New

York [Mr. MILLARD].

Mr. MILLARD. I desire to occupy the attention of the House but for a single moment. If I thought this additional appropriation would be a single moment. make the exposition a success I would not oppose the measure. But I do not believe at this stage and at this season of the year that there is sufficient money in the national Treasury to make the exposition a

I hold in my hand a letter written by an exhibitor, one of the lead-I fold in my hand a letter written by an exhibitor, one of the leading citizens of my State, who has been present at that exposition from the commencement, representing one of the largest industries of this country, and he gives briefly the reasons why the exposition can not be made a success by any appropriation or by any action on the part of Congress. I ask, in order that the House may be possessed of the facts, that this letter be read. I make it a part of my remarks.

The Clerk commenced to read the letter sent up by Mr. MILLARD,

which is as follows:

NEW ORLEANS, LA., February 3, 1885.

Hon. STEPHEN C. MILLARD, House of Representatives, Washington, D. C.:

I do not now propose to ask of you a favor which if granted will interest me more than any citizen of the United States generally.

I have been in attendance at this New Orleans Exposition since early in December last. I have been a close and careful observer of the manner in which it has been managed and mismanaged. It now seems that the present board of management have run their full length. All moneys placed in their hands so far have been disposed of. I do not know, but I assume that it has been properly and honestly disbursed. They are also in debt to the amount of nearly \$400,000. Neither buildings nor grounds are completed, and they have insufficient means to light the building or furnish power to run the machinery already in place, to say nothing about a very large quantity of heavy machinery not yet placed and ready to be operated. The means of conveyance to and from the grounds by horse-cars and steamboats is insufficient to handle a sufficient number of visitors to even pay running expenses, besides being slow, tedious, and unsatisfactory in the extreme.

While there are many interested largely in the exposition, still hoping that it may be carried through to success, I am satisfied that the great majority of the heaviest exhibitors would be more than glad if they could honorably withdraw within the next twenty days under the most favorable circumstances which can now be looked for. Scarcely one can be found who would not use all the means at command to have it closed at once rather than that Congress should attempt to bolster it up by putting more money in the hands of the present management.

In my humble opinion (and I believe that will be found to differ but slightly, if at all, with the opinion of every honest and intelligent man here having knowledge of the situation), but one course can be pursued at this late day in order to set the great circus on its feet again and achieve even a partial success.

The present management must be compelled to give an accurate and exact accounting, as far as in their power, and surrender the entire control over to the Government of the United States.

At least \$500,000 must be forthcoming for immediate use; the best man in the United States be placed in charge, with full power to push everything to completion at once, to arrange with Southern railroads for rates to visitors not to exceed I cent per mile, and thus restore confidence to exhibitors, citizens of New Orleans, and to the people of the United States.

Within the next twenty days rapid transit must be provided between the principal part of the city and the exposition, sufficient to handle at least 50,000 visitors daily in addition to the present mule-cars and river boats, which are insufficient to handle more visitors than are required to pay running expenses; saying nothing about the tediousness and great discomfort of this means of transit.

This is what should have been done nearly two months ago, and in fact there is some reason for doubtire the present the contractors.

summent to handle more visitors than are required to pay running expenses, saying nothing about the tediousness and great discomfort of this means of transit.

This is what should have been done nearly two months ago, and in fact there is some reason for doubting the propriety of trying to recover at all at this late day. Still if prompt and decisive action is taken at once, I have every reason to believe that there are so many people throughout the United States who ought and would under the new state of things come here and pay their money at the gates of the exposition, as to enable the Government to pay all outstanding claims, in addition to running expenses, and also get back the greater portion of the moneys advanced. As things are, if no help is given, not a dollar of the debt will ever be paid, and the Government can not hope for the return of a single cent of the original loan. Unless a change of some kind is made for the better. I doubt whether running expenses can be met with the daily receipts from this time on, certainly not after the 1st of March.

If the management can not be taken entirely out of the hands of the present board at once, and the requisite funds be forthcoming and an entire revolution worked within the next twenty days, it would be far better that the whole thing go into the hands of a receiver at once, and exhibitors allowed to withdraw their exhibits and go home.

I trust that you will deem this a matter of no little importance, and do what

you can to prevent the Government from being imposed upon in this connection.

If I can get away from here before Congress adjourns will see you at Wash-

Sincerely, yours.

Before the reading of the letter was concluded,

The SPEAKER pro tempore said: The time of the gentleman has expired.

Mr. HORR. I yield one minute more for the Clerk to continue the

reading.

The Clerk continued the reading of the letter. Before he had con-

The SPEAKER pro tempore said: The extension of time has expired.

Mr. HUTCHINS. What is the date of that letter?

The CLERK. February 3, 1885.
Mr. MILLARD. I ask that the whole of the letter be printed in

There was no objection.

Mr. HORR. I now yield five minutes to the gentleman from Georgia

[Mr. Hammond], and I desire to reserve the rest of my time until I hear what may be said on the other side.

Mr. HAMMOND. The gentleman from Pennsylvania [Mr. Randall] has also promised to give me three minutes, and has agreed that I may use that time now. I may not desire to use the eight minutes, but I ask that the gavel shall not fall if I trespass up to that limit.

When the proposition was originally made, with very much doubt as to its propriety, but relying on the promises then made and the representations before me, I voted for the loan of the \$1,000,000. I shall not vote for this \$300,000. All the reasons for my not doing so I can not give. Some of them have already been given, though not just in the form in which I would present them.

The honorable gentleman from Pennsylvania [Mr. Kelley] announced that he was in favor of the proposition, to save the national honor. I began to watch the development to find wherein the national honor was involved. But there has been no word uttered that has made any such impression upon my mind. The honor of this nation will be intact whether that \$76,000 due to Pittsburgh shall be paid or whether it shall take what it can find in the assets of the company with

all the other debts.

all the other debts.

This is not a proposition to protect national honor. The debate here shows just the contrary. That is the first appearance of it, but only the first appearance. The proposition urged here by the gentleman from Michigan [Mr. HORR] is that it is settled that the United States will undertake to pay the debts which this corporation may be unable to pay. The contest is between the local creditors and the foreign creditors. I know no authority for paying either. Gentlemen who sold their wares from Ohio and Pennsylvania and New York to that corporation sold them as they sell goods to other corporations and persons and took all the risk of insolvency in the debtor and of bad collection laws in the all the risk of insolvency in the debtor and of bad collection laws in the

Will my friend from Georgia yield for a question?

Mr. HAMMOND. I can not yield.
Mr. BAYNE. I can disabuse the gentleman's mind of that impression.

Mr. HAMMOND. I can not yield. The contest here, they say, is as to who shall have this money after the \$300,000 shall be appropriated. If I were going to make choice in that particular I should give it to the laborers who put together the machinery and who built the houses and who beautified the grounds, even though they may live in and around New Orleans. But I will tell the gentleman they do not all live there. That city did not furnish and could not furnish the force for this great work. They have come from all parts of the country to reap the daily reward of their toil, and those day-laborers should be preferred in this instance just as they are preferred in the lien laws of my State and your States, where, in the last resort, when but few debts can be paid, there is a just discrimination between those who can not afford to lose and those who can afford to lose.

I desire to say before I close one other thing. The gentleman from Mr. HAMMOND. I can not yield. The contest here, they say, is

I desire to say before I close one other thing. The gentleman from Pennsylvania [Mr. RANDALL] perhaps was correct in his declaration as to the sentiment of this House on the silver question. And yet he had no authority to assign the reasons of any gentleman voting but his own. These two propositions of silver coinage and this \$300,000 were coupled together when that vote was cast. Many various reasons in-

fluenced different persons in that vote.

I desire to say one other word. The gentleman from Maine [Mr. Reed] painted in colors not at all too strong the bad practice of passing appropriation bills under a suspension of the rules. But he did paint entirely too strongly the reasons which he thought impelled the bad practice to-day. I may be pardoned for saying (for I have had a large part of the suffering while I was a witness in that chair for the past two weeks) a word as to the reason why there is now no time to leavislate in the regular way. legislate in the regular way.

Mr. HORR. I understand the gentleman is now talking in the time

of the gentleman from Pennsylvania.

and harbor bill. I do not believe that I could utter a sentiment which will more cordially receive the indorsement of every honest man than the one I have just uttered.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. HAMMOND. It is a good time to quit, with that last sentence.

Mr. HORR. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has five minutes of the our remaining. The gentleman from Ohio [Mr. FOLLETT] is recognized. hour remaining.

nized.

Mr. FOLLETT. Mr. Speaker, the proposition now before Congress is not an original proposition for the making of an appropriation in aid of the New Orleans Exposition, nor did it originate with this Congre By an act of the Forty-seventh Congress the Government was fully committed to this matter, and I desire now to call attention to certain passages of that act. After the "whereases" I find this:

Be it enacted that a World's Industrial and Cotton Centennial Exposition be held in the year 1834 under the joint auspices of the United States Government, the National Cotton Planters' Association of America, and the city where it may be located.

Then it provides that the management of this exposition shall be appointed by the President of the United States upon the recommendation of these two boards; so that the management of the exposition are officers provided for by act of Congress. What more did Congress do? In the ninth section of the act it is provided that the President be "requested to send, in the name of the United States, invitations to other governments to be represented and take part in said World's Industrial and Cotton Centennial Exposition, to be held in some city of the United States to be hereafter selected."

Mr. DEED of Maine Will the centleman permit a word?

Mr. REED, of Maine. Will the gentleman permit a word?

Mr. FOLLETT. Certainly.

Mr. REED, of Maine. I desire to say to the gentleman that the debate at the time when that bill passed shows that it passed under assurances from the promoters that the exposition should be without ex-

pense to the Government; and I can produce the debate.

Mr. FOLLETT. Whatever the assurances were, that is the law, and in that act the Government of the United States is committed to this exposition and its honor is committed by the invitation to the other nations of the world, as well as to our own States and Territories, to participate in that exposition. We sent those invitations abroad, and to-day there are twenty-nine foreign governments which have exhibits in that exposition; and the Republic of Mexico, our nearest neighbor, has expended over \$500,000 in connection with the exposition.

Mr. HISCOCK. May I ask the gentleman a question?

Mr. FOLLETT. Certainly.

Mr. HISCOCK. If we discharge our obligations to those foreign nations, why have we not done all that is required of us?

Mr. LONG. There are no obligations.

Mr. HISCOCK (to Mr. FOLLETT). What are considered. nations of the world, as well as to our own States and Territories, to

Mr. LONG. There are no obligations.

Mr. HISCOCK (to Mr. FOLLETT). What are our obligations?

Mr. LONG. We owe them nothing.

Mr. FOLLETT. No money obligation, but the obligation of good faith on our part to make this exhibition what we represented to them

it should be when they incurred this expenditure in coming to our shores and advising us of their products.

Mr. MILLIKEN. May I ask the gentleman a question?

Mr. FOLLETT. No; I can not stop; I have not time. What more have we done? There are forty-six States and Territories represented there. Every State and Territory of the Union, with the single exception of Utah, has an exhibit at that exposition, and those exhibits ception of Utah, has an exhibit at that exposition, and those exhibits have been prepared and sent there, of course, at large expense. In yesterday's Ohio papers I find a little report made by the speaker of the Ohio house of representatives, who has recently visited the exposition. There was a charge in Ohio (as there is upon the floors of Congress) that there had been bad faith, maladministration. It was alleged that men who had been intrusted with the representation of their States and Territories had violated their trusts. Thereupon the Legistature of Ohio (just as the gentleman from Michigan [Mr. HORR] is doing here to day with reference to the management of the exposition) doing here to-day with reference to the management of the exposition) discredited the management of the Ohio commissioners and their good faith in the expenditure of the money which the State of Ohio had appropriated and which was still further to be appropriated, for \$47,500 was asked as an additional amount. The speaker of the house of representatives went to the exposition for the purpose of satisfying himself, and this is what he says, as reported in the Ohio papers:

The report had been pretty generally circulated that the money expended by the Ohio commissioners to make the display had not been judiciously handled, and as the speaker had had the appointment of a portion of the commission, he wanted to be satisfied that he had not been imposed upon in the confidence he had reposed in the members of the commission which he had selected. The speaker is of the opinion that the five days which he spent at New Orleans were the most profitable of the time which he has given to the State. His statement before the conference committee in regard to the item of \$4.7500 in the appropriation bill for the New Orleans Exposition will, no doubt, result in a settlement of all differences between the two houses on this subject.

Now, Mr. Speaker, Ohio is not alone in this, nor has Ohio the largest Mr. HAMMOND. I am, and I am talking against your side of the House on the left of the Chair that wasted so much time on the river | six States and Territories are there represented, and the \$5,000 allowed by the management of the exposition to each State and Territory is but a mere fraction of the expenses which they have incurred. The management of this exposition have met with obstacles that no human foresight could have anticipted. For sixty days after the exposition was opened there were incessant rains, such as even New Orleans had never known before. Those rainy days have but just closed. The 9th day of February was the first day that the gate receipts equaled the expenditures, and this was not from any fault of the management; for I insist

that the management has not only been honest—its showing will satisfy any business man who gives the matter attention that it has been not simply honest, but economical to the very last degree.

I have here a few figures in the way of comparison between the New Orleans Exposition and that at Philadelphia; and there is not one who has visited the two expositions who does not admit that the exposition of New Orleans is made home. has visited the two expositions who does not admit that the exposition at New Orleans is much larger in its proportions than was the exposition at Philadelphia. I will read a few of these figures. At Philadelphia there were twenty-five States and Territories that made exhibits; in New Orleans there are forty-six. In Philadelphia the area of space for State exhibits was 21,711 square feet; in New Orleans there are 327,198 square feet. In Philadelphia the cost of buildings was \$5,242,-295; in New Orleans \$989,211—less than one-fifth of the cost of the buildings at Philadelphia. In Philadelphia the cost of fitting up the prounds, of which my friend from Michigan has spoken so elegatently grounds, of which my friend from Michigan has spoken so eloquently, was \$922,780; in New Orleans \$130,803. So I could go through with this comparison from beginning to end, showing that it is largely in favor of the management of the New Orleans Exposition, while at the same time the Philadelphia exposition was under the control and management of an honored citizen of my own city, Cincinnati, who was supposed by reason of his prior experience to have a peculiar fitness for that work.

I take the liberty of incorporating in my remarks these comparative statistics in full:

Twenty-five States and Territories were represented at Philadelphia, and only a few of that number by exhibits, the representation being chiefly by buildings for headquarters. Forty-six States and Territories (all except Utah) are represented at New Orleans by very full collective exhibits of their natural resources. Space occupied by State exhibits at Philadelphia, 21,711 square feet; at New Orleans, 327,198 square feet—an area fifteen times greater at New Orleans than at Philadelphia; proving most conclusively the value of expositions to the States and Territorics.

Cost of buildings at Philadelphia, \$5,242,295; at New Orleans, \$989,211. The construction at Philadelphia was principally of iron, designed with a view to ornament and safety. The construction at New Orleans was designed for ornament and area, with extraordinary precautions and appliances for safety.

IMPROVEMENT OF GROUNDS.

The cost of preparing the grounds at Philadelphia, such as grading, drainage, bridges, fences, &c., amounted to \$922,782; at New Orleans the cost was but one-seventh that sum, or only \$130,893. This includes the expense of drainage, canals, and pipes, gravel and shell roads and walks, excavations for three artificial lakes, extensive asphalt walks, fountains, planting eight thousand ornamental and forest trees, &c.

Motive power at Philadelphia, 2,440 horse-power; at New Orleans, 5,937 horse-power. Nineteen hundred horse-power is required at New Orleans to light the buildings and grounds by electricity, a power that was not required at the centennial, which was held before lighting with electricity had come into practical use.

ELECTRIC LIGHTS

There were none at Philadelphia. At New Orleans there are 4,000 electric incandescent lamps, 1,380 electric arc lamps, 5 electric towers, 73 dynamos. Motive power for electric light, 1,900 horse-power.

At New Orleans the exposition grounds and buildings are connected with each other and the city by telephone, there being twenty-four stations at the exposition itself. This system of communication had not come into practical use in 1876.

MACHINERY EXHIBITS.

At the centennial the space actually occupied by machinery was 527,528 square feet; at New Orleans the total space occupied by machinery is a trifle larger, being 533,800 square feet.

MISCELLANEOUS CONTRASTS

The magnitude and economy of the World's Exposition may be further illustrated by the following comparisons:

	Philadel- phia.	New Or- leans.
Fruit displaynumber of plates	12,000	25,000
Cold storage square feet Artificial-ice machine tons daily		11,100
Steam-pipefeet	6, 268	31,750
Shaftingdo,	5,870	11, 430
Shaftingcost	\$25,785	\$24,000
Machinery departmentdo Elevators for passengersnumber	\$278, 963 1	\$244, 411 26
Terminal agency transportation and installationcost	\$286, 527	\$160,030
Expense of commission and board of finance	\$506,887	\$95,725
Press advertising and printing	\$81,371	\$64, 235
Awards including medals	\$303, 374	\$100,000

There will be some expense to and at New Orleans for installation, expense of management, and printing for the remaining three months.

AREA OF OFFICIAL BUILDINGS

	Philadel- phia.	New Or- leans.
Main building and annexes square feet Machinery hall do do	994, 182 504, 720	1,722,000
Government and State exhibit buildingdo	442, 800 102, 840	648, 825
Principal buildingsdo	2,044,542	2, 370, 825
Total official buildingsdodo	2,505,789	2,726,305

Average cost of construction, 37 cents per square foot at New Orleans; 68 acres covered by roof; length of buildings, 7,351 feet.

INTERNATIONAL EXHIBITIONS-AREA IN SQUARE FEET COVERED BY PRINCIPAL

New Orleans	2, 370, 825
Philadelphia	2,044,542
London, 1862	, 400, 000
Crystal Palace, 1851	989, 884
Louisville, 1883-1884	677, 400
Paris, 1855	545, 934
Paris 1878	456, 923
Vienna 1873	430,500
Atlanta, 1881	107,520

SPANISH-AMERICAN EXHIBITS.

	Philadel- phia.	New Or- leans.
San Salvador		28
VenezuelaCosta Rica		576 627
Guatemala		1,44
Honduras	6,567	2, 18 41, 85
Chili	3, 424	
Argentine Republic	2,861 1,464	
Total square feet	14,314	46,96

Mexico has a large exhibit in horticultural hall and two extensive buildings of her own, covering 35,840 square feet of space, one intended for her national headquarters, the other an iron and glass octagonal building for her mineral display.

Chili and Peru would have been represented but for recent disturbances in their respective countries.

The total foreign annual commerce, exports and imports combined, of the countries named below is as follows:

Five Central American republics	\$55,000,000 24,428,000 348,646,000
Total fifteen republics	498 074 000

United States controls but \$63,636,000, or less than one-sixth part of this com-

Now I wish to call attention to the law which was passed last win-Now I wish to call attention to the law which was passed last winter. Gentlemen say that law was passed upon the assurance that \$750,000 should be paid in. Why, sir, the law itself shows upon what assurance this money was to be paid by the Government. It was to be paid by the Secretary of the Treasury "upon being satisfied that \$500,000 had been contributed and paid in." This had to be shown to the satisfaction of the Secretary of the Treasury. Not a dollar could be paid out to the New Orleans Exposition until the Secretary of the Treasury was satisfied that New Orleans had done what in the law we said she ought to do to entitle her to this appropriation. said she ought to do to entitle her to this appropriation.

Mr. HORR. Was not that \$500,000 to b

Mr. FOLLETT. Let me read the language of the law itself. I am not construing it:

Provided, That the said sum shall be paid by the Secretary of the Treasury of the United States on the drafts of the president and secretary of the board of management of the World's Industrial and Cotton Centennial Exposition authorized by order of said board, one-third of the amount immediately after the passage of this act upon being satisfied that \$500,000 has been contributed and paid in to the said board for the purposes of the exposition by the contributors to and shareholders of the World's Industrial and Cotton Centennial Exposition, and the remainder in four monthly payments thereafter upon being satisfied that each of the prior payments has been faithfully applied as required by this act, and for this purpose he shall have free access to the accounts and all transactions of said board.

That is the law.

Mr. HORR. But that was to be paid exclusively of the donations-Mr. FOLLETT. Whatever may have been the gentleman's reason or any gentleman's reason in voting at that time, "thus saith the law" for which they voted; and the law concludes the man who voted for

its passage.

Mr. HORR. Now let me ask whether that was not understood to be \$500,000 over and above the donations from New Orleans and the State

Mr. FOLLETT. Not at all. If so, how could the Secretary of the Treasury have paid over the money? He could not make payment until satisfied that the law had been complied with.

Mr. HORR. If that is not so, how came gentlemen to talk about

\$750,000 all the while in the debate?

Mr. FOLLETT. It is a matter of utter unconcern to me what may have been the assurance given by the friends of the measure that more than this \$500,000 would be contributed from other sources. All that Congress asked of them, all that the law required of them, was the contribution of \$500,000.

[Here the hammer fell.]

append to my remarks the acts of February 10, 1883, and May 21, 1884, on this subject:

An act to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884.

Whereas it is desirable to encourage for celebration the one hundredth anniversary of the production, manufacture, and commerce of cotton, by holding, in the year 1884, in some city of the Union, to be selected by the executive committee of the National Cotton Planters' Association of America, an institution for the public welfare, incorporated under the laws of Mississippi, a world's industrial and cotton centennial exposition, to be held under the joint auspices of the United States, the said National Cotton Planters' Association of America, and of the city in which it may be located, and in which cotton in all its conditions of culture and manufacture will be the chief exhibit, but which is designed also to include all arts, manufactures, and products of the soil and mine; and

signed also to include all arts, manufactures, and products of the soil and mine; and
Whereas such an exhibition should be national and international in its character, in which the people of this country and other parts of the world who are interested in the subject should participate, it should have the sanction of the Congress of the United States: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a world's industrial and cotton centennial exposition be held in the year 1884, under the joint auspices of the United States Government, the National Cotton Planters' Association of America, and the city where it may be located.

SEC. 2. That the President of the United States may, upon the recommendation of the executive committee of the National Cotton Planters' Association of America, appoint six United States commissioners, and upon the recommendation of the majority of subscribers to the enterprise in the city where it may be located, may appoint seven United States commissioners, who, together, shall constitute a board of managers of said world's industrial and cotton centennial exposition.

America, appoint six United States commissioners, and upon the recommendation of the majority of subscribers to the enterprise in the city where it may be located, may appoint seven United States commissioners, who, together, shall constitute a board of managers of said world's industrial and cotton centennial exposition.

SEC. 3. That the President of the United States may, on the recommendation of the governors of the various States and Territories of the Union, appoint one commissioner and one alternate commissioner for each State and Territory, whose functions shall be defined by the said board of management.

SEC. 4. That all of said commissioners shall be appointed within one year from the passage of this act.

SEC. 5. That the said board of management shall hold its meetings in such city as may be selected for the location of the said exposition by the National Cotton Planters' Association of America as aforesaid, and that a majority of said board of management shall have full power to make all needful rules and regulations for its government.

SEC. 6. That said board of management shall report to the President of the United States a suitable date for opening and closing the exposition; a schedule of appropriate ceremonies for opening or dedicating the same, and such other matters as in their judgment may be deemed important.

SEC. 7. That no compensation for services shall be paid to the commissioners or other officers provided by this act from the Treasury of the United States; and the United States shall not be liable for any of the expenses attending such exhibition, or by reason of the same.

SEC. 8. That whenever the President shall be informed by the said board of management that provision has been made for suitable buildings, or the erection of the same, for the purposes of said exposition, the President shall, through the Department of State, make proclamation of the same, setting forth the time at which the exhibition will open and the place at which it will be held, and such board of managemen

An act to make a loan to aid in the celebration of the world's industrial and cotton centennial exposition.

cotton centennial exposition.

Whereas by the act of Congress entitled "An act to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884," approved February 10, 1883, in the city of New Orleans, under the joint auspices of the United States, the National Cotton Planters' Association of America, and the said city of New Orleans, a world's industrial and cotton centennial exposition is to be held, universal in character, comprehending all arts, manufactures, and products of the soil and mine; and Whereas by said act Congress declares that such exposition should be national and international in its character; and Whereas under said act a board of management has been duly constituted and incorporated under the laws of the State of Louisiana, the members of which have been appointed by the President of the United States, upon recommendations made in the manner set forth in said act, and therefore are a duly qualified and commissioned United States board of management, clothed with full and adequate powers to perform any and all acts essential to the proper and neces-

sary management of the affairs of the said world's industrial and cotton centennial exposition in the manner and form prescribed by said act, and duly authorized by the sanction of the Government of the United States to raise the capital necessary to carry into effect the provisions of said act of February 10, 1883; and

Whereas the President of the United States, in compliance with the terms and requirements of said act, has extended, in the name of the United States, a respectful and cordial invitation to the governments of other nations to be represented and take part in the said international exposition; and

Whereas the preparations designed by the world's industrial and cotton centennial exposition, and in part executed by the board of management, are in accordance with the spirit of the act of Congress relating thereto, and are on a scale creditable to the Government and the people of the United States: Therefore the content of th

Mr. RANDALL. I yield to the gentleman from Ohio [Mr. KEIFER] for five minutes

Mr. KEIFER. Mr. Speaker, we have done a great deal for this World's Fair and Cotton Exposition at New Orleans, but in doing what we have in the way of a loan of a million of dollars to that fair and afterward \$300,000 to get up an exhibition, we have done the very thing expected in connection with our partnership arrangement which was previously made, and we have done the very thing which binds us, not legally, because the Government of the United States is never bound legally, but with the strongest kind of moral obligation, to do something more. And the doubt in my mind, Mr. Speaker, is how we are to do that thing. We have induced most of the civilized nations of the world to send exhibits to this world's fair, and we owe an obligation in a large degree to these nations of the world-we owe it to them to see that this exhibition or world's fair shall not be a failure.

Ay, Mr. Speaker, we owe something more, and that is to the dignity and greatness of the United States, that this fair shall be a success. We can not afford to degrade our national character in this matter by stepping aside at this moment and letting the creditors seize the property belonging to the exhibition and put an end to it in disgrace and humil-iation not only to the management at New Orleans, but to the whole of the United States. We owe it to the individual States and Territories of this country, all of whom have been induced to send exhibits at large expense to this fair—done of course in their own interests, but with the understanding that the President of the United States had proclaimed to the people of the United States, ay, and to the people of the whole world, that there was to be a fair there, and it was to be sustained and maintained by the United States.

I have listened, Mr. Speaker, to the representatives of some of the States of this nation who have spent much time at this world's fair; I have listened to their appeal for help to sustain the dignity of the country and the various interests centered in that fair. The great educatry and the various interests centered in that fair. The great educational exhibit down there is said to be worth to America—and if it goes mostly to the South all the better—worth to the United States all that has been put into it. It has been furnished by the people who have gathered it all over the country, some of it separate exhibits of States, and others supplied by the United States, all being concentrated there and made valuable to this country and perhaps to the world.

The SPEAKER. The gentleman's time has expired.

Mr. KEIFER. If I had more time I had many other things to say.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, I want in the outset of my remarks, which will be very brief, to state that I intend to vote for the passage of this bill under a suspension of the rules; but I desire now to invite the recollection of the House, and those members who were here a few Congresses ago, and especially yourself, Mr. Speaker (Mr. Cox, of New York, in the chair), to the vote upon the proposition for a loan to the Centennial Exposition in Philadelphia in 1876. It will be remembered, after the bill passed allowing us \$1,500,000 as a loan to that great enterprise, which culminated in a world-wide success, that a year or two afterward another bill passed Congress by which that loan was exacted from the men who had originated that great exposition, and it was repaid, every dollar of it, to the Federal Treasury.

Now, sir, I simply desire to refer to that fact, and I regard this as a most appropriate occasion for doing so. I stand here as a representative in part of the great city of Philadelphia, with the full knowledge that I can not go back to my constituents having voted against this prop-

that I can not go back to my constituents having voted against this proposition. I, with my colleagues on this floor, represent a community generous and liberal in the extreme, and particularly so in all matters pertaining to the great industries of our country. We represent constituents filled with pride of the country and its resources, and we represent constituencies and citizens who are alive to enterprise and alive to progress, as is fully shown in the history of this country; and hence I shall vote for this proposition.

I should fail in my duty to them if I voted in opposition to it, al-

though, in fact, and as a measure of justice to those who so liberally expended their private means to make the Philadelphia exposition of 1876 a success, I should be glad to see adopted an amendment providing—

That whenever it is ascertained that the loan of \$1,000,000 and the additional loan of \$300,000 is not to be repaid by the World's Cotton Exposition at New Orleans, then this loan of \$1,500,000 which was made to the Centennial Exposition at Philadelphia, and the payment of which was exacted, shall be considered due and payable to the finance commission of the said Centennial Exposition at Philadelphia.

That would be only an equitable proposition, and it is one that I hope the sense of justice of the Government will one day approve.

But, sir, I shall not do anything here that will jeopardize the passage of this measure. If this House is not yet prepared to do this act of justice to my constituents, I shall still feel it my duty to support the appropriation for the New Orleans Exposition. This Government has lent its aid to that enterprise. All the States of our Union and the great nations of the earth have accepted the invitation to participate

great nations of the earth have accepted the invitation to participate and have sent on their exhibits. Shall we now withdraw, and have disastrous failure if not national disgrace to follow?

Permit me to say, sir, that Philadelphia was the originator of this great exposition business. The enterprise and public spirit of Philadelphia originated the Centennial Exposition, which for six months in delphia originated the Centennial Exposition, which for six months in the year 1876—from May 10 of that year, when the exposition was opened, until the 10th day of November, when it was closed—enabled us to illustrate to the country and to illustrate to the world the progress, the enterprise, the industry, and the wealth of this country side by side with the exhibitions of foreign nations; and we were permitted in that manner to show to them that American ingenuity and American genius were equal and superior in many respects to the ingenuity, enterprise, and progress of the nations of the Old World.

I want to state this, sir, in behalf of this great manufacturing commercial center of Philadelphia. It is due to that city and to its enterprising people that these facts should be kept before the country. I want also to mention here that the three hundred contributors that went to New Orleans and who are there to-day from Pennsylvania and from the city of Philadelphia are there to enable the country and the world to see something of the wonderful resources of that State and of

world to see something of the wonderful resources of that State and of that city which I in part represent. Those people, the people who honor me by sending me here to occupy a seat in this Hall, would not indorse my action did I not vote to extend this further assistance of \$300,000; and if it be necessary to give it away, as well as to give away the million of dollars that we appropriated a short time ago to New Orleans, even in the face of the fact that Philadelphia was required at the completion of her great exposition to return the million and a half of dollars that the Government had given for that purpose, I would still feel it my duty to support it, and know that they will indorse and instift my action in desirate. justify my action in doing so.

[Here the hammer fell.]

Mr. LORE. Mr. Speaker, when the original proposition was before the House for the loan of \$1,000,000 to aid the New Orleans Exposition I offered an amendment that a bond should be executed conditioned I offered an amendment that a bond should be executed conditioned for the unconditional repayment of that money. This House voted a loan of \$1,000,000 for the exposition. Without that \$1,000,000 there would be no exposition, and the nations of Europe and the nations of South America and our sister States in the Union would not have been induced to take their exhibits to New Orleans at a large expenditure of money and time and at great sacrifice to themselves.

That gift and the countenance this Government gave to the exposition made it possible that it should be held. Now, if I understand the situation, without this additional appropriation of \$300,000 for its support the exposition will fail. The question now presents itself by

thus inviting these people, by thus creating that which would not have been without Federal aid, do we not become a party to deception, to the procurement of goods under false pretenses?

Mr. FINDLAY (from his seat). The exposition of goods.

Mr. LORE. My friend suggests the exposition of goods. Yes; we procured the exposition of such goods by such pretenses. I did not believe the original loan wise, nor would I support a like appropriation if it were a new proposition. But the honor and faith of the nation is now pledged, and we can not without national disgrace now withhold this aid. I shall vote for the appropriation on these grounds.

Mr. RUSSELL. Mr. Chairman, the value and importance to our people and to the country of a world's exposition like the one at Philadelphia in 1876 and the one now going on at New Orleans can not be

adelphia in 1876 and the one now going on at New Orleans can not be estimated by thousands or hundreds of thousands of dollars. There is going on in all the leading countries of the globe new inventions and progress in the fields of art, agriculture, and manufacture. Sometimes one country and sometimes another is in advance in some branch of

one country and sometimes another is in advance in some branch of industry, and these great expositions, bringing the products and handiwork of all nations together in competitive exhibition, at once enlighten and stimulate the whole people to greater progress.

Our exposition in 1876 not only inspired our established industries to renewed energy and effort in improvement, but new branches of industry were established, and have since prospered and have given employment to our artisans and added wealth to the country. I am willing, therefore, to vote additional aid to the New Orleans Exposition provided it is restricted to the conditions proposed by the gentleman from Michigan [Mr. HORR]. It is right and proper that the creditors who live at long distances from the institution and have received no pay whatever should be made special creditors so far as this donation is concerned.

Mr. MILLIKEN. What right have we to pay these claims any more than to pay the creditors of any one else or to pay my debts?

Mr. RUSSELL. As the gentleman from Ohio has well said, the na-

Mr. RUSSELL. As the gentleman from Onio has well said, the national honor is involved.

Mr. MILLIKEN. What assurance have we that this sum will pay the bills and maintain the national honor?

Mr. RUSSELL. We must meet the emergency as it is presented to us. With the restriction provided for in the amendment of the gentleman from Michigan [Mr. Horr] we know it goes so far as it may in liquidating existing claims.

Their experiences of the set their finencial condition is concerned in

Their experience, so far as their financial condition is concerned, is the experience, so far as their mancial condition is concerned, is the experience of every other like scheme, or I may say the experience of almost every undertaking of magnitude. It is difficult in an exposition of this kind to estimate the full cost, there are so many elements of uncertainty. In fact, in any large enterprise they seldom keep the expenditures within the first estimate. If the amendment of the gentleman from Michigan [Mr. Horr] is accepted I shall vote to donate the \$300,000 recommended by the committee.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. ELLIS] is entitled to the floor.

Mr. ELLIS. I understand the gentleman from Michigan [Mr. HORR]

will now occupy the remainder of his time.

Mr. HORR. Mr. Speaker, I wish to say in the few moments left me that in my effort to divert this money to a fixed channel I simply sought to do what I believed will best serve the interests of the people, who

have the good of this exposition at heart.

I wish to say, Mr. Speaker, that I have in my pocket letters from several men who have property on exhibition down there. One man writes me that he has paid in getting his horses to that exhibition \$930; that he has been awarded over \$1,600 premiums, not one cent of which can be realized, and that he is in trouble for means to remove his property and get it home, unless some provision is made for the payment

of these premiums.

I want it well understood by this House that I do not claim we are ever going to get the \$1,000,000 back that we loaned. We did not look for it. I might further say that a proposition was made to the management that is now in charge of that exposition to take the entire property and raise this \$300,000, and that the Government release the \$1,000,000 to them and give them the whole property if they would do that and let the Government get clear from this out. That proposition was rejected, for the simple reason, I suppose, of their inability, to raise that amount of money which is needed now to go on with the enterprise.

enterprise.

I shall make this proposition as a substitute for the section; but if there is objection on the part of some of my friends on this side of the House, I shall submit it in such a form that the money shall be paid through an agent of the Secretary of the Treasury, detailed by the Secretary of the Treasury, instead of an Army officer. I am satisfied to make that amendment. All I want is that this money shall be paid to the parties who have been induced to go there from all over the United States in the payment of the premiums and the indebtedness so that they shall get their pay; otherwise I can not vote for the proposition.

The SPEAKER. The time of the gentleman from Michigan has ex-

Mr. HORR. I offer my amendment.

The SPEAKER. The gentleman from Louisiana has twenty min-

utes to close debate.

Mr. ELLIS addressed the committee. [See Appendix.]

Mr. ELLIS. I yield the remainder of my time to the gentleman from Pennsylvania if he desires it.

Mr. O'NEILL, of Pennsylvania. In view of what I have said I desire to offer an amendment to the amendment of the gentleman from Michigan [Mr. HORR]. I do not want any one to conclude I am not in favor of voting this \$300,000.

The SPEAKER. Under the rule of the House the time for debate

is now closed.

Mr. RANDALL. I have a suggestion to make, and that is that gen-tlemen who desire to submit amendments will send them up to be from the Record, and then that after the bill has been read the House will adjourn. I recognize the fact that many members of the House were here until midnight last night, and we now have been in continuous session for seven hours. I think it is nothing but reasonable to make this order,

Mr. O'NEILL, of Pennsylvania. Let us vote on the amendments. Mr. RANDALL. That can not be done, as many members have gone

House:

The SPEAKER. The gentleman from Pennslvania suggests that members having amendments to offer will submit them so they may be printed in the RECORD for information and then the bill will be read, after which the House will stand adjourned.

There was no objection, and it was ordered accordingly.

Mr. ELLIS. It is of course understood that all points of order are reserved.

Mr. O'HARA. Can amendments be offered outside of this measure? The SPEAKER. Only by unanimous consent. The amendments will be printed in the RECORD for information.

Mr. ELLIS. To save all rights I reserve all points of order.
The SPEAKER. The amendments are not now offered, but are sent up to be printed in the RECORD for the information of the House. The following amendments were submitted under the order of the

By Mr. HORR, as follows:

For the purpose of aiding the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$300,000, but so much thereof as may be necessary, to be immediately available, and to be used first in payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations living and doing business outside of the State of Louisiana, including debts due to foreigners or foreign nations and such as are due to States and Territories from said exposition; secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition in accordance with the lists of awards heretofore published; said money to be disbursed under the direction of the Secretary of the Treasury, who shall make proper rules and regulations for the form and verification of vouchers in proof of such indebtedness, and shall detail a proper agent of his Department to disburse said funds as directed by said Secretary, who shall make a detailed statement of his transactions to the Treasury Department.

By Mr. POTTER, as follows:

Strike out from the commencement of line 2034 to the end of line 2041, inclusive.

By Mr. GEORGE D. WISE, as follows:

In line 2022, after the word "Smith," strike out "assistant librarian" and insert "and Asher Barnett, assistant librarians;" and in line 2025, after the word "dollars," insert "each; "so that it will read: "To pay William H. Smith and Asher Barnett, assistant librarians, House of Representatives, for additional services during the first and second sessions of the Forty-eighth Congress, \$650 each."

By Mr. ELLWOOD, as follows:

Strike out lines 202 to 2021 inclusive and insert:

"A committee of three members of the House shall be appointed by the Speaker to inquire into the expenditures by and money received by the managers of the World's Industrial Cotton and Centennial Exposition. The said committee are hereby empowered to administer oaths, to compel the attendance of witnesses, and to send for persons and papers; and it shall report the result of its investigation to the Forty-ninth Congress on or before December 10, 1885.

By Mr. KEIFER, as follows:

Strike out in lines 2038, 2039, and 2040 the words:

"Preference being given to such debts as constitute a lien upon the buildings and machinery on the exposition grounds."

And insert in lieu thereof the words:

"And if said sum is not sufficient to pay such indebtedness in full, then the same shall be paid pro rata."

By Mr. SMALLS, as follows:

On line 1306 strike out the word "twenty-two" and insert "twenty-three."
On 1310 strike out the word "thirteen" and insert the word "fourteen."
On 1314 add the word "five hundred" after the word "thousand," so as to read "ten thousand and five hundred dollars." In the same line strike out the words "in all, forty-nine thousand dollars" and add "for a force-pump \$400, to be immediately available; in all, \$51,900."

By Mr. THOMAS, as follows:

Amendment to come in after line 1032:
"To reimburse Commander A. G. Kellogg, United States Navy, for personal effects destroyed by the burning of the United States light-house tender Lilly, \$1,692."

they had examined and found truly enrolled a bill of the following

title; when the Speaker signed the same:

A bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians, of Minnesota, subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the payment thereof.

CALIFORNIA AND OREGON RAILROAD.

The SPEAKER laid before the House the following message from the President; which was referred to the Committee on the Public Lands, and ordered to be printed.

To the House of Representatives :

In answer to the resolution of the House of Representatives of the 13th instant, requesting me to inform that body, if not incompatible with the public interest, what were the reasons which moved me to appoint commissioners to examine and report upon the California and Oregon Railroad from Redding northwardly, I transmit herewith a communication on that subject, addressed to me on the 24th instant by the Secretary of the Interior, setting forth the practice under which my action was taken.

CHESTER A APTHUR CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 25, 1885.

BAR OPPOSITE LICKING RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Engineers of surveys and examination of bar in the Ohio River opposite the mouth of Licking River; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

NAVAL CRUISER AND DISPATCH BOAT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy for completing the new naval cruiser and dispatch-boat; which was referred to the Committee on Appropriations, and ordered to be printed.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, informing the House of assistance being rendered by that Department to destitute American citizens at Livingston, Central America, and asking approval of his action by Congress; which was referred to the Committee on Naval Affairs, and ordered to be printed.

PENNSYLVANIA WAR CLAIMS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting report of allowance of the twelfth installment of the Pennsylvania war claims; which was referred to the Committee on Appropriations, and ordered to be printed.

IMPROVEMENT OF CONGAREE RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Engineers of the results of the survey of the Congaree River; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

PLATES-MISSISSIPPI RIVER IMPROVEMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, requesting the return of the original copies and plates of the report of the Mississippi River Commission, for the purpose of having blue prints made therefrom.

The SPEAKER. Without objection, the request will be complied

with.

There was no objection, and it was ordered accordingly.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. FINERTY, for the remainder of the day, on account of illness in his family.

To Mr. HUNT, during the night sessions of the House, on account of ill-health.

To Mr. GLASCOCK, for the rest of the day, on account of sickness in

his family.

To Mr. Johnson, for the rest of the day, on account of sickness.

To Mr. Beach, from attendance on night sessions for the balance of

the session, on account of ill health. To Mr. BLANCHARD, for to-day, on account of sickness.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to withdraw papers in the

To Mr. DINGLEY, to withdraw from the files of the House the papers accompanying House bill 6311, there being no adverse report.

To Mr. Cullen, papers in the case of Mrs. Mary Ripley, without

By Mr. Thomas, as follows:

Amendment to come in after line 1032:

"To reimburse Commander A. G. Kellogg, United States Navy, for personal fects destroyed by the burning of the United States light-house tender Lilly, 692."

ENROLLED BILL SIGNED.

Mr. HOLMES, from the Committee on Enrolled Bills, reported that

In Mr. Culled States in the case of Mrs. Rainy Reports in the Case o

the same no longer being necessary, as the relief sought has been granted by the general act in regard to the reissue of lost Government checks.

ENROLLED BILL SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 78) for the erection of a public building at La Crosse, Wis.

PENSION BILLS.

On motion of Mr. MATSON, it was ordered that Senate pension bills on the Speaker's table be taken therefrom and appropriately referred.

LEAVE TO PRINT.

By unanimous consent, leave was granted to Mr. HARDEMAN to print remarks on the bill to aid in the support of common schools; and to Mr. EVANS to print remarks on the deficiency bill.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. By order of the House the Clerk will now proceed to read the bill, after which the House will adjourn.

Mr. HOLMAN. There is an appropriation made by this bill of \$85-199.12 for the public building at Fort Wayne, Ind. After this bill was prepared, as the House is aware, the House increased the limit of the appropriation for that building. I ask unanimous consent therefore to appropriation for that building. I ask unanimous consent therefore to reduce that amount in the bill to \$60,000. I think in fact the whole appropriation ought to be stricken out.

Mr. LOWRY. I have no objection to the correction being made. Mr. HOLMAN. I refer to line 82 of the bill.

I refer to line 82 of the bill.

Mr. WARNER, of Ohio. Before giving consent I ask if that increases the amount which was appropriated the other day for this building?

Mr. HOLMAN. This reduces the amount fixed in this bill from \$85,000 to \$60,000. It is an increase of the amount appropriated the

The SPEAKER. Is there objection to the request of the gentleman from Indiana

Mr. WARNER, of Ohio. I do not know why it is in here at all, as

we passed a bill a few days ago for this purpose.

Mr. KEIFER. What is the limit of the building now? I would like to ask whether \$60,000 will exceed that limit?

Mr. LOWRY. This reduction is made for the purpose of fixing the amount at the limit.

The SPEAKER. Is there objection to the request?

Mr. MILLER, of Pennsylvania. I object.

Mr. HOLMAN. I hope the gentleman will not object to this reduc-

Mr. MILLER, of Pennsylvania. I do not care whether it is a reduc-

tion or not, I object.
Mr. HOLMAN. I think the gentleman from Pennsylvania [Mr. MILLER] does not understand the point. I hope he will withdraw his objection. We ought not to duplicate this appropriation.

Mr. STOCKSLAGER. I would like to ask unanimous consent to

report a bill.

The SPEAKER, The Chair would be glad to recognize the gentleman, but the House has made an order with regard to the bill under consideration which the Chair must execute.

Mr. ENGLISH. I ask unanimous consent to strike out, in lines 1421 and 1422, the words "Indianapolis arsenal, Indiana," where they occur in the paragraph authorizing the Secretary of War to sell certain

The SPEAKER. The gentleman from Pennsylvania [Mr. MILLER] withdraws his objection to the request of the gentleman from Indiana [Mr. HOLMAN]

Mr. HEPBURN. I renew it. [Cries of "Regular order!"]
The SPEAKER. The Clerk will proceed to read the bill.
The Clerk proceeded to read the bill.

During the reading of the bill the following proceedings occurred:

Mr. DUNHAM (interrupting the reading). I rise to ask if unanimous consent can not be given to dispense with the reading of the bill.

The SPEAKER. The House has just by unanimous consent ordered the bill to be read.

Mr. DUNHAM. I ask unanimous consent now to dispense with the reading of the bill. The SPEAKER.

sent to dispense with the reading of the bill.

Mr. RANDALL. I object.

Mr. MILLER, of Pennsylvania. I rise to make a parliamentary inquiry. Is it understood that as soon as this is read the House will adjourn?

The SPEAKER. That is the order of the House. The Clerk will

The SPEAKER pro tempore (Mr. Wellborn). That request has already been submitted and objection was made.

Mr. REED, of Maine. There are not forty members of the House

Mr. DUNHAM. I move that the House adjourn.

The SPEAKER pro tempore. The Chair does not entertain that motion. The order of the House is that the bill shall be read and that the House shall then adjourn.

Mr. MILLER, of Pennsylvania. And the farce shall be carried out.
Mr. DUNHAM. I desire to ask a parliamentary question.
The SPEAKER pro tempore. The gentleman will state it.
Mr. DUNHAM. When it is plain beyond question that there is no quorum present can I not object to this business proceeding?
The SPEAKER pro tempore. The order of the House has been made that the bill shall be read.
Mr. DUNHAM. Can the bill be read to the House when it is known there is not a governm present?

there is not a quorum present?

The SPEAKER pro tempore. The order of the House is imperative.

The Clerk will continue to read.

Mr. JOSEPH D. TAYLOR. I would like to hear the order of the House read.

Objection was made.

Mr. MILLER, of Pennsylvania. I desire to make a parliamentary

inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MILLER, of Pennsylvania. Would it be in order for the Clerk and the Committee on Appropriations to repair to the committee-room and there finish the reading of the bill?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

The Clerk will proceed with the reading of the bill.

Mr. JOSEPH D. TAYLOR. I desire to make a parliamentary in-

quiry.

The SPEAKER protempore. The gentleman will state it.

Mr. JOSEPH D. TAYLOR. If an order has been made to read this

now be in order to make a motion to reconsider

The SPEAKER pro tempore. It would not, because the order of the House has been partly executed.

Mr. HEPBURN (at 6 o'clock and 25 minutes p. m.) I move that

the House do now adjourn.

The SPEAKER pro tempore. The Chair has stated that that motion is not in order.

Mr. HEPBURN. I appeal from the decision of the Chair.

The SPEAKER pro tempore. The Chair declines to entertain the appeal. The order of the House must be executed.

Mr. BROWN, of Pennsylvania. I wish to inquire of the Chair is not a motion to adjourn always in order?

The SPEAKER pro tempore. That motion is not in order while the House is executing the order of the House, that this bill shall be read and that the House shall then editure. and that the House shall then adjourn.

Mr. DUNHAM. I rise to a question of order.

The SPEAKER pro tempore. The Chair has announced repeatedly that the only thing in order now is the reading of this bill, the House by unanimous consent having ordered that it be read.

Mr. HEPBURN. Will the Chair permit me to remind him that the

occupant of the chair did entertain a proposition to change the text of that bill?

The SPEAKER pro tempore. This occupant of the chair did not.

Mr. HEPBURN. Is not that the fact as I have stated it?

The SPEAKER pro tempore. The Chair is informed that that was done before the reading of the bill began.

done before the reading of the bill began.

Mr. LONG. And it was done by unanimous consent.

The SPEAKER pro tempore. The Chair will state to members of the House that if the Clerk is not interrupted the reading will soon terminate. The Chair will further say that under the order of the House as soon as the reading of this bill is completed the present occupant of the chair will declare the House adjourned.

Mr. REED, of Maine. Then those of us who are here need not stay. The SPEAKER pro tempore. That is a matter that members must determine for themselves. The Chair, of course, will not undertake to determine it for them.

Mr. ADAMS, of Illinois. In the course of the reading of this bill will the occupant of the Chair entertain any request for unanimous consent to change the text of the bill?

The SPEAKER pro tempore. The Chair will not entertain any such

request.

Mr. MILLER, of Pennsylvania. That will do; then we can all go home.

The SPEAKER pro tempore. The Clerk will proceed with the read-

read.

The Clerk resumed the reading of the bill.

Mr. JOSEPH D. TAYLOR (interrupting the reading). I ask unanimous consent that the further reading of the bill be dispensed with.

In other will proceed with the reading of the bill.

The Clerk resumed and concluded the reading of the bill in extenso.

And then, under the previous order, the House (at 7 o'clock and 3 minutes p. m.) adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. T. M. BROWNE: Petition of 84 citizens of Connersville, Ind., on the subject of polygamy in Utah—to the Committee on the Judi-

ciary.

By Mr. J. E. CAMPBELL: Petition of Hon. James M. Smith and 60 others, citizens of Lebanon, Ohio, for legislation upon the Mormon question-to the same committee.

By Mr. DEUSTER: Memorial of the Legislature of the State of Wis-

making sugar—to the Committee on Agriculture.

By Mr. ERMENTROUT: Petition of John A. Sibbald, against House bill 7004 repealing pre-emption and timber-culture laws—to the Committee on the Public Lands.

Also, petition in favor of construction of bridges across Staten Island Sound between New York and New Jersey-to the Committee on Com-

By Mr. EVANS: Petitions of citizens of Bucks and Montgomery Coun-

ties, and of Harrisburg, Pa., praying for the education of the Indians and their volunteer citizenship, &c.—to the Committee on Indian Affairs.

By Mr. EVERHART: Petition of the Woman's National Indian Association of Delaware County, Pennsylvania—to the same committee.

By Mr. GOFF: Petition of J. T. Stancher and 43 others, asking for pensions to disabled soldiers and the repeal of arrears act—to the Select

pensions to disabled soldiers and the repeal of arrears act—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. JAMES: Petition of Isaac N. Judson and 54 others, citizens of Brooklyn, N. Y., asking for early action on the Mormon question—to the Committee on the Judiciary.

Also, petition of James Cruikshank and 26 others, men and women, citizens of Brooklyn, N. Y., asking for early action on the Mormon question—to the same committee.

By Mr. B. W. JONES: Memorial of Wisconsin State Legislature, for

By Mr. B. W. JONES: Memorial of Wisconsin State Legislature, for aid to experiments in sorghum culture—to the Committee on Agricult-

By Mr. J. K. JONES: Papers relating to the claim of George W. Hughes, of Tulip, Dallas County, Arkansas—to the Committee on War Claims

By Mr. KING: Joint resolution, appropriating \$10,000,000 for prosecution of works on rivers and harbors in the United States—to the Committee on Rivers and Harbors.

By Mr. LONG: Memorial of the American Woman Suffrage Associ-

By Mr. LUNG: Memorial of the American Woman Suffrage Association, for an amendment to the Constitution conferring suffrage on women—to the Committee on the Judiciary.

By Mr. LOWRY: Petition of Mrs. Lovey Helper, of Ontario, Ind., for an increase of widows' pensions—to the Committee on Pensions.

By Mr. A. HERR SMITH: Petition of 29 citizens of Lancaster County, Pennsylvania, in favor of checking the evil of Mormonism; semerically for the passage of certain bills new mending in Common in the common of the common of

especially for the passage of certain bills now pending in Congress—to the Committee on the Judiciary.

By Mr. SINGLETON: Petition of J. R. Phillips, of Lauderdale County, Mississippi, asking reference of claim to the Court of Claims for rehearing under the provisions of the Bowman act—to the Committee Wor. Claims mittee on War Claims

By Mr. STEPHENSON: Memorial of the Legislature of the State of Wisconsin, in reference to sorghum machinery and improved methods

of making sugar—to the Committee on Agriculture.

By Mr. J. M. TAYLOR: Petition of John J. Burrow, of Carroll County, Tennessee, asking reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WASHBURN: Petition of citizens of Saint Paul, Minn., in-

By Mr. WASHBURN: Petition of citizens of Saint Paul, Minn., inviting attention to the importance of early action upon the so-called Mormon question—to the Committee on the Judiciary.

By Mr. WEAVER: Petition of George T. Crissman and 87 others, citizens of Omaha, Nebr., asking Congress to take action on the Mormon question—to the same committee.

By Mr. WEMPLE: Petition of citizens of Johnstown, N. Y., asking Congress to take early action on the Mormon question—to the Committee on the Judiciary.

tee on the Judiciary.

By Mr. YOUNG: Petitions of A. B. Carter and of C. M. Ayers, widow of Tredwell S. Ayres, deceased, of Shelby County, Tennessee, asking reference of their claims to the Court of Claims for rehearing under the provisions of the Bowman act—to the Committee on War Claims.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. KEIFER: Of George P. Mulford and 45 others, of Urbana,

By Mr. LACEY: Of Wallace E. Wright and 16 others, of Coldwater, Mich.

By Mr. RANDALL: Resolutions of the General Assembly of the Commonwealth of Pennsylvania, in relation to the Mexican pension

SENATE.

FRIDAY, February 27, 1885.

The Senate met at 11 o'clock a. m.
Prayer by the Chaplain, Rev. E. D. Huntley, D. D.
Mr. VAN WYCK. I suggest, while we are waiting for those members of the Senate who occupy most of the time of it while in session—

The PRESIDENT pro tempore. The Senate is not yet called to order. The Chair will, however, call the Senate to order.

Mr. VAN WYCK. I was suggesting whether this might not be an opportune time, while waiting for members of the Senate who generally occupy most of the time of the Senate while in session, to ask for the consideration of a bill which will provoke no discussion. Therefore I ask unanimous consent-

The PRESIDENT pro tempore. Nothing is in order at this time except the reading of the Journal, and that is not in order until a quorum has appeared. [After a pause.] The Chair will now direct the Journal of yesterday's proceedings to be read.

The Journal of yesterday's proceedings was read and approved.

SUPPLIES TO MINNESOTA SIOUX INDIANS.

Mr. CAMERON, of Wisconsin. I move that the House of Representatives be requested to return to the Senate for further consideration the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent for leave to move at this time that a message be sent to the House of Representatives requesting the return of the bill named by him. Is there objection to receiving the motion of the Senator from Wisconsin? The Chair hears none. The question is on agreeing to it. If there be no objection it will be agreed to. It is agreed to.

ORDER OF BUSINESS.

Mr. HALE. I ask unanimous consent to take up now the naval appropriation bill, which is ready for the Senate. I will state the reason why I make the request at the present time. I do not anticipate that the bill will take much time in the Senate. I do not think the trouble with the bill will be here; but Senators know how for the last two years much time has been consumed in conference between the two Houses on the naval appropriation bills, and therefore it is very desirable that the bill should be sent to the House as soon as possible. If I can get it through this morning I should hope to get a conference to-morrow; and if there are protracted conferences we shall be able at least to bring the disagreements in conference before the Senate. Mr. DAWES. Will the Senator from Maine allow me to make a re-

port from the Committee on Indian Affairs?

Mr. HALE. Certainly.
Mr. DAWES. I ask consent at this time to make a report.

The PRESIDENT pro tempore. Does the Senator from Maine withdraw his request?
Mr. HALE. Certainly.

The PRESIDENT pro tempore. The Senator from Massachusetts.

ROUND VALLEY INDIAN RESERVATION.

Mr. DAWES. The Committee on Indian Affairs, who were instructed by the Senate to investigate the condition of affairs in the Round Valley Indian reservation in California, have attended to that duty, and instruct me to submit a report in writing, which I ask may

the printed.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent to submit a report from the Committee on Indian Affairs at this time. Is there objection? The Chair hears none. The Senator submits a report in writing on the subject referred to the committee named by him, which will be printed and placed on file. The Senator from Maine is now recognized.

ORDER OF BUSINESS.

Mr. BOWEN. Mr. President

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Colorado?

Mr. HOAR. I suggest to the Senator from Maine to yield for morn-

ing business.

Mr. HALE. I am very desirous, for the reason I have given, to get the naval appropriation bill through the Senate early to-day.

Mr. VAN WYCK. I trust the Senator from Maine will not press that

bill, at least until committees have had an opportunity to make their

reports.

The PRESIDENT pro tempore. It only requires a single objection.

Mr. VAN WYCK. Then I shall have to object at this time, because the appropriation bills can force themselves before the Senate for consideration at any time.

The PRESIDENT pro tempore. Objection is made.

Mr. HALE. Will the Senator withhold his objection for a moment?

Mr. VAN WYCK. Yes, sir.

Mr. HALE. Of course I am entirely aware that at this time, except by unanimous consent, I can not get the naval appropriation bill before the Senate. I want Senators to realize the almost intolerable position the Senate is put in on appropriation bills, in the last five or six days of a session with the great bills appropriating for the uses of the Government tumbling in upon us to be considered by the Appropriations Committee, after having been passed under a suspension of the rules elsewhere, and it is essential in the largest degree to the comfort of the Senate and in order to save an extra session that every possible advancement shall be given to the appropriation bills. I know that Senators are desirous of going through with the routine business and making their reports and getting them off their hands; but if Senators believe, or if any one Senator believes, that that is more important now than to dispose of the naval appropriation bill, of course I can not go on. If the objection is made now, I give notice that at the end of the rou-tine morning business I shall move to take up the bill; and with that, of course, I leave it to the Senate.

Mr. BOWEN. Mr. President—
The PRESIDENT pro tempore. Is there objection to the request of

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine?

Mr. VAN WYCK. I object.

Mr. BOWEN. Mr. President—

The PRESIDENT pro tempore. Objection is made. As objection is made it implies the regular order of morning business, which is not yet commenced, and with the permission of the Senator from Colorado the Chair will lay before the Senate certain communications from the Executive Departments.

Mr. BOWEN. I do not wish to be understood as objecting to the re-

quest of the Senator from Maine.

The PRESIDENT pro tempore.

The Chair did not understand the Senator from Colorado to object.

The Senator from Nebraska [Mr. VAN WYCK] objected. Mr. BOWEN. I mer

Mr. BOWEN. I merely wish to present an amendment to the defi-ciency appropriation bill when I can get the floor for that purpose.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from the Secretary of State, for the relief of Sampson P. Baily, late United States consul at Palermo; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from the Secretary of the Navy, for completing the ordnance of the new steel cruisers; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from

of the Treasury, transmitting an appropriation estimate, received from
the Secretary of the Navy, for the repairs of the stone dry-dock at the
Brooklyn navy-yard; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.
He also laid before the Senate a communication from the Secretary

of the Treasury, transmitting a communication from the Secretary of State recommending an appropriation for the compensation of William Schuchardt for services rendered in procuring testimony to be adduced before the United States and Mexican Claims Commission; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a joint resolution of the Legislature of Minnesota; which was read, and referred to the Committee on Commerce, as follows:

STATE OF MINNESOTA.

[Twenty-fourth session. S.F. No. 294. Introduced by Mr. Billson, February 5, 1885.]

A joint resolution urging upon Congress the immediate enlargement of the lockage of the Sault Saint Mary's Canal.

Whereas it appears from the report of General O. M. Poe, Chief of Engineers, United States Army, that the commerce through the Sault Saint Mary's Canal, at its present rate of increase, will within four years outgrow the utmost capacity of the lockage system of said canal:

Be it resolved by the Legislature of the State of Minnesota, That we hereby respectfully urge upon Congress the necessity for immediate and liberal appropriations for the enlargement of the lockage of said canal.

Resolved, That the secretary of state forward a copy of these resolutions to the President of the United States Senate, the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress.

C. A. GILMAN,

President of the Senate.

JOHN L. GIBBS,

Speaker of the House of Representatives.

Approved February 20, A. D. 1885.

Approved February 20, A. D. 1885.

STATE OF MINNESOTA, Department of State:

I hereby certify that I have carefully compared the foregoing with the original now on file in this department, and that it is a true and correct copy thereof and of the whole of the same.

Witness my hand and the great seal of the State this 24th day of February, A.

FRED. VON BAUMBACH, Secretary of State.

Mr. McMILLAN. I present a joint resolution of the Legislature of Minnesota of the character just read from the desk, and I will ask its proper reference

The PRESIDENT pro tempore. Does the Chair understand it to be identical with the one presented by the Chair?

Mr. McMILLAN. Yes, sir.

Mr. McMILLAN. Yes, sir.

The PRESIDENT pro tempore. Then the joint resolution will be referred, without reading, to the Committee on Commerce.

Mr. MILLER, of California, presented a memorial of the Board of Trade of Los Angeles, Cal., remonstrating against the ratification of the proposed Spanish reciprocity treaty; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented the petition of Albert Bouldin, Martha Bain, H. W. Hinkle, Henry Klinge, and M. A. Triplett, of Washington, D. C., praying compensation for damages to their property resulting from public improvements in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HARRISON presented a petition of Presley Smith and 87 others, citizens of Morgan County, Indiana, praying for the repeal of the act limiting arrears to those who applied for pension prior to July 1, 1880, and that Congress pass other legislation favorable to the soldiers of the

late war; which was referred to the Committee on Pensions.

Mr. PLUMB presented two petitions of citizens of Kansas and other States, praying for the construction of a wagon-road from Caldwell, Kans., to Wichita Falls, Tex.; which were referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 2123) for the erection of a public building at Wichita,

A bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for other Government

A bill (H. R. 3593) for the erection of a public building at Chicago,

A bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y.
A bill (H. R. 1321) for the erection of a public building at Reading,

A bill (H. R. 4067) to change the limit of appropriations for the public building at Louisville, Ky.; and
A bill (H. R. 2949) for the erection of a public building at Port

Townsend, Wash.

Mr. MAHONE. Now I hope that it will be the pleasure of the Senate to take these bills up and pass them. I ask unanimous consent

that they may be now considered.

The PRESIDENT pro tempore. Is there objection?

Mr. HALE. I must object.

The PRESIDENT pro tempore. Objection is made. The bills will be placed on the Calendar.

Mr. MAXEY, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

ment, and submitted reports thereon:

A bill (H. R. 6089) for the relief of Moses F. Carleton; and
A bill (H. R. 6083) for the relief of Dr. Thomas J. Jones.
Mr. CULLOM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:
A bill (H. R. 2975) granting a pension to Marion D. Egbert;
A bill (H. R. 200) granting a pension to Thomas Jeffries;
A bill (H. R. 1866) granting a pension to Calvin L. Knick;
A bill (H. R. 6357) granting a pension to Christian Bauman;
A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton;
A bill (H. R. 7718) restoring a pension to Alexander Weide;
A bill (H. R. 2607) granting a pension to Mary B. Holmes.
Mr. CULLOM, from the Committee on Pensions, to whom was referred the bill (S. 2528) for the relief of James McKinley, submitted an adverse report thereon, which was agreed to; and the bill was post-

poned indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2421) for the relief of John Snyder, reported adversely thereon; and

the bill was postponed indefinitely.

Mr. CULLOM. I am also instructed by the Committee on Pensions, to whom was referred the bill (H. R. 1862) for the increase of the pension of James Buchanan, to submit an adverse report thereon, and to state that the party claimant since the bill was introduced has died, and that the widow of the claimant is now seeking a pension through the regular channel in the Pension Office. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8069) granting a pension to Catharine Helton;
A bill (H. R. 7434) granting a pension to Sylvester Greenough;
A bill (H. R. 7000) for the relief of Clark G. Maine;
A bill (H. R. 7938) granting a pension to Amanda Allen;
A bill (H. R. 7502) granting a pension to Richard W. Barnes;

A bill (H. R. 7803) granting a pension to L. W. Pitts; A bill (H. R. 4216) granting a pension to David N. Bryan; A bill (H. R. 1901) for the relief of Harrison Mitchell, late of Company K, Forty-eighth Indiana Volunteers:

A bill (H. R. 8090) granting a pension to Albert Harper; and

A bill (H. R. 8990) granting a pension to Albert Harper; and
A bill (H. R. 389) granting a pension to John Boyle.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which
were agreed to; and the bills were postponed indefinitely:
A bill (H. R. 7805) granting a pension to Capt. Vincent Phelps; and
A bill (S. 1323) to increase the pension of David I. Whitman.

Mr. BLAIR, from the Committee on Pensions, to whom were referred

the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy;

A bill (S. 1811) granting a pension to Anne T. Dicks;

A bill (S. 2359) granting a pension to M. Louise Butler;
A bill (S. 2448) for the relief of Sally C. Mulligan;
A bill (S. 2654) granting a pension to Charles F. Hildreth;
A bill (H. R. 5998) granting an increase of pension to Jonathan C.

A bill (H. R. 1710) granting a pension to George W. Bean; A bill (H. R. 7810) granting a pension to Rosanna Riley;

A bill (H. R. 5330) granting a pension to Rosanna Riley;
A bill (H. R. 5330) granting a pension to Octavia A. Newhall;
A bill (H. R. 7853) granting a pension to Margaret Flaherty;
A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;
A bill (H. R. 5378) granting a pension to Henry Milkey;
A bill (H. R. 5308) granting a pension to Lina J. Stearns;
A bill (H. R. 5309) for the relief of Charles Milk;

A bill (H. R. 3947) granting a pension to Joseph Raible; and A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2661) granting a pension to Miss—with an amendment, and submitted a report thereon. - Gill, reported it

Mr. BLAIR. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 7538) granting an increase of pension to Mary F. Blake, to report it adversely; and I submit the views of the minority favoring the passage of the bill. I ask that it be placed on

the Calendar.

The PRESIDENT pro tempore. The bill will be placed on the Calendar with the adverse report of the committee, and, if there be no objection, the views of the minority will be received and printed.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the petition of Mrs. Ann Atkinson, granddaughter of George Mason, of Virginia, praying for an increase of pension, submitted a report thereon accompanied by a bill (S. 2665) granting increase of pension to Ann Atkinson; which was read twice by its title.

Mr. BLAIR, from the Committee on Pensions, to whom were referred.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported adversely thereon and moved their indefi-nite postponement; which was agreed to:

A bill (8. 144) granting a pension to George W. Bean; A bill (8. 1894) granting a pension to Octavia A. Newhall; and A bill (8. 2193) granting a pension to Ferdinand Hercher. Mr. VAN WYCK, from the Committee on Pensions, to whom were

referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 7177) granting a pension to William H. Kinman; A bill (H. R. 7178) granting an increase of pension to John O. Gardner;

A bill (H. R. 7503) for the relief of Daniel McAlpin;

A bill (H. R. 2085) granting a pension to Joseph McIntosh; A bill (H. R. 8187) granting a pension to Chancy G. Darrah;

A bill (H. R. 4458) granting a pension to Harlan Jackson; and A bill (H. R. 7340) granting a pension to John Spørr.

Mr. VAN WYCK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

ment, and submitted reports thereon:

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;

A bill (S. 2620) granting a pension to Thomas H. Boaz; and

A bill (S. 2619) granting a pension to Martha Hughes.

Mr. VAN WYCK. I desire to say in connection with these reports that immediately after the naval appropriation bill, which will be called up this morning, shall have been acted upon, I shall ask that the Senate bills reported favorably from the Committee on Pensions may be considered. ered, for the reason that the House Committee on Pensions will meet this afternoon for the purpose of considering Senate bills so that they may be passed to-night in the House, and this will probably be the last and with an amendment, and submitted a report thereon.

only opportunity to pass the few Senate bills which are reported from the Committee on Pensions this morning. I will ask the clerks to retain the Senate bills and not send them to the Printer, so that they may go

into the hands of the House committee after their passage by the Senate.

Mr. FAIR, from the Committee on Claims, to whom were referred the following bills, reported adversely thereon; and the bills were post-

poned indefinitely

A bill (S. 1452) for the relief of B. Reinhart & Co.; and A bill (H. R. 4380) for the relief of A. H. Herr.

Mr. HAMPTON. I am instructed by the Committee on Military Affairs, to whom was referred the bill (H. R. 4684) for the relief of certains, to whom was referred the bill (H. R. 4684) for the relief of certains. tain citizens of Marion County, Tennessee, to report it favorably. I call the attention of the Senate to the fact that this bill is reported without amendment. By a typographical error one word was left out which the committee has interpolated. Will that be treated as an amend-

The PRESIDENT pro tempore. It must be so treated. The bill will

be placed on the Calendar.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the petition of Miss Herrmine Thomson, praying that she be permitted to pre-empt one hundred and twenty acres of the reservation at Camp Independence, California, submitted an adverse report thereon, which was agreed to; and the committee were discharged from Mr. MITCHELL, from the Committee on Pensions, to whom were

referred the following bills, reported them severally without amendment, and submitted reports thereon:

ment, and submitted reports thereon:

A bill (H. R. 7933) granting a pension to Henry Biederbick;

A bill (H. R. 5191) granting an increase of pension to Augustus Jones;

A bill (H. R. 4055) granting a pension to Sarah Tyler;

A bill (H. R. 4055) granting a pension to Sarah Tyler;

A bill (H. R. 2645) granting a pension to Esther Hudson, mother of William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and ninety-first Regiment Pennsylvania Volunteers;

A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;

A bill (H. R. 8229) to grant a pension to James Dye;

A bill (H. R. 7169) granting a pension to Elizabeth Kaler;

A bill (H. R. 8091) granting a pension to Creet H. Dougherty;

A bill (H. R. 4605) granting a pension to David Sears;

A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;

A bill (H. R. 5148) granting a pension to Amos McDowell;

A bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher;

A bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher;

A bill (H. R. 7554) granting a pension to Annie E. Bailey; and

A bill (H. R. 1235) granting a pension to Annie E. Bailey; and A bill (H. R. 5554) granting a pension to Sarah Parry.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (S. 2569) granting a pension to Mrs. Lydia S. Huggins,

submitted an adverse report thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1308) to grant arrears of pension to the widow of Milton Searle, submitted an adverse report thereon, which was agreed to; and the bill was

postponed indefinitely.

Mr. MITCHELL. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint, to report it with a favorable recommendation and to ask the Senate to consider it at this time. The bill is very brief and it ought not to take five minutes to

The PRESIDENT pro tempore. Is there objection? Mr. HALE. I ask for the regular order.

The PRESIDENT pro tempore. Objection is made.

Mr. MITCHELL. Then I shall ask the Senate to take up the bill and consider it in connection with the Senate pension bills this afternoon

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885, to report it with certain amendments, and I ask for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. HALE. I must call for the regular order.
The PRESIDENT pro tempore. Objection is made. The joint res-The PRESIDENT pro tempore. Objection is made. The joint resolution will be placed on the Calendar.

Mr. CAMDEN, from the Committee on Pensions, to whom were re-

ferred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5740) for the relief of Grigsby Foster; A bill (H. R. 4878) granting a pension to Emma O. Zeigler; and A bill (H. R. 8136) for the relief of Addison M. Copen.

RETURN OF BILLS.

Mr. MANDERSON. I am instructed by the Committee on Printing to ask for the following order:

Ordered, That the Secretary request the House of Representatives to return to the Senate the joint resolutions S. R. 127, S. R. 128, and S. R. 129.

The order was agreed to.

LIEUT. A. W. GREELY.

Mr. DAWES. I ask the indulgence of the Senate for a moment to

make an inquiry of the Committee on Military Affairs.

The PRESIDENT protempore. The Senator from Massachusetts asks unanimous consent to make a statement. If there be no objection, he

Mr. DAWES. The chairman of the Committee on Military Affairs is absent and has been for some time. I do not know who acts as chairman in his absence; but I should like to make an inquiry, as I see several

members of the committee present.

Some weeks ago a bill was referred to that committee designed to create an assistant chief of the Signal Bureau. The object of it was to give an opportunity for a recognition of the very distinguished and heroic deeds of a member of the Army, Lieutenant Greely. Lieutenant Greely is a native of my State, and the people of my State take a great interest as well as pride in what he has achieved and what he has suffered. They are looking anxiously to Congress for some recognition of his services; and I make bold to inquire of the committee respectfully whether there is any prospect that a report will be made upon that bill, so that the sense of the Senate can be taken upon it or upon some opportunity to make recognition of the services of that distinguished officer? I fear that if Congress shall adjourn without doing that, Lieutenant Greely will not be where any recognition of his services will be of any avail to

him before Congress may meet again.

Mr. HARRISON. Mr. President—
The PRESIDENT pro tempore. The Senator from Indiana, if there be no objection, will be heard.

Mr. HARRISON. In the absence of the Senator from Illinois [Mr. HARRISON]. LOGAN], who is chairman of the Committee on Military Affairs, and of the senior Senator from Pennsylvania [Mr. CAMERON], who is next on the committee, I have been for two weeks, perhaps, the acting chairman of that committee.

Prior to that time I am not able to give any account of the bill referred to by the Senator from Massechusetts. I do not know in whose hands it was or whether it had been referred to any member of the committee for consideration up to that time. Since my attention was called to the bill by the Senator from Massachusetts, in a private way, I looked it up and had a communication addressed to the Secretary of War on the subject, as is the custom of the committee. The response of the Secretary of War was only laid before the committee this morning. early hour at which the Senate is meeting makes it difficult to get the committee together for a full session. At the best, if we are all prompt, we can get not more than an hour for the consideration of business before the committee. There are a large number of bills pending, some of which have been in the hands of subcommittees for a considerable length of time, who have been awaiting an opportunity to get in their reports. We did not have time this morning to act upon the bill to which the Senator from Massachusetts has referred.

I may say that the bill brings to the attention of the committee a subject of a general character about which there is some division of opinion, which has no relation whatever to Lieutenant Greely or his claims to consideration. It is known, I think, to many members of the Senate that the Secretary of War has in several communications recommended that the roster of offices of the Signal Service should not be increased. In his opinion the Signal Service has come chiefly to be a weather bureau and the duties connected with it of a civil rather than a military nature. The Secretary of War is disinclined to recommend or approve any suggestions for increasing the number of officers assigned to that corps. So the bill to which the Senator from Massachusetts has referred brings before the committee that question as well as the question of giving by law some proper recognition to Lieutenant Greely for his services and exposure in the Arctic regions.

We shall have another meeting of the committee on Monday, and I

will say to the Senator that the question will be again considered by the committee, and if there is time to reach a decision upon the bill it will be reported to the Senate.

Mr. DAWES. If the Senate will permit me to add a word—

The PRESIDENT pro tempore. The Senator from Massachusetts will proceed, if there be no objection.

Mr. DAWES. Of course the Committee on Military Affairs and the War Department have a better judgment than any one else as to the propriety of increasing the force of the Signal Bureau. purpose of the friends of the measure to seek any special channel of recognition of Lieutenant Greely, but the bill gives the committee jurisdiction of the subject-matter, and I hope the Senate will indulge me in invoking earnestly their consideration of the subject contemplated by the bill. I do it in the feeling that Lieutenant Greely eminently deserves some recognition. I do not care to specify it nor do I care what it may be if it is in some measure commensurate with the value

of his services and the heroism which he has exhibited. Senate Committee on Military Affairs may not omit to do that, if they should come to the conclusion that the way suggested in the bill is not

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, fts. Clerk, announced that the House had passed the joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies

The message also announced that the Speaker of the House of Representatives had signed the enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

EVENING SESSIONS.

The PRESIDENT pro tempore. "Concurrent and other resolutions" are in order, and the Chair lays before the Senate a resolution offered on the 26th instant by the Senator from Maine [Mr. FRYE], which

The resolution was read, as follows:

Resolved. That until otherwise ordered the Senate take a recess each day at 6 to 8 o'clock p. m.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. HALE. Mr. President—
Mr. SHERMAN. There is no necessity—
The PRESIDENT pro tempore. The Senator from Maine first ad-

dressed the Chair.

Mr. HALE. If there is not to be any debate I shall not interpose a motion to proceed to the consideration of the naval appropriation bill; but if there is to be any debate—and I have been notified that there will -I make the motion now that the Senate proceed to the consideration of the naval appropriation bill.

The PRESIDENT pro tempore. Does the Senator submit the motion?

Mr. HALE. Yes, sir.
Mr. SHERMAN. All I wish to say is that there is no necessity for the resolution. There is not a particle of necessity for it.
Mr. HALE. We can take a recess any day we choose.

Mr. SHERMAN. It is in order without such a resolution as this. It is in order under the rules now to take a recess,

The PRESIDENT pro tempore. Pending the consideration of the resolution, the first hour of the morning hour having been concluded, it is in order for the Senator from Maine to move, and he does move, that the Senate proceed to the consideration of the naval appropriation bill.

The question is on agreeing to the motion of the Senator from Maine. The motion was agreed to.

SUPPLIES TO MINNESOTA SIOUX INDIANS.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate in compliance with its request the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof, with the amendments of the House of Representatives

Mr. CAMERON, of Wisconsin. Will the Senator from Maine consent to waive the appropriation bill for a moment while I ask that a Senate bill returned from the House with amendments be laid before the Senate?

I consent.

The PRESIDING OFFICER (Mr. INGALLS in the chair). Chair lays before the Senate a bill returned from the House of Repre-

sentatives with amendments, the title of which will be read.

The CHIEF CLERK. "A bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862,

and providing for the payment thereof."

Mr. CAMERON, of Wisconsin. I now move that the Senate reconsider the vote by which it concurred yesterday in the House amendments to the bill just laid before the Senate.

The PRESIDING OFFICER. That order will be made if there be

or objection. The Chair hears none.

Mr. CAMERON, of Wisconsin. Now I move that the Senate nonconcur in the amendments and ask the House for a conference on the disagreeing votes of the two bodies.

The motion was agreed to; and, by unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. Cameron of Wisconsin, Mr. Dawes, and Mr. Slater were appointed.

The PRESIDING OFFICER. In this connection the Chair would

state that while the bill was in the custody of the House of Representatives it was enrolled, and the enrolled copy sent over for the signature of the President pro tempore. In consequence of the action of the Senate this enrolled bill will not receive the signature of the President pro tempore, and will be returned by the Secretary with a message stating the reason therefor.

NAVAL APPROPRIATION BILL

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes.

Mr. HALE. I ask unanimous consent that the first or formal reading of the bill be dispensed with, and that then the bill be read for

amendment, and the amendments of the Committee on Appropriations be first considered.

be first considered.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the reading of the bill in extense be dispensed with, that it be read by paragraphs, and that the amendments of the Committee on Appropriations be acted on as they are reached in the reading and considered before amendments offered by individual Senators. Is there

objection? The Chair hears none. The reading will proceed.

The Chief Clerk proceeded to read the bill till line 14 was reached.

The PRESIDING OFFICER. The Chair would call the attention of the Senator from Maine to the fact that the word "one" is repeated in line 13.

Mr. HALE. That is one of the amendments I proposed to call up afterward, but it may as well be done now.

The PRESIDING OFFICER. The amendment will be made if there be no objection, striking out one "one."

The reading of the bill was resumed. The first amendment reported

by the Committee on Appropriations was, in the appropriations for "miscellaneous" expenses, in line 74, after the word "pilotage," to strike out the words:

Bringing home the bodies of naval officers who have died or may hereafter die abroad while on duty.

The amendment was agreed to.

The next amendment was, in line 112, to increase the total amount of the appropriation for the "Bureau of Navigation" from \$87,500 to \$100,000.

The amendment was agreed to.

The next amendment was, after line 113, to insert:

For special ocean surveys and the publication thereof, \$10,000.

The amendment was agreed to.

The next amendment was, after line 115, to insert:

For publication of professional papers, \$10,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Ordnance," after line 133, to insert:

For the purchase or manufacture of steel guns of small ealiber for ships now in service, and for testing the same at the naval ordnance proving-ground, \$21,000.

The amendment was agreed to.

The next amendment was, in line 138, before the word "test," to insert "public;" so as to read:

For the completion and public test of two breech-loading rifle-cannon of the larger calibers now in course of construction for the Navy, with carriages and ammunition for both, \$80,000.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 141, to strike out the following proviso:

Provided, That the test shall be conducted as follows: With battering charges for two hours, and under the most rapid continuous rate of firing, as near as may be like the conditions of a hotty-contested battle; then with the service charge not less than five hours. Permission, with ample notice to be present, shall be given to all persons who indicate a desire to examine the preliminary preparation and witness the firing. Expenditures of public money on all other naval cannon of and above said caliber shall ecase until this public test has terminated. And all the facts and incidents of the test shall be reported to Congress by the Chief of the Burcau of Ordnance as soon thereafter as possible.

The amendment was agreed to.

The next amendment was, in line 165, to increase the total amount of the appropriation "for miscellaneous items" for the Bureau of Ordnance from \$3,000 to \$4,000.

Mr. HALE. There is an error in the print. The word "three"

occurs twice in line 165.

The PRESIDING OFFICER. The amendment of the committee will be regarded as to strike out both words "three" and insert "four."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the "Bureau of Equipment and Recruiting," in line 185, to increase the total amount appropriated "for equipment of vessels" from \$800,000 to \$825,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Yards and Docks," in line 221, to increase the total amount of the appropriation "for general maintenance of yards and docks" from \$200,000 to \$950,000 \$250,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Medi-

cine and Surgery," in line 235, after the word "dollars," to strike out the following words:

And if the Secretary of the Navy shall not be able to maintain properly the whole number of naval hospitals now kept open on the amounts hereby appropriated for the maintenance of and civil establishment at naval hospitals, he shall close those which are least necessary to the service, and provide for the patients now cared for therein at such other naval hospitals as may be most convenient.

The amendment was agreed to.

The next amendment was, in line 261, to increase the appropriation for necessary repairs of naval laboratory, naval hospitals, and appendages, including roads, wharves, outhouses, sidewalks, fences, gardens, farms, and cemeteries," from \$10,000 to \$15,000.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Provisions and Clothing," in line 269, to increase from \$1,085,000 to \$1,100,000 the appropriation "for provisions for the seamen and marines; commuted rations for officers, naval cadets, seamen, and marines; expenses of inspections and storehouses, including labor; purchase of water for cooking and drinking on board ships; and for provisions and commutation of rations for seven hundred and fifty boys."

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Construction and Repair," in the proviso to the clause appropriating \$1,000,000 "for preservation and completion of vessels on the stocks and in ordinary," &c., in line 292, after the word "exceed," to strike out "thirty" and insert "twenty;" so as to make the proviso read:

Provided. That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs, to be appraised by a competent board of naval officers, shall exceed 20 per cent. of the estimated cost, appraised in like manner, of a new ship of the same size and like material.

The amendment was agreed to.

The next amendment was to strike out lines 299 and 300, as follows: For the completion of the New York, \$400,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Steam-Engineering," in the proviso to the clause making appropria-Steam-Engineering," in the proviso to the clause making appropria-tions "for repairs, completion, and preservation of machinery and boil-ers, including steam-steerers, steam-capstans, steam-windlasses, &c., in vessels on the stocks and in ordinary," &c., after the word "exceed," at the end of line 315, to strike out "thirty" and insert "twenty;" and in line 320, after the words "repaired for," to strike out "thirty" and insert "twenty;" so as to make the proviso read:

Provided, That no part of said sum shall be applied to the repair of engines and machinery of wooden ships where the estimated costs of such repair shall exceed 20 per cent. of the estimated cost of new engines and machinery of the same character and power; but nothing herein contained shall prevent the repair or building of boilers for wooden ships the hulls of which can be fully repaired for 20 per cent. of the estimated cost of a new ship of the same size and material.

The amendment was agreed to.

The reading of the bill was continued to line 528.

Mr. COCKRELL. I thought the understanding was that "cartickets" were to be stricken out.

Mr. HALE. I am going to call attention to that when we come to
It may as well be stricken out now, however, and I will move it.
Mr. COCKRELL. I want the words "car-tickets" struck ont wherever they occur. Mr. HALE.

We have stricken out "car-tickets" in other appropriation bills.

The PRESIDING OFFICER. Will the Senator indicate the lines

where the amendment is to be made

Mr. HALE. In lines 520 and 521 I move to strike out the words car tickets, \$200."

The PRESIDING OFFICER. If there be no objection the amendment will be made. It is agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out the clause from line 529 to line 535, inclusive, as follows:

To complete the construction of the steel cruiser of not less than 5,000 nor more than 6,000 tons displacement, and the armament therefor, authorized by act of Congress August 5, 1882, \$1,780,000, or so much thereof as may be necessary: Provided, The Secretary of the Navyshall approve of the construction of said vessel.

And in lieu thereof to insert-

Mr. McPHERSON. Is the question first to be taken on striking out that paragraph? Do I understand the question to be on striking out from line 529 to line 535?

The PRESIDING OFFICER. The amendment of the committee is to strike out from line 529 to line 535, inclusive—

Mr. HALE. And to insert the matter printed as lines 536 to 559.

Mr. McPHERSON. I wish to say a word in respect to that. I wish to ask the Senator from Maine if the committee have properly considto ask the Senator from Maine if the committee have properly considered the question as to whether it is possible to build a naval vessel of the size which I see the committee propose to build and obtain the requisite speed as a cruiser to overtake the modern commercial ships. Necessarily in vessels of small size the lines will not be fine, the ship will not have the requisite length, and can not have the necessary power to overtake the commercial ships of to-day. I think the Sen ator will not for a moment argue that the ships the committee here propose to build can overtake such a vessel as the Alaska or the Arizona or other ships of like class and character which have been built of late and which will make up the commercial marine of the future. Therefore I think it wise that the committee should retain this provision of the House bill providing for the construction of the larger ship. As all the ships we are now building are simply experiments, it would seem to be wisdom not to delay longer the commencement of one ship

of the larger size having the requisite speed.

Mr. HALE.—I am very glad that the Senator from New Jersey has called attention to this matter and has asked the question which he has put to me. The committee did consider this question very carefully. Of course the Senator from New Jersey and other Senators will bear in mind that this is not a new subject. These matters have been bear in mind that this is not a new subject. These matters have been gone over repeatedly heretofore in the Senate at other sessions. Ungone over repeatedly heretofore in the Senate at other sessions. Cardoubtedly the class of ships provided for by the committee's amendment ranging from three to four thousand tons, no specific type being determined, but that being left to the future Secretary of the Navy and such advice as he may gather from naval officers, will not be able to overtake the largest and fastest of the great steamers that are employed in the transportation of goods and passengers, especially those upon the European lines; neither would the ship that is provided for in the clause of the House bill that the committee strike out be able to do that. No ship can be constructed in the Navy that would overtake such steamships as ply between the ports of America and Europe, unless she went up into the range of ships from eight to ten thousand tons. Such a ship

When the advisory board came to consider the practical condition of the Navy and the need for immediate ships, one of the first questions that they met was this which is raised by the Senator from New Jersey, and in making their report in 1883 and 1884 they used this language,

which I will read:

which I will read:

In concluding the report the board deems it necessary to record its emphatic disapproval of the suggestions that have of late been so frequently made throughout the country, that the Navy should acquire a number of extremely high-speed commerce-destroying vessels of great endurance, designed in these respects with special reference to gaining superiority over the large and swift transatiantic mail steamers. The main reasons for this disapproval are as follows:

"In order that a competitive vessel should excel in speed and endurance the best of these fast packets, she must certainly cost as much to build and be of nearly as great dimensions, necessitating a displacement of at least 11,000 tons. Once built, these vessels would be so costly in maintenance, so limited in maneuvering power and scope of effective service, owing to the great dimensions, especially the draught, and they would absorb for their control such a large proportion of the personnel of the Navy, that active service could only be warranted by the most urgent necessity for special work."

They go on further to amplify these reasons. One ship capable of

They go on further to amplify these reasons. One ship capable of overtaking the fast transatlantic steamships would absorb a tenth part of the entire force of the Navy; and the Committee on Naval Affairs last year and the Committee on Appropriations now in reporting this amendment deemed it wise to take the recommendations of the advisory board as to classes and to leave out in their recommendations in commencing the reconstruction of the Navy this large ship of from five to

six thousand tons proposed by the House.

Now, let me say one word upon the important matter of speed. The Esmeralda, which has been built in Great Britain and sent to a South American power, which is the same type almost exactly with the Boston and Atlanta, has made 18 knots per measured mile in her first trip. It is believed that the Boston and Atlanta, which are almost finished, will do the same. But the committee realized the force of the objection that has been raised by the Senator from New Jersey and by other Senators heretofore, that in future building the Department ought not to be kept down to this type of vessel, and therefore it has made this amendment in the most liberal terms, giving a range of from three to four thousand tons and leaving the kind of ship that shall be constructed to the discretion and judgment of the Secretary of the Navy upon plans that he makes after full examination.

Now, as to the overtaking of commercial vessels upon the waters of the globe, these ships if they are constructed of about 3,600 tons, as the board recommends, will be able to overtake nine-tenths of the commercial marine of the world impelled by steam. The other tenth, a few immense great transatlantic vessels, can not be overtaken by any ship that is provided for here, nor by the ship provided for by the House bill, and only, as the board says, by constructing an immense vessel of ten or eleven or twelve thousand tons displacement; and the committee has not felt that it was wise in the decaying condition of the Navy to put so many eggs into one basket, and has, therefore, provided for the building of four new ships under the discretion of the next administration of the Navy Department.

Mr. McPHERSON. The Senator from Maine will observe that the

vessels he proposes to build are almost the same in class with those we are now building. The vessels here proposed to be built will scarcely be larger than the Chicago type, perhaps a little larger than the Boston

and Atlanta.

The Senator speaks of the Esmeralda as having made eighteen miles per hour on the measured mile. I think the Senator will not argue from that that the vessel was capable of going through an intense wind and storm making more than 13 or 14 knots per hour on the average. I think the Britannic, one of the White Star steamships, when she first

came out measured about twenty miles in an hour; but the average of her sailing during the entire year, I am informed from a paper laid be-fore the House committee, is only about fifteen miles per hour. The Britannic is a vessel some five hundred feet in length and over 5,000 tons register. In short, all the commercial ships of the present day, those that transport a large majority of the commerce of the United States between the port of New York, particularly, and the European ports, are vessels of that class and type. The Cunard line, the National line, the Inman line, the White Star line, the German line are all composed of much larger vessels with larger tonnage, with great power and

What do we build cruisers for? We build them to cruise for some-thing, and as the commerce of the country is transported in these larger and faster ships what is the use of continuing the construction of cruisers which can really overtake nothing except sailing vessels?

I have no objection to the amendment of the committee as far as it

goes; I have no objection to building ships of the class proposed; I think perhaps they are needed; but I do submit that certainly as to one ves sel of a larger class, of more tonnage, with great power and great speed it is time the Government of the United States commenced such a ship. Certainly we can afford to experiment with one ship of larger class and great speed, and I think the time to do it is now. It was recommended by the present advisory board, I think last year.

Mr. HALE. No; the Senator is mistaken. The old advisory board recommended one of the ships of this kind. The present advisory board rejected that and advised to go on with the cruisers of the smaller type.

Mr. McPHERSON. Then there is only a difference of opinion as between the two edvisory boards and early a difference of opinion as

between the two advisory boards, and certainly the common sense of

the whole matter is in favor of building the largest ships.

I wish to ask the committee to consent to retain that clause in the House bill, which they propose to strike out, making appropriations for the larger ship in addition to those they propose to construct. The bill would then only appropriate money for five new ships of different types, and two of those are gunboats. There are but two cruisers provided for by the committee if you strike out the words proposed to be stricken out by this amendment. Therefore I shall vote against striking out these

words.

While I am on my feet, Mr. President, I wish to say that I had the honor to submit an amendment to the Senate the day before yesterday, which was printed, getting rid of all complications and all jealousies between advisory boards and the Navy Department proper. I am sorry the committee did not see fit to report that amendment back to the Senate favorably; and inasmuch as it has not been reported favorably by any committee of the Senate I am aware it would be ruled out on a point of order, and therefore I shall make no attempt to press it. I am in favor of all the committee has proposed in this bill by way of increase of the naval establishment, but I am in favor of more. I am in favor of the House proposition being retained in addition to what is proposed by the committee.

Mr. HALE. There was an additional reason why the committee

Mr. HALE. There was an additional reason why the committee thought it better to build these four ships rather than one large one. To build the larger ship, complete her with machinery and armament, would cost in the neighborhood of \$3,000,000. Now, I believe in leaving the responsibility of this matter largely to the administration of the Navy Department in the future. I have always contended that the responsibility should be there. The head of the Department, or the President, acting through the Secretary, should be largely responsible. I have never believed in limiting that very much.

Mr. MCPHERSON. Will the Secretary yield a moment for an obser-

Mr. McPHERSON. Will the Senator yield a moment for an observation right there? Mr. HALE. Certainly.

Mr. McPHERSON. He will notice in lines 534 and 535 of the House bill it is provided that "the Secretary of the Navy shall approve of the construction of said vessel," leaving the responsibility entirely to the Secretary as to whether he shall proceed to build such a vessel or not.

Mr. HALE. I have said that this is left to the Secretary by our

Mr. HALE. I have said that this is left to the Secretary by our amendment. I was going on to remark that I doubt very much whether any new Secretary of the Navy coming afresh as he must, whoever he may be, however able he may be—and I assume that it will be an able and competent man who will be selected for Secretary of the Navy and competent man who will be selected for Secretary of the Navy—would desire even to be intrusted with the responsibility between now and the next session of Congress of going into the question of constructing one of these large ships. I believe that he would prefer to investigate for himself and to form his plan for reconstructing the Navy, and not to be beset, as he would be if authority is given him to construct this large vessel, by the urgency of contractors, to go on and build it.

I will say further that if, after the discretion that this amendment allows him he goes on investigating making himself informed as to navel.

lows him he goes on investigating, making himself informed as to naval architecture and to constructing these ships that the committee amendment provides for, the Secretary of the Navy, who will be responsible in the future largely for this work of building up the American Navy, shall report and advise that one of these large ships should be built, and we have his investigation and report on which to rest, then, with these additional new vessels that we have built, I shall be in favor of the experiment of trying one of those very expensive ships. I do not think now and the committee did not think it wise to embark in that expenditure. It will be all that any new Secretary will want to do to investigate and look into and settle the types of the ships provided for here, contract for them, and commence building them; and then when he recommends, if he does, that we go into this other domain, I shall be willing to follow him. The committee has left it as the advisory board leaves it; and so I trust that the committee's amendment will be agreed to to strike out this international committee in the committee of the strike out this committee. be agreed to to strike out this immensely expensive ship and give us these others instead, and let the Department go on, and then if they recommend the larger ship we can try that at another Congress.

Mr. McPHERSON. I ask that the vote may be taken separately on

the proposition to strike out.

The PRESIDING OFFICER. A motion to strike out and insert is

not divisible

Mr. MILLER, of California. The Senator from Maine speaks of large The clause which the committee recommend to be stricken out provides for a steel cruiser of not less than 5,000 nor more than 6,000 tons displacement. That is not a very large ship, a ship of about 3,000 tons burden. In the amendment of the committee it is provided that two cruisers of not less than 3,000 nor more than 4,000 tons displacement may be built, and these the Senator thinks are smaller ships not near so expensive to build. He estimates that a cruiser of five or six thousand tons displacement will cost \$3,000,000. I can not conceive how it is possible that a ship of that size should cost that sum of money, unless it is to be an ironclad.

From the examination which I have given this subject from time to From the examination which I have given this subject from time to time I am of opinion that these ships of 4,000 tons displacement are too small for any very valuable purpose in the Navy. They can not make time which a cruiser ought to make. No ship of that class can make in all weather more than fifteen or sixteen miles an hour, no matter what material you put into it. It is true that too large a cruiser would be a very expensive machine for the Government to handle. It is doubtful whether a cruiser as large as the merchant sailers now plying on the waters of the Atlantic could carry coal enough to run her more than ten or twelve days, but a steamer of the size here described in the provision in the House bill would not probably consume more than sixty or seventy tons of coal in twenty-four hours, whereas the larger class of steamers, like the Alaska and the Britannic, consume from one hundred and seventy-five to two hundred and fifty tons of coal in twenty-four hours.

I should like this amendment much better if the limit as to the size of these cruisers were raised to 5,000 tons displacement, giving a discretionary power to the Secretary of the Navy to build a ship up to 5,000 tons displacement. If the committee would consent to that amendment I should be willing to strike out the clause in the House

bill that they propose to strike out.

The PRESIDING OFFICER. The Senator from California will please suspend. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business of yesterday, being the bill (H. R. 4976) for the retirement and recoinage of the trade-

Mr. MORRILL. Let that be informally laid aside until the naval appropriation bill is through.

The PRESIDING OFFICER. The unfinished business will be in-

The PRESIDING OFFICER. The unfinished business will be informally laid aside and the naval appropriation bill will be continued.

Mr. MILLER, of California. - In the committee's amendment in line 543 I suggest the striking out of the word "four" and inserting "five," so as to leave a margin between 3,000 tons and 5,000 tons displacement.

Mr. HALE. The Senator from California, who is evidently proceed-ing on the same proposition and theory as the Senator from New Jersey, suggests that the discretion given to the Secretary of the Navy as to the size of the two new ships be increased from 4,000 to 5,000 tons displacement, so as to give an opportunity of building one of the two, or both, of the larger kind. I am willing to consent to that because it leaves the discretion with the Secretary of the Navy. He might do one,

or very possibly might do both, but I am willing to leave it to him.

Mr. MoPHERSON. Would you not be willing to make an amendment after the word "each," in line 545, to read as follows—I submit

this also to the Senator from California?

And one cruiser of not less than 5,000 nor more than 6,000 tons displacement.

So as to provide for three vessels. That is practically bringing in by that amendment to the committee's amendment the same provision that is involved in the House bill between lines 529 and 535. It provides for the building of one more ship, and leaves the two cruisers exactly as the committee proposed them.

Mr. COCKRELL. I hope the Senator from Maine will not agree to

that.

Mr. HALE. I can not consent to that.

Mr. McPHERSON. Then I agree to the other proposition, though

I should like to have it increased to 6,000 tons.

Mr. MILLER, of California. I think 5,000 tons is large enough, and I think that will be a solution of the difficulty. We can all agree to have two ships, one of which may be of 5,000 tons, and leave that to the discretion of the Secretary of the Navy.

Mr. HALE. I ask then that unanimous consent be given that in line

543 the amendment be amended by inserting "five" instead of "four," and then I hope the amendment of the committee will be adopted.

The PRESIDING OFFICER. The Chair will state to the Senator from Maine that the part proposed to be inserted has not yet been read

by the Secretary.

Mr. HALE. I ask that that be read.

The PRESIDING OFFICER. The words will be read.

The Secretary read the words proposed to be inserted in lieu of the clause to be stricken out, as follows:

Clause to be stricken out, as follows:

To enable the President to strengthen the naval establishment of the United States by additional vessels of the best and most modern design, having the highest attainable speed, the sum of \$1,895,000 is hereby appropriated, to be expended as follows and under the following limitation:

For the construction of two cruisers of not less than 3,000 nor more than 4,000 tons displacement, costing, exclusive of armament, not more than \$1,100,000 each; one heavily armed gunboat of about 1,600 tons displacement, costing, exclusive of armament, not more than \$275,000; and one light gunboat of about 300 tons displacement, costing, exclusive of armament, not more than \$275,000; and authority is hereby given for the construction of said four vessels, at not exceeding the total cost for each above specified, in accordance with such final plan as may be determined upon, after a revision and reconsideration of all designs which have been heretofore made, and in the manner and conformity to the conditions and limitations provided for the construction of the new cruisers in the acts of August 5, 1882, and of March 3, 1883.

Mr. HALE. In line 543, after the word "than," I move to strike out "four" and insert "five;" so as to read:

For the construction of two cruisers of not less than 3,000 nor more than 5,000 tons displacement, &c.

The PRESIDING OFFICER. The Chair understands that the motion of the committee is to amend by striking out lines 529 to 535 inclusive and inserting the words which have just been read. The Sen-

ator from Maine proposes to amend the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 559, to insert:

Toward the armament of the foregoing cruisers and gunboats, \$500,000.

The amendment was agreed to.

The next amendment was, after line 561, to insert:

For continuing work upon the double-turreted monitors, \$2,000,000, the same to be applied toward procuring the side and turret armor and armament and finishing the vessels; and the Secretary of the Navy, acting under the advice of the naval advisory board in the same manner in all respects as in the construction of the steel cruisers, shall not, in procuring such armor and armament and finishing the monitors, exceed as the total cost of such completion the amounts estimated in the report of the board of October 25, 1883, and the report of the Secretary of December 1, 1883; and in all purchases of armor or contracts for construction there shall be free and open public competition.

Mr. MILLER, of California. I ask the Senator from Maine if it is to be understood that this applies to the four double-turreted monitors upon which work is to be continued at the discretion of the Secretary of the Navy and the advisory board?

Mr. HALE. Yes, it is the same provision that the Senate has put on repeatedly before. It refers to the four ironclads, one upon the Pacific coast and the three here. They are not named in terms, but the references that are made include them all.

Mr. MILLER, of California. The intention is that this money shall

be divided among the four?
Mr. HALE. Undoubtedly.

The amendment was agreed to.
The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was to

strike out section 4 in the following words:

SEC. 4. That no officer whose name is borne on the retired-list of the Army, Navy, or Marine Corps shall hold position in the civil service or other employment of the Government, and draw the salary or compensation thereof together with his pay as a retired officer of the Army, Navy, or Marine Corps: Provided, That any such retired officer accepting a position in the civil service or other employment of the Government may, at the time of acceptance, elect to take the salary of such position or in lieu to retain his pay as a retired officer: Provided further, That the restrictions of this section shall not apply to any officer below the rank of major in the Army or Marine Corps or commander in the Navy who has been retired by reason of wounds Seceived in service, or to any retired officer of the Army, Navy, or Marine Corps designated by law to perform civilian duty.

The amendment was accord to

The amendment was agreed to.

Mr. HALE. I wish now to go back to page 2. There are some formal amendments that should be made. At the top of the page, line 13, was the superfluous word "one" struck out?

The PRESIDING OFFICER. It has been struck out.

Mr. HALE. In line 21 the word "nine" should be erased and the word "ten" substituted; so as to read:

Ten naval constructors.

I move that amendment.

The amendment was agreed to.
Mr. HALE. In line 22 the "ten" should be erased and "nine" substituted: so as to read:

Nine assistant naval constructors.

I move that amendment.

I move that amendment was agreed to.

The amendment was agreed to.

The Chair calls the attention of the The PRESIDING OFFICER. The Chair calls the attention of the Senator from Maine to the fact that the word "ten" occurs twice in line 22. Which "ten" is it proposed to strike out? Mr. HALE. The first "ten" before "assistant naval constructors." The PRESIDING OFFICER. That change will be made.
Mr. HALE. I have an amendment to offer, not from the Committee

on Appropriations but by direction of the Committee on Naval Affairs; it has been duly presented and sent to the Committee on Appropriations. I now offer it as an additional section.

The Chief Clerk read the proposed amendment, as follows:

For the purchase by the Secretary of the Navy of the Destroyer, an iron vessel designed and built by Capt. John Ericsson, armed with a submarine gun and projectile torpedo, including also an independent submarine gun, \$112,000: Provided. That it shall satisfactorily appear that said vessel, steam-machinery, guns, projectiles, and experiments developing the same have cost that amount: *And procided further.* That the Government of the United States shall at any time hereafter, if it shall so elect, have the option to purchase all the patents issued by the United States relating to said vessel, submarine gun, projectile torpedo, and all appliances connected with the same, the said John Ericsson having agreed to communicate to the Secretary of the Navy any and all improvements he may make on and concerning the same free of charge, for a sum not exceeding \$100,000.

The amendment was agreed to.

Mr. MITCHELL. I desire to call attention to the provision on pages
21 and 22 for the naval asylum at Philadelphia. I have just received a communication from a prominent gentleman who resides in the same ward where this institution is, and he says he has had consultation with those in charge of it and that the appropriations proposed in this bill are entirely inadequate. It appears that by the estimates \$98,411 were thought requisite for the maintenance and support of the institution and for some improvements proposed, while the bill only gives \$60,067. I should be glad if the Senator in charge of the bill would inform us why it is that the estimates are not followed in this case.

Mr. HALE. The committee looked into that and did not find any

pressing need for additional appropriations, all the more because these are the same that they were in the last regular appropriation bill, upon which the institution has got along without any deficiency. It is quite likely they might use more money to some advantage, but the committee did not deem it a case where there was any necessity for adding to

the House provision this year.

Mr. McPHERSON. I desire to offer an amendment to come in after

section 3 as a new section:

That the sum of \$5,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under and by direction of the Secretary of the Navy, for extending and continuing explorations in Madagascar.

The PRESIDING OFFICER. Will the Senator from New Jersey state the point in the bill where he desires the amendment inserted? Mr. McPHERSON. At the end of the bill, after section 3, to form a new section.

The PRESIDING OFFICER. The amendment will be read.

The Secretary read the amendment.

Mr. McPHERSON. I am fully sensible of the fact that this amendment is subject to a point of order that may possibly be raised; but I think if the Senate will listen to me for two minutes, there is not a single Senator here who will not be willing to make this a part of the naval appropriation bill.

It is well known to every member of the Senate that extensive explorations have been made in the great island of Madagascar in the past eighteen months by a young naval officer of the United States. I speak of Lieutenant Shufeldt, son of Admiral Shufeldt, who performed uch great service for the Government in the Corean matter, and young Shufeldt himself is one of the most distinguished and successful officers in the United States service.

Perhaps I can better explain the whole matter by presenting an article which was handed me a few moments ago which appeared in one of the newspapers; and inasmuch as I desire to read only a few extracts from the article I will not send the paper to the Secretary's desk, but

will select the extracts myself:

Madagascar, briefly described, is the third largest island on the known surface of the globe. It has 230,000 square miles of area, or larger in extent than modern France, as large as the old German Empire, four times as large as Great Britain, and equals our New England and Middle States, including North Caro-

· It goes on to speak then about the topography of the country, of the races of people, &c., which is not at this time important to the pending question. The article then continues:

Across this vast country Lieutenant Shufeldt, United States Navy, was about one year ago detailed by the United States Navy Department to conduct an exploring party from sea to sea. He came down from Northeast China (Corea) by various steamers to Singapore, East India, and from thence embarked on a little English brig, navigating her through the Java seas and across the great Indian Ocean—for fifty-eight days—to the English island of Mauritius. Here he was detained by violent attacks of fever for over a month and much embarrassed by difficulties in reaching Madagascar on account of the French bombardments at Tamatave and their blockade of the whole eastern coast. Overcoming these he got away finally in an English schooner of eighty tons burden, and in twelve days landed alone on the forest-clad shores of Southeastern Madagascar at Mahanova. Entering the dense forest belt and ascending the Mangoko River in a cance for a distance of forty miles, the first camp was established and the native party of four hundred men organized to make the long journey to the Hova capital through the Betsimasaraka region. Through the great and ever-silent forests of the east and to the foot of the splendid range of lofty mountains that marks the boundary of the interior plateau, day by day, often broken and dishearted by fierce attacks, by desertions from his party, and the innumerable worries and responsibilities incidental to a keen sense of personal responsibility

in a strange and barbarous country, the American lieutenant led the expedition successfully.

Ascending the castern range and reaching the rolling plains of Central Madagascar many of the dangers were passed. There is no fever, the climate is mild and equable, the hills are dotted with pretty villages, the people are kind and hospitable, and the scenery grand and beautiful. In three weeks Lieutenant Shufeldt rested his party under the walls of the Hova capital and in sight of the palace of the Hova Queen, Ranavolona III. His reception in Antananarivo by all the dignataries of the Hova Government was a perfect ovation to his profession and his nationality. Every attention was showered upon him and every effort made to convey through him to his far-away country the kindly and friendly feelings the Malagasy entertained for the American name. A palace was supplied, an army detailed, and native banquets given in his honor, Lieutenant Shufeldt's experiences in the Hova capital would occupy too much space in our columns; but suffice to say that his presence did much to restore the American interests in Madagascar, to rekindle a decaying knowledge of the greatest of Western powers, and impressed the Hovas with a sense that there are many in America who view with regret the threatened downfall of a new and isolated civilization.

After three weeks' stay—

And this is the important part that I wish to call the aftention of

And this is the important part that I wish to call the attention of the Senate to-

After three weeks' stay and a final adieu to the Queen and her husband, Lieutenant Shufeldt, at the head of six hundred and fifty men (including three white men), left the capital to push his way—a distance as he traveled of six hundred miles—to the western coast. This journey, considered almost suicidal by the white residents of Antananarivo, was successfully accomplished after a series of strange adventures and many narrow coapes. Fierce Sakalava tribes often contested his march; a devastated country afforded frequently no shelter or food; the deadly fevers of the western forests decimated his people, and it was not for two months that the American officer found himself on the seacoast that is washed by the waves of the Mozambique Channel. He had but one hundred and fifty-cight men remaining. From Madagascar the lieutenant managed to cross to the East African coast in an open boat manned by five black men, and landed at Mozambique. He had accomplished the undertaking and solved many of the most important geographical questions in relation to Madagascar.

Mr. HALE. If the Senate will agree to let a vote be taken on this

proposition, I will not make the point of order.

Mr. McPHERSON. Perhaps some other Senator may, and I wish to read one statement more, though I know I am detaining the Senate. Let me call attention to a letter written to Lieutenant Shufeldt on his reaching the capital. This is a letter given him by the prime min-

It is needless to call to your knowledge that this request of Her Majesty and myself—

The request was to return to the capital and try to establish trade relations, and assist Her Majesty

that this request of Her Majesty and myself is extended to you from their certainty that your wishes for the advancement of Madagascar are sincere and true, but as showing their friendly feeling for the great country of which you are an officer, not only the first American but the first of any foreign nationality so invited. May God bless you, sir.

The PRESIDING OFFICER. Will the Senate agree to this amend-

Mr. COCKRELL. That is very beautifully and handsomely writ-

Mr. McPHERSON. By the prime minister of Madagascar.
Mr. COCKRELL. He is a magnificent English scholar, then, and I think it is not a barbaric country. I make the point of order on this proposed amendment.

The PRESIDING OFFICER. The Chair thinks that the amendment is open to the point of order, and sustains the point raised by the Senator from Missouri.

Mr. McPHERSON. I do not wish to appeal from the decision of the Chair; but may I ask the Chair if he will submit the question to the

The PRESIDING OFFICER. The Chair will be glad to submit the question to the Senate, on the request of the Senator from New Jersey, is the proposed amendment in order under the rules of the Senate?

The question was decided in the negative.

Mr. HALE. Now, I hope we shall pass the bill.

The PRESIDING OFFICER. Are there further amendments to be offered to the bill? [A pause.] The Chair will suggest that the words "car tickets" appear in one or two places in the bill where they have not yet been eliminated. The Chair understood the Senator from Missouri to suggest that they were to be stricken out wherever they occurred.

Mr. COCKRELL. Yes, sir. Their being left in the bill is an over-sight. I move that they be stricken out wherever they occur. The PRESIDING OFFICER, Where do they occur?

Mr. HALE. I have no objection to striking them out. I know of but one place, and that is in line 520.

The CHIEF CLERK. On page 9, line 195, after the word "postage," occur the words "car tickets."

Mr. HALE. I move to strike them out there.

The amendment was agreed to.

Mr. SEWELL. I should like to ask the Senator from Maine, as a matter of curiosity

The PRESIDING OFFICER. The Chair will ask the Senator from New Jersey to suspend a moment until this order can be carried out Will the Senator from Maine state the places where the words

tickets" occur?

Mr. HALE. I know of no other place.

The CHIEF CLERK. On page 11, at the end of line 243, are the words "and car tickets.

The PRESIDING OFFICER. Those words will be stricken out, if there be no objection.

The CHIEF CLERK. On page 12, line 275, after the word "ferri-ges" occur the words "car tickets."

The PRESIDING OFFICER. Those words will be stricken out here, if there be no objection.

Mr. SEWELL. I desire information in relation to the monitors. I have been voting for four years continuously, if I am not mistaken, for finishing the monitors, and still they come up every year for an appro-

Mr. HALE. Does not the Senator know that the reason is that we never could get it through the House? This is the same provision the Senator has been voting for, and I hope we shall be able to get it

through the House now.

Mr. SEWELL. Has there not been an appropriation for monitors

within the last two years?

Mr. HALE. There was \$1,000,000 given three years ago, all of which was expended except a portion for the Monadnock. This provision is the provision the Senate has put on two naval appropriation bills, but the House has always resisted it, and it has gone out. It is put on again now, the same provision the Senator has been voting for, and I hope that now we shall be able to get it through. It is right in the line that the Senator wants.

Mr. SEWELL. Can not the Senator from Maine tell us how long we

shall have to vote for this in order to finish the monitors?

Mr. HALE. Just as often as the committee puts it on to the bill, I

suppose.

The bill was reported to the Senate as amended, and the amendments

were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a concurrent resolution for the printing of 3,500 copies of the first and second volumes of Decisions Relating to Public Lands, prepared under the direction of the Department of the Interior.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were there-

upon signed by the President pro tempore:

A bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department United States Army; and

Joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MILLER, of California. I am instructed by the Committee on Foreign Relations to report an amendment intended to be proposed to the deficiency appropriation bill providing for the payment of the awards made in favor of French claimants by the French and American Claims Commission created by virtue of the provisions of the claims convention of January 15, 1880, amounting to the sum of \$625,566.35. It will be necessary perhaps under the rule that the amendment should be referred to the Committee on Appropriations, so that the committee may have it before them for consideration. I move that it be referred with have it before them for consideration. I move that it be referred, with the accompanying papers, to the Committee on Appropriations. need not be printed.

The motion was agreed to.
Mr. MILLER, of California. I am also directed by the Committee on Foreign Relations to report an amendment intended to be proposed to the sundry civil appropriation bill proposing to appropriate \$2,000 to enable the President of the United States to send the Chief of the Bureau of Statistics of the Treasury Department as a delegate to represent the Government of the United States at the jubilee to be held by the Statistical Society in London in June, 1885. I move that the amendment be referred with the accompanying papers, without printing, to the Committee on Appropriations.

The motion was agreed to.

Mr. BOWEN, from the Committee on Mines and Mining, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and or-

dered to be printed.

Mr. HARRIS. I am directed by the Committee on Epidemic Diseases to report an amendment intended to be proposed to the deficiency appropriation bill. I understand from the chairman of the Committee on Appropriations that there is ample time for the printing. I therefore move that the amendment be printed and referred to the Committee on Appropriations. tee on Appropriations.

The motion was agreed to.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, re-

ported an amendment intended to be proposed to the deficiency appro-

priation bill; which was referred to the Committee on Appropriations.
Mr. BAYARD, Mr. BLAIR, Mr. BUTLER, Mr. GORMAN, and
Mr. PENDLETON submitted amendments intended to be proposed by
them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

SENATE MANUAL.

Mr. FRYE. The last edition of the Manual is exhausted, and Senators are desirous of more. I offer a resolution for reference to the Committee on Printing:

Resolved, That there be printed and bound for the use of the Senate, under the direction of the Committee on Rules, 1,000 additional copies of the revised Senate Manual.

The resolution was referred to the Committee on Printing.

SAC AND FOX AND IOWA INDIAN LANDS.

The PRESIDING OFFICER (Mr. INGALLS in the chair). lays before the Senate the unfinished business of yesterday, being the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

Mr. HOAR. I move that the Senate proceed to the consideration of

executive business.

Mr. VAN WYCK. I ask the Senator to yield a moment for the pas sage of a bill which it is important to be passed, reported favorably by the Indian Committee with an amendment, that it may go to the

Mr. HOAR. I withdraw the motion for that purpose only.
Mr. VAN WYCK. I ask unanimous consent for the consideration of the bill, Calendar No. 1271, reported by the Committee on Indian

Affairs.

The PRESIDING OFFICER. The title of the bill will be reported for information.

The CHIEF CLERK. "A bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation, in the States of Nebraska and Kansas, and for other purposes."

Mr. HOAR. The understanding is that if it leads to debate it shall

be set aside.

The PRESIDING OFFICER. The unfinished business will be in-

formally laid aside, if there be no objection.

Mr. MORRILL. If this bill gives rise to no debate the unfinished

business may be laid aside informally.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation, in the States of Nebraska and Kansas, and for other purposes

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That with the consent of a majority of the chiefs, headmen, and male adults of the Sac and Fox (of the Missouria) tribe of Indians and the lowa tribe of Indians, expressed in open council by each tribe, the Secretary of the Interior betand he hereby is, authorized to cause to be surveyed, if necessary, and sold the remainder of the reservations of the Sac and Fox and lowa Indians, lying in the States of Nebrasks and Kansas. The said lands shall be appraised, in tracts of forty acres each, by three competent commissioners, one of whom shall be selected by the Sac and Fox and lowa tribes of Indians and the other two shall be appointed by the Secretary of the Interior.

Sec. 2. That after the survey and appraisement of said lands the Secretary of the Interior shall be, and hereby is, authorized to offer the same, through the United States public land office at Beatrice or Lincoln, Nebr., at public sale, to the highest bidder. In cases where improvements have been made by any Indian or for the United States upon such lands, such improvements shall be separately appraised: Provided, That no portion of such land shall be sold at less than the appraised value thereof, and in no case for less than S per acre, and to none except such as purchase the same for actual occupation and settlement, and who have made and subscribed on oath, before the register of said land office, and filed the same with said officer of the land office at Beatrice or Lincoln, Nebr., that it is his good faith intention to settle upon and occupy the land which he seeks to purchase, and improve the same for a home; and, except in case of the death of the purchase, and improve the same for a home; and, except in order of the case of the death of the purchase, and improvements and being in actual occupation of said land, by actual residence thereon, at the time for making the second payment, he shall forfeit the paym

moneys or fund realized from the sale thereof. The certificate provided for herein shall be of the legal effect and declare that the United States does and will hold the land thus certified, for the period of twenty-five years, in trust for the sole use and benefit of the allottee, or in case of his decease, of his heirs according to the laws of the State in which said land is situated, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs, as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands thus allotted, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void; and such lands during such time shall not be subject to taxation, alienation, or forced sale under execution or otherwise.

SEC. 4. That the proceeds of the sale of any improvements belonging to individual Indians shall be paid to the Indians to whom such improvements belonged. The proceeds of the sale of any improvements belonging to the United States shall be deposited in the Treasury of the United States; and the proceeds of the sale of said lands, first deducting therefrom the cost of the survey, appraisement, and sale, and the expense of removing the Indians as hereinafter provided, shall be placed to the credit of the said Sac and Fox and Iowa Indians, according to the interest of said tribes in said reservations, in the Treasury of the United States, and shall bear interest at the rate of 4 per cent, per annum, which income shall be annually expended for the benefit of said Indians, under the direction of the Secretary of the Interior.

SEC. 5. That the Secretary of the Interior may, with the consent of the Indians expressed in open council, as aforesaid, secure other reservation lands upon which to locate said Indians, cause their removal thereto, and expend such sum as may be necessary for th

clare that the United States does and will noid the land the reinfluescribed in trust for the sole use and benefit of said Sac and Fox and Iowa tribe of Indians, respectively.

SEC. 8. That whenever the Indians who may be properly residing upon the said reservations referred to in the last preceding sections shall desire allotments of lands in severally, the Secretary of the Interior shall cause allotments to be made to such Indians in quantity, as follows:

To each head of a family, one hundred and sixty acres.

SEC. 9. That upon the approval of the allotments provided for in the preceding section by the Secretary of the Interior, the President shall cause certificates to issue therefor in the name of the allottees, which certificates shall be of the legal effect and declare that the United States does and will hold the fee of the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or in case of his decease, of his heirs, and that at the expiration of said period, the United States will convey the same by patent to the said Indian, or his heirs, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void.

time above mentioned, such conveyance or contract shall be absolutely null and void.

SEO, 10. That the Secretary of the Interior may, with the consent of the Indians expressed in open council, as provided in section I, cause the removal of that portion of the Sac and Fox and Iowa ribes residing upon said Sac and Fox and Iowa reservations, in Nebraska and Kansas, to the reservation or reservations that may be secured for them, and expend such sums as may be rendered necessary by such removal, and for the comfort and advancement in civilization of said Indians; and the sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such expenses and for the expenses of the survey, appraisement, and sale of said Sac and Fox and Iowa lands; and the amount so expended shall be reimbursed to the United States out of the first proceeds of the sale of said lands by said tribes, respectively.

Mr. MANDERSON. Mr. President-

Mr. DAWES. I move to amend the amendment in the tenth section by striking out "thirty" and inserting "ten;" so as to read:

And the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such expenses and for the expenses of the survey, appraisement, and sale of said Sac and Fox and Iowa lands; and the amount so expended shall be reimbursed to the United States out of the first proceeds of the sales of said lands by said tribes, respectively.

Mr. MANDERSON. That was the amendment I was about to move.

The amendment to the amendment was agreed to.

I understand the amount allotted to each of the Indians to be one hundred and sixty acres for the head of a family and eighty acres to one not the head of a family. I wish to ask, does this make any provision for lands to minors?

Mr. DAWES. The heads of families select for their minor children,

and where the minors have no heads of families to select for them the Secretary of the Interior, through the agent, selects for them.

Mr. CONGER. The clause allotting one hundred and sixty acres to the head of a family and eighty acres to a minor I wish to have read

The Chief Clerk read as follows:

SEC. 8. That whenever the Indians who may be properly residing upon the said reservations referred to in the last preceding sections shall desire allotments of lands in severally, the Secretary of the Interior shall cause allotments to be made to such Indians in quantity as follows:

To each head of a family, one hundred and sixty acres.

To each single person over the age of 21 years, eighty acres.

Mr. CONGER. I do not hear in that any provision for any minor.
Mr. DAWES. I think there is none. This amendment is a copy of
a bill which passed the Senate at the last session and went down to
the House in reference to the Iowa Indians. The Iowa Indians and the Sacs and Foxes are occupying two small reservations together, of about 8,000 acres each, one in Nebraska and one in Kansas. That bill having passed the Senate, and a bill for the Sacs and Foxes having passed the House, it is deemed wise by the Committee on Indian Affairs of the Senate to put the two together into one so that these two reser-

vations, which are in fact one reservation of Indians living together, might be sold in the same manner and at the same time.

The bulk of the Indians included are located down in the Indian Territory but do not have any title to their land in the Indian Terri-They are all desirous of disposing of this land in Kansas and Nebraska. There is a residue remaining there. They are to have as part of the consideration title to the land they have chosen for themselves in the Indian Territory. That there is no provision for minor children, I suppose there is no doubt, though my attention has not been specifically called to it. There is no doubt of the fact that the few who remain there propose to go down and join their brethren in the Indian Territory; but lest there may be some families already located there who prefer to stay where they are this provision was put in the bill. It is not supposed that it will have any practical effect, because it is believed that these Indians of their own choice will all join their brethren.

Mr. CONGER. These very Indians were taken to the Indian Territory by force and under military authority; in the interest of civilization and philanthropy these Indians were driven from their land. I suppose if you are going to take away all their land and sell it either for their benefit or for that of some one else, there should be a provision that every living Indian on that land, old or young, should have some little piece of land out of the amount here provided for. I inquire of the chairman of the Committee on Indian Affairs whether it is not proposed to require that provision in every such bill? I find here a bill taking away the remnant of land left to this remnant of a tribe with provision for the head of a family and for certain Indians not heads of families that are of age. I know how much these lands are desired. I do not know whether this is part of the reservation along Locust Valley or some other part of the State of Nebraska, but I know how delightful those lands are and how desirable they are to people of my own race, and I shall propose to allow forty acres for each minor of these tribes. I move that there be an amendment coming in after "eighty acres," in line 8 of section 8, for persons not heads of famlies over 21 years of age:

And forty acres for the minors of each family on the reservation.

That would be in accordance with our uniform and universal rule. The PRESIDING OFFICER. The Senator from Michigan will please send his amendment to the desk.

Mr. CONGER. I have not the bill before me.

Mr. DAWES. While the Senator is preparing his amendment, I will say that if the Senator can frame an amendment that will give to any Indian any greater safeguards than those now in the bill, it will meet, my hearty support.

The Senator is confusing this case with some other. The Iowa Indians and the Sacs and Foxes of their own accord years ago preferred to leave, the main body of them, Kansas and Nebraska and go down into the Indian Territory. With the help of the Indian Department they have selected their own reservation down there. Each one of them is located on land represented to the Committee on Indian Affairs as of located on land represented to the committee on Indian Affairs as or excellent quality; and they are, especially the Sacs and Foxes who have been there the longest, doing exceedingly well. Their land with the few Indians remaining on it in Kansas and Nebraska has become of great value, but is of no use to them because they do not cultivate it themselves but live down in the Indian Territory.

If they can have the fund that that land will create if properly sold

they will have the means of subsistence and of education and of civilization that will make them independent. They are few in number; but this is an estate of great value to them. It is provided in reference to this sale, first, that it shall not take place until the consent in open council of the Indians, both the Sacs and Foxes and the Iowas, is objective. tained. They are an intelligent people; they know what they are about. To-day they are leasing their lands in the Indian Territory on such terms as that the Interior Department stands aside and lets them transact their business themselves. So they know what they are about. The land is to be appraised, but shall not be appraised at a sum less than \$8 an acre. It may be appraised at as much over \$8 an acre as three disinterested appraisers shall determine. Then it is to be put up at auction above the appraisal. That land will bring, it is supposed; from ten to fifteen dollars an acre, creating a great fund for the use of

The evidence before the committee was that it was not likely a solitary Indian would choose to remain there; but it may turn out that there are Indians who would prefer to remain. The committee have there are Indians who would prefer to remain. The committee have provided therefore that every head of a family that shall prefer to re-main there shall first have a title deed to one hundred and sixty acres of land, and every single man over 21 years of age shall have a title deed to just half that, or eighty acres. If my friend from Michigan thinks that there is a minor who will want to stay there while his parents go

off into the Indian Territory, or any minor who has not got any parent living that wants to stay there, I hope he will provide for them.

Mr. CONGER. That is what I am proposing to do.

Mr. DAWES. The Senator shall have my support in such an amendment if he will omit to intimate that this land is about to be stolen from these Indians by the help of the Indian Committee and the Sena-tors from Nebraska. If he will omit that, I will help him in his amend-

Mr. CONGER. I find the plain fact that there is an omission here which has been put in every other bill contested and put in against all opposition. Now, I modify my amendment, and after the words eighty acres," in line 8, at the end of section 8, I move to amend by inserting:

To each minor, forty acres.

Mr. VAN WYCK. No objection.

The PRESIDING OFFICER. The proposed amendment to the amendment will be read.

The CHIEF CLERK. After line 8, at the end of section 8, it is proposed to insert:

To each minor, forty acres.

The amendment to the amendment was agreed to.
The PRESIDING OFFICER. The question is on the amendment of the Committee on Indian Affairs as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. DAWES. I move that a committee of conference on the disagreeing votes of the two Houses be asked on the amendment to this bill.

The PRESIDING OFFICER. The Chair would suggest that the title

of the bill requires amendment.

Mr. DAWES. There is an amendment to the title reported by the committee.

The title was amended so as to read: "An act to provide for the sale of the Sac and Fox and Iowa Indian reservations, in the States of Ne-

braska and Kansas, and for other purposes."

The PRESIDING OFFICER. The Senator from Massachusetts moves that the Senate request a conference with the House of Representatives on the disagreeing vote of the two Houses on this bill.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. DAWES, Mr. HARRISON, and Mr. COKE were appointed.

JOHN W. LANGSTER.

Mr. BLAIR. I have a written representation which should accompany a paper touching the case of one John W. Langster, who is under sentence of death in the jail of this District. A petition on the subject was presented by me a few days since, and it was referred to the Comwas presented by me a few days since, and it was referred to the Committee on the Judiciary. He appears to have been tried and sentenced as though he were a sane man. There is an application pending for pardon. The witnesses who, from this statement, could demonstrate the man's insanity live some 1,200 or 1,500 miles distant. The parties are very poor, including those who are interesting themselves in behalf of this man. There seems to be no provision of law by which evidence in such a case can be obtained to be used before the pardoning power.

I have here a demonstration that this man was sent from the United States service to St. Elizabeth's Insane Asylum in this District only

States service to St. Elizabeth's Insane Asylum in this District only a year ago. He was discharged as temporarily cured. He soon got into some difficulty and through that difficulty committed a homicide, was tried, and convicted as a sane man. I must say that I believe from this evidence that he was insane, and that if the evidence could be pro-

cured his pardon would follow as a matter of course. I do not know just what the Committee on the Judiciary can do in regard to this matter. Perhaps an examination of the evidence would satisfy the committee that they might address a formal communication to the Executive upon the subject, and there may be a respite or at least a proper investigation. It may be that the matter should properly go to the Committee on the District of Columbia. I ask the presiding officer now in the chair, who is chairman of the Committee on the District of Columbia, and also, I believe, a member of the Judiciary Committee, if, in behalf of humanity, he will not give a little attention to this matter?

The PRESIDING OFFICER. The paper will be referred to the Committee on the Judiciary, if there be no objection.

DISTRICT TAX SALES.

Mr. ALDRICH. I now ask unanimous consent to call up House bill 8236, Order of Business 1345, the consideration of which was par-

Mr. MORRILL. I will not object, provided the trade-dollar bill is laid by informally subject to call.

The PRESIDING OFFICER. That order will be made. Unani-

mous consent implies that the pending order is laid aside informally. By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8236) relating to sales for taxes in the District of Columbia.

Mr. HOAR. I move to amend the bill in certain respects. In line 10 I move to insert after the word "deed" the words "and the affidavit hereinafter required."

The PRESIDING OFFICER. If there be no objection the amend-

ment will be regarded as agreed to.

Mr. HOAR. Then I move to add to the bill:

Mr. HOAR. Then I move to add to the bill:

The collector of taxes or other officer charged with the duty of selling any real estate in the District of Columbia for taxes shall, in addition to the other proceedings required by law, within ten days after such sale, give personal notice to all persons within the District of Columbia known to him or who can be ascertained by him by inquiry, having interest in the estate sold, whether as owner, mortgagee, or otherwise, of the fact of such sale and the assessment of such tax, and shall deposit in the post-office, postage prepaid, a like notice addressed to all such persons not within the District of Columbia at the place of their residence, so far as the same can be ascertained by him on inquiry; and he shall make affidavit that such notice has been given, which affidavit shall contain a copy of the same and of the names of the persons notified or of the fact that no such persons could be ascertained on inquiry, and shall be recorded with the deed conveying such estate.

These two amendments together, instead of making the deed conclusive evidence of the title after the expiration of the time limited, require with the deed an affidavit of the collector that he has inquired for the owners and has given them notice, if he can find them, and with a copy of the notice. This does not put upon the purchaser the neces-sity of proof that that has been done, but it makes the affidavit the consity of proof that that has been done, but it makes the amidavit the conclusive proof. I have shown the provision to several members of the committee, and I think they all agree to it.

Mr. JACKSON. I desire to call the attention of the Senator to an amendment which I propose to come in at the end of line 22.

Mr. HOAR. Suppose this be added first, and then the Senator can state his amendment.

Mr. JACKSON. I think if it is read the Senator will see that it ought to come in at this point.

Mr. ALDRICH. Both these amendments have been submitted to members of the committee and are satisfactory to the committee.

Mr. JACKSON. It is only a question of the order in which they come.

Mr. HOAR. Let the amendment be read for information.

The PRESIDING OFFICER. The amendments reported by the Committee on the District of Columbia will be regarded as agreed to, if there be no objection. They were read yesterday. The question now is on the amendment offered by the Senator from Massachusetts [Mr. Hoar], to which the Senator from Tennessee [Mr. Jackson] desires to offer an amendment, as the Chair understands. It will be read for in-

Mr. JACKSON. My amendment is not to the amendment of the Senator from Massachusetts; but it is an amendment which ought to

precede his.

The PRESIDING OFFICER. It will be read for information. The CHIEF CLERK. At the end of line 22, after the word "purchaser," it is proposed to insert:

Provided, however, That this conclusive evidence and title shall not prevail against the former owner who can show that the taxes for which the property was sold were duly paid before such sale.

I think that should come in after my amendment. Mr. HOAR.

Mr. HOAR. I think that should come in after my amendment.
Mr. JACKSON. Very well.
Mr. PLATT. I want to inquire whether the amendment which was proposed by the senior Senator from Tennessee [Mr. HARRIS] last night has been adopted.
Mr. HARRIS. It has not been formally offered, but will be offered

as soon as the amendments of the Senator from Massachusetts and my colleague have been disposed of.

The PRESIDING OFFICER. The question is on the amendment

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Messechusetts [Mr. HOAR].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the amendment of the Senstor from Tennessee [Mr. Jackson].

The amendment was agreed to.

Mr. HOAR. I have one more amendment. In line 18, after the word within," I move to strike out "one year" and insert "two years." I hope that will be done by unanimous consent.

Mr. HARRIS. I have no objection to that. Mr. HOAR. Making the time within which the suit shall be brought

two years instead of one year.

The PRESIDING OFFICER. In line 18 it is proposed to strike out "one year" and insert "two years." The question is on that amendment.

The amendment was agreed to.

Mr. HARRIS. I move to add to the bill the following additional

Provided further, That persons under legal disability shall not be precluded from bringing suit within two years from the removal of such disability.

The amendment was agreed to.
Mr. CONGER. The amendment offered by the Senator from Tennessee [Mr. Jackson] mentions "taxes." The bill mentions "taxes

Mr. ALDRICH. I think the word "assessments" should be put in.
Mr. CONGER. The word "assessments" should be put in after
taxes." Let it read "taxes or assessments."
The PRESIDING OFFICER. The proviso will be read as proposed

to be modified.

The Chief Clerk read as follows:

Provided, however, That this conclusive evidence and title shall not prevail against the former owner who can show that the taxes or assessments for which the property was sold were duly paid before such sale.

The PRESIDING OFFICER. The modification will be made, if

there be no objection.

Mr. CALL. I move to add to the bill the following additional proviso:

Provided further, That when the commissioners are satisfied that any lot is the actual homestead of the owner, and that it comprises the principal portion of his estate, they may authorize the collector to accept a sum in full not less than one-half of the assessed value of the lot.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. CALL].

Mr. CALL. The amendment was prepared by one of the commissioners of the District, and after consultation with him some of the citizens of the District came to me and stated that their cases were case of very peculiar hardship; that the assessments formerly made for the improvement of the city had been very excessive, and sometimes the assessments had been made not in the interest of the improvement of the property but for the advantage of the public buildings.

Mr. HOAR. May I inquire of the Senator whether he means by his amendment that the collector is to accept what is proposed, from the purchaser at the sale, or that he is to accept from the tax-payer?

Mr. CALL. From the tax-payer.
Mr. HOAR. I think if the Senator will look at it he will see that it is a provision in regard to the proceedings at the sale.
Mr. CALL. It was intended that the tax-payer should have this

relief.

Mr. HOAR. It would be interpreted to mean to accept as purchasemoney of the estate, the Senator will see if he will look at it

Mr. CALL. It was drawn by one of the commissioners, and I did not read it closely.

Mr. HOAR. If it had been drawn by the Senator it would have

been much better.

Mr. CALL. I know what he intended by it. I will correct it in

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be read as modified.

The CHIEF CLERK. It is proposed to add to the bill the following additional proviso:

Provided further, That when the commissioners are satisfied that any lot is the actual homestead of the owner and that it comprises the principal portion of his estate, they may accept a sum in full payment of the same not less than one-half of the assessed value of the lot.

The amendment was agreed to.

The amendment was agreed to.

Mr. McPHERSON. I move that the further consideration of the bill be postponed until to-morrow, and that the amendments which have been agreed to by the Senate be printed with the body of the bill, in order that the Senate may thoroughly understand what it is voting upon. As I understand from the reading of the bill, with all the amendments which have been agreed to by the Senate, it is a bill which proposes in effect and under certain conditions to extinguish all other title save the tax title. The tax title is supposed to supersede all others. There is no State Legislature in any State in the Union which would impose such a measure upon the municipal government of a city in the State. It is the most arbitrary, unjust, and tyrannical measure that I have ever heard or read of in my life. It is a bill that the Senate should not pass as it stands to-day. No mortgagee would, under this bill, be safe for a moment. Any man in the District of Columbia desiring to improve the purpose of improvements. prove property and to borrow money for the purpose of improvement could not obtain it at any rate of interest that he would be willing to pay. It stops all improvements.

I say that for the Senate to hasten through a bill of that character in

the last hours of the session, and amended as it has been, without the knowledge of any Senator here that the amendments touch in any shape or form or cover the defects of the bill, is entirely wrong. I think in justice to the people of this District who are interested and deeply interested in this legislation the bill should be printed with all the amend-

ments, so that every Senator may know exactly what he is voting for.

Mr. HARRIS. In reply to the Senator from New Jersey I desire
simply to say that I know of the laws of no State in the Union upon the
subject of tax sales better guarded or more liberal in their provisions than the bill now pending as amended by the Senate; and at this late than the bill now pending as amended by the Senate; and at this late hour of the session, why we should postpone the bill from day to day, in order that the Senator from New Jersey may see in print the amendments adopted, I do not quite feel justified in doing or see the propriety of doing. I hope the Senator's motion to postpone the further consideration of the bill until to-morrow will not be agreed to.

Mr. CONGER. Within the last few days notice has been served upon one or two church societies, religious avanientions in this site that all

one or two church societies, religious organizations, in this city that old assessments unpaid, supposed to have been disposed of long ago, under a revision or a review of the laws by the commissioners or by the aua revision or a review of the laws by the commissioners or by the authorities of the board, are found to apply to church property through some little defect or difference of time between the passage of one law and the passage of another, and they have received a notice that unless these old assessments, three, four, five, or six years old, some of them, are paid within so many days, the property will be sold. There has been no question about the intention of Congress in the laws which were passed to exempt church property actually held for religious purposes or for school purposes from certain taxes and certain assessments.

Mr. HARRIS. Do I understand the Senator to assert that church

property held for purposes of public worship is threatened with sale for taxes in the District of Columbia?

Mr. CONGER. I do make that assertion, sir.

Mr. HARRIS. I am very much surprised that it is made, for my distinct impression is that within the last few years every church lot in the District of Columbia held and used for purposes of public worship has not only been exempted from all taxes, but that all taxes accruing previously have been remitted by acts of Congress.

Mr. CONGER. So I supposed.

Mr. HARRIS. I do not think there is such a case in the District.

Mr. CONGER. So I supposed; but I have had occasion to look into the matter in behalf of one of these societies, and I find that the laws on this subject were changed a little one year and changed a little another, and that there were intervals there where assessments did apply, notwithstanding the intention of the law to exempt them. I have spent some little time voluntarily with the officers of one society in laying their matter before the commissioners and getting a part of the property released.

There is another thing. One of these organizations has its Sunday-school room and chapel all in the same building. The District of Co-lumbia authorities desired to occupy on week days the room that the lumbia authorities desired to occupy on week days the room that the church organization occupied evenings and Sundays for its purposes, and they rented that room of the organization for a primary school of the District, and have had it for years and paid rent. Now they come in and say because that building was rented and the church organization received a little rent, although it was occupied for church purposes whenever they wanted it, they must pay taxes and pay assessments upon that portion—one story—of the church building. I know several cases of that kind. I say this measure would compel and sanction the sale of that property under the notice that it will be sold unless these things are paid within a certain time.

Old taxes, old assessments came up in this kind of shape contrary to the spirit of the legislation for this District and supposed to be contrary to the law at the particular time when the assessments were incurred, endangering that kind of property all the while with disputed questions, and no remedy if it should pass along or the church be unable to pay its taxes. I think this is a most dangerous measure. The Senator from Tennessee says that it is more lenient than the law of any

Senator from Tennessee says that it is more lenient than the law of any State. I do not know how it may be in all States, but a return of property for the non-payment of taxes in almost every State is made to the State authority; it is made to the treasury; it is advertised by the auditor-general; it is returned again; a year of public notice and personal notice is made to the owner or occupier of the land so taxed; and then by advertisement it is sold at open sale in the county.

Mr. HARRIS. The bill as it is now amended gives two years' pub-

lie notice before the tax-deed is made.

Mr. CONGER. But that is before it becomes absolute.

Mr. CONGER. Before the tax-deed is made.

Mr. CONGER. For the woman or child, it is true there is a restriction; but who in this city can follow along through all the intricacies of old assessments in the city, coming up year after year, and being enforced against property now in the hands of new purchasers?

I agree with the Senator from New Jersey that the title to all property in this District would be under a cloud continually from the time of the passage of such a bill as this is, as I believe it to be; and I agree with the Senator in desiring that the bill shall at least be reprinted with the amendments, so that we may see what it is.

Mr. McPHERSON. Mr. President—

Mr. HOAR. Will the Senator from New Jersey yield to me to make a motion to proceed to the consideration of executive business?

Mr. McPHERSON. Yes, sir.

Mr. HOAR. I move that the Senate proceed to the consideration of

executive busines

Mr. McPHERSON. Will the Senator withdraw the motion for a moment that we may have the bill printed with the amendments?

I withdraw the motion for that purpos Mr. HOAR. The PRESIDING OFFICER. The order to print the bill as amended will be made if there be no objection. The Chair hears none.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of

The motion was agreed to; and the Senate proceeded to the considera-After one hour and twenty-five minutes tion of executive business. spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate in compliance with its request the following joint resolutions:

Joint resolution (S. R. 127) to authorize the printing of the reports

of the Bureau of Ethnology;
Joint resolution (S. R. 128) to authorize the printing of the reports

of the Geological Survey; and
Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey. The message also announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

The message further announced that the House had disagreed to the mendments of the Senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and in the senate to the bill (H. D. 612) and the senate to the bill (H

amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. W. S. HOLMAN of Indiana, Mr. JOHN HANCOCK of Texas, and Mr. JOSEPH G. CANNON of Illinois managers at the conference on its part.

The message also announced that the House had passed a bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED.

The bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

ORDER OF BUSINESS.

Mr. CAMERON, of Wisconsin. I move that the Senate proceed to the consideration of the bill (H. R. 5849) limiting the time for the pres-

entation and payment of claims against the United States.

Mr. MORRILL. I call for the regular order.

Mr. DAWES. I ask for the consideration of a conference report.

Mr. MORRILL. Let the regular order be laid before the Senate before anything else is done.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The

Senator from Wisconsin moves that the Senate proceed to the consideration of the bill indicated by him, pending which the Senator from Vermont calls for the regular order. The regular order will be an-

The CHIEF CLERK. "A bill (H. R. 4976) for the retirement and recoinage of the trade-dollar."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin to proceed to the consideration of House bill 5849.

Mr. MORRILL. The bill suggested by the Senator from Wisconsin would undoubtedly take the whole afternoon, and I do not expect that the trade-dollar bill will occupy more than a few minutes. I wish to say that, after the demonstrations made elsewhere, there is not probably any chance of the latter part of the amendment, the section proposed to be stricken out by the Senator from Kansas, becoming a law.

The PRESIDENT pro tempore. It is the duty of the Chair to say that debate on the motion of the Senator from Wisconsin is not in order.

Mr. MORRILL. I am not debating that; I am debating the regular

The PRESIDENT pro tempore. The motion of the Senator from Wisconsin is the only pending motion. If there be no objection the Senator from Vermont will proceed. The Chair hears no objection.

Mr. MORRILL. I merely desire to say further that I think there will be unanimous consent to take the vote upon striking out the fifth section of the amendment of the Committee on Finance at once, without further debate, and then the Senate can dispose of the trade-dollar bill as they choose. I trust that that course will be pursued.

Mr. DAWES. Is it not in order to call up a conference report at any

time?

The PRESIDENT pro tempore. It will not be in order, the Chair thinks, until the Chair puts the question on the motion of the Senator from Wisconsin. The Senator from Wisconsin moves that the Senate proceed to the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States.

The question is on agreeing to the motion.

The question being put, a division was called for; and the ayes were 29.

Mr. MORRILL. I ask for the yeas and nays. The question is evidently whether the silver bill shall be superseded or not.

The yeas and nays were ordered.

Mr. MITCHELL. I rise to a question for parliamentary information. What will be the effect of the adoption of the motion to take up the bill proposed by the Senator from Wisconsin? Will it displace the tradedollar bill?

The PRESIDENT pro tempore. The Chair thinks it will, under the

Mr. MITCHELL. So I understand.

The PRESIDENT pro tempore. It will be in order to move to proceed to the consideration of the trade-dollar bill or any other bill afterward. The question is on agreeing to the motion of the Senator from Wisconsin, on which the yeas and nays have been ordered.

The Secretary called the roll.

Mr. MANDERSON. I am paired with the Senator from Florida [Mr. JONES]. If he were here, I should vote "nay."

The result was announced—yeas 34, nays 21; as follows:

		YE	AS-31.	indoperate of the U.
	Bowen, Butler, Call, Camden, Cameron of Wis., Cockrell, Coke, Dolph, Fair,	Garland, George, Gibson, Hampton, Harris, Harrison, Hill, Ingalls, Jackson,	Jonas, Jones of Nevada, Miller of Cal., Pendleton, Pugh, Riddleberger, Sawyer, Sherman, Slater,	Vance, Van Wyck, Vest, Voorhees, Walker, Williams, Wilson.
ì	The same of	NA	YS-21.	
190	Aldrich, Bayard, Blair, Chace, Conger, Dawes,	Edmunds, Groome, Hawley, Hoar, Lapham, McPherson,	Miller of N. Y., Mitchell, Morgan, Morrill, Palmer, Pike,	Platt, Saulsbury, Sewell.
	for the second	ABSI	ENT-21.	
	Allison, Beck, Brown, Cameron of Pa., Colquitt, Cullom,	Farley, Frye, Gorman, Hale, Jones of Florida, Kenna,	Lamar, Logan, McMillan, Mahone, Manderson, Maxey,	Plumb, Ransom, Sabin.

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States.

INDIANS ON UMATILLA RESERVATION.

Mr. DAWES. I now call up the conference report on the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefore, and for other purposes.

The PRESIDENT pro tempore. The report will be read.

The PRESIDENT pro tempore.
The Chief Clerk read as follows:

The Coner Certx read as follows.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the fifth amendment of the House to the bill (S. 65) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to House amendment No. 5, and agree to the same.

e same.

H. L. DAWES,
JAS. H. SLATER,
ANGUS CAMERON,
Managers on the part of the Senate,
M. C. GEORGE,
R. S. STEVENN,
Managers on the part of the House,

The report was concurred in.

MARY ALLEN.

Mr. PLUMB. I ask unanimous consent that the vote of the Senate taken on the 6th of the present month, by which the bill (H. R. 2100) granting a pension to Mary Allen was indefinitely postponed, may be reconsidered, and that the bill be placed on the Calendar.

The PRESIDENT pro tempore. Is there objection to a reconsideration of the vote indefinitely postponing the bill? The Chair hears none, and it is so ordered. The bill will be placed on the Calendar with the adverse report of the committee.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BUTLER, from the Committee on Naval Affairs, reported an amendment intended to be proposed to the general deficiency appro-priation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GROOME submitted an amendment intended to be proposed by

him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANDERSON submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. DOLPH submitted an amendment intended to be proposed by

him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SLATER. I desire to ask a change of reference of an amendment offered by me on the 19th of February from the Committee on Claims to the Committee on Military Affairs.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent to change the reference of an amendment intended to be

proposed by him to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, from the Committee on Claims to the Committee on Military Affairs. That order will be entered if there be no objection; and the amendment will be referred to the Committee on Military Affairs.

WASHINGTON MONUMENT DEDICATION.

Mr. MANDERSON. I ask unanimous consent to make a report at this time from the Committee on Printing.

The PRESIDENT pro tempore. The Senator from Nebraska asks

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent to make a report at this time from the Committee on Printing. Is there objection? The Chair hears none.

Mr. MANDERSON. I am directed by the Committee on Printing to report back a concurrent resolution of the House of Representatives authorizing the printing of extra copies of the report, &c., of the joint commission on the Washington Monument, adversely to the adoption of the concurrent resolution, and presenting a bill as a substitute for the concurrent resolution. I ask that the bill may be now considered. The PRESIDENT pro tempore. The Chair understands that the Senator from Nebraska moves that the concurrent resolution be indefinitely

ator from Nebraska moves that the concurrent resolution be indefinitely

postponed.

Mr. MANDERSON. Yes, sir.
Mr. SHERMAN. I submit to the Senator from Nebraska whether he had better not let the House resolution stand unacted upon, and pass the bill, so that if the House does not act upon the bill promptly we can dispose of the concurrent resolution?

Mr. MANDERSON. I will take that course, and ask that the con-

current resolution be laid on the table.

The PRESIDENT pro tempore. That course will be taken then.
The Senator from Nebraska reports an original bill, the title of which will be read.

The bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, was read the first time by its

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent that the bill be now considered. It will be read the second time at length for information.

The bill was read the second time at length, as follows:

Be it enacted, &c., That the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed under the direction of the Joint Committee on Printing, and that 28,500 additional copies be printed; 8,000 copies of the same for the use of the Senate, 16,000 copies for the use of the House of Representatives; 500 copies for distribution by Lieut. Gen. P. H. Sheridan, United States Army, to the civil and military organizations which participated in the procession; 500 copies for the Washington National Monument. Association, for distribution among its members; 500 copies for distribution by Col. Thomas L. Casey, engineer, among the mechanics and workmen employed in the erection of the monument; 500 copies for Hon. Robert C. Winthrop; and 500 copies to Hon. John H. Daniel; and for the purpose of defraying the expense of printing the said attached card the sum of \$2,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

Ry uppenimous consent the Senate as in Committee of the Whole.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. I move to amend the bill by changing the name of "Hon. John H. Daniel." to "Hon. John W. Daniel."

The PRESIDENT pro tempore. That amendment will be made if

there be no objection.

Mr. COCKRELL. I should like to ask the Senator reporting the bill what the report embraces. We have not seen it. Does it include the

two addresses and all the proceedings?

Mr. MANDERSON. Both. It includes all the proceedings upon

Mr. MANDERSON.
the 21st day of February.
Mr. SHERMAN. All will be printed.
Mr. HAWLEY. It occurs to me at the moment to make another
on the Committee on Printing, or for the convide in the bill, now we are about it, that there shall be printed a brief statement of the exercises at the laying of the corner-stone, with

the address of Mr. Winthrop delivered at that time, so that the whole may appear together? I make the suggestion.

Mr. SHERMAN. That would be a long document. That has already been published and it will be found in the Library. It is a large document, larger I think than the proposed document will be. It would only make a compilation not needed. I have no objection to the proposition, but it would probably double the size of the document to print the addresses and the Masonic ceremonies, which were very long, on the laying of the corner-stone. However, I shall not object to it if the Senator thinks it is worth while.

Mr. MANDERSON. I submit that the bill is broad enough to per-

mit the joint commission to print that or any other matter it may desire. It is under the control of the commission and the Joint Committee

on Printing. The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSION BILLS.

Mr. VAN WYCK. From the Committee on Pensions I gave notice this morning that early in the day we should ask for the consideration of a few Senate pension bills reported favorably—eight or ten of them. It is desired that they should be passed early in the day, and be sent over to the House so as to secure their passage there, that they may become laws. I ask unanimous consent for that purpose now. It will take but a few moments to dispose of these bills.

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent that the Senate now proceed to consider in their or-

unanimous consent that the Senate now proceed to consider in their order Senate pension bills favorably reported. Is there objection?

Mr. VOORHEES. I desire to say a single word. I perceive that there is great danger that a large mass of pension business now on the Calendar is liable to be neglected and not acted upon at this session. I refer to the business reported adversely by the Committee on Pensions, and yet with merit enough in somebody's mind to be placed on the Calendar. Anything on the Calendar of the Senate is worthy of consideration. With every impulse and desire to take up any pension business that is called for, I feel impelled to require the consideration of the Calendar. I agreed, and agreed cheerfully, day before yesterday to the consideration of pension business reported favorably, but it day to the consideration of pension business reported favorably, but it was with the understanding—for that was the understanding of the Senate—that some time or other before final adjournment the other pension business on the Calendar which has great merit should be considered; that it should not be ignored.

I see very plainly the danger of drifting out of the present session without considering the other pension business that is on the Calendar. I know cases that are reported adversely which are as full of merit and justice as any cases which have been passed under a favorable recommendation by the committee. Consequently I do not want to have that class of business lose its place and be ignored and overslaughed; and it

shall not be done so far as I am concerned.

The discrimination which has been made repeatedly, and which is now made again by the Senator from Nebraska, by taking up favorably reported business from the Pension Committee alarms me for the fate of the Calendar cases that I speak of. The Senator from Nebraska knows very well, and so does the chairman of the Committee on Pensions, that there is a large number of cases adversely reported which were adversely reported pro forma, as a kind of precedent, where the adverse reports are without merit, and it was supposed the bills were to be passed, and the committee expects them to be passed. Consequently Lintage when reconstructions of the committee expects them to be passed. quently I intend when we approach the consideration of pension business again to insist that the Calendar shall be taken up and that those cases shall be considered.

I could enumerate cases; I could speak of individual instances of the old widows of high officers; but I do not feel that it is proper to do so now. It will be wrong if we ignore and leave untouched and unconsidered and unacted upon those cases because they are reported upon adversely. Some Senators here spring to the floor as if an adverse report from the Committee on Pensions was as the laws of the Medes and Persians, and as if there can be no change about it. I do not feel that way, and I have reason to know that the Senate has been and is wiser by far than the committee in many instances, and that the committee itself is not exacting for its adverse reports.

The PRESIDENT pro tempore. Objection is made.

Mr. VAN WYCK. No; I beg the pardon of the Chair. I do not understand the Senator from Indiana to object.

Mr. VOORHEES. No; I do not make an objection to the consideration of any pension business, but I ask that the other pension business on the Calendar shall be taken up likewise, and I am mistaken in the Senator from Nebraska if he does not believe with me that that

ought to be done.

Mr. VAN WYCK. Yes; I agree with the Senator from Indiana. The only difficulty is that the bills to which the Senator refers are principally House bills, and are already on the Calendar, and only require the action of the Senate. The few bills here are cases which are entirely undisputed, and are Senate bills which the committee have really neglected, and therefore it is desired that they shall be passed

now in order that they may go to the House.

Mr. VOORHEES. Very well; I want to know, because if it is intended that there shall be action in good faith on these adversely reported cases I shall not interpose this kind of an objection. I have not interposed an objection to the consideration of the bills that the Senator from Nebraska now speaks of except that I want to call attention to the rest of the pension business on the Calendar, and I wish to know from the committee whether they intend to have action on those cases, because there is very great danger of their being ignored, and that the session will go out on the tide of time without those cases being considered.

Mr. VAN WYCK. I will say that the committee are as anxious as the Senator from Indiana to have those cases considered and acted

mr. VOORHEES. Mr. VAN WYCK. When will you call them up?
At any time the Senator suggests.
The Senator from Connecticut [Mr. Plate] sug-

Mr. VOORHEES.

gests to me to call them up right away.

Mr. MITCHELL. If I may be allowed to say a word, I trust the Senate will take up the class of bills to which the Senator from Indiana refers and dispose of them. I do not know that I can ask for that in the name of the committee, because the reports stand formally as adverse reports; but the Senate has overruled the committee in a great many cases similar to those now on the Calendar in which adverse reports have been made. I think it is due and proper that those bills should be considered; but the proposition now is simply that we shall take up the Senate bills reported favorably so that they may go over to the

House. I trust that may be done.

Mr. HARRIS. I shall interpose no objection to the consideration of pension bills favorably reported, but I desire to give notice that while there are more than a hundred House bills on our Calendar which are favorably reported I shall object to the taking up of a pension bill or any other bill adversely reported until those House bills have been considered.

Mr. BLAIR. I desire to say a few words, as this seems to be a sort of debate. A few days since we took up the pension business on a general understanding that we were to have the day for that business. We went through the cases to which there was no objection. That took up half the day. There was plenty of time remaining to have considered and to have disposed of all the cases of the character alluded to by the Senator from Indiana. Then, with the understanding that not more than ten minutes would be taken, two bills were by unanimous consent allowed to come before the Senate on the request of the Senator from Missouri [Mr. COCKRELL]. I was very much disposed to object, but the assurance was very strong that they would not lead to debate. One passed with little debate, but the other took several hours and consumed the rest of the day, and it is liable to consume considerably more time; so that we lost the half day which was by general consent given to the Committee on Pensions.

These contested cases, if I may so call them, are some twenty or more in number, but they involve only one or two principles which are in controversy in the Senate. I do not think that more than an hour or two could possibly be consumed in the consideration of all of them. Many of them are very pressing cases. Unless acted upon very great distress will result in many of them. In fact they are here for the purpose of relieving existing distress, and as touching and as deep as that in any of the cases which have passed without objection through the

Senate.

I do not understand that a pension bill is necessarily to receive the unanimous approval of the committee in order to entitle it to be heard in the Senate any more than any other bill. Very few bills which are of importance come before the Senate with the unanimous approval of a committee. A pension bill upon which the Pensions Committee is divided ought not to stand any worse than any other form of proposed legislation. Many of these bills have been pending from quite early in the session; some came over from the last session.

I think that if any class of legislation should be considered by the Senate it is the contested-pension cases, and they can be disposed of very soon. I shall ask the Senate under these circumstances to consider those cases as soon as the bills, which have been alluded to by the Senator from Nebraska, are disposed of. I want them to come up as they may be moved. I shall make that motion myself in regard to

some of them.

Mr. PLATT. May I ask the Senator from New Hampshire a question, so that I may understand just what he means?

Mr. BLAIR. I mean just this

Mr. PLATT. Let me ask the question. There are on the Calendar a great number of cases which have been reported against unanimously by the committee. Some of them have been indefinitely postponed, and that vote reconsidered, and the bills placed on the Calendar; but there is a unanimous report of the committee against them. Then there is another class of cases where bills have been reported adversely and less than a majority of the committee have submitted the views of the minority, and they have been placed on the Calendar. Those cases are of the same character as cases which we have hitherto passed in the Senate. It seems to me that at least that class of cases ought to come first, before those which have been unanimously reported against by the committee.

That is certainly true; and it is to that class of cases I Those which are reported against unanimously by the Mr. BLAIR. have reference. committee will hardly be given any time. I suppose each case must come up on motion, with the understanding that others of a like class may be considered, the Senate voting perhaps with that understand-

ing.

Mr. CAMERON, of Wisconsin. There seems to be such a strong desire that pension business may be considered this afternoon that I will consent that the bill in my charge, and which the Senate has just voted to take up and proceed to the consideration of, may be informally laid aside in order that pension business may be proceeded with. I do not

want the bill to lose its place as the regular order.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska [Mr. VAN WYCK] that the Senate private pension bills favorably reported be now considered in their order? The Chair hears no objection. The first bill of that class will be read.

MARIA G. DUNBAR.

The bill (S. 993) for the relief of Maria G. Dunbar was considered as in Committee of the Whole.

The bill was reported to the Senate from the Committee on Pensions, with an amendment, in line 8 to strike out the word "filed" and insert the words "properly executed;" so as to make the bill read:

That the Commissioner of Pensions is hereby authorized and directed to allow the claim of Maria G. Dunbar, widow of Moses C. Dunbar, late of the Twenty-

seventh Regiment Massachusetts State Volunteers, for arrears of pension: Provided, That she shall establish to the satisfaction of the Commissioner that an application for said arrears was properly executed ε_{c}^{∞} said Moses C. Dunbar within the time fixed by law, and failed of being forwarded to the Pension Office through no fault of said Dunbar.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA HUGHES.

The bill (S. 2619) granting a pension to Martha Hughes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha Hughes, widow, whose husband was a mem-ber of Company E, Seventeenth Regiment Wisconsin Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS H. BOAZ.

The bill (S. 2620) granting a pension to Thomas H. Boaz was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas H. Boaz, late of Company H, Second Reg-

iment Ohio Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLOTTE C. B. HATCH.

The bill (S. 2546) granting a pension to Charlotte C. B. Hatch was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charlotte C. B. Hatch, dependent widow of Maj. E. A. C. Hatch, late of Hatch's Battalion Minnesota Volunteers.

The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, read the third time, and passed.

ANNE T. DICKS.

The bill (S. 1811) granting a pension to Anne T. Dicks was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anne T. Dicks, widow of John W. Dicks, late an acting master in the United States Navy.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

M. LOUISE BUTLER.

The bill (S. 2359) granting a pension to M. Louise Butler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" and at the end of the bill to add "for herself and her three children;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of M. Louise Butler, widow of George Butler, late a major of marines in the service of the United States, and pay her a pension at the rate of \$40 per month; said pension to be in lieu of any she may hereafter receive for herself and her three children.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the

third time, and passed.

SALLY C. MULLIGAN.

The bill (S. 2448) for the relief of Sally C. Mulligan was considered as in Committee of the Whole. It proposes to pay to Sally C. Mulligan, mother of James S. Mulligan, late first lieutenant of Company I, Twenty-first Regiment New York Volunteers, \$1,771.97 due her by way of pension from the 4th of September, 1873, the time when her name was dropped from the pension-roll, to the 11th of May, 1882, the date

of the act of Congress restoring her name to the roll.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES F. HILDRETH.

The bill (S. 2654) granting a pension to Charles F. Hildreth was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles F. Hildreth, late assistant surgeon of

the Fortieth Regiment Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY B. HOLMES.

The bill (S. 2607) granting a pension to Mary B. Holmes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary B. Holmes, widow of Henry W. Holmes, late a lieutenant of Company F, Seventy-second Regiment New York Volunteers, and to allow her the same pension drawn by her husband during his life.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLA W. THORNTON.

The bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy, and to pay her a pension at the rate of \$50 a month in lieu of the pension now paid her.

Mr. JACKSON. I should like to hear the report read in that casc.

Mr. BLAIR. I will state that this is not a contested case. The woman is paralyzed and the proposed increase is put on the ground of

woman is paralyzed, and the proposed increase is put on the ground of

her physical condition.

Mr. JACKSON. These reports were all made to-day. I should like to hear the report read and the grounds stated for increasing this pen-

sion to \$50 a month.

Mr. MITCHELL. I will say to the Senator from Tennessee that this is not the case of the Mrs. Thornburgh to which so many allusions have been made. It is another case entirely—the case of Mrs. Thornton.

Mr. BLAIR. She is the widow of the commander of the Kearsarge.

Mr. JACKSON. Let us hear the report.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the following report, submitted by Mr. BLAIR

February 27:

The Committee on Pensions, to whom was referred the bill (S. 2662) granting increase of pension to Ellen W. Thornton, widow of Capt. James S. Thornton, have examined the same, and report recommending passage of the same upon the ground of her physical condition, which is such that an even larger pension would be given to a private soldier under the same circumstances, she being afflicted with paralysis. We print her memorial presented to the Forty-seventh Congress. Her condition is now worse.

Congress. Her condition is now worse.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Respectfully represents your petitioner that she is the widow of the late Capt. James S. Thornton, of the United States Navy, deceased; that she has long been an invalid; that she is unable to walk without assistance, and that her malady, which is in the nature of paralysis, is increasing; that on account of her extreme ill-health she has resided at St. Michaels, Azores, for the past five years; that she is now in the receipt of a pension of \$30 a month on account of her said husband, and that he left a very small property, the income of which, together with her said pension, is insufficient for her support, even with the strictest economy, in her present helpless condition.

Wherefore she prays that her said pension may be increased from \$30 to \$50 a month.

ELLEN W. THORNTON.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMELIA J. GILL.

The bill (S. 2661) granting a pension to Miss ————— Gill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amend-

ment, in line 6, before the word "Gill," to insert "Amelia J.;" so as to make the bill read:

Be it enacted, &c.. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Miss Amelia J. Gill, and pay hera pension at the rate of \$29 a month from the passage of this act, on account of her services as a nurse during the war of the rebellion and her disability contracted therein while rendering such service.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed

The title was amended to read:

A bill granting a pension to Miss Amelia J. Gill.

ANN ATKINSON.

The bill (S. 2665) granting increase of pension to Ann Atkinson was considered as in Committee of the Whole. It proposes to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann Atkinson, formerly widow of Hopeful Toler, at

the rate of \$16 per month in lieu of her present pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. MITCHELL. I now move to take up the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulderjoint, a bill which I reported this morning from the Committee on Pensions, with instructions to ask for its immediate passage. It has passed the House. It simply applies the same rule to soldiers who have had their arms amputated at the shoulder-joint as—

The PRESIDENT pro tempore. It is the duty of the Chair to state to

the Senator from Pennsylvania that debate on a motion to proceed to the consideration of a bill is not in order. The Senate resumes the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States, the pending question being on agreeing to the amendment proposed by the Senator from Indiana [Mr. HARRISON], pending which the Senator from Pennsylvania [Mr. MITCHELL] moves that the Senate proceed to the consideration of the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint. The Chair understands

that this bill was reported to-day. It requires unanimous consent that the bill be now considered. Is there objection?

Mr. JACKSON and others. I object.

The PRESIDENT pro tempore. Objection is made. The pending question is on the amendment of the Senator from Indiana to House bill 5849, which will be read.

The CHIEF CLERK. In line 7, after the word "three," it is proposed to insert "six;" so as to read:

Within six years after the passage of this act.

Mr. BLAIR. I do not quite understand the telescopic performance

The PRESIDENT pro tempore. All the Senate pension bills favorably reported have been gone through with. The Chair will state the condition of business. The Senate then resumed the consideration of the bill it had under consideration when it was informally laid aside. Notice was given that those being concluded it would be moved to go on with the pension bills that had not been favorably reported. But it was the duty of the Chair to lay before the Senate the business which had been laid aside informally.

Mr. MORRILL. In accordance with that notice I now move to take

up the House bill—
The PRESIDENT pro tempore. The Senator from New Hampshire has the floor.

Mr. BLAIR. I yield to the Senator from Vermont.

Mr. CAMERON, of Wisconsin. Will the Senator from Vermont bear with me one moment? I will consent that the regular order be informally laid aside for the purpose of considering pension bills, whether favorably reported or not.

Mr. BLAIR. I understand that to be the original consent.

Mr. BLAIK. I understand that to be the original consent.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the pending order be informally laid aside for the purpose of considering pension bills. Is there objection?

Mr. JACKSON. I object to that.

The PRESIDENT pro tempore. Objection is made.

EMILY L. ALVORD.

Mr. MORRILL. I move, then, to take up House bill No. 7659, Order of Business 1138.

The PRESIDENT pro tempore. The Senator from Vermont moves to proceed to the consideration of Order of Business 1138. The title of

the bill will be read.
The CHIEF CLERK.
Emily L. Alvord."
Mr. JACKSON. I "A bill (H. R. 7659) granting a pension to Mrs.

I object to that.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Vermont.

The question being put, it was declared that the ayes appeared to

Mr. JACKSON. I call for the yeas and nays

Mr. JACKSON. I call for the yeas and nays.

On seconding the call for the yeas and nays four Senators rose.

The PRESIDENT pro tempore. The Chair is obliged to say there is not a sufficient number up, only four Senators rising. The ayes have it.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7659) granting a pension to Mrs. Emfly L. Alvord. It proposes to place on the pension-roll the name of Emily L. Alvord, widow of Brig. Gen. Benjamin Alvord, deceased, late Paymaster-General of the United States Army, at \$50 per month.

Mr. MORRILL. I desire to say a brief word about this bill. It is a House bill, and I understand was reported unanimously there—

The PRESIDENT pro tempore. The Senator has no right to refer to reports made in the House of Representatives.

Mr. MORRILL. I will take that all back, then. [Laughter.] It is

Mr. MORRILL. I will take that all back, then. [Laughter.] It is in behalf of the widow of General Alvord. The only reason why I say a word about it is that I was acquainted with him for a dozen years here in Washington and knew him to be a very valuable man. He served in the Army forty-six years, and his service commenced almost immediately after his graduation, in the Florida or Seminole war, and he was engaged in the Mexican war, brevetted for his conduct in battle in various places in the Seminole war and at Cerro Gordo and at Resaca de la Palma. He was also a valuable officer at West Point, serving there as a professor. He was known, while living, to be a man of large culture inscientific matters, and contributed to the various publications of the country in that direction. His widow is almost entirely destitute. has a mother and a sister to sustain, and I trust therefore there will be

no objection to passing this bill as it came to us from the House.

Mr. VANCE. I ask that the report be read.

The Chief Clerk read the following report, submitted by Mr. Cul-LOM February 6, 1885:

The Committee on Pensions, to which was referred the bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord, having examined the same submits the following report:

The circumstances of this case are set forth in the report of the House Committee on Invalid Pensions, as follows:

That General Alvord was an officer in the Army of the United States in continuous service for forty-seven years. His military record is most satisfactory and brilliant. He was in the Florida war against the Seminole Indian, was engaged in several skirmishes, and was promoted for his gallant conduct. He was in the war with Mexico, and participated in several engagements, and was twice

promoted for his gallant and meritorious conduct in the battles of said war. He was in command as brigadier-general United States volunteers from 1862 to 1866 in the war with the seceding States, and promoted in the regular Army for faithful and meritorious services to brevet lieutenant-colonel and brevet-colonel and brevet-brigadier-general in the United States Army. He was afterward Paymaster-General of the United States Army, and discharged the duties of the office with great ability, giving entire satisfaction, being honest, faithful, and industrious.

industrious.

He died in 1884, having been on the retired-list four years, of disease contracted while in active service in the Army and in the line of his duty, as shown by the certificate of the surgeon of the United States Army, which certificate is appended to this report. He graduated in the Military Academy of the United States; was a scholar of distinction; was assistant professor of mathematics and of natural and experimental philosophy at the United States Military Academy in 1877. He was the author of some valuable books, which honored him. He was a pure and devout Christian, of high honor, a warm and generous friend, and a kind husband and father, as brave as the bravest and as gentle as the gentlest. His widow, the only wife he ever had, his companion for many years and the mother of his children, is old and infirm, with but little money or property, and with three children and a very old and helpless maiden sister of her husband to support.

Wherefore they report the bill without amendment, with the opinion that it ought to pass.

I certify that Brig. Gen. Benjamin Alvord, United States Army, retired, was, at the date of his retirement, suffering from chronic diarrhea, for which he had been repeatedly treated by me during the last two years of his active service. Though for many years, and dating as far in the past as the Mexican war, General Alvord had been frequently compelled to apply for medical treatment for diarrhea, to which he was strongly predisposed, it did not become a permanent and chronic disease until in 1876, and when in the line of his duty as Paymaster-General. At that time and subsequently his health became so much impaired as to necessitate the daily use of remedies and led to feeble action of the heart, general debility, and organic disease of the kidneys, of which he died.

BASIL NORRIS,

Surgeon, United States Army.

SAN FRANCISCO, CAL., December 8, 1884. True copy.

WM. B. ROCHESTER, Paymaster-General, United States Army.

The committee does not feel warranted in favoring the passage of the bill, and therefore recommends that it be indefinitely postponed.

Mr. CULLOM. I only wish to say that I reported this bill from the committee; and while the committee was adverse to the passage of the bill I thought that the facts in the case connected with the history of this soldier and the condition of his widow justified the passage of the

bill, and I so stated when I reported it.

Mr. CONGER. I knew General Alvord for some twenty-five y He was stationed for a long time at a fort near the town where I live, and I therefore knew him very well. I know too of the extreme destitution of his widow. I trust there will be no opposition to the passage of this bill.

The bill was reported to the Senate-without amendment, ordered to

a third reading, and read the third time.

Mr. VANCE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired for this afternoon with the Senator from Oregon [Mr. SLATER]. If I were not paired, I should vote "yea;" and if he were present, he would vote "nay."

YEAS-34.

The result was announced—yeas 34, nays 13; as follows:

Aldrich, Blair, Bowen, Chace, Conger, Cullom, Dawes, Dolph, Edmunds,	George, Harrison, Hawley, Hoar, Ingalls, Jones of Nevada, Lapham, McMillan, Mahone,	Manderson, Miller of Cal., Miller of N. Y., Mitchell, Morgan, Morrill, Palmer, Platt, Y8—13.	Pugh, Riddleberger Sabin, Sawyer, Sewell, Sherman, Voorhees.
Camden, Coke, Garland, Gibson,	Harris, Jackson, Jonas, Maxey,	Pendleton, Vance, Van Wyck, Vest,	Walker.
	ABSI	ENT-29.	
Allison, Bayard, Beck, Brown, Butler, Call, Cameron of Pa., Cameron of Wis.,	Coekrell, Colquitt, Fair, Farley, Frye, Gorman, Groome, Hale,	Hampton, Hill, Jones of Florida, Kenna, Lamar, Logan, McPherson, Plumb,	Ransom, Saulsbury, Slater, Williams, Wilson.

So the bill was passed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair calls the attention of the Senator from New Hampshire to Senate bill

2377 to pension the same person.

Mr. BLAIR. Let that be indefinitely postponed.

The PRESIDING OFFICER. The Senate bill will be indefinitely postponed, if there be no objection. It is so ordered.

WIDOW OF COMMANDER S. DANA GREENE.

Mr. ALDRICH. I now move to take up House bill 7830, Order of Business 1140, which is the next case on the Calendar.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, United States

Navy. It proposes to place on the pension-roll, at the rate of \$50 per month, the name of Mary A. Greene, widow of the late Commander S. Dana Greene, United States Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. WASHINGTON BRANK.

Mr. VANCE. I move to take up Order of Business 1242, being House bill 1132. It does not have the merit of being a pension case, but it is the next thing to it; it is the case of a soldier who was enlisted, and was captured before he was regularly sworn in, and served two years in the military prison in Richmond.

The PRESIDING OFFICER. The Chair will state to the Senator

from North Carolina that the question is not debatable.

Mr. VANCE. So I understand, but I debated it a little before I was reminded of the point of order, for which I beg pardon. I move to take

up that bill. Mr. SEWELL. Will not the Senator from North Carolina allow us to get through with two or three pension cases that are continuous on the Calendar with those just acted on? There will be no objection to

the Calendar with those just acted on? There will be no objection to getting up his bill afterward.

Mr. VANCE. No, sir; I can not waive my motion now.

The PRESIDING OFFICER. The question is not debatable. Debate can only proceed by unanimous consent. The Senator from North Carolina moves that the Senate proceed to the consideration of the bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry.

The motion was agreed to and the Senate wair Committee of the

The motion was agreed to; and the Senate, as in Committee of the The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to direct the Secretary of War to place the name of J. Washington Brank on the musterrolls of Company B, Second North Carolina Mounted Infantry, to date from September 25, 1863.

Mr. SHERMAN. I should like to have the report read. I do not know what the bill is about.

The Chief Clerk read the following report, submitted by Mr. MAXEY February 17, 1885:

The Chief Clerk read the following report, submitted by Mr. MAXEY February 17, 1885:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry, respectfully submit the following report:

H. R. 5316 was introduced at the first session Forty-seventh Congress, having the same object in view as the bill now before the committee. That bill was referred to the Committee on Military Affairs of the House, and was reported with amendments June 12, 1882. As amended by the committee, it is in words the same as the present bill.

The passage of the bill was recommended as amended by the committee. (See House Report 1408, first session Forty-seventh Congress, to accompany H. R. 5316.)

That bill was never finally acted on. At the first session Forty-eighth Congress the present bill (H. R. 1132) was introduced, referred to the Committee on Military Affairs of the House, and on the 18th March, 1884, submitted to the Committee of the Whole, with House Report No. 821 thereon, and passed the House May 17, 1884.

The report (821) of the House embodies the facts, and is hereby adopted, as follows:

"The testimony in this case shows that the soldier was duly enlisted by Capt. George M. Kirk, Company B, Second North Carolina Mounted Infantry, the 25th September, 1863, to serve three years or during the war, at Greeneville, Tenn., he having passed through the confederate lines for that purpose. He was furloughed for three weeks to visit his home, and on his return to the command was captured by the confederates at Warm Springs, N. C., where he was to have been regularly mustered into the United States service. The soldier was taken to Belle Isle, at Richmond, Va., and kept as a prisoner of war till Richmond was occupied by the Union forces. He was kept until the surrender at Appomatiox, and then prival received either pay or bounty."

In the opinion of the committee the bill ought to pass; wherefore they report s

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET D. MARCHAND.

Mr. SEWELL. I move to take up Senate bill 957, Order of Business 1141.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 957) granting a pension to Margaret D. Marchand. It proposes to place on the pension-roll the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United States Navy, at the rate of \$50 per month.

Mr. SEWELL. There is a report submitted by the Senator from New

Hampshire [Mr. BLAIR] with an amendment reducing the amount to

The PRESIDENT pro tempore. The Chair understands that the bill was reported with an amendment. The amendment will be read.

The CHIEF CLERK. In line 8 it is proposed to strike out "fifty" and insert "thirty;" so as to read:

And pay her a pension at the rate of \$30 per month from the date of the passage of this act.

The PRESIDENT pro tempore. The question is on agreeing to the

Mr. RIDDLEBERGER. May I ask the Senator from New Jersey

when this man died or when he was killed?

Mr. SEWELL. This is the case of the widow of Commodore Marchand, one of the old officers of the Navy, who served thirty or forty years. There is a long report on the case.

Mr. RIDDLEBERGER. I understood that; but it does suggest itself to me that there must be some time when you will have to end this pension-roll. Why we should pension the representatives of those who have died since the war from ordinary disease, I do not understand. I am entirely willing to go as far as any other Senator in pensioning those who were wounded, or the widows and children of those who really were killed in the war; but I do not see that I am under any obliga-tion, I do not see that I ought properly to vote to pension the family tion, I do not see that I ought properly to vote to pension the lamily of everybody who has died since the war, merely because he happened to hold some rank in the United States Army or Navy or any other army or navy. There must be a period put to this matter of pensions, somewhere and at some time. It seems to me that the right time to do it is now. Pension the dependent families of those who were someoned and as soldiers either were killed or wounded or suffered. To that examples and as soldiers either were killed or wounded or suffered. To that examples are soldiers on this floor: but to Pension the dependent families of those who were soldiers tent I can go, and I will go as far as any Senator on this floor; but to pension the family of every man who happened to be a commodore or a general or a colonel or something else, I can not vote for.

The PRESIDENT pro tempore. The question is on agreeing to the

amendment

Mr. BLAIR. I wish to say that this is just like the Alvord case which the Senate has adopted. The committee divided precisely as in that case, and this being a Senate bill a majority of the committee were that case, and this being a senate bill a majority of the committee were in favor of reporting an amendment reducing the rate of pension from \$50 to \$30 per month. So it comes here with that amendment, but upon the principle sanctioned by the Senate at the last session and this session and its general practice this lady should receive the benefit of the bill as it was introduced at \$50, and therefore consistency and justice to this woman require that the amendment should be rejected; and the issue comes in this way: Let the bill be passed as originally introduced and referred to the committee. I therefore move that the Senate do not concur in the amendment of the committee.

The PRESIDENT pro tempore. The Chair will state that on looking at the report it appears to have been adverse on the whole bill, and it is open to some question whether an amendment to a bill reported adversely entirely would be strictly in order; but as it stands in the papers the Chair will put the question, saving any point of order until it shall arise in the future. The question is on the amendment recommended by the committee reducing the amount from \$50 to \$30 a month.

The amendment was rejected. The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. MITCHELL. I move to consider-

Mr. MITCHELL. I move to consider—
Mr. PLUMB. I rise to a privileged question. I desire to have the President lay before the Senate the message from the House in regard to the legislative, executive, and judicial appropriation bill in order that I may make a motion with regard to it.

The PRESIDENT pro tempore. Pending the motion of the Senator from Pennsylvania, the Senator from Kansas asks, under the rule, that the Chair lay before the Senate the message from the House of Representatives returning the legislative appropriation bill disagreeign to

sentatives returning the legislative appropriation bill, disagreeing to the Senate amendments. The action of the House of Representatives on the Senate amendments will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 27, 1885.

Resolved, That the House non-concur in the amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. HOLYMN, Mr. HANCOCK, and Mr. CANNON be appointed managers on the part of the House.

Mr. PLUMB. I move that the Senate insist on its amendments to the bill and accede to the request of the House for a conference.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. Dawes, and Mr. Cockrell were appointed.

MARTHA C. BREESE.

Mr. MITCHELL. I move that the Senate proceed to the consideration of Order of Business 1196, being the bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase to \$50 per month the pension of Mrs. Martha C. Breese, widow of Kidder Randolph Breese, late a captain in the United States Navy

Mr. MANDERSON. I ask the Senator from Pennsylvania to yield

Mr. MANDERSON. Task the Senator from Fennsylvania to yield to me until I can call up Order of Business 1331.

Mr. MITCHELL. This can be disposed of in a few moments.

Mr. MANDERSON. Very well.

Mr. CAMDEN. I should like to have the report in that case read.

The PRESIDENT pro tempore. There is no report; only the views of the minority.

The Chief Clerk read the views of the minority (submitted by Mr. MITCHELL, February 10, 1885), as follows:

The minority of the Committee on Pensions, dissenting from the views of the

majority in relation to the bill (H. R. 4280) granting a pension to Mrs. Martha C. Breese, respectfully recommend the passage of the bill for the reasons stated in the House report, which is as follows:

"Mrs. Breese is the widow of Kidder Randolph Breese, late a captain in the United States Nay, of whom Admiral Porter has well said: 'There was no officer during the war who performed more valuable service than he did.' And referring to Mrs. Breese's application to Congress for an increase of her pension, Admiral Porter says: 'I hope sincerely that she will not be disappointed in this matter, for if ever the widow of an officer deserved to be taken care of by the Government it is the widow of Captain Breese."

"Captain Breese served all through the campaign of the Mississippi, through the siege of Vicksburg, and the opening up of the river to the sea, and always with the most distinguished bravery and self-sacrificing conduct. He was fleet-captain of Admiral Porter's fleet at the storming of Fort Fisher, and the heroism with which he led the forlorn hope of naval officers and sailors that assaulted the works by land is a bright page in the history of the civil war and is the common heritage of American citizens.

"But," says Admiral Porter, referring to Captain Breese's part in the campaign of the Mississippi, 'he no doubt hald the first seeds of disease on those rivers, for he was never well after he left there.' Captain Breese died while on sick-leave, September 13, 1881, leaving no estate—nothing for his family to live upon. The widow of this hero is now dependent upon her small pension of \$30 a month and the trifling amount of \$2 allowed each of her four little children, she having absolutely no other source of income. Can Congress refuse to granther an increase of \$20, all she asks? The committee believe not. Certainly her case appeals strongly to the Government, and the committee recommend the passage of the bill for her relief."

Mr. CAMDEN. I desire to call the attention of the Senate to the

Mr. CAMDEN. I desire to call the attention of the Senate to the fact that if the Senate goes on to increase the pensions of the widows of captains and commodores and brigadier-generals and colonels, as it has done in four instances already this evening, it might just as well declare at once that the pension of all widows of officers of such rank shall be \$50 a month instead of \$30. Every ease where it is allowed will be used as precedents to obtain the same pension for the widows of other officers of the same grade. The bill pensioning the widow of General Alvord at \$50 a month will be used as a precedent for pensioning some other widow at the same amount. Cases are brought before the Pensions Committee at every meeting, claimants come there ask-ing an increase of pension upon the ground that some other person no more meritorious than the claimant at that time has obtained an increase of pension. If the allowance to the widow of every officer that is pensioned is to be increased simply because of the fact that the officer did his duty well while in the service, the widow of every other officer who did his duty equally well is certainly entitled to use that

omcer who did his duty equally wen is certainly entitled to use that as a precedent to obtain an increase of pension.

Mr. HALE. The Senate has already passed several bills not more meritorious than this, but this case is a good one upon its own merits. Captain Breese was one of the most distinguished and gallant of the younger officers of the Navy. Perhaps no other officer of his age and rank had a better and more consistent record, or rendered more valuable service. When such service was dangerous, he was in the midst of danger. When a piece of hard work was demanded, Captain Breese did that work. He died leaving no estate, with wife and little children dependent upon him, and I hope, after what has been done in other cases, that the Senate will not hesitate here.

The bill was reported to the Senate without amendment, ordered to third reading, and read the third time.

a third reading, and read the third time.

The question being put on the passage of the bill, it was declared that the ayes appeared to prevail.

Mr. CAMDEN. I ask for a division on the passage of the bill.

The question being put, the ayes were 22.

Mr. CAMDEN. I withdraw the call for a division.

The PRESIDENT pro tempore. The Senator gives it up. The ayes have it, and the bill is passed.

REPRESENTATIVES OF CAPT. JOHN G. TOD.

Mr. COKE. I move that the Senate take up and consider Order of Business 980, being the bill (H. R. 1567) for the relief of the legal rep-

resentatives of the late Capt. John G. Tod, of the Texas navy.

Mr. MILLER, of New York. I hope the Senator will withdraw that
until we get through with pension cases, and then I will go with him The PRESIDENT pro tempore. Debate is not in order.

Mr. MILLER, of New York. By unanimous consent we proceeded

to consider pension cases.

Mr. COKE. This bill will not give rise to any debate.

The PRESIDENT pro tempore. The Chair will state that the unanimous consent was for the consideration of Senate pension bills favorably reported. That list has been exhausted; and since then Senators have moved to take up such bills as they pleased.

Mr. BLAIR. The understanding we all had was that it included con-

tested pension cases.

The PRESIDENT pro tempore. That was objected to by gentlemen on the right of the Chair.

Mr. HARRIS. So far from any such understanding, I gave notice that I should object to taking up the adversely reported pension cases while more than one hundred House bills favorably reported from our committee remained on our Calendar unacted on.

Mr. BLAIR. I know that; but there were further proceedings.
Mr. COKE. I move that the bill I have named be taken up.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas to take up the bill moved by him.

Mr. VOORHEES. I object until I have a better understanding.

The PRESIDENT pro tempore. An objection is not in order. It is a question for the majority of the Senate to decide without debate. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy. It provides for the payment to the legal representatives of the late John G. Tod, of Texas, \$12,500, the amount provided for a captain waiting orders in the United States Navy for the term of five years, in conformity with the provisions of section 12 of the act approved March 3, 1857, "making appropriations for the naval service for the year ending 30th of June, 1858."

Mr. SHERMAN. Is there a report in that case?
Mr. COKE. The report is brief and can soon be read.
Mr. SHERMAN. Let it be read.

The Chief Clerk read the following report, submitted by Mr. Jackson January 7, 1885:

January 7, 1885:

The Committee on Pensions, to whom was referred H. R. 1567 and Senate bill 1042, "for the relief of the legal representatives of the late Capt. John G. Tod," have examined the same, and report as follows:

That bills for the relief of John G. Tod, late captain in the navy of Texas, and of his legal representatives, have received repeated favorable reports in the House of Representatives since the Forty-fourth Congress, and have several times passed the House without receiving the action of the Senate. The facts of the case are fully and correctly set forth in the last report of the House at the first session of the present Congress, as follows:

"The Committee on Naval Affairs, to whom was referred the bill (H. R. 1567) for the relief of the legal representatives of Capt. John G. Tod, of Texas, report:

"That after the failure of the treaty by which Texas was to have been annexed to the United States, and the consummation of the annexation by resolution, much dissatisfaction existed among the citizens of Texns because of the failure to transfer the officers of the navy of Texas to the Navy of the United States, with rank and emoluments sorresponding with rank and emoluments held and enjoyed by said officers in the navy of Texas, as was provided for in the inoperative treaty; and that, as it was ascertained that such transfer was impossible of accomplishment by reason of that provision in the Constitution of the United States which imposes on the President the duty of appointing the officers of the Navy of the United States, Congress did, as compensation for the non-performance of the stipulations contained in said inoperative treaty, pass a law, approved March 3, 1857, entitled 'An act making appropriations for the naval service for the year ending the 30th of June, 1858; 'the twelfth section of which act is as follows:

"That the surviving officers of the Republic of Texas, who were duly commis-

ance of the stipulations contained in said inoperative treaty, pass a law, approved March 3, 1857, entitled 'An act making appropriations for the nava service for the year ending the 30th of June, 1858,' the twelfth section of which act is as follows:

"That the surviving officers of the Republic of Texas, who were duly commissioned as such at the time of annexation, shall be entitled to the pay of officers of the like grade when awaiting orders in the Navy of the United States for five years from the date of said annexation, and a sum sufficient to make the payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated: Provided, That the acceptance of the provisions of this act by any of the said officers shall be a full relinquishment and renunciation of all claims on his part to any further compensation on his behalf from the United States Government to any position in the Navy of the United States.'

"And that it has been settled by the Supreme Court of the United States that the annexation of Texas to the Union was consummated on December 29, 1845; and that it was settled by the Court of Claims of the United States that the annexation of Texas to the Union was consummated on December 29, 1845; and that it was settled by the Court of Claims of the United States, in the case of E. M. Moore 2, United States (4 Nott & Huntington, page 139), that 'John G. Tod now on file in the Navy Department, signed by the President of the Republic of Texas, dated July 12, 1845, more than five months prior to the date of annexation, according to the decision of the Supreme Court of the United States, a certified copy of which commission is on file with the committee. And that Capt. John G. Tod did, by his attorney, J. B. D. De Bow, a few weeks prior to the 10th day of June, 1857, file his claim with the Navy Department for five years' pay, as provided under the law of March 3, 1857, hereinbefore referred to; which proffer to accept the terms thereof did vest in the said Tod an immediate fixed rig

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA W. THORNBURGH.

Mr. MANDERSON. I move that the Senate proceed to the consideration of the bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army.

The motion was agreed to; and the Senate, as in Committee of the

Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Eliza W. Thornburgh, widow of Maj. Thomas T. Thornburgh, late of the Fourth Regiment of Infantry, United States

Army, at \$50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOPHIA A. MORGAN.

Mr. MILLER, of New York. I move that the Senate proceed to the

consideration of the bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Mrs. Sophia A. Morgan, widow of Bvt. Brig. Gen. Charles H. Morgan, at the rate of \$50 per month.

Mr. GROOME. It seems very evident that it is the temper of the Senate to give to every widow of an officer entitled, under the general law, to \$30 a month, a pension of \$50 a month, if she chooses to apply to Congress for it. That being the case I am opposed to doing by retail what can be done by wholesale. I therefore move to add to the bill the following additional section:

SEC. 2. That the widow of every officer of the Army above the grade of lieutenant-colonel, and of every officer of the Navy above the grade of captain, who is now receiving a pension of \$30 or more a month and less than \$50 a month, shall be entitled, upon application to the Pension Bureau, to have her pension increased to \$50 a month from and after the date of said application.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. BLAIR. The Senator misapprehends the ground upon which the committee, or a minority of the Committee on Pensions, have recommittee, and the senator misapprehends the proposed in any ommended this increase to \$50 a month. It has not been urged in any cases save where there was distinguished service, long service, and actual need. The amendment would of course open an indiscriminate, an exhaustive raid upon the Treasury which could not be included within

the principle which I have laid down.

Mr. GROOME. I think there have been very few officers in the United States of the rank mentioned in my amendment, either of the Army or of the Navy, who did not render distinguished service and whose widows do not need a pension larger than that of \$30 a month in order to enable them to live in the condition of comfort and luxury which they enjoyed during the lifetime of their husbands. So I think my amendment may very well be adopted if the course of legislation

which we have been indulging in to-day is to be continued.

Mr. CAMDEN. I will ask the Senator from New Hampshire whether there is not a minority report in favor of every person who has asked for an increase of pension to \$50 a month during this session of Congress, and if there is any exception? I ask him if that is not the rule

Mr. BLAIR. That is not true. I recollect one case which passed to-day where upon my own suggestion the amount of pension was reduced from \$50 to \$40. Even if that were so, it would not controvert my statement. Because the class which would be included in the amendment are not here asking for an increase of pension, it does not follow that those who are asking for the increase are not properly included within the principle laid down. I do not know that those who are not entitled to the increase have asked for it. Certainly the cases which have passed through the Senate to-day, and so far as I know the cases which remain upon the Calendar, are most of them those of widows of admirals, rear-admirals, major-generals, and the like, whose husbands were in service anywhere from thirty-five to sixty years, and in one of two in-stances even more. The amendment of course is only hostile to the bills as they stand on the Calendar.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Maryland [Mr. GROOME].

Mr. GROOME. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yea 1, nays 42; as follows:

Voorhees. NAYS-42.

Allison, Bayard, Beck, Blair, Brown, Call, Cameron of Wis., Chace, Cockrell,	Dolph, Edmunds, Gibson, Gorman, Groome, Hale, Harris, Harrison, Hawley,	Jackson, McMillan, Mahone, Maxey, Miller of Cal., Miller of N. Y., Mitchell, Morrill, Palmer,	Platt. Riddleberger, Sabin, Saulsbury, Sawyer, Sewell, Vance, Walker, Wilson.
Conger, Cullom,	Hoar, Ingalls,	Pendleton, Pike,	
	ABSE	ENT-33.	at the plants of
Aldrich, Bowen, Butler, Camden, Cameron of Ps., Coke, Colquitt, Dawes, Fair,	Farley, Frye, Garland, George, Hampton, Hill, Jonas, Jones of Florida, Jones of Nevada,	Kenna, Lamar, Lapham, Logan, McPherson, Morgan, Plumb, Pugh,	Ransom, Sherman, Slater, Van Wyck, Vest, Williams.

Dawes, Fair, So the amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. It is proposed by the Committee on Pensions to amend the title to read: "A bill granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army and brevet brigadier general of volunteers." dier-general of volunteers.'

Mr. MILLER, of New York. Do I understand that the title will have to be amended? The bill has passed the House, and if we amend the title it will have to go back for concurrence.

The PRESIDENT pro tempore. The Chair will state that it appears

The PRESIDENT pro tempore. The Chair will state that it appears in the body of the bill as reported, and as a part of it, "Amend the title so as to read: 'A bill granting a pension,'" &c. The Chair will state also that the bill appears to have been amended in the House to correspond to that title. The Chair does not think it is necessary to amend the title, and although it is a singular phrase in the bill itself it will do it no harm. The title will stand as it came to the Senate.

MESSAGE FROM THE HOUSE,

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed a bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.;

Joint resolution (S. R. 109) authorizing the loan of certain flags and

bunting to the committee on inauguration ceremonies;
Joint resolution (H. Res. 338) providing for printing additional copies
of the sixth and seventh annual reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and

seventh annual reports of the Director of the Bureau of Ethnology; and Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

ROSA VERTNER JEFFREY AND OTHERS.

Mr. BECK. I move that the Senate proceed to the consideration of The PRESIDENT pro tempore. Debate is not in order.

Mr. BECK. I move that the Senate proceed to the consideration of the bill (H. R. 2185) for the relief of Rosa Vertner Jeffrey and others.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky.

Mr. BECK. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. BECK. I ask unanimous consent to make a brief statement.

The PRESIDENT pro tempore. If there be no objection, the Senator from Kentucky will proceed.

Mr. BECK. I doubt whether I shall be able to be in the Senate much more during this session because of being in attendance in commit-tee on the appropriation bills, and as bills are being called up from the calendar a little out of order I should like to have this bill acted upon now. It is to refer a case to the Court of Claims. The Senator from West Virginia [Mr. Kenna] reported it, and his family is sick. The Senator from Massachusetts [Mr. Hoar] knows all about it, and I should be very glad to have it considered now.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It refers to the Court of Claims the claim of Rosa Vertner Jeffrey and the legatees of Claude M. Johnson for the proceeds or value of eight hundred and twenty bales of cotton alleged to have been appropriated by and to the use of the United

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHIEF ENGINEER ON NAVY RETIRED-LIST.

Mr. MILLER, of California. I move that the Senate proceed to the consideration of the bill (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer, now on the retired-list of the Navy, a chief engineer on the retired-list of the Navy.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President of the United States to nominate and, by and with the advice and consent

of the Senate, to appoint one passed assistant engineer, now on the retired-list of the Navy, a chief engineer on the retired-list of the Navy, with the highest retired pay of that grade.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FENDALL CARPENTER.

Mr. JACKSON. I move that the Senate proceed to the consideration of the bill (H. R. 4686) for the relief of Fendall Carpenter.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates \$4,400 to pay to Fendall Carpenter for twenty-five bales of cotton seized and sold by the United States military authorities during the late war, and the proceeds thereof appropriated to the use of the Quartermaster's Department of the United States Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RIVER AND HARBOR BILL.

The PRESIDING OFFICER (Mr. INGALLS in the chair) laid before the Senate the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes; which was read the first time by its

The PRESIDING OFFICER. If there be no objection the bill will be read the second time and referred to the Committee on Commerce, Mr. CAMERON, of Wisconsin. I object to the second reading. The PRESIDING OFFICER. The second reading is objected to.

FRANCIS B. VAN HAESEN.

Mr. McMILLAN. I move that the Senate proceed to the considera-

tion of the bill (H. R. 847) for the relief of Francis B. Van Haesen.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Commissioner of the General Land Office, on behalf of the United States, to accept a relinquishment by the governor of the State of Minnesota, executed runder the authority of an act of the Legislature of that State approved February 24, 1881, of the title derived by that State through an internal-improvement selection certified by the Commissioner of the General Land Office on May 8, 1869, for the southeast quarter of section 3, township 128, range 40 west, in the district of lands subject to sale at Alexandria, Minn., and confirms the location of the tract by Francis B. Van Haesen, with military bounty land-warrant numbered 106976, for one hundred and sixty acres, issued under the act of March 3, 1855, and which was patented by the United States to Van Haesen on the 15th of October, 1870. The State of Minnesota is to be allowed to select other lands in lieu of the tract relinquished.

The bill was reported from the Committee on Public Lands with an amendment, to add the words "from the public lands of the United

States within the limit of said State;" so as to read:

And the State of Minnesota shall be allowed to select other lands, in lieu of the tract relinquished as aforesaid, from the public lands of the United States, within the limits of said State.

Mr. McMILLAN. I ask the Senate to refuse to concur in the amend-ment. I have conferred with the chairman of the Committee on Public Lands, and I have his assent to that course. This is a House bill. A Senate bill granting this relief has already passed the Senate, but it can not be reached in the House. The amendment, if adopted, would put the House bill in the same condition. A similar bill has passed the Senate three or four times at previous sessions of Congress. It is recommended by the Interior Department, and there is no doubt about the propriety of the relief. I ask the Senate to non-concur in the amendpropriety of the relief. ment and pass the bill.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

Mr. McMILLAN. The name should be spelled "Van Hoesen." I

ask that the correction be made.

The PRESIDING OFFICER. That would require an amendment of the bill.

Mr. McMILLAN. Very well; let it go.

THE BARK MARY TERESA.

Mr. GORMAN. I move that the Senate proceed to the consideration of the bill (H. R. 737) for the relief of Juliet Leef, widow, and the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia,

Mr. HOAR. I ask unanimous consent to make a statement in regard to that case. It is a case which involves a very important public principle about which the Committee on Claims were divided in the last Congress, making elaborate reports on both sides, and about which they are divided in this. I should myself feel it my duty to make a speech of considerable length upon the question. I do not think the Senate ought to take it up at this time. The bill is submitted without recommendation from the committee, I understand; but I do not know

The PRESIDING OFFICER. The Senator from Maryland moves that the Senate proceed to the consideration of the bill indicated by

Mr. MILLER, of New York. I suggest to the Senator from Maryland to call up the bill at some other time.

Mr. GORMAN. I did not hear the Senator from Massachusetts.

There was so much confusion I could not hear what he said.

Mr. HOAR. It is an adverse report, and it involves a very important principle indeed and will take undoubtedly a debate of several hours. I suggest to the honorable Senator from Maryland that this is not the proper time to consider such a bill. If I may be pardoned for saying so, it involves the principle of the United States making compensation to individuals who suffer by the misconduct of a public officer. It is a case where a consul of the United States detained a vessel abroad. The owner of the vessel claimed that it was either a willful wrong or an egregious error on the part of the consul, but in either case it was within the consul's official power. The majority of the committee have always been of opinion that the United States is not liable for the acts of public officers in such cases, and have made several reports at the present session of Congress based upon that principle. I appeal to my honorable friend from Maryland that this is not the time to take up and deal with an important prin-

ciple of that kind.

Mr. GORMAN. I dislike very much to press my motion so as to comat this hour of the evening, but I am exceedingly anxious to hear the Senator argue the other side of the case, for I listened to him with great pleasure in a bank case a few days ago, which was similar although perhaps not so strong in its equities as this. This is a case which I think ought to be considered favorably. It has been reported upon favorably in another branch of Congress seven times, and has passed the House of Representatives at least three times, twice certainly, two Congresses ago and again at this session. The equities are so strong that I should like very much to have the bill considered; but if the Senator from Massachusetts at this late hour intimates that he intends to make a long argument, I shall not by any means press my motion.

Mr. HOAR. The reading of the report would take an hour.

The PRESIDING OFFICER. Does the Senator from Maryland with-

draw his request for the consideration of the bill?

Mr. GORMAN. I withdraw it under the threat of the Senator from

Massachusetts.

Mr. HOAR. I ask unanimous consent to remove a misapprehension in the mind of the Senator. I did not make the suggestion in the least as a threat. I should not prolong my argument thirty seconds for the sake of defeating the bill, but it is proper that the Senate should know that the nature of the question would inevitably involve that result.

The PRESIDING OFFICER. The motion is withdrawn.

ANN CORNELIA LANMAN.

Mr. HAWLEY. I move to take up the bill (H. R. 1813) granting an increase of pension to Ann Cornelia Lanman. She is the widow of the late Rear-Admiral Lanman.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the penwhole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Ann Cornelia Lanman and to pay her a pension of \$50 a month, in lieu of the pension now received by her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

O. L. COCHRAN.

Mr. MAXEY. I move that the Senate proceed to the consideration of the bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for money erroneously collected from him by the Post-Office Department.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to O. L. Cochran \$422.85, collected from him by the Post-Office Department on the 26th of November, 1867, and which amount is in excess of what he was indebted to the Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MAXEY. I move that the bill (S. 1481) for the relief of O. L. Cochran, late postmaster at Houston, Tex., now on the Calendar, be postponed indefinitely.

The motion was agreed to.

JOHN C. HERNDON.

Mr. CAMERON, of Wisconsin. I move that the Senate proceed to the consideration of the bill (S. 164) for the relief of John C. Herndon.

The motion was agreed to.

Mr. CAMERON, of Wisconsin. A bill identical with this bill has assed the House and is now in the hands of the Committee on Claims. passed the House and is now in the hands of the Committee on Claims. I move that the Committee on Claims be discharged from the further consideration of the bill (H. R. 2158) for the benefit of John C. Hern-

The PRESIDING OFFICER. If there be no objection, that order

will be made.

Mr. CAMERON, of Wisconsin. I now move that the Senate proceed to the consideration of House bill 2158.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John C. Herndon, late of Mason County, now of Louisville, Ky., \$1,785 in full compensation for 105,000 pounds of hay furnished, under verbal contract, to Capt. D. W. McClung, assistant quartermaster United States volunteers, for the use of the Government of the United States, in March, 1865, and which was swept away by a flood in the Ohio River and lost, in consequence of the failure of the Government to remove the hay, after due notice had been given to its authorized agents so to do.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

Mr. CAMERON, of Wisconsin. I move that the bill (S. 164) for the relief of John C. Herndon be postponed indefinitely.

The motion was agreed to.

JOHN W. MARTIN.

I move that the Senate proceed to the consideration of the bill (H. R. 5452) for the relief of John W. Martin.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John W. Martin, of Brookhaven, Miss., \$700, for services actually rendered as postmaster at Brookhaven, Miss., by authority of the military commandant, from July, 1865, to July 1866.

Mr. RIDDLEBERGER. I should like to have some reason assigned

why we should just go along here appropriating money out of the public Treasury to give to people. I see no reason for it, and yet we have been proceeding upon that theory all this afternoon. If there be a reason why the United States Government should give this man \$700 I think it is proper to assign that reason. I will say further that without the reason being given I shall be pardoned for voting against the bill. I should like to know what reason there is for giving any man \$700.

Mr. GEORGE. It is in payment of a debt that the United States

Mr. MILLER, of New York. That is a pretty good reason.
The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HUGH AND BYRD DOUGLAS, DECEASED.

Mr. MAHONE. I move that the Senate proceed to the consideration

of House bill No. 8034, Order of Business 1274.

The motion was agreed to; and the bill (H. R. 8034) for the relief of the estates of Hugh and Byrd Douglas, deceased, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the legal representatives of Hugh and Byrd Douglas, deceased, late of Nashville, Tenn., \$6,299.33, for rent of and damage to their property in Nashville by officers of the Army of the United States during

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN M. DORSEY AND WILLIAM F. SHEPARD.

Mr. JONES, of Nevada. I move to take up House bill No. 948, Order of Business 1123.

The motion was agreed to; and the bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard was considered as in Committee of the Whole. It directs the payment of \$9,021.33 to John M. Dorsey, and \$3,746.66 to William F. Shepard, in full settlement for beef and supplies furnished certain volunteer troops by Dorsey, Shepard, and one S. B. Wallace, while the troops were engaged in quelling the Indian disturbances in the Territory of Utah, now the State of Nevada, in the year 1860.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HEIRS OF MARY JANE VEAZIE.

Mr. LAMAR. I move that the Senate proceed to the consideration of House bill No. 851.

The motion was agreed to; and the bill (H. R. 851) for the relief of the heirs of Mary Jane Veazie, deceased, was considered as in Committee of the Whole. It appropriates \$2,500 to pay the heirs of Mary Jane Veazie, deceased, late of Natchez, Miss., for property taken for the use of the United States troops stationed at Natchez.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

FIRST NATIONAL BANK OF LARNED, KANS.

Mr. MORRILL. I move to take up Order of Business 967, being House bill 5747.

The motion was agreed to; and the bill (H. R. 5747) to authorize the increase of the capital stock of the First National Bank of Larned, Kans., not to exceed \$250,000, was considered as in Committee of the

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LETITIA TYLER SEMPLE.

Mr. MORGAN. I move to proceed to the consideration of Order of Business 1222, being the bill (S. 498) granting a pension to Letitia Tyler

Mr. COCKRELL. I hope the Senator will not insist on passing that bill now. There are quite a number of bills that ought to be passed, and I do not think there is much chance of getting that through at this late hour.

Mr. MORGAN. I know the Senator from Missouri can not understand the merits of this case, and the House of Representatives, I should think, would hold an extraordinary session to pass the bill.

there will be no difficulty about passing it in the House if it goes through the Senate. I hope it will be taken up.

The PRESIDING OFFICER. Is there objection to taking up the

Mr. RIDDLEBERGER. I object.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Alabama that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 498) granting a pension to Letitia Tyler Semple. It proposes to place on the pension-roll the name of Letitia Tyler Semple, daughter of the late John Tyler, President of the United States, at \$50 per month.

Mr. COCKRELL. Let the bill be read again. I did not catch the

wording of it.

The PRESIDING OFFICER. The bill will be read again.

The bill was read.

Mr. COCKRELL. I want to ask the Senator who reported the bill if this pension is based purely upon the fact that the applicant is the daughter of a deceased President?

Mr. JACKSON. Mr. President—
Mr. MORGAN. I hope the Senator from Tennessee will let me Mr. MORGAN. answer that question.

Mr. JACKSON. Certainly.

Mr. Morgan. We have precedents on our statute-book for pensioning the daughters and widows of deceased Presidents. This lady at the time Mr. Tyler became President of the United States was the lady of the White House, the first lady in the country. She remained with her father until his marriage. He afterward married a lady who was the widow of an officer of the Navy. Mr. Tyler died, leaving this daughter in impoverished circumstances. She went to work in good earnest to teach the women of the country, being herself a very accomplished woman, and to earn her subsistence. She educated a number of ladies of this country, and educated them beautifully. By her excessive work she became blind, or so nearly so that she can scarcely see her hand before her. She received the kind attention and commiseration of that good, benevolent man, Mr. Corcoran, and she is an inmate of the Louise Home, and has been there ten or twelve years entirely dependent on his bounty. She is a woman of beautiful accomplishments, beautiful character in every respect, and I am moving this case for her not because she demands it, but because I know that her situation requires it.

Besides that, she has a young lady who is a relative of hers, an orphan child and dependent, that she has to provide for in some way. She has no estate whatever. And now, sir, the daughter of a deceased President of the United States is a blind woman, dependent upon the charity and benevolence of Mr. Corcoran in this city, and has been so for a number of years; and I have brought this case before the Senate, not on this occasion alone but before. The Senate has never voted it down, but an objection has been made each time when I brought it up, and the case has been placed out of reach. That is the whole story. [Vote!" "Vote!"]

Mr. RIDDLEBERGER. I object to the entertainment of the proposition because I can not understand that this Government is a government which is established to support people. I can not understand why the daughter of a deceased President is entitled to more consideration than the daughter of any one else. If we owe anything to a President, it would seem to me that it might have been quite, if you will pardon the expression, as genteel for the House of Representatives to have sent back here the bill that retired General Grant. I say that we are under no obligation to pension any of these people; and when the Senator from Alabama takes the position that he does he goes to such an extent that I can not follow him, and I do not think his own constituents will follow him, in pensioning the daughter of a dead Presi-

I think we have gone almost far enough to-day in pensioning the representatives of men who died twenty years after the war was over, and I repeat now what I said before, that there must be a period fixed to I repeat now what I said before, that there must be a period fixed to this giving of pensions at some time. If there he any reason why we should pension this lady beyond the mere fact that she is an educated lady, and beyond the mere statement that she is the daughter of a dead President, then I should like to hear it, for that is not sufficient.

Mr. COCKRELL. I simply desire to enter my protest on record against this bill and against the principle involved in it. This is, in my humble opinion, under our form and system of government a crime against the people who are the only sovereigns. We have never in the history of this country pensioned even the adult children of our Revolutionary sires. We do not to-day pension the children of the men who

fell for the integrity of this Union, after they reach the age of 16.

The theory of our Government, Mr. President, is that all officers, from President to constable, are the agents, the trustees, the servants, the representatives of the people. They are by the people intrusted with power to be exercised for the benefit and in trust for the people. The compensation paid to each officer and the honor of the office are the full equivalents for every civil employment in the United States. When a man has held the office of President, the office of governor, the office

of United States Senator, the office of Representative in Congress, or any other civil office, and has gone out of that office, the people are

under no sort of obligation to support him or his posterity.

While men enjoy the emoluments and the honors of office, they receive the full consideration which the people promised them, and after that they have no claim whatever upon the people. It is not so with the soldiers and the sailors of our country. We take them by the strong arm of the sovereign people at whatever compensation Congress fixes for their service, and we promise them in the laws which compel their military or naval service that in certain events they shall receive pensions for themselves and for their widows and their dependent children until they are 16 years of age; but I say there is no promise whatever in our system of government that compensation shall be made to the children of deceased civil officers of this Government.

No Senator entertains kindlier and warmer feelings toward the lady for whose relief this bill is now pressed than I do; but this is not a question of sympathy. I have a right to go into my own pocket and pay out my own money in sympathy to whomsoever I choose; but, I say, as Senators representing the people of the United States we have no right through sympathy or anything of that kind to put our hands into the pockets of the sovereign tax-payers of this country, and, under the color of law and the forms of power delegated to us, rob them of their

hard earnings

Mr. President, there are thousands upon thousands of widows and women in this country who are ten-thousand-fold worse off than the lady here in question. She is enjoying the munificence of that grand old citizen of this District, in a grand charity of which she is a worthy object. But that is not sufficient. Are we here under the power that we have to go to the orphan's home and the widow's home and take from the little earnings a portion to give to this distinguished individual because she happens to be the daughter of an ex-President of the United States?

I tell you, Mr. President, the people of this country do not believe in a civil-pension list. This is the first step toward the establishment of a civil-pension list in this Government to pension the civil employés of this Government. I say that it is in direct contravention of the fundamental principles upon which our Government rests. It is subversive of them, and the people do not believe in it. It is kind for us to yield to our sympathies and to vote these small sums, but the very fabric and structure and system of our Government may be changed by these gradual innovations from sympathy. The widows of certain Presidents have been put upon the pension-list directly out of sympathy. We shall soon have the ex-Presidents of the United States on the pension-list, and then out of sympathy for some distinguished compeer of ours, an associate brother Senator, we shall place him on the pension-list, and then we shall place some Representative who has served his country faithfully upon the pension-list, and then we shall put the child, the daughter of some distinguished Senator, upon the pension-list.

Mr. President, I simply rose to utter my earnest protest against the assage of this bill and the principle involved in it, and I trust the Sen-

ate will not be committed to it.

Mr. MORGAN. I am very glad that I have been able to furnish the Senator from Missouri an opportunity to express his opinions upon the question of a civil-pension list. I have been in the Senate with him for eight years, and I have never before heard him express an opinion so forcibly on this subject; I have never known him to do it. He might

Mr. HARRIS. I beg to say to the Senator from Alabama, if he will allow me, that he is mistaken in his facts. She was put on the pension-roll with the widows of other deceased Presidents. She was never pen-

sioned before that, so far as I am advised.

Mr. MORGAN. She has an independent living, and there is no woman in the world that I think is better entitled to enjoy the honor of being upon the pension-roll of the Government of the United States than Mrs. Polk. Then we pensioned the widow of President Tyler. She was not a beggar by any means. He married her a year or two after he had been in the Presidential office.

Mr. COCKRELL. This is his daughter.

Mr. COCKRELL. This is his daughter.

Mr. MORGAN. Of course. It is easy to draw a distinction between a widow and a daughter, especially if the daughter is blind and the widow is not. The widow has an opportunity to live, friends to take care of her, children to rely upon. It is easy enough to imagine why she should be pensioned, and why the blind daughter should not. I can understand that very well.

Then Mr. President we take a Separtor a man who served for in-

Then, Mr. President, we take a Senator, a man who served, for instance, ten days of a Congressional term, and he dies, and we do not hesitate to pay his heirs the whole amount of the salary during the rest of the term. My colleague, Hon. George S. Houston, perhaps as strict a man as ever lived, died while he was a member of the Senate, and the Senate did not hesitate to pay the salary for the whole unexpired term of that Congress to his heirs at law, a sum amounting to eight or nine thousand dollars. General Burnside died, and we paid a large sum to his representatives. So it is continually. We are paying large sum to his representatives. So it is continually. We are paying money day after day to those public servants who happen to die in

Where a minister to a foreign country who dies during the time of his service abroad

Mr. COCKRELL. Will the Senator yield until I ask him a question?

Mr. MORGAN. Certainly.
Mr. COCKRELL. The statement strikes me with wonder that the Senate has paid out to any deceased Senator's family the full salary of that Senator for the unexpired time.

Mr. MORGAN. That is exactly what they have done—paid his salary for the unexpired term of the Congress in which he died.

Mr. COCKRELL. Oh! Just simply the Congress?

Mr. MORGAN. That is all.

Mr. COCKRELL. The two years' term, not the six years' term.

Mr. MORGAN. The difference is between \$10,000 and \$20,000. There is no difference in principle at all.

Mr. COCKRELL. It seldom averages a year. Mr. MORGAN. I know that the honorable Senator has been on the Committee on Appropriations, and this is the first time he ever objected to a thing of that sort that I ever heard of. It seems to take a poor blind woman who happens to enjoy the hospitality of a benevolent cit-izen of this country to arouse all the gentleman's patriotism and all his

sense of justice.

Mr. COCKRELL. Will the Senator permit one more question for

Mr. MORGAN. Certainly. Mr. COCKRELL. I never I never heard of the case until it came up. Is not the mother of this child now living and drawing \$5,000 a year,
Mr. MORGAN. No, sir; the mother of this child is dead forty-five

Mr. COCKRELL. The step-mother? Mr. MORGAN. The step-mother is living.

Mr. MORGAN. The step-mother is living.
Mr. HARRIS. Allow me to suggest that the President of the United States is commander-in-chief of the armies and navies of the United States; he is the head of the Army. I consider the technical ground upon which, in principle, we may pension his widow (and it might extend to the children under 16 years of age) perfectly consistent with the principles upon which we grant pensions. But when it is proposed to extend it to the adult child of a soldier, whether he be President and commander-in-chief, or commanding general, or an officer of a lower grade, it is introducing a new principle, one heretofore not recognized by the pension law; it is opening a broad field. That is the suggestion I desire to make to the Senator from Alabama in order that he may deal with it.

Mr. MORGAN. Mrs. Dandridge, whom we pensioned at the last session of Congress, was not a woman under 16 years of age. She had been a widow, twice married, and was the daughter of General Taylor, and formerly Mrs. Bliss.

and formerly Mrs. Bliss.

Mr. BLAIR. The Senator will permit me to suggest that we have repeatedly indorsed the principle that where the child of a soldier was over 16 years of age and helpless, either from imbecility or from physical helplessness, the pension should be continued, the principle being precisely the same which led to its being given before the age of 16 years was reached, that being the period fixed by the law on the supposition that at that age the child would be able to take care of itself. Failing to have that ability, the pension is continued from the Government.

Mr. MORGAN. I was not seeking for any precise technical ground on which I could justify this vote. There are precedents enough. We bring home the bodies of our ministers who die abroad in the service, and we pay their families the balance of money due for the unexpired term; and I believe we are about to pass a bill, if we have not already done so during the present session, for Mrs. Hunt, for Mr. Venable's widow, and others, and there are others who ought to be paid. I thought it would gratify the people of the United States, and I believe yet it will, to know that the Congress of the United States has that sense and deligacy of feeling toward a leady who was the first labeled. yet it will, to know that the Congress of the United States has that sense and delicacy of feeling toward a lady who was the first lady in the country, who occupied a place in the White House, who occupied the delicate responsibilities and duties of that elevated position with great ability and with marked success, now that she has grown old and has become blind in the service of the women of the country and is upon the bounty of a private citizen—I thought it would do the Congress of the United States good and the people would like it if they would take that case in hand and allow her enough money to feel at last that she had some little thing or other that she could depend upon

instead of trusting to charity.

There is no person, I suppose, who enjoys more worthily than Mrs. Semple does the benevolence of Mr. Corcoran. I dare say that within the Louise Home or anywhere else there is not to be found a single heart in the world that is more burdened with the fact that, after having lled a life of duty, a life of honor, a life of elevated position, a life of usefulness, a life of excellence, she should at last be left in this condition without one cent to call her own unless some person should give

There is some justice in this. There is a good deal more in it than the mere pathetic statement of the fact. There is a duty resting upon this Government which I think we can perform here without violating

the Constitution of our country, and when the Senator from Missouri characterizes this bill as a crime against the Constitution it seems to me he goes a long way. If we never commit a worse crime against the Constitution of the United States than to take a lady under such cir-If we never commit a worse crime against the cumstances as these and to show something of our respect for the influential station that she has held and discharged so perfectly, we shall escape with very clear skirts when we leave this august tribunal.

I hope that the Senate will not hesitate to pass the bill.

Mr. RIDDLEBERGER. Mr. President, I think I am as approach-

able as any other Senator on this floor when I am asked to do something to assist somebody; but I can not lose sight of the fact that every time we pay out money we have got to collect it. We have got to derive revenue from some source before we pay it out, and there are widows and there are orphan children, and there are suffering widows and suffering orphans in this country who have to contribute to pay a civil

That is the only suggestion I have to make.

Mr. BLAIR. Mr. President, I ask the Senator from Alabama and the Senate that this bill may be laid aside informally while I call the attention of the Senate to three or four cases about which there will be no controversy such as we have already passed over.

Several SENATORS. Vote on this.

Mr. BLAIR. There is likely to be more debate. ["No!" "No!"]

If we can have a vote, very well.

The bill was reported to the Senate without amendment, ordered to

be engrossed for a third reading, and read the third time.

Mr. HAWLEY. I ask for the yeas and nays on the passage of the

bill. The yeas and nays were ordered; and the Secretary proceeded to call

Mr. GORMAN (when his name was called). I am paired with the

Senator from Massachusetts [Mr. DAWES]. Mr. HARRIS (when his name was called). I consented to pair with the Senator from Connecticut [Mr. PLATT] who is absent. I desire to ask his colleague how he thinks the Senator would vote on this question. I should vote "nay."

Mr. HAWLEY. I think my colleague would vote "nay " from the remark he made when he left the Chamber.

Mr. HARRIS. I vote "nay."

Mr. MILLER, of New York (when his name was called). I am paired with the Senator from Delaware [Mr. BAYARD] on political questions. I do not consider this a political question. I will therefore vote "yea."

Mr. SAWYER (when his name was called). I am paired with the Senator from Delaware [Mr. SAULSBURY]. If he were present Lebended.

Senator from Delaware [Mr. SAULSBURY]. If he were present I should

vote "yea."

The roll-call was concluded.

Mr. MITCHELL. On this question I am paired with the Senator from Florida [Mr. JONES].

The result was announced-yeas 11, nays 17; as follows:

Stanto Al - Small	YE	AS-11.	
Blair, Brown, Call,	Cameron of Wis., Conger, McPherson,	Mahone, Manderson, Miller of N. Y.,	Morgan, Palmer.
	NA'	YS-17.	nart buggett
Chace, Cockrell, Dolph, Edmunds, George,	Harris, Hawley, Hoar, Ingalls, Jackson,	Jonas, McMillan, Maxey, Ransom, Riddleberger,	Vest, Wilson,
	ABSI	ENT-48.	
Aldrich, Allison, Bayard, Beck, Bowen, Butler, Camden, Cameron of Pa., Coke, Colquitt, Cullom, Dawes,	Fair, Farley, Frye, Garland, Gibson, Gorman, Groome, Hale, Hampton, Harrison, Hill, Jones of Florida,	Jones of Nevada, Kenna, Lamar, Lapham, Logan, Miller of Cal., Mitchell, Morrill, Pendleton, Pike, Platt, Plumb,	Pugh, Sabin, Saulsbury, Sawyer, Sewell, Sherman, Slater, Vance, Van Wyck, Voorhees, Walker, Williams,

The PRESIDING OFFICER. A quorum has not voted. Mr. McPHERSON. I move that the Senate adjourn.

Mr. BLAIR. I ask unanimous consent-

Mr. HARRIS. I object to the transaction of any business withert

quorum.

Mr. BLAIR. I do not wish to ask for the transaction of any busi-The PRESIDING OFFICER. Is there objection to the Senator from New Hampshire speaking? The Chair hears none.

Mr. BLAIR. There are six or eight of the most meritorious pension

Mr. BLAIR. There are six or eight of the most meritorious pension cases that were before the Senate which, by the turn affairs have taken this afternoon, have failed of consideration. I hope there will be no objection at the first opportunity, which I shall seek, to take up those cases and dispose of them.

Mr. McPHERSON. I insist on the motion to adjourn.

The motion was agreed to; and (at 6 o'clock and 39 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 27, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of yesterday was read and approved.

FLAGS FOR DECORATION.

The SPEAKER. The Chair lays before the House a telegraphic communication from the Secretary of War, which the Clerk will read. The Clerk read as follows:

To the Speaker of the House of Representatives :

In view of applications made to me by proper committees for flags for decoration purposes next week, which can not be granted without authority of law, I beg to ask whether Senate resolution 109, authorizing the laun of flags, has yet passed the House of Representatives.

ROBERT T. LINCOLN, Secretary of War,

The SPEAKER. The Chair will state to the House that the joint resolution to which reference is made in this telegram is on the Speaker's table and the gentleman from Tennessee [Mr. DIBRELL] has charge of it.

Mr. DIBRELL. Mr. Speaker, I have letters from the Secretary of War and the chairman of the committee of arrangements asking the passage of this resolution, and I now ask unanimous consent to take Senate resolution 109 from the Speaker's table and put it upon its

Mr. ROBINSON, of New York. Mr. Speaker, I have some notion to object to all this decoration business, but on the whole I will not inter-

The SPEAKER. No objection is made, and the Clerk will report the joint resolution.

The Clerk read the joint resolution S. R. 109, as follows:

Resolved, &c., That the Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the committee on inauguration ceremonies the flags and bunting in the Government depots, for use in decorating the city of Washington on the 4th day of March next: Provided, That the said committee shall indemnify the Departments against any loss or damage resulting from the use of said flags and bunting, except such damage as is necessarily incident to such use.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

INTERSTATE-COMMERCE BILL.

Mr. REAGAN. Mr. Speaker, I ask unanimous consent to take up House bill No. 5461 with the Senate amendments, with a view to move

to non-concur and ask a committee of conference.

Mr. KEAN. What is that bill?

The SPEAKER. The gentleman from Texas [Mr. REAGAN] asks unanimous consent to take from the Speaker's table the bill H. R. 5461 with the Senate amendments, with a view to moving that the House non-concur and ask for a committee of conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 5461) to regulate interstate commerce, and to prohibit unjust discrimination by common carriers.

Mr. KEAN. I object.

Mr. THOMAS. Kegular order.

GENERAL HORATIO G. WRIGHT.

Mr. ROSECRANS. Mr. Speaker, I ask unanimous consent to submit two reports from the Committee on Military Affairs.

The SPEAKER. The regular order is demanded by the gentleman

on the left [Mr. Thomas].

Mr. ROSECRANS. May I ask the gentleman for a moment's court-

esy while I submit two reports?

Mr. THOMAS. I withdraw the demand for the regular order.

Mr. ROSECRANS, by unanimous consent, from the Committee on Mr. ROSECKANS, by unanimous consent, from the committee on Military Affairs, reported back with a favorable recommendation the joint resolution (H. Res. 195) to place the name of General Horatio G. Wright, late Chief of Engineers, on the roll of major-generals on the retired-list with the emoluments and pay of said grade; which, with the accompanying report, was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

MULTICHARGE GUNS.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with the favorable recommendation the petition of J. R. Haskell in relation to multicharge guns, and moved that the same be referred to the Committee on Appropriations and ordered to be printed.

The motion was agreed to.

PUBLIC BUILDING, TERRE HAUTE, IND.

Mr. STOCKSLAGER, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R.7967) to change the

limit of the appropriation for the public building at Terre Haute, Ind.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

REFERRING CLAIMS TO COURT OF CLAIMS.

Mr. ROWELL, from the Committee on War Claims, submitted the following report; which was laid on the table, and ordered to be

The Committee on War Claims, to whom were referred the following bills and petitions, having considered the same, report that they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883:

A bill (H. P. 1999) for the petition, paring considered the same, report that they have referred the same petitions, having considered the same, report that they have referred the same petition of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of Claims and demands against the Government," approved March 3, 1883.

Abill (H. R. 620) for the relief of Oilver M. Blair, administrator of Thomas P. Blair, deceased:

Blair, deceased:

Abill (I. R. 680) for the relief of Mary V. Rawlins and Elizabeth H. Verger;

Abill (H. R. 680) for the relief of Mary V. Rawlins and Elizabeth H. Verger;

Abill (H. R. 680) for the relief of Mary V. Rawlins and Elizabeth H. Verger;

Abill (H. R. 741) for the relief of John D. P. Brown, deceased;

Abill (H. R. 741) for the relief of John M. Elder;

Petition of John A. Farley;

Petition of John A. Farley;

Petition of John B. Reed;

Petition of John B. Reed;

Petition of John B. Reed;

Petition of Wrs. Log. J. Stockley;

Petition of John B. Reed;

Petition of John B. Reed;

Petition of John C. J. Company of the Company of the Company of the Petition of John C. P. Memory,

Petition of John C. J. Company of the Company of Mashville, Tenn.;

Petition of James C. Newman;

Petition of John C. J. Log. John C. J. L. Garner, deceased;

Petition of John C. J. Log. John C. J. L. Garner, deceased;

Petition of John C. J. Log. John C. J. L. John C. J. John C. John C. J. John C. John C.

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Abill (H. R. 5833) for the relief of Jacob Bloomstein;
A bill (H. R. 248) for the relief of Jacsob K. Vawter;
A bill (H. R. 253) for the relief of William J. May;
A bill (H. R. 253) for the relief of David Heiks;
A bill (H. R. 2539) for the relief of David Heiks;
A bill (H. R. 3578) for the relief of Lowy A. Hey;
A bill (H. R. 3578) for the relief of Lowy A. Hey;
A bill (H. R. 3578) for the relief of Lewis Rothermel;
Petition of Thomas Fisher;
Petition of Thomas Fisher;
Petition of Samuel Edmundson;
Petition of Mary H. Bush;
Petition of Mary H. Bush;
Petition of Robert W. Wilkinson;
Petition of John W. Alexander, executor of James S. Williams, deceased;
Petition of B. Y. Swart;
Petition of Fidal Spair,
Petition of Fidal Spair,
Petition of William Vantreese;
Petition of William Spaire;
Petition of Mrs. E. Gant;
Petition of Mrs. E. Gant;
Petition of Mrs. A. Stanfield;
Petition of Mrs. A. Stanfield;
Petition of Mrs. A. Stanfield;
Petition of Mrs. A. Minor;
Petition of James M. Seeds;
Petition of Sophia G. Mitchell and Eliza J. Mahon;
Petition of Sophia G. Mitchell and Eliza J. Mahon;
Petition of Sophia G. Mitchell and Eliza J. Mahon;
Petition of Sophia G. Mitchell and Eliza J. Mahon;
Petition of Jomes M. Seeds;
Petition of John D. Meandilster;
Petition of John D. Meedy;
Petition of John J. Meedy;
Petition of John J. Meedy;
Petition of John J. M
Petition of Louisa A. Knode, administratrix of S. A. Knode, deceased;
Petition of Many E. Lucas;
Petition of Manha B. Edwards and Mary E. Lucas, beirs of Mary G. Wray, deceased;
Petition of J. B. Stacy;
Petition of Samuel May;
Petition of George Keel;
Petition of George Keel;
Petition of George Keel;
Petition of Officer of the relief of the heirs of Horatio N. Spencer;
Petition of Calvin Chears;
A bill (H. R. 287) for the relief of Marcus L. Broadwell;
A bill (H. R. 2187) for the relief of Marcus L. Broadwell;
A bill (H. R. 2191) for the relief of James S. Frizzell;
A bill (H. R. 2193) for the relief of James S. Frizzell;
A bill (H. R. 2194) for the relief of James S. Frizzell;
A bill (H. R. 2195) for the relief of Isaac N. Webb;
A bill (H. R. 2194) for the relief of Isaac N. Webb;
A bill (H. R. 2195) for the relief of Clara H. Flowers et al.;
Petition of I. Starment;
Petition of G. W. Hughes;
Petition of Tabitha Garment;
Petition of Tabitha Garment;
Petition of Lucy A. M. Jones;
Petition of Lucy A. M. Jones;
Petition of Jamiel T. Wood;
Petition of John H. Hamiter;
Petition of John Monday;
Petition of John Monday;
Petition of John Monday;
Petition of John Monday;
Petition of Samuel W. Craft;
Petition of Samuel Benmert;
Petition of Samuel Emmert;
Petition of Samuel Emmert;
Petition of Thomas Barnum;
Petition of Thomas R. Mitchell;
Petition of Thomas R. Mitchell;
Petition of Thomas Trundle;
A bill (H. R. 3210) for the relief of Stephen H. Myers;
A bill (H. R. 3210) for the relief of Orien L. Dodd;
Petition of William H. Knode;
Petition of William H. Knode;
Petition of Solomon S. Lumm;
Petition of John H. Huyett;
Petition of John
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PUBLIC LANDS DECISIONS.

Mr. ROGERS, of New York, by unanimous consent, submitted a con-current resolution to provide for printing the first and second volumes of decisions relating to the public lands; which was referred to the Committee on Printing, and ordered to be printed.

ORDER OF BUSINESS.

Mr. THOMAS. Now, Mr. Speaker, I call for the regular order.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the report of the committee of confer-

that the Senate had agreed to the report of the committee of conference on the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 8179) making appropriation for the legislative, executive, and indicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The message further announced that the Senate had passed without

amendments joint resolutions of the following titles:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh additional reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resol...ion (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House was requested:

Joint resolution (S. R. 134) relative to the use of plants belonging to the public conservatories of the District of Columbia for inauguration ceremonies.

PERSONAL EXPLANATION.

Mr. SNYDER. Mr. Speaker, I rise to a privileged question.
The SPEAKER. The gentleman will state it.
Mr. SNYDER. I desire to explain my vote given yesterday.
The SPEAKER. That is not a privileged matter. The gentleman

can proceed only by unanimous consent.

Mr. SNYDER. I ask unanimous consent to make a personal explamr. SNIDER. I ask unanimous consent to make a personal expanation. Mr. Speaker, on page 2439 of the RECORD of yesterday's proceedings I am recorded as having voted "ay" upon the resolution offered by the chairman of the Appropriations Committee. With a decided opinion as to the impropriety of the clause in the sundry civil bill relating to the suspension of silver coinage, and with the avowed intention of voting against the same when the opportunity was offered (the resolu-tion providing for a separate vote upon said proposition), I voted "ay" to limit debate and facilitate business, in order that an extra session of

Congress might be avoided. I am opposed to any legislation on the part of Congress looking to-ward either the limitation or suspension of silver coinage. The subsequent statement of the gentleman from Pennsylvania demands that this explanation be made in order that my position may not be mis-

understood by my constituents.

Mr. HAMMOND. I object. That is not a matter of privilege, and I object to further explanation.

The SPEAKER. The Chair so decided, and the gentleman pro-

ceeded by unanimous consent.

Mr. HAMMOND. I object. Every gentleman who casts a vote might

occupy time of the House in the same way.

Several MEMBERS. Regular order. The SPEAKER. The regular order is demanded

ORDER OF BUSINESS.

Mr. CABELL. Mr. Speaker, I desire to suspend the rules to take up House bill 8029, to authorize the establishment of export tobacco man-ufactories and for drawbacks upon imported articles used in manufacturing exported tobacco.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The House is acting under a suspension of the

The regular order being called for, the House resumes, under the order adopted yesterday by suspension of the rules, the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes. The first question is upon the amendments to the clause in relation to the New Orleans Exposition.

Mr. HORR. The first amendment, as I understand, is the one which

I offered.

The SPEAKER. That is the understanding of the Chair. A motion the SPEARER. Hast's the understanding of the Chair. A motion has been made by the gentleman from New York [Mr. POTTER] to strike out the clause; but that will not be voted upon until amendments to the text have been disposed of. The amendment of the gentleman from Michigan [Mr. HORR] will be read.

ce, er, Richard orn,

The Clerk read as follows:

The Clerk read as follows:

Strike out the entire clause and insert in lieu thereof the following:

"For the purpose of aiding the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$300,000, or so much thereof as may be necessary, to be immediately available and to be used first in payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations living and doing business outside of the State of Louisiana, including debts due to foreigners or foreign nations and such as are due to States and Territories from said exposition. Secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition in accordance with the lists of awards heretofore published; said money to be disbursed under the direction of the Secretary of the Treasury, who shall make proper rules and regulations for the form and verification of vouchers in proof of such indebtedness and shall detail a proper agent of his Department to disburse said funds as directed by said Secretary, who shall make a detailed statement of his transactions to the Treasury Department."

The SPEAKER. The question is upon the motion of the gentlement.

The SPEAKER. The question is upon the motion of the gentleman from Michigan to strike out the clause in the bill and substitute what has just been read.

ELLWOOD. I rise for an inquiry. I have submitted a substi-Will the vote upon this proposition of the gentleman from Mich-Mr. ELLWOOD. igan rule out my substitute?

The SPEAKER. Is the amendment of the gentleman from Michi-

gan offered as a substitute?

Mr. ELLWOOD. I move to amend by adding to the substitute of the gentleman from Michigan the clause which I ask the Clerk to read. The Clerk read as follows:

A committee of three members of the House shall be appointed by the Speaker to inquire into the expenditures by and money received by the managers of the World's Industrial Cotton and Centennial Exposition. The said committee are hereby empowered to administer oaths, to compel the attendance of witnesses, and to send for persons and papers; and it shall report the result of its investigation to the Forty-ninth Congress on or before December 10, 1885.

Mr. BLAND. That amendment is subject to a point of order.

The SPEAKER. The Chair thinks it is subject to a point of order.

The point is sustained. The question is upon the substitute of the gen-

tleman from Michigan.

Mr. ELLIS. As I understand it has been been agreed between the gentleman and myself that his substitute shall be amended by striking out the words "or so much thereof as may be necessary." I understand the gentleman from Michigan is willing to accept this amendment

The SPEAKER. The gentleman from Louisiana [Mr. ELLIS] moves to amend the substitute of the gentleman from Michigan by striking out the words "but so much thereof as may be necessary."

Mr. ELLIS. By agreement between the gentleman from Michigan

and myself those words go out.

Mr. HORR. If it be in order I will state that in my judgment this amendment does not affect substantially my substitute; and I consent to it. I think every dollar of the appropriation will be spent, at any rate.

The question being taken on the amendment of Mr. Ellis, there were—ayes 78, noes 20.

Mr. ANDERSON. I make the point that no quorum has voted.

Tellers were ordered; and Mr. ANDERSON and Mr. Ellis were appointed.

The House again divided; and the tellers reported-ayes 121, noes

So the amendment of Mr. ELLIS was agreed to.

The SPEAKER. The question now recurs on the amendment proposed by the gentleman from Michigan [Mr. HORR] as amended.

Mr. BEACH. On this question I demand the yeas and nays.

The yeas and nays were ordered, 45 members voting therefor.

The question was taken; and it was decided in the affirmative-206, nays 58, not voting 60; as follows:

YEAS-206.

Adams, G. E.	Carleton,	Fiedler,	Jones, J. H.
Aiken,	Clay,	Findlay,	Jones, J. K.
Alexander,	Cobb.	Finerty,	Jones, J. T.
Anderson,	Connolly,	Follett,	Kean,
Atkinson,	Cook.	Foran,	Keifer,
Bagley,	Cosgrove,	Forney,	Kelley,
Ballentine,	Covington,	Funston,	Kellogg,
Barbour.	Cox, W. R.	George,	Ketcham,
Barksdale,	Craig,	Glascock,	King,
Bayne.	Crisp,	Greenleaf.	Kleiner,
Belmont,	Cullen,	Guenther,	Lacey,
Bennett.	Curtin.	Hanback,	Lawrence,
Bisbee.	Davidson,	Hancock,	Lewis.
Blanchard,	Davis, G. R.	Harmer.	Libbey,
Bland.	Davis, L. H.	Hatch, H. H.	Long,
Boutelle,	Dibble,	Haynes,	Lore,
Brainerd,	Dibrell,	Hemphill,	Lowry,
Bratton.	Dixon,	Herbert,	Lyman,
Breekinridge,	Dockery,	Hewitt, A. S.	McCoid,
Breitung,	Dorsheimer,	Hewitt, G. W.	McComas,
Brewer, F. B.	Dowd.	Hill,	McCormick,
Brewer, J. H.	Dunham,	Hitt,	McMillin,
Broadhead,	Dunn,	Holmes,	Milliken,
Brumm,	Eldredge,	Holton,	Mitchell,
Buckner,	Elliott,	Horr,	Morgan,
Budd.	Ellis,	Houk,	Morrill,
Cabell,	Ellwood,	Howey,	Morse,
Caldwell.	English,	Hunt,	Moulton.
Campbell, J. E.	Ermentrout.	James,	Muldrow,
Campbell, J. M.	Everhart,	Jeffords,	Muller,
Candler,	Ferrell.	Jones, B. W.	Murphy,
Canada		001100, 101 111	war but

nrray, ntchler, elson, cholls, atting, tes, ferrall, ige, rker, yson, el, rkins, ters, ttibone, telps, land, st, ige, yor,	Ranney, Ray, Ossian Rengan, Reid, J. W. Reed, T. B. Reese, Riggs, Robertson, Robinson, W. E. Rockwell, Rogers, J. H. Rogers, W. F. Rosecrans, Rowell, Russell, Russell, Ryan, Seymour, Shively, Singleton, Stringer T. G.	Smith, A. Herr Smith, H. Y. Snyder, Springer, Steele, Stephenson, Stewart, J. W. Stockslager, Stone, Strait, Struble, Sumner, C. A. Sumner, D. H. Swope, Talbott, Taylor, J. D. Townshend, Valentine, Vance,	Wakefield, Ward, Washburn, Weaver, Weller, Weller, White, J. D. White, Milo Whiting, Willis, Wilson, James Wilson, V. L. Winans, E. B., Winans, John Wise, G. D. Wood, Worthington, Yaple,
sey, indall,	Skinner, T. G. Smalls,	Van Eaton, Wait,	
	NY A	VO SO	

	21/22	10 00.	
rnot, arr, elford, lount, oyle, rown, W. W. rowne, T. M. uchanan, urleigh, assidy, lardy, lements, onverse, ox, S. S.	Culberson, D. B. Dargan, Deuster, Eaton, Geddes, Halsell, Hammond, Hardeman, Hatch, W. H. Henderson, T. J. Holman, Hopkins, Houseman, Lanham, Le Fevre,	Matson, Maybury, Millard, Miller, J. F. Mills, Money, Patton, Payne, Pierce, Potter, Seney, Skinner, C. R. Stevens, Stewart, Charles Storm,	Taylor, J. M. Thomas, Thompson, Tillman, Tully, Turner, H. G. Turner, Oscar Van Alstyne, Wadsworth, Wallace, Warner, Richt Wellborn, Young.
onverse,	Lanham,	Stewart, Charles	Toung.

NOT VOTING-60.

Adams, J. J.	Garrison,	Johnson,	Rice,
Bingham,	Gibson,	Jordan.	Robinson, J. S.
Blackburn,	Goff,	Laird,	Shaw,
Bowen,	Graves,	Lamb.	Sloeum,
Burnes,	Green,	Lovering,	Spooner,
Campbell, Felix	Hardy,	MeAdoo.	Spriggs,
Cannon,	Hart,	Miller, S. H.	Taylor, E.B.
Chalmers,	Henderson, D. B.	Morrison,	Throckmorton,
Collins,	Henley,	Neece,	Tucker,
Culbertson, W. W.	Hepburn,	Ochiltree.	Warner, A. J.
Cutcheon,	Hiscock.	O'Hara.	Wilkins,
Davis, R. T.	Hoblitzell,	O'Neill, Charles	Williams,
Dingley,	Hooper,	O'Neill, J. J.	Wise, J. S.
Evans,	Hurd,	Rankin.	Wolford.
Fyan,	Hutchins,	Ray, G. W.	Woodward.

So the amendment was agreed to.

During the roll-call, Mr. BEACH moved that by unanimous consent the reading of the

Mr. BEACH moved that by unanimous consent the reading of the names be dispensed with.

There was no objection, and it was ordered accordingly.

Mr. HORR. Mr. Speaker, I rise to a parliamentary inquiry. Will it be proper to ask by unanimous consent a vote be taken on this proposition as amended or on this substitute? I have said, as I supposed was the fact, there would be a vote if this were amended. I am informed if this is voted in, as it is, there will be no further vote. That

misled some gentlemen.

Mr. RANDALL. There will be a vote on the bill with this in it.

The SPEAKER. There will be no further vote on this clause as a separate proposition. The Chair will state the situation.

Mr. RANDALL. There will be a vote on the bill with that in it.

Mr. RANDALL. There will be a vote on the bill with that in it.
Mr. HORR. But that is not fair.
The SPEAKER. The gentleman from Michigan moved to strike out the clause and insert what has been read. The gentleman from New York [Mr POTTER] made a motion to strike out the clause without inserting anything. The gentleman from Michigan offered his amendment first and the House voted on it first. If the House sustains the motion to strike out the words as they stood in the bill and insert the words of the amendment it closes the vote on this clause, because it is not competent under the rules of the House to strike out the identical thing just inserted by a vote; and the only way to reach that would

thing just inserted by a vote; and the only way to reach
be to reconsider that vote.

Mr. HORR. There can be unanimous consent that a vote be taken
on the proposition. I do not think any one will object to that; it will
be passed just the same.

Mr. BOUTELLE. I will enter the motion to reconsider.
The SPEAKER. The vote has not yet been announced.
Mr. HAMMOND. I rise to a parliamentary inquiry, and it is that
as the vote has not been announced, can not the whole difficulty be
abriefed by gentlemen changing their votes?

obviated by gentlemen changing their votes?

The SPEAKER. The gentleman from Michigan asks unanimous consent that after the vote shall be announced, if the amendment be adopted, a vote shall then be taken on the motion to strike out the clause; is there objection?

Mr. HORR. There can be no objection.

There was no objection, and it was ordered accordingly.

The following pairs were then announced. On all political questions, until further notice: Mr. Morrison with Mr. John S. Wise.

Mr. SHAW with Mr. LAIRD.

Mr. THROCKMOBTON with Mr. EZRA B. TAYLOB. Mr. JORDAN with Mr. HENDERSON, of Iowa.

Mr. HURD with Mr. RICE. Mr. NEECE with Mr. CHALMERS.

On this vote:

Mr. RANKIN with Mr. OCHILTREE.

Mr. FYAN with Mr. JOHNSON. Mr. CAMPBELL, of New York, with Mr. HOOPER.

Mr. BLACKBURN with Mr. HART. Mr. HOBLITZELL with Mr. GOFF.

Mr. McAdoo with Mr. O'NEILL, of Pennsylvania. O'NEILL would vote "ay" and Mr. McAdoo "no." If voting, Mr.

For the day:

Mr. WILLIAMS with Mr. CUTCHEON.

The vote was then announced as above recorded.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department, United

States Army; and

Joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. By order of the House the vote will now be taken on the motion of the gentleman from New York [Mr. POTTER] to strike the clause entirely from the bill.

Mr. POTTER. Upon that motion I call for the yeas and nays.

The yeas and nays were ordered.

Mr. YORK. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. YORK. I ask if this is on the vote to strike out the \$300,000? The SPEAKER. The Chair will state that this is to strike out the

Mr. BELFORD. I rise to a question of order. There is so much confusion and smoking on the floor that we can not determine what is

The SPEAKER. The Chair will cause, on account of the complaints so frequently made to the Chair, clause 7 of Rule XIV to be read; and calls the attention of members on the floor and also of the officers of the House, the Doorkeeper and Sergeant-at-Arms, to the rule.

The Clerk read as follows:

7. When the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

The SPEAKER. The Chair hopes the officers of the House charged with the execution of this rule will see that it is complied with on the

The question is on agreeing to the motion of the gentleman from New York to strike out the clause on which the yeas and nays have been ordered; and the Clerk will call the roll.

The question was taken; and there were-yeas 124, nays 158, not

voting 42; as fol	lows:	THE PARTY OF THE PARTY OF	
	Y	EAS-124.	
Alexander, Anderson, Arnot, Barr, Beach, Bland, Blount, Boutelle, Bowen, Boyle, Brainerd, Brewer, F.B. Brewer, J. H. Browne, T. M. Buchanan, Buckner, Burnes, Campbell, J. M. Candler, Carleton, Cassidy,	Dargan, Dayis, L. H. Deuster, Dingley, Dockery, Eaton, Eldredge, Ellwood, English, Everhart, Ferrell, Geddes, Halsell, Hammond, Hardy, Hart, Hatch, H. H. Henderson, T. J Hepburn, Hewitt, A. S. Hitt,	McCoid, McComas, McCormick, McMillin, Matson, Maybury, Millard, Miller, J. F. Milliken, Mills, Mitchell, Morgan, Moutton, Murray, Nutting, Oates, O'Neill, J. J. Parker,	Seymour, Shively, Skinner, C. R. Smith, A. Herr Smith, H. Y Springer, Steele, Stevens, Storm, Talbott, Taylor, J. D. Taylor, J. M. Thomas, Turner, H. G. Turner, Oscar Van Alstyne, Wast, Warner, A. J. Warner, Richard Weaver, Wellborn.
Clardy, Clements, Cobb, Connolly, Cook, Cosgrove,	Hitt, Holman, Howey, James, Kean, Lanham,	Peters, Phelps, Pierce, Post, Potter.	Whiting, Wilkins, Winans, E. B. Winaus, John Wood.
Covington, Cox, S. S. Cox, W. R. Culberson, D. B.	Lawrence, Le Fevre, Lowry, Lyman,	Ranney, Ray, G. W. Rockwell, Sency,	Woodward, Worthington, Yaple, York.
2000 1100 21 2201	The second secon	AYS-158.	
Adams, G. E. Aiken, Atkinson, Bagley,	Ballentine, Barbour, Barksdale, Bayne,	Belford, Belmont, Bennett, Bisbee,	Blanchard, Bratton, Breckinridge, Breitung,

Broadhead,	Gibson,	Long,	Russell,
Brown, W. W.	Glascock,	Lore,	Ryan,
Brumm,	Goff,	Lovering,	Singleton,
Budd,	Graves,	Miller, S. H.	Skinner, T. G.
Burleigh,	Green,	Money,	Smalls,
Cabell,	Greenleaf,	Morrill,	Snyder,
Caldwell,	Guenther,	Morse,	Spooner,
Campbell, J. E.	Hanback,	Muldrow,	Stephenson,
Cannon,	Harmer,	Muller.	Stewart, Charles
Converse,	Haynes,	Murphy,	Stewart, J. W.
Craig.	Hemphill,	Mutchler.	Stockslager,
Crisp.	Henley,	Nicholls,	Stone,
Culler	Herbert,	Ochiltree,	Struble,
Cullen,		O'Barrall	
Curtin,	Hewitt, G. W.	O'Ferrall,	Sumner, C. A.
Davidson,	Hill,	O'Hara,	Sumner, D. H.
Davis, G. R.	Hiscock,	O'Neill, Charles	Swope,
Davis, R. T.	Holmes,	Paige,	Thompson,
Dibble,	Hopkins,	Perkins,	Tillman,
Dibrell,	Horr,	Pettibone,	Townshend,
Dixon,	Houk,	Poland,	Tully,
Dorsheimer,	Houseman,	Price,	Valentine,
Dowd,	Hunt,	Pryor,	Vance,
Dunham,	Jeffords,	Pusey,	Van Eaton.
Dunn,	Johnson,	Randall,	Wallace,
Elliott,	Jones, B. W.	Ray, Ossian	Ward,
Ellis,	Jones, J. H.	Reagan,	Washburn,
Ermentrout,	Jones, J. K.	Reed, T. B.	Wemple,
Fiedler,	Jones, J. T.	Reid, J. W.	White, J. D.
Findlay,	Keifer,	Reese,	White, Milo
	Kelley,	Riggs.	Willis,
Finerty,	Kelley,		Wilson, James
Follett,	Kellogg,	Robertson,	Wilson, W. L.
Foran,	King,	Robinson, W. E.	Wilson, W. L.
Forney,	Kleiner	Rogers, J. H.	Wise, G. D.
Funston,	Lacey,	Rogers, W. F.	Wolford.
Garrison,	Lamb,	Rosecrans,	
George,	Lewis,	Rowell,	District Francisco Figure
	NOT VO	TING-42.	
Adams, J. J.	Hancock,	Libbey.	Strait.
	Hardeman,	McAdoo.	Taylor, E. B.
Bingham,	Hardeman, D. D.		Throckmorton,
Blackburn,	Henderson, D.B.	Morrison,	
Campbell, Felix	Hoblitzell,	Neece,	Tucker,
Chalmers,	Holton,	Nelson,	Wakefield,
Clay,	Hooper,	Rankin,	Weller,
Collins,	Hurd,	Rice,	Williams,
Culbertson, W. W.		Robinson, J. S.	Wise, J. S.
Cutcheon,	Jordan,	Shaw,	Young.
Evans,	Ketcham,	Slocum,	and the same of the last
Fyan,	Laird,	Spriggs,	
G 12 11			

So the motion to strike out was not agreed to.

On metion of Mr. ELLIS, by unanimous consent the reading of the names was dispensed with.

The following additional pairs were announced:
Mr. BLACKBURN with Mr. STRAIT, on this vote.
Mr. FYAN with Mr. BINGHAM, on this vote.

The result of the vote was then announced as above recorded.

Mr. ELLIS moved to reconsider the vote by which the motion to strike out was rejected; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question now recurs upon ordering the bill as amended to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time.

The question recurred on the passage of the bill.

Mr. RANDALL. On that I demand the previous question.

Mr. WHITE, of Kentucky. I call for the reading of the engrossed

bill.

The SPEAKER. The Chair does not think there is any rule or any recent practice of the House requiring the reading of the engrossed bill.

Mr. WHITE, of Kentucky. I understood the Speaker to say that the bill was now upon its passage.

The SPEAKER. The Chair so stated.

Mr. WHITE, of Kentucky. What bill?

The SPEAKER. The sundry civil appropriation bill.

Mr. WHITE, of Kentucky. Then I ask for the reading of the engressed bill.

grossed bill.

grossed bill.

The SPEAKER. On the passage of the bill the gentleman from Pennsylvania has demanded the previous question.

Mr. WHITE, of Kentucky. And I call for the reading of the bill upon which we are to pass, which is the engrossed bill.

The SPEAKER. Under what rule?

Mr. WHITE, of Kentucky. The Speaker knows the rule.

The SPEAKER. The Chair knows of no such positive rule or late practice. If there be any, the Chair hopes the gentleman will call attention to it.

Mr. WHITE, of Kentucky. The Chair stated the question to be Mr. WHITE, of Kentucky. The Chair stated the question to be upon the passage of this bill, and that the gentleman from Pennsylvania had demanded the previous question. Now, upon that bill on which the previous question is demanded, which, as the Speaker states, is the sundry civil appropriation bill, I ask as a question of right for the reading of the engrossed bill.

The SPEAKER. The Chair will hear the gentleman from Kentucky on the subject as to whether there is any such rule or practice of the

Mr. WHITE, of Kentucky. I call the attention of the Chair to page 199 of the Digest, to Rule XXI, clause 2:

Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker

shall state the question to be: Shall the bill be engrossed and read a third time? and, if decided in the affirmative, it shall be read the third time by title, unless the reading in full is demanded by a member, and the question shall then be put upon its passage.

I contend that if the bill has been engrossed it ought to be here, and The Clerk should read that engrossed bill upon which we are here to vote. The rule says so; it is in the bond, and I call for the pound of flesh.

Mr. WAIT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAIT. Did not the House on yesterday by a vote of two-thirds direct the suspension of the rules for the remainder of the session upon the rules for the remainder of the session upon

the sundry civil appropriation bill?

The SPEAKER. The House by a vote of two-thirds suspended the rules to consider the bill under certain regulations prescribed in the motion itself, which regulations say nothing concerning the readings of

Mr. WAIT. Would not then the action of the House suspend any

Mr. WAIT. Would not then the action of the House suspend any rule such as the gentleman from Kentucky invokes?

The SPEAKER. The Chair has not yet decided that.

Mr. COX, of New York. I would like the Chair to state to the House the exact situation of this bill at this time. If I understand it, the bill has been read a third time by its title. We have passed from that. The previous question has been called on the passage of the bill. Am

The SPEAKER. The previous question has been demanded, but has

not been ordered.

Mr. COX, of New York. The custom has been, so far as I recollect, after the proceedings on a bill have reached this stage not to have the engrossed bill read a third time at length.

Mr. POTTER. It has not been read at length at all.

Mr. CRISP. It was read here in the House.

Mr. POTTER. At what time?

Mr. CRISP. Between 6 and 7 o'clock last evening.
Mr. COX, of New York. My friend from New York was not present

at that time.

I submit that since the adoption of the new rules there has been no practice calling for what the gentleman from Kentucky now demands, the reading of this bill at length at this stage.

Mr. REED, of Maine. This is not a question of what practice has arisen. The action of the House thus far has simply been to pass the bill to be engrossed. That is the order of the House; consequently the bill has got to be engrossed and read the third time. Now, how is it possible if a member demands the reading of the engrossed bill to say to him that that has not been done which the House has ordered to be done?

The SPEAKER. The Chair has no doubt as to the right of a member under the express language of the second clause of Rule XXI to demand the third reading of the bill at length before the question of the bill at length before the question as to which the Chair

demand the third reading of the bill at length before the question is taken on its passage; but the question of practice, as to which the Chair has some difficulty, is whether the member has a right to demand that the bill shall be actually engrossed before it is read.

There was a practice prevailing at one time, according to the impression of the Chair, to take the printed or manuscript bill and simply indorse it as an engrossed bill. That practice prevailed for a long time in the House according to the present recollection of the Chair, but was afterward discontinued, and the bill was simply read in its original printed form inal printed form.

Mr. REED, of Maine. When I first came into this House it was un-Mr. REED, of Maine. When I first came into this House it was understood if a member chose to demand the reading of the engrossed bill the bill had to be engrossed before it could be read to satisfy his demand; and I supposed that arose not from any particular rule but from the nature of the case. The first passage of the bill is a passage to be engrossed, and the House before it passes the bill finally, if it chooses, is entitled to have the engrossed bill read in order to see if that is the bill

which has been actually passed in the House.

I remember once in the Legislature of my own State that a bill which was engrossed was actually different from the bill which passed the senate of the State, and that by reason of a mistake on the part of the clerk of the senate; so that the bill actually went to the governor, but was not signed, with amendments in it not one of which had been voted on by the senate. That occurred because the engrossment was made by mistake.

The SPEAKER. The Chair has no doubt the practice in most leg-

islative bodies is as the gentleman has stated.

Mr. REED, of Maine: It is not in any respect different from the practice and from the principle of the rules of this House. The House has passed a bill to be engrossed. That has got to be done. The engrossment has to take place before the bill can be finally passed. It seems to me that is in the very nature of things and can not be eradicated by any custom of the House or by the rule.

Mr. RANDALL. I suppose that there may be members here who had the impression that this bill was not engrossed. I beg to state that that precaution has been taken and the bill is engrossed.

Mr. WHITE, of Kentucky. Then have it read.
Mr. RANDALL. And in that connection I ask the Chair whether
the suspension of the rules under which we have been acting has exhausted itself?

The SPEAKER. The motion of the gentleman from Pennsylvania [Mr. RANDALL] was simply to suspend the rules and consider the bill under certain regulations. The Chair thinks that does not dispense with the rules ordinarily relating to the passage of bills.

Mr. RANDALL. If the suspension of the rules is not operating at this time I make the motion to suspend the rules so as to dispense with

this time I make the motion to suspend the rules so as to dispense with a reading of the bill at length.

The SPEAKER. The Chair prefers not to decide the question made by the gentleman from Kentucky [Mr. White] as to his right to have the engrossed bill read at this time; because it is not necessary to do so or to establish a precedent which shall prevail in regard to this matter hereafter. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules so as to take the vote on the passage of the bill without having it read a third time at length.

Mr. REED, of Maine. I desire to say in response to a single sentence of the gentleman from Pennsylvania that so far as concerns the actual demand made for the reading of the bill at length I neither knew it

was going to be made——
Mr. RANDALL. I did not make any such charge.
Mr. REED, of Maine. Nor had I any disposition to make such a ds-I have spoken simply as a member of the House interested in the orderly conduct of its business.

The SPEAKER. This is of course an important parliamentary ques-

tion, and may at some time become more so.

Mr. BAYNE. As I understand the position of this bill now, a majority may pass it. Am I correct?

Mr. RANDALL. I have made the motion to suspend the rules and

Mr. RANDALL. I have made the motion to suspend the lateral dispense with the reading of the engrossed bill.

Mr. BAYNE. In the interest of this bill I suggest to my colleague [Mr. RANDALL] that he do not make that motion. I should prefer having the engrossed bill read if it should be necessary.

Mr. RANDALL. I would prefer not, because I do not want time, which is valuable, exhausted in that way.

Several MEMBERS. Regular order.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules and vote upon the passage of the bill without reading it at length the third time.

Mr. WHITE, of Kentucky. Mr. Speaker, how did the gentleman from Pennsylvania [Mr. RANDALL] take me off my feet to make that

The SPEAKER. He did not. Several gentlemen addres

The SPEAKER. He did not. Several gentlemen addressed the Chair after the gentleman from Kentucky [Mr. WHITE] concluded and before the gentleman from Pennsylvania obtained the floor.

Mr. WHITE, of Kentucky. But they were discussing the point of order. They were not making motions.

The SPEAKER. But there is no motion. The gentleman from Kentucky [Mr. WHITE] made no motion; he simply demanded the reading of the bill.

Mr. WHITE, of Kentucky. Under the rule.

The SPEAKER. Certainly; but that is not debatable. Is there a second demanded?

second demanded?

Mr. WHITE, of Kentucky. I demand a second.

The SPEAKER. A second is demanded. The Chair will appoint as tellers the gentleman from Kentucky, Mr. WHITE, and the gentleman from Pennsylvania, Mr. RANDALL: The question is on the motion of the gentleman from Pennsylvania to suspend the rules and voted when the research of this bill without reading its at length the total upon the passage of this bill without reading it at length the third

The House divided; and there were-ayes 79, noes 11; so the motion

was agreed to.

The SPEAKER. A second is ordered. Fifteen minutes are allowed for debate.

Mr. WHITE, of Kentucky. Mr. Speaker, I yield two minutes of my time to the gentleman from New York [Mr. James].

Mr. JAMES. Mr. Speaker, in examining this sundry civil bill I Mr. JAMES. Mr. Speaker, in examining this sundry civil bill i find that the Committee on Appropriations have inserted general legislation in reference to the public buildings and the sites for such buildings in three of the States which are represented on the committee by three of its members. We ordinary members of this House when we wish to have the limit of expenditure upon public buildings in the communities we represent increased are obliged to introduce bills for that purpose, which are referred to a committee, and in due time are reported back and acted upon by the House; but here I find that members of the Committee on Appropriations propose in this general appears of the Committee on Appropriations propose in this general appears of the Committee on Appropriations propose in this general appears. reported back and acted upon by the House; but here I find that members of the Committee on Appropriations propose in this general appropriation bill to increase the limits of expenditure upon certain public buildings. The bill proposes to increase the limit of expenditure on a public building at Dallas, Tex., from \$75,000 to \$100,000; the limit on the public building at Galveston, Tex., from \$125,000 to \$145,000, and the limit on public buildings at Jefferson City from \$100,000 to \$132,000.

Mr. KEAN. Where is Jefferson City?

Mr. KEAN. Where is Jenerson City:
Mr. JAMES. In Missouri.
Mr. KEAN. Oh! I thought it was in Indiana. [Laughter.]
Mr. JAMES. The limit of expenditure on the public building at
Saint Joseph, Mo., is to be increased from \$75,000 to \$300,000.
The original limit for the public building and site at Minneapolis,
Minn., was fixed at \$175,000, and it is to be increased by this bill to

\$500,000. I protest, Mr. Speaker, against this treatment of this House by the Committee on Appropriations, giving to the members of that committee an advantage over other members of the House who are

equally interested in general appropriation bills.

Mr. WHITE, of Kentucky. Now, Mr. Speaker, I yield three minness to the gentleman from Illinois [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, three minutes of time have been yielded to me by the gentleman from Kentucky [Mr. WHITE], and I shall occupy that time in pointing out some peculiarities of this bill. The gentleman from New York [Mr. JAMES] has called attention to the interesting the property of the period of six instances in which the Committee on Appropriations have introduced general legislation into this bill in violation of the rules of the House, and by the suspension of the rules the points of order which otherwise might have been made against these several appropriations have been cut off.

But this bill has some special features, which ought to commend it especially to this House, and I desire to call attention to those features. If we look at the appropriations for public buildings and grounds, keep-If we look at the appropriations for public buildings and grounds, keeping in view the personnel of the Committee on Appropriations, a new light will dawn upon the House. I call attention to the provisions in the bill beginning at line 29. I find that the first of these items is in the interest of Massachusetts, which is soably represented on the Committee on Appropriations by the distinguished gentleman Mr. Long.

Mr. Long. If the gentleman will permit, there is not the slightest appropriation for Massachusetts.

Mr. THOMAS. I speak of the provisions of the bill.

Mr. Long. There is not the slightest appropriation for Massachusetts there. It is a provision for the sale of a building belonging to the Government, a provision to put \$220,000 into the Treasury—not to

the Government, a provision to put \$220,000 into the Treasury-

take anything out of it.

Mr. THOMAS. But it is a provision which could not have been introduced on this bill if it had not been introduced in this way. It

would have been subject to the point of order.

Mr. RANDALL. No; it would not.

Mr. LONG. It would not.

Mr. THOMAS. I decline to be interrupted further.

Mr. LONG. Then be honorable!
Mr. THOMAS. I am, in pointing out the true inwardness of this bill. Mr. Speaker, the next item to which I desire to call attention is that for the benefit of Brooklyn, N. Y., which State is so ably represented upon the committee by Mr. HUTCHINS. That gets \$135,000.

Mr. POST, of Pennsylvania. The gentleman [Mr. HUTCHINS] does

not live in Brooklyn.

Mr. THOMAS. I say the appropriation is for the benefit of Brooklyn, in the State of New York, which is so ably represented on the committee by the distinguished gentleman I have named.

Mr. ROBINSON, of New York. The appropriation ought to be a

great deal more.

Mr. THOMAS. The next item is for the benefit of Buffalo, N. Y., \$37,500. Then we come to Chicago, Ill., which State is so ably represented on the committee by my colleague, Mr. CANNON. Then come Cleveland and Columbus, Ohio, represented on the committee by Mr. FOLLETT.

FOLLETT.

A MEMBER. And General KEIFER.

Mr. THOMAS. Then we come to Dallas, Tex., which gets \$25,000.

That State is represented on the committee by Mr. HANCOCK. Then we come to Fort Wayne, Ind., which State is represented on the committee by the distinguished gentleman Mr. HOLMAN, and I want to call attention to the fact that a bill has already passed this House giving him another appropriation for Fort Wayne; so that if this item goes through he is to have a double appropriation for this public building in Indiana. [Laughter.] Such is the work of the great watch-dog of the Treasury. Lavy it in no offensive sense. I say it in no offensive sense.

I say it in no offensive sense.

Mr. REED, of Maine. If it is for Indiana it is meritorious.

Mr. THOMAS. Yes; if it is for Indiana it is very meritorious and is "in the line of economy." [Laughter.]

Mr. WHITE, of Kentucky. Will the gentleman allow me to ask him whether the appropriation for that Indiana building is not in excess of the amount authorized by law?

Mr. THOMAS. I understand that it is \$25,000 in excess of the amount authorized by law. Mr. Speaker, this is the economy and reform of this Democratic House under the guidance of the great economy. form of this Democratic House under the guidance of the great econo-

mist, Mr. Holman, of Indiana, [Renewed laughter.]

For Hannibal, Mo., which has as its representative on that committee the gentleman from Missouri, Mr. Burnes, the appropriation is \$37,500. Then for Jefferson City, also in the State represented by that gentleman, there is an appropriation of \$132,000. There is also an appropriation of \$15,000 for Kansas City, Mo., and \$50,000 for Saint Joseph, Mo. Then we come to Leavenworth, Kans., which is represented on that committee by the gentleman from Kansas, Mr. RYAN; then Montgomery, Ala., which is represented on that committee by the gentleman from Alabama, Mr. FORNEY. Then Minneapolis, Minn., gets \$100,000, and the limit heretofore fixed by law for the building there is increased, under the leadership of the distinguished Representative from Minneapolis, Mr. WASHBURN. [Laughter.] Then there is an appropriation of \$15,000 for New Orleans, represented

by the gentleman from Louisiana, Mr. Ellis, a member of that committee. Then Peoria, Ill., under the leadership of the gentleman from Illinois, Mr. Cannon, obtains an appropriation; and then Poughkeepsie, N. Y., represented by the gentleman from New York, Mr. Hutchins. Then comes Philadelphia, Pa., represented by the gentleman from Pennsylvania, Mr. Randall. [Laughter.]

Mr. Randall. I ask the gentleman to read that provision. It is to put \$300,000 into the Treasury, not to take money out.

Mr. THOMAS. It is general legislation on an appropriation bill, which would have been subject to a point of order if this bill had been considered in the ordinary way. I have only called attention to these points so that the House and the country may see how well the districts and States represented on the Appropriations Committee are provided for in this bill.

Mr. MILLS. I remind the gentleman that he does great injustice to the gentleman from Illinois [Mr. Townshend], whom he has not mentioned.

Mr. THOMAS. I had forgotten that my colleague [Mr. Townshend] was on the Appropriations Committee, and beg his pardon for not giving him his due.

[Here the hammer fell.]

Mr. WHITE, of Kentucky. I from Maryland [Mr. McComas].

I yield two minutes to the gentleman

Mr. McCOMAS. Mr. Speaker, in these two minutes I wish only to supplement the statement which has been made with reference to public buildings provided for in this bill. I have nothing to do with motives; but I have taken the trouble to add together the various appropriations in this bill for public buildings, and I find the total to be \$2,173,000.

Mr. RANDALL. The gentleman is mistaken.

Mr. MCCOMAS. That is the calculation I have made, and I have

made it from the bill. I take these figures from the printed bill, if not from the engrossed bill before this House.

Mr. RANDALL. The gentleman counts in perhaps provisions for

Mr. KANDALL. The gentleman counts in pernaps provisions for the sale of two public properties—

Mr. McCOMAS. I have only a moment, and can not yield. I am not here to ascribe motives to anybody; but I want the House to say, while we protest time and again against sporadic extravagance, whether while we protest time and again against sporadic extravagance, whether in an appropriation bill passed under a suspension of the rules in the last days of the session we shall pile up expenditures to the amount of two millions of dollars for these public buildings out of \$22,000,000 which the bill carries, although these provisions in many cases change the existing law, going beyond limitations heretofore enacted.

Now, there is no committee for which in its constitution I have

higher respect than for the Committee on Appropriations, but I say we are driven by the force of this vote upon suspension of the rules to the alternative of spending \$2,000,000 without an opportunity to amend or diminish these appropriations.

Here the hammer fell.]
Mr. PAYSON. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. PAYSON. Would it be in order at this time, as the gentleman from Michigan [Mr. HORR] is the only member on the Committee on

Appropriations who seems to be unprovided for in this bill, to move that he be allowed an appropriation for a public building in his district?

Mr. RANDALL. I hope the gentleman from Illinois [Mr. Thomas] will do justice by correcting the statement he has made. There is not a dollar in that part of the bill, so far as I know, that goes to my district or to Pennsylvania either.

Mr. WHITE, of Kentucky. I yield two minutes to the gentleman from New York [Mr. POTTER] reserving one minute to myself.

Mr. POTTER. Mr. Speaker, in the two minutes allowed me I desire to say, as forcibly as I may, that this departure from the uniform practice of this Government by passing great appropriation bills under a suspension of the rules can not be justified. It ought to be condemned by the entire country, and it will be so condemned. The evils of such a practice could not be more forcibly illustrated than in the attempt now being made to pass these bills, in which private interests may be now being made to pass these bills, in which private interests may be concerned, without an opportunity for the scrutiny of this House. I protest in the name of honest government, I protest in the name of that vigilance which we are bound under our oaths as legislators to exercise, that we are revolutionizing the whole practice of the Government by this procedure.

I am willing to sit here day and night until the session closes in order that these bills may be passed in regular order, and that no appropriation necessitating taxation upon the country shall be passed without such scrutiny on the part of Representatives here as the Constitution and all the honest practice of the Government require.

Here the hammer fell.]

The SPEAKER. The gentleman from Kentucky has one minute

Mr. WHITE, of Kentucky. In that one minute I desire to call the attention of this House to this remarkable bill, which provides in it over \$1,000,000 for public buildings beyond the limit allowed by law, and which bill is to be passed now under a suspension of the rules.

I wish to call the attention of the House to the fact that this same committee refused \$400 to the Freedmen's Hospital for a force-pump in

this city, while they put in millions of dollars beyond the limit provided by law for public buildings.

I wish also to call attention to the fact that they omit provision for and men of the United States Army. They also omitted to be due to officers and men of the United States Army. They also omitted to provide pay for two and three years' volunteers which may be certified to be due to the officers and men who served in the war of the rebellion. They also omitted to provide bounty to volunteers and their widows and legal heirs. They also omitted to provide for the payment of bounties under

act of July 28, 1866.

The SPEAKER. The gentleman's time has expired.

Mr. WHITE, of Kentucky. I regret it. I wish I had an hour. [Laughter and applause.] The SPEAKER. The gentleman from Pennsylvania has eighteen

minutes

Mr. RANDALL. Mr. Speaker, notwithstanding what the gentleman from Maryland [Mr. McComas] has said, the amounts appropriated in this bill for public buildings aggregate \$1,794,719.84, which is about

the amount which was appropriated for a like purpose last year.

As to individual members being influenced in that committee, I wish to give those gentlemen opportunity to defend themselves. But as my name has been drawn in here I want to say, so far as I know, not one dollar has been appropriated for any public building connected with Philadelphia by this appropriation bill. On the contrary an estimate of \$60,000 for the post-office building of that city was left unprovided for. All the Philadelphia Representative did was to authorize the sale of a public building in the city of Philadelphia, whereby \$300,000 or more would come into the Treasury of the United States.

Mr. THOMAS. What about the public building for Williamsport,

. Mr. BROWN, of Pennsylvania. The gentleman from Illinois is mistaken about the Williamsport public building, as that appropriation is within the limits of the law.

Mr. RANDALL. I have nothing to do with Williamsport. That was the action of this House. It is not, however, over the limit, but on the contrary is within the limit.

Several MEMBERS. How about the vaults? What about Minneap-

olis public building?

Mr. RANDALL. Those gentlemen who are interested can defend themselves, as they secured a majority of the committee in favor of these several propositions. I am not able to say what occurred in the committee in this respect and I do not wish to say even how I voted. I am not afraid of my record in that regard.

Mr. BELFORD. Let me ask the gentleman from Pennsylvania a

question

Mr. RANDALL. Now before leaving the subject I wish to say, in defense of the committee, I do not believe there is a dollar in that bill for a public building which will not be wisely and economically expended. I objected, perhaps, to its insertion here on the ground it would break the limit; but I think the public interests by legislation in connection therewith have not been imperiled in any particular

Now as to the payment of soldiers—because that is a tender subject, Mr. Speaker—the gentleman from Kentucky is entirely in error. There was no estimate for the soldiers to which the gentleman referred in connection with this bill. It referred to another bill altogether, and his objection, therefore, on that point falls to the ground.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that that body respectfully return without the signature of the President pro tempore an enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux and Dakota Indians of Minnesota

subsequent to June 1, 1861, and prior to the massacre of August, 1862.

It also requested the return of joint resolutions of the following titles:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports

of the Geological Survey; and
Joint resolution (S. R. 129) to authorize the printing of the reports of

the Geological Survey.

It further announced the passage of a bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which concurrence was requested.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. This bill has been added to largely for purposes intended to benefit the soldiers, and also to protect the country from disease. There is, for instance, \$400,000 appropriated in the bill for artificial limbs; which is an increase over the last appropriation, this being the fifth year. There is also \$350,000 incorporated in the bill to protect the United States from the approach of cholera, which adds largely, and there is another appropriation of \$200,000 in the bill more than that of last year because of the increased demand for money to be applied in support of the soldiers' homes. So that when the effort is

made to prejudice the mind of this House against the bill on the score that the soldier has not been taken care of, it is only necessary to examine the facts to destroy any such impression.

I now yield two minutes to the gentleman from Massachusetts, and then to the gentleman from Illinois.

Mr. BELFORD. Mr. Speaker, I wish to ask the gentleman from ennsylvania a question.

Mr. RANDALL. I will yield for a question if the gentleman does

Mr. RANDALL. I will yield for a question if the gentleman does not consume too much of my time.

Mr. BELFORD. I know it to be a fact that there is in the Treasury to-day \$145,000,000 of surplus revenue, and that instead of acting extravagantly you have cut the appropriations in every case, making them fall below the estimates. Now, why has this been done?

Mr. RANDALL. My answer to the gentleman's question is that in the first place I do not know the exact amount of surplus in the Treasury that can be safely placed in circulation, and further I say distinctly that economy and the good of the country at large demand that that money, whatever may be there, should be applied in paying the public debt. [Applause.] ebt. [Applause.]
Mr. BELFORD. You have not acted extravagantly in the appropria-

Mr. RANDALL. I now yield to the gentleman from Massachusetts

[Mr. Long

Mr. LONG. Mr. Speaker, whatever share of responsibility falls upon me as a member of the Committee on Appropriations, which reported this bill to the House, I accept and do not propose to shirk. And that responsibility extends to portions of the bill relating not only to the section of country from which I come, but to all other sections as well.

But I rise now, sir, simply to answer the assertion which has been made that the State I in part represent is specially benefited in this bill in the matter of appropriations for public buildings. The fact is exactly to the contrary, as the following statement will show:

I am the only member on the Committee on Appropriations from New England, and not a single public building in New England is represented in the appropriations of this bill. The new post-office and court-house building in the city of Boston is nearly finished. The old court-house will become yearnt probably within ninety days and as a court-house will become vacant probably within ninety days, and as a matter of profit to the Treasury of the United States, as well as a question of economy, a provision has been inserted in the bill for the sale of the court-house, which will add \$225,000 to the Treasury and take not one dellar out of it.

not one dellar out of it.

[Here the hammer fell.]

Mr. RANDALL. I now yield to the gentleman from Illinois.

Mr. CANNON. How much time?

Mr. RANDALL. One minute.

Mr. CANNON. Well, I can not do much in a minute. [Laughter.]

Mr. RANDALL. Well, say all you can in that time, because I have to yield to others on the other side.

Mr. CANNON. Mr. Speaker, I have had six years' service on the Committee on Appropriations, and during that time I have never had a dollar for the construction of a public building, or any public work, appropriated for the district I represent. I have taken the very best care I knew how to take of my State and section, and in doing so I was not neglectful of the responsibility that rested upon me to do exactly the same for the whole country. It is true this appropriation is in here for the Quincy and Peoria buildings, and it ought to be in, but they are within the limit.

By considerable effort I succeeded in getting Chicago in at \$40,000

By considerable effort I succeeded in getting Chicago in at \$40,000 for repairs and preservation of the custom-house, and it ought to be in. And my colleague [Mr. THOMAS] might have gone a little further and made reference to a former Congress while I was on that committee, at least I think, and I want the gentleman from New York on my left to notice that I was a respectable factor in getting an appropriation in the gentleman's own district of \$60,000 for the marine hospital at Cairo [applause and laughter], and it ought to be there, and I was glad that

Mr. HISCOCK. I always stand by my friend from Illinois. [Laugh-

Mr. WELLER. It is an unfortunate fact that he does. Mr. CANNON. And so I apprehend that gentlemen complain not so much for what is in the bill as for what is not in it. [Laughter and

applause.]
Mr. THOMAS. I move that my colleague be excused. [Renewed

laughter.]
Mr. RANDALL. I
KEIFER] one minute. I now yield to the gentleman from Ohio [Mr.

Mr. KEIFER. In one minute I can say that I voted to break the limit for the public building at Columbus, Ohio, because the Secretary of the Treasury and other officers interested in this matter recommended it. We propose by adding \$60,000 to the limit to build another story on the court-house, rather than come here a few years hence and ask an appropriation to erect another building, and the limit is yet too low. It is a question of merit, and not any other question, and I can say that in reference to the public building at Minneapolis as well as the small amount at Columbus. And I might also call the attention of the gentleman from Illinois to the fact that although he is in a large State it has one million more in appropriations for public buildings than mine, which outnumbered it at the last census.

[Here the hammer fell.] Mr. RANDALL. How much time have I?

The SPEAKER pro tempore (Mr. Cox, of New York). The gentleman has seven minutes of his time remaining.

Mr. MILLER, of Pennsylvania. I rise to a question of order.

Would it be in order to ask unanimous consent to give each member of the Appropriations Committee five minutes to explain?

The SPEAKER pro tempore. That would not be in order.

Mr. MILLER, of Pennsylvania. I am sorry to hear it. [Cries of "Regular order!"]

Mr. RANDALL. I yield to the gentleman from Minnesota [Mr.

[At this point Mr. Holman was crossing the floor, and there were many cries of "Holman!" "Holman!"]

Mr. HOLMAN. Mr. Speaker, will the gentleman from Minnesota yield me a moment? [Loud applause.]
Mr. WASHBURN. I do not yield.
The SPEAKER pro tempore. The gentleman from Minnesota is en-

titled to the floor.

Mr. WASHBURN. I do not desire any five minutes to explain my vote or my action upon the Committee on Appropriations, and I do not believe there is any necessity for any gentleman to make any such explanation. As a matter of fact, in the last sundry civil appropriation bill there were appropriations of this character for thirty-five buildings. The gentleman from Illinois [Mr. Thomas] talked as though this thing was unusual. This is the very bill in which these appropriations should be made.

priations should be made.

So far as the appropriation for a building in my own city is concerned, I will state that Minneapolis is a city of 125,000 people, and before this building can be completed it will be a city of 200,000 people. The Secretary of the Treasury recommended \$600,000 for the construction of a building there. The demands of the public service required such a building, and I see no impropriety in having that appropriation.

Mr. MILLS. I wish to ask the gentleman a question. Did the architect who planned this building plan a \$500,000 building on a limit of \$175,000 appropriation?

of \$175,000 appropriation?

Mr. WASHBURN. I will say to the gentleman from Texas that the appropriation made last year broke the limit. There was no limit, and the architect went forward and prepared the plans for such a building

as he thought the service required.

Mr. MILLS. Notwithstanding the limit of \$175,000.

Mr. WASHBURN. The limit had been broken before.

Mr. MILLS. How?

Mr. WASHBURN. By making an appropriation in excess of the \$175,000. The requirements of our city are such that there should be no hesitation about making this appropriation.

The SPEAKER pro tempore. To whom does the gentleman from

no hesitation about making this appropriation.

The SPEAKER pro tempore. To whom does the gentleman from Pennsylvania [Mr. RANDALL] yield?

The gentleman from Indiana [Mr. Holman] is recognized.

Mr. Holman. Mr. Speaker, I could not hesitate to express my thanks to the House for the very good-natured greeting they gave me a few moments ago. My friend from Illinois [Mr. Thomas] is under a misapprehension. This bill contains an appropriation \$25,000 less than the limit which has been fixed for the Fort Wayne, Ind., public building in the district represented by my friend Judge Lowry. But the trouble is this: After this bill was reported to the House a bill which came from the Senate passed the House appropriating \$50,000 for this Fort Wayne building. The result of that is, there is in this bill \$25,000 too much for that building. Fort Wayne building. The too much for that building.

Mr. THOMAS. There are two appropriations for the same building. Mr. HOLMAN. Certainly; but my friend will excuse me. I discovered that fact, and on yesterday I asked unanimous consent of the House to strike from this bill that \$25,000. My friend from Pennsylvania [Mr. MILLER] objected and then withdrew his objection, and vania [Mr. MILLER] objected and then withdrew his objection, and then the gentleman from Iowa objected, and his objection stands yet. I now ask what I have been asking all the time, that the House will give unanimous consent that that unhappy \$25,000 shall be stricken out. Gentlemen will see that the passage of the Senate bill after this bill was reported produced the result of which gentlemen complain.

Mr. WELLER. I wish the gentleman from Indiana [Mr. HOLMAN] would indicate the gentleman from Iowa who objected. I am not the

Mr. HOLMAN. The gentleman from Iowa who objected was Mr.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has three minutes of his time remaining. To whom does he yield?

Mr. RANDALL. I yield to the gentleman from Missouri [Mr.

BURNES].
Mr. BURNES rose.

Mr. WHITE, of Kentucky. I rise to a question of order.
The SPEAKER. The gentleman from Kentucky can not take the
gentleman from Missouri off the floor on a question of order, unless it
be a question of order as against the gentleman who is on the floor.

Mr. WHITE, of Kentucky. Will the gentleman yield one minute to the gentleman from Texas [Mr. Hancock] of the Committee on Appropriations to explain lines 1737 to 1740? [Cries of "Regular order!"]

Mr. BURNES. Mr. Speaker, if the gentlemen on the other side have sufficiently amused themselves and are disposed to be just a little serious I have a few words to offer. Of course the Committee on Appropriations need no defense against the pleasantries and wit with which the House has been so generously enlivened. So far as I know or have been advised no gentleman has presented any subject to the committee or to myself that failed to receive a careful and honest consideration, and no legal and meritorious appropriation for the continuation of work on any pub-lic building has been denied. In all cases when the Congress have authorized the erection of a public building it becomes the duty of the Supervising Architect, under the direction of the Secretary of the Treasury, to prepare plans and specifications for it, and submit estimates of appropriations from year to year as the progress of the work may require. The Committee on Appropriations have not undertaken to authorize the erection of any building, but simply to appropriate for such as are already authorized and established.

In the exercise of the power to bring in bills of appropriation the committee found in the official report of the Secretary of the Treasury that a building having been authorized and under construction at Jefferson City, the capital of my State, needed \$32,000 to make it of fire-proof material. Will any one say it was unwise to include an appropriation of the amount for such a proper purpose? My colleague, Mr. BLAND, who represents the capital district—always so careful and prudent in legislation—would not have warmly recommended it if it had not been

legislation—would not have warmly recommended it if it had not been in the interest of the Government. My colleague, Mr. HATCH, who represents the Hannibal district most faithfully, will verify the necessity and justice of the appropriation for making the building in Hannibal likewise fire-proof. I have no words of eulogy for my own city of Saint Joseph. She needs none.

There being no existing limit to the cost of the United States building in that city, we desired to make one. The Supervising Architect and the Secretary of the Treasury in their official reports have recommended to Congress that \$300,000 be appropriated as the cost of such building. The House Committee on Buildings and Grounds have unanimously reported to the House in favor of appropriations to that amount, and reported to the House in favor of appropriations to that amount, and all these reports and recommendations were before your committee for action. In allowing what seemed to be so manifestly proper and so universally approved the committee provided that the cost of the building should not exceed the amount stated.

Mr. COOK. Did you get anything in the bill?

Mr. BURNES. The gentleman from Iowa, representing a district which needs neither public buildings nor improvement—

Mr. BLOUNT. I would like to ask the gentleman from Missouri—

Mr. BURNES. I can not yield even to my honored friend from Control of the Missouri—

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Mr. BURNES. I can not yield even to my honored friend from Missouri—

Mr. BURNES. I can not yield even to my honored friend from Missouri—

Mr. BURNES. I can not yield even to my honored friend from Georgia. The gentleman from Iowa is not happy, evidently. His district needs nothing——

Mr. WELLER. I desire to correct the gentleman from Missouri— Mr. BURNES. I do not yield. There are doubtless hundreds of gentlemen on this floor who are more competent than myself to represent my district and the interests of the Government therein; but, notwithstanding, I have, perhaps, that right; and those who know its varied interests, industries, and resources will sympathize with me in my feeble efforts to represent and protect them. Missionary service in its behalf by the able gentlemen from Iowa, New York, and Brooklyn is, in all kindness, appreciated, but commended as more appropriate at home. [Here the hammer fell.]

Mr. RANDALL. Now, let us have a vote.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules so as to vote on the passage of the bill without reading it at length.

Mr. WHITE, of Kentucky. I call for the yeas and nays.

Mr. HORR. I desire just half a minute.

Mr. WHITE, of Kentucky. I do not object to the gentleman from withstanding, I have, perhaps, that right; and those who know its varied

Mr. WHITE, of Kentucky. I do not object to the gentleman from Michigan having time for debate.

The SPEAKER. Is there objection?

Objection was made.
The SPEAKER. Objection is made to an extension of the time.
Mr. REED, of Maine. The gentleman is a member of the committee.
Mr. HOLMAN. Mr. Speaker, I rise to ask unanimous consent—
A MEMBER. Regular order.
Mr. BELFORD. Mr. Speaker, I do not rise to debate; I rise to ask

unanimous consent-

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] is

endeavoring to do the same thing; but objection is made.

Mr. HOLMAN. Mr. Speaker, to avoid mistake, I now ask unanimous consent that the possible duplication of the appropriation for the public building at Fort Wayne, Ind., may be corrected by striking out the appropriation of \$25,000 contained in this bill.

Mr. HERBURN. Lobicat.

Mr. HEPBURN. I object. Mr. ANDERSON. If it is proposed to pass this bill under a suspen sion of the rules, I object.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. WHITE, of Kentucky. I call for the yeas and nays.

The House divided; and there were—ayes 47, noes 142.

The SPEAKER. More than one-fifth of the last vote have voted in the affirmative, and the yeas and nays are ordered. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules and take the vote upon the passage of the bill without reading it at length.

Mr. REED, of Maine. This is only on the motion to dispense with

the reading.
The SPEAKER.

The SPEAKER. That is the substance of it.

Mr. STOCKSLAGER. There will be another vote upon the passage of the bill?

The SPEAKER. Of course.
Mr. THOMAS. Mr. Speaker, I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. THOMAS. If this motion is decided in the affirmative will it

pass the bill?

The SPEAKER. Not at all. If this shall be decided in the affirmative the first question will be on the demand for the previous question, and the next on the passage of the bill. The Clerk will call the roll.

Mr. WHITE, of Kentucky. Mr. Speaker, I rise to a parliamentary

inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. I desire to know whether this is a suspension of the rule which requires the engrossed bill to be read.

The SPEAKER. This motion, if decided in the affirmative, will dispense with the rule which requires the bill to be read in any form.

The question was taken; and there were—yeas 223, nays 55, not vot-

ing 46; as follows: YEAS-223.

Aiken,	Dunham,	Kleiner,	Seymour,
Alexander,	Eaton,	Lacey,	Shively,
Arnot,	Eldredge,	Lamb,	Singleton,
Bagley,	Elliott,	Lewis,	Skinner, T. G.
Ballentine,	Ellis,	Long,	Snyder,
Barbour,	Ellwood,	Lore,	Spriggs,
Bayne,	English.	Lovering,	Springer,
Beach,	Ermentrout,	Lowry,	Steele,
Belmont,	Evans,	Lyman,	Stevens,
Bennett,	Everhart,	McAdoo,	Stewart, Charles
Bingham,	Ferrell,	McComas,	Stockslager,
Blackburn,	Fiedler,	McCormick,	Stone,
Blanchard,	Findlay,	MeMillin,	Storm,
Bland,	Follett,	Matson,	Strait.
Blount,	Foran,	Maybury,	Struble,
Boutelle,	Forney,	Miller, J. F.	Sumner, C. A.
Bowen,	Funston,	Money,	Sumner, D. H.
Boyle,	Garrison,	Morgan,	Swope,
	Geddes,	Morrill,	Tulbott
Bratton,			Talbott, Taylor, J. M.
Breckinridge,	George,	Morse,	Townshend,
Breitung,	Gibson,	Moulton,	
Brewer, F. B.	Glascock,	Muldrow,	Tucker, Tully,
Brewer, J. H.	Graves,	Murray,	
Broadhead,	Green,	Mutchler,	Turner, H. G.
Brown, W.W.	Greenleaf,	Nelson,	Turner, Osear
Browne, T. M.	Guenther,	Nicholls,	Valentine,
Buchanan,	Halsell,	Ochiltree,	Van Alstyne,
Buckner,	Hammond,	O'Ferrall,	Vance,
Burleigh,	Hancock,	O'Neill, Charles	Van Eaton,
Burnes,	Hardeman,	O'Neill, J. J.	Wadsworth,
Cabell,	Hardy,	Paige,	Wait,
Caldwell,	Harmer.	Parker,	Wakefield,
Campbell, J. E.	Hatch, W. H.	Patton,	Wallace,
Campbell, J. M.	Hemphill,	Payne,	Ward,
Candler,	Herbert,	Payson,	Warner, A.J.
Carleton,	Hewitt, A.S.	Peel,	Warner, Richard
Clay,	Hewitt, G. W.	Perkins,	Washburn,
Clements,	Hill,	Pettibone,	Weaver,
Cobb,	Hiseoek,	Phelps,	Wellborn,
Collins,	Hoblitzell,	Pierce,	White, Milo
Connolly,	Holman,	Poland,	Whiting,
Converse,	Hopkins,	Post,	Wilkins.
Cook,	Horr,	Pryor,	Willis,
Cosgrove,	Howey,	Pusey,	Wilson, James
Cox, S.S.	Hunt,	Randall,	Wilson, W. L.
Cox, W. R.	Hutchins,	Ray, G. W.	Winans, E. B.
Craig,	Jeffords,	Ray, Ossian	Winans, John
Crisp,	Johnson,	Reagan,	Wise, G. D.
Culberson, D. B.	Jones, B. W.	Reid, J. W.	Wolford,
Curtin,	Jones, J. H.	Reese, .	Wood,
	Jones, J. K.	Riggs,	Woodward,
Dargan, Davidson,	Keifer.	Rogers, J. H.	Worthington,
	Kelley,		Yaple,
Davis, L. H.	Kellogg,	Rogers, W. F. Rosecrans,	York,
Dibrell,	Vetebers		Young.
Dockery,	Ketcham,	Rowell,	Loung.

Dorsheimer,	King,	Ryan,
	NA	YS-55.
Adams, G. E., Adams, J. J. Anderson, Atkinson, Barr, Belford, Brainerd, Brumm, Cassidy, Covington, Culbertson, W. W.	Dibble, Dixon, Finerty, Goff, Hanback, Hart, Hatch, H. H. Henderson, T. J. Hepburn, Hitt, Houk,	Kean, Lanham, McCoid, Millard, Miller, S. H. Mills, Murphy, Nutting, O'Hara, Peters, Potter,

James, Jones, J. T.

Davis, G. R. Davis, R. T.

Reed, T. B. Rockwell.

Seney,	
Smalls,	
Smith, H. Y.	
Spooner,	
Stephenson,	
Stewart, J. W.	
Taylor, J. D.	
Thomas,	
Thompson,	
Tillman,	
Weller,	
Wemple,	
White J D	

Lors removiber end	NOT V	OTING-46.	I I Wall to the
Barksdale, Bisbee, Budd, Campbell, Felix Cannon, Chalmers, Clardy, Outcheon, Deuster, Dingley, Dowd, Dunn,	Fyan, Haynes, Henderson, D. B. Henley, Holmes, Holton, Hooper, Hurd, Jordan, Laird, Lawrence, Le Fevre,	Libbey, Miliken, Mitchell, Morrison, Muller, Necce, Oates, Rankin, Ranney, Rice, Robertson, Robinson, J. S.	Robinson, W. E. Russell, Shaw, Skinner, C. R. Siocum, Smith, A. Herr Taylor, E. B. Throckmorton, Williams, Wise, J. S.

So the motion was agreed to.

The following additional pairs were announced from the Clerk's desk:

Mr. Down with Mr. MILLIKEN, on this vote.

Mr. OATES with Mr. HOLMES, on this vote.

On motion of Mr. BEACH, by unanimous consent the reading of names was dispensed with.

The result of the vote was then announced as above stated.

Mr. RANDALL. Mr. Speaker, I now move the previous question on the passage of the bill.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

Pending the roll-call, a message from the Senate, by Mr. SYMPSON, one of its clerks, requested the House to return to the Senate joint resolutions of the following titles:

Joint resolution (S. R. 127) to authorize the printing of the reports of

the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of

the Geological Survey; and
Joint resolution (S. R. 129) to authorize the printing of the reports of

the Geological Survey.

The SPEAKER. In the absence of objection to the return of these joint resolutions it is so ordered.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEPBURN. Mr. Speaker, I rise to a parliamentary inquiry. The SPEAKER pro tempore (Mr. BAGLEY). The gentleman will

Mr. HEPBURN. After the previous question has been ordered, there having been no debate upon this bill, is it not now in order to

have thirty minutes' debate?

Mr. RANDALL. The rule has been suspended.

Mr. HEPBURN. Mr. Speaker, I call attention to the third clause of Rule XXVIII, which provides that—

When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER pro tempore. The Chair will state that the rules have been suspended by order of the House.

Mr. RANDALL. That very debate was had on yesterday.

Mr. HEPBURN. I submit, Mr. Speaker, that the rule that has been suspended is the rule requiring the third reading of the bill in full.

Mr. RANDALL. On yesterday there was a debate of fifteen minutes

on each side.

Mr. REED, of Maine. That was on another point.

Mr. HEPBURN. That was not upon the merits of the bill.
Mr. REED, of Maine. Mr. Speaker, I hope this question will be carefully considered. I wish to state the facts in regard to it. The motion to suspend the rules was to so suspend them that the previous questions of the state of the state

tion to suspend the rules was to so suspend them that the previous question might be ordered on the question.

There has been no debate on the bill. The debate already had was on the suspension, which is a totally different thing from the bill itself. Now, we have arrived at this position, that the previous question has been ordered on the passage of the bill, but there has been no debate on the bill. The two hours' debate was simply upon one clause—was upon the question whether that particular clause should be a part of the bill or not. The bill itself has not been debated.

Mr. RANDALL. This matter is very plain.

Mr. HISCOCK. I desire to ask for the reading of the order or resolution which was adonted by a two-thirds your.

lution which was adopted by a two-thirds vote.

The SPEAKER pro tempore (Mr. Cox, of New York). If there be no objection the order will be read. The Chair will state, however, be-

fore the order is read—

Mr. HISCOCK. I hope the Chair will defer his statement until this order has been read; for I think it will make it perfectly clear that the gentleman from Maine [Mr. REED] is right.

The SPEAKER pro tempore. The Chair will defer his statement. The Clerk read as follows:

Resolved. That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill of the House 8256, making appropriations for the sundry civil expenses of the

Ward,

Government for the fiscal year ending June 30, 1886, and for other purposes, and to consider the same for one hour, which time shall be occupied in debate on the clause relating to the World's Industrial and Cotton Exposition, said time to be equally divided; and and said bill shall be subject only to amendment, to strike out, and amend said clause, after which the previous question shall be considered as

Mr. HISCOCK. I think the Chair will see that this bill is simply here for consideration under that order, and that now debate is in order. Mr. RANDALL. If the Chair will observe the reading of the last clause of that resolution, he will find it says that the previous question

shall be considered as ordered. That has nothing to do with the suspension of the rules.

Mr. REED, of Maine. Well, after the previous question is "considered as ordered," if there has been no debate on the bill, the rules Mr. REED, of Maine. which in this respect were not suspended give us the right to fifteen minutes' debate on each side. I hope the Chair will not cut off that debate. It is perfectly evident that we ought to have debate on the

debate. It is perfectly evident that we ought to have debate on the bill. Members who have not yet spoken are entitled to be heard.

Mr. HISCOCK. The debate already had has not been upon the passage of the bill at all. There has been no debate on the bill itself.

Mr. KEIFER. Mr. Speaker, I think the order just read provides for a debate of one hour on the bill, which I believe was subsequently than the beauty of the b changed to two hours. Then it provides that the time shall be devoted to debate upon a particular part of the bill; still that constitutes debate upon the bill, and operates to cut off the right of debate under the third paragraph of Rule XXVIII, to which the attention of the Chair has been called.

Mr. HEPBURN. Mr. Speaker, allow me to call your attention to the fact that the gentleman from Pennsylvania, after there had been some discussion with regard to the bill which he sent to the Clerk's desk at the time he introduced his resolution, proposed then to introduce a new and distinct bill, and asked a suspension of the rules upon that bill. Then there was an agreement later between him and certain gen-tlemen that there should be two hours of discussion upon a particular clause of the bill. The bill we are now considering is not the bill that was named in his resolution.

Mr. RANDALL. Oh, yes, it is.
Mr. HEPBURN. It is not the bill that came from the committee. It has not been offered as the committee's bill, but as the proposition of the gentleman himself.

Mr. RANDALL. Yes; and it was under a suspension of the rules. The SPEAKER pro tempore. The Chair is prepared to decide this nestion. The Clerk will read the third paragraph of Rule XXVIII. The Clerk read as follows:

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER pro tempore. The Chair is clearly of opinion that the debate contemplated by the rule has been had. The previous question has been demanded. The question is on ordering the previous question is on ordering the previous question.

The previous question was ordered.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider

The latter motion was agreed to.

The SPEAKER protempore. The question is now upon the passage of the bill; which, in accordance with the rule, will be taken by yeas and

nays.

The question was taken; and it was decided in the affirmative—yeas 169, nays 107, not voting 48; as follows:

YEAS-169.

Aiken,	Converse,	Graves,	Ketcham,
Bagley,	Cox, S. S.	Green,	King,
Ballentine,	Craig,	Greenleaf,	Lacey,
Barbour,	Crisp,	Guenther,	Lamb,
Barksdale,	Curtin,	Hammond,	Lewis,
Bayne,	Dargan,	Hancock,	Libbey,
Belford,	Davidson,	Hardeman,	Long,
Belmont,	Davis, G. R.	Harmer,	Lore,
Bingham,	Dibrell,	Hart,	Lovering,
Blackburn,	Dorsheimer;	Hatch, H. H.	Lowry,
Blanchard,	Dunham,	Haynes,	Lyman,
Bland,	Dunn,	Hemphill,	McAdoo,
Blount,	Eaton,	Herbert,	McCormick,
Boutelle,	Elliott,	Hewitt, G. W.	Millard,
Bratton,	Ellis,	Hill,	Miller, J. F.
Breitung.	Ellwood,	Hiscock,	Mitchell,
Brewer, J. H.	Ermentrout,	Hoblitzell,	Morgan,
Broadhead,	Ferrell,	Hooper,	Morrill,
Brown, W. W.	Fiedler.	Hopkins,	Morse,
Browne, T. M.	· Findlay,	Horr,	Muldrow,
Buchanan,	Follett,	Houk,	Muller.
Buckner,	Foran,	Hunt,	Murphy,
Burleigh,	Forney,	Jeffords,	Murray,
Burnes,	Funston,	Johnson,	Mutchler,
Campbell, J. E.	Garrison,	Jones, B. W.	Nelson,
Candler,	Geddes,	Jones, J. K.	Nicholls,
Cennon,	George,	Jones, J. T.	Ochiltree,
Carleton,	Gibson,	Keifer,	O'Ferrall,
Clements,	Glaseock,	Kelley,	O'Neill, Charles
Collins,	Goff,	Kellogg,	O'Neill, J. J.

Parker,	Robinson, W. E.	Stone,	Washburn,
Patton,	Rogers, J. H.	Sumner, D. H.	Wellborn,
Perkins,	Rogers, W. F.	Swope,	White, Milo
Pettibone,	Rosecrans,	Talbott,	Wilkins,
Phelps,	Ryan,	Tillman,	Willis,
Poland,	Seymour,	Townshend,	Wilson, W. L.
Pryor,	Singleton,	Valentine.	Winans, John
Pusey,		Van Alstyne,	Wolford,
	Slocum,		Worthington.
Randali,	Smalls,	Vance,	Worthington.
Ray, Ossian	Snyder,	Van Eaton,	
Reagan,	Spriggs,	Wakefield,	
Reese,	Springer,	Wallace,	
	NAT	YS-107.	numeral lateral services
Adams, G. E.	Dixon,	McCoid,	Spooner,
Alexander.	Dockery,	McComas,	Stephenson,
Anderson,	Eldredge,	McMillin,	Stewart, Charles
			Stockslager,
Atkinson,	English,	Matson,	
Barr,	Evans,	Miller, S. H.	Storm,
Beach,	Everhart,	Milliken,	Struble,
Bennett,	Finerty,	Mills,	Sumner, C. A.
Bisbee,	Halsell,	Moulton,	Taylor, J. D.
Brainerd.	Hanback,	Nutting,	Taylor, J. M.
Brewer, F. B.	Hardy,	O'Hara,	Thomas,
Brumm,	Hatch, W. H.	Payne,	Tully,
Campbell, J. M.	Henderson, T. J.	Payson,	Turner, H. G.
Cassidy;	Henley,	Peters,	Turner, Oscar
	Henley,		Wait,
Clardy,	Hepburn,	Pierce,	
Clay,	Hewitt, A.S.	Post,	Warner, A. J.
Cobb,	Hitt,	Potter,	Warner, Richard
Connolly,	Holman,	Price,	Weaver,
Cook,	Holmes,	Ranney,	Weller, White, J. D.
Cosgrove,	Houseman,	Rockwell,	White, J. D.
Covington,	Howey,	Rowell,	Winans, E. B.
Culberson, D. B.	James,	Russell,	Wise, G. D.
Culbertson, W. W.	Jones, J. H.	Seney,	Wood,
Cullen	Kean,	Shively,	Woodward,
Cullen, Davis, L. H.		Skinner, C. R.	Yaple,
Davis, L. H.	Kleiner,	Chiana M. C.	
Davis, R. T.	Lanham,	Skinner, T. G.	York,
Dibble,	Lawrence,	Smith, A. Herr	Young.
Dingley,	Le Fevre,	Smith, H. Y.	
METALS MAINTINE	NOT V	OTING-48.	Section 2
Adams, J. J.	Deuster,	Neece,	Stewart, J. W.
Arnot,	Dowd,	Oates,	Strait,
Bowen,	Fyan,	Peel,	Taylor, E. B.
Boyle,	Henderson, D. B.	Rankin	Thompson,
	Holton,	Rankin, Ray, G. W.	Throckmorton,
Breckinridge,	Horton,	Dand II D	
Budd,	Hurd,	Reed, T. B.	Tucker,
Cabell,	Hutchins,	Reid, J. W.	Wadsworth,
Caldwell,	Jordan,	Rice,	Wemple,
Campbell, Felix	Laird,	Robertson,	Whiting,
Chalmers,	Maybury,	Robinson, J. S.	Williams,
Cox, W. R.	Money,	Shaw,	Wilson, James
Cutcheon,	Morrison,	Steele,	Wise, J. S.

Riggs, W F

Stevens,

During the roll-call, Mr. POST, of Pennsylvania. Mr. Speaker, I ask, by unanimous consent, that the reading of the names be dispensed with.

The SPEAKER. The Chair hears no objection, and it is ordered

accordingly.

The following pairs were announced:
Mr. CABELL with Mr. WILSON, of Iowa, on this vote.
Mr. PEEL with Mr. STRAIT, on this vote.

Mr. RANDALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. WILLIS. I move to suspend the rules and pass the following

Mr. TOWNSHEND. I rise to a privileged question.
Mr. WHITE, of Kentucky. I ask the Speaker to have read what

has just taken place.

The SPEAKER. The Chair announced the passage of the bill, when the gentleman from Pennsylvania moved to reconsider the vote by which the bill was passed and also moved that the motion to reconsider be laid upon the table. The Chair then stated if there be no objection it would be so ordered.

There was no objection, and it was so ordered.

Mr. WHITE, of Kentucky. I have been waiting for the Chair to state if there be no objection the title would stand.

The SPEAKER. The Chair thinks the whole matter has passed beyond the control of the House.

Mr. WHITE, of Kentucky. I understand it was the duty of the Chair, under the rules, to announce the title of the bill would stand if there be no objection. I stood waiting for the Chair to make that announcement. [Cries of "Vote!" "Vote!"]

The SPEAKER. Will the gentlemanfrom Kentucky call the attention of the Chair to the number of the rule?

Mr. WHITE, of Kentucky. On page 103 of the Manual it is there stated that after a bill has passed the title may be amended, and then the bill shall be sent to the other House.

The SPEAKER. That is not the rule.

Mr. WHITE, of Kentucky. Now I wish to call the attention of the Chair to the rule. [Cries of "Regular order!"] I call attention to page 117 of the Manual, and also to Rule XXVIII, page 205.

The SPEAKER. The gentleman will read what he called the attention of the Chair to on page 205.

Mr. RANDALL. I submit it is too late, as the whole matter has

passed from the attention of the House.

The SPEAKER. The Chair thinks it is too late. The Chair had recognized the gentleman from Pennsylvania, who moved to reconsider and lay that motion on the table. That having been done, the Chair then recognized the gentleman from Kentucky [Mr. WILLIS], who made a motion to suspend the rules and pass the resolution which he sent up; and this was before the gentleman from Kentucky [Mr. HITE arose. [Cries of "Regular order!"]
Mr. ANDERSON. I demand a second on the motion of the gentle-WHITE] arose.

man from Kentucky [Mr. WILLIS] to suspend the rules and pass his

resolution

Mr. WHITE, of Kentucky. I ask whether it is not the custom of the Chair, after a bill has been passed, to ask whether the title of the bill shall be amended, and to state if there be no objection this will remain the title of the bill?

The SPEAKER. It has not, but the Chair has made the announcement, the bill has been passed, and the title will be as reported if there

be no objection.

Mr. WHITE, of Kentucky. I was on my feet and waiting for the Chair to make that announcement.

The SPEAKER. Then the gentleman waited not only until the Speaker had completed his announcement, but until other motions had intervened and been acted on before he addressed the Chair. The Chair thinks he is too late. The gentleman from Kentucky moves to suspend the rules and pass this resolution, but pending that the gentleman from

Oregon rises to submit a privileged report.

Mr. TOWNSHEND. I also have a privileged report to submit.

Mr. ANDERSON. I ask for a second of the motion to suspend the

rules.

The SPEAKER. The privileged report submitted by the gentleman from Oregon will be first read.

ALLOTMENT IN SEVERALTY.

Mr. GEORGE. I submit the following report. The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 66) providing for the allotment in severalty to Indians residing upon the Umatilla reservation, in the State of Oregon, and for other purposes, having met, after full and free conference agree to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to House amendment numbered 5; and agree to the same.

M. C. GEORGE,
R. S. STEVENS,
OLIN WELLBORN,
Managers on the part of the House.

HENRY L. DAWES,
JAMES H. SLATER,
ANGUS CAMERON,
Managers on the part of the Senate.

Mr. WHITE, of Kentucky. I ask for the reading of the amendment.

The amendment was read

Mr. GEORGE. I demand the previous question on the adoption of

The previous question was ordered; and under the operation thereof

the conference report was adopted.

Mr. GEORGE moved to reconsider the vote by which the conference report was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. I now rise to a privileged report. I am directed by the Committee on Appropriations to report back the House bill making appropriation for the postal service, and I ask that the Clerk read the report of the committee.

The Clerk read as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 8138) making appropriation for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, together with the amendments of the Senate, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 1, 2, 7, 8, 10, and 14. They recommend non-concurrence in amendments numbered 3, 4, 5, 6, 9, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 21.

Mr. TOWNSHEND. I move the adoption of the report.

Mr. HISCOCK. I suppose these amendments are to be considered in the Committee of the Whole?

The SPEAKER. If the point is made.

Mr. HISCOCK. It is made.

The SPEAKER. The gentleman from New York makes the point that these amendments must have their first consideration in the Committee of the Whole House on the state of the Union. They will ac-

Mr. TOWNSHEND. I will yield for that purpose.

The SPEAKER. The amendments to the Post-Office appropriation bill have gone to the Committee of the Whole House on the state of the Union.

Mr. TOWNSHEND. May I be permitted to ask the gentleman from

New York what amendments he objects to?

Mr. HISCOCK. I want to have them all read to know what they

Mr. TOWNSHEND. I am willing to have all the amendments read and considered.

Mr. HISCOCK. I presume that I should have no objection to considering them in the House as in Committee of the Whole with the right of debate and amendment.

Mr. TOWNSHEND. I have no objection to that, and ask that it be

done and that the amendments be now read.

The SPEAKER. But there is a matter pending before the Housemotion to suspend the rules.

Mr. TOWNSHEND. By whom?

The SPEAKER. By the gentleman from Kentucky [Mr. WILLIS]
Mr. TOWNSHEND. I suppose that, the report being a privileged
report, carried with it the right to have it considered.
The SPEAKER. The Chair thinks if the gentleman desires to have

it considered he had better wait until the pending matter is disposed of.

Mr. TOWNSHEND. But I ask if it is privileged is it not likewise
privileged for consideration?

The SPEAKER. It is under the rules of the House, but the gentleman proposes to waive the rule of the House and consider it in the House as in Committee of the Whole. There is now pending another matter before the House.

matter before the House.

Mr. HISCOCK. I do not believe any objection will be made on this side to considering it in the House as in Committee of the Whole, subject to five minutes' debate and amendment.

Mr. TOWNSHEND. I will accept that.

Mr. HISCOCK. Very well.

Mr. TOWNSHEND. Then I again ask that we proceed to the consideration of the amendments in the House.

The SPEAKER. But there is a prior motion pending.

Mr. TOWNSHEND. The gentleman from New York agrees to consider it now in the House as in Committee of the Whole.

Mr. HOLMAN. That is all proper.

Now I ask, Mr. Speaker, that the bill with the Senate amendments—
the legislative appropriation bill—be taken from the Speaker's table,
the Senate amendments non-concurred in, and a committee of conference appointed.

Mr. HISCOCK. I think the amendments had better be read, and

we can dispose of them here and now.

Mr. HOLMAN. Why there are a hundred or over.

Mr. TOWNSHEND. Is not the proposition that I have made pend-

ing?
The SPEAKER. The gentleman is not on the floor, the point of The SPEAKER. The gentleman is not on the floor, the point of order being made that the first consideration must be in Committee of the Whole, but that point being waived by an agreement that it shall be considered in the House as in Committee of the Whole. Now there is a matter pending before the House prior to that.

Mr. REED, of Maine. But unanimous consent was granted to consider it in the House as in Committee of the Whole.

Mr. TOWNSHEND. And that arrangement dispensed with the

point of order.

The SPEAKER. The Chair is anxious, of course, to get the appropriation bill in if an opportunity is given, if gentlemen can come to some understanding about it. But the gentleman from Kentucky [Mr. Willis] has a motion pending which is in the way at present.

Mr. REED, of Maine. If there is no objection why can not an ar-

rangement be arrived at to consider the Post-Office bill now?

The SPEAKER. Is there objection to that request?

Mr. WILLIS. I am compelled to object.

Mr. CANNON. Would it not be in order for the gentleman from Illinois to ask that the rules be suspended—

The SPEAKER. There is a motion pending to suspend the rules

LEGISLATIVE APPROPRIATION BILL.

Mr. HISCOCK. I will withdraw the objection I made with refer-

ence to the legislative appropriation bill.

The SPEAKER. If there be no further objection the request of the gentleman from Indiana will be complied with and the bill taken from the Speaker's table, the Senate amendments non-concurred in, and the bill with the amendments printed, and a committee of conference asked on the disagreeing votes of the two Houses.

There was no objection.

The SPEAKER announced as the managers at the said conference on the part of the House, Mr. Holman, Mr. Hancock, and Mr. Cannon.

RIVER AND HARBOR APPROPRIATION BILL

Mr. TOWNSHEND. The gentleman from Kentucky [Mr. WILLIS] assures me that the motion he proposes to make will occupy but a short time. I am willing therefore to allow the report of the committee to stand over until that is disposed of.

Mr. MILLER, of Pennsylvania. I now rise to a privileged motion. I move that the House do now adjourn. And pending that I move that when it adjourns it be to meet to-morrow at 10 o'clock.

The SPEAKER. That would be a recess.

The gentleman moves that the House do now adjourn.

The question was taken; and on a division there were-ayes 4, noes 105

So the motion was not agreed to. Mr. MILLER, of Pennsylvania. I move that the House take a recess until 10 o'clock to-morrow.

Mr. KEIFER. I make the point of order that that is not in order. A motion has been made to suspend the rules, and one motion to adjourn is in order and no other motion.

The SPEAKER. The gentleman is right; the motion is not in order until there has been action on the motion to suspend the rules. Clerk will read the proposition which the gentleman from Kentucky moves to suspend the rules and pass.

The Clerk read as follows:

The Clerk read as follows:

A bill making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes.

Be it enacted, &c., That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction and with the approval of the Secretary of War, for the preservation and continuation of such of the uncompleted public works mentioned and designated for improvement in an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 5, 1884, the sum of \$5,000,000, which sum of \$5,000,000 shall be applied by the Secretary of War to each of said public works respectively in proportion to the sums appropriated for such works under and by the said act: Provided, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimate: Provided, That the work at the harbor of Galveston, Tex., shall be treated as if the sum of \$250,000 had been appropriated for said harbor of Galveston by said act: And provided further. That any money that shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as shall be necessary to be expended in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river now in progress of improvement of said two reaches of the river now in progress of improvement of the navigation of the river for which works are in progress shall be completed at an early day, and the plan of said commission for the improvement of the mississippi River below Cairo shall be expended by the Secretary of War in accordance with plans approved by him.

Mr. ANDERSON. I demand a second.

Mr. ANDERSON, I demand a second.

Mr. HOLMAN. I suggest to the gentleman from Kentucky [Mr. WILLIS] that the words "below Cairo," in the last clause of the bill, should be omitted.

Mr. WHITE, of Kentucky. I rise to make a pr The SPEAKER. The gentleman will state it. I rise to make a parliamentary inquiry.

Mr. WHITE, of Kentucky. I The SPEAKER. It is a bill. Is this a joint resolution or a bill?

Mr. WHITE, of Kentucky. I ask the chairman of the Committee on Rivers and Harbors if this is the unanimous report from that committee, and if it has been considered by the full committee.

The SPEAKER. Is a second demanded?
Mr. ANDERSON. I demand a second.
Mr. MILLER, of Pennsylvania. And pending that I move that the Honse take a reces

Mr. WILLIS. The gentleman from Pennsylvania has already made the only motion which he is entitled to make under the rules.

The SPEAKER. The gentleman from Pennsylvania has made a mo-tion to adjourn, and the rule says after the result on the motion to adjourn is announced the Chair shall not entertain any other dilatory motion until a vote shall be taken on the motion to suspend the rules.

Mr. MILLER, of Pennsylvania. Do I understand that the Chair will entertain no further motion to adjourn or to take a recess until a vote is had on the proposition of the gentleman from Kentucky?

The SPEAKER. That is the rule of the House. The Clerk will

read it.

The Clerk read clause 8 of Rule XVI, as follows:

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

Mr. MILLER, of Pennsylvania. Would not a motion that when the House adjourns it be to meet on Monday next be in order?

The SPEAKER. The Chair thinks that would be a dilatory mo-

tion.

Mr. MILLER, of Pennsylvania. Then I will wait till the House

shall vote, when I will renew my motion.

Mr. WILLIS. The words "below Cairo" should be stricken out.

The SPEAKER. These words will be stricken out. A second having been demanded, the Chair appoints as tellers the gentleman from Kansas, Mr. Anderson, and the gentleman from Kentucky, Mr.

Mr. ANDERSON. I should like to understand what is stricken out.
Would it be in order to have it read?

The SPEAKER. The Clerk will read the latter clause as modified. The Clerk read as follows:

And the money thus allotted by this act for the improvement of the Mississippi River shall be expended by the Secretary of War and in accordance with plans approved by him.

The SPEAKER. The words "below Cairo" were originally in the bill after the words "Mississippi River." They are now stricken out. The question is on ordering a second. The tellers will take their

The tellers proceeded to take the vote.

Mr. WHITE, of Kentucky (while the vote was proceeding). I call for the enforcement of the rule that no member shall be allowed to be at the Clerk's desk while a vote is being taken.

The count having been completed, the tellers reported—ayes 158,

noes 7

So there was a second.

The SPEAKER. Under the rules thirty minutes are allowed for debate, fifteen minutes in support of the motion and fifteen minutes against. The gentleman from Kansas, Mr. Anderson, is recognized control the time in opposition. The gentleman from Kentucky, Mr. WILLIS, will control the time in support of the motion.

Mr. ANDERSON. As I understand, it is for the gentleman advo-

ating the suspension to occupy the floor first.

The SPEAKER. There is no rule on that subject.

Mr. ANDERSON. I think that would be the natural rule under parliamentary law. The affirmative should open.

Mr. WILLIS. I will occupy five minutes and will then yield to the opposition, and then my friend from Pennsylvania [Mr. BAYNE] will

take five minutes, and I will reserve five minutes.

If I can have the attention of the House I will endeavor briefly to explain this bill. It is a substitute for the bill that has been pending. After consultation with gentlemen on both sides of the House it was thought best not to leave these great works of the Government in the next three years without appropriations sufficient to take care of them and to protect them against waste and ruin. As the result of that consultation we have brought in this bill for \$5,000,000.

It may be proper to state that the estimates of the Engineer Department for this year of the sum which could be profitably expended during the year was over \$34,000,000. This, therefore, is barely one seventh of the amount which the engineers say could be profitably expended upon these public works. The bill does not leave the expenditure of these \$5,000,000 to the discretion of the Secretary of War. On the contrary, it declares in express terms that he shall expend this money upon those public works that are mentioned and described in the last river and harbor act, which passed July 5, 1884. So that there the last river and harbor act, which passed July 5, 1884. So that there is no room for doubt that each of those public improvements which has been approved by Congress will receive its pro rata of this \$5,000,000 for the preservation, or, if not needed for the preservation, for the continuation of the work. The harbor at Galveston is included in this bill because, when the committee reported an amount for Galveston at the last session, upon motion in Committee of the Whole it was stricken out, and it was now thought but fair that, for the preservation of the expensive Government plant at that city, Galveston should have its pro rata of this \$5,000,000; which it would not have except for the mention of it in the pending bill, as it is not one of the works described in the last river and harbor act.

In regard to the Mississippi River improvement, this bill incorporates the amendment presented in Committee of the Whole during the pendency of the bill and reported by the committee, limiting the expenditure of money upon the Mississippi River improvement to the two reaches of Plum Point and Providence. That is the amendment ofreaches of Fight and Flowdence. That is the amendment of-fered in Committee of the Whole by the gentleman from Indiana [Mr. Holman], and which was acceptable to an overwhelming majority of the committee. The bill requires the Government to test these methods of improvement upon the two reaches I have named before any portion of this amount shall be expended in any other direction. It is believed by the Committee on Rivers and Harbors, and by gentlemen of the House whom I have consulted, that it is simply a matter of legislative propriety and of the highest legislative duty that this Congress should not adjourn leaving the public works upon the great rivers and the great harbors of our country without a dollar of appropriation in the event of storm or injury from natural causes, and in that view it is be-lieved that there should be at least this amount ready at hand to meet any demand or emergency that may arise from such causes. The bill is submitted to the House as a compromise, because we understand—we know—that under our rules the discussion of the other bill making an appropriation for rivers and harbors would occupy valuable time of this House to the exclusion of pressing appropriation bills that ought to be disposed of if we wish to avoid an extra session.

[Here the hammer fell.]
Mr. ANDERSON. Mr. Speaker, I now yield five minutes to the gen-

tleman from New York [Mr. HISCOCK].

Mr. HISCOCK. Mr. Speaker, I have a word to say in regard to this This is the third appropriation bill brought into this House by our friends upon the other side, which they propose to pass under a suspension of the rules. The River and Harbor Committee brought in a pension of the rules. The little and Indoor the bill here which, in two of its largest appropriations, was against the sentiment of the House, and upon the substantial defeat of those two propositions the committee now seek to pass this bill appropriating \$5,000,000. The two propositions upon which they were defeated were the appropriation for Galveston Harbor and the appropriation for the

Mississippi River improvement. We all remember the vote in this House upon adopting the amendment of the Committee of the Whole. It was defeated by a scant majority, made by changes after the roll-call had been concluded. And, Mr. Speaker, what is this bill now proposed? In the law for the current year there are forty-three items, carrying \$910,000, none of which are included in the bill for the next year; and I do not include in this statement the Mississippi River or the Missouri.

There are, I say, forty-three items in the law for the current year that are not in the bill reported to the House at this session, and we have a right to assume that the necessity for expenditure upon those have a right to assume that the necessity for expenditure upon those works has ceased; yet this bill proposes to appropriate for these works the sum of \$350,000 out of the total appropriation of five million dollars which the bill makes. Can gentlemen give us any explanation of this? Are we to vote blind here for a bill containing items that you have discarded from your general river and harbor bill, and which, for aught I know, have been discarded from the reports and estimates of the engineers? You exclude these items from your river and harbor bill, and yet you now propose, in this pending bill, to appropriate for the same works over \$350,000. I regard it proper that the attention of the House should be called to this proposition.

I submit to the House a list of the forty-three public works to which

1 refer:	
Portland, Me.	\$30,000
Scituate, Mass	10,000
Block Island, R. I	15,000
Black Rock, Conn	20,000
Oak Orchard, N. Y.	5,000
Pensaeola, Fla.	55,000
Cedar Keys, Fla	5,000
Neches River, Texas.	7,000
Harbor of refuge near Cincinnati.	17,000
Tarbor of relige flear Chickingth	2,000
Te-naroorat Dene River, Mich.	5,000
Ice-harborat Belle River, Mich. Pensaukee, Wis. Stockholm, Lake Pepin, Wisconsin.	
Stockholm, Lake Pepin, Wisconsin.	15,000
Harbor, Redwood, Cal	3,000
Coos Bay, Oregon	30,000
Cocheco River, New Hampshire	28,000
Merrimac River, at Rock's Bridge, Massachusetts	3,500
Cookeo River, New Hampshire Merrimac River, at Rock's Bridge, Massachusetts Taunton River, Massachusetts Gedney's Channel, through Sandy Hook Bar, New York Corsica Creek, Maryland Harbor at entrance Saint Jerome's Creek, Maryland	26,500
Gedney's Channel, through Sandy Hook Bar, New York	200,000
Corsica Creek, Maryland	. 5,000
Harbor at entrance Saint Jerome's Creek, Maryland	15,000
Haroot at Deautore, N. C	20,000
Edenton Bay, North Carolina	10,000
Trent River, North Carolina. Contentnea or Moccasin River, North Carolina	10,000
Contentnea or Moccasin River, North Carolina	5,000
New River, North Carolina. Scuppernong River, North Carolina.	5 000
Scuppernong River, North Carolina	2.000
Saint Jones River, Delaware	10,000
Escambia River, Florida	3,000
Black Warrior River, Alabama	50,000
Horn Island Pass, Mississippi	5,000
Bayou Pierre, Louisiana	8,000
Loggy Bayou, &c., Louisiana	5,000
Tanginghoa Divor I onisiana	2,000
Tangipahoa River, Louisiana. Survey of Arkansas River from Little Rock	19,000
Arkansas River at Pine Bluff	
Arkansas River at Fine Diuli	55,000
Saline River, Arkansas.	5,000
Grand River, below Grand Rapids, Mich.	25,000
Mouth and harbor, Cedar River, Michigan	15,000
Mouth and harbor, Cedar River, Michigan Mokelumne River, California	\$8,500
Colorado River	25,000
Mouth of Columbia River, Oregon and Washington Territory	100,000
Lake City, Minn. Falls of Saint Anthony, Minnesota	15,000
Falls of Saint Anthony, Minnesota	10,000
	100
Total	200,000

Now, sir, as to the public works embraced in this list, appropriated Now, sir, as to the public works embraced in this list, appropriated for by the law for the current fiscal year, not included in the bill reported by the Rivers and Harbors Committee, but entitled to receive distribution under the pending bill, the House has no means of knowing whether there should be any further appropriations for them or not; yet this bill gives them \$350,000. It will be observed that this list is exclusive of the items for the Mississippi and Missouri Rivers.

I am and always have been in favor of liberal appropriations for river and harbor improvements, but I am opposed now, as I always

river and harbor improvements, but I am opposed now, as I always have been, to appropriations for public works which never have been considered by a committee, as to which the House has no information upon which to base judicious action, and which are vouched for only by the judgment of one man-for this bill, sir, has never been considered by the Committee on Rivers and Harbors at all.

Mr. Speaker, it seems to me that if we can not have time to perfect our legislation so that we may feel satisfied with it, we had better defeat it altogether rather than to vote away money for purposes that have not been discussed or considered at all. In this bill there is an appropriation of \$250,000 for Galveston Harbor, and yet every gentleman from Texas who has spoken in reference to that harbor has told us that from Texas who has spoken in reference to that harbor has told us that an appropriation of \$250,000, if voted, would be simply wasted. Right back of me sits a Representative from the State of Texas [Mr. Ochil-tree], who has spoken upon that subject, and has told us that such an appropriation would be merely thrown away. Another gentleman from Texas [Mr. Mills] has been heard upon the same question, and has denounced such an appropriation. Yet it is proposed in this bill to force that appropriation upon them. What reason is there for including that item in the bill? Last year when your river and harbor bill came in here carrying an item for that work, as I remember, some gentleman from Texas arose and asked to have it stricken out, and it was tleman from Texas arose and asked to have it stricken out, and it was

stricken out unanimously. And I desire to ask the gentleman from Kentucky why it is that you propose to force this sum upon them? Does that committee set up its judgment against that of these gentlemen who live in the locality interested? Does it assume to speak for the people of that State?

[Here the hammer fell.]

Mr. MILLS. To what does the gentleman refer when he speaks of my having said that we have no use for any appropriation of this kind?

Mr. HISCOCK. I refer to remarks which the gentleman made and which, had I the time, I should with great pleasure read.

The gentleman can profit by reading my speeches.
SON. I yield five minutes to the gentleman from Illi-Mr. ANDERSON.

mis [Mr. Cannon].

Mr. Cannon].

Mr. Cannon].

Mr. Cannon. Mr. Speaker, we have been informed by the Committee on Rivers and Harbors that they have done an immense deal of work upon a river and harbor bill, and that they could not report it earlier. With all the aid of engineers' reports, after daily and nightly meetings, after months of incubation, as they inform us, they produced. a bill which has been discussed in Committee of the Whole, but the consideration of which is not yet completed. Now the gentleman from Kentucky [Mr. Willis] comes into this House with a bill matured by no committee, not specific in its terms, not even printed, his own handi-work, and he moves that almost in the twinkling of an eye, after only thirty minutes' debate, we shall by a two-thirds vote pass this bill giving this money, \$5,000,000, in a lump sum.

Mr. WILLIS. Did not the Committee on Appropriations, of which

the gentleman is a member, report and have passed under a suspension of the rules the sundry civil bill?

Mr. CANNON. Oh, the sundry civil bill was matured in full by a committee of the House. But even if the Committee on Appropriations failed in its duty it is no reason why you should fail in yours. This bill never had even the blessing or condemnation or consideration. of a committee of this House for a moment. Yet we are asked to pass it. What does it mean? There are not twenty men in this House who can tell what it means. I confess I can not, after having heard it read and after hearing thus far the expressions in debate upon it.

I am in favor of internal improvements; but I want intelligent appropriations and correct expenditure of the money as directed by the Congress after full consideration.

Congress after full consideration.

Mr. Speaker, we have the spectacle in a House of Representatives with a Democratic majority of seventy or eighty, of the gentleman from Kentucky [Mr. WILLIS] coming here in the last four days of the session and giving us, as is stated, the choice of letting these improvements suffer, of having a special session, or voting \$5,000,000 in a lump, to be expended by the incoming Secretary of War. Worse things could happen to this country than a special session of Congress. Why, gentlemen, in your canvass last fall and since you have congratulated the country that at last it is to have a Democratic Executive; that at last your hand is to be placed on the helm. Yet now, when your Executive is about to come into power, you come here and beseech us to suspend the rules and pass such crude measures as this with the threat that if we do not the incoming President will have to inflict upon the country we do not the incoming President will have to inflict upon the country a special session of Congress. In other words, the fear that you have of yourselves makes you willing to pass, and to ask us to pass, these crude measures. For one, so far as I am concerned, I am not going to

Mr. HENLEY. Is not the gentleman somewhat accustomed to that business as a member of the Appropriations Committee?

Mr. CANNON. What business?

Mr. HENLEY. The business of passing under a suspension of the ules bills appropriating millions of dollars.

Mr. CANNON. I am in the minority.

I am in the minority, doing the best I can-On that you are with the majority.

Mr. HENLEY.

rules, such proceedings, and such committees as would have brought this business forward in order.

Mr. HENLEY. The gentleman was with the majority on the

ter this morning.

Mr. CANNON. I do not yield further.

Mr. HENLEY. And the gentleman defended the action of the Com-

mittee on Appropriations.

Mr. CANNON. I defend nothing that this Democratic House has done or can do, because I do not believe that any good and praiseworthy thing from a public standpoint has been or will be consummated by it or come from it.

Here the hammer fell.

Mr. ANDERSON. I yield two minutes to the gentleman from Penn-

Mr. ANDERSON. 1 year two minutes sylvania [Mr. MILLER].

Mr. MILLER, of Pennsylvania. Mr. Speaker, the passage of this bill in the manner now proposed will be a fitting act for the closing days of the Forty-eighth Congress. Within the last two days the House under suspension of the rules has appropriated without debate or investigation more than \$24,000,000; and now, after it has been demonstrated that the House will not pass a river and harbor bill in the ordinary course of procedure, we are brought face to face with the proposition to pass this bill appropriating \$5,000,000 under a like suspension.

If it were to stop there, Mr. Speaker, I would not so seriously oppose the proposition; but this measure is to be passed here with the expectation on the part of its authors that at the other end of this Capitol an increase of one to five million dollars will be made; and with this bill once in a committee of conference this House will be confronted with the question whether it will pass without discussion such a bill as the

Senate may see fit to tack upon this.

In November, 1882, when the Forty-eighth Congress was elected, the people of this country were led to expect much from its labors. But this Congress spent all or nearly all of the last session in the attempt to change the revenue laws and failed. It has spent all of this session in endeavoring to get the Appropriations Committee to report their bills; yet they only bring them in at such an hour that discussion can not be had. No other act of special importance has been passed by this Congress. Every bill of any particular consequence to the country that has been proposed and brought before this body has been defeated; and the Forty-eighth Congress is now going out of power without having done anything to advance the prosperity or the material interests of this country.

[Here the hammer fell.]
Mr. ANDERSON. I yield one minute to my colleague [Mr. HAN-

BACK].

Mr. HANBACK. Mr. Speaker, I am opposed unalterably to this bill. Coming as it does to this House in the twinkling of an eye, to be voted on without consideration, asking the appropriation of \$5,000,000 to be expended where no member of the House can tell, I as one of the Representatives of the people enter my protest against this kind of legislation. The Committee on Rivers and Harbors, sitting for sixty days with closed doors, no man admitted within the sacred precincts of that committee-room, came here fully armed and equipped with a bill which has met with signal defeat at the hands of this House; and now that committee seeks to recover its lost ground and by a kind of enabling act to its failure pass a measure of this kind in violation of every principle which should be exercised to guard the Treasury and protect the interests of the people.

[Here the hammer fell,]
Mr. ANDERSON. How much time have I remaining?
The SPEAKER. Two minutes.
Mr. ANDERSON. I yield the remainder of my time to I yield the remainder of my time to the gentle-

man from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, I imagine that in two minutes it will be about as futile for a member of this House to undertake to interpose any obstacle to the railroading through of this scheme as it has been and will be in the future to attempt to tie up the mighty currents

been and will be in the future to attempt to tie up the mighty currents of the Mississippi River by annual appropriations from Congress.

This proposition, sir, can not be claimed to be presented here in good faith. It is not what it purports to be on its face. It is not a proposition to distribute \$5,000,000 upon a pro rata established in a bill passed by a former Congress, for one item of large dimensions is inserted here which had no place in that former bill. We are asked to appropriate what will be equivalent to some \$90,000 under this bill to carry on the work at Galveston Harbor, which has been declared by Representatives of that State on this floor, Mr. OCHILTREE and Mr. REAGAN, to be an absolutely useless expenditure. be an absolutely useless expenditure.

I desire to read from page 1068 of the RECORD what Mr. REAGAN

In relation to the expenditure of money on Galveston Harbor, it is true that a million and a half of dollars have been expended from first to last, and there is but little difference in the condition of the harbor now and when the expenditure

Again, on page 1069, the same gentleman declared:

Mr. Chairman, for eleven years this Congress has been most liberal in its appropriations for the harbor of Galveston. It has required the expenditures there to be made under the direction of the Engineer Corps of the United States. It has expended in attempting the prosecution of that work about a million and a half of dollars. That money has been expended and substantially no progress has been made.

The CHAIRMAN. The gentleman's time has expired.

Mr. BOUTELLE. I will take but one minute to read another ex-

tract in reference to this harbor improvement at Galveston.

All right; railroad it through, and then let us suspend all the rules

and go home. [Applause.]

Mr. WILLIS. I now yield two minutes to the gentleman from

Maine.

Mr. MILLIKEN. I do not think, Mr. Speaker, any member of this House can object more strongly than I do to putting bills through here under suspension of the rules. I hesitate not to say I think the manner in which the sundry civil bill was put through to-day was an outrage upon the House as well as an insult to the people of the United States, whose representatives we are upon this floor. But this bill comes in very differently. The sundry civil bill was brought in here but a few days ago, this House never having had an opportunity to examine it, while on the contrary the River and Harbor Committee brought in their bill on the 1st day of February, and they have done all they

could to get it considered in the ordinary way and through proper channels, but they have failed to do it. Now they come and ask us to pass this bill in order to preserve the works already in course of construction, and if anything shall remain over then to continue them. It seems to me to be a fair proposition, one demanded by the country, so deeply in-terested in the continuance and preservation of works of improvement already commenced.

Here the hammer fell.]

Mr. WILLIS. I yield one minute to the gentleman from Missouri

[Mr. O'NEILL]

Mr. O'NEILL, of Missouri. Mr. Speaker, I appeal to those members whose prejudices are enlisted against this measure because of their failure to insert in the river and harbor bill their peculiar items, not to carry them so far as to injure threefold more than the amount involved the interests of the Government as they are affected by the plants it already owns. A failure to pass this proposition, Mr. Speaker, means the loss of millions of dollars, not alone in the works partially completed and requiring constant attention until completed, but in depreciation and loss of steamers, barges, and other appliances going to make up the necessary outfits of works of internal improvement. You should not do it. It would be a blunder; it would be more than a blunder, it would be a crime. I hope, therefore, those members will not let their prejudices influence their action in a matter of this kind, but will agree to vote this small pittance for the preservation of the costly plants now owned by the Government of the United States, amounting in value to many millions of dollars.

[Here the hammer fell.] Mr. WILJJS. I now yield two minutes to the gentleman from Lou-

isiana [Mr. KING].

Mr. KING. Mr. Speaker, I shall vote for this bill with reluctance, because it is far inadequate to the needs of the public works now in progress under the charge of the engineers of the Government. The amount here called for will not go further than meet the wear and tear

upon these works during the coming fiscal year.

I hope the country, Mr. Speaker, will recognize upon whom the responsibility rests for having failed to pass a full measure, appropriate to the demands of these public works, at this session of Congress.

I can not here permit to go unchallenged the frequent allegation that the works constructed by the Mississippi River Commission are merely experimental in their nature. Now, those works have been in progress for six years, and in every instance where they have in any degree been completed their results have warranted the expenditure made upon them, thus vindicating the wisdom, the energy, and the honest purpose of the commission.

This House has been led to believe the money expended upon these works has been disbursed by the commission. The most casual investigation will show that not one dollar has been so expended. Every dol-

lar has passed through the hands of the Secretary.

What I most strenuously oppose in this measure is the amendments which have been injected into it by the gentleman from Indiana [Mr. Holman]. They, whether aimed for that purpose or not, unless stricken out, must result in the destruction of the entire system already so successfully put into operation for the improvement of that river and the destruction of the works themselves, which have been built and are now contributing so greatly to this improvement, in which upward of 30,000,000 of the people of the Republic are interested for the obtainment of cheaper freights and safer and cheaper transportation to the markets of the country and of the world.

Mr. WILLIS. I now yield to the gentleman from Pennsylvania [Mr. BAYNE], my colleague on the committee.

The SPEAKER pro tempore. How much time?

Mr. WILLIS. The remainder of the time.

The SPEAKER pro tempore. The Chair will recognize the gentleman for five minutes

Mr. BAYNE. Mr. Speaker, this bill has been criticised very unjustly in several respects. The gentleman from New York [Mr. His-COCK] has stated that it makes appropriations for a long list of places which he mentioned. The fact is it makes no appropriation, or the Secretary of War will apply none of the appropriation made by the bill, as the gentleman will find at any point where the work has been com-

Mr. HISCOCK. But you do not know whether the work has been

completed or not. Now, the difficulty is—
Mr. BAYNE. I do not yield; I have but a few moments. The Secretary of War will know it if the gentleman from New York does not;

and he claims to know it now.

Another gentleman from Kansas says that he does not know where one cent of the money will go. Evidently the gentleman has not read the river and harbor appropriation bill of 1884. The committee is not able, unfortunately, to furnish all gentlemen who need information

with that very necessary article. But if gentlemen will turn to the law they will find exactly where the appropriations are to be applied.

The gentleman from Maine has contended, and very justly, that there should be responsibility on the part of somebody, and that this responsibility should be fixed somewhere and definitely for the expenditure of

There can be no complaint of this bill on that ground. The responsibility is fixed clearly. It says that the money shall be expended under the direction and with the approval of the Secretary of War, and if there is a dollar of this money misapplied the Secretary of War will stand responsible for it.

Mr. JOSEPH D. TAYLOR. But you do not know who the Secre-

tary of War is going to be.

Mr. BAYNE. Oh! you will have to trust somebody; you must fix

Mr. BAYNE. On: you will have to trust someosty, you must not the responsibility somewhere.

Mr. JOSEPH D. TAYLOR. That is just the trouble.

Mr. BAYNE. If the gentleman from Ohio himself was Secretary of War there would be no doubt of the proper application of the appro-

nations. [Laughter.].
Mr. JOSEPH D. TAYLOR. Thank you.
Mr. BAYNE. This bill appropriates enough, and only enough as it is believed, to keep in repair the public works already in progress throughout the country; and they are going to suffer detriment and the Government very serious loss if some appropriation is not made at this session of Congress. The Secretary of War himself, who has been already cited here over and over again with the entire approbation of the House, has recommended to Congress, as gentlemen will find on an examination of the subject, and his recommendations are usually heartily concurred in, for the repair and preservation of works on rivers and harbors the sum of \$8,000,000. This bill now before us appropriates only \$5,000,000, and, therefore, is on the side of retrenchment and reform in public expenditures to the extent of \$3,000,000. That fact

oran not be denied.

The amount that will go to the improvement of the Lower Mississippi by this bill will probably be \$450,000 to \$500,000. Under the proposition of the gentleman from Indiana, which is incorporated in this bill, that money will have to be applied, except so far as may be necessary for dredging and the removal of snags and bars, to two points on the river—Plum Point and Lake Providence reaches—with a view to testing to a conclusion the experiments which have been begun at those points. I think, under all the circumstances, it is fair enough to allow this amount of money, since we have spent so much already, to be applied to testing the experiment of the improvement of the Mississippi River at those two points and explicitly in the manner in which the work has progressed up to this time.

The safeguards thrown around the bill, I venture to say, in reference to the expenditure of the money appropriated by it, are better, more complete, and more certain of securing the interests of the Government than those that have been applied to any river and harbor bill that ever passed the American Congress.

Mr. HENDERSON, of Illinois. consider that for themselves? Why do not you let the committee

Mr. BAYNE. And never before has such a responsibility been absolutely attached to an officer of the Government in the application of the fund appropriated for this purpose as this bill provides. And I say further, that the incoming Secretary of War, whoever he may be, under the language and the intent of this bill, as I understand it, and as I think the House will and should understand it, will be held strictly responsible for the expenditure of this money, and if there are misapplications of it we will know who is responsible for it.

Mr. WHITE, of Kentucky. Do not you think it would be better to wait until it has been printed, so that we can examine it and determine

Mr. BAYNE. Mr. Speaker, it is very easy for gentlemen to carp and criticise and find fault; and one of the besetting sins in the American Congress is for members to get up here and find fault with the methods and not go into the merits of measures.

Mr. WHITE, of Kentucky. We have had no opportunity of going

into the merits of this.

Mr. BAYNE. There has been ample time for consideration, but we have had debate after debate and motion after motion, delaying the business, by gentlemen rendering themselves famous—I was going to use another word—but famous throughout the country because they fritter away the time of the House discussing points of order, making motions, and commenting on what they are pleased to call the "star chamber" proceedings of the committee, instead of considering the merits of prop-

I hope this bill will pass, and it ought to pass.
[Here the hammer fell.]
Mr. ANDERSON. I rise to a parliamentary inquiry in regard to the manner in which this vote is to be taken.

Clause 6 of Rule XXI provides:

Upon all general appropriation and revenue bills, and bills for the improvement of rivers and harbors, the yeas and nays shall be taken on the passage of such bills in the House and entered upon the Journal.

Now this is a motion to suspend the rules and pass the bill, which I understand is a river and harbor appropriation bill. My inquiry is whether under the rule that vote must be taken by yeas and nays?

The SPEAKER. The Chair decided that question at the last session of Congress, and held when a motion was made to suspend all the rules of the House and pass a bill the bill might be passed without a yea-and-

nay vote; because if it received a majority it could be passed under the

Constitution of the United States.

Mr. ANDERSON. Then I ask for the yeas and nays.

The yeas and nays were ordered, 52 members voting therefor.

Mr. DAVIS, of Illinois. I desire to make a parliamentary inquiry. The SPEAKER. The gentleman will state it

Mr. DAVIS, of Illinois. Does this bill come from any committee of

The SPEAKER. The Chair does not know officially what the committee has done in regard to this bill.

Mr. HENDERSON, of Illinois. I would suggest to my friend the chairman of the Committee on Rivers and Harbors that it is due to state that this is not the bill of the Committee on Rivers and Harbors. They have never considered it. It has never been referred to them.

ENROLLED JOINT RESOLUTIONS

Mr. GLASCOCK, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled joint resolutions of the following titles; when the Speaker signed the same:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the

United States Geological Survey;
Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

RIVER AND HARBOR APPROPRIATION BILL.

The question was taken; and there were—yeas 192, nays 88, not voting 44; as follows:

YEAS-192.

	Dombalasa	Wishes.	Danies T II
Adams, J. J.	Dorsheimer,	Kleiner,	Rogers, J. H.
Aiken,	Dunn,	Lacey,	Rogers, W. F.
Alexander,	Eldredge,	Lamb,	Rosecrans,
Ballentine,	Ellwood,	Lanham,	Russell,
Barbour,	Ermentrout,	Lewis,	Seney,
Barksdale,	Evans,	Libbey,	Seymour.
Bayne,	Ferrell,	Long,	Shively,
Belmont,	Findlay,	MeAdoo,	Singleton,
Bennett,	Follett,	McCoid,	Skinner, T. G.
Bisbee,	Foran,	MeMillin,	Slocum,
Blackburn,	Forney,	Maybury,	Smalls,
Blanchard.	Garrison,	Miller, J. F.	Snyder,
Bland,	Geddes,	Milliken,	Spooner,
Blount,	George,	Mitchell,	Stephenson,
Brainerd,	Gibson,	Money,	Stewart, Charles
Bratton,	Glascock,	Morgan,	Stockslager,
Breckinridge,	Goff,	Moulton,	Stone,
Breitung,	Graves,	Muldrow,	Strait.
Broadhead,	Green,	Muller,	Struble,
Buchanan,	Greenleaf,	Murray,	Sumner, C. A.
Buckner,	Guenther,	Mutchler,	Talbott,
Budd,	Halsell,	Nelson,	Taylor, J. M.
Burleigh,	Hancock,	Nicholls,	
Burieign,	Hardeman,	Nutting,	Thomas,
Burnes,	Hardeman,	Octor,	Thompson,
Cabell,	Hatch, H. H.	Oates,	Tillman,
Caldwell,	Hatch, W. H.	Ochiltree,	Tucker,
Campbell, J. E.	Haynes,	O'Ferrall,	Tully,
Candler,	Hemphill,	O'Hara,	Turner, H. G.
Carleton,	Henley,	O'Neill, Charles	Vance,
Clardy,	Hewitt, A. S.	O'Neill, J. J.	Van Eaton,
Clements,	Hewitt, G. W.	Paige,	Wakefield,
Collins,	Hill,	Payne,	Wallace,
Converse,	Hitt,	Peel,	Warner, A.J.
Cosgrove,	Hoblitzell,	Pettibone,	Warner, Richard
Covington,	Holman,	Phelps,	Washburn,
Cox, W. R.	Hopkins,	Pierce,	Wellborn,
Craig,	Horr,	Poland,	Wemple,
Crisp,	Houk,	Potter,	White, Milo
Culbertson, W. W.		Price,	Wilkins,
Dargan,	Hunt,	Pryor,	Willis,
Davidson,	Hutchins,	Randall,	Wilson, W. L.
Davis, L. H.	Jeffords,	Ray, Ossian	Winans, E. B.
Davis, R. T.	Johnson,	Reagan,	Wise, G. D.
Deuster,	Jones, B. W.	Reed, T. B.	Wolford,
Dibble,	Jones, J. H.	Reid, J. W.	Wood,
Dibrell,	Jones, J. T.	Reese,	Worthington,
Dixon,	Kellogg,	Robertson,	Yaple,
Dockery,	King,	Robinson, W. E.	Young.
	THE REAL PROPERTY.		

	NAY	YS-88.	
adams, G. E. Inderson, Ind	Davis, G. R. Dingley, Dunham, Eaton, Elliott, English, Everhart, Finerty, Funston, Hanback, Hardy, Herderson, T. J. Hepburn, Hiscock, Holmes,	Lawrence, Le Fevre, Lyman, McComas, McCormick, Miller, S. H. Mills, Morrill, Morse, Murphy, Parker, Patton, Payson, Perkins, Peters, Pusey, Ranney,	Smith, H. Y. Spriggs, Springer, Steele, Stevens, Stewart, J. W. Storm, Sumner, D. H. Swope, Taylor, J. D. Townshend, Turner, Oscar Valentine, Van Alstyne, Wadsworth, Wait, Weaver,
connolly,	Howey, James,	Rockwell, Rowell,	Weller, White, J. D.
lox, S. S.	Kean,	Ryan,	Whiting.
Culberson, D. B.	Keifer,	Skinner, C. R.	Winans, John
Jullen,	Ketcham,	Smith, A. Herr	York.

NOT VOTING-44

Arnot,	Fiedler,	Laird.	Rice.
Atkinson,	Fyan,	Lore.	Riggs,
Bagley,	Hammond,	Lovering,	Robinson, J. S.
Belford,	Hart.	Lowry,	Shaw,
Bingham,	Henderson, D. B.	Matson.	Taylor, E. B.
Campbell, Felix	Herbert.	Millard,	Throckmorton.
Chalmers.	Hooper,	Morrison,	Ward.
Curtin.	Hurd,	Neece,	Williams,
Cutcheon,	Jones, J. K.	Post.	Wilson, James
Dowd,	Jordan.	Rankin.	Wise, J. S.
Ellis,	Kelley,	Ray, G. W.	Woodward.

So the rules were suspended (two-thirds voting in favor thereof) and the bill (H. R. 8280) was passed.

Mr. CURTIN. I desire to say that I was in the room of my committee while the roll was being called. I desire to vote.

The SPEAKER. Under the rule the Chair can not entertain the

gentleman's request.

Mr. WILLIS. I understood the gentleman to say he was in the Hall. Mr. CURTIN. No, sir; I was in the committee-room. Mr. ANDERSON. If the gentleman from Pennsylvania was on the

floor I would not object, but as he states he was in his committee-room

Mr. TOWNSHEND. I ask unanimous consent to dispense with the reading of the names.

Mr. ANDERSON. I object.

The Clerk read the names of members voting.

The following additional pairs were announced:

Mr. ELLIS with Mr. Post, of Pennsylvania, on this vote. Mr. LEWIS with Mr. ARNOT, on this vote.

Mr. CURTIN with Mr. BINGHAM, on this vote. Mr. FIEDLER with Mr. ATKINSON, on this vote.

Mr. HART with Mr. HAMMOND, on the river and harbor bill.

Mr. Herbert with Mr. Kelley, for the rest of this day.
Mr. Lowry with Mr. Wilson, of Iowa, for the rest of this day.
Mr. LEWIS. I desire to state that if I were not paired with Mr.
Arnor I should vote "ay." Mr. Arnor would vote "no."

The result of the vote was then announced, as above stated.

MESSAGE FROM THE SENATE.

A message from the Senzte, by Mr. McCook, its Secretary, informed the House that the Senate had passed the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which the concurrence of the House was requested.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] is

Mr. TURNER, of Georgia. I call up the contested-election case of Pool vs. Skinner, first district of North Carolina.

Mr. TOWNSHEND. I desire as a privileged question to call up the

Post-Office appropriation bill.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up an election case, which is a matter of higher privilege than any

Mr. TOWNSHEND. I will say to the gentleman from Georgia that this will take but a moment. The object is to get the Post-Office appropriation bill into conference.

Mr. TURNER, of Georgia. I am aware that the gentleman from Illinois has made several efforts heretofore to proceed with that bill and

they have always provoked discussion.

Mr. TOWNSHEND. If discussion is provoked I will not insist on

going on with the bill.

Mr. HISCOCK. I understand the gentleman from Illinois [Mr. Townshend] proposes to call up the Post-Office appropriation bill. I have told the gentleman I would not again make the point that it should go to the Committee of the Whole House on the state of the Union for the consideration of the Senate amendments. But as against an election case I shall insist on the amendments going to the Committee of the Whole House on the state of the Union to be discussed and consid-ered. I think if we have time enough in these late days of the session to take up election cases we have time enough to consider these appropriation bills in committee.

Mr. TURNER, of Georgia. How does the gentleman from New York

Mr. HISCOCK. I give notice to the gentleman from Georgia if he does not want an extra session he must give the Appropriations Committee the right of way.

mittee the right of way.

Mr. TURNER, of Georgia. The gentleman has no right to thrust in his "notice" here while I am on the floor.

Mr. MILLER, of Pennsylvania (to Mr. TURNER, of Georgia). If you are ever going to get your election case in you must get it in now.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up the report of the Committee on Elections in the case of Mr. Pool against Mr. Skinner, in the first Congressional district of North Carolina. The Clerk will report the resolution.

The Clerk read as follows:

The Clerk read as follows:

Walter F. Pool was chosen as Representative to the Forty-eighth Congress, was the only proper district in which to call and hold an election to fill the vacancy caused by his death.

Resolved. That Thomas G. Skinner is not entitled to retain longer his seat in this House as the Representative from the first Congressional district of North Carolina to the Forty-eighth Congress.

Mr. TURNER, of Georgia. Mr. Speaker, the Clerk has read the resolution reported by the minority of the committee.

The SPEAKER. The Clerk will read the resolution reported by the

majority of the committee.

Mr. HISCOCK. Mr. Speaker, I wish to inquire whether this is a case in which the Committee on Elections are agreed.

Mr. TURNER, of Georgia. Mr. Speaker, I insist that the gentleman from New York shall not interrupt the proceedings of the House in this

way.

Mr. HISCOCK. The gentleman from New York will know what is doing

Mr. TURNER, of Georgia. The gentleman from New York [Mr. HISCOCK] has no right to take me off the floor by impertinent interrup-

The SPEAKER. This question is not debatable. The Clerk has read the resolution reported by the minority. He will now read the resolution reported by the majority of the Committee on Elections.

The Clerk read as follows:

Resolved, That Thomas G. Skinner retain his seat, without prejudice to the ultimate right to the seat involved in the contested-election case of Charles C. Pool vs. Thomas G. Skinner.

The SPEAKER. The question is, Will the House now consider this report of the Committee on Elections?

Mr. TOWNSHEND. Mr. Speaker, I want to notify the House that

I raise the question of consideration. The SPEAKER. The Chair is putting that question now. [Having put the question.] In the opinion of the Chair the noes have it.

Mr. TURNER. I ask for a division.

Mr. HORR. Mr. Speaker, I want to know how I am to vote.

Mr. MILLER, of Pennsylvania. Mr. Speaker, what is the question

before the House The SPEAKER. The question of consideration.

Mr. TOWNSHEND. On what bill?

The SPEAKER. No bill at all; an election case from the State of North Carolina. As many as are in favor of proceeding with the consideration of this report of the Committee on Elections will rise and

The House divided; and there were—ayes 76, noes 113.

The SPEAKER. The noes have it; and the House refuses to con-

The SPEARER. The noes have it; and the House refuses to consider the report.

Mr. BENNETT. Mr. Speaker, I call up the contested-election case of Frederick vs. Wilson.

Mr. TOWNSHEND. Now, Mr. Speaker, I move the adoption of the report of the Committee on Appropriations in relation to the amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

The SPEAKER. Still the matter called up by the gentleman from North Carolina [Mr. Bennett], being a matter of higher privilege,

would cut the gentleman off.

Mr. TOWNSHEND. I understood, Mr. Speaker, after the motion of the gentleman from Georgia [Mr. TURNER] was disposed of I would be recognized.

The SPEAKER. The Chair will secure to the gentleman from Illi-

nois [Mr. Townshend] the consideration of the matter he desires to call up as soon as possible; but the gentleman from North Carolina [Mr. Bennett] calls up a matter of higher privilege.

Mr. Bennett] calls up a matter of higher privilege.

Mr. Bennett] calls up a matter of higher privilege.

Mr. Bennett] calls up a matter of higher privilege.

Mr. Bennett] is case if I am to antagonize the fertile gentleman from the State of Illinois [Mr. Townshend]. I would rather keep out of the way of my friend from Illinois, but I would like to have my chance immediately after he has

Several Members. Regular order.

The SPEAKER. The gentleman from North Carolina has charge of a privileged matter, which he can call up whenever he sees fit. The gentleman from Illinois [Mr. Townshend] is recognized.

POST-OFFICE APPROPRIATION BILL

Mr. TOWNSHEND. Mr. Speaker, I now move the adoption of the report of the Committee on Appropriations in regard to the Senate amendments to the Post-Office appropriation bill.

Several Members. Let us have it read.

Mr. HISCOCK. We may as well go to the Committée of the Whole

with it, or else consider it in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. Hiscock]
makes the point of order that this must first be considered in Committee of the Whole.

Mr. TOWNSHEND. I am willing to have it considered in the House

as in the Committee of the Whole.

Mr. HISCOCK. I have no objection to that, Mr. Speaker. I say Resolved, That the old first Congressional district of North Carolina, in which | frankly that the only purpose I have is to keep out election cases.

The SPEAKER. If there be no objection the report moved by the gentleman from Illinois [Mr. TOWNSHEND] will be considered in the House as in the Committee of the Whole House on the State of the Union.

Before the consideration of that matter is begun the Chair will state that under a rule heretofore made, and which is still in force, at 5 o'clock p. m. the Chair will be compelled to declare the House in recess until 8 o'clock this evening.

Mr. TOWNSHEND. Then I ask unanimous consent that the House may continue its sitting until 6 o'clock.

Mr. MILLER, of Pennsylvania, and other members objected.
Mr. MILLER, of Pennsylvania. I rise to a parliamentary inquiry. Is there a report in this case? The SPEAKER. There is.

Mr. MILLER, of Pennsylvania. Then I ask for its reading. I be-

Heve I have that right.

The SPEAKER. The report has been read.

Mr. MILLER, of Pennsylvania. When?

The SPEAKER. Half an hour or perhaps an hour ago.

Mr. MILLER, of Pennsylvania. Is it in order to call for the reading of the bill?

The SPEAKER. It is not. The gentleman can have it read in his own time whenever he may obtain the floor. The gentleman has a right to have the amendments read.

Mr. MILLER, of Pennsylvania. Then I ask for the reading of the

amendments

The SPEAKER. The Chair has already directed the Clerk to read

Mr. SPRINGER. I rise to a parliamentary inquiry. Is it in order now to move to rescind the order by which the House on Friday takes a recess from 5 till 8 o'clock?

The SPEAKER. That can only be done by unanimous consent or

by a suspension of the rules.

Mr. SPRINGER. I move, then, to suspend the rules in order to revoke that order. There is no pension business for this evening.

The SPEAKER. This business may be disposed of before 5 o'clock.

Mr. SPRINGER. I presume there would be no objection to vacat-

ing by unanimous consent the order for a recess.

The SPEAKER. That proposition has been made and there was objection. The Clerk will read the amendments of the Senate to the Post-Office appropriation bill.

The first amendment was read, as follows:

On page 1, line 21, strike out "three hundred" and insert "one hundred and

Mr. MILLER, of Pennsylvania. I would like to have the context read in connection with the amendment so that the amendment may be understood

The SPEAKER. The Chair will direct that each amendment be so read.

The Clerk read as follows:

Page 1, line 21, strike out "three hundred" and insert "one hundred and fifty;" so as to read:
"For compensation to clerks in post-offices, \$5,150,000."

Mr. TOWNSHEND. If it be in order, I desire to move concurrence

in that amendment.

The SPEAKER. It is in order to make that motion. Each amend-

ment must be acted on separately.

The motion of Mr. Townshend to concur in the amendment was agreed to.

The second amendment was read, as follows:

Page 2, line 6, strike out "five hundred and thirty-five" and insert "four hundred and eighty-five;" so as to read:

"For payment to letter-carriers and the incidental expenses of the free-delivery system, \$4,485,000; \$45,000 of which may be used, in the discretion of the Postmaster-General, for the establishment, under existing law, of a free-delivery system in cities where it is not now established."

Mr. TOWNSHEND. By direction of the committee I move concurrence in this amendment.

The motion was agreed to.

The third amendment was read, as follows:

Page 2, line 16, strike out the word "hereafter," after the word "that;" so as o read: to read: "That the Postmaster-General may," &c.

Mr. TOWNSHEND. I desire to submit a proposition to which I think the entire House will agree. It is needless to occupy time in reading all these amendments. All I desire is to have the report of the Committee on Appropriations adopted. Now, I submit to the House this proposition—that if the report of the Committee on Appropriations be adopted, I will then move that the House take a recess till 8 o'clock.

Mr. HISCOCK. We will consent, if an order be entered to that effect, that the report be adopted and a recess at once taken.

Mr. TURNER, of Georgia. I would like to inquire by what right the gentleman from Illinois makes that proposition. He stated that he would require not more than five minutes for this matter; and now he proposes that immediately after it is disposed of the House shall take

Mr. TOWNSHEND. If the gentleman from Georgia objects, of course I do not press the proposition.

Mr. TURNER, of Georgia. I do object.

The SPEAKER. Objection is made.

Mr. TOWNSHEND. I move to non-concur in the amendment last

The motion was agreed to; there being—ayes 82, noes 23. The fourth amendment was read, as follows:

Page 2, line 16, strike out "lease" and insert "in the disbursement of this appropriation, apply part thereof to the purpose of leasing;" so that the clause will read:
"That the Postmaster-General may, in the disbursement of this appropriation, apply part thereof to the purpose of leasing premises for use for post-offices."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in this amendment.

The amendment was non-concurred in.

The fifth amendment was read, as follows:

Page 2, line 17, strike out the word "and," between the word "first" and second."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move that this amendment be non-concurred in,

The motion was agreed to.

The sixth amendment was read, as follows:

Page 2, line 17, after the word "second," insert "and third;" so as to read; Post-offices of the second and third classes."

Mr. TOWNSHEND. In accordance with instructions of the Committee on Appropriations I move that this amendment be non-concurred in.

The motion was agreed to.

The seventh amendment was read, as follows:

Page 2, line 25, after the word "for," insert "safes and other;" so as to read: "For safes and other office furniture."

Mr. TOWNSHEND. The Committee on Appropriations have instructed me to move that this amendment be concurred in.

The motion was agreed to; there being-ayes 98, noes 10.

The eighth amendment was read, as follows:

Page 2. line 25, strike out "twenty" and insert "thirty;" so as to read: "Post-office and other office furniture, \$30,000."

Mr. TOWNSHEND. Mr. Speaker, this amendment makes an increase of \$10,000. In accordance with the instruction of the committee I move concurrence.

The motion was agreed to; there being-ayes 101, noes 12.

The tenth amendment was read, as follows:

Page 3, line 4, strike out "and ten" and insert "five hundred;" so as to read:
"For inland mail transportation, namely: For transportation on railroad routes, \$14,500,000."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in that amendment.

The amendment was non-concurred in.

The next amendment was read, as follows:

The next amendment was read, as follows:
After the word "thereof" insert "and reduced by the act of March 3, 1883, to
2 cents for each half ounce or fraction thereof;" so it will read:
Office of the Third Assistant Postmaster-General: For manufacture of adhesive postage-stamps and of newspaper and periodical stamps, \$174,000. That
upon all matter of the first class, as defined by chapter 180 of the laws of Congress, approved March 3, 1879, entitled "An act making appropriations for the
service of the Post-Office Department for the fiscal year ending June 30, 1880, and
for other purposes." and by that act declared subject to postage at the rate of
3 cents for each half ounce or fraction thereof, and reduced by the act of March
3, 1883, to 2 cents for each half ounce or fraction thereof, postage shall be charged,
on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof; and drop letters shall be mailed at the rate of 2 cents per ounce or
fraction thereof, including delivery at letter-carrier offices, and I cent for each
ounce or fraction thereof where free delivery by carrier is not established.

Mr. TOWNSHEND.

Mr. TOWNSHEND. As instructed by the Committee on Appropriations, I move concurrence in that amendment.

Mr. ADAMS, of Illinois. I should like to have some explanation

of it.

Mr. TOWNSHEND. It is a mere formal amendment and only makes the original text more specific. For myself I do not think the amendment is necessary, but the Senate disagrees with the House in reference to that matter, and I have been instructed to move concurrence.

The amendment was agreed to.

Eleventh amendment:
Strike out the words "to bona fide subscribers" and insert "including sample copies;" so it will read:
"That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto."

Mr. TOWNSHEND. I have been instructed by the Committee on Appropriations to move non-concurrence. I will say this is the amendment about which most of us here have received a great many communications from a certain class of newspaper publishers. I think it would be better for the House to put this question in conference, where it is possible we may reach some agreement, which perhaps we may not be able to do here this afternoon.

The only difference between this and the original text is that it restores the law enabling newspaper publishers to send sample copies.

Mr. BINGHAM. I move to concur.

Mr. TOWNSHEND. I hope my friend will not press that motion,

because it will lead to delay.

Mr. BINGHAM. Have I the floor?

The SPEAKER. The gentleman has the floor and will proceed. Mr. RINGHAM. Idesire to state that when this section of the Post-Office bill was before the House the paragraph relating to sample copies was not even referred to or discussed in any way whatever, and while I thought I had some familiarity with the bill I am free to say I had overlooked this section entirely. I believed it had been the purpose of the committee reporting this bill when they reduced newspaper postage from 2 cents a pound to 1 cent a pound to make that reduction consistent with existing law—that it was a reduction of 1 cent a pound throughout the entire law. But it is not so. Under the present law newspaper postage from a known office of publication to subscribers goes at the rate of 2 cents a pound, sample copies included. The bill reduces newspaper postage to 1 cent a pound, and makes sample copies 4 cents a pound. It doubles the rate of postage on sample copies, and if I am permitted to refer to a discussion in another place where this section was fully discussed, I will state that when the matter was explained it was unanimously adopted as being a fair adjustment and consistent with the action of the committee on another section.

Now, sir, in another section you will reach you say to these newspaper publishers you can send your sample copies at the rate of 1 cent if they weigh an ounce and then it repeals all other acts inconsistent with that act. Permit me to say to the gentleman that under the law to-day, which we passed at the first session of this Congress, newspaper publishers, if they could not to-day send under the pound rate, may, under public act No. 46, as he can and I can when we send through the

mails miscellaneous papers.

Further, by the section which he proposes to hold on to, in the next amendment to the bill he wipes out absolutely that act (public 46) which allows a citizen to send four ounces of newspaper matter for 1 cent. It was patent to the judgment of the House that the two ounces for 1 cent covered but a few of the large publications of the country. Before the Committee on the Post-Office and Post-Roads the large metropolitan papers were weighed, and, with a single exception, almost every one was between three and four ounces in weight. The popular judgment has been that any paper could go through the mails for 1 cent, but we find the greater number weighed over two ounces; and therefore the Committee on the Post-Office and Post-Roads brought into this House a bill fixing the rate for transient newspapers at 1 cent for four ounces

The result of that action has been that instead of having in the large offices thousands of newspapers daily held for postage and sold for waste paper, they are transmitted through the mails at 1 cent for four ounces. The bill of the gentleman from Illinois, as we passed it through the House, repealed that act, and it did further: it doubled the rate on newspaper publishers in sending sample copies by increasing the postage from 2 to 4 cents, when it reduced the rate on their regular open edi-

tions to 1 cent per pound.

The matter was discussed elsewhere, and every member in this House has doubtless received his communications from the publishers of these great newspapers that for all the publications going out their offices they want one rate of postage; and I had thought that such was the purpose the gentleman had in view in presenting the bill. It was the purpose of the Committee on Post-Offices and Post-Roads when they recommended the postal bill to the House, and when their distinguished chairman appeared before the Committee on Appropriations.

How much time have I remaining

The SPEAKER. The gentleman has occupied four minutes.

Mr. BINGHAM. I will reserve the remaining time.

Mr. TOWNSHEND. Mr. Speaker, the first proposition introduced in Congress to reduce newspaper postage was introduced by myself in the last Congress. It was referred to the committee of which the gentleman from Pennsylvania was chairman. That committee then entirely ignored the question. It took no action on the subject until during

Mr. BINGHAM. The gentleman is entirely welcome to all the dis-tinction which is properly due to him for his efforts in that direction. I am willing that he shall have all the credit.

Mr. TOWNSHEND. The gentleman is not more anxious to see a reduction of newspaper postage than I am. Now, when the Committee on Appropriations had this bill under consideration I offered an amendment to reduce the postage on newspapers one-half; my amendment went no further. That amendment was adopted by the committee. Afterward the Postmaster-General appeared before our committee and recommended that we restrict the law allowing sample copies to go through the mails. He urged as a reason that many merely advertising sheets the mails. He urged as a reason that many merely advertising sheets had taken advantage of this law and were using the mail facilities to flood the country with advertisements of lottery, patent medicines, and other schemes at pound rates. Therefore, the Postmaster-General recommended a modification of the law in respect to sample copies by restricting them to the use of this privilege twice a year.

The Committee on Appropriations, after careful consideration, concluded that if it was wrong to allow them to send sample copies under these circumstances more than twice a year, it was wrong to allow them to be sent at all, and that they should be forbidden altogether. The

committee therefore modified my amendment so as to forbid sample copies from being sent at any other than the same rates at which transient newspapers are allowed to go through the mails. That amendment was brought in here by me under the instructions of the committee, and the House-adopted it. It was discussed then by my intelligent friend from Pennsylvania.

Mr. BINGHAM. The gentleman is entirely mistaken; that section of the bill was never alluded to in that discussion. It was not dis-

cussed one minute on this floor.

Mr. TOWNSHEND. The RECORD will show that the gentleman himself not only discussed it, but offered an amendment to that very

ministra not only discussed it, but one early an amendment to that very provision, which was adopted.

Mr. BINGHAM. The gentleman is in error wholly.

Mr. TOWNSHEND. Now I have received a very large number of communications from newspaper publishers on this question, more than, perhaps, any other member of this House. I have received nearly five hundred letters from a certain class of papers, not strictly newspapers, but papers promoting special objects, mostly weekly papers, scientific periodicals, many of them very worthy and valuable papers, but a great many of them merely advertising sheets. Among all of these letters none will be found from purely daily newspapers, and I have received but very few from country newspapers. The country newspapers, as a rule, and the daily press also, are satisfied with the provision as recom-

mended by the Committee on Appropriations and adopted by the House.

I believe it would be well to allow papers to send sample copies for the purpose of extending their circulation, but believe that the exercise of this privilege two or three times a year would be sufficient to promote

circulation and secure subscribers.

Now I desire that this question shall go to a conference committee, where we can reach an agreement or a compromise after a general interchange of views. But the gentleman from Pennsylvania insists upon forcing it here upon the House. That being the case, I must meet it now. I believe, as the Postmaster-General believes, that this privilege is greatly abused by a certain class of newspapers, and that we should restrict the sending of sample copies to some extent at least. I am willing to allow the question to be considered by a conference committee, who may, after a full investigation of the subject, agree upon some reasonable plan in that respect which will satisfy reasonable demands; but to open the mails to an unlimited extent to every advertising sheet throughout the country every day in the year is a proposition to which I am opposed.

to which I am opposed.

[Here the hammer fell.]

Mr. BINGHAM. I believe I have one minute remaining. I desire in that time to make just this statement to the House: that no newspaper can go through the mails at second-class rates, as proposed by this bill, at 1 cent a pound until it has been duly registered at the post-office from which it goes under the sworn statement of the published of the post-office from which it goes under the sworm statement of the publisher of that paper. Therefore the gentleman's statement as to patent-medicine circulars and lottery publications and advertising sheets, and papers generally of that kind, is effectually disposed of.

Now, a further fact: the gentleman incorporates in this bill, authorizing this amendment, the provision that they can send their sample copies at 1 cent for each four ounces, and then wipes out all other laws existing on the subject.

existing on the subject. [Here the hammer fell.]

Mr. ANDERSON. I desire to make a parliamentary inquiry. The SPEAKER. The gentleman will state it. Mr. ANDERSON. Would it be in order to move to strike ou Would it be in order to move to strike out the

The SPEAKER. There is no last word. It is a motion to concur. The question is on the motion of the gentleman from Pennsylvania [Mr. BINGHAM] to concur in the amendment.

The House divided; and there were—ayes 67, noes 43. Mr. TOWNSHEND. I call for tellers.

Mr. HOLMAN. No quorum.

The SPEAKER. The point is made that a quorum has not voted. The Chair will appoint as tellers the gentleman from Illinois, Mr. Townshend, and the gentleman from Pennsylvania, Mr. BINGHAM.

ENROLLED BILL SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich; and

Joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to concur in the Senate amendment.

The House divided; and the tellers proceeded to count the vote.

The SPEAKER. Will the tellers report the affirmative vote?

Mr. ANDERSON. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. Is it in order to call the attention of the Chair

to the fact that the hour of 5 o'clock, when under the order of the House

a recess should be taken, has arrived?

The SPEAKER. The Chair takes notice of the fact himself, and now declares the House in recess until 8 o'clock this evening.

The gentleman from New York [Mr. BAGLEY] will occupy the chair as Speaker pro tempore at the evening session.

EVENING SESSION.

The recess having expired, the House reassembled at 7 o'clock p.m., Mr. BAGLEY in the chair as Speaker pro tempore.

ORDER OF BUSINESS.

The SPEAKER pro tempore. The Clerk will read the order under which the House meets this evening.

The Clerk read as follows:

That until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 8 p. m., at which evening sessions bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

February 13, 1885.—Amended so as to include bills for the removal of political disabilities reported by the Judiciary Committee and Senate bills on the Speaker's table for the removal of political disabilities.

LEAVE TO PRINT.

The SPEAKER pro tempore. The Chair desires to present the personal request of a member which was overlooked at the time the recess

The Clerk read as follows:

Mr. Hewitt, of New York, asks unanimous consent to print remarks on the bill (H. R. 7366) being a bill to carry into effect the convention between the United States of America and the United States of Mexico, signed on the 20th day of January, 1883.

Mr. ANDERSON. Ought not that to go over till to-morrow? Is it important that that request should be granted to-night?

The SPEAKER pro tempore. The permanent Speaker informed the present occupant of the chair that it was proper this request should be

Mr. ANDERSON. This will not be considered as a precedent for

bringing in any other business to-night?

The SPEAKER pro tempore. Not at all.

There being no objection, the request of Mr. HEWITT, of New York, was granted.

ROBERT CARY.

I ask unanimous consent to take from the Speaker's Mr. HILL. I ask unanimous consent to take from the Speaker's table the bill (H. R. 6011) granting an increase of pension to Robert Carey, with an amendment by the Senate. It is only a technical amendment. A mistake was made in spelling the man's name.

Mr. ANDERSON. All right.

There being no objection, the bill (H. R. 6011) was taken from the Speaker's table, and the Senate amendments were read, as follows:

In line 3, strike out "Robert Carey" and insert "Robert Cary."

Amend the title so as to read: "An act granting an increase of pension to Robert Cary."

The amendments of the Senate were concurred in.

Mr. HILL moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the Senate amendment to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing on the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes.

The message further announced that the Senate has passed the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes, with amendments, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWES, Mr. HARRISON, and Mr. COKE as conferees on the part of the Senate.

The message further announced that the Senate insisted upon its

The message further announced that the Senate insisted upon its amendments to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1886, and for other purposes, disagreed to by the House of Representatives, agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. Allison, Mr. Dawes, and Mr. Cockrell as conferees on the part of the Senate. of the Senate.

The message further announced that the Senate had passed without

amendment bills of the House of the following titles:

A bill (H. R. 847) for the relief of Francis B. Van Haesen;

A bill (H. R. 851) for the relief of the heirs of Mary Jane Vezie, deceased:

A bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard;

A bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Comrany B, Second North Carolina Mounted Infantry;

A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster A bill (H. R. 1565) for the relief of O. L. Cochran, fate postmaster at Houston, Tex., reimbursing him for moneys erroneously collected from him by the Post-Office Department;

A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 2158) for the benefit of John C. Herndon;

A bill (H. R. 2185) for the relief of Rosa Ventuer Jeffrey and others;

A bill (H. R. 4686) for the relief of Fendall Carpenter;

A bill (H. R. 5747) to authorize an increase of the capital stock of

A bill (H. R. 5452) for the rener of John W. Mattin,
A bill (H. R. 5747) to authorize an increase of the capital stock of
the First National Bank of Larned, Kans., not to exceed \$250,000;
A bill (H. R. 6824) authorizing the President of the United States
to appoint one passed assistant engineer now on the retired-list of the
Navy a chief engineer on the retired-list of the Navy;
A bill (H. R. 8034) for the relief of the estate of Hugh and Byrd

A bill (H. R. 6034) for the refler of the estate of Hugh and Byrd Douglas, deceased;
A bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army;
A bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, of the United States Navy;
A bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;
A bill (H. R. 1813) granting an increase of pension to Anne Cornelia Lanman

A bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army; and

A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord. The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 993) for the relief of Maria G. Dunbar;
A bill (S. 1811) granting a pension to Annie T. Dicks;
A bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies at the dedication of the Washington Monument;
A bill (S. 957) granting a pension to Margaret D. Marchand;
A bill (S. 2359) granting a pension to M. Louise Butler;
A bill (S. 2448) for the relief of Sally C. Mulligan;

A bill (S. 2654) granting a pension to Charles F. Hildreth;
A bill (S. 2661) granting a pension to Miss Amelia J.Gill;
A bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States

A bill (S. 2665) granting an increase of pension to Ann Atkinson; A bill (S. 2620) granting a pension to Thomas H. Boaz; A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and A bill (S. 2619) granting a pension to Martha Hughes.

Mr. MORRILL. Mr. Speaker, I move that the pension bills just re-ceived from the Senate be referred to the Committee on Invalid Pen-

The motion was agreed to.

Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be

rinted:
A bill (S. 1877) granting an increase of pension to John Hall;
A bill (S. 2245) granting a pension to William N. Morris;
A bill (S. 2302) granting a pension to John Lowe;
A bill (S. 2379) granting a pension to Lewis L. Canady;
A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;
A bill (S. 2367) granting an increase of pension to Elijah W. Penny;
A bill (S. 2367) granting a pension to Sarah A. White;
A bill (S. 1739) granting a pension to the widow and children of the

late Byram Pitney

A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
A bill (S. 2125) granting a pension to Sarah Jane Prince; and
A bill (S. 2527) granting a pension to Robert Sheridan.
Mr. MORRILL, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be

A bill (S. 2620) granting a pension to Thomas H. Boaz;
A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and
A bill (S. 2619) granting a pension to Martha Hughes.
Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be

A bill (H. R. 7907) granting a pension to Matilda Cody; and

A bill (H. R. 603) granting a pension to Material Cody; and
A bill (H. R. 603) granting a pension to Rachel Nickel.

Mr. MATSON, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 3760) granting a pension to J. Combe; which was laid on the table.

Mr. MORRILL, from the Committee on Invalid Pensions, reported

bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 2443) granting an increase of pension to Polly Young; A bill (S. 1113) granting a pension to Ann C. Manchester; A bill (S. 2153) granting a pension to Benjamin F. Brockett;

A bill (S. 1836) granting a pension to Benjamin r. Brockett,
A bill (S. 1836) granting a pension to Sarah Hague; and
A bill (S. 1612) granting a pension to Bryson R. McCartney.
Mr. CULLEN, from the Committee on Invalid Pensions, reported favorably, bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 2262) granting a pension to Sedate T. Martin; and

A bill (S. 1633) granting a pension to James Bond.

Mr. HOLMES, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be

A bill (H. R. 8237) granting a pension to Mary J. Dickson; and A bill (H. R. 8155) granting a pension to Addie L. Moore. Mr. HOLMES, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 7757) granting a pension to Elizabeth Crawford which was laid on the table.

ROBERT J. BALLORT.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2268) for the relief of Robert J. Ballort; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be

MARY HOWARD FARQUHAR.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, also reported back adversely the bill (S. 1960) for the relief of Mary Howard Farquhar; which was laid on the table, and the accompanying report ordered to be printed.

DUNCAN L. CLINCH.

Mr. NICHOLLS. I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 1911) for the relief of Duncan L. Clinch, of the State of Georgia.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That Duncan L. Clinch, a citizen of the State of Georgia, be, and he is hereby, relieved of all political disabilities imposed upon him by the fourteenth amendment to the Constitution of the United States.

There being no objection, the bill was taken from the Speaker's table, read three times, and passed (two-thirds voting in favor thereof).

JOHN E. DENHAM.

Mr. JAMES. I ask to have taken from the Speaker's table, for concurrence in an amendment of the Senate, the bill (H. R. 5798) grant-

ing a pension to John E. Denham.

There being no objection, the bill was taken from the Speaker's table, and the following amendment of the Senate was read and concurred in:

In lines 4 and 5 strike out the following: "and grant him a pension of \$8 a month from the passage of this act."

JEREMIAH M'CARTY.

Mr. SPOONER. I ask unanimous consent that the bill (H. R. 6029) for the relief of Jeremiah McCarty be taken from the Speaker's table for concurrence in a Senate amendment.

There being no objection, the bill was taken from the Speaker's table and the following amendment of the Senate read and concurred in:

In lines 5 and 6 strike out the words "of fifty dollars per month" and insert "at the rate to which a private soldier is and shall be entitled by law for like disabilities."

ORDER OF BUSINESS.

Mr. MATSON. I move that the House now resolve itself into Committee of the Whole on the Private Calendar for the purpose of considering business under the special order for the Friday evening session.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

Mr. MATSON. I ask unanimous consent that Senate bills be first

considered in the order in which they stand upon the Calendar.

There being no objection, it was so ordered.

JOHN HALL. The first business on the Private Calendar was the bill (S. 1877) granting an increase of pension to John Hall.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions of the pension laws, the name of John Hall, late a private in Company B, Tenth United States Infantry, Mexican war, at the rate of \$30 per month, in lieu of the \$8 per month heretofore allowed him, as specified in pension certificate 3170.

Mr. MILLER, of Pennsylvania. If there is a report in this case I ask that it be read

the same back to the House with a recommendation that it do pass; and they have adopted the Senate report in this case as the favorable report of this cons-

the same back to the House with a recommendation that it do pass; and they have adopted the Senate report in this case as the favorable report of this committee.

The claimant was a private in Company B, Tenth New York Volunteers, and was injured on the 10th day of May, 1847, while in the service and in line of duty. While on drill at or near Fort Hamilton, N. Y., in crossing a fence he was suddenly and violently thrown down and the end of a rail striking him in the lower part of the body caused a large rupture which required a severe surgical operation to save his life, which was in imminent peril from the injury. The injury resulted in double inguinal hernia. The proof of the injury, surgical operation, and resulting hernia is clear and convincing. He was discharged on account of this injury and disability the 24th day of July, 1847. He applied for a pension and was placed on the pension-roll in 1847 at \$4 per month, and in 1852 his pension was increased to \$8, which rate he has been since paid and is now receiving. In 1853 he became totally blind, and in 1874 suffered a paralytic stroke, since when he has been a great charge upon his aged wife and two daughters, being unable to dress or undress himself without assistance.

In 1883 he made an application for an increase on account of an increase of his disabilities, claiming that his lost eyesight and paralysis resulted from his original injuries. The medical referee gave it as his opinion that the blindness and paralysis were not the results of the original injury. It can not be expected that laymen will usually oppose their opinions or views against the opinions of medical men, but in this case the evidence is so clear, and the fact hat the neuralgia which terminated in blindness was connected with the surgical operation so distinctly shown, that your committee can hardly doubt that the medical referee in this instance is mistaken.

The surgeon performing the operation says in his certificate, under date of the 13th July, 1817, that the injury rendered "an

sition his eyes were affected, and he suffered from neuralgia to the present time:"

This was in 1883. He also says that the "neuralgia pains burst his eyeballs, and the aqueous humor of the eyes escaped, leaving him blind." He also says that after the operation he frequently felt a numbness in his limbs and side and want of nerve sensibility, and was at times almost deprived of motive power, which continued up to 1874, when he had a severe stroke of paralysis. From these facts your committee are constrained to believe that the blindness and paralysis of this soldier were resulting conditions from the original injury he received and the operation he was compelled to undergo, and think that justice requires that his pension should be increased. Therefore your committee recommend the passage of this bill.

Mr. BELFORD. I move to amend this bill by adding the provision which I send to the desk.

The Clerk read as follows:

That the sum of \$500,000 be appropriated for the construction of a home for the orphan children of the Union and confederate soldiers of the Republic, at the city of Fredericksburg, in the State of Virginia, said sum to be expended under the direction of the Secretary of War.

I make a point of order on this amendment.

Mr. HEWITT, of Alabama. I make the point of order that this amendment is not germane to the bill.

Mr. BELFORD. I ask that the point of order be reserved till I can make a statement

make a statement.

The CHAIRMAN. The Chair will hear the gentleman from Colorado for five minutes upon the point of order.

Mr. BELFORD. Mr. Chairman, the shadows of fifteen years have floated over this Republic and the unhappy memories of the war should be forgotten now and forever. You gentlemen from the South should have at least the courage of a Northern Republican to take care of the makes a produced by the war in the South. It was a war of the poliorphans produced by the war in the South. It was a war of the politicians in which the poor people suffered and were conscripted into the army; and I propose that their little children shall be provided for just as the children of soldiers of the Union Army have been provided for.

When the Greeks, the moderns of ancient civilization, achieved a victory in civil war they celebrated that victory by erecting a monu-ment of wood which would perish under the abrasions and erosions of the atmosphere. When they achieved a victory over a foreign foe, they erected a monument of bronze. [At this point Mr. Belford walked toward the Democratic side of the House.]

Mr. BROWNE, of Indiana. I make the point of order that the gentleman has no right under the rules to speak except from his seat.

Mr. BELFORD. Then I will go to my seat. I will obey the perfunctory order of the distinguished brigadier from Indiana.

Now, what did England do after her great civil war between the White Rose and the Red Rose? She blended them together and made England the great nation of her day. Are we to carry out the prejudices of certain gentlemen on this floor and overlook the fact this is our magnificent nation from the northern lakes to the southern gulf, from the Atlantic Ocean to the Pacific, upon which floats the commerce of our country?

I have offered this amendment in the interest of reconciliation, of peace, of recognition of the fact we are one nation to-day, and will remain so I hope forever. [Applause.]

The CHAIRMAN. The Chair sustains the point of order and the

amendment is ruled out.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM N. MORRIS.

The next business on the Private Calendar was the bill (S. 2245)

sk that it be read.

The report (by Mr. MATSON) was read, as follows:

Your committee has had under consideration Senate bill No. 1877, and report

granting a pension to William N. Morris.

The bill, which was read, provides that the Secretary of the Interior be authorized and directed to place on the pension-roll, subject to the

limitations and provisions of the pension laws, the name of William N. Morris, late a private in Company F, Seventeenth Regiment Indiana Volunteers

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN LOWE

The next business on the Private Calendar was the bill (S. 2302) granting a pension to John Lowe.

The bill, which was read, authorizes and directs the Secretary of the

Interior to place on the pension-roll, subject to the provisions and limi-F. Fifty-third Regiment Indiana Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

LEWIS L. CANADY.

The next business on the Private Calendar was the bill (S. 2279)

granting a pension to Lewis L. Canady.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lewis L. Canady, late a private in the war of 1812.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS, CORDELIA BRAINERD THOMAS.

The next business on the Private Calendar was the bill (S. 2316)

The next business on the Private Calendar was the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.

The bill, which was read, authorizes the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Cordelia Brainerd Thomas, widow of the late Rev. E. Thomas, who was killed by the Modoc Indians in 1873 while acting as a member of the Peace Commission sent by the United States Government to treat with said Indians, and to pay her from and after the passage of this act, during her widowhood, the sum of \$50 a month of \$50 a month.

Mr. PETERS. I would like to hear the report in that case read.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas, having considered the same, beg leave to report it back with a recommendation that it be amended by inserting the word "twenty," after the words "sum of," in the eleventh line of said bill; so it shall provide payment to Mrs. Cordelia Brainerd Thomas of the sum of \$20 a month—

Mr. PETERS. I do not ask for the reading of any more of the report, as I see the amendment limits it to \$20 a month.

Mr. MATSON. The Senate proposition was to give her a pension of \$50 per month. Her husband was with General Canby at the time he was killed. He was a minister of the gospel. The amendment proposes to give her the pension of a chaplain.

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do

ELIJAH W. PENNY.

The next business on the Private Calendar was the bill (S. 544)

granting an increase of pension to Elijah W. Penny.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elijah W. Penny, late lieutenant-colonel of the One hundred and thirtieth Regiment Indiana Volunteers, at the rate of \$42 per month, in lieu of the \$36 per month heretofore allowed him as certified in pension certificate 76144.

Mr. MILLER, of Pennsylvania. I ask the gentleman from Indiana why this pension is increased from \$36 to \$42 per month, and why the labeled of spins to the Pension Office?

claimant comes here instead of going to the Pension Office

Mr. MATSON. I take pleasure in informing the gentleman from

Mr. MATSON. I take pleasure in informing the gentleman from Pennsylvania his coming here grows out of the fact there is a defect in the law. There is no rate of pension between \$24 and \$50 per month. Mr. MILLER, of Pennsylvania. Is there not a rate of \$30 a month? Mr. MATSON. There is for specific disability, but there is no rate for general disability. Colonel Penny received two gunshot wounds, and receives a pension for disability not specific as to one. He has an arm off, and gets \$30 a month. He has another gunshot wound which entitles him to more than he is receiving.

Mr. MILLER, of Pennsylvania. Is it not a fact if the claimant was disabled in a certain degree he can receive \$30 or \$40 a month?

disabled in a certain degree he can receive \$30 or \$40 a month?

Mr. MATSON. No, sir; there is no rate of \$40 per month.

Mr. MILLER, of Pennsylvania. Mr. MATSON. It is \$50. What is the next rate above \$30?

Mr. MILLER, of Pennsylvania. Why should there be an exception made in this particular case? Are there not other persons in the same condition who would be entitled to the same relief?

Mr. MATSON. My judgment is that the law is essentially deficient in this particular, and I think my friend from Indiana, the former chairman of the Committee on Invalid Pensions, General Browne, will agree with me, as I believe I have heard him express the same sentiment be-

I will state to the gentleman from Pennsylvania that there are cases of men who are suffering from disability from wounds who are not in that helpless condition that requires the regular attendance of other persons, so as to bring them within the law; and hence they can not receive the pension of \$50, but they are worse disabled than if they had lost one arm or a leg; and so to apply relief in cases of that kind we have these

special bills of which the gentleman speaks.

Mr. BROWNE, of Indiana. Mr. Chairman, the difficulty is that the general law fixes the rates for specific disability, and every gentleman of observation will readily understand that it is impossible under a general law to adequately adjust every possible character of disability that may arise. It is utterly impossible to do it; and just so long as we grant pensions at all and undertake to provide for them by general acts there will be instances in which appeals will be made to Congress to allow something in addition, perhaps above the lowest provided in the list of disabilities and lower than the highest or the next immediately preceding rate. But for myself I have a great deal more respect for those cases in which increases are granted than for many of those in which pensions are originally granted, because where there is an increase given there is no doubt of the existence of the disability.

The bill was laid aside to be reported to the House with the recom-

mendation that it do pass.

SARAH A. WHITE.

The next business on the Calendar was the bill (S. 2367) granting a pension to Sarah A. White.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. White, of Abington, Mass., widow of Ebenezer White, late a lieutenant in the Kansas cavalry volunteers.

Mr. HEWITT, of Alabama. I would like to know why it is neces-

sary to grant relief in this particular case?

Mr. MATSON. To save time, I will ask the gentleman from Massachusetts [Mr. Long], who I believe is familiar with the case, to state the facts

What is the question of the gentleman from Alabama?

Mr. HEWITT, of Alabama. I desire to know why it is necessary to apply to Congress for relief in this case.

Mr. LONG. I am not familiar with the circumstances. It is a bill which was examined by the Senate committee and passed the Senate.

presume the Senate report will convey the facts.

Mr. HEWITT, of Alabama. I ask for the reading of the report of

the committee accompanying it.

The report (by Mr. LOVERING) was read, as follows:

The report (by Mr. LOVERING) was read, as follows:

Your committee have had under consideration Senate bill No. 2367, and report
the same back to the House with the recommendation that it do pass, adopting
the Senate report hereto attached as the favorable report of this committee:
"The evidence is somewhat conflicting, but the balance thereof is strongly
in favor of the claim.
"The bill simply proposes to place the name of the applicant on the pensionroll as the widow of the soldier, and it appears that she is in great need.
"The evidence also discloses the fact that she rendered excellent service as an
army nurse, and might well be pensioned at a higher rate for that service.
"Your committee recommend the passage of the bill."

The bill was bid sold to be recentled to the House with the recom-

The bill was laid eside to be reported to the House with the recommendation that it do pass

BYRAM PITNEY.

The next business on the Private Calendar was the bill (S. 1739) granting a pension to the widow and children of the late Byram Pit-

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, nuthorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the names of the widow and children of Byram Pitney, late of Company K, Twenty-sixth Regiment New Jersey Volunteers.

Mr. HEWITT, of Alabama. I would like to have some explanation

of that bill, or else to have the report read.

The CHAIRMAN. The Chair will state that this is a very long report, and perhaps it will save time if some gentleman who is familiar with the facts will make an explanation.

Mr. BAGLEY. I think I can explain to the gentleman and to his tisfaction. It seems that this man received a severe wound in the satisfaction. It seems that this man received a severe wound in the neighborhood of the spine which gave him very serious trouble and for which he was pensioned. The man lived, it is true, until some time in 1883, but the disease of which he died proved to be continuous; that is to say that the diseased condition of his lungs, of which he finally died, dated back to his service in the Army and finally resulted in acute pneumonia. The medical testimony goes to show that it was directly on account of this disease, which resulted from the service and which is all and in agust a neumonia, that his death resulted. These finally culminated in acute pneumonia, that his death resulted. I believe it to be a good case, and hence it was reported favorably.

Mr. JOSEPH D. TAYLOR. Let me ask the gentleman were all of these cases examined by the House committee?

Mr. BAGLEY. They were, sir; all of them.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that these bills have been all referred to the committee and reported back from the Committee on Pensions and Invalid Pensions.

Mr. JOSEPH D. TAYLOR. I so supposed.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY GORDON.

The next business on the Private Calendar was the bill (S. 2437) granting a pension to Mrs. Mary Gordon. The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Mary Gordon, mother of Samuel F. Gordon, late a private in Company G, Sixteenth Regiment Ohio Volunteers.

The report (by Mr. LEFEVRE) is as follows:

Your committee have had under consideration Senate bill No. 2437 and report the same back to the House with the recommendation that it do pass, and they have adopted the Senate report hereto attached as a part of the report of this

have adopted the Senate report hereto attached as a part of the report of this committee.

"The Committee on Pensions, to whom was referred the bill (S.2437) granting a pension to Mrs. Mary Gordon, have examined the same, and report:

"That the claimant is the mother of Samuel F. Gordon, who applied for a pension at the Department, but her claim was rejected on the ground that the records of the War Department afford no information as to enlistment or service of the soldier.

"There appears to be ample evidence to show the dependence of the claimant as the mother of the soldier. Her husband died in 1857, and her son, the soldier, died unmarried. The only question to be considered is that of the soldier's service.

died unmarried. The only question to be considered is that of the solutor's service.

"William M. Ross, late first lieutenant of Company G, Sixteenth Ohio Volunteers, testifies that Samuel F, Gordon, the son of the claimant, enlisted October 2, 1861, in the forenoon, as a private in that company, and that in the afternoon the said Gordon was shot and killed by the accidental discharge of a pistol. He also swears that the captain of the company is dead, and the original muster-roll can not be obtained.

"This is corroborated by two comrades of the soldier, who swear to his enlistment and muster and accidental death.

"It also appears from the papers on file that the claimant is 82 years of age, and is and has been for many years a helpless invalid from partial paralysis; and also that she has been supported for seventeen years by a daughter who has been engaged in teaching. The daughter now states that, owing to her mother's increasing helplessness, she is unable to longer provide her a comfortable support.

"In view of all the facts in this case your committee report the bill with a recommendation that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. MATSON. In order to save the time that would be occupied in reading these reports I ask that all of them may be printed in the REC-ORD.

The CHAIRMAN. If there be no objection it will be so ordered.

The CHAIRMAN. If there be no objection it will be so ordered. There was no objection.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that many of these reports just come from the committee are in manuscript, and it will be impossible to have them transcribed. The originals may be sent to the Public Printer under the order the gentleman from Indiana suggested, and which has just been made. If there be no objection it will be so ordered.

There was no objection.

There was no objection.

SARAH JANE PRINCE.

The next business on the Private Calendar was the bill (S. 2125) granting a pension to Sarah Jane Prince.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Sarah Jane Prince, widow of the late Capt. Albert Prince, of the Fifteenth Regiment Massachusetts Volunteer Infantry.

The report (by Mr. LOVERING) is as follows:

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (8, 2125) granting a pension to Sarah Jane Prince, having examined the same, adopt the Senate report and recommend that the same do pass.

"The Committee on Pensions, to whom was referred the bill (8, 2125) granting a pension to Sarah J. Prince, have examined the same, and report:

"That the said Sarah J. Prince is the widow of Capt. Albert Prince, late captain of Company E. Fifteenth Massachusetts Volunteers. Captain Prince was a pensioner. He died March 2, 1881. The widow applied for a pension April 27, 1881. Her claim was rejected on the ground that she had been marriage rejous to her marriage with the said Captain Prince, and that her husband by the first marriage is still living. She now applies to Congress to grant hera pension by special act.

"It appears in the evidence that the second marriage was contracted in the belief that the first husband was dead. She states the facts under oath, as follows, namely:

"It appears in the evidence that the second marriage was contracted in the belief that the first husband was dead. She states the facts under oath, as follows, namely:

"'On the 30th day of August, A. D. 1856, I was married to David K. Dyke, of Lyme, N. H., at Chelsea, in the State of Vermont; that thereafter I lived with said David K. Dyke, as his wife, at said Lyme, N. H., and at Lowell, in the State of Massachusetts, till the month of September, A. D. 1857, when the said David A. Dyke deserted me at said Lowell, taking with him all the money I carned the previous month for labor in the Merrimack mill #that since said David K. deserted me I have had no communication from him, though for some months after said desertion I wrote letters to him at said Lyme, N. H., asking him to return to me, which letters were never replied to by him; that I continued to reside at said Lowell, working in said mill, till October, A. D. 1859, when I came to Worcester, and have since that time resided here; that on the 9th day of December, A. D. 1865, I received a letter from Fanny M. Dyke, a sister of said David K. Dyke, a copy of which is hereby attached, marked A, informing me of the death of the said David K. Dyke. Coming from the sister of the said David K. Dyke I had no reason to doubt the truth of the information contained therein, and did not doubt the same till since the death of Capt. Albert Prince, formerly captain of the Fifteenth Regiment Massachusetts Volunteer Infantry, to whom I was married on the 24th day of December, A. D. 1865, and with whom after said marriage I lived as his wife till his death.

"'After the death of the said Capt. Albert Prince, I made applica-

tion for a widow's pension, and after some time I was called upon to furnish the Pension Department with evidence of the death of my first husband. Captain Murray communicated with the town clerk of Lyme, N. H., with a view of obtaining the evidence called for, and from said town clerk came the information that the said Daniel K. Dyke was alive.

""When I became acquainted with said Albert Prince I told him of my former marriage, and showed him the letter hereinbefore mentioned, and I was married under the firm belief that I was the widow of David K. Dyke."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT SHERIDAN.

The next business on the Private Calendar was the bill (S. 2527) granting a pension to Robert Sheridan. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert Sheridan, late a private in Company D, First Rhode Island Light Artillery.

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred bill (S. 2527) granting a pension to Robert Sheridan, having examined the same, and having adopted the Senate report, recommend that same do pass, a copy of the same being hereunto attached:

"The Committee on Pensions, to whom was referred the bill (S. 2527) granting a pension to Robert Sheridan, have examined the same and report recommending its passage. The facts are stated in the petition, which we annex as the most convenient form of presenting them to the Senate:

most convenient form of presenting them to the Senate:

"The honorable Senate and House of Representatives in Congress assembled:

"The undersigned, Robert Sherjdan, of National Soldiers' Home, Togus, Me., late private Company D, First Rhode Island Light Artillery, respectfully represents that on the 18th day of June, 1878, at said national home (he being then an iumate of said institution as a disabled soldier), he was detailed by order of General William S. Tilton, commander of said home, to fire a salute on the occasion of Decoration Day observance, and that while so employed, through the carelessness of one of the men whose business it was to close the vent, the gun was prematurely discharged while your petitioner was ramming home the carridge, thereby shattering his right arm so badly that it had to be amputated above the elbow.

"He further states that he is now in receipt of a small pension of \$4 per month. He now asks that in consideration of his misfortune, which has deprived him almost entirely of the means of obtaining a living, and as said wound was received while in the line of duty, acting under the orders of General Tilton, an officer of the United States and whose orders he was bound to obey, that he may be granted an increased pension, so that his rate may be \$24 per month, the rate now allowed by law for a similar disability: and, as in duty bound, will ever pray.

"'Late Private Company D, First Regiment Rhode Island Light Artillery.

"'STATE OF MAINE, "County of Kennebec, ss:

"December 8, 1882, there personally appeared the above-named Robert Sheridan, and made oath that the facts as set forth in the foregoing petition are true in substance and fact, so far as they relate to the receiving of his wound and injury. Before me

H. F. BLANCHARD, "Notary Public."

The bill was laid aside to be reported to the House with the recom-mendation that it do pass.

THOMAS H. BOAZ.

The next pension bill on the Private Calendar was the bill (S. 2620) granting a pension to Thomas H. Boaz.
The bill was read, as follows:

Be it enacted, &c., Thut the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Boaz, late of Company H, Second Regiment Ohio Heavy Artillery.

The report (by Mr. MORRILL) is as follows:

The report (by Mr. Morrill) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 2620) granting a pension to Thomas H. Boaz, having considered the same, respectfully report as follows:

The claimant, Thomas H. Boaz, was a private in Company H, Second Ohio Heavy Artillery. He was enrolled on the 12th of August, 1863, for three years, and was discharged August 29, 1865, to date August 23, 1865. He filed his application for pension on August 7, 1882, alleging disability by reason of being injured by the cars in the small of his back, shoulder, and left thigh, and for rheumatism, all incurred in the service on or about July 5, 1865, at Claysville, in the State of Ohio. The records of the Surgeon-General's office show treatment of the claimant at the general hospital, Camp Denison, Ohio, in August, 1865, for the injuries which the claimant alleges, and that he was returned to duty August 28, 1865. This was evidently only for the purpose of being discharged. The testimony in the case proves conclusively that at date of enlistment the soldier was a stout, able-bodied man, free from any and all of the alleged allments. That he continued to do regular service with his company until about the last of June, 1865, when he was granted a furlough for twenty days, cause not stated. That on the 5th of July, at Claysville, in the State of Ohio, he was injured by the cars in the manner stated, the testimony of one witness, who rendered him assistance at the time of the injury, and of the physician who treated him at the time, being on file. There is ample testimony also showing that from the time of his discharge the soldier suffered more or less from the unmatism, which has continued and increased in severity until, by the examining surgeon's certificate, claimant is shown to be totally disabled and helpless, and that he had to be brought into the office to be examined, and he pronounces the disease sciatica, with paralysis of the lower limbs. Your committee are of the opinion that this is a mer

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLOTTE C. B. HATCH.

The pext business on the Private Calendar was the bill (S. 2546) granting a pension to Charlotte C. B. Hatch.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the restrictions and limitations of the pension laws, the name of Charlotte C. B. Hatch, dependent widow of Maj. E. A. C. Hatch, late of Hatch's Battalion Minnesota Volunteers.

The report (by Mr. MORRILL) is as follows:

The Comflittee on Invalid Pensions, to whom was referred S. 2546 granting a pension to Charlotte C. B. Hatch, have examined the same, and report:

That elaimant is the widow of Edwin A. C. Hatch, major Independent Battalion Minnesota Cavalry, regularly mustered into the United States service, who was discharged July 7, 1864, on surgeon's certificate of disability. He was a sound, healthy man when he entered the service, and became disabled in the service, and had a continuing disability until his death. While the cause of death was reported as cholera morbus, still his health had been so much impaired and constitution broken by disabilities contracted by exposure and hardships in the Territory of Dakota, that he was not, by reason of such service, so able to withstand disease as could be done by a healthy and sound man.

Your committee recommend the passage of the bill.

The bill was leid saids to be reported to the House with the recom-

The bill was laid aside to be reported to the House with the recommendation that it do pass

MARTHA HUGHES.

The next business on the Private Calendar was the bill (S. 2619) granting a pension to Martha Hughes.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Martha Hughes, widow, whose husband was a member of Company E, Seventeenth Regiment Wisconsin Infantry.

The report (by Mr. MORRILL) is as follows:

The report (by Mr. Morrill) is as follows:
Your Committee on Invalid Pensions, to whom was referred the bill (8, 2619),
granting a pension to Martha Hughes, having considered the same, respectfully
report as follows:
The claimant is the widow of John Hughes, late a corporal in Company E,
Seventeenth Wisconsin Infantry Volunteers. As shown by the report of the
Adjutant-General, the soldier enlisted on December 23, 1861, for three years, and
was discharged at Corinth, Miss., on July 10, 1862, cause not stated. The regimental hospital records are not on file and there are no records of the regiment
in the office of the Surgeon-General. It is shown by the testimony on file that
the soldier was a stout, able-bodied man at the time of enlistment, and that
when he was discharged from the Army he was suffering with chronic diarrhea,
which incapacitated him for manual labor, and continued to the time of his
death.

when meapactated min for manual moor, and continued to the time of his death.

The soldier made application on account of disability from chronic diarrhea contracted near Shiloh, Tenn., in April, 1862, and states that he was treated in regimental hospital for said disease, and it is reasonable to suppose that this was the cause of his discharge, although the records are silent. His application for pension was filed October 1, 1881, but he died on the 4th of July, 1882, before the claim was finally proven up to the satisfaction of the Pension Office. The attending physician testifies that the death was the result of chronic diarrhea and tuberculous consumption, and states his fielief that the diarrhea was the cause of the disease of the lungs. The widow (claimant herein) then made application for a pension in her own right, which was filed on August 2, 1882, but for reasons unknown to your committee it has not been allowed. Your committee think that the evidence in the case is sufficient to prove the incurrence of the disease in the service from which the soldier died, and we therefore report the bill back with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recom-

The bill was laid aside to be reported to the House with the recommendation that it do pass.

POLLY YOUNG.

The next business on the Private Calendar was the bill (S. 2443) to increase the pension of Polly Young.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Polly Young, widow of Jesse Young, a soldier in the war of 1812, and pay her a pension from and after the passage of this act of \$30 a month in lieu of the pension she now receives.

Mr. HEWITT, of Alabama. I would like to ask the chairman of the Committee on Invalid Pensions

Mr. BROWNE, of Indiana. I suppose that comes from the Commit-

tee on Pensions.

Mr. HEWITT, of Alabama. It should have gone to the Committee on Pensions; but I do not make a question about that. I would like to ask the chairman of the Committee on Invalid Pensions whether any of these bills were reported to the Senate adversely by the Senate Committee on Pensions, or whether this bill in particular was reported adversely

Mr. MATSON. There was one case that I remember, that of Col-Mr. MATSON. There was one case that I remember, that of Colonel Penny, the case we were discussing a few moments ago. The original bill in the Senate proposed to give him \$50 a month. The bill was finally amended so as to make the amount \$42. The remainder of these bills, so far as I now remember, and I think I have examined all of them, were reported favorably by the Committee on Pensions of the Senate. The bill I have spoken of proposed originally to give \$50 a month and was amended so as to make it \$42.

Mr. HEWITT, of Alabama. This bill now under consideration proposes to increase the pension of the widow of a soldier of the war of 1812 from \$8 to \$30 a month. Why is that done in this particular

case?

Mr. MATSON. Let the report speak. The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2443) granting an increase of pension to Polly Young, having examined the same, have adopted the Senate report, which is hereto attached, and made a part of their report, as follows:

"The Committee on Pensions, to whom was referred the bill (S. 2443) granting

increase of pension to Polly Young, have examined the same, and report as

an increase of pension to Polly Young, have examined the same, and report as follows:

"That Polly Young is now 93 years of age, and receiving a pension of \$8 per month by reason of service of her husband in the war of 1812. The history of her family shows remarkable loyalty and devotion to the Republic, dating from the Revolutionary war. Her grandfather and four brothers were in that war. Her husband and three of her brothers were in the war of 1812. She had three sons. All did honorable and long service in the late rebellion. One of these sons, now an old man, furnishes from his small means her support in an humble

sons, now an old man, furnishes from the second sec

The committee recommend that the bill above referred to do pass

ANN E. MANCHESTER.

The next business on the Private Calendar was the bill (S. 1113) granting a pension to Ann E. Manchester.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann E. Manchester, the widow of Abel W. Manchester, deceased, who was a sergeant of Company H, Seventh United States Infantry.

The report is as follows:

The report is as follows:

Your committee have had under consideration the accompanying bill, and have adopted the Senate report in same, hereto attached:

"The Committee on Pensions, to which was referred the bill (8.1113) granting a pension to Ann E. Manchester, has examined the same, and reports:

"That Abel W. Manchester was enlisted on the 2d of October, 1846, at New York, to serve five years, and was assigned to Company E, Seventh Regiment of United States Infantry, and served until September 1, 1851. His marriage with the said Ann E. Manchester is established, and they continued to live together as husband and wife to the date of his death, which occurred November 2, 1870.

"The widow applied for a pension and her application was rejected," because the records of the War Department do not show the existence of heart disease (which caused the soldier's death, November 2, 1870) in the service, and applicant is unable to show that said disease had its origin in the service." This is the statement of the Commissioner of Pensions to the committee.

"The records of the War Department do show that the soldier served during the Mexican war, and that he is reported sick at Pueblo, Mexico, June 30, 1847, and again October 31, 1847, and again at Jefferson Barracks, Mo., October 31, 1848, but do not state the nature of sickness.

"It is in evidence that the soldier was sick when he returned home in 1851, and that he had at that time heart disease; that he continued disabled from said disease until he finally died. The widow has been unable to furnish the evidence of officers of her husband's company, because they are all dead, and they are so reported by the Adjutant-General of the Army. But she has furnished the evidence of persons acquainted with him, and who establish his disabled condition from the year of his discharge to the time of his death.

"In the opinion of your committee there is sufficient evidence to justify a favorable report on the bill, and it is accordingly so reported, with a recommendation that

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BENJAMIN F. BROCKETT.

The next business upon the Private Calendar was the bill (S. 2153) granting a pension to Benjamin F. Brockett.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Benjamin H. Brockett, late a captain Company I, Eighty-seventh Illinois Volunteer Infantry.

The report (by Mr. MORRILL) is as follows:

tain Company I, Eighty-seventh Illinois Volunteer Infantry.

The report (by Mr. Morrill) is as follows:

Your committee have had under consideration Senate bill No. 2153, granting a pension to the above-named claimant, and have adopted the Senate reports the favorable report of this committee, and as so reported they recommend the passage of the bill:

"The Committee on Pensions, to whom was referred the bill (S. 2153) granting a pension to Benjamin F. Brockett, have examined the same, and report:

"That Benjamin F. Brockett, late captain of Company I, Eighty-seventh Illinois Volunteers, entered the service August 15, 1862, and remained therein until December 10, 1863. He applied for a pension, and alleges that when he entered the service—

"He was a sound and healthy man * * * and that he was in good health and always ready for duty until about the 1st of June, 1863; that about that time he was ordered to take charge of a foraging expedition when in camp near Vicksburg, Miss., and had special orders to bring in beef for the hospital supplies; that he ordered the men under his charge to capture a wild Texas cow; that his men failed to capture her, and that in running past him he caught the cow by the horns, when he was thrown under her feet, trampled upon, and forced against a fence; that the men in endeavoring to assist him in her capture frightened her, and in her attempt to jump over the fence she trampled upon him on the lower right side of his abdomen, and on the left side above the hip-joint; that the injury to his right wrist-joint and right ankle were received at the same time; also the injury to the lower right side of his abdomen; that the injuries were so severe that he was unable to stand without assistance, and that his men carried him to a wagon and hauled him to Warrenton or Warrington, some eight miles below Vicksburg, where a part of the regiment was encamped."

"This statement is supported by the testimony of S. S. Gentry, D. M. Grulls, R. B. Graham, and B. J. Brockett, who were members of the

he alleges. That they may have developed into more serious conditions than existed when the witnesses whose testimony was taken by the special examiners were examined, is doubtless true, and this very fact may have misled some of said witnesses. But when the case is considered as a whole, and in its several phases, the committee can but conclude that the disabilities of which the claimant complains did originate in the service. Considering the character of the claimant, as attested by his position in the community in which he resides, and the good reputation certified to by his fellow-citizens belonging to the Grand Army of the Republic in Kansas, who assert that he is a man incapable of attempting to 'receive a pension on fraudulent evidence,' the committee feel justified in reporting the bill to the Senate with the recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SARAH HAGUE.

The next business on the Private Calendar was the bill (S. 1836) granting a pension to Sarah Hague. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah Hague, the dependent mother of W. C. Hague, late of Company L, Sixth New York Heavy Artillery.

The report (by Mr. Holmes) is as follows:

The report (by Mr. Holmes) is as follows:

Your committee have had under consideration the Senate bill granting a pension to Sarah Hague, No. 1836, and have adopted the Senate report recommending that the bill for her relief do pass:

"The Committee on Pensions, to which was referred the bill (S. 1836) granting a pension to Sarah Hague, has examined the same, and reports:

"That Sarah Hague is the mother of M. C.Hague, who was a private in Company L, Sixth New York Heavy Artillery. The soldier was enlisted January 4, 1841; was wounded in battle near Bethesda church, Va., May 30, 1864, was captured by the confederates, taken to Richmond, Va., and placed in rebel general hospital, where he died June 17, 1864. These facts appear from the records in the offices of the Adjutant-General and Surgeon-General, United States Army.

"The said Sarah Hague applied for a pension as a dependent mother. Herelain was rejected on the ground 'that the claimant was not dependent upon the soldier, as ber husband was able to, and did, support her at the time of the soldier's death."

"The committee is not of the opinion that this finding is supported by the record and proofs in the case. On the contrary, it does appear that the son did contribute to the support of his parents; that the husband was so afflicted with disease that the results of his labors were not sufficient to support the family, and that it required the efforts of all the members of the family, the assistance of friends, and the strictest economy to effect what the said finding of the Pension Office said the husband alone did. This being the case, the committee can but believe that this mother, whose son died in a rebel prison from wounds received in battle, and who had contributed to her support, and to whom she had looked for aid for years, is entitled to a pension. The bill is accordingly reported with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BRYSON R. M'CARTNEY.

The next business upon the Private Calendar was the bill (S. 1612) granting a pension to Bryson R. McCartney.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Bryson R. McCartney, late of Company K, Ninth Regiment Illinois Infantry.

The report (by Mr. MORRILL) is as follows:

The report (by Mr. MORRILL) is as follows:

Your committee have had under consideration Senate bill No. 1612, granting a pension to the above named claimant, and they recommend the adoption of the Senate report in the case as the favorable report of this committee; and asso reported they recommend that the bill do pass. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1612) granting a pension to Bryson R. McCartney, having examined the same, report:

"That Bryson R. McCartney enlisted in Company I. One hundred and twenty-eighth Illinois Volunteers, September 26, 1862, and was discharged from the service January 9, 1864, on a surgeon's certificate of disability, from chronic rheumatism and general debility. In his application for a pension he alleged that he contracted rheumatism and general debility in the winter of 1862-63, at Cairo, Ill., by reason of exposure while performing camp and garrison duty. His claim was rejected on the strength of a report made by a special examiner, submitting testimony from a number of former neighbors, going to show that claimant's disability existed prior to enlistment. This testimony shows that claimant had a severe illness two years previous to his enlistment, and was not in as good health afterward, but does not cover the time immediately before enlistment.

"On the other hand, claimant submitted the testimony of two physicians as to his soundays at application."

"On the other hand, claimant submitted the testimony of two physicians as to his soundness at enlistment; of his lieutenant, and of several neighbors to the same effect. The Pension Office surgeon, who examined him in 1877, pronounced him disabled in excess of total, and declared him 'too feeble to work.' This physician said that claimant's knees and right hand were stiffened, and that the sight of his left eye was nearly gone, and rated him as totally disabled by general debility and five-eighths of total by rheumatism.

"The committee has received petitions signed by a number of citizens of Greenwood County, Kansas, where claimant has resided for many years past, calling attention to his total disability and destitute condition. Claimant is 74 years of age, and has been totally disabled since his discharge. As his services were accepted by the Government we are disposed to give him the benefit of any doubt that may exist as to his soundness at enlistment, and therefore recommend the passage of the accompanying bill."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SEDATE P. MARTIN.

The next business on the Private Calendar was the bill (S. 2262)

granting a pension to Sedate P. Martin.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, upon the evidence on file in the office of the Commissioner of Pensions, subject to the provisions and limitations of the pension laws, the name of Sedate P. Martin, late a private Company B, One hundred and forty-first Illinois Volunteers.

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (8.2262) granting a pension to Sedate P. Martin, having examined the same, have adopted the Senate report, which is hereto attached and made a part of their report, as

granting a pension of the series attached and made a part of their report, as follows:

"This soldier belonged to Company B, One hundred and forty-first Illinois Infantry Volunteers. He alleges that in August, 1864, white on a march, near Caseyville, Ky., going down hill in the dark, he stepped into a depression and met with a severe shock which resulted in a constant pain in the left side; that he never went into hospital, but was soon mustered out of the service and returned home. The pain in his side continued after his return home, as his neighbors testify.

"The comrades who knew about his injury are dead, and his captain and lieutenants could not be found. There have been three medical examinations made by the Pension Office, which show that the disability is internal, and that its exact character and location can not be determined. He is described by the physicians as bent, wrinkled, and decrept beyond his years, his general physical condition being broken and unsteady. His condition has brought on heart disease, and be has also become totally blind.

"The soldier and his wife have for some years been dependent wholly upon the charity of the community in which they live. He is vouched for as a worthy, deserving man, and, under all the circumstances, the committee report the bill for his relief favorably, and recommend that it do pass."

Mr. HEWITT, of Alabama. Mr. Chairman, if this man is to be put upon the pension-roll I would like to know what amount of pension he is to draw. It seems to me that it will be very difficult for the Pension. Office to determine how this man should be rated. It is said that he is totally blind. If he is totally blind, and if that is the result of his service in the war, then, under the pension laws, he will be entitled to \$72 a month. If his blindness is not the result of his service in the war, and you place him upon the pension-roll under this special act, under the evidence that is filed in this Pension Bureau, as the bill provides, I would like the gentleman from Indiana [Mr. MATSON] to tell us what will be the amount of pension per month that this man will

Mr. MATSON. Mr. Chairman, this bill is, I believe, in the usual form requiring the Secretary of the Interior to place this man on the pension-roll, subject to the provisions and limitations of the pension

Mr. HEWITT, of Alabama. That is not my understanding of it. My understanding is that this bill requires him to be placed on the pension-roll "under the evidence that is filed in the Pension Office." Now, what does that mean?

Mr. MATSON. That means exactly what I have already stated. is to be placed upon the roll, subject to the provisions and limitations of the pension laws, and I apprehend that unless he is rated it will be impossible for him to be placed there.

Mr. HEWITT, of Alabama. But how is he to be rated? Suppose he is totally blind now, and that his blindness did not result from his

service in the Army, will he be rated as totally blind?

Mr. MATSON. Not unless he proves that his blindness was the re-

sult of his service.

Mr. HEWITT, of Alabama. But suppose the testimony tends to show that his blindness did result from his service, although the weight of testimony is the other way, and you place him upon the pension-roll by this special act, will not that be an instruction to the Pension

Office to give him a pension for his blindness?

Mr. MATSON. If he had alleged blindness in his application to the Pension Office, and if Congress, after a review of that case and that allegation, should pass an act providing that he be placed on the pension-roll, I should say that when he came to be examined if the physicians found him to be blind he would be rated for blindness. If he alleged at the Pension Office an injury in the side, or an internal injury in any part of the body, and that perticular allegation received by Congress of the body and that perticular allegation received by Congress of the body. part of the body, and that particular allegation was considered by Congress, and in pursuance of it a bill passed requiring that he be placed on the pension-roll, subject to the provisions and limitations of the pension laws, that action would be construed as having been taken with reference to the precise injury or disease or wound that might have been

reference to the precise injury or disease or wound that might have been alleged before.

Mr. HEWITT, of Alabama. Now, I wish to inquire whether this man's application in the Pension Office was based upon the ground of blindness—whether that was one of the allegations?

Mr. MATSON. I think not.

Mr. BROWNE, of Indiana. I would like to make an inquiry. Is this bill in the ordinary form, simply directing that the name of the person be placed on the pension-roll, subject to the provisions and limitations of the pension laws?

The CHAIRMAN. The Chair will cause the bill to be again read. The Clerk again read the bill.

The CHAIRMAN. The Chair will cause the bill to be again read.

The Clerk again read the bill.

Mr. BROWNE, of Indiana. That bill is very singularly drawn.

Mr. HEWITT, of Alabama. From the report which has been read it appears that this soldier filed an application for a pension upon the ground that one night, while walking along, he made a misstep, the consequence of which was a pain in his side, from which he was suffering at the time he was discharged. The Pension Office, after weighing the evidence put on file there came to the conclusion that he was not the evidence put on file there, came to the conclusion that he was not

suffering from any disability which originated in the service, and hence that office refused to grant him a pension.

This bill, which is not in the ordinary form, but which is extraordinary in its terms, directs that he shall be placed on the pension-roll upon the evidence filed in the Department, subject to the provisions and

limitations of the pension laws. Now, if the application made to the Pension Office was for a pension on account of total blindness—if that was the allegation of the application, and the applicant filed evidence showing that he was blind, but failing to show that the blindness resulted from service in the war—under these circumstances if Congress should direct that this man he placed upon the pension-roll, our act has reference to the application and evidence already filed, and would be construed as instructing the Pension Bureau to pay him a pension according to the disability under which he alleged he was suffering. If the allegation was total blindness, the Pension Bureau would have no ground upon which it could refuse to pay him a pension of \$72 a month, even though the evidence might go to prove that his blindness had nothing to do with his service in the Army, but resulted altogether from

Mr. BROWNE, of Indiana. The language of this bill is extraordinary; at least I do not remember another instance in which similar language has been used. Under a bill passed in this form the Pension Bureau would have nothing in the world to do except to place the name of the beneficiary on the pension-roll and ascertain the extent of his existing disabilities. He would be placed on the roll as being entitled to a pension; he would be referred to an examining board simply for the purpose of ascertaining the character of his disabilities, and he would

be rated accordingly.

I do not believe that this bill, in its legal effect, differs in the slightest degree from our bills in the ordinary form, directing that the name of the beneficiary be placed on the roll, subject to the limitations and provisions of the pension laws; and in those cases it has always been held by the Commissioner of Pensions that the Pension Office has nothheld by the Commissioner of rensions that the rension Office has nothing to do in the nature of instituting an inquiry as to the manner in which the disability was incurred. The man may have been injured by an accident on the railroad or in a saw-mill or by a threshing-machine; yet when Congress, having sovereign legislative power, declares in this general way that a man is entitled to a pension, nothing is left for the Pension Office to do but to ascertain the character of his disabilities that he may receive a rating in conformity with the law. feel sure that is precisely the condition in which this claimant will be left if this bill be made law. I have no objection to the bill. I shall support it, supposing that this man ought to be pensioned according to his disabilities. Mr. PETERS.

Mr. PETERS. I wish to inquire of the gentleman whether that language in this bill which makes it extraordinary in its character is

Mr. BROWNE, of Indiana. I so esteem it. In this bill Congres I understand, does nothing more than to say that this man is entitled to a pension on the evidence. This language "on the evidence" is of to a pension on the evidence. This language on the evidence is of the evidence, for Congress, without making any reference whatever to the evidence, may declare him entitled to a pension. The bill does not say the Pension Office shall grant a pension if, upon the evidence, the Commissioner believes him entitled to a pension. By the general law, as it now is, Congress gives the Pension Bureau that direction. It is the duty of that bureau under existing law to grant the claimant a pension on the evidence, if the evidence justifies such action on the part of the office. All that this bill does is to declare this man entitled to a pension on the evidence; and it refers the character of the disability to the Pension Office to be ascertained in order that it may be able to make a correct rating under the law. I have no doubt it is right that the bill should be in that form.

Mr. BUCHANAN. Mr. Chairman, this bill, if it has no greater effect than what the gentleman from Indiana, as I understand, would claim for it, can not be enforced in the Pension Office. This man has made his application there and filed his evidence; and the officials authorized to pass upon that evidence have declared that under the limitations of the pension laws he is not entitled to a pension. Now, if this bill is merely equivalent to the ordinary provision directing that a person be placed on the rolls subject to the limitations of the pension laws, if the bill does that and nothing more, this applicant can not get a

pension under the bill.

Mr. BROWNE, of Indiana. Will the gentleman allow me to interrupt him?

Mr. BUCHANAN. With pleasure.
Mr. BROWNE, of Indiana. It is the standing rule of the Pension
Committee and of Congress that no pension will be awarded by a pension act where it might be given under the general law until the evidence has been first examined in the Pension Bureau and the pension denied. So in nine hundred and ninety cases out of each thousand we pass here, we pass them over the head of the Pension Bureau in cases in which the Pension Bureau on the evidence has denied the pension altogether. That will be the effect exactly of this law.

Mr. BROWN, of Pennsylvania. That is to say, the act of Congress

supplies the place of evidence.

Mr. BUCHANAN. Certainly. If the man is entitled to a pension under the limitations of the pension laws, then he ought to obtain it at the Pension Bureau. There is the place. And here is an appeal in this case from the decision of those officers. It is true that Congress may try that appeal and grant a pension either with or without cause. But I take it that every bill that is presented to Congress shows some reason why a gratuity should be conferred upon the claimant.

Mr. JOSEPH D. TAYLOR. Is it not your opinion that every man who was in the first place a good soldier, who was honorably discharged and had a good record, having existing disability, the origin of which we can not trace perhaps, and is without any present means of sup-port—where these three things appear, as they do here, is it not your judgment in all such cases the soldier ought to be pensioned without

making further inquiry.

Mr. BUCHANAN. It is not worth while for me to give my judgment what ought or ought not to be done. I stand by what is the law

of the land, and that ought to be enforced.

Mr. BROWNE, of Indiana. Will the gentleman allow me to answer the gentleman from Ohio?

Mr. BUCHANAN. Certainly.

Mr. BROWNE, of Indiana. While I agree in the case put by him a pension should go, I wish to say quite distinctly it ought not to go in special cases; that a general law in such cases should pass so there may be a perfect equality of all occupying a common level.

I desire to say the meaning of "the provisions and limitations of the pension laws" as employed in pension bills is just this and no more, that the rating of the pension is to be subject to the provisions and limitations of existing law. That is, you ascertain the extent of the disa-

itations of existing law. That is, you ascertain the extent of the disability and grant the pension accordingly. If subsequently Congress should increase that rating then the pension goes up, but if it diminishes the rating the pension goes down. Therefore the pension granted by special act is all the time subject to the provisions and limitations of the pension laws, and when that language is employed it means that and nothing more, unless a specific rate is fixed in the act itself, and

and nothing more, times a specific rate is fixed in the act itself, and then, of course, it does not apply.

Mr. BUCHANAN. On the other point taken by the gentleman from Alabama, this bill, in my judgment, is incapable of the construction this is to be on the evidence. The evidence shows, for one thing, this man is blind, and for another he has pain in his side; consequently this bill should be amended and the evidence filed in the Pension Office, designated whether he should be rated for blindness or for minor injury. I do not say how this bill can be construed in rating the pension received by this individual by the evidence filed in the Pension Bureau, which I presume is the same which appears in the report of

the committee.

Now, how is this man to be rated—how are they to rate him? Is it for the minor or the greater injury? All the facts are now before the bureau, and on these facts the bureau determined he was not entitled to any pension at all. Congress now says he is entitled to the pension on that evidence. That evidence indicates two injuries, one blindness and the other of a minor character—some affection of the side. There is not a judge who can construe whether he is to be rated for blindness

or for the minor injury.

Mr. BROWN; of Pennsylvania. But the act of Congress, in my estimation, eliminates the matter of rating altogether. The pension and what the amount of that pension is to be depend on his physical disability, without reference to blindness or anything else.

If he is blind and the blindness dates back to his service in the Army

or is traceable to that cause, he is entitled to the pension fixed for that character of disability—\$70 per month. If he is not blind, then he would receive a pension according to his present condition. It all depends upon the physical disability which now exists.

Mr. VAN ALSTYNE. I would like to have the gentleman recite

the language of the statute to which he refers, in view of the fact that

we are called upon to vote upon this bill.

Mr. BROWN, of Pennsylvania. The gentleman can do that for him-

self if he wants to.

Mr. VAN ALSTYNE. I would like very much to see the statute.

Mr. BUCHANAN. What is the disability as shown by the evidence on file in the Pension Bureau?

Mr. BROWN, of Pennsylvania. It makes no difference whatever.
That would determine nothing.
Mr. BUCHANAN. I think the gentleman is mistaken in that re-

Mr. MATSON. Mr. Chairman, I have attempted to say before during the discussion of these bills that as I understand the practice at the Pension Office when a special act is passed the officer there reviews the case with reference to the allegations contained in the claimant's application, if he has made one, in the Pension Office, and particularly with reference to the disability considered by Congress as shown by the reports. It will not do to say that when a man is placed on the pension-roll by act of Congress prescribing that he shall be there placed subject to the provisions and limitations of the pension laws he is to be pensioned for every disability which may afflict him. That is not the effect of the law at all.

On the contrary, the effect is to place him there for the disability which he claimed in the Pension Office, but which he could not quite prove originated in the service, or perhaps could not comply with the law in other respects, as far as the testimony is concerned, and he would be pensioned for that disability, and that only. He may have a dozen other disabilities and not be pensioned for any other than that for which the application is made and the proof filed. There may have been disabilities incurred before he enlisted at all,

or disabilities incurred afterward, but when he is placed upon the pen-

sion-roll by act of Congress he is placed there under the practice of the office; and within the last two days an officer of that department has come to me from the office to get the reports with a view to fixing the rating of a man for whose benefit a special act was passed, so that they could instruct the examining surgeons of the particular disease or injury

alleged.

Mr. BROWNE, of Indiana. Suppose a case where the report of the committee does not indicate any disability at all, but simply directs that the office shall place the applicant on the pension-roll. How would the office determine the pension in such a case as that, under the indicate the contleman now makes?

illustration the gentleman now makes?

Mr. MATSON. Such a case could not arise, for the fact is the report

Mr. MATSON. Such a case could not arise, for the fact is the report itself always states the ground of the application, and states what it is for which the man is to be pensioned. They never fail to do so.

Now, in this particular case, the man alleges an internal rupture of some kind by reason of slipping or stepping down into a depression during his term of service, and for that injury when the bill is passed he will be pensioned, and not for blindness, for he has never alleged blindness in the application to the office for a pension. blindness in the application to the office for a pension.

The report does set forth the fact that the man is blind, but it does not state that he alleges that he incurred the blindness while in the service, or that it is a ground for granting him a pension at all.

The allegation of the claimant is that he was internally ruptured in

some manner and for which injury he asks to be pensioned. As to the language of the bill, which provides that he shall be pensioned upon the evidence on file in the Pension Office, I take that as rather qualifying the terms of the bill than otherwise. I take it as being language which points out to the office in this particular case that it must be in reference to the particular disability for which the pension is asked; although as a matter of fact that would be of no consequence, for the same effect would follow if the language was omitted. And so I regard the expression "to be pensioned on the evidence upon file in the Pension Office" as mere surplusage which leaves the bill in effect just the same as if the language had not been inserted.

Mr. BUCHANAN. Do I understand that there is no evidence on file in the Pension Office as the bilindness.

in the Pension Office as to the blindness?

Mr. MATSON. I presume not. At least there is no allegation that blindness was incurred in the service or that it is set up as a ground for pension. I did not report the bill and can not say that I am familiar with the facts, but I am sure there is not, because the pension is not applied for on that ground at all.

Mr. BUCHANAN. If there is no evidence in the office of blindness

as a claim for the pension, that of course would make a different case

Mr. VAN ALSTYNE. Mr. Chairman, there have been no satisfactory reasons assigned why this bill should be made an exception to the thousand other bills of like character which have passed this Congress. I take it that it is not the intention of the House to make it an exception; and therefore it should not carry language that may be construed for the benefit of this applicant in preference to any other. I therefore

offer an amendment, and I do it in earnest, not proposing to argue it either, but I think it should prevail.

It is to strike out all after the words "pension-roll" in the bill down to the words "subject to," so that it will read in harmony with every other bill, without exception, so far as I know, which has been passed

by the present Congress.

Mr. PERKINS. May I ask the gentleman a question?

Mr. VAN ALSTYNE. Certainly.

Mr. PERKINS. Let me ask if the language in the bill to which you take exception has any effect at all as to imposing any limit upon the power of the Commissioner of Pensions? Does it really confer any power to rate the pension upon the evidence rather than the certificate given by the examining board of surgeons?

Mr. HEWITT, of Alabama. That is just the trouble. I would

rather take the certificate of the surgeon.

The CHAIRMAN. The Clerk will report the proposed amendment.

The Clerk read as follows:

Strike out the words "upon evidence on file in the office of the Commissioner of Pensions," $\,$

The CHAIRMAN. Without objection the amendment will be considered as agreed to.

Mr. HOUK. I rise to a question of order. I addressed the Chair

long before the question was put.

The CHAIRMAN. For what purpose does the gentleman from Ten-

I want to discuss that amendment.

The CHAIRMAN. The gentleman from Tennessee says he rose and addressed the Chair before the question was put on the amendment.

The gentleman is recognized.

Mr. HOUK. I wish to say to the committee it will be a misfortune to adopt that amendment. In the first place, the language proposed to be stricken out has not one particle of effect in determining the measure of disability or anything in regard to the rights of the pensioner under the bill. In the next place if you amend the bill by striking that out and send it back to the Senate, in all human probability the bill will not be passed and you do absolute injustice to this applicant.

I have listened to the discussion here, and I must submit if there is any point or any force in the argument in regard to this language pro-posed to be stricken out I am wholly incapable of comprehending it. This simply places the applicant on the pension-roll to be rated by an examining board. The first duty of the Pension Office will be to enroll him as a pensioner. The next will be to refer him to the proper board to be examined; and it will be the duty of the Pension Office to place him at whatever rate he may be rated at by the examining board. And I think it would be wrong to endanger the bill now by making this award want. this amendment.

Mr. HEWITT, of Alabama. Will the gentleman from Tennessee

Mr. HOUK. The gentleman from Alabama has spoken all night, and I should like him to take his seat and let me alone. If there is any one man that talks more than another the choice lies between my friend from Alabama and my friend from Kentucky, who is not here this evening.

A MEMBER. He was here a short time ago.

Mr. HOUK. I hope my friend from Alabama will let me alone. protest against encumbering this bill with this amendment, because in all probability it will prevent this applicant getting a pension

There is not a lawyer who does not understand that the bill has no more legal effect or force about it than the bills in the usual language which we pass here night after night. All this discussion it seems to me is surplusage and unnecessary; and I appeal to gentlemen to vote down this amendment.

Mr. HEWITT, of Alabama. I did not propose to talk again on this question; but I want to call the attention of the gentleman from Tennessee to one point. I do not profess to know much law, but the gentleman from Tennessee is a lawyer, and I desire to call his attention to this fact. If you pass a law putting a man on the pension-roll subject to the provisions and limitations of the pension-laws, and if that man has a disability he must be put on the pension-roll under those laws and rated according to the disability; but if as the years go by he becomes a sound man and his disability is removed—

Mr. HOUK. Then the Pension Office would have the right to have him re-examined.

Mr. HEWITT, of Alabama. Then according to the limitations of the pension laws usually applicable his pension ceases because he has mr. HeWitt, of Alabama. But, now, here you see the pensioner

must be put on the pension-roll subject to the provisions and limita-tions of the pension laws, with one exception, that is, "upon the evi-dence now on file in the Pension Office;" they can look to nothing else; they can not inquire hereafter as to whether he has a disability or not if he has got a disability now. If the evidence shows that you must put him on the pension-roll and keep him there, although hereafter he may become a sound man. There is a distinction between the two cases,

and it is a distinction which I think any lawyer can see.

Mr. HOUK. Do not the provisions and limitations of the pension law offer every remedy that is necessary to provide the means of ascertaining when the disability ceases?

Mr. HEWITT, of Alabama. Not when you say he is put there on the evidence new on file.

Mr. HEWITT, of Alabama. Not when you say he is put there on the evidence now on file.

Mr. HOUK. He is put there on that evidence. But after he is put there he is subject to the provisions and limitations of the pension law as it exists in the general law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

A division was demanded.

The question was taken; and there were—ayes 4, noes 28.

Mr. VAN ALSTYNE. No quorum.

Mr. KEAN. I hope the gentleman will not insist on the point as to

a quorum.

The CHAIRMAN. The point being made that a quorum has not voted the Chair will appoint tellers.

Mr. MATSON. I ask unanimous consent that this bill be laid aside

informally.
Mr. VAN ALSTYNE. I object.

Mr. HOUK. I have not changed my opinion as to this matter, but I doubt the propriety of jeopardizing the case of this pensioner.

Mr. LONG. The Senate will concur.

Mr. HOUK. I am assured by Governor Long that the Senate will

concur in the amendment. I presume that gentleman knows what he talks about. I will therefore stop my opposition and let the amendment go.

Mr. MORRILL. I ask that by unanimous consent the amendment

may be adopted

The CHAIRMAN. Unanimous consent is asked to vacate the vote by which the amendment was disagreed to. Is there objection?

There was no objection.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with

the recommendation that it do pass

JAMES BOND.

The next business on the Private Calendar was the bill (S. 1633) granting a pension to James Bond.

The bill was read, as follows:

Be it enacted, de., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll the name of James Bond, who was a private in Company B. Fifty-second Regiment Ohio Infantry in the late war of the rebellion, the pension under this act to date from and after the passage of the act.

The report (by Mr. Cullen) is as follows:

in the late war of the rebellion, the pension under this act to date from and after the passage of the act.

The report (by Mr. Cullen) is as follows:

Your committee have had under consideration Senate bill No. 1633, granting a pension to the above-named claimant, and they recommend the adoption of the majority report of the Senate Committee on Pensions as the favorable report of this committee, and further recommend the passage of the accompanying bill. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1633) granting a pension to James Bond, have examined the same, and report as follows:

"It appears that this case was forwarded to the House Committee on Invalid Pensions last session by the Commissioner of Pensions, who made the following statement of the case in his letter of transmittal.

Pensions, House of Representatives, to the accompanying claim to pension under the general pension laws of James Bond, late of Company B, Fifty-second Obio Volunteers, No. 5480, rejected by this bureau, under date of August 23, 1881, on the ground that the disability upon which the claim was based was not contracted in the line of duty, and most respectfully ask your attention to the same funder a resolution of Congress passed May 29, 1880), and suggest the passage of a special act granting him a pension from the date of his discharge, September 2, 1894, the amount of which to be governed by the laws now on the statutes.

""By a reference to the papers it will be seen that the claim was blood as a captain, and assisted in the amputation of his arm, that the regiment was encamped near the battleground of Chickamauga; that while going over the field one of Bond's comrades handed him a small bombshell, which exploded in his hands; that as a result of his injuries his left arm was amputated at the shoulder, his left eye so badly injured as to lose his sight, and his right eye injured the case said in a note on this point:

"It is shown that the calamant was visiting laws, because the

when the ease this series with a said:

"'The record shows the explosion was accidental, and contains nothing to show that claimant was out of the line of his duty. It appears to have been incidental to the service.'

"The case was finally passed upon by the Commissioner, who says in his opin-

"The case was finally passed upon by the Commissioner, who says in his opinion:

"In my opinion the action then taken (referring to the rejection of the claim) was correct, because every soldier is held to the exercise of common sense and common prudence. An unexploded shell upon a deserted battlefield is not a thing to be carclessly handled, or handled at all, and if an old soldier of two years' service, well knowing the danger he incurred, picked up an unexploded shell, he did it at his own peril and own personal risk. The only safe thing to handle under such circumstances would be an exploded shell, or rather the fragments of one.

"Under some circumstances a soldier picking up an unexploded shell might be pensionable if followed by the results as detailed in this case, i. e., were the shell to fall in the midst of his comrades, and in an effort to save life he should be given a pension by me. But when, as in this case, away from camp and far off from comrades, out of idle curiosity and in the face of what he knew to be the risk he ran, he takes it up and either by percussion or other act ignites the fuse, he certainly is not in line of duty. * * In my opinion the first action of the office was correct, and should be adhered to.'"

There being no objection, the bill was laid aside to be reported to the

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT J. BALLORT.

The next business on the Private Calendar was the bill (S. 2268) for the relief of Robert J. Ballort.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert J. Ballort, a private in Company F, Eighth Regiment Michigan Cavalry.

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The report (by Mr. WINANS, of Michigan) is as follows:

The report (by Mr. WINANS, of Michigan) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, having examined the same, make the following report. Having adopted the Senate report, recommend that the same do pass, a copy of the same being hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, have examined the same, and report, recommending its passage.

"This is a case where if the applicant must make out a case before the Pension Office beyond a reasonable or possible doubt he may fail; if he is to be treated as well as the party in an ordinary civil case in the courts he should have prevailed there and have had the benefits of the law long since. Nothing is more required in the administration of the pension laws than uniform rules of evidence as liberal as those of the common law. The Congress might find in this direction the opportunity of rendering claimants and the administrators of the law an important service.

"Uppartment of the Interior, Pension Office:

"Department of the Interior, Pension Office,"

""DEPARTMENT OF THE INTERIOR, PENSION OFFICE, "Detroit, Mich., October 11, 1883.

"'SIR: I have the honor to return herewith the papers in original in whild claim No. 321037 of Robert J. Ballort, late private Company H, Eighth Michigan Cavalry, for adjudication on report of Special Examiner George C. Kober. "After a careful review of this claim in connection with No. 324597 of John T. Ballort (also transmitted to-day), I am led to differ from the conclusions of the special examiner in this case, and I recommend its admission for chronic diarrhea.

" 'Very respectfully,

"'WM. T. SULLIVAN, "Supervising Examiner.

"'Hon. WM. W. DUDLEY,
"'Commissioner of Pensions, Washington, D. C.'"

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY HOWARD FARQUHAR.

The next business on the Private Calendar was the bill (S. 1960) for the relief of Mary Howard Farquhar; reported adversely from the Committee on Invalid Pensions.

The report (by Mr. Patton) is as follows:

Your committee have had under consideration Senate bill No. 1960, granting a pension to the above-named claimant, which passed the Senate granting her a pension at the rate of \$30 per month in lieu of the pension she is now receiving, namely, \$25 per month, as the widow of Maj. Francis V. Farquhar, Corps of Engineers, and brevet lieutenant-colonel United States Army. The amount she is now receiving is the highest rate of pensions allowed by law to widows of officers of this grade, and therefore your committee are of the opinion the bill should be reported adversely.

The bill was laid on the table.

The CHAIRMAN. The Chair will state to the gentleman from Indiana [Mr. MATSON] that this completes the list of Senate bills included in his resolution.

Mr. MATSON. Mr. Chairman, there are two or three House bills

that I ask to have taken up.

Mr. CULLEN. Mr. Chairman, before passing to these House bills I desire to call attention to the fact that House bill No. 2514, granting a pension to David T. Hoover, is upon the Calendar. The RECORD shows that that bill passed on Friday evening last, and if the Journal corroborates the RECORD the bill is evidently on the Calendar by mistake. The CHAIRMAN. The Chair will inform the gentleman [Mr. CULLEN] that the Clerk of the House discovered the mistake, and has stricken the bill from the Calendar.

MATILDA CODY.

The next business on the Private Calendar was the bill (H. R. 7907) granting a pension to Matilda Cody.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Matilda Cody, widow of John Cody, as shown by No. 181661 on file in the Pension Office.

The report (by Mr. LE FEVRE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7907) granting a pension to Matilda Cody, respectfully report as follows:

The proof shows that John Cody, the husband of Matilda Cody, served in Company L, Fourteenth Regiment Kentucky Cavalry, from December 10, 1862, until March 24, 1864, when he was mustered out by expiration of service. That said John Cody then enlisted in the Three Forks Kentucky Battalion, but had not been mustered for want of an opportunity, there being no muster officer; when, acting under orders of Capt. Shadrock Combs, the said John Cody, in company with other soldiers, went on a scout and was killed in the line of duty about October 7, 1864. The proof shows that the soldier's widow, Matilda Cody, never remarried.

In yiew of all the facts the committee recommend the passage of the bill.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows:

Strike out the words "as shown by number one hundred and eighty-one thou-sand six hundred and sixty-one, on file in the Pension Office," and insert "late of Company L, Fourteenth Kentucky Cavalry."

The amendment was agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

RACHEL NICKEL.

The next business on the Private Calendar was the bill (H. R. 603) granting a pension to Rachel Nickel.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, autorized and directed to place on the pension-roll, subject to the provisions and

limitations of the pension laws, the name Rachel Nickel, widow of Asbury Nickel, as shown by No. 233883 on file in Pension Office.

The report (by Mr. LE FEVRE) was read, as follows:

The report (by Mr. LE FEVRE) was read, as 10:1008:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 603) granting a pension to Rachel Nickell, beg leave to report as follows:

That the proof shows conclusively that Rachel Nickell is the dependent mother of Asbury S. Nickell, who enlisted as a private in Company I, Forty-seventh Kentucky Mounted Infantry, although the soldier's name does not appear on the muster-rolls.

The proof shows that he, in company with other soldiers, was detailed and sent on a scout, and that while in the performance of duty, Asbury S. Nickell was captured and killed by rebels or guerrillas on or about the 28th day of September, 1863. That Rachel Nickell never remarried, and is very old and in indigent circumstances. gent circumstances.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows

Strike out the words "as shown by number two hundred and thirtythree thousand eight hundred and eighty-three, on file in the Pension Office" and insert "late Company I, Seventh Regiment Kentucky Mounted Infantry." Mounted Infantry.

Mr. WHITE, of Kentucky. Mr. Coname occurs it be spelled "Nickell."
The amendment was agreed to. Mr. Chairman, I move that where the

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY J. DICKSON.

The next business upon the Private Calendar was the bill (H. R. 8237) granting a pension to Mary J. Dickson.

The bill was read:

The report (by Mr. HOLMES) was read, as follows:

The report (by Mr. Holmes) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8237) granting a pension to Mary J. Dickson, having had the same under consideration, report as follows:

"The claimant, Mary J. Dickson, asks a pension from Congress by special act, as dependent sister of Sylvester R. Dickson, who enlisted in Company A, Eighty-third Illinois Volunteer Infantry, in August, 1862, and was killed in a sktrmish with the enemy while in line of duty on the 2d day of January, 1863, near Fort Donaldson, Tennessee. The claimant under the rules of the Pension Office can not obtain a pension, and has made no application in that direction. From the proofs on file it appears that the deceased soldier was never married, that at the time he enlisted as stated claimant was an invalid, and dependent upon him for support. That when he enlisted he willed claimant all his property, which amounted to about \$1,000; and that after he went to the Army he sent her money for her support.

support. That when he enlisted he willed claimant all his property, which amounted to about \$1,000; and that after he went to the Army he sent her money for her support.

Claimant has never married, and during all the years since the soldier's enlistment has remained an invalid. She has long since exhausted the property her brother left her, and is without means and is unable to support herself. Her mother died in 1850, her father in 1870, the latter remaining a widower after the death of his wife before referred to. Claimant states that she has three other brothers living, but two of them have no property save a few household goods, and neither of them own a homestead, and have no other property; that one of the brothers is 57 years of age, and the other is 66 years of age, both being in poor health.

The third brother has eighty acres of land, upon which he lives with his family, consisting of a wife and four children. That said farm is worth not to exceed \$2.400, on which there is a mortgage of \$300, besides numerous other debts. That he has but little personal property, and that only sufficient to work his farm. That he is in poor health and is not able to do any work, and is now 61 years old. She has no sister living. The statements of claimant are supported by those of many reputable citizens who have known claimant and her family for many years. There is, besides, a petition, signed by many of the leading men of the State, carnestly recommending her case to Congress for favorable action.

There being no objection, the bill was laid aside to be reported to the

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ADDIE L. MOORE.

The next business on the Private Calendar was the bill (H. R. 8155) granting a pension to Addie L. Moore.

The bill was read, as follows:

Be it enacted. &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Addie L. Moore, widow of Camillas A. Moore, late a private in Company E, Seventy-fourth Regiment Illinois Volunteers, subject to the limitations and provisions of the pension laws, to take effect from and after the passage of this

The report (by Mr. HOLMES) was read, as follows:

The report (by Mr. Holmes) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8155) granting a pension to Adeline L. Moore, having considered the same, report as follows:

The claimant is the widow of Camillus A. Moore, late a private in Company E, Seventy-lourth Regiment Illinois Volunteer Infantry. He enlisted on August 14, 1862, and was discharged February 3, 1863. He died October 7, 1875. The soldier never filed an application, which was finally rejected by the Pension Office on the 20th of February, 1883, on the ground that the disease of which the soldier died was not the result of his military service. It is shown by the proof on file at the Pension Office that the husband of claimant was discharged on surgeon's certificate of disability.

The certificate of disability and discharge both state that he is discharged "by reason of greatly impaired health, resulting from measles, followed by erysipelas, chronic diarrace and cough, that is very unpromising." The record of the Adjutant-General's Office shows that he was sick in hospital at Nashville, Tenn., since December 20, 1862, and was discharged on surgeon's certificate of disability at Nashville, Tenn., on the 3d day of February, 1863.

The evidence is uncontradicted that prior to his enlistment he was an able-bodied man, sound and healthy in every respect. The evidence of numerous witnesses shows that he was entirely broken in health at the time of his discharge, and was unable to do manual labor to any appreciable extent up to the time of his death.

The evidence of the physicians is somewhat conflicting as to the duration of his last sickness; some of them place it at three or four days, and one doctor as high as seventy-five days. The Pension Office decided the cause of his death to have been "cerebral hemorrhage." The evidence in his case would indicate that

his death was the result or sequel of the same disabilities with which he was afflicted when he was discharged from the service. The fact shown that he was continuously ill, and that he had a pain in his head for years, together with the further symptoms narrated by the physicians and witnesses, further showing his continuous illness from the time of discharge to the time of his death, will combine, we think, to make a clear case for relief under the bill before your

combine, we think, to make a clear case for relief under the bill before your committee.

The soldier had formerly been married, but his first wife died and there were no children surviving as the result of their marriage. By the second wife (the claimant herein) there was born one child, namely, Howard Cornelius Moore, on the 14th of March, 1875.

The soldier seems to have performed his duty well until he was stricken down with the measles, and your committee think it but just that his widow and little child should receive a pension for the services in which he sacrificed his life. Your committee therefore report the bill back with the recommendation that it do pass.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS R. WARI

Mr. HEWITT, of Alabama, called up a bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia. The bill was read.

There being no objection, the bill was laid aside to be reported to the

House with the recommendation that it do pass.

Mr. MORRILL. In order that several Senate bills may be reported in the House from the Committee on Invalid Pensions I move that the committee rise, the purpose being that we shall again go into Committee of the Whole immediately.

Mr. STOCKSLAGER. Before that is done, I would like to call up

several bills, two of them for the gentleman from Nebraska [Mr. LAIRD], who is confined to his room by sickness.

Mr. MORRILL. Very well; I will withdraw the motion for a few

moments.

WILLIAM H. HOUGHTON.

Mr. STOCKSLAGER. I call up the bill (H. R. 4026) for the relief of William H. Houghton.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate of \$100 per month, the name of William H. Houghton, late a sergeant of Captain Sherman's company of lowa Militia Volunteers, under the command of General Dodge, in the Black Hawk war, subject to the conditions and limitations of the pension laws

The report (by Mr. STOCKSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4026) for the relief of William H. Houghton, respectfully report:

Mr. Houghton was sergeant in Captain Sherman's company of Iowa Volunteers in the Black Hawk war. Having lost his discharge, he was unable to share in the appropriation made by Congress for the payment of the soldiers of that war, and so far has been unable to get a pension for the disability which he incurred in the line of duty. And in justice to the worthy old veteran the committee recommend the passage of the bill, with an amendment striking out the words "at the rate of \$100 per month."

The amendment reported by the Committee on Invalid Pensions, to strike out the words "at the rate of \$100 per month," was read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DELIA G. WEBBER.

Mr. STOCKSLAGER. I call up the bill (H. R. 7504) granting a pension to Delia G. Webber.

The bill was read, as follows:

Be it enacted, de., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Delia G. Webber, widow of Louis Webber; and that the said Delia G. Webber and her children of a pensionable age receive the same pension which they would be entitled to if said Louis Webber had been a private soldier killed in the line of his duty, per month.

SEC 2. That paragraph 3 of section 4693 of the Revised Statutes shall not operate to prevent the granting of the above pension.

The report (by Mr. LAIRD) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7504) for the relief of Delia G. Webber and others, having had the same under consideration,

relief of Delia G. Webber and others, having had the same under consideration, respectfully report:

This bill seeks to extend the time within which Delia G. Webber, L. H. Naron, Mary Anne Mesdail, they or their legal representatives, may file their applications for pensions under paragraph 3 of section 4633 of the Revised Statutes. The paragraph referred to is as follows:

"Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiansan, or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874."

Your committee recommend that the bill do pass.

As to the above-named Delia G. Webber, your committee, finding the facts in her case on file, have reported a bill granting her a pension.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

VALINCIA S. HUTCHINSON.

Mr. STOCKSLAGER. I also call up the bill (H. R. 3581) for the relief of Valina S. Hutchins.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Valina S. Hutchins, widow of Curtis C. Hutchins, formerly a member of Col. J. S. Calhoun's battalion of Georgia Mounted Volunteers, service of Mexican war, whose name through error was not carried on the roll, athough enlisted in the service of the United States, and who died while in said service, the pension of said widow to date from application subject to the rules and limitations of the pension laws.

The report (by Mr. LAIRD) was as follows:

The report (by Mr. LAIRD) was as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3581) for the relief of Valina S. Hutchins, respectfully report:

It appears from the evidence that Curtis C. Hutchinson volunteered at Auraria, Lumpkin County, Georgia, on or about the 15th day of June, 1847, for five years or the war in a company formed at that place, and which was afterward known as Company F, commanded by Capt. Charles H. Neison, in the Georgia Battalion of Mounted Volunteers, commanded by Colonel Calhoun, in the late war with Mexico. They marched to Cassville, Ga., where they were organized, and from thence marched to Columbus, Ga., where they were organized, and from thence marched to Columbus, Ga., where they joined the battalion, were mustered into service, and marched to Mexico and joined the United States Army and served to the close of the war.

While on the march from Cassville to Columbus, Ga., Hutchinson was taken sick from exposure on the road, and in four days died. He had always been a strong, healthy man. Your committee believe that he was in the line of duty when taken sick, and that his widow is entitled to a pension, and recommend that the bill (H. R. 3581) do pass with the following amendments:

In line 5 strike out the words "Valina S. Hutchins, widow of Curtis C. Hutchins," and insert "Valincia S. Hutchinson, widow of Curtis C. Hutchinson," and in line 7, all after the word "war," and lines 8, 9, and 10. Also amend the title of the bill by making it read "Valincia S. Hutchinson," instead of "Valina S. Hutchins." Also amend the bill to the same effect wherever said name decurs; also by changing the name of "Curtis C. Hutchinson," where it occurs in line 5 of the bill, so that it shall read "Curtis C. Hutchinson."

The amendments stated in the concluding paragraph of the report were read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. GEORGE. I desire to call up the bill-

Mr. MATSON. I move that the committee rise.

Mr. GEORGE. I hope the gentleman will withhold that motion for a moment.

Mr. MATSON. I would do so, but I think the gentleman's bill will

provoke discussion.

The motion of Mr. MATSON that the committee rise was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker protempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole House on the Private Calendar had, according to order, had under consideration sundry bills on the Private Calendar reported by the Committee on Pensions and the Committee on Invalid Pensions, and also bills for the removal of political disabilities, and had directed him to report the same back to the House with various recommendations.

LEAVE OF ABSENCE.

Mr. RICE, by unanimous consent, obtained indefinite leave of absence from the 20th instant, on account of sickness

MARY B. HOLMES.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2607) granting a pension to Mary B. Holmes; which was referred to the Committee of the Whole House on the Pri-"ate Calendar, and the accompanying report ordered to be printed.

ANNE T. DICKS.

Mr. MORRILL, from the Committee on Invalid Pensions, also reported back favorably the bill (S. 1811) granting a pension to Anne T. Dicks; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARIA G. DUNBAR.

Mr. MORRILL also reported back adversely, from the Committee on Invalid Pensions, the bill (S. 993) for the relief of Maria G. Dunbar; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. MORRILL. I now move that the House again resolve itself into Committee of the Whole on the Private Calendar for the consideration of the business under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

MARY B. HOLMES.

The first business on the Private Calendar was the bill (S. 2607) granting a pension to Mary B. Holmes.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary B. Holmes, widow of Henry W. Holmes, late a lieutenant of Company F, Seventy-second Regiment New York Volunteers, and allow her the same pension drawn by her husband during his life.

The report (by Mr. MORRILL) is as follows:

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill \$.2607, granting a pension to Mary B. Holmes, submit the following report:

Your committee adopt the report of the Senate committee, which is herewith submitted. Cases similar to this have been repeatedly passed where it is shown as it is herein, that the disability incurred in the service contributed to his death. Your committee report the bill back with the recommendation that it pass:

"Petitioner is the widow of John W. Holmes, late a lieutenant, Company F, Seventy-second Regiment, New York Volunteers, who was pensioned at the rate of \$15 per month on account of disability incurred in the service and resulting from disease of the eyes and chronic diarrhea. Her husband was killed by a freight train in New York city in 1881, and his widow is now destitute. She asks a pension on the ground that the accident which caused his death was the result of his defective vision and not of his own carelessness or neglect.

"The soldier's death under these circumstances did not, of course, result directly from his military service, but does seem to have been due to the disability incurred in the service, and to that extent was a result thereof. Taking this view of the case your committee are disposed to regard the claim as a meritorious one, and therefore recommend the passage of the bill."

Mr. HEWITT of Alabama. I would like to set what is the differ-

Mr. HEWITT, of Alabama. I would like to ask what is the difference between the pension which this lady's husband drew and the pension which she would receive without any special provision of this

Mr. MORRILL. There is no difference at all; but as the bill is drawn in this particular form we have not thought it worth while to change it.

There being no objection, the bill was laid aside to be reported to the

House with the recommendation that it do pass.

ANNE T. DICKS.

The next business on the Private Calendar was the bill (S. 1811) granting a pension to Anne T. Dicks. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Anne T. Dicks, widow of John W. Dicks, late an acting master in the United States Navy.

The report (by Mr. MORRILL) was as follows:

Your committee, to whom was referred the bill (S. 1811) granting a pension to Anne T. Dicks, submit the following report:
Your committee adopt the report of the Committee on Pensions of the Senate, which is herewith submitted, with the recommendation that the bill pass:
"The claimant is the widow of John W. Dicks, acting master United States Navy. The officer died of cancer superinduced by wounds and injuries received in the service.
"The evidence is clear to the committee that the constitution of this man was broken down and the entire digestive system prostrated and deprived of normal action by these causes, and that the fatal cancerous affection was a part of the results of the service."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARIA G. DUNBAR.

The next business on the Private Calendar was the bill (S. 993) for the relief of Maria G. Dunbar, reported adversely from the Committee on Invalid Pensions.

The bill was read, as follows:

Be it enacted, &c., That the Commissioner of Pensions is hereby authorized and directed to allow the claim of Maria G. Dunbar, widow of Moses C. Dunbar, late of the Twenty-seventh Regiment Massachusetts State Volunteers, for arrears of pensions: Provided, That she shall establish to the satisfaction of the Commissioner that an application for said arrears was filed by said Moses C. Dunbar within the time fixed by law, and failed of being forwarded to the Pension Office through no fauit of said Dunbar.

The report (by Mr. MORRILL) is as follows:

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 993) for the relief of Maria G. Dunbar, submit the following report:
Your committee find that this bill proposes "to pay to Maria G. Dunbar arrears of pensions provided she shall establish to the satisfaction of the Commissioner that an application for said arrears was properly executed by Moses G. Dunbar within the time fixed by law and failed of being forwarded to the Pension Office through no fault of said Dunbar."

The facts, as she claims them, are that her husband made an application for pension several months prior to July, 1890: that through the carelessness of her attorney the papers were not filed until after the expiration of the limitation. This committee have again and again rejected cases of a similar character. The case of Nancy B. Leach, reported to the House a few days ago, is almost precisely like this, and your committee would refer to that report for their views in similar cases. Your committee report adversely, but ask that it be placed on the Calendar.

The CHAIRMAN. The report in this case being adverse, the question is, Shall the bill be laid aside to be reported to the House with a recommendation that it lie on the table?

Mr. LONG. Before the question is put, I wish to say that this is a

Mr. LONG. Before the question is put, I wish to say that this is a very deserving case. If, however, the principle upon which it has been reported adversely is to be considered as settled, I do not propose to waste time by arguing the question.

It is a case in which the applicant was not at all responsible for delay in filing the application; but as appears very fully and clearly by the sworn evidence, the delay occurred in the first place in consequence of the fault of the attorney charged with the preparation of the papers; and then owing to his death there was still further delay. For this reason the papers were not filed in time to enable the applicant to receive the benefit of the arrears of pension. If this question has been settled in the Leach case, which was argued a week ago—

Mr. RAY, of New Hampshire. That case is still pending before the Committee of the Whole; it has not been acted on finally. There was

an adverse report in that case.

Mr. LONG. If that case has not been acted on, then I should like

this to take the same course and be laid aside informally.

Mr. RAY, of New Hampshire. I have not thought it proper to pres the Leach case so long as there were favorable reports on Senate bills to be acted on, as I did not wish to take up the time of the Committee of the Whole in discussion.

Mr. LONG. I ask that this bill be laid aside informally to await

the determination of the question in the other case.

The CHAIRMAN. If there be no objection this bill will be laid aside informally. The Chair hears no objection, and it is so ordered.

Mr. MATSON. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker pro tempore, Mr. HATCH, of Missouri, reported that the Committee of the Whole House had had under consideration, pursuant to order, sundry bills on the Private Calendar, and had directed him to report the same back to the House with various recommenda-

DAVID M. NAGLE.

On motion of Mr. JAMES, by unanimous consent, the amendments of the Senate to the bill (H. R. 5543) granting a pension to David M. Nagle were taken from the Speaker's table and concurred in.

Bills of the following titles were ordered to be engrossed and read a

third time; and being engrossed, they were accordingly read the third time, and passed (two-thirds voting in favor thereof):

A bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia; and

A bill (H. R. 8277) to remove the political disabilities of J. Taylor

Wood, of Louisiana.

BILLS PASSED.

The following bills reported from the Committee of the Whole House without amendment were severally ordered to a third reading; and they were accordingly read the third time, and passed:

A bill (S. 1877) granting increase of pension to John Hall;

A bill (S. 2245) granting a pension to John Lowe;

A bill (S. 2302) granting a pension to John Lowe;

A bill (S. 2279) granting a pension to Eliza L. Canady; A bill (S. 544) granting increase of pension to Elijah W. Penny; A bill (S. 2367) granting a pension to Sarah A. White; A bill (S. 1739) granting a pension to the widow and children of the A bill (S. 2437) granting a pension to the widow and children late Byram Pitney;
A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
A bill (S. 2125) granting a pension to Sarah Jane Prince;
A bill (S. 2620) granting a pension to James H. Boaz;
A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;

A bill (8. 2443) granting an increase of pension to Polly Young;
A bill (8. 1113) granting a pension to Anne E. Manchester;
A bill (8. 2153) granting a pension to Benjamin F. Brockett;
A bill (8. 1836) granting an increase of pension to Sarah Hague;
A bill (8. 1612) granting a pension to Bryson R. McCartney;
A bill (8. 1633) granting a pension to Lames Bond:

A bill (S. 1633) granting a pension to James Bond; A bill (S. 2268) for the relief of Robert J. Ballort;

A bill (S. 2607) granting a pension to Mary B. Holmes; and
A bill (S. 1811) granting a pension to Anne T. Dicks.
Amendments to bills of the following titles were agreed to, and the
bills as amended were severally ordered to a third reading; and were

A bill (S. 2316) granting a pension to Sedate P. Martin; and
A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.
A bill (S. 1960) for the relief of Mary Howard Farquhar, reported

adversely, was laid on the table.

Mr. VAN ALSTYNE moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.
Bills of the following titles were severally ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third

read a time; and being engrossed, were accordingly read the third time, and passed:

A bill (H. R. 8237) granting a pension to Mary J. Dickson;

A bill (H. R. 8155) granting a pension to Addie L. Moore; and

A bill (H. R. 7504) granting a pension to Delia G. Webber.

Amendments to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time,

A bill (H. R. 7907) granting a pension to Matilda Cody;
A bill (H. R. 4026) for the relief of William H. Houghton;
A bill (H. R. 603) granting a pension to Rachel Nickell; and
A bill (H. R. 3581 for the relief of Valincia S, Hutchinson.

In the two latter cases the titles also were amended. By unanimous consent, the following House bills with Senate amendments were taken from the Speaker's table and the Senate amendments severally concurred in, namely:

the control of the retired in the re

House pension bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON. Mr. Speaker, I ask the indulgence of the House for a few moments. On last Friday evening I stated that the business of the pension committees of the House was concluded for this Congress. At that time I neglected to say what ought to have been said and what I now wish to say, that the Committee on Invalid Pensions, the Committee on Pensions, and I think the House itself, as well as the soldiers throughout this country, are much indebted to the gentleman from Missouri [Mr. HATCH], who has presided at these evening sessions every single Friday evening with the exception of one night, when he was necessarily and unavoidably absent, during the entire Congress, and has given the most faithful and untiring service to the House and to the interests of the soldiers in passing these pension bills. I feel, therefore, as if this mark of recognition ought to be given to him.

I now move, Mr. Speaker, that the House adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 20 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BINGHAM: Resolutions of the Legislature of Pennsylvania,

asking for the passage of the bill placing General U. S. Grant upon the retired-list—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, asking Senators and Representatives to oppose the abolition of the National Board of Health—to the Select Committee on the Public Health.

By Mr. BRAINERD: Petitions of citizens of Erie County, Pennsylvania, relative to the Mormon question—to the Committee on the Judiciar

By Mr. CALDWELL: Petition of M. H. Clark & Bro., and others, citizens of Clarksville, Tenn., for publication of tobacco monograph of the census in full—to the Select Committee to ascertain the results of the Tenth Census

By Mr. S. S. COX: Petition of Gideon J. Tucker, a citizen of New York, in relation to certain false statements of historical occurrences in a book published by the Congress of the United States-to the Com-

mittee on Public Lands.

By Mr. G. R. DAVIS: Petitions of twelve departments of Grand Army of the Republic, representing 993 posts and a membership of 51,000 ex-soldiers, that Lieutenant-General Sheridan and Major-General Hancock be promoted respectively to the positions of General and Lieutenant-General of the Army—to the Committee on Military Affairs.

By Mr. FINDLAY: Memorial of prisoners of war in the late war, for

pensions—to the Committee on Invalid Pensions.

By Mr. GEDDES: Petition of F. R. Ross and 60 others, citizens of Huron County, Ohio, for the passage of laws relating to Mormonism—to the Committee on the Judiciary.

By Mr. JAMES: Petitions of Rev. L. R. Foote and 56 others, citizens

of Brooklyn, N. Y., and of Rev. Arch. McCullogh, D. D., and 59 others, women, members of Ross Street Presbyterian church, of Brooklyn, N. Y., asking for legislation upon the Mormon question-to the Committee on the Judiciary.

By Mr. LANHAM: Petition of Benjamin Martin, for relief—to the

Committee on War Claims.

By Mr. LAWRENCE: Resolutions of the Legislature of Pennsylva-nia, asking that the bill retiring General Grant on full pay may be passed—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, requesting the representatives of the State in Congress to vote against abolishing the National Board of Health—to the Select Committee on the Public Health.

By Mr. MATSON: Petitions of Henry H. Mathias and 33 other Union soldiers, and of F. Conklin and 37 others, ex-soldiers, of Green-castle, Ind., for the repeal of all limitations upon arrears of pensions—

by Mr. MILLER: Petitions of citizens of Meadville and of Cambridge, Pa., in favor of legislation to restrict Mormonism—to the Committee on the Judiciary.

By Mr. PARKER: Petition of the New York Produce Exchange, in

favor of the purchase of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. SENEY: Petition of W. H. Gibson and others, for legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. C. R. SKINNER: Resolution of the board of managers of the New York Produce Exchange, recommending the purchase by the United States of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. A. HERR SMITH: Concurrent resolution of the Legislature of Pennsylvania, in favor of placing General Grant on the retired-list—

By Mr. STEELE: Two petitions of ex-soldiers, asking the passage of an act granting a land-warrant for one hundred and sixty acres of land without condition of settlement to every honorably discharged soldier or sailor—to the Select Committee on Payment of Pensions, Bounty,

or salor—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. STORM: Joint resolution of the Legislature of the State of Pennsylvania, requesting her Senators and Members in Congress to vote for the passage of a bill placing General Grant on the retired-list—to the Committee on Military Affairs.

Also, joint resolution of the Legislature of Pennsylvania, requesting her Senators and Representatives in Congress to oppose the attempt to

abolish the National Board of Health-to the Committee on Public Health.

By Mr. STRAIT: Joint resolution of the Legislature of the State of Minnesota, praying for liberal and immediate appropriations for the enlargement of the Sault Saint Mary's Canal—to the Committee on Rivers and Harbors.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. LACEY: Of A. C. Clark and 24 others, of Clarendon, and of C. H. Quantrell and 17 others, of Charlotte, Mich.

SENATE.

SATURDAY, February 28, 1885.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev.

The Journal of yesterday's proceedings was read and approved.

Mr. HALE. I rise to present a privileged report—the conference report upon the agricultural appropriation bill.

The PRESIDENT pro tempore. The Chair is under the impression that the higher privilege is the laying before the Senate bills from the House of Representatives and other formal matters on the table.

Mr. HALE. I wish to get the conference report out of the way as soon as possible, because I am engaged in the Committee on Appropria-

tions.

The PRESIDENT pro tempore. If the Senator asks unanimous consent the Chair will put the question, but the Chair thinks under the rules it is the duty of the Chair to lay before the Senate two or three House bills that are on the table.

Mr. HALE. It is not of importance enough for me to insist. I do

not make any request at present.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 20th instant, sundry papers relating to the claim of William Ward for professional services in suits against the United States revenue-steamer William H. Seward. If there be no objection the letter will be printed, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. MITCHELL. I move that the communication be referred to the Committee on Appropriations. An amendment relating to the matter

Committee on Appropriations. An amendment relating to the matter is pending before that committee. It is desired to insert a provision in

the sundry civil appropriation bill.

The PRESIDENT pro tempore. If there be no objection, the papers will be referred to the Committee on Appropriations without printing.

The Chair hears no objection.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, urging that the estimates heretofore made for fees of jurors, witnesses, marshals, and district attorneys, for the year 1885, may be provided for in the deficiency appropriation bill, and inclosing a letter from the First Comptroller of the Treasury on the subject; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary

of the Treasury, transmitting a report of the allowance by the accounting officers of the Treasury of the twenty-third installment of the war claims of the State of Ohio, now awaiting an appropriation for its pay-ment; which, with the accompanying papers, was referred to the Com-

mittee on Appropriations.

He also laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, with accompanying report of Col. C. E. Blunt, Corps of Engineers, relative to the improvement of the Cocheco River at Dover, N. H.; which, with the accompanying papers, was referred to the Committee on Commerce.

RETURN OF BILLS.

The PRESIDENT pro tempore. The Chair lays before the Senate three joint resolutions which passed the Senate day before yesterday, concerning the printing of certain documents, which were returned to

the Senate at its request from the House of Representatives. The titles of the joint resolutions will be read.

The Chief Clerk read as follows:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;
Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and
Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The PRESIDENT pro tempore. If there be no objection the votes of the Senate passing these joint resolutions will be reconsidered, and they will be referred to the Committee on Printing. The Chair understands that precisely identical resolutions have already passed both Houses.

PUBLIC-LAND DECISIONS.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives of the United States (the Senate concurring), That there be printed 3,500 copies of the first and second volumes of Decisions Relating to the Public Lands, prepared under the direction of the Department of the Interior, of which 1,000 shall be for the use of members of the Senate, 2,000 for the use of the members of the House of Representatives, and 500 for the use of the Department of the Interior.

AGRICULTURAL APPROPRIATION BILL.

sent the report of the conference committee on the agricultural appropriation bill.

The PRESIDENT pro tempore. The Chair has found no objection at all to the presentation of the report.

Mr. HALE. I did not insist on the report being received after the In INABE. I the hot his state the region of the Journal, but the reason why I presented it at that time I.thought I found in Rule XXVII, which I ask may be read.

The PRESIDENT pro tempore. Rule XXVII will be read.

The Chief Clerk read as follows:

REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The PRESIDENT pro tempore. The Chair had reference, if the Senator from Maine will pardon him, to the seventh rule, which is positively affirmative, requiring the Chair to lay before the Senate before the call for petitions, immediately after the reading of the Journal, bills and resolutions from the House of Representatives, messages from the President, &c. The Chair was under the impression that this privileged business on the table would precede the report of a committee of conference. Perhaps the Chair is wrong, but the Chair thought so.

Mr. HALE. I have sent up the papers. I ask that the report be

The Chief Clerk read the report, as follows:

The Chief Cierk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8030) "making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 18, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 20, 21, 22, and 23, and agree to the

ate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 20, 21, 22, and 23, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

EUGENE HALE,
P. B. PLUMB,
WILKINSON CALL,
Managers on the part of the Senate.

G. G. DIBRELL,
LEWIS BEACH,
WM. CULLEN,
Managers on the part of the House.

The report was concurred in.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of

Clerk, announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. 5364) granting a pension to William H. Whitcomb;

A bill (H. R. 5543) granting a pension to David M. Naglé;

A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley;

A bill (H. R. 5798) granting a pension to John E. Denham;

A bill (H. R. 6029) for the relief of Jeremiah McCarty; and

A bill (H. R. 6011) granting an increase of pension to Robert Carey.

The message also announced that the House had passed the following bills:

A bill (S. 544) granting increase of pension to Elijah W. Penny; A bill (S. 1113) granting a pension to Anne E. Manchester; A bill (S. 1612) granting a pension to Bryson R. McCartney;

- A bill (S. 1633) granting a pension to James Bond;
- A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney
 - A bill (S. 1811) granting a pension to Anne T. Dicks; A bill (S. 1836) granting a pension to Sarah Hague; A bill (S. 1877) granting an increase of pension to John Hall;
- A bill (S. 1911) for the relief of Duncan L. Clinch, of the State of
- A bill (S. 2125) granting a pension to Sarah Jane Prince.
- A bill (8, 2153) granting a pension to Benjamin F. Brockett; A bill (8, 2245) granting a pension to William N. Morris; A bill (8, 2268) for the relief of Robert J. Ballort;

- A bill (S. 2279) granting a pension to Lewis L. Canady;
- A bill (S. 2302) granting a pension to John Lowe;
- A bill (S. 2367) granting a pension to Sarah A: White; A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
- A bill (S. 2443) granting an increase of pension to Polly Young;

- A bill (S. 2527) granting at necesse of pension to Pony Toding,
 A bill (S. 2527) granting a pension to Robert Sheridan;
 A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;
 A bill (S. 2607) granting a pension to Mary B. Holmes;
 A bill (S. 2619) granting an increase of pension to Martha Hughes;
- and
 - A bill (S. 2620) granting a pension to Thomas H. Boaz.

The message further announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

- A bill (S. 2262) granting a pension to Sedate P. Martin; and
- A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.

 The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:
- A bill (H. R. 8277) to remove the political disabilities of J. Taylor
- Wood, of Louisiana; and
- A bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Legislature of Dakota Territory, urging the passage of an act reducing the price of all public lands now held at \$2.50 per acre to the standard rate of \$1.25 per acre; which was referred to the Committee on Public Lands.

He also presented a telegraphic memorial of the Grand Army of the Republic, Department of New Mexico, urging the passage of the bill placing U. S. Grant upon the retired-list of the Army; which was ordered to lie on the table.

Mr. BAYARD. I present the petition of Gideon J. Tucker, a citizen of New York, in which he calls attention to certain inaccurate statements of a historical character in a book which has been published by the United States; and because I know of no committee which may be considered properly charged with this subject, I will ask that the petition be read. It is entirely respectful in form, and perhaps the object of the petitioner will be better reached by this publicity.

The PRESIDENT pro tempore. The Chair hears no objection, and

the petition will be read.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

To the Senate and House of Representatives of the United States of America:

The petition of Gideon J. Tucker, a citizen of the State of New York, respectfully shows as follows:

I ask the attention of the Congress of the United States to a book purporting to have been prepared and published under its authority, the title of which is: The Public Domain: its history, with statistics. Public Land Commission; Committee on Codification. Prepared by Thomas Donaldson, of the commission and committee.

* Prepared by Thomas Donaldson, of the commission and committee.

* Prepared in pursuance of a joint resolution of Congress approved August 7, 1882. Washington: Government Printing Office, 1884.

At page 30 of this book, under the heading of "Chapter 2: English Colonization in America," are the following statements:

"1609. Discovery and exploration of the Hudson River, as far as latitude 30 degrees north, by Hendrick Hudson, holding a commission from the King of England, but in the service of the States-General of Holland.

"1620. The Dutch applied for and obtained permission from James I to 'build some cottages' on Manhattan Island, at the mouth of 'Hudson's River,' and under this license they settled a colony, which they called 'New Amsterdam,' now New York."

And, at page 55, the compiler of this book refers to (among others) Bancroft's History of the United States as an "authority" for the statements contained in "Chapter 2."

History of the United States as an "authority" for the statements contained in "Chapter 2."

I respectfully submit to the Congress of the United States that the above-quoted statements are notoriously incorrect, unhistorical, and untrue in fact; that the discovery of the Hudson River and the settlement of the colony of New Netherlands were not in any sense an English colonization; that Hendrick Hudson held no commission from the King of England, nor was such discovery made by him while in the service of the States-General of Holland, but while in the employ and at the cost of members of the Dutch East India Company; that King James I of England was not applied to by the Dutch for permission to "build some cottages" on Manhattan Island, and never gave such permission, but, on the contrary, Dutch forts and dwellings were on the island before 1614; and that the settlement of New Amsterdam was not made "under license" from the King of England, or by permission of any but the native Indian sachems, from whom the land was purchased.

And I further respectfully submit that no warrant or authority for any of these false statements can be found in Bancroft's History of the United States, or in any other authentic history of the discovery and first settlement at the "mouth of Hudson's River."

I respectfully suggest that it touches the dignity of your honorable bodies that these false statements of historical occurrences should have been put forth to the world in a book covered with the sanction of the Congress of the United States. It touches your dignity that history should be falsified and burlesqued in your name. At least 2,000,000 of the American citizens of to-day are descended from

the immigrants who came from Holland and its neighboring States between the years 1613 and 1664, which immigrants are represented by this book, bearing the official stamp of the Congress, to have been either interlopers and intruders upon English ground, or else to have settled under the license and permission of their enemy, the King of England.

I respectfully ask that some official action be taken by the Congress in correction and disavowal of these false statements, and in vindication of the truth

GIDEON J. TUCKER, Nassau street, New York city. No. 120 N

Mr. BAYARD. Perhaps the petition had better be referred to the Committee on the Library.

The PRESIDENT pro tempore. It will be referred to the Committee

on the Librar

Mr. SHERMAN. I present the petition of a large number of citizens of Ohio, praying for the passage of the bill commonly known as the Mexican war pension bill. As that bill is now pending in the House of Representatives, I move that the petition lie on the table.

The motion was agreed to.

Mr. VAN WYCK presented a petition of the Nebraska Woman Suffrage Association, praying Congress to submit to the people of the several States, through their Legislatures, an amendment to the National Constitution prohibiting the United States, or any State, from disfranchising citizens on account of sex; which was referred to the Committee on Woman Suffrage.

Mr. MITCHELL. I present a resolution of the Legislature of Pennsylvania, favoring the passage of the Mexican war pension bill. As the bill is still pending in the House of Representatives, I move that the resolution lie on the table.

The motion was agreed to:

Mr. MITCHELL presented a petition of Thomas C. Hand, president of the Delaware Marine Fire Insurance Company, William A. Platt, vice-president of the Insurance Company of North America, and other inland marine underwriters of Philadelphia, Pa., praying that the United States Government acquire the ownership of the two canals crossing Point Keweenaw, Lake Superior, Michigan; which was referred to the Committee on Commerce.

Mr. CALL. I present the petition of Hiram J. Simonton, a citizen of the State of Florida, and a resident of San Antonio, in the county of Hernando. The petition is as follows:

Hernando. The petition is as follows:

Your petitioner, Hiram J. Simonton, of San Antonio, county of Hernando, State of Florida, respectfully represents that—
Whereas Congress, by an act approved May 17, 1856 (II Statutes, page 15), granted to the State of Florida, to aid in the construction of certain railroads in said State (by a company then known as the Florida Railroad Company), a tract of land, fully set forth and described in said act as extending from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South Florida, with an extension to Cedar Keys, in East Florida, with limitation to ten years from the date thereof, to complete said roads over the said tract; and
Whereas it is now nearly twenty-nine years since the passage of said act, the said company has not completed a road over that portion of the said tract described as extending from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South 1 lorida; and
Whereas, not withstanding your honorable bodies have, at your session last past, taken steps looking to the forfeiture of said grant, the said company has continued to operate the same, and in a manner detrimental to the interests of your petitioner and hundreds of other settlers thereon, to the interests of the State and of the United States, as follows:
That the company, on or about the 1st day of December last, in the person of one S. I. Walles, land commissioner for the same, proceeded to dispose of, at public sale, the lands occupied by your petitioner and all the settlers estiding in his vicinity:
That the company appraised the lands at their improved value, and the set-

one S. I. Walles, land commissioner for the same, proceeded to dispose of, at public sale, the lands occupied by your petitioner and all the settlers residing in his vicinity:

That the company appraised the lands at their improved value, and the settlers had either to pay for their own improvements, which they have established with great toil and pecuniary cost, or permit their little homes (perhaps their all on earth) to pass into the hands of a stranger—a mercenary speculator;

That many of the settlers were too poor to pay the exorbitant price set upon their lands, and many others refrained from purchasing, being so advised by Hon. If. M. Teller, Secretary of the Interior, in an open communication dated June 9, 1884;

That as a consequence of this condition of affairs, the company being predisposed to sell to the party or parties who would purchase in large quantities and pay cash, large tracts of land passed into the hands of parties who have no interest in the soil beyond mere speculation;

That these lands will be held at a price far beyond their present value, and, consequently, will not be purchased by actual settlers and cultivated for many years to come:

Now, therefore, in view of said grievances, your petitioner would respectfully but earnestly pray your honorable bodies to pass, at the earliest date possible, a resolution prohibiting such further operations on the part of said company, of the nature herein complained of, until such time as you shall have an opportunity to make known your further intention in the premises.

I ask that the petition be laid upon the table, and I give notice that

I ask that the petition be laid upon the table, and I give notice that at the close of the morning hour on Monday, if not sooner, I shall ask

of the Senate the privilege of making some remarks upon the subject.

The PRESIDENT pro tempore. The petition will lie on the table.

Mr. DAWES. I present a memorial submitted in behalf of the Stockbridge tribe of Indians, by J. C. Adams, of Stockbridge, in the State of Wisconsin, protesting against the passage of House bill 2889, and against a claim set up in their own behalf in Senate Miscellaneous and against a claim set up in their own behalf in Senate Miscellaneous Document 119 of this Congress. The memorialists ask that this memorial may be printed, as that document has been printed, and referred to the Committee on Indian Affairs. I do not know exactly how it may be put in the form of a document. It is very desirable that it should be printed. If it can be printed in the form of a miscellaneous document I will ask that it be so printed. It is in answer to a public document sent up in their own behalf, and they protest against the claim made upon the United States Government in their own behalf. I do not know exactly the merits of Miscellaneous Document 119. It

is a very long document, which has just come into my hands.

The PRESIDENT pro tempore. What disposition does the Senator from Massachusetts desire of the memorial?

Mr. DAWES. I ask that it may be printed in document form.

The PRESIDENT pro tempore. It will be printed in document form, under the ordinary order, if ordered to be printed at all. The Senator from Massachusetts moves that the memorial be printed and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. PLUMB presented a memorial of the Legislature of Kansas; which was referred to the Committee on Pensions, and ordered to be printed in the RECORD, as follows:

printed in the Record, as follows:

Whereas it is the first duty of government to honor and provide for the welfare and comfort of those who voluntarily offer their lives in defense of their country; and

Whereas only a fractional portion of the brave men who have faithfully served the United States in the Army and Navy prior to and during the late rebellion are now living: Therefore,

Beit resolved by the house of representatives (senate concurring therein), That our Senators in Congress be instructed, and our Representatives respectively requested, to introduce and aid in securing the passage of a law granting all unfensioned and honorably discharged soldiers and sailors of the United States, who did not give aid and comfort to the rebellion, and who are physically disabled for the active duties of life by reason of disease, accident, or any other good and sufficient cause, or who have arrived at the age of 50 years, a reasonable pension.

Resolved, That the secretary of state is hereby requested to forward to each of our Senators and Representatives in Congress a certified copy hereof.

I. E. B. Allen, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a true and correct copy of the original resolution now on file in my office.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal. Done at Topeka, Kans., this 24th day of February, A. D. 1885.

E. B. Allen, Secretary of State.

REPORTS OF COMMITTEES.

REPORTS OF COMMITTEES.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

submitted reports thereon:

A bill (H. R. 411) granting a pension to Elizabeth Connor;

A bill (H. R. 1142) granting a pension to Nelly Roberts;

A bill (H. R. 6173) for the relief of Rose Dougherty;

A bill (H. R. 5086) for the relief of Elizabeth W. Creighton;

A bill (H. R. 5086) for the relief of Elizabeth W. Creighton;

A bill (H. R. 5103) granting a pension to Edward Wilcox;

A bill (H. R. 4668) for the relief of Nathaniel Pond, jr.;

A bill (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall,

widow of Capt. Fernando Randall;

A bill (H. R. 2457) granting a pension to Richard Dillon; and

A bill (H. R. 2457) granting a pension to Richard Dillon; and
A bill (H. R. 3340) granting a pension to James M. Pike.
Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

ferred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7863) granting a pension to Thomas M. McChesney;
A bill (H. R. 6904) for the relief of John F. Chase;
A bill (H. R. 5146) granting a pension to Jesse C. Buck;
A bill (H. R. 8152) for the relief of William D. Farnsworth;
A bill (H. R. 7993) for the relief of William Stansberry;
A bill (H. R. 7992) for the relief of Christian Arndt; and
A bill (H. R. 6960) for the relief of Charles L. Alden.
Mr. MITCHELL. I am also instructed by the Committee on Pensions, to whom was referred the bill (H. R. 1982) granting a pension to Benjamin Jeffries, to report it adversely. In this case the pension has been granted at the Pension Office since the bill was introduced. I move the indefinite postponement of the bill.

The motion was agreed to.
Mr. WILSON, from the Committee on Pensions, to whom were re-

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

ferred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7447) granting a pension to Sebert Toney;
A bill (H. R. 8142) granting a pension to Mrs. Lucy Parr;
A bill (H. R. 5304) for the relief of Mary Royal;
A bill (H. R. 7170) for the relief of Frederick Hutton;
A bill (H. R. 7334) granting a pension to Judson Bostwick;
A bill (H. R. 7728) for the relief of Pardon H. Morey; and
A bill (H. R. 7047) granting a pension to Patrick Murphy.
Mr. WILSON, from the Committee on Pensions, to whom was referred the bill (H. R. 4556) granting a pension to Joseph Williams, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely. was postponed indefinitely.

Mr. CULLOM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

and submitted reports thereon:

A bill (H. R. 552) granting a pension to Lemuel J. Bennett;

A bill (H. R. 8132) to restore to the pension-roll the name of Rachel

A. Queen

A bill (H. R. 4021) granting a pension to Abraham Cover; and A bill (H. R. 5728) granting a pension to Anna Beck. Mr. CULLOM, from the Committee on Pensions, to whom was re-

ferred the bill (S. 2223) granting a pension to Lemuel J. Bennett, reported adversely thereon; and the bill was postponed indefinitely.

Mr. PLUMB, from the Committee on Public Lands, to whom was re-

ferred the bill (H. R. 449) to provide for the appraisement and sale of lots in the town of Peru, Dubuque County, Iowa, reported it without

amendment.

Mr. VAN WYCK, from the Committee on the Improvement of the Mississippi River, to whom was referred the bill (S. 2650) making an appropriation for the improvement of the Missouri River at or near

Eastport, opposite Nebraska City, reported it without amendment.

Mr. BAYARD, from the Committee on Private Land Claims, to whom was referred the bill (S. 1043) to quiet certain land titles in the State of Mississippi, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

SOCIETY OF THE RED CROSS.

Mr. LAPHAM. The Committee on Foreign Relations have instructed me to report back Executive Document 59, being a message from the President communicating to Congress the report of the delegates on behalf of the United States to the international convention of the Society of the Red Cross at Geneva in September last, with an accompanying resolution, and I ask for the present consideration of the resolution. I wish to state that I have inquired, and learn that the expense of the printing provided for by the resolution will be only about \$50. I ask that the resolution be now adopted, so that it may go to the other House for consideration there.

The PRESIDENT pro tempore. The Senator from New York reports from the Committee on Foreign Relations a message from the President of the United States hitherto referred to that committee, together with

a concurrent resolution. The resolution will be read.

The resolution was read, as follows: Resolved by the Senate of the United States (the House of Representatives concurring), That there be printed for the Department of State 5,000 copies of Executive Document No. 59, being the report of the delegates on behalf of the United States to the third international convention of the Society of the Red Cross at Geneva in September last, and the message of the President transmitting the same to Con-

The resolution was considered by unanimous consent, and agreed to.

WILLIAM G. FORD.

Mr. JACKSON. The Committee on Claims have instructed me to report back the bill (S. 2653) for the relief of S. S. Webb & Co., for the use of William G. Ford, with an amendment striking out the second section of the bill, and accompanying it with a resolution to refer the claim to the Court of Claims. I ask for the immediate consideration of the bill and resolution.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that the bill be now considered. Is there objection?

I reserve the right to object if there is discussion.

Mr. JACKSON. There is no question about it. Mr. BLAIR. All right.

Mr. BlAIR. All right.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It refers to the Court of Claims the claim of S. S. Webb & Co., for the use of William G. Ford, for the proceeds of fifty bales of cotton, containing 25,568 pounds, seized under the captured and abandoned property act, at Mobile, Ala., in May, 1865, by Acting Quartermaster Samuel Lappin, and shipped by him on the bark Ada Carter to the chief quartermaster at New York and sold, and

the proceeds paid into the Treasury.

The bill was reported from the Committee on Claims with an amend-

ment, to strike out section 2, in the following words:

SEC. 2. That the evidence heretofore taken in the case and filed in the Treasury Department, and the evidence and papers on file before Congress, shall be admitted and heard by the court the same as if taken over again under the rules and orders of the court; and either party may take additional testimony, and shall have the right of appeal as in other cases.

The amendment was agreed to.

The PRESIDENT pro tempore. The Chair will now lay before the Senate the resolution which is to dispose of the bill without its passage, as the Chair understands the committee to desire.

Mr. JACKSON. Yes, sir.
The PRESIDENT pro tempore. The resolution
The Chief Clerk read the resolution, as follows: The resolution will be read.

Resolved. That the claim of S. S. Webb & Co., for the use of William G. Ford, as embraced in Senate bill 2653 of the Forty-eighth Congress, be referred, in accordance with the provisions of section 1059 of the Revised Statutes of the United States, to the Court of Claims, together with the papers, vouchers, proofs, and documents appertaining thereto.

The PRESIDENT pro tempore. The question is on agreeing to the

The resolution was agreed to.

MOQUELAMOS GRANT IN CALIFORNIA.

Mr. MANDERSON. There was referred to the Committee on Printing a letter from the Secretary of the Interior, transmitting, in response to a Senate resolution, papers on file in his Department relating to the Moquelamos grant in California. The question presented to the committee was whether these accompanying papers should be printed. Upon investigation it is ascertained that the printing of the papers, which pertain to a private grant, would cost nearly \$1,400. The committee report adversely, and ask that the papers simply be kept on the

mittee report adversely, and ask that the papers simply be kept on the files of the Senate and not printed.

The PRESIDENT pro tempore. The Senator from Nebraska, from the Committee on Printing, reports adversely to printing the papers transmitted by the Secretary of the Interior in response to a Senate resolution of February 5, 1885, on file in his Department, relating to the Moquelamos grant in California. If there be no objection the report will be considered as agreed to and the papers placed on file.

SENATE MANUAL.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved, That there be printed and bound for the use of the Senate, under the direction of the Committee on Rules, 1,000 additional copies of the revised Senate Manual.

AGRICULTURAL REPORT FOR 1885.

Mr. MANDERSON. Yesterday, from the Committee on Printing, I reported favorably a joint resolution for printing the annual report of the Commissioner of Agriculture, which is a House resolution. I ask unanimous consent that it may now be considered. It is important that it should pass and become a law.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of

Agriculture for the year 1885.

The joint resolution was reported from the Committee on Printing with amendments.

The first amendment was, in line 3, before the word "thousand," to strike out "four hundred" and insert "three hundred and ten;" so

That there be printed 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

Mr. MORRILL. I ask the Senator from Nebraska whether he has not made a mistake as to the date of the report? Ought it not to be the report for 1884 instead of 1885?

Mr. MANDERSON. No; the printing of the report for 1884 was ordered at the last session of Congress. The reports are ordered a year ahead.

Mr. MORRILL. Very well, if the Senator is sure he is right.
Mr. COCKRELL. We can not hear a word on this side of the Cham-

Mr. MANDERSON. The date is correct. The Agricultural Report for 1884 was ordered to be printed at the last session of Congress. is the report for the present year, and provision is now made so that it

may be issued by the next session.

Mr. COCKRELL. I should like to ask the Senator from Nebraska how many copies were ordered to be printed last year of the Agricultural Report for 1884?

Mr. MANDERSON. Four hundred thousand copies, I am told by

the clerk of the Printing Committee.

Mr. COCKRELL. How were they distributed between the Senate and House

Mr. MANDERSON. In accordance with the requirements of the House resolution.
Mr. COCKRELL.

What was that?

Mr. MANDERSON. Three hundred thousand copies to the House of Representatives, 70,000 copies to the Senate, and 30,000 copies to the Department of Agriculture.

Mr. COCKRELL. I suppose the Senate committee then yielded all the rights of the Senate in the matter and let the House have its own

Mr. MANDERSON. If the Senator from Missouri will examine the present report of the Committee on Printing he will see that we recommend that the number to the House of Representatives be cut down 90,000 copies

Mr. COCKRELL. How do you propose to distribute these 310,000

opies?

Mr. MANDERSON. By the amendment 210,000 copies to the House, 70,000 copies to the Senate, and 30,000 copies to the Department of Agriculture, thus giving to the Senate about one-third of the number supplied to the House.

Mr. COCKRELL. Not quite a third.

Mr. COCKRELL. Not quite a third.
Mr. MANDERSON. Exactly a third—seventy to two hundred and

Mr. COCKRELL. There will be 280,000 printed for the Senate and House. One-third of that number would be over 90,000. I therefore . move to amend the joint resolution to make the number conform to what we require, and what I think the Senate has repeatedly decided that we required in other cases. I see no reason why such an enormous number more should be given to the House of this particular document. We have calls for it from the whole of our States, and I think we ought to have an increased number. The number is disproportioned. We are to have 70,000 and they 210,000. Ordinarily we have one-third of the whole number and they two-thirds. Apply that rule

and it would give us 93,000; but if the joint resolution proposes to give to the Senate the same number as was heretofore given in 1883 and 1884, and simply reduces the number to the House, and if other Senators are satisfied, I shall make no further objection. I wish to be sure, however, that we are to have the same number that we had last year.

Mr. MANDERSON. That is as the committee understands it. The

Senate has the same number and the House a reduced number by the amendments proposed by the Committee on Printing.

The PRESIDENT pro tempore. The amendment of the Committee

The PRESIDENT pro tempore. The amendment of the committee on Printing will be again read.

The CHIEF CLERK. In line 3, before the word "thousand," it is proposed to strike out "four hundred" and insert "three hundred and ten;" so as to read:

That there be printed 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment reported by the Committee on Printing will be read:

The CHIEF CLERK. In line 6, before the word "thousand," the committee report to strike out "three hundred" and insert "two hundred and ten:" so as to read:

Two hundred and ten thousand copies for the use of members of the House of Representatives.

The PRESIDENT pro tempore. Is the Senate ready for the question on agreeing to this amendment? If there be no objection—
Mr. MORRILL. I think the Senator from Missouri proposed an

amendment to that amendment.

Mr. COCKRELL. Let the joint resolution be read as proposed to

be amended by the Committee on Printing. Let it be read as amended.

The PRESIDENT pro tempore. The last amendment has not been acted upon. The Senator from Vermont addressed the Chair, and the Chair suspended putting the question. The question is on agreeing to the amendment.

Mr. MORRILL. I think the Senator from Missouri proposed an amendment to this amendment, giving the Senate a larger number and the House a less number than was proposed by the Committee on

Mr. COCKRELL. How many copies are provided for the Senate?
Mr. MANDERSON. Seventy thousand for the Senate.
Mr. COCKRELL. I move to amend by giving the Senate 80,000 copies and the House 200,000 copies.
The PRESIDENT pro tempore. The Senator from Missouri moves to amend the amendment. The amendment to the amendment will

be read.

The CHIEF CLERK. In line 6 of the proposed amendment strike out the words "and ten;" so as to read:

Two hundred thousand copies for the use of members of the House of Repre-

And in line 7 strike out "seventy" and insert "eighty;" so as to read:

Eighty thousand for the use of members of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the first amendment proposed by the Senator from Missouri to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment as amended.

The amendment as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The next amendment proposed by the Senator from Missouri will be again read.

The CHIEF CLERK. In line 7, before the word "thousand," strike out "seventy" and insert "eighty;" so as to read:

Eighty thousand for the use of members of the Senate.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The title was amended to read: "A joint resolution to authorize the printing of 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885."

BILLS RECOMMITTED.

Mr. GORMAN. For the purpose of having the bill recommitted to the Committee on Indian Affairs, I move to take up the bill (S. 1963) for the relief of J. G. Fell, Edward Harper, and George Burnham. There is an error in the bill as reported, and some members of the committee desire to further consider it.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent to take up the bill indicated by him. The Chair hears no objection, and it is before the Senate.

Mr. GORMAN. I move that the bill be recommitted to the Committee on Indian Affairs.

The motion was agreed to.

MOSES F. CARLETON.

Mr. CONGER. I move that the Senate proceed to the consideration of the bill (H. R. 6089) for the relief of Moses F. Carleton. It is for the benefit of a soldier.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Moses F. Carleton, late of Company I, Fourth Michigan Infantry Volunteers, the pay and allowances of a second lieutenant of infantry from October 24, 1865, until June 12, 1866, deducting therefrom the pay he received as sergeant of infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BACKBONE RAILROAD GRANT.

Mr. HILL. I call for the regular order, the regular morning busi-

The PRESIDENT pro tempore. The regular order is "reports of committees," although, the hour of 12 o'clock having passed, it is in order for any Senator to move to take up any bill.

Mr. HALL. I merely wish to offer a resolution for reference. I ask unanimous consent.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent to present a resolution at this time. If there be no objection it will be received and read.

The Chief Clerk read the resolution, as follows:

Resolved. That it is the opinion of the Senate that no patents should issue to the assignee of the New Orleans, Baton Rouge and Vicksburg Railroad Company to the lands granted to the said company until the Senate has acted upon the pending bill relating to that subject.

Mr. HILL. I believe there is urgent necessity that the resolution should be acted upon at once, and I trust the Committee on Public Lands will act upon it promptly. I therefore move its reference to that committee.

The motion was agreed to.

RIVER AND HARBOR BILL.

Mr. MITCHELL. I wish to offer a resolution at this time.

The PRESIDENT pro tempore. The order of resolutions is not yet reached. Are there further "reports of committees?" If there be none, that order is closed. The "introduction of bills" is in order. The Chair thinks it is his duty now to lay before the Senate for action

a bill of the House, which was read the first time yesterday and objection was made to its second reading. The Chair is not at all clear under the rules whether the bill now belongs on the Calendar or should be laid before the Senate at this time. In this state of doubt the Chair will lay the bill before the Senate for its action; and the question will be, unless it be objected to or a point of order raised, whether the bill shall be read the second time. The Chair hears no objection to that question being now put. The question is, Shall the bill be read the second time?

What is the name of the bill?

The PRESIDENT pro tempore. The river and harbor bill.

Mr. BLAIR. That will be simply for reference, I suppose.

The PRESIDENT pro tempore. The Chair supposes so. It can not be debated until after its second reading.

Mr. INGALLS. I should like to have it read the second time at

The PRESIDENT pro tempore. The bill will be read the second time at length if there be no objection.

Mr. BLAIR. I object.

The PRESIDENT pro tempore. Objection is made to the second reading. The question is, Shall the bill be read the second time? [Putting the question.]

Mr. BLAIR. If it is a short bill I withdraw the objection.

The PRESIDENT pro tempore. The Chair is putting the question.

The ayes have it, and the bill will be read the second time at length, as the Senator from Kansas desires.

The bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes, was read the second time at length, as follows:

other purposes, was read the second time at length, as follows:

Be it enacted, &c., That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction and with the approval of the Secretary of War, for the preservation and continuation of such of the uncompleted public works mentioned and designated for improvement in an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 5, 1884, the sum of \$5,000,000, which sum of \$5,000,000 shall be applied by the Secretary of War to each of said public works, respectively, in proportion to the sums appropriated for such works in and by the said act: Provided, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimates: Provided, That the work at the harbor of Galveston, Tex., shall be treated as if the sum of \$250,000 had been appropriated for said harbor of Galveston by said act: And provided further, That any money which shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as it shall be necessary to expend in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river now in progress of improvement, as established by the commission, to the end that the proposed improvement of the navigation of the river on which works are in progress of improvement of the navigation of the river on which works are in progress of improvement of the navigation of the river on the improvement of the improvement of the river on which works are in progress of improvement, as established by the commission, to the end that the proposed improvement of the navigation of the river on which works are in progress of improvement of the

fully tested; and the money thus allotted by this act for the improvement of the Mississippi River shall be expended by the Secretary of War and in accord-ance with plans approved by him.

Mr. McMILLAN. I move that the bill be referred to the Committee on Commerce.

The motion was agreed to.

Mr. McMILLAN. I ask unanimous consent that the Committee on Commerce have leave to sit during the sessions of the Senate.

The PRESIDING OFFICER (Mr. INGALLS in the chair). That order will be entered if there be no objection.

BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 2667) making appropriation for the improvement of the Missouri River at or near Omaha, Nebr., and Council Bluffs, Iowa; which was read twice by its title, and referred to the Committee on the Improvement of the Mississippi River.

Mr. BLAIR introduced a bill (S. 2668) granting a pension to John M. Milton; which was read twice by its title, and referred to the Com-

mittee on Pensions

Mr. SHERMAN introduced a bill (S. 2669) to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind.; which was read twice by its title, and referred to the Committee on Finance.

Mr. COLQUITT introduced a bill (S. 2670) to remove the political disabilities of John W. Nixon, of Georgia; which was read twice by its title, and, with the accompanying petition, referred to the Committee on the Judiciary.

SARAH M. BISSELL.

Mr. BLAIR. I ask unanimous consent of the Senate to take up Calendar No. 1300, being the bill (H. R. 6940) granting a pension to Sarah

Mr. HARRIS. I call for the regular order.
The PRESIDING OFFICER. The Chair understands that it is in order under the rule at this hour for the Senator from New Hampshire to either ask unanimous consent or to move to proceed to the consideration of any bill on the Calendar.

Mr. HARRIS. There is no question about the right of the Senator to make such a motion; but I call for the regular order, which is an

objection to unanimous consent.

Mr. BLAIR. I move to take up the bill referred to.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate now proceed to the consideration of the bill (H. R. 6940) granting a pension to Sarah M. Bissell.

Mr. MITCHELL. I desire to offer a resolution. I can not do so, as I understand it, if that bill is taken up now.

The PRESIDING OFFICER. It may be offered by unanimous con-

Mr. BLAIR. If the motion is in order, I have no objection to a resolution being offered for reference, but I wish to make progress with this and a few other cases of the kind, and I think the Senator ought

not to obstruct them.

Mr. MITCHELL. I do not desire to obstruct any motion to take up a pension bill, but I want to present a resolution which I understand to be in order now, and I must object to anything else being interposed.

Mr. BLAIR. Is the resolution proposed for action?

Mr. MITCHELL. It is a resolution that calls for action unless ob-

jection be made.

Mr. BLAIR. I ask for action on my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire [Mr. BLAIR].

Senator from New Hampshire [Mr. Blair].

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6940) granting a pension to Sarah M. Bissell. It proposes to place on the pension-roll the name of Sarah M. Bissell, widow of Commodore Simon B. Bissell, late of the United States Navy, at \$50 per month.

Mr. HARRIS. Is that bill reported favorably or unfavorably?

The PRESIDING OFFICER. It is reported unfavorably.

Mr. BLAIR. Let the report be read. The bill is for the widow of a rear-admiral. It is like half a dozen other cases passed yesterday giving pensions of \$50 a month. There are three or four others, and I desire that they may be disposed of and off my mind.

Mr. COCKRELL. I ask for the reading of the adverse report.

The PRESIDING OFFICER. The report will be read.

Mr. BLAIR. I hope the Senate will listen to the report.

The Secretary read the following report, submitted by Mr. BLAIR February 20, 1885:

February 20, 1885:

The Committee on Pensions, to whom was referred the bill (H. R. 6940) granting a pension to Sarah M. Bissell, have examined the same, and report recommending the indefinite postponement of the bill.

The record and other facts are printed below. The commodore was in the service from 1826 until 1883.

[House report No. 2096, Forty-eighth Congress, first session.]

The committee have given Mrs. Bissell's case thoughtful consideration, and are convinced that no more deserving claim has come before Congress. Mrs. Bissell is the widow of the late Commodore Simon B. Bissell, who gallantly and faithfully served his country through a long and honorable career in the Navy; and now in utter helplessness she appeals for a pension barely sufficient to keep

her from actual want. And in this connection the committee call attention to the following letter from that gallant patriot Admiral David D. Porter; it tells its own eloquent story. The committee make the said letter a part of this re-

OFFICE OF THE ADMIRAL, Washington, D. C., June 19, 1884.

My DEAR SIR: Please accept my warmest thanks for your kind and encouraging letter regarding the pension of Mrs. Bissell.

I regret very much to hear that there is not a prospect of getting a bill through for the relief of Mrs. Bissell during the present session. The distress of this interesting family is the most dreadful that has come to my knowledge for many

for the relief of Mrs. Bissell during the present session. The distress of this interesting family is the most dreadful that has come to my knowledge for many years.

It can scarcely be conceived that a person once holding Mrs. Bissell's position as the wife of a commodore in the Navy could be reduced to such poverty. Mrs. Bissell and her daughter have not a cent in the world. They have been obliged to sell every little article of value to purchase food. Fortunately they have a small house of their own in which they can hide their grief and their poverty. I never knew until day before yesterday their actual destitute condition, and I yesterday sent them the first square meal they have had for two weeks.

Commodore Bissell, when he was retired, took his family abroad to a cheap place, where he was enabled to lay up a little from year to year. He put the money in the hands of a relative of his wife's to invest for her. After the commodore's death his family returned to America to find that all their savings which they had sent home had been made way with, and that absolute poverty stared them in the face. Their own relatives are unwilling to help them by a loan of even a dollar.

How they will get along God only knows, unless they can get this pension. It is not right that the family of an officer who so faithfully performed his duty, as did Commodore Bissell, should be suffering such extreme poverty from no fault of their own.

I hope you will excuse me for troubling you with this long story; but as you have interested yourself in the matter, and it comes under your cognizance, I hought it my duty to state to you the exact condition of this family. If anything could be done for them this session, it would be an act of mercy.

I am sure you have sympathy enough for this case to excuse my intrusion on your time, and I am giad to know that you consider the claim of Mrs. Bissell a just one.

I am about the only one who interests himself in the cases of the wives of old officers left by the death of their husbands in

Hon. G. W. HEWITT, M. C., Chairman Committee on Pensions, United States House of Representatives.

The committee earnestly recommend the passage of the bill.

To the honorable the Senate of the United States:

To the honorable the Senate of the United States:

I, the undersigned, widow of the late Commodore Simon B. Bissell, United States Navy, who died at Paris, France, February 18, 1883, respectfully appeal to your honorable body for the aid that has been granted to the widows of officers of the rank of my late husband, and pray the passage of the accompanying bill, granting me a pension of \$50 per month. My necessities are such as to compel me to make this appeal in as urgent a form as possible. My age is 73, and the records of the Department will show the honorable career of my late husband, whose services covered a period of over fifty years, he having entered the Navy in 1823, having passed successively through all the grades to that of commodore on the active-list, in which latter grade he was honorably retired on attaining the age of 62. During his forty-seven years of active service he filled with credit all the positions to which a naval officer is ever assigned. In the grades through which he passed, and in whatever position he was placed, he left an unblemished record.

I append hereto the record of my late husband as transmitted to me from the Bureau of Navigation and Office of Detail, Navy Department. The petitioner begs that her prayer may be granted.

SARAH M. BISSELL.

SARAH M. BISSELL

The petitioner begs to add that Congress has on many occasions made precedents. Not to go further back than 1876, the following instances are cited in which this has been done: In 1876 to the widow of Commodore Elliott; in 1877 to the widows of Admirals Bell and Winslow; in 1875 to the widow of Admiral Wilkes; in 1879, of Commodores Frailey, Gallagher, and McKeever, and of Admiral Stringham; in 1880, of Admiral Davis; in 1881, of Admiral Paulding, and Commodores McCauley and Guest; and, finally, last winter and summer, to the widows of Admirals Goldsborough, Hoff, Reynolds, Lardner, Spotts, and Rodgers, and Commodore Wood.

SARAH M. BISSELL

Sworn to and subscribed before me this 8th day of April, 1884. EUGENE ROSIS, [SEAL.] Notary Public, District of Columbia.

ABSTRACT OF SERVICES OF SIMON B. BISSELL, LATE COMMODORE UNITED STATES NAVY.

ABSTRACT OF SERVICES OF SIMON B. BISSELL, LATE COMMODORE UNITED STATES NAVY.

1825, March 1. Appointed midshipman.
1826, July 22. Ordered to the Vincennes, Pacific squadron.
1830, June 20. Detached and granted leave.
1830, August 19. Ordered to the naval school at New York.
1830, December 16. Granted leave.
1831, July 12. Ordered to the navy-yard at Portsmouth, N. H.
1831, July 23. Warranted as passed midshipman, to take rank from the 4th June, 1831.
1832, April 6. Ordered to the United States Mediterranean squadron; was transferred to the Delaware, same squadron.
1836, February 22. Detached from the Delaware,
1837, March 6. Commissioned as lieutenant, to take rank from February 9, 1837.
1837, November 7. Ordered to the steamer Fulton.
1838, October 18. Detached and granted leave.
1839, December 8. Ordered to the Macedonian, West India squadron.
1840, May 13. Granted leave.
1841, December 29. Ordered to the steamer Missouri.
1843, October 19. Detached and placed on waiting orders.
1845, April 14. Detached and placed on waiting orders.
1845, April 14. Detached and placed on waiting orders.
1846, October 14. Ordered to the Albany, home squadron; attached to the naval battery during the siege of Vera Cruz (war with Mexico).
1848, May 11. Detached from home squadron.
1855, September 13. Transferred to reserve-list.

1859, January 6. Commissioned as commander on the active-list, to take rank from the 14th of September, 1855, and next after Commander John P. Gillis.

1859, March 22. Ordered to command the receiving ship Independence at Marc Island, Cal.

1860, October 29. Detached and ordered to command the Cyane, Pacific squad-

1862, November 12. Detached and ordered to the navy-yard, Mare Island.

1862, November 12. Detached and ordered to the navy-yard, mare Island.
1864, August 8. Detached.
1865, February 20. Commissioned as captain to take rank from July 16, 1865.
1865, April 25. Ordered to special duty at Washington.
1865, November 8. Detached and ordered to command the Monongahela,
North Atlantic squadron.
1866, December 29. Commissioned as commodore to take rank from the 10th

1866, December 29. Commissioned as commodore to take rank from the four of October, 1868.

1868, July 1. Detached from the Monongahela and placed on waiting orders.

1869, June 2. Ordered as member of board of examiners.

1869, June 2. Ordered as member of retiring board.

1870, March 1. Placed on the retired-list. Sixty-two years.

1871, September 18. Detached from duty as member of examining and retiring boards and placed on waiting orders.

1872, May 23. Ordered as a member of board of examiners.

1872, September 30. Detached and placed on waiting orders.

1873, April 30. Granted leave of absence until his services should be required, with permission to remain abroad.

He died in Paris, France, February 18, 1883.

Mr. RIAIR. Louly desire to add to the statement of Admiral Porter

Mr. BLAIR. I only desire to add to the statement of Admiral Porter written last summer, with reference to the extreme need of Mrs. Bissell, that I have come personally to know that it is in no wise exaggerated even in its strongest statement. I hope that the bill will pass.

While I am on my feet—

Mr. COCKRELL. Will the Senator permit me to ask a question for information?

Mr. BLAIR. Certainly

Mr. COCKRELL. . Is Mrs. Bissell now drawing a pension?

Mr. BLAIR. I do not understand that she is. Her husband recently died and the application is made direct to Congress, as I under-stand, as in the case of Mrs. Alvord, whose husband died this last year. Mr. COCKRELL. She would be entitled to \$30 under the general

law, would she not?

Mr. BLAIR. Under the general law she would, and under the universal custom, as these cases have been brought to Congress, to \$50.

Mr. COCKRELL. That is where there has been any necessity for it.

Mr. BLAIR. Where there has been any necessity?

Mr. COCKRELL. Where there has been any necessity.

Mr. COCKRELL. Where there has been necessity, as I understood the Senator to say yesterday evening, \$50 per month had been allowed.

Mr. BLAIR. I should like to say on that point that while the Senate has seen fit, and members of the Pensions Committee who have dissented from this class of bills have deemed fit, when personally interested in such cases, to recommend Congress to pass such bills for those of much lower rank, I have always insisted, and I claim that I am the conservative member of the committee in that regard, that this exces sive pension should never be given except where there are special claims founded upon long service, distinguished service, and actual need. In cases where life has been taken and service has been very brief, I think death ought to be accounted as an equivalent to long service; but at all events distinguished service and actual need should be insisted on. I am the conservative member of the Committee on Pensions in that regard, and I should like the Senator from Missouri

and everybody else to take notice accordingly.

Mr. COCKRELL. I am very much obliged for the information, for I am sure I would not, unless the Senator had called my attention to the

fact, have formed the opinion which he has stated.

Mr. BLAIR. The Senator will pardon me.

Mr. COCKRELL. This is the question I want to ask: I see these

papers speak of property. It seems these persons have a comfortable home. What is the value of the real estate?

Mr. BLAIR. It does not say they have a comfortable home. They have a house which they have inherited. I do not know the value of the house. I do not understand it to be a valuable house, one at all

unsuitable to their condition in life. The Senator will observe, of course, that this is a case where the statement of the details in a public way naturally affects a sensitive nature,

ment of the details in a public way naturally affects a sensitive nature, and I did not desire myself the reading of the report; and yet where an application of this sort is made it is only right that the Senate, who must pass upon it, should know the details in full; and I state with reference to all the circumstances of this family, excepting the dwelling, in regard to which I do not know, that the letter of Admiral Porter is not exaggerated. I have come to know personally that his statements are by no means stronger than the truth.

Mr. JACKSON. Will the Senator from New Hampshire yield for a question?

question ?

Mr. BLAIR. Certainly.
Mr. JACKSON. Do the papers in this case show that the husband died of disease contracted in the service?

Mr. BLAIR. I do not know in regard to that. They show that he died in the year 1883, after over fifty years' service and forty-seven on the active-list.

Mr. JACKSON. After he had been on the retired-list a long while. Mr. BLAIR. He had been on the retired-list since 1873, I think, but had been performing actual duty much of the time after he was re-tired. He went abroad with leave to remain abroad, his absence being on account of his health, and finally died in Paris, France, in 1883.

With regard to the Senator's question as to whether Commodore Bissell died from disease contracted in the service, I will say that he died after he had obtained extreme old age, the whole of his life having been spent in the service of the United States. I know but very few instances where these pensions have been extended to \$50 a month by stances where these pensions have been extended to \$50 a moint by special act where the death of the husband was traceable directly to anything but old age and the natural effect of long service. In some instances, to be sure, the death was attributable to the combined effect of wounds or disease contracted and extreme age, but as a rule in the cases we passed yesterday, the cases which we passed at the last session, and other cases still upon our Calendar, the prolonged service, the high rank, the distinguished character of the service, and the need of the party have been the basis on which I for one have a great the increase. party have been the basis on which I for one have urged the increase

to \$50.

Where the widow of an admiral has means to support herself in reasonable comfort I do not think she ought to receive anything more than sonable comfort I do not think she ought to receive anything more than the \$30; in fact she ought to make out her case like a private in order to receive any pension whatever. The question which the Senator propounds would in such a case be a pertinent one.

Mr. CAMDEN. Mr. President, I feel it my duty to protest again,

as I did yesterday, against this discrimination in increasing the penas I did yesterday, against this discrimination in increasing the pensions of one class of persons or of particular individuals over the report of the Pensions Committee, especially where there is no other ground for an increase than the necessity of the claimant. Now, it is a fact which all will recognize that of the thousands and thousands of pensioners enjoying the bounty of the Government there is not one single case in which the pensioner might not properly come before the Senate and ask an increase of pension upon the ground that the pension received is not sufficient to support him or her and his or her family.

By these precedents we are inviting every widow now upon the pen-

By these precedents we are inviting every widow now upon the pension-roll of this Government to come before the Committee on Pensions and before Congress and ask for an increase. If we give it in one instance simply for meritorious services we set a precedent after which we can not well deny it to any other widow or any other claimant whose pension is not sufficient for his or her support. Thus you will be the committee the committee of the com bring before this committee hundreds and hundreds of cases that come

with the same claim for an increase, urging the same reasons for an increase that have been sufficient in the other cases.

I think it is unwise, I think it is impolitic to multiply these precedents which are to be used against us in similar cases. The cases that we passed yesterday are precedents for the same class of cases to-day, and they will be precedents at future sessions of Congress for allowing

an increase of many other pensions upon the same grounds.

Mr. President, is long service a good cause for increasing a If the Government has for a great number of years furnished lucrative and high positions to any class of persons serving the Government, are they not as much under obligations to the Government for the positions afforded them as the Government is to support their families after their death? I do not see the propriety of such a marked distinction between the military and civil service of the Government. Whether one man served forty years, another fifty years, or another ten years, if they died in the service, they all alike have a meritorious record, be-cause the simple fact of being in the service and dying in the service is evidence that they performed their duty well; they could not have re-mained in the service unless they had discharged their duty honestly and faithfully.

I desire to call attention particularly to the result of what is being

done and to the evils that must flow from it.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. CAMDEN. I ask for the yeas and nays.

Mr. CAMDEN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MITCHELL. I desire to say one word in regard to this bill.

A number of cases similar to this have passed the Senate. So many of
them have passed this body that I regard myself as instructed upon
them. This I regard as one of the best cases we have considered, and
I trust the Senate will pass the bill.

The Secretary proceeded to call the roll.

Mr. SAWYER (when his name was called). I am paired with the
Senator from Delaware (Mr. SAULSBURY]. If he were here, I should
vote "yea." My pair has been transferred; and I vote "yea."

The roll-call having been concluded the result was announced—yeas
24, nays 27; as follows:

24, nays 27; as follows:

Brown, Call, Cameron of Wis., Chace, Conger, Cullom,	Dolph, Edmunds, Frye, Hoar, Ingalis, Jones of Florida,	Lapham, McMillan, Manderson, Miller of Cal., Miller of N. Y., Mitchell, YS-27.	Morgan, Morrill, Palmer, Pike, Sabin, Sawyer.
Bayard, Blair.	Garland, Gibson,	Lamar,	Slater, Vance,
Camden, Cockrell.	Groome, Hampton,	Maxey, Pendleton, Plumb,	Van Wyck, Vest,
Coke, Colquitt,	Harris, Jackson,	Pugh, Ransom, Piddlabargar	Williams, Wilson.

		ADDEN 1-20,	
Aldrich, Allison, Beck, Bowen, Butler, Cameron of Pa., Dawes,	Farley, George, Gorman, Hale, Harrison, Hawley, Hill.	Jones of Nevada, Kenna, Logan, MoPherson, Mahone, Platt, Saulsbury,	Sewell, Sherman, Voorhees, Walker.

So the bill was rejected. Mr. BLAIR. I desire to enter a motion to reconsider the vote just taken.

The PRESIDENT pro tempore. The Senator from New Hampshire enters a motion to reconsider. Does he desire it acted on now?

Mr. VAN WYCK. I hope not now. Let the other bills be consid-

The PRESIDENT pro tempore. Does the Senator from New Hampshire make the motion, or simply ask to enter it?

Mr. BLAIR. I simply enter the motion.

The PRESIDENT pro tempore. The motion to reconsider is entered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

which it requested the concurrence of the Senate:

A bill (H. R. 603) granting a pension to Rachel Nickell;
A bill (H. R. 3581) for the relief of Valincia S. Hutchinson;
A bill (H. R. 4026) for the relief of William H. Houghton;
A bill (H. R. 7504) granting a pension to Delia G. Webber.
A bill (H. R. 7907) granting a pension to Matilda Cody;
A bill (H. R. 8155) granting a pension to Matilda Cody;
A bill (H. R. 8237) granting a pension to Mary J. Dickson.
The message also announced that the House insisted upon its amendments to the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Olin Wellborn of Texas, Mr. Horace B. Stratt of Wisconsin, and Mr. Robert S. Stevens of New York managers at the conference on its part.

the conference on its part. The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. W. S. ROSECRANS of California, Mr. ROBERT M. MURRAY of Ohio, and Mr. GEORGE

W. Steele of Indiana managers at the conference on its part.

ANSON B. SAMS.

Mr. VANCE. The Committee on Pensions reported adversely on a bill for the relief of one of my constituents, without my observing it. I ask to have the action on the adverse report reconsidered and the bill placed on the Calendar.

The PRESIDENT pro tempore. Will the Senator state the title of

Mr. VANCE. A bill granting a pension to Anson B. Sams.

The PRESIDENT pro tempore. How long is it since the bill was indefinitely postponed?

Mr. VANCE. Three days since, I think.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the vote of the Senate indefinitely postponent in the bill of the Senate indefinitely postponent. poning the bill (H. R. 1127) granting a pension to Anson B. Sams be reconsidered, and that the bill be placed on the Calendar. The Chair hears no objection, and that order is made.

SUSPENSION OF SILVER COINAGE.

Mr. MITCHELL. I desire to offer a resolution. Is not that in order at this time

The PRESIDENT pro tempore. The Chair will receive it, if there be no objection.

The resolution was read, as follows:

The resolution was read, as follows:

Whereas the commercial value of silver has so far depreciated that the standard silver dollars coined under the act of 1878 are now worth but \$2 cents in the open market; and whereas the continued coinage of such depreciated dollars, now amounting to nearly \$200,000,000, seriously threatens a suspension of gold payments by the Government from necessity, and the consequent banishment of gold coin from active circulation: Therefore,

*Resolved**. That the Committee on Finance be, and hereby is, instructed forthwith to prepare and report to the Senate a proper bill to provide for the immediate suspension of the coinage of standard silver dollars and for the resumption of such coinage whenever the commercial value of the standard dollars aforesaid shall rise to within 5 per cent. of par with the standard gold dollars of the United States.

Mr. MITCHELL. I ask unanimous consent to have read a very important letter from a very distinguished person relating to this subject, to make public record of the fact.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HARRIS. There is,

The PRESIDENT pro tempore. Objection is made.

Mr. MITCHELL. I did not understand objection to be made to the

reading of the letter.

The PRESIDENT pro tempore. Is there objection to the reading of

the paper?
Mr. HARRIS. There is.
Mr. MITCHELL. Very well.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. HARRIS, from the Committee on Epidemic Diseases, reported an amendment intended to be proposed to the sundry civil appropria-tion bill; which was referred to the Committee on Appropriations.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. McPHERSON submitted an amendment intended to be pro-

posed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PENDLETON submitted two amendments intended to be pro-

posed by him to the river and harbor appropriation bill; which were

referred to the Committee on Commerce.

Mr. WILLIAMS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

SEDATE P. MARTIN.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2262) granting a pension to Sedate P. Martin, which was to strike out all after the word "pension-roll" in line 3 down to and including the word "pensions" in

Mr. COCKRELL. Let the words to be stricken out be read. The PRESIDENT pro tempore. The bill had better be read as it would stand if amended.

The CHIEF CLERK. If the amendment be agreed to, the bill will read:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sedate P. Martin, late a private in Company B, One hundred and forty-first Regiment Illinois Volunteers.

The PRESIDENT pro tempore. The amendment is before the Senate. Mr. JACKSON. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MRS. CORDELIA BRAINERD THOMAS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas, which was, in line 10, to strike out the word "fifty" and to insert "twenty;" so as to read:

And to pay her, from and after the passage of this act, during her widowhood, the sum of \$20 a month.

Mr. JACKSON. I move that the Senate concur in the amendment of the House

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions

ferred to the Committee on Pensions:

A bill (H. R. 603) granting a pension to Rachel Nickell;

A bill (H. R. 3581) for the relief of Valincia S. Hutchinson;

A bill (H. R. 4026) for the relief of William H. Houghton;

A bill (H. R. 7504) granting a pension to Delia G. Webber;

A bill (H. R. 7907) granting a pension to Matilda Cody;

A bill (H. R. 8155) granting a pension to Addie L. Moore; and

A bill (H. R. 8237) granting a pension to Mary J. Dickson.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 8277) to remove the political disabilities of J. Taylor

A bill (H. R. 8277) to remove the political disabilities of J. Taylor Wood, of Louisiana; and
A bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in some and non-concurred in other amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. R. W. TOWNSHEND of Illinois, Mr. W. S. HOLMAN of Indiana, and Mr. R. G. HORR of Michigan managers of the conference on the part of the House.

SAINT PAUL AND SIOUX CITY RAILROAD LANDS.

Mr. WILSON. I move that the Senate proceed to the consideration of House bill No. 7299, Order of Business 1071.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of Order of Business 1071, being the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes.

Mr. McMILLAN. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. McMILLAN. I ask unanimous consent to make an inquiry.

I ask if that is a bill forfeiting lands granted to the State of Iowa for

railroad purposes?

The PRESIDENT pro tempore. It is.

Mr. McMILLAN. I hope the Senate will not consider such a bill

ow. That will require great discussion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Iowa.

Mr. McMILLAN. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. I ask unanimous consent to make a statement.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent to make a statement. Is there objection? The Chair hears none.

Mr. HOAR. This is a matter something like the Des Moines land-grant bill in some respects. It relates to a complicated subject and will require a very continuous and extensive debate. It affects important rights, individual rights, on which I understand the committee were divided. I think we ought not to be asked to legislate on matters of this kind at this period of the session. The other matters which the Senate has made special orders, which it has assigned to be taken up, are being laid aside, because there is not sufficient time for considerate legislation on the subjects; and it seems to me that in these last three days of the session the Senate ought not to be asked to give special

consideration out of order to matters of this kind.

Mr. MORGAN. I wish to say, with the consent of the Senate of

The PRESIDENT pro tempore. The Senator from Alabama asks leave to be heard upon this question. Is there objection? The Chair hears

Mr. MORGAN. This case differs from the Des Moines case entirely. I think no member of the Committee on Public Lands has any doubt at all that this case is within the jurisdiction of the courts and that doing so and in subjecting this case now to the consideration of the courts we shall save very much such trouble and imbroglio as there is about the Des Moines case. I believe that no more rightful or necessary legislation can take place than for the Senate to consider and pass this bill. nothing remains to be done but to adjust the jurisdiction, and that in

Mr. McMILLAN. I ask the unanimous consent of the Senate to be

allowed to make one or two remarks in regard to this matter.

The PRESIDENT pro tempore. The Senator from Minnesota asks leave to be heard on this question. Is there objection? The Chair hears

Mr. McMILLAN. This bill involves the right of the State of Iowa and of a railroad company under a grant from the State of Iowa to certain and of a railroad company under a grant from the State of Iowa to certain lands appropriated by the State to the building of a railroad. The securities of the railroad company are in the hands of people throughout this country, based for their payment on these lands. They are in the hands of widows and orphans in different portions of the country, and in the possession of trustees, constituting trust funds for the wards of trustees and guardians. It seems to me that to attempt to consider this bill at this stage of the session under the circumstances in which we are placed now with great appropriation bills accorded to the session under the circumstances. placed now, with great appropriation bills coming constantly to the attention of the Senate, would be very unwise, and great injustice would

be done to private rights and to public interest. I hope the Senate will not take up the bill.

Mr. WILSON. I ask unanimous consent to submit an observation. The PRESIDENT pro tempore. The Senator from Iowa asks leave to be heard on this question. Is there objection? The Chair hears none.

Mr. WILSON. If this case involves the element stated by the Senator from Minnesota, then one result follows, and that is that the rail-

road company having claims under the grant in question has perpetrated a gross fraud upon the parties referred to by the Senator from Minnesota.

This case is one of very great importance to a section of the State of Iowa. It involves a controversy covering about 85,000 acres of land. That controversy involves the rights of the State of Iowa, the rights of the United States, and the rights of persons settled upon these lands. Instead of endeavoring to determine by legislative decision what rights these various parties have, the bill proposes to send the entire question involved to the circuit court of the United States in order that all these elements may be resolved judicially; and until some such course is taken, some such remedy applied, that section of country and this great body of land will simply be covered by titles questioned and clouded, and concerning which there should be no doubt whatever left.

Now, therefore, and inasmuch as this bill has waited through months and months, I ask that the Senate will give a little time to its consideration and that it may become a law. There is no more important subject for Congress to consider and to resolve than one which relates to

the titles to land upon which people are making their homes, and therefore I ask that this bill may be considered at this time.

Mr. McMILLAN. I ask unanimous consent to make a further suggestion.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent to be heard on this question. Is there objection? The Chair hears none.

Mr. McMILLAN. The Senator from Iowa says that the question of the titles of settlers on the public lands is involved in this question. It is conceded that the lands along the line of this road had been withdrawn is conceded that the lands along the line of this road had been withdrawn from market and had not been subject to settlement as public land at any time since the grant was made, and that the parties who are endeavoring to be benefited by this bill had no right whatever to go upon these lands. They had no right to make settlement there; but this bill recognizes their right to the extent that they are permitted to appear as proper settlers on these lands to raise questions of title which they suggest in regard to this grant.

The lands have not been patented to the company because a contest arose between two railroad companies as to which company should receive the patent to the lands, they both entering the same territory within which these lands lie. The case is one, it seems to me, in which there can be no question of bona fide settlers upon the public lands of the United States, because they are there as trespassers instead of being there under the laws of the United States.

The PRESIDENT pro tempore. The hour of 1 o'clock having arrived it becomes the duty of the Chair to place before the Senate the unfinished business, which is the bill (S. 498) granting a pension to

Letitia Tyler Semple.

Mr. WILSON. I move that that be laid aside, and that the Senate

Mr. WILSON. I move that that be laid aside, and that the Senate proceed to consider the bill stated in my former motion.

The PRESIDENT pro tempore. Senate bill 498 is before the Senate, the question being on its passage, pending which the Senator from Iowa moves to proceed to the consideration of the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes. question is on the motion of the Senator from Iowa.

Mr. WILSON called for the yeas and nays, and they were ordered.
The Secretary proceeded to call the roll.
Mr. CAMERON, of Wisconsin (when Mr. SAWYER's name was called). My colleague [Mr. SAWYER] is paired for the day with the Senator from Delaware [Mr. SAULSBURY].

The roll-call having been concluded, the result was announced-yeas 28, nays 20; as follows:

LEAD OF THE REAL PROPERTY.		YEAS-28.	
Allison,	Groome,	Kenna,	Pugh,
Bayard,	Hale,	McPherson,	Vance,
Butler,	Hampton,	Maxey,	Van Wyck,
Camden,	Harris,	Mitchell,	Vest,
Cockrell,	Harrison,	Morgan,	Voorhees,
Conger,	Hill,	Pendleton,	Walker,
Garland,	Jackson,	Plumb,	Wilson.
		NAYS-20.	
Blair,	Dolph,	McMillan,	Pike,
Cameron of Wis.,	Edmunds,	Manderson,	Platt,
Chace,	Hoar,	Miller of N. Y.,	Riddleberger,
Cullom,	Ingalls,	Morrill,	Sabin,
Dawes,	Lapham,	Palmer,	Williams,
	A	BSENT-28.	
Aldrich,	Colquitt,	Hawley,	Miller of Cal.,
Beek,	Fair,	Jonas,	Ransom,
Bowen,	Farley,	Jones of Florida,	Saulsbury,
Brown,	Frye,	Jones of Nevada,	Sawyer,
Call,	George,	Lamar,	Sewell,
Cameron of Pa.,	Gibson,	Logan,	Sherman,
Coke,	Gorman,	Mahone,	Slater.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction

of railroads in that State, and for other purposes.

The bill was reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

amendment to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred on the circuit court of the United States for the northern district of Iowa to hear and determine any controversy of either a legal or equitable nature that may exist between the United States and the State of Iowa, or any corporation or person who claims any lands under the laws of said State or of the United States, by reason of an act of Congress entitled "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12, 1864, concerning such of said lands as have been patented to the State of Iowa for the use and benefit of the Sioux City and Saint Paul Railroad Company, and have not been by said State conveyed to said railroad company, the United State hereby asserting its reversionary right to all of said lands, or so much thereof as shall be found to have been patented in excess of the amount of land carned by said company, in compliance with the act of Congress aforesaid, and hereby resumes possession of the same, subject to the conditions hereinafter named.

SEC. 2. That the district attorney of the United States for the northern district of Iowa, under the direction of the Attorney-General, shall bring suit at law or in equity in the circuit court for said district against any persons or corporations who are claiming the ownership of the lands granted in said act to the State of Iowa and by said State withheld as aforesaid, so as to fully ascertain and settle all questions as to the interest of the United States in said lands; and any persons or corporations who are claiming any of said lands under the State of Iowa, or by reason of the act of Congress aforesaid, and who are necessary or proper parties, shall be joined as defendants therein; and said court may cause publications to be made, under the laws and rules of court, to bring in non-resident defendants as parties to the suit.

SEC. 3. That the State of Iowa, or any corporation or person not made a party defendant in such suit, may petition the court to be admitted as a party defendant therein, and may set up any interest such defendant may have in the said lands, in such manner as the court may direct, and have the judgment of the

defendant in such suit, may petition the court to be admitted as a party defendant therein, and may set up any interest such defendant may have in the said lands, in such manner as the court may direct, and have the judgment of the court upon the same.

SEC. 4. That the parties to such suit, respectively, shall have the right to revise the judgment or decree of the circuit court rendered therein in the Supreme Court of the United States, on writ of error or appeal, under the laws governing appeals and writs of error in civil causes decided in the circuit courts of the United States: Provided, That such writ of error or appeal is prosecuted within six months from the date of the enrolling of the final decree in such cause; and said cause shall be advanced on the docket of the Supreme Court so as to be heard as speedily as the other business of the court in which the United States is a party will admit.

SEC. 5. That if any of the lands mentioned herein are adjudged to belong to the United States, the same shall constitute a part of the public domain, and shall be disposed of as lands of the United States that are subject to homestead and pre-emption entry: Provided, That in case anylands so decided to belong to the United States have been sold (not encumbered) by said railroad company, prior to January 1, 1884, to persons who purchased the same in good faith for the purpose of making for themselves homes, and have in good faith occupied the same, or for the purpose of adding to other property occupied by them as homes or for business purposes, the person or persons having purchased any of said lands as aforesaid, or their grantees, shall have the right to the lands so purchased, not exceeding one quarter-section to any one purchased, or the fact of the Secretary of the Interior of the fact osuh purchased, not exceeding one quarter-section to any one purchaser, upon making proof to the satisfaction of the Secretary of the Interior of the fact osuh purchase, which proof may be first made at the local land office o

Mr. PLUMB. If I can have the attention of the Senate for a few minutes, I will make a statement in regard to this case which I think will not be controverted so far as it is a statement of fact.

In 1864 Congress made a grant of land to aid in building a railroad from Saint Paul to Sioux City, the grant being to the State of Iowa, to be by the State of Iowa in turn given to such railroad company as the State might select for the accomplishment of the purpose. The distance from the Iowa State line to the point where the railroad as constructed from Saint Paul strikes that line to Sioux City in Iowa is about eighty miles. On this line of road, and between the north line of the State of Iowa and Sioux City, is the town of Le Mars, distant 56.13 miles from the northern boundary of the State of Iowa. In the process of time, and within the time named in the grant of the General Government, the Sioux City and Saint Paul Railroad Company, which had been selected by the State for the purpose of building this railroad and to which the State had agreed to give the grant as it was earned, built the railroad from the northern line of the State of Iowa to the town of Le Mars.

At that point it found constructed or being constructed a railroad extending from Sioux City to the town of Le Mars and substantially parallel with the line on which this company had expected to construct its own road; and there the construction stopped, the company having built, as I said, under this grant and in pursuance of its charter from the State of Iowa 56.13 miles of railroad, for which it was entitled to receive from the General Government through the State of Iowa land at the rate of ten sections a mile, or 6,400 acres for every mile of railroad built.

The original grant provided that this land should be patented to the State of Iowa as fast only as the governor of that State should certify to the Secretary of the Interior that the road had been built in sections of ten miles; that is to say, whenever the governor certified that ten miles of railroad had been built the Secretary of the Interior was authorized to patent to the State of Iowa for the use of the railroad company the requisite land at the rate of 6,400 acres per mile. It was provided in the grant also that if this land should not be found within the proper limits on each side of the road, then the company was to have the right to take lands or to have patented for its benefit the lands

within twenty miles of the line of the road.

The company built, as I said, 56.13 miles of railroad; and from time to time there were patented to the State for the benefit of the company lands amounting to 407,879.13 acres, being 87,879 acres more than the road was entitled to by reason of having built even sections of ten miles each. The company had built five sections of ten miles each. which it was entitled to receive 320,000 acres of land; but by reason of a mistake in the Interior Department the amount of 407,879.13 acres was patented to the State instead of the 320,000 acres which the

State was entitled to have patented to it by the General Government.

There is no question of the right of the railroad company to the 320,000 acres of land, being 6,400 acres for each mile as it was constructed up to the fiftieth mile-stone, leaving the only question to be

settled, as is now apparent, as to whether the railroad company is ensettled, as is now apparent, as to whether the railroad company is entitled to land for the 6.13 miles that it built beyond the limits of the last ten-mile section. This would be the only question in the case if it were not suggested that, by reason of litigation now pending between this railroad company and another one crossing it substantially at right angles, the land should be divided within the common limits, which raises the point whether in the event of this company losing any of the land heretofore patented to it it is entitled to indemnity by reason of such loss. If it should be, by reason of the fact that it would lose about 25,000 acres of land within these common limits, then that other question should be settled by the courts. These two propositions are of a kind which can not be settled by legislation unless Congress is to give a new grant, because the right of the company attached under the grant originally made, and the construction of that grant should only be made by the courts; and the first and main question to be decided is, is the the courts; and the first and main question to be decided is, is the company entitled, by reason of the equity arising from the building of the 6.13 miles of railroad, to the lands as it would have been if it had gone on and completed the ten-mile section? As I said, that brings up the construction of the act by which the grant was originally made, and that question can only be settled by the courts; and this bill provides that that question, and also all other questions that arise in this case, shall be decided by the courts, and by the decision of the courts the United States of course, and all other persons in privity with it or holding under it, will be concluded.

It has been sought, and will be I have no doubt by amendments to be proposed to this bill, to so construe the act of 1864 under which these lands were originally granted as to affirmatively give to the railroad company lands for all the road that it built beyond the last completed ten-mile section. That, however it may be viewed, is substantially a

Mr. McMILLAN. Will the Senator state that position again, if he

pleases? I did not hear it exactly.

Mr. PLUMB. I said it had been proposed, and would be again, as I believe, in the form of an amendment to the bill, to give to the railroad company land at the rate of ten sections per mile for the six miles and a fraction which had been built beyond the limits of the last ten-mile a fraction which had been built beyond the limits of the last ten-mile section; and while I am not going to say that there is any merit in that proposition, at the same-time I do say that it is equivalent to making a new grant, because if they are entitled to that land now by reason of the old grant they can get the land; and if they can not, then the act which does propose it will be equivalent to giving them that which the law as it now stands does not give them; and that is, I understand, making

a new grant to that extent.

It has been sought to prejudice this bill by saying that it was in the interest of some men who, without any law or license, have gone as squatters upon these lands, seeking to obtain title to them under the general land laws of the United States. If that were so it would not prejudice the legislation in my mind at all, because if these lands are public lands there is no doubt of the perfect right of any citizen of the United States to go upon them seeking to acquire title under the general land laws. If they are not, then all there is of it is that these men have made a mistake, of which, of course, they must take the consequences; but it does not militate against this bill in my mind that under the impression that has been created by the failure of this company to build its road through to the terminus at Sioux City there are lands, a portion of the grant, which became subject to the operation of the general land laws, having reverted to the General Government, and therefore these people felt themselves included in the invitation which was extended by the general laws of the United States to all the citizens of the United States to go on the public lands for the purpose of acquiring homes thereon.

But, Mr. President, aside from all question in regard to the settlers who may now be upon these lands is the question of the right and the duty of the General Government to assert its own power as the original proprietor of these lands and as the grantor to whom these lands, by reason of the failure to build the railroad, have reverted; and in this bill the Government only seeks to bring all questions in relation to this grant so far as they relate to the lands beyond the limits of the completed sections of ten miles before the courts, in order that not only the rights of the Government but the rights of the railroad company may be fully and finally decided, and decided, as I said before, in the only tribunal in which they can be decided.

As I said before, there were patented to the State of Iowa by mis-adventure nearly 88,000 acres of land more than the company were entitled to by a strict construction of the terms of the granting act. These lands the State of Iowa refused to patent to the railroad company. The Legislature of the State of Iowa, by an act passed a few years ago, pro-posed to surrender to the General Government a portion of these lands, for the reason that the railroad company was not entitled to them; but while the order made by that law upon the governor was in the process. of execution the railroad company, by an injunction obtained in a local court, sought to prevent, and has so far prevented, the governor from reconveying, according to the direction of the Legislature, any of these lands to the General Government. That question, therefore, is pending upon this incidental proceeding in a State court in the State of Iowa, a court practically without jurisdiction to settle the question that is at the bottom of this grant.

In addition to that, the Secretary of the Interior, in a letter written some time ago, recognized the fact that there were lands which had been patented to the State of Iowa, without expressing any opinion as to the quantity, which were public lands of the United States by operation of the law under which they were originally granted, because that law provided that if the railroad was not built according to the terms of the act so much of the lands as applied to the unearned portion should revert to the General Government. At once the question arises, what portion of these lands have reverted? Some of them have undoubtedly, because the railroad company can not claim land for more than the 6.13 miles built, under any circumstances, and there will still be a fraction over which the Government to-day is the owner by reason of this reversionary clause of the original granting act, leaving only to be determined the question as to the extent of the lands and their location, and that can not be done by any authority short of the courts.

Mr. President, it is idle for the railroad company to think for a moment that it can ever acquire a single acre of land which it has not now got, unless it gets it by reason of just such a proceeding as is here contemplated. The Legislature of the State of Iowa will never confer or authorize its executive to confer upon this railroad company a single authorize its executive to confer upon this railroad company a single acre of land not already patented to it. The General Government can not act directly under the law as it now stands in giving any land whatever to the company, because the law provides that all the land shall go to the State of Iowa, to be in turn patented according to the direction and the discretion of that State to the railroad company entitled to the same

titled to the same

Therefore, Mr. President, for the interest of the Government, which undoubtedly has title to some of these lands, for the purpose of settling the question of that ownership under the reversionary clause of the original granting act, and for the purpose of the settlement and the only effective settlement of the claim of the railroad company, this pro-

ceeding must be come to finally.

There is another reason why not only the interests of the Government but those of the railroad company conspire to require the settlement of this question in this way. The suit to which I have referred as pending between this company and the Milwaukee and Saint Paul Company, a company which succeeded to the land grant to build a railroad from Dubuque to Sioux City, and whose road crosses this road at right-angles, is now pending in the Supreme Court of the United States for

hearing.

Mr. McMILLAN. Submitted to the court.

Mr. PLUMB. If it shall result from that suit that a portion of the lands heretofore patented to this Sioux City and Saint Paul Railroad Company go to the Milwaukee and Saint Paul Company, then, as I un-derstand the position of the Sioux City and Saint Paul Company, it is ready to claim that by reason of losing these lands within the common limits it will be entitled to indemnity for them, and there will be a question of about 35,000 or 40,000 acres of land to which it will set up a claim, and which claim it can only enforce in the courts. Those persons who have gone on these lands—for a portion of them have been settled upon—are themselves willing and anxious that this bill shall pass. They recognize in this authority for a judicial proceeding the only method whereby there can be an authoritative decision of the question whether the lands on which they have settled are public lands or not. It is due to them, to the men who have gone upon the lands on the faith of the failure or refusal of the Legislature of the State of Iowa to order a patent to be made to the railroad company, for they thereby ascertained the fact that they had not been earned and were still public lands, and because of the fact that the Secretary of the Interior, in a letter which has been made public, decided that some portion of these lands which had been patented by the State of Iowa were public lands, and any man with a piece of paper and a pencil could determine the fact that some of these lands at least were public lands. By reason of all these facts, I say this question ought to be sent to the courts.

In addition to that, the counties in which they are located are inter-

ested in the settlement of this matter, because in the present condition of things these lands are not subject to taxation. The naked legal right is in the State of Iowa, but it holds as trustee without benefit, and the lands can not be taxed while they remain in this condition. This unsettled condition of the title not only unfavorably affects the men who have settled upon the lands, but it also unfavorably affects the counties in which they are located. The administration of justice, the transaction of the county business can only be secured by taxes levied on the property within its jurisdiction; and the financial interests of the whole State of Iowa as well are affected, because if there were titles to these lands the State could levy upon them for necessary taxes for the administration of local and general affairs.

But besides all this there is the question of public peace, I may say. I do not say anything which is applicable alone to this locality when I declare that where there is no title to land there can never be stable gov-ernment; where there is no title to land there can be no public peace,

In addition to that, I think the railroad company itself has a greater interest, so far at least as money is concerned, in having this question disposed of now and in this way than any and all other persons whatsoever. However much mistaken they may be, and however ample authority they may have given to the Senator from Minnesota to speak for them in this particular and to obstruct the passage of the bill, I say what I shall recur to from now on until this bill shall become a law, if it shall fail to become a law at this session, that every day's delay is against the interest of the railroad company, and that they never can and never will get title to one single acre of land that they have not now got patented to them unless they get it as the result of the judgment of a court.

I do not need to say here that Congress will make no new land grant. That goes without saying. I do not need to say here that while measures of this kind are pending, while claims of this kind are open and subject to dispute, the State of Iowa will never confer on this railroad company a single acre of land. The Senator from Iowa can say that for his State better than I, but I think I know enough about the sentiment in that State to say that they will exercise no doubtful power for the purpose of conveying to this railroad company a single acre of land to which it is not entitled.

I may say, Mr. President, that when I first came to the examination of this question the bent of my mind was in favor of giving, if it could be done without affirmative legislation in any way which did not seem to confer a new right, to the railroad company lands for the 6.13 miles of railroad beyond the limits of the last ten-mile section; but the longer the subject was considered in committee, the more reflection I gave to it, the more I was driven inevitably to the conclusion that it was a question for the courts, and that it was a question for no other tribunal, and that until it was settled there we should be confronted by it year after year as we have been by the Des Moines River case, until finally it might get into as bad a title as that case has got into. That case is a solemn warning against any attempt to tinker by statute with rights that have from time to time grown up and attached to land, which rights can never be settled as they ought to be settled unless they are adjudicated by the courts. For that reason I have given my unhesitating assent to this bill as a matter demanded by every private interest that relates to these lands in any way, shape, or form, and for the reason also that apparently here is a great public interest which can never be settled so well, so wisely, so in the interests of peace and of order and of harmony and of justice as it can be settled now.

order and of harmony and of justice as it can be settled now.

It will be said here that there are people who hold mortgages on these lands; and that is true. That I believe is the accompaniment of every land grant; but this bill provides that every person holding a mortgage bond and the trustees of all the mortgages, if there are more than one, can come into court and set up their rights in the premises and have them adjudicated as well; and I do not need to say to the Senate that no right could be conferred upon them by the act of the railroad company which the railroad company did not have itself; and if the railroad company has any rights, however slight in these lands the courts road company has any rights, however slight, in these lands the courts will protect them as amply as it will protect those of the Government.

Mr. HOAR. Where is that provision to which the Senator refers

about the mortgagees going into court?

Mr. PLUMB. If the Senator will read line 7 of the first section of the amendment he will find that it is provided:

That jurisdiction is hereby conferred on the circuit court of the United States for the northern district of Iowa to hear and determine any controversy of either a legal or equitable nature that may exist between the United States and the State of Iowa, or any corporation or person who claims any lands under the laws of said State or of the United States, by reason of an act of Congress, &c.

That would not permit the holder of a bond to come in. Mr. PLUMB. If he claimed an interest in the land, would it not? Mr. HOAR. I should doubt whether it would. The Senator can

make it plain. Mr. PLUMB. Mr. PLUMB. It can be made more ample. The Senator from Massachusetts, with that vigilance which always characterizes him here when the interests of his people or of his State are involved, is concerned about some people in the State of Massachusetts who hold bonds of the railroad company secured by mortgage upon these lands; but I ask him to say himself whether he believes there can ever be any effect-

ask him to say himself whether he believes there can be any checking settlement made of this question unless it is sent to the courts.

Mr. HOAR. If the Senator will pardon me, I might as well answer that now if he will allow me to do so.

Mr. PLUMB. Certainly.

Mr. HOAR. All I know about this case is that a gentleman, resident in

Massachusetts, who was commended to me as a man of character and re-Massachusetts, who was commended to me as a man of character and respectability—some of whose relatives I know, and I would infer from what I know of them what he is likely to be—called upon me with this story: He said that he and some others with whom he was interested held a considerable quantity—I think \$800,000 was the entire interest—of mortgage bonds of a railroad company in Iowa, which, I suppose, is the railroad company named in this bill—I do not remember the name—the lead having the suppose the land of the suppose of of the suppos the land having been mortgaged to a trustee and the trustee holding the mortgage for the benefit of the bondholders. They had not got any return either in principal or interest on their bonds for many years, and their only security was these lands, the railroad company itself not be-ing responsible as a solvent debtor; that the railroad company had a grant of lands.

The next statement I am going to make I am not quite sure of, but the Senator will correct me if I state it wrong. I think the statement was that the company was entitled by the original charter to so much land for every mile it constructed; then a subsequent amendment to

the charter stated that the patents should issue for so much land for every ten miles of road constructed.

Mr. PLUMB. There is a mistake about that.

Mr. HOAR. At any rate they were to have their patent for so many lands for every ten miles of road constructed. Thereupon another road was also constructed, with a conflicting land grant going side by side with this road to some extent and coming into it and crossing it at an angle; so that when this company constructed about six miles of the last ten miles that they were to construct the other road came in, making it in the first place unnecessary for this company to have their road completed, and in the next place making it impossible for them to get their land for the road they did build. If there is any incorrectness in this statement I beg the Senator not to impute it to the incorrectness of the statement I beg the Senator not to impute it to the incorrectness of the statement of the man who made it to me, but to the imperfection of my memory, because, not supposing the bill would come up at this Congress, I have given it no further attention and the matter is a little vague in my memory. If I have got it wrong, I hope the Senator will not impute it to the gentleman who made the statement to me.

Mr. PLUMB. I do not think that there is anything to be mistaken that the Seat of this result.

about the facts of this case

Mr. HOAR. If that is true that they have without their fault failed to build the remaining four miles of the ten, or whatever the distance is, the United States ought not certainly to pass a bill which would cer-tainly authorize a court to consider this matter of legal right alone; for tainly authorize a court to consider this matter of legal right alone; for the technical title is now in the United States, open to public entry, letting in all the settlers who may choose to come in; and especially they should not say that everybody who has squatted upon the land shall be treated as if he were a bona fide settler at the time he went there. What they ought to do is, so far as is in the power of the United States, to grant the company the lands they are entitled to for the six miles. If the United States create a tribunal to determine the question, it seems to me the tribunal ought to be authorized to say what is the equitable or just or fair claim of these mortgagees, the bondholders, and creditors of the road to the land which had been earned by the building of the six miles. It should not be merely the naked question of whether the United States have patented the lands, because nobody doubts that the United States have patented the lands, because nobody doubts that they have not patented the lands for that portion of the road.

Mr. PLUMB. A portion of the Senator's statement is incorrect. I

acquit the gentleman who made the statement of any design to mis-represent; but I have stated the case exactly as it was. I think the person alluded to is the same gentleman who came to me with a letter from a constituent of the Senator from Massachusetts whom I know very well, and who I know would not have given him a letter to me unless he was a person entirely worthy of credit. But there is no mistake about the facts in the case, and there can not be any. It is a question simply as to what rule should be applied to the facts as they are known to exist. There was no amendment of the original act, and it was provided in the original act in the terms which I shall read:

That the lands hereby granted shall be disposed of by said State for the purposes aforesaid only, and in manner following, namely: When the governor of said State shall certify to the Secretary of the Interior that any section of ten consecutive miles of either of said roads—

The two roads embraced in the act-

is completed in a good, substantial, and workmanlike manner, as a first-class railroad, then the Secretary of the Interior shall issue to the State patents for one hundred sections of land for the benefit of the road having completed the ten consecutive miles as aforesaid. When the governor of said State shall certify that another section of ten consecutive miles shall have been completed as aforesaid, then the Secretary of the Interior shall issue patents to said State in like manner for a like number.

Mr. HOAR. Is there not a previous statement that there should be granted so much for every mile?

Mr. PLUMB. The act proceeds:

And when certificates of the completion of additional sections of ten consecutive miles of either of said roads are from time to time made as aforesaid, additional sections of land shall be patented as aforesaid until said roads or either of them are completed, when the whole of the lands hereby granted shall be patented to the State for the uses aforesaid and none other.

Then there is a further provision that if the road is not made at the proper time the State of Iowa may have the benefit of conferring the grant upon some other railroad company; and if not completed within a certain period of time, then the whole grant, all that remains unearned, shall revert to the United States.

Mr. HOAR. If I am not interrupting the Senator, let me ask him Mr. HOAR. It I am not interrupting the Senator, let me ask him for information, is not the matter of issuing a patent when ten miles are completed merely a matter of convenience? Of course a patent could not be issued for every half mile or mile. Is not the provision which makes the earning for every mile and waiting until they get ten miles done merely an incident of administration?

Mr. PLUMB. There is some provision of the kind in the law.

Mr. HOAR. Does not the bill destroy in the railroad company the

benefit of that provision?

Mr. PLUMB. Not at all; but it leaves to the court to decide what the legal effect of the provision was. If the Senator will read the bill and look at the committee's amendment he will find in line 5 that the court is to determine any controversy of either a legal or equitable

Mr. HOAR. Would the Senator then object to have the bill amended

by distinctly, in terms, giving to the court the power to determine whether the building of any portion less than ten miles gave the rail-road company building it under the circumstances an equitable right to the land?

Mr. MORGAN. I will suggest to the Senator from Massachu-

Mr. PLUMB. Let me proceed. In the first place, I am reading the act. I read it before, but was not quite familiar with its terms. I am prepared to say now that I do not find in it, and I do not think there is in it, any provision that the company shall have so much per mile. The first section contains a general grant, in these terms:

That there be, and is hereby, granted to the State of Iowa

I omit certain formalities which follow-

every alternate section of land designated by odd numbers for ten sections in width on each side of said roads.

Not ten sections per mile, or anything of that kind. But in case it shall appear that the United States shall have, when the lines of road are located, made a certain disposition of any part of the lands, then the grantee shall be entitled to indemnity. That is the general granting clause, and the application of that is made in the fourth section,

which I have just read. Even admitting what the Senator says, we are sending this question to the courts to decide upon the legal and equitable right of the company or of anybody else who claims these lands. That is all there is about it. I take it that with as much concern as the Senator has for about it. I take it that with as much concern as the Senator has for his constituents, or anybody else who may be interested in the result of this litigation, he would not say that men who have money enough to build a railroad, who have sense enough to put that money into proper use in building the railroad, who built the railroad upon the faith of this act of Congress, should not be required to stand or fall by what they did in pursuance of the act of Congress. They could have built ten miles farther and had a tenth section completed and have got their land grant for building that ten-mile section. They chose not to do it. The Government was willing that they should build not only that much railroad, but build all the rest of the fine up to the final terminus. They said, "No; we will stop here at this point, where we find another railroad built up to it; we can make arrangements with them to get to Sioux City, the south terminus of the road." They did stop there. They are there yet. They do not propose to build any farther. The time has gone by when they could legally build any farther; and I take it that the Senator himself out of no consideration for these people, personally or otherwise, would propose that we should for these people, personally or otherwise, would propose that we should give to them something which we can no longer give to them. What he wants and what I want is that this law shall be construed in the courts, and that the courts shall say whether the company was entitled to lands within the 6.13 miles or not. That I think the bill does; but

if the Senator can provide ways more ample, direction more complete to accomplish this object, I beg him to propose it.

Mr. President, I am not willing that this question shall go to the courts with any direction except to do what the law requires to be done as it now stands. I am not willing to have these people go there with a new assertion on the part of the Government as to what originally was contemplated in the act under which they built their railroad, because if we open that door, and something now is to be added or something to be subtracted for the benefit of anybody, a lot of questions will come to the front that I fear will make this grant of very little avail to

these people, their patents to the contrary notwithstanding.

Mr. McMILLAN. Mr. President, the Senator from Kansas [Mr. Plumb], the chairman of the Committee on Public Lands, who reported the bill, understands some of the facts of the case, and has stated them, so far as he has stated them, in the main correctly. The grant of lands in this case was not for building a railroad from Saint Paul to Sioux City. The grant was to the State of Iowa, and the State of Iowa granted certain of those lands to the Sioux City and Saint Paul Railroad Company for the construction of a road from Sioux City to the Minnesota State line.

Mr. PLUMB. I know the Senator does not design to make any misstatement of fact.

Mr. McMILLAN. Certainly not.

Mr. PLUMB. I think we agree upon all the facts, but differ simply as to what was done.

Mr. McMILLAN. I was calling attention to the fact that the act making the grant of land was to the State of Iowa for the purpose of building a railroad running from Sioux City to the Minnesota State

Mr. PLUMB. That is precisely what I said.

Mr. McMILLAN. The Senator said that the road was built under

a grant of land for a railroad from Saint Paul to Sioux City.

Mr. PLUMB. There was another grant for the purpose of building it from Saint Paul to the Minnesota line.

Mr. McMILLAN. Not at that time.

Mr. PLUMB. But the lands on that part of the line are not in con-

troversy.

Mr. McMILLAN. I was just calling the attention of the Senator to the fact that so far as he is familiar with the facts he has stated them in the main correctly.

Mr. PLUMB. Does the Senator say that the other fact is material?
Mr. McMILLAN. It is in this connection, as I wish to show.
Mr. PLUMB. I do not think it is.
Mr. McMILLAN. That merely illustrates the fact that the Senator not quite as familiar with the facts in the case as perhaps he might be.
Mr. PLUMB. Thank you.
Mr. McMILLAN. I wish to be peak from the members of the Senate this connected and identity that the programs and conditions to this measure.

their serious and candid attention to this measure. If I am not mis-

taken the proposition of the bill is in the name of a popular prejudice to do a great violence to public rights and to private rights. The efforts made to accomplish the passage of this bill are remark-able. It seems to me that the members of another branch of the Legislature of this nation have been more active in this measure than the members of this body. They are continually found upon this floor, they have been upon it constantly, they are upon it now urging, pressing, constantly forcing this measure. I think the members of the Committee on Public Lands of the Senate and the members of the Senate are capable of taking their own counsels and forming their own judgments in regard to any public measure which is brought before the Senate.

Let me state, if I can, correctly and clearly the facts in this case as they exist. Long before this land grant to the State of Iowa Congress.

granted lands to the State of Minnesota to aid in the construction of an entire system of railroads within that State. One of the branches of that system extended from Saint Paul southwest to the Minnesota and Iowa State line. That road was constructed by a company organized and incorporated under the laws of the State of Minnesota, and was known and designated as the Saint Paul and Sioux City Railroad Company. Their line of road extended from Saint Paul to the Iowa line, running directly southwest toward the Missouri River.

The land granted to the State of Iowa for a road from Sioux City to the Iowa State line was the completion of a line from the southwestern terminus of the Saint Paul road to the Missouri River. Sioux City is on the bank of the Missouri River; Saint Paul is on the bank of the Mississippi River; and these two grants furnished a complete line of road from Saint Paul through that State southwest, continuous through the State of Iowa to the Missouri River, making a complete line of road, bringing the prairies of Northwestern Iowa, of Southeastern Dakota, of Northeastern Nebraska, and the plains of Kansas, treeless and fit only for agricultural lands, into direct communication, first with the waters of Lake Superior, then with the great pine regions of Min-nesota, giving to those portions of the country access to a market for lumber and furnishing to them the building material which they needed for the construction of their homes upon the beautiful and vast prairies of that section of the country.

It was for the purpose of giving such facilities to that country that this line of road was built. The men who formed the Saint Paul and Sioux City Company were not adventurers. They were not bondholders or City Company were not adventurers. They were not bondholders or rich capitalists of the East. They were men who had gone to the frontier. They had come to Minnesota; they had as settlers and business men there contributed their efforts, their enterprise, their integrity to building up all that portion of country. Under my own observation I have seen an empire grow up in the State of Minnesota and in the northwestern portion of the country. The men who entered into the Saint Paul and Sioux City Company were the men who contributed in large degree to that great object and have accomplished it nobly.

They are residents still of that country, the greater number of them. They have made whatever wealth they possess in their efforts to build

They have made whatever wealth they possess in their efforts to build up the country and to extend the business enterprises of all that region. They made the effort, and succeeded in extending these railroad facilities and in bringing to this prairie country all the advantages to which I have alluded. After going through a series of hardships and losses which I believe to be unequaled in the history of railroad enterprises, they succeeded in building the road as far as it is now completed.

After its completion, for a number of years in succession, Providence and all the elements seemed to be against their success. First, the harvests were destroyed by drought. Then came the locusts, as the locusts in Egypt, to destroy, year after year, the crops which in the early season promised to be fruitful and abundant. So they labored on, season after season, harvest after harvest, enduring great losses; but they were firm in their purposes to accomplish this great enterprise, and with some aid from abroad they procured means which secured at last its completion.

Of course it was necessary under these circumstances to issue bonds and execute mortgages upon these lands. Large numbers of those bonds are held now in the State which I have the honor in part to represent on this floor. They are held by widows and orphans there as well as by widows and orphans elsewhere throughout New England, throughout the financial centers of the East; and the only securities these people have for the payment of their bonds are the lands which this railroad company believe they honestly and fairly earned in ac-

this railroad company believe they honestly and fairly earned in accomplishing these great public enterprises.

The company proceeded to build this line of road. They built, in connection with the road from Saint Paul to the Iowa line, the road from the Iowa line to the town of Le Mars, which is twenty-four miles from Sioux City. When they built their line to Le Mars they found that another land-grant railroad company, having a grant of land to build a road from Dubuque in Iowa to Sioux City, had built their line directly through

Le Mars and thence southwest in the direct line in which the Sioux City road extended would be built from Le Mars to Sioux City. When they reached Le Mars they found that line of road completed, and if they had built farther it would have been directly along the line of the Dubuque and Sioux City road, already built as a land-grant road and completed to Sioux City.

Under those circumstances this company did not believe they would be acting in good faith to the Government to proceed farther than Le

Mars with the construction of their actual line.

But they did not leave the people of that region without a competing line of road over that portion of the route. They made arrangements with the McGregor road, by which they secured the right of way from Le Mars to Sioux City over that road, thus in all respects affording competition over that portion of the road to the same extent that would have been afforded had they built their own road. At the southwestern terminus of the road in Sioux City they secured all the terminal facilities for their own road that they would have done if they had built the intervening portion between Le Mars and Sioux City, twenty-four miles, and they have invested large sums of money in the erection of depots, shops, and other terminal works at that place. They are not dependent upon the McGregor road for their terminal facilities. They have built upon the McGregor road for their terminal facilities. They have built up and improved the town of Sioux City by these buildings and improvements to a very large extent, and are entirely independent of this other road; so that the community through which it passes has all the benefit of a competing line.

This company under those circumstances believed they were acting in good faith in refraining from building that portion of the line. They set up no claim for land for any portion of the road between Le Mars and Sioux City which they did not actually build. They might have expended their money in building that portion of the road which would have entitled them to the lands, and yet have given to the people of Iowa no greater railroad advantages than they now enjoy; but instead of that they used the money which might have secured them these additional lands in building other lines of road in Iowa and Nebraska for which no lands had been granted, but which give to the people of those States great advantages and contribute largely to the wealth and devel-

opment of the resources of that region of the country.

They were not idle, and that section of country is indebted to the Sioux City and Saint Paul Company for the benefits which they now possess in railroad facilities in different directions, for which no grant was made and for which no claim has ever been set up. The people of Iowa have been treated honestly and fairly in every sense by this company, and it would be unjust and ungrateful in the Commonwealth of Iowa or in the people of that State to attempt to deprive it of one acre of land to which it may by any reasonable construction be entitled. These are not speculators who have gone in to rob a community; they are our own citizens, and men who are well known and respected by all who know them. Some of the men originally interested in this road are dead and have left their estates to their widows and children, some of whom are living in my own city, who hold the bonds of this company which are secured by the lands embraced in this bill.

In addition to the railroad from Dubuque to Sioux City there was another road, a land-grant road, authorized by Congress from a point on the Mississippi River, at McGregor, running directly west, which crosses the Sioux City and Saint Paul road at right angles at the town of Shel-don, which is nearly half way between Sioux City and the Iowa State line. This McGregor road is now a part of the Milwaukee and Saint Paul system, owned by the Chicago, Milwaukee and Saint Paul Company. That road crossing the Sioux City road claims a portion of the lands through which it passes and which are conterminous with the line of the Sioux City and Saint Paul road. So these two roads crossing at that

place claim this grant, both of them claiming the same lands.

That dispute having arisen between these companies, the State of Iowa refused to patent the lands to either company. The State of Iowa had certified to the Sioux City and Saint Paul road the lands lying north of those disputed lands, but these are lands lying midway between the Iowa line and Sioux City, conterminous with the Sioux City road. They are good agricultural lands. The patent had been issued by the Government of the United States to the State of Iowa for all those lands, and the legal title is in the State of Iowa. The Government of the United States has no legal title whatever in them. It has parted with

its title by a patent.

In regard to the lands which are in dispute between these two companies an action is pending in the Supreme Court of the United States, and, as I am informed, has been argued and is submitted to the Supreme Court, the determination of which will settle the title to these lands. That action will be determined by the court within a comparatively short period. The lands within the ten-mile limits must go to one or the other of these roads, whichever the court shall determine is entitled to them.

The legal title of the United States having been divested by this grant and patent to the State of Iowa, the lands embraced in the bill under consideration were withdrawn from market, and were not open to settlement under the pre-emption or homestead laws. No person had a legal right to go upon the lands and claim the benefit of the pre-emption law or the under the pre-emption or homestead laws. homestead law of the United States. Every person who entered upon

the land was certainly a trespasser. They had no more right to enter upon those lands and attempt to make a settlement than the men who have attempted to go upon the territory known as Oklahoma. The Government of the United States has commanded her armies to prevent any American citizen from entering upon that land, and no more had these settlers a right to enter upon this land. Yet having gone upon these lands because they were not certified to

the railroad company and because the company had not constructed a portion of its line to which I have referred, these parties now claim that they are settlers upon the public lands, and that if any portion of the land grant of the Sioux City road had not been earned in time the lands to be forfeited must be the lands which lie conterminous with the completed line of the road, because all the lands which are embraced in the settlements of these parties lie along the line of the completed road, and that portion of it was completed to Le Mars within the time authorized by law.

The Senator from Kansas, the chairman of the Committee on Public Lands, says there can be no relief to the company by granting them an allowance of lands for the portion of the road six miles and a quarter from Le Mars without making a new grant. The Senator seemed to rely very much upon the point of making a new grant. I am not aware that it would be any greater violation of right to make a change in the law which would permit a railroad company to have lands to in the law which would permit a railroad company to have lands to which it is equitably entitled than it would be to legalize the settlement of persons who have gone upon the land as settlers under the homestead or pre-emption law when they had no right to doso. To grant to them the right to acquire a settlement is certainly a change of the law

The bill proposes to relieve these settlers by making that change. It requires the courts to recognize them as having a right to settle upon these lands when under the existing law they had no such right. To grant to the Sioux City and Saint Paul Railroad Company the allowance of lands set apart by the grant of lands for the six and one-fourth miles northeast of Le Mars would not be making a new grant. grant of lands to Iowa was a complete grant, an entire grant, but in determining the mode of certifying the lands to the company by the State of Iowa it was provided that the patent should only issue when

ten consecutive miles of road were completed. The grant in this case is contained in the act approved May 12, 1864.

As I stated before, this was a grant of land of ten sections for each mile of road along this line of road from Sioux City to the northern line of Iowa. That I claim is a grant of the lands. In respect of the title to the land, it vested in the company under that general grant to the State of Iowa under the first section of the act of Congress and the grant from the State to the company. The fourth section of the act of Congress prescribes the manner in which the land shall be certified to the railroad company. The regulation prescribed by that section was that the lands should be certified upon the completion of each ten consecutive miles of the road. Under that provision five ten-mile sections extended from the Iowa line to within about six miles of Le Mars. The remaining six miles and a fraction to Le Mars was, of course, not a complete ten-mile section, and no lands have been certified to the company for that portion of the road.

To authorize the company to receive the legal title to the proportionate quantity of lands for those six miles of completed road would not be, as the Senator from Kansas argues, a new grant. The grant has already been made, and they are entitled to the land if they complete the road. The change removing the restriction to the certifying of lands to the company except upon the completion of ten miles of road would only be a change of the section which prescribes the mode in which the naked legal title to the lands shall be certified to the com-

pany. It would not be a new grant.

So there is no difficulty whatever in removing that restriction. They get but the portion of land to which they would be entitled for building each mile of the road, and not for any more road than is actually constructed. The Senate can do no less, it seems to me, than to adopt such an amendment as that.

I shall offer and move the adoption by the Senate of an amendment to the bill as reported from the Committee on Public Lands. I shall move to strike out of the first section of the substitute all after the word "company" in line 14 to the word "the" in line 16, and to insert in lieu thereof the following:

Except such of said lands as lie opposite to and conterminous with the constructed road of said company built within the time limited by said granting act, and such of said lands as have been certified or conveyed to said railroad company.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed a joint resolution (H. R. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print the report of the National Academy of Sciences for 1884, with its appendices. The message further announced that the House had passed a concur-

rent resolution for the printing of the report of the Director of the Mint

on the production of the precious metals in the United States for the year 1884.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes; and it was thereupon signed by the President pro tempore.

FRENCH SPOLIATION CLAIMS ACT.

Mr. FRYE. Mr. Smith, of the document-room, informs me that the number of copies printed of the act to provide for the ascertainment of the claims of American citizens for spoliations committed by the French prior to the 1st day of July, 1801, is entirely exhausted, and that there is a large number of letters on file asking for copies. I ask unanimous consent to submit a resolution providing that a thousand additional copies of the act may be printed, and that it may be done without reference to the Committee on Printing.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The

Senator from Maine asks leave at this time to submit a resolution. there be no objection it will be received and read.

The resolution was read, as follows:

Ordered, That there be printed for the files of the Senate document-room 1,000 additional copies of public act No. 13, "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801," approved January 20, 1885.

The resolution was considered by unanimous consent, and agreed to.

PRIVILEGES OF THE FLOOR.

Mr. HOAR. I ask unanimous consent that the rule of the Senate shall be so construed as to admit members-elect of the House of Representatives to the floor. That has always been the practical construction of the rule, and it is a courtesy which I am sure the Senate would like to extend to the members of the other House. The doorkeepers do not understand that they are authorized to admit members-elect.

The PRESIDING OFFICER. The Senate has heard the request made by the Senator from Massachusetts. Is there objection? The Chair hearing none, the request will be considered as granted.

PUBLIC BUILDING BILLS.

Mr. President-

The PRESIDING OFFICER. Does the Senator from Minnesota

yield to the Senator from Virginia?

Mr. McMILLAN. I do.

Mr. MAHONE. I ask the Senate to take up at this time House bill

The PRESIDING OFFICER. If there is no objection the bill will be read for information.

Mr. WILSON. There is objection if it tends to interfere with the

regular order.

Mr. MAHONE. There are a few House bills on the Calendar relating to public buildings which it is necessary to have passed at this time in order that the Committee on Appropriations may be advised as Mr. MAHONE. to the necessity of certain appropriations.

Mr. KENNA. It will require only a few minutes to dispose of

Mr. MILLER, of New York. Let the pending order be laid aside

temporarily.

The PRESIDING OFFICER. Is there objection to laying aside temporarily the existing order? If not, the Senator from Virginia will be recognized.

PUBLIC BUILDING AT ABERDEEN.

Mr. MAHONE. I move that the Senate take up House bill 870. Mr. CAMERON, of Wisconsin. I suggest to the Senator from Virginia to ask unanimous consent to proceed to the consideration of the bill.

Mr. MAHONE. I will ask unanimous consent that the bill be taken up.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for

other Government purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT READING.

Mr. MAHONE. I ask unanimous consent to take up the bill (H.

Mr. MAHONE. I ask unanimous consent to take up the bill (H. R. 3593) for the erection of a public building at Chicago, Ill.
Mr. MILLER, of New York. I should like to have the bills taken up in their order on the Calendar.
Mr. CAMERON, of Wisconsin. Yes; let them be taken up in the order in which they are on the Calendar.
Mr. MAHONE. All right. Then I ask unanimous consent to take up the bill (H. R. 1321) for the erection of a public building at Reading Page.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT CLARKSBURG, W. VA.

Mr. MAHONE. I ask unanimous consent to proceed to the consideration of the bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT WICHITA, KANS.

Mr. MAHONE. I ask unanimous consent to proceed to the consideration of the bill (H. R. 2123) for the erection of a public building at Wichita, Kans.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT PORT TOWNSEND, WASH.

Mr. MAHONE. I ask unanimous consent to proceed to the consideration of the bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT AUBURN, N. Y.

Mr. MAHONE. I ask unanimous consent to proceed to the consideration of the bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT CHICAGO.

Mr. MAHONE. I ask unanimous consent to proceed to the consideration of the bill (H. R. 3593) for the erection of a public building at

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 441) for the completion of a public building at Council Bluffs, Iowa, reported it with an amendment.

Mr. BLAIR, from the Committee on Pensions, to whom were referred

the following bills, reported them severally without amendment, and

the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3735) granting a pension to Mary A. Grennon; and A bill (S. 2668) granting a pension to John M. Milton.

Mr. VAN WYCK, from the Committee on the Mississippi River, to whom was referred the bill (S. 2667) making an appropriation for the improvement of the Missouri River at or near Omaha, Nebr., and Council Bluffs, Iowa, reported it without amendment.

Mr. CULLOM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1873) for the relief of Edward Kraemer; and A bill (H. R. 7248) to increase the pension of Jane D. Brent.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAMERON, of Wisconsin, submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

Mr. CULLOM submitted two amendments, intended to be proposed by him to the river and harbor appropriation bill; which were referred

to the Committee on Commerce, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MAHONE, from the Committee on Public Buildings and Grounds,

reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. McPHERSON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

PUBLIC BUILDING AT LOUISVILLE.

Mr. HARRIS. I ask the consent of the Senate to proceed at this time to the consideration of the bill (H. R. 2722) for the relief of Martha Turner

The PRESIDING OFFICER (Mr. HARRISON in the chair). Is there objection to the request of the Senator from Tennessee?

Mr. WILLIAMS. May I inquire if the bill in relation to the public

building at Louisville was passed?

The PRESIDING OFFICER. The Chair understands that it has

Mr. WILLIAMS. I ask the Senator from Tennessee to allow that

bill to be passed now.

The PRESIDING OFFICER. Does the Senator from Tennessee withdraw his request?

Mr. HARRIS. I withdraw the request if that is one of the publicbuilding bills.
Mr. MAHONE.

Mr. MAHONE. I thought I had called up that bill.

The PRESIDING OFFICER. The clerks inform the Chair that the bill has not been returned from the Printer.

Mr. HARRIS. Then I ask the Senate to proceed to the consideration of the bill I have indicated. The Senator from Kentucky will have no trouble in getting his bill up whenever it may come back from the Print-

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee to consider the bill (H. R. 2722) for the relief of Martha Turner?

Mr. WILSON. If that is to interfere with the bill on which we have been proceeding this afternoon I shall have to object.

Mr. HARRIS. In order that it should not interfere I ask unanimous

consent The PRESIDING OFFICER. The Senator from Tennessee has asked

for unanimous consent Mr. WILSON. If it does not interfere with the regular order I do not object.

The PRESIDING OFFICER. Is there objection?

Mr. PLATT. Let the bill be read for information.
Mr. WILLIAMS. The bill in relation to the Louisville building is in the same position exactly as the other public-building bills we have

The PRESIDING OFFICER. The Chair will state that while the bill referred to a few moments ago has not been printed, the engrossed bill is now on the Secretary's table. If it be the pleasure of the Sen-

ate that bill can be considered.

Mr. HARRIS. Then I withdraw my request in order to allow the Senate to proceed to the consideration of that bill.

Mr. MAHONE. I ask unanimous consent that the Senate proceed

to the consideration of the bill (H. R. 4067) to change the limit of appropriations for the public building at Louisville, Ky.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA TURNER.

Mr. HARRIS. I now renew my request for unanimous consent to consider the bill (H. R. 2722) for the relief of Martha Turner, and I will say that if it leads to any debate beyond the reading of the report I shall not insist upon continuing its consideration.

The PRESIDING OFFICER. The Chair understood that unanimous

onsent was given to proceed to the consideration of the bill referred to by the Senator from Tennessee.

Mr. HARRIS. Then I hope the bill will be read.

Mr. McMILLAN. The confusion now is evidently so great, and there is so much business here that requires to be done, and which ought to be done, that the Senate certainly can not appreciate the merits of the question which is up for discussion on the Iowa railroad bill. I have been interrupted several times, giving way to Senators, and I see the necessity of doing so. I move that the further consideration of the bill

The PRESIDING OFFICER. The Chair will state to the Senator from Minnesota that unanimous consent has been given to the consideration of the bill referred to by the Senator from Tennessee.

Mr. McMILLAN. Then I will wait until that is disposed of.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2722) for the relief of Martha Turner. It proposes to pay to Martha Turner, widow and beneficiary of John Turner, late of Union County, Tennessee, \$2,000, in full payment for the services of her husband in piloting and conducting recruits from the confederate to the Union lines during the late war.

Mr. PLATT. Is there a report in that case? Mr. HARRIS. There is. Mr. PLATT. I should like to hear it read.

The PRESIDING OFFICER. The Chair will request Senators and others on the floor of the Senate to cease conversation. Senators will resume their seats.

Mr. HARRIS. I would ask the attention of the Senate to the re-port of the Senator from New Hampshire upon this bill.

The Chief Clerk read the following report, submitted by Mr. PIKE

The Committee on Claims, to whom was referred the bill (H. R. 2722) for the relief of Martha Turner, having considered the same, make the following re-

The Committee on Claims, to whom was referred the bill (H. R. 2722) for the relief of Martha Turner, having considered the same, make the following report:

That John Turner, sr., late of Union County, Tennessee, petitioned the Forty-first Congress to allow him \$2.000 in full for his services rendered in piloting and guiding recruits from within the confederate lines to the Union Army, and for all moneys expended by him while thus engaged; that the country in which he performed this service was the mountainous regions of East Tennessee and Southern and Eastern Kentucky; that upon the evidence it is clear that from the deceased Turner's knowledge of the mountain passes and the formation of the country generally he was of great service to the Union cause by so piloting large numbers of refugees and recruits over the mountains to the Federal Army at various points in Kentucky; that in doing this he experienced great hardships and many privations; that the testimony of several commissioned officers and many private citizens, in connection with other papers filed, shows that the said Turner commenced the work of piloting recruits, as above stated, about the 1st of January, 1862, and continued the same for all the time till about September 1, 1863, making full twenty months; that his services, as certified to by six commissioned officers of the Federal Army and six private citizens who had knowledge of them in various capacities, together with money paid out, were worth at least \$100 per month; that he ought to be paid that sum at least, which is the sum he claims; and that in addition to this he was captured and imprisoned for some time by the confederates on account of his Union sentiments.

On the 18th of June, 1870, a bill passed the House of Representatives appropriating the petitioner the amount he claimed, but the bill was not reached in the Senate during that Congress and failed to become a law.

The Legislature of the State of Tennessee, fully recognizing the loyalty and devotion of the said Turner during th

Mr. PIKE. It became my duty to investigate this bill and make this report. I think it is a very just claim and ought long ago to have been paid. I hope the Senate will pass the bill.

Mr. DOLPH. I do not think the original claimant in this case ever had any just claim against the United States. If the parties who employed him to perform the service, which he is alleged to have rendered, had authority to employ him, they had authority to pay him. If he has any claim at all I think it is against the State of Tennessee before that State is rainly bussed by the General Government. I can not discovered by the content of the state of the st that State is reimbursed by the General Government. I can not dis-tinguish it from other claims of a similar nature which have been re-

jected by the Committee on Claims. I did not agree to the report of the committee and I can not vote for the bill.

Mr. PIKE. This claim has been considered by half a dozen committees of this body and the other, and every one of them has reported favorably. It passed the House once before. The service of this man was in enlisting men in Tennessee and taking them to Kentucky, and he was agreed to be paid by the officers a certain sum. It was not for soldiers secured in the State in which he secured the soldiers, but in another, and therefore was not a proper claim against the State of Ten-

Mr. HARRIS. I desire to add to the remarks of the Senator from New Hampshire that if the State of Tennessee had paid this man for his services, they being of the character they were, it is just that character of claim which the State would have been reimbursed by the Federal Treasury for the money so paid. Hence I think there is no merit in the suggestion of the Senator from Oregon.

Mr. DOLPH. Just a word. It has been the uniform practice of the

Senate to decline to pay claims of this kind until they have been assumed and paid by the States; and just the moment you make a precedent for the payment of such claims, we shall find all that class of claims where the State has not paid them presented to Congress for payment. This will be a precedent for them.

Mr. HOAR. May I ask the Senator from Oregon if we can with any propriety or justice insist on that rule in a State in a condition like Tennessee. We could not expect such a State to assume or pay the claim. I understand this man recruited in Tennessee.

Mr. DOLPH. I will answer the Senator from Massachusetts by say-

ing that if this claimant was employed by the General Government he must have been employed by some officer having authority to make a contract, and it would be a dangerous precedent, I think, for the United The PRESIDING OFFICER. The Chair is informed that there is a report, which will be read.

Mr. PLATT. Inasmuch as I desire to hear the reading of the report, who had authority to make a contract for services had authority to pay for the services, and he could have done it, and we ought not to be called upon after twenty years to pay a claim which has not before been paid. The presumption is against such a claim.

The bill was reported to the Senate, ordered to a third reading, and

read the third time.

Mr. DOLPH. I call for the yeas and nays on the passage of the bill. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Florida [Mr. JONES].

The roll-call was concluded.

The roll-call was concluded.

Mr. MANDERSON. Understanding that the Senator from Florida
[Mr. Jones] with whom I am paired would vote "yea" on this question, I vote "yea."

Mr. CONGER. My colleague [Mr. PALMER] is temporarily absent at this time, and I have forgotten with whom he is paired.

The result was announced—yeas 38, nays 5; as follows:

	YE.	AS-38.	
Allison, Blair, Bowen, Brown, Cameron of Wis., Coke, Colquitt, Conger, Cullom, Frye,	Garland, Gibson, Gorman, Groome, Hampton, Harris, Hawley, Hoar, Ingalls, Jackson,	Jones of Nevada, McMillan, Mahone, Manderson, Maxey, Miller of N. Y., Mitchell, Morrill, Pike, Plumb,	Sabin, Sherman, Slater, Vance, Van Wyck, Walker, Williams, Wilson.
	NA NA	YS-5.	
Chace, Dolph,	Jonas,	Pugh,	Vest.
	ABS	ENT-33.	
Aldrich, Bayard, Beck, Beck, Butler, Call, Camden, Cameron of Pa., Cockrell, Dawes,	Edmunds, Fair, Farley, George, Hale, Harrison, Hill, Jones of Florida, Kenna,	Lamar, Lapham, Logan, McPherson, Miller of Cal., Morgan, Palmer, Pendleton, Platt,	Ransom, Riddleberger, Saulsbury, Sawyer, Sewell, Voorhees.
So the bill wa	s passed.		

POST-OFFICE APPROPRIATION BILL

The PRESIDENT protempore laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other

Mr. PLUMB. I move that the Senate insist on its amendments disagreed to by the House and accede to the request of the House for a

conference

Mr. CONGER. I desire to ask the Senator in charge of the bill whether the amendment in regard to the renting of premises for third-class post-offices was concurred in by the House or not.

Mr. PLUMB. It was non-concurred in.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Kansas.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Plumb, Mr. ALLISON, and Mr. BECK were appointed.

CAPT. VINCENT PHELPS.

Mr. PLUMB. I should like to have unanimous consent to ask that the vote by which the bill (H. R. 7805) granting a pension to Capt. Vincent Phelps was indefinitely postponed yesterday be reconsidered. Since that time new evidence has been discovered which I think will cause favorable consideration by the Senate. I ask unanimous consent that the vote by which the bill was indefinitely postponed may be reconsidered and the bill placed on the Calendar.

The PRESIDENT protempore. The Senator from Kansas asks unanimous consent that the vote of the Senate indefinitely postponing the bill (H. R. 7805) granting a pension to Capt. Vincent Phelps be reconsidered and the bill placed on the Calendar. Is there objection? The Chair hears none. It is so ordered.

REFUND OF LUMBER DUTIES.

Mr. MILLER, of New York. I ask unanimous consent to call up Order of Business 1253, being House bill 6087, reported favorably from the Finance Committee. It will take but a moment.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent that the Senate proceed to the consideration of the bill (H. R. 6087) authorizing the payment by the Secretary of the breasury of the United States to Charles H. Getman, the firm of E. W. Rathbun & Co., the firm of Kinyon, Wright & Co., the firm of Bond & Co., and the firm of Page, Fairchild & Co. certain duties paid by them on imported lumber accidentally burned while in custody of officers of customs, and before the same had entered into consumption. Is there objection to the pending order being informally laid aside for the consideration of this bill?

Mr. WILSON. I will not object if it will not cause discussion, but if it will occupy much time I shall insist on the regular order.

Mr. MILLER, of New York. It will not take any time, I am sure. It is a favorable report of the Finance Committee.

The PRESIDENT pro tempore. Is there any objection to laying aside informally the pending order for the consideration of the bill called up by the Senator from New York? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider House bill 6087

House bill 6087.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HOAR. I move that when the Senate adjourns this afternoon it adjourn to meet on Monday at 9 o'clock. I understand that is the desire of the chairman of the Committee on Appropriations.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that when the Senate adjourns to-day it be to meet on Monday next at 9 o'clock in the morning.

The motion was agreed to.

SARAH M. BISSELL.

Mr. BLAIR. I move that the Senate now proceed to consider House bill 6940, Order of Business 1300. Mr. MILLER, of New York. I suggest that the Senator ask unan-

imous consent.

Mr. WILSON. Do not displace the regular order.

Mr. BLAIR. I ask unanimous consent.
Mr. McMILLAN. What is the bill?
Mr. BLAIR. House bill 6940.
The PRESIDENT pro tempore. The Chair will state to the Senator from New Hampshire that the Chair believes that bill was acted on this

Mr. BLAIR. There was a close vote of the Senate which I moved

to reconsider. I ask unanimous consent.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent to proceed to the consideration of a motion to reconsider. Is there objection?

Several Senators objected.

Mr. BLAIR. I make the motion to take it up.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate proceed to the consideration of the motion to re-

consider the vote rejecting the bill (H. R. 6940) granting a pension to Sarah M. Bissell.

Mr. WILSON. What effect will that motion have on the pending bill?

The PRESIDENT pro tempore. It will have the effect of displacing if the motion is agreed to.

Mr. WILSON, Then I hope it will not be done. Let the Senator

ask unanimous consent.

Mr. BLAIR. I did ask unanimous consent and there was objection.

Mr. BLAIR. I did ask unanimous consent and there was objection. The PRESIDENT pro tempore. Objection was made, and then the Senator made his motion in form.

Mr. WILSON. I hope the Senate will not take this up to the displacement of the regular order.

Mr. BLAIR. I do not desire to do that; but this bill—

The PRESIDENT pro tempore. Debate is not in order without unanimals.

imous consent. The question is on agreeing to the motion of the Senator from New Hampshire. [Putting the question.] The noes appear to have it.

Mr. BLAIR. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The question now is on agreeing to the motion of the Senator from New Hampshire, on which the yeas and nays have been ordered, to proceed to consider the motion to reconsider the vote by which the passage of the bill (H. R. 6940) granting a pension to Sarah M. Bissell was refused.

The yeas and nays were taken.

Mr. SAWYER. My pair with the Senator from Delaware [Mr. SAULSBURY] is transferred to the Senator from Michigan [Mr. Con-

The result was announced-yeas 29, nays 22; as follows:

	YE	AS-29.	
Aldrich, Blair, Bowen, Brown, Call, Cameron of Wis., Chace, Conger,	Cullom, Dawes, Dolph, Edmunds, Frye, Hawley, Hoar, Jones of Florida,	Lapham, McMillan, Mahone, Mitchell, Morrill, Pike, Platt, Sabin,	Sawyer, Sherman, Voorhees, Walker, Williams.
	NA	YS-22.	
Allison, Bayard, Camden, Coke, Colquitt, Fair,	Garland, Groome, Hampton, Harris, Harrison, Jackson,	Maxey, Morgan, Plumb, Pugh, Riddleberger, Slater,	Vance, Van Wyck, Vest, Wilson.

ABSENT-25.

Beck, Butler, Cameron of Pa., Cockrell, Farley, George, Gibson, Gorman, Hale, Hill, Lamar. Pendleton, Ransom, Saulsbury, Sewell. Lamar, Logan, McPherson, Manderson, Miller of Cal., Miller of N. Y., Ingalls, Jonas,-Jones of Nevada, Kenna, Palmer

So the motion was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate, and the question is on agreeing to the motion of the Senator from New Hampshire to reconsider the vote by which the Senate refused to pass

Several Senators addressed the Chair.

The PRESIDENT pro tempore. The motion is not debatable.

Mr. PLUMB. Let the title of the bill be read for information.

The PRESIDENT pro tempore. The title will be read.

The CHIEF CLERK. "A bill (H. R. 6940) granting a pension to Sarah

The PRESIDENT pro tempore. The question is on agreeing to the motion to reconsider the vote by which the Senate refused to pass the

The question being put, a division was called for.

Mr. HOAR. May I ask the Chair what is the precise question?

The PRESIDENT pro tempore. The precise question is, Will the Senate agree to the motion of the Senator from New Hampshire to reconsider the vote by which the Senate refused to pass the bill?

Mr. HOAR. May I inquire of the Chair, is not a motion to reconsider a question which is itself debatable under the rules?

The PRESIDENT pro tempore. It would have been so except for the new rules which expressly provide, the Chair is quite sure, that such a motion is not open to debate. The Chair will have the rule read if the Senator desires

Mr. HOAR. I should like to have it settled.

Mr. BLAIR. Do not let us take up time in this way.

Mr. PLATT. If reconsidered, the bill will then be open to debate,

Several SENATORS. Certainly.

The PRESIDENT pro tempore. The Chair will read the paragraph of Rule XIII relating to this point. It is as follows:

Every motion to reconsider shall be decided by a majority vote, without debate.

The question is on agreeing to the motion of the Senator from New Hampshire to reconsider the vote by which the Senate refused to pass

Mr. INGALLS. May I inquire what was the question on which the

Mr. INGALLS. May I inquire what was the question on which the yeas and nays were just taken?

The PRESIDENT pro tempore. On taking up the bill.

Mr. INGALLS. Taking up the bill, it having been defeated?

The PRESIDENT pro tempore. Taking up the motion to reconsider.

The bill having been defeated the Senator from New Hampshire entered a motion to reconsider, and the question was on proceeding to the consideration of the motion to reconsider, to which the Senate has agreed, and the question now is, therefore, whether the Senate will reconsider the vote refusing to pass the bill, on which the yeas and nays have been ordered.

have been ordered.

Aldrich,

The yeas and nays were taken.

Mr. HARRISON. I have left the Senator from Missouri [Mr. Cock-RELL] upon a conference committee to prepare the report, and paired with him. I announce my pair with him and withhold my vote. I do not know how he would vote.

Mr. McPHERSON. I am paired with my colleague [Mr. SEWELL]. The result was announced—yeas 30, nays 20; as follows:

YEAS-30.

Lapham,

Pike,

Bowen, Brown, Call, Cameron of Wis., Chace, Cullom,	Edmunds, Fair, Frye, Gorman, Hoar, Jones of Florida,	Mahone, Miller of Cal., Miller of N. Y., Mitchell, Morgan, Morrill,	Sabin, Sawyer, Voorhees, Walker.
	NA'	YS-20.	
Bayard, Camden, Coke, Colquitt, Garland,	Groome, Hampton, Harris, Jackson, Jonas,	Maxey, Plumb, Pugh, Riddleberger, Sherman,	Slater, Vance, Van Wyck, Vest, Wilson.
	ABSE	NT-26.	
Allison, Beck. Butler, Cameron of Pa., Cockrell.	George, Gibson, Hale, Harrison, Hawley,	Jones of Nevada, Kenna, Lamar, Logan, McPherson,	Pendleton, Ransom, Saulsbury, Sewell, Williams,

Cockrell, Conger, Farley, Hawley, Hill, Ingalls, McPherson, Manderson, Palmer,

So the motion to reconsider was agreed to.

The PRESIDENT pro tempore. The question recurs, Shall the bill

Mr. BLAIR. I only want to say a word. Of all the cases that have ever come to my knowledge where an increase from \$30 to \$50 has been

made by statute, this is the most pressing and the most worthy. very close vote this morning the Senate refused to pass this bill. Senate was very thin at the time, and now I have nothing to say only

that I hope the bill will pass.

Mr. CAMDEN. Mr. President, I move to amend the bill by striking out "fifty" and inserting "thirty."

The PRESIDENT pro tempore. A motion to amend is not now in order, the bill having been read the third time, and the question being on the passage of the bill.

Mr. CAMDEN. Then I will state to the Senate that this application

comes before us without having been submitted to the Pension Office. The Senate Committee on Pensions have no means of determining whether a pension should be granted or not. We have no means of getting the evidence. It is here against the unanimous rule adopted by the Committee on Pensions, which is not to consider a claim before that committee until the case has first been submitted to the Pension Office and the evidence presented there and the report of the Commissioner of Pensions had upon the case. This case is brought directly before Congress without going to the Pension Office at all and has been submitted to the Committee on Pensions, and in accordance with the unanimous rule of the Committee on Pensions it is presented to the

Senate on an adverse report.

The highest pension that the claimant would be entitled to under the law is \$30 a month, if she shows that she is entitled to a pension at all. It is admitted by the Senator from New Hampshire that the officer was placed on the retired-list about ten years before his death; and there is no evidence whatever before the Senate that he died from any disease contracted in the service or for any other cause than old age. And yet the Senate is not only asked, without any knowledge of the facts in this case, to grant a pension to the claimant, but it is asked to increase the pension allowed by law to nearly double its amount, from \$30 up

to \$50 per month.

If we are to have any rules for the granting of pensions at all applicable to all cases alike, there must be some limit to the informal way in which pension bills are considered, as this is now being considered by the Senate. I hope the Senate will not add this precedent to the other precedents that have been established here for the last day or two which will flood the Committee on Pensions with innumerable applications of the same kind, and there will be no valid reason for rejecting them if such precedents as these are established.

The PRESIDENT pro tempore. The question is on the passage of

Mr. CAMDEN. I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with

my colleague [Mr. Sewelle].

The roll-call was concluded.

Mr. COCKRELL (after having voted in the negative). I did not observe that the Senator from Indiana [Mr. HARRISON] had not voted. I am paired with him; I see he is absent. He would vote "yea" if present, and I should vote "nay." I withdraw the vote I cast.

The result was announced—yeas 28, nays 21; as follows:

		YEAS-28.	
Aldrich, Blair, Bowen, Brown, Call, Cameron of Wis., Chace,	Conger, Cullom, Dawes, Dolph, Edmunds, Frye, Hawley,	Hoar, Lapham, McMillan, Mahone, Miller of Cal., Miller of N. Y., Mitchell,	Morgan, Morrill, Pike, Platt, Sawyer, Voorhees, Walker.
	BTD exect 1	NAYS-21.	
Bayard, Camden, Coke, Colquitt, Fair, Groome,	Hampton, Harris, Jackson, Jonas, Maxey, Pendleton,	Plumb, Pugh, Riddleberger, Sherman, Slater, Vance,	Van Wyck Vest, Wilson,
	A	BSENT-27.	
Allison, Beck, Butler, Cameron of Pa., Cockrell, Farley, Garland,	George, Gibson, Gorman, Hale, Harrison, Hill, Ingalls,	Jones of Florida, Jones of Nevada, Kenna, Lamar, Logan, McPherson, Manderson,	Palmer, Ransom, Sabin, Saulsbury, Sewell, Williams.
So the bill wa	s passed.		

LOSSES OF PROPERTY BY TROOPS.

Mr. COCKRELL. I rise to a privileged report. The committee of conference on the disagreeing votes of the two Houses on House bill 5713 have met, and submit a report.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same as follows:

No. 1. Page 1, line 4, after "officers" insert "and."

No. 2. Page 1, lines 4 and 5, strike out "and duly authorized laundresses."

No. 3. Page 2, line 3, insert after "war" "or hostilities with Indians."

No. 4. Page 2, line 7, after "reasonable" insert "useful, necessary, and proper for such officer or soldier while in quarters, engaged in the public service in the line of duty: And provided further, That all claims now existing shall be presented within two years, and not after, from the passage of this act; and all such claims hereafter arising be presented within two years from the occurrence of the loss or destruction;" and the House agree to the same.

F. M. COCKRELL,
BENJ. HARRISON,
In behalf of the Senate,
W. S. ROSECRANS,
GEO. W. STEELE,

GEO. W. STEELE, R. M. MURRAY, In behalf of the House of Representatives

Mr. COCKRELL. I was mistaken in presenting the conference re-ort at this time. I ask leave to withdraw it. The PRESIDENT pro tempore. The report is withdrawn. port at this time.

WILLIAM H. DAVIS.

Mr. PIKE. 1 desire to call up House bill 4382, Order of Business 1126.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate proceed to the consideration of Order of Business 1126, being the bill (H. R. 4382) for the relief of William H. Davis. Mr. PLATT. Let the bill be read for information. The PRESIDENT pro tempore. The bill will be read for information

if there be no objection.

The bill was read.

The PRESIDENT pro tempore. The question is on the motion of the 'enator from New Hampshire [Mr. Pike].

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which appropriates \$6,000 to indemnify William H. Davis for the destruction of his wharf and warehouse at San Diego, Cal., by the United States troops, during the winter of 1861 and 1862.

fer of 1861 and 1862.

Mr. SHERMAN. I think the report had better be read.

The PRESIDENT pro tempore. The report will be read.

Mr. PIKE. I can state the substance of the report briefly.

Mr. SHERMAN. The Senator from New Hampshire says he can give the substance of the report. I do not ask for the reading.

Mr. PIKE. This claim is for wharf property at San Diego, in the State of California. The claimant was the owner of a large wharf and warehouse at San Diego which was constructed in 1851 of redwood. warehouse at San Diego, which was constructed in 1851 of redwood. During the winter of 1861-'62 the United States troops in service at During the winter of 1861-'62 the United States troops in service at that place used a large part of the material of which the wharf was constructed for fuel, building, and other purposes, by which the wharf was rendered worthless to him. The claim was sent by the act of Congress of March 3, 1881, for the relief of the claimant, to the Secretary of War, with authority to have it investigated by the Quartermaster's Department and to report to Congress. The Secretary of War reported that the claimant ought to be paid the sum of \$6,570. The House has allowed him by the bill only \$6,000, being less than the amount found due. An officer of the Quartermaster-General's Department, Coloned Saxton, was sent to make the investigation, and reported the facts which Saxton, was sent to make the investigation, and reported the facts which I have stated. The Committee on Claims further investigated it, and

think that this is the least sum that should be paid.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

DUCK VALLEY SETTLERS.

Mr. FAIR. I ask unanimous consent to call up Order of Business

1090, being House bill 3008.

The PRESIDENT pro tempore. The Senator from Nevada moves that the Senate proceed to the consideration of Order of Business 1090, being the bill (H. R. 3008) for the relief of certain settlers on the Duck Valley Indian reservation, in Nevada. The question is, Will the Senate agree to the motion?

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for payment to the settlers on the Duck Valley Indian reservation, in Nevada, of \$5,400, as follows: To Levi Harris, \$3,500; to William Harris, \$200; to Henry Boyle, \$1,500; and to J. H. Babb, \$200, in full for their improvements

on the reservation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAINT PAUL AND SIOUX CITY RAILROAD LANDS.

Mr. WILSON. I now move that the Senate proceed to the consideration of House bill 7299, Order of Business 1071.

Mr. MORRILL. I ask the Senator from Iowa to give way for a sin-

gle proposition.

Mr. McMILLAN. What is the bill proposed to be taken up?

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate now proceed to the consideration of the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes. The question is on agreeing to the motion.

Mr. WILSON. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted-yeas 28, nays 22; as follows:

	YE	AS-28.	
Allison, Bowen, Call, Camden, Cockrell, Coke, Colquitt,	Fair, Garland, George, Gorman, Groome, Hampton, Harris,	Harrison, Hill, Jackson, Jonas, Kenna, Miller of Cal., Morgan,	Plumb, Slater, Vance, Van Wyck, Vest, Williams, Wilson.
	NA.	YS-22.	
Blair, Brown, Cameron of Wis., Chace, Conger, Cullom,	Dawes, Dolph, Frye, Hawley, Hoar, Ingalls,	Lapham, McMillan, McPherson, Mahone, Mitchell, Morrill,	Platt, Sabin, Sawyer, Sherman,
	ABSI	ENT-26.	
Aldrich, Bayard, Beck, Butler, Cameron of Pa., Edmunds, Farley,	Gibson, Hale, Jones of Florida, Jones of Nevada, Lamar, Logan, Manderson,	Maxey, Miller of N. Y., Palmer, Pendleton, Pike, Pugh, Ransom,	Riddleberger, Saulsbury, Sewell, Voorhees, Walker,

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

ALEXANDER D. SCHENCK.

Mr. SHERMAN. I ask the Senator from Iowa to yield while I obtain unanimous consent to pass a little bill giving an officer of the Army \$107 for property stolen from him. I hope the Senator from Iowa will not object

not object.

The PRESIDING OFFICER (Mr. GARLAND in the chair). Is there unanimous consent to taking up the bill indicated by the Senator from Ohio? The Chair hears no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1266) for the relief of Alexander D. Schenck. It provides for the payment to Alexander D. Schenck, a first lieutenant in the Second Artillery, of \$107.65, being the amount he has been required to deposit with the Treasury of the United States to make good of certain subsistence stores pertaining to the Commission Department. deposit with the Treasury of the United States to make good the loss of certain subsistence stores pertaining to the Commissary Department of the United States Army, for which he was responsible as acting commissary of subsistence at Fort Johnston, North Carolina, in the fiscal year ending June 30, 1880, its stores having been stolen or otherwise unlawfully disposed of by John V. Seyton, late a commissary-sergeant in the United States Army, without the knowledge, consent, fault, or neglect of Schenek. fault, or neglect of Schenck.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (H. R. 2185) for the relief of Rosa Vertner Jeffrey and others;
A bill (H. R. 5364) granting a pension to William H. Whitcomb;
A bill (H. R. 5543) granting a pension to David M. Nagle;
A bill (H. R. 5798) granting a pension to John E. Denham;
A bill (H. R. 6011) granting an increase of pension to Robert Casey;
A bill (H. R. 6029) for the relief of Jeremiah McCarty; and

A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley.

SAINT PAUL AND SIOUX CITY RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purpos

Mr. HOAR. Mr. President, I rise to take the floor on the pending

Mr. MORRILL. I wish to ask unanimous consent to call up a House joint resolution that merely allows one of the riflemen at Wimbledon to have a silver cup that has been presented to him.

The PRESIDING OFFICER (Mr. GARLAND in the chair). Is there

objection to passing over the pending order informally and taking up the joint resolution indicated by the Senator from Vermont?

Mr. MORRILL. It is Order of Business 968, House joint resolution

A. B. VAN HEUSEN.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 124) authorizing the collector of the port of New York to deliver, free of duty, a silver cup won by Sergt. A. B. Van Heusen, as a member of the American Rifle Team, at Wimbledon, in July, 1883.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARLISLE MILITARY RESERVATION.

Mr. HOAR. Mr. President-Mr. HARRISON. I ask the Senator from Massachusetts to yield to

me for a moment while I ask unanimous consent to pass a bill. It is a bill that I called the attention of the Senate to the other day relating to a right of way through the Carlisle reservation. The Senator from Pennsylvania tells me that if it is passed now it can be got through the House. The whole enterprise is suspended on account of the want of this bill.

Mr. WILSON. The difficulty about that is that it may lead to discussion.

Mr. HARRISON. It can not in the smallest degree. If it leads to discussion I will withdraw the bill.

Mr. WILSON. The Senator will allow me to say—
The PRESIDING OFFICER. This debate is proceeding by unan-

Mr. WILSON. By this yielding in the earlier part of the day the bill taken up on my motion lost its place. If we had gone on with the bill when it was before the Senate, I think we should have completed it before this time. I certainly do not intend to occupy much time in submitting remarks upon it; and if we go right on now and close it up, then there will be abundance of time for other matters.

Mr. HARRISON. With the permission of the Senator and the Senate, I wish to say that I voted with him on his bill for its consideration; but the bill I refer to can be passed and engrossed and go to the House with some chance of being acted on.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr.

HOAR] is entitled to the floor on the pending bill.

Mr. MAXEY. I ask the Senator from Massachusetts to yield to me one moment to ask the unanimous consent of the Senate to call up Order of Business 1425, being the bill (H. R. 6533) for the relief of Dr. Thomas J. Jones, a unanimous report of the Committee on Military Affairs.

The PRESIDING OFFICER. Is there unanimous consent to laying aside the present order for the purpose of taking up the bill indicated by the Senator from Texas?

Mr. WILSON. I have just declined to yield in another case; I can

not yield in this.

Mr. MAXEY. It will take but a moment. It is a very short bill. Mr. WILSON. That has been said all the afternoon, but every bill called up took so many moments as finally to displace this bill. I think this bill can be disposed of in a short time.

SAINT PAUL AND SIOUX CITY RAILROAD LANDS.

The PRESIDING OFFICER. The Senator from Massachusetts is entitled to the floor on the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes; which bill is before the Senate as in Committee of the Whole.

Mr. HOAR. Mr. President, I think I can say all I have to say on this bill in about three minutes. I trust it is not too much of a request to make of the Senate to ask them to listen for those three minutes, because this is a question of justice, and it is a very simple ques-

tion as far as I wish to state it

The persons who have called my attention to this bill are some persons dwelling in the State of Massachusetts who have loaned their money to build a railroad in the West at the rate of 6 per cent. The railroad company is insolvent and the only security they have got is the railroad's title to these lands which are now in dispute.

Mr. PLUMB. Will the Senator make his statement a little more

complete by saying the lands granted to this railroad including this land, not this land alone?

Mr. HOAR. Including this land with the lands granted to the rail-ad company. The railroad company itself has not been able to pay any road company. The railroad company itself has not been able to pay any interest on the bonds for many years, and this bill affects the interest of these bondholders because these lands are practically the only security they have in the world, and they are not enough to pay the debt. The whole amount of it is about \$800,000. I do not believe there is a the whole amount of the security that the second security they have in the world. gentleman in this body who thinks that a person who has loaned about \$800,000 in the East to build a Western railroad at the moderate in-

\$800,000 in the East to build a Western railroad at the moderate interest of 6 per cent. is a person who is not entitled to justice at the hands of this legislative body. If there be any person who entertains that opinion, I do not know how to address an argument to his mind.

That being the case, what is the point in this bill? Congress granted to the State of Iowa certain public lands, so many per mile, with the authority to the State of Iowa to give those lands to railroad companies are already with railroads through Iowa and the State of Iowa section. who should build railroads through Iowa, and the State of Iowa selected the Sioux City road as one of those roads, which is the road that made the mortgage to the persons of whom I speak.

Congress went on to say in the original grant that whenever the governor of Iowa certified that ten miles of road had been built, then a patent should issue to the State of Iowa for the benefit of the railroad company that had built that much road. There were to be so many acres of land for every mile of road given to the State of Iowa, but for convenience in issuing the patents they were to be issued ten miles by ten miles. This company went on in good faith and built its road ten miles by ten miles and got its patent for each completed section of ten miles; but of the last ten miles they only built 6.13. The reason they did not build the other three miles and a fraction was that the Legis-

lature of Iowa granted to another land-grant railroad, precisely under this same act of Congress having the same rights, a right to build its track along those three miles and a fraction.

This company, supposing that the Government did not expect to have two roads built over substantially the same track, and that it did not expect to have to give two land grants per mile where one would do, stopped and made its connection with the other land-grant road into Sioux City. The question with these mortgage bondholders is whether they can have some 85,000 acres—I think that is the quantity, but no

they can have some \$5,000 acres—I think that is the quantity, but no matter what the amount is—which were earned by the company having faithfully and honestly and fairly built those six miles and a fraction of road. That is the point.

Mr. GEORGE. I wish to ask a question.

Mr. HOAR. At the end of my statement I will yield for a question.

That being the case, the State of Iowa refused to make the certificate to this company, and it is in the Supreme Court of the United States, and expects early next fall to have the case argued on some legal proceeding which it has begun to settle whether it shall have this land or not. Now, then comes in this bill, and this bill says in substance that everybody in interest may bring a suit to see who has got the legal or equitable title to this land, and that the land that nobody has got a legal or equitable title to shall be resumed by the United States and open to settlement, and that persons who have gone in there and squatted and settled on italready shall have the preference, as if they had been bona fide settlers. Nobody has a legal title to this land, because the patent has not issued, and that is what is necessary to make a legal

Mr. McMILLAN. If the Senator will permit me—
Mr. HOAR. I think I can complete my statement better if I am
allowed to proceed, though no doubt the Senator would fortify it.

That being the case, what I claim is that this bill should be amended by saying that the Supreme Court shall also determine, as you are by saying that the Supreme Court shall also determine, as you are making a special lawsuit for this particular road, whether these people are in justice and equity entitled to have their patent to these six miles and a fraction; and, if so, then that the land grant appertaining to the six miles and a fraction shall not be open to public entry and shall not be taken possession of by settlers, and that this road shall have it, or that a report shall be made to Congress and Congress shall say whether they will grant it hereafter.

My honerable friend from Alabama [Mr. Morgan], one of the committee who reported this bill—I do not know but that he made the report himself—says that that is the substance of the bill now. I do not

says that that is the substance of the bill now. I do not think so; I do not think the bill means any such thing now. I think when the bill says legal or equitable rights it means legal rights or such equitable rights as are enforced by courts of equity acting under the recognized equity jurisprudence, and that a man would not be supposed to have a legal or equitable title when it required the issuing of a patent from the Government for these 6.13 miles under a law which only entitled him to his patent when he had built ten miles

If the committee will consent to put into this bill an amendment that will make that thing clear which the Senator from Alabama thinks is in there now, and which I think is not, my opposition to this bill will be withdrawn. If they do not consent to that I think it is an unjust bill which ought to be resisted and voted down.

Now I will answer the question of the Senator from Mississippi if I

Mr. GEORGE. I desire to know whether that was the only default committed by the company-failing to build those three miles and a

Mr. HOAR. Yes; that is all I know of.
Mr. GEORGE. How much land was granted to the company per

Mr. McMILLAN. Ten sections a mile.

Mr. GEORGE. And it is the land adjacent to those three miles and fraction that is now in controversy?

Mr. HOAR. No; they built over six miles of the last ten-mile section. They could not get a patent until they built ten miles. It is, the land adjacent to the 6.13 miles that is in controversy. Of course they do not claim land for the 3.87 miles of road not constructed.

As I said in the beginning, these bondholders live in Massachusetts; some of them are widows and orphans. They are the sort of people who invest their money in securities of this kind at 6 per cent. only and the presumption is that they are persons of invested property. There is the whole story, as I understand it.

Mr. HARRIS. If I understand the statement of the Senator from Massachusetts it is that the act granted these lands in sections of ten

Mr. HOAR. Not exactly. It granted to the State of Iowa so much a mile, ten sections. Then it said that when ten miles had been built the governor of Iowa was to issue his certificate and the patent should and when another ten miles had been built the patent should go. I believe that meant that the company should get proportionately for the last ten miles. Suppose the road had turned out to be ninety-five miles long and they had built the whole ninety-five miles, would they lose the land grant for the last five miles?

Mr. HARRIS. Congress granted to the State of Iowa such an amount

of public lands to be appropriated to purposes of public improvement. The governor of Iowa was authorized by the Legislature of that State to issue his certificate upon the completion of the construction of tenmile sections.

Mr. HOAR

Mr. HOAR. Authorized by the act of Congress to do that. Mr. HARRIS. Then to a subsequent road a grant of three miles and a fraction on the same line was made.

Mr. HOAR. On the same line under the same authority.
Mr. HARRIS. That grant has been given by the State That grant has been given by the State of Iowa?

Mr. HOAR. Yes, sir.
Mr. HARRIS. And the question in this bill is as to whether or not the original company should receive the land grant for the six miles and a fraction.

Mr. HOAR. That is it exactly; for what it did build. Mr. BROWN. In that connection I wish to ask the Senator from Massachusetts a question. I understand him to say that the only reason why the other three miles and a fraction were not built was that the other road was already built, and it was no use for this company to

build that portion.

Mr. HOAR. That is it exactly.

Mr. VAN WYCK. Now will the Senator from Massachusetts allow me to ask a question? He shows in his statement that there is a constitution of the statement of t flict of opinion as to what a law previously passed means, as I under-

Mr. HOAR. Excuse me a moment. I omitted to say that these parties have got a suit in the Supreme Court of the United States to compel the governor of Iowa to give his certificate for these six miles and that suit is just about being reached for argument, and will be reached by next fall at all events. It was close at hand when the Supreme Court took its recess. It will be reached there this spring before adjournment or next fall, and if this new proposition comes in it will delay the settlement of that for four or five years.

Mr. CALL. I should like to ask the Senator from Massachusetts how

many miles were built within the time required.

Mr. HOAR. All were. There is no question on earth so far as I

know except what I have stated.

Mr. MORGAN. Mr. President—

Mr. HARRISON. Will the Senator yield to me a moment, as I want light on this question, and probably it was his intention to try to diffuse some light?

If I understand the argument of the Senator from Massachusetts it is that this company under the bill as it stands would not be entitled to the conterminous lands along these six miles of road; that this bill would deprive the company of the lands conterminous to these six miles?

Mr. HOAR. Exactly.

Mr. HARRISON. Does the Senator understand that under the original law greating these lands to the State of Iowa this company would

Mr. HARRISON. Does the Senator understand that under the original law granting these lands to the State of Iowa this company would be entitled to these lands?

Mr. HOAR. I think so. It is just that question.

Mr. HARRISON. If there is that question, what I think is the fair thing to do is to leave that question to the courts for settlement.

Mr. HOAR. It is in the courts now.

Mr. HARRISON. If this bill does anything more than to refer to the courts the existing rights of parties, without attempting to change them in any way in the world, it goes beyond the scope I think it ought to have; but as I understand it, it is simply to send into the courts for adjudication the question whether this road is entitled to those lands as earned lands, and it does not profess to give to the United States anything but unearned lands.

Mr. HOAR. That is just the fallacy of the proposition, if I may be permitted to use such a phrase in regard to anything said by so dis-

tinguished a lawyer.

tinguished a lawyer.

Mr. HARRISON. It is not my proposition.

Mr. HOAR. Suppose it to be true that the United States made a land grant to a railroad company and said that it should get its lands as fast as it built ten miles, and then the same authority made a land grant to another railroad which came and located and built half of the last ten miles of the road of company No. 1, and suppose it to be true that in strict law the company No. 1 was not entitled to its patent because it had not built the ten miles, though it was prevented from doing so by the act of the Government itself, would that be a just bill which merely referred the naked question of law to a court and came in and forfeited the claim for the five miles which were actually built? That is the very question. is the very question.

Mr. HARRISON. I am not trying to debate this case or ass of my own, but rather to obtain information. If I understand this case the question would be, no new legislation having been had, to which road, if to any road, the original grant would appertain. If the road in which the Senator's friends are interested can not claim in law these lands which are said to be in dispute, then there would be no way for them to get them except by a new act of Congress which would confer

some rights upon them.

Mr. McMILLAN. If the Senator from Indiana will allow me—
The PRESIDING OFFICER. The Senator from Alabama [Mr.

MORGAN] has the floor.

Mr. MORGAN. I yielded to allow the debate to run on over there.

Mr. McMILLAN. The Senator from Indiana, I think, does not know precisely the point at issue here. There is no counter-claim for the six miles and a fraction of land.

Mr. HARRISON. By the other railroad?

Mr. McMILLAN. None at all.

That is what I supposed.

Mr. HARRISON. Mr. McMILLAN. This road is the only road entitled to those lands any road should get them.

Mr. HARRISON. The Senator from Massachusetts has stated the case, as I understood him in the beginning, quite differently from the statement made by the Senator from Minnesota.

Mr. HOAR. Oh, no.

Mr. HARRISON. It seems as to the conterminous land along these

six miles of road the question is simply between the United States or the State of Iowa and this railroad company, and that is not complicated by the claim of any other railroad company at all.

Mr. McMILLAN. Not at all.
Mr. HARRISON. Now, if I understand the situation, the Senator from Massachusetts must either claim that under the original grant this was given to his railroad company, and they are entitled to it—and if that is true then no legislation can take it away from them—or if he so construes the law as that they were not entitled to it under that law, then how can they get it, whether we pass this bill or not, unless we

pass an affirmative law giving it to them?

Mr. MORGAN. Mr. President, I find that there is some misunder-standing about this bill. This is a bill of peace, intended to compose controversies in the State of Iowa that otherwise can not be composed. Legislation has been demanded in two directions from the Committee on Public Lands; one is that we shall give these lands by some direct act to what are termed the squatters upon them, another is that we shall give the lands by a direct act to the railroad company. These lands were patented to the State of Iowa by the Government of the United States. When I say "patented" I mean certified in such form as that the title was equivalent to a patent; and that action occurred under the fourth section of the act making this land grant, a part of which I will read:

which I will read:

That the lands hereby granted shall be disposed of by said State for the purposes aforesaid only, and in manner following, namely: When the governor of said State shall certify to the Secretary of the Interior that any section of ten consecutive miles of either of said roads is completed in a good, substantial, and workmanlike manner, as a first-class railroad, then the Secretary of the Interior shall issue to the State patents for one hundred sections of land for the benefit of the road having completed the ten consecutive miles as aforesaid. When the governor of said State shall certify that another section of ten consecutive miles shall have been completed as aforesaid, then the Secretary of the Interior shall issue patents to said State in like manner for a like number; and when certificates of the completion of additional sections of ten consecutive miles of either of said roads are from time to time made as aforesaid, additional sections of land shall be patented as aforesaid until said roads or either of them are completed, when the whole of the lands hereby granted shall be patented to the State for the uses aforesaid and none other.

It is upon the legal construction of that act of Congress that these questions all arise. A certificate came to the Department here, which was satisfactory to the officers of the Department, that this road had questions all arise. was satisfactory to the officers of the Department, that his road had been completed in sections of ten miles according to the provisions of the fourth section of this act. Thereupon the Secretary of the Interior made a patent to the State of Iowa. Pending that arrangement persons in Iowa, who disputed that the Secretary of the Interior had made a proper construction of this law, entered upon the land and claimed it was part of the public domain of the United States, they claiming that only six-tenths of this last section of ten miles had been completed and that four-tenths remained incomplete, and, therefore, the State of Iowa held the land in excess to the amount of four-tenths of the ten miles in trust for the Government of the United States, and not in trust for the railroad company. The Legislature of Iowa, sympathizing with its own people, taking sides with the people who are called squatters, refused to make a patent for these lands to this railway company, refused it by act of the Legislature and left the lands in abeyance so far as the transfer by that State of the legal title was concerned.

Now, then, what is the attitude of Iowa as to the Government of the United States? It is the holder of the legal title to the land opposite to and conterminous with these four-tenths of this section of ten miles, and the Government of the United States is appealed to to institute some proceeding whereby these claimants under the Government can come forward to assert its rights upon this land. What is Congress to do if it does anything about this case? Congress must necessarily assert the authority, whatever it may be, of the Government of the United States as against its trustee, who holds these lands in its possession under a patent, refuses to convey to the railroad, and asserts that these

lands rightfully belong to the squatters.

Mr. McMILLAN. The Senator from Alabama is mistaken in that.

Mr. MORGAN. In what respect?
Mr. McMILLAN. The State of Iowa refused to declare a forfeiture of this grant. On the application of these squatters it refused to do

Mr. MORGAN. It may have refused to declare a forfeiture; I do not know about that. I do not think that is a material question, but it certainly has refused to convey the lands to the railroad company. Mr. McMILLAN. It certainly affects the rights of these claimants.

Mr. MORGAN. Whatever may have taken place beyond what I have stated does not affect the case in the slightest degree. The State of Iowa has refused to convey these lands to the railroad company, placing the construction on the law that it was not apportionable for the ten miles; that a section of ten miles must be complete under the act I have just read before the title of the railroad company was good to any part of the land.

Of course these settlers upon these lands can not assert any title in their own names, for the Government of the United States had put the title out of its own hands into the hands of the State of Iowa, a naked trustee, but the State of Iowa refuses to assert the title in favor of the railroad company, and is willing, I dare say, to transfer the title to the squatters, but she has not done it. The title remains there to-day in the hands of the State of Iowa, a naked trustee.

Mr. HARRISON. The Senator from Alabama will allow me a word. Of course the State of Iowa would have no power to transfer these

lands otherwise than in the direction of the trust. She would have no

power to transfer them to squatters.

Mr. MORGAN. No; I suppose she has not any such power. events she has refused to convey to the railroad company, and she holds the lands just in that plight. Now the squatters come here and insist that the Government of the United States shall declare that these lands have reverted in consequence of the fact that Iowa has refused to convey them to the railroad company in completion of the trust. They claim that it was quasi a public domain, but that the condition of it, the patent having issued, shuts them out from all rights in it, and they

parent having issued, shuts them out from all rights in it, and they pray the Government to assert its rights upon it.

In this condition of affairs, to avoid another Des Moines difficulty and involvement there which will run on through a number of years, the Committee on Public Lands, responding to the bill that came from the House and altering it only in some particulars that we thought were important, concluded to organize a tribunal by conferring jurisdiction on the circuit court of Iowa to adjudicate this whole matter. The committee of the House and the committee of the Senate have been equally sedulous to get this matter before the courts of the country without the slightest change of any right of any person whatever.

Mr. McMILLAN. Will the Senator from Alabama allow me to ask

a question? Mr. MORGAN.

Mr. MCRGAN. Yes.
Mr. MCMILLAN. Does not this bill propose to legalize the settlement of those persons, whom the Senator refers to as squatters, as bona

fide settlers upon the public lands?

Mr. MORGAN. No, Mr. President, not any more than the law legalizes that now; for if it is public land every citizen of the United States has the unquestionable right to go on it.

Mr. McMILLAN. But the Senator will permit me to suggest to him that whether these lands were public lands or not there is no doubt whatever about the fact that they were withdrawn from market and were not subject to settlement under the public-land laws of the United States, and this bill proposes to recognize them as persons who had a right to go on there at the time they did go on and make their settle-

Mr. MORGAN. That appears to be a phase of the case which impresses me with this idea, that the Senator's opposition is not because our action is benefiting the railroad company, but because it benefits

Mr. McMILLAN. It will not do for the Senator to put the matter in that shape. He has said that this bill confers no rights upon any persons that they do not now hold.

Mr. McMILLAN. I have already pointed him to the fact that it does relieve these persons from a disability under which they lie which much be first to their claim if it remains.

must be fatal to their claim if it remains

Mr. MORGAN. I do not understand this bill if it relieves them from any such disability, or if it confers upon them any new right or rom any such disability, or if it coniers upon them any new right or privilege not found in the general laws of the United States, for I reassert now—I do not wish to repeat it again, though—that the public domain of the United States is open freely to the settlement of the people, and if they may not make entries upon it either of homesteads, or pre-emption, or private entries, still there is a standing invitation under the laws of the United States to every man in this country to go upon the public domain and make settlement there.

Mr. McMILLAN. I do not wish to interrupt the Senatorif it is disagreeable to him.

agreeable to him.

It is not disagreeable to me, but it must be to the Mr. MORGAN. Senate, because I can not get what really I want to say together.

Mr. McMILLAN. I call the Senator's attention to the fact that

where public lands are withdrawn from market by the proper authority no citizen has a right under the law to go upon them to make settle-

ment for any purpose.

Mr. MORGAN. That is new law to me.

Mr. McMILLAN. The Government of the United States is already sending its Army to prevent citizens from going onto lands because they are not subject to settlement.

Mr. MORGAN. No; the case the Senator refers to is because it is

an Indian reservation.

Mr. McMILLAN. Because it is not subject to settlement.

Mr. MORGAN. No citizen has a right to go on an Indian or a military reservation, because that is excluded by express terms of statute from settlement by the people of the United States; but that which is the public domain and is not thus segregated from the public domain lies broadly and freely open to the settlement of any person who chooses peacefully to go upon it; and that is precisely the condition in which the citizens of Iowa found this land, if their assumption was correct that it was not a part of the land to which the railroad company was that it was not a part of the land to which the railroad company was entitled, but a part of the land held in trust by the State of Iowa for the Government of the United States. That is the situation precisely.

Now, Mr. President, I reassert that the committee have presented a bill which does not in the slightest degree alter the rights of any person at all. What is the object of the bill? I have already called the attention of the Senate to the fact that a question of law arose here upon the construction of the fourth section of the act, which was whether the railroad company, having earned six-tenths of a section of ten miles, was entitled to any part of the land for that section. I have the same opinion upon that question that the Senator from Massachusetts has expressed, that it is an apportionable grant, and it ought to be apportionably administered, and this railroad company ought to have the six-tenths; but they do not stop there in their demands; they want the whole of it.

Mr. McMILLAN. No, Mr. President, they have never set up any claim or shadow of a claim to such a thing. They never claimed a foot or acre of land but for the exact amount of line of road completed and contemprous with their line.

or acre of land but for the exact amount of line of road completed and conterminous with their line.

Mr. MORGAN. That will not do, because they have gone down the line some twenty miles and located for the purpose of making up compensation for lands that lie behind that they did not get.

Mr. WILSON. Involving about 27,000 acres.

Mr. MORGAN. I think the committee understand this controversy;

they have had enough to do with it to understand it, surely. I spec of it as it appeared to the committee. Of course we are not deciding any right of the settlers here or of the railroad. We are trying merely to relegate the question to the courts, where it can have a proper decis-

ion in proper form.

Mr. HOAR. May I ask the Senator from Alabama a question?

Mr. MORGAN. Certainly.

Mr. HOAR. The Senator says he agrees with me that this is an ap-

Mr. MORGAN. I do.

Mr. HOAR. Suppose we are both in error in the construction of the law, and that the title would not be vested unless the company completed a section of ten miles, does not the Senator agree with me also in thinking that if they were prevented from completing the ten miles by the facts stated, the United States ought to give them the land for the six miles and a fraction they have completed?

Mr. MORGAN. That is precisely what we do in this bill.

Mr. HOAR. No. The next question then is, do you do it in this

Mr. MORGAN. I have no doubt about it at all.
Mr. HOAR. I hope the Senator will not object to an amendment that I will propose to make that clear.
Mr. MORGAN. I do not know that I shall object to it until I see

it; but if the Senator's amendment trenches on somebody else's right,

will object to it.

Mr. HOAR. If the Senator will allow me, I will read what I propose to insert. My desire would be to insert after the words "United States," in the eighth line of the first section, where the section gives jurisdiction:

And also to determine whether any person or corporation is in justice and equity entitled to such lands.

Then in the fifth section, where it says "that if any of the lands mentioned herein are adjudged to belong to the United States," I would insert the words "in justice and equity" after "belong;" so as to read:

That if any of the lands mentioned herein are adjudged to belong in justice and equity to the United States, the same shall constitute a part of the public domain.

These two amendments will make the bill to my comprehension

what it already means to the Senator's.

Mr. MORGAN. We have had the difficulty throughout this case of the parties on each side claiming that certain words should go into the bill which they thought were necessary for the protection of their rights, for I am quite sure that the parties on both sides of this controversy are equally just and honest in all of their demands. I think there is no question about that. The squatters, who have been spoken about in a rather contemptuous way occasionally, are just as honestly impressed and convinced of the validity of their claim as if they had a patent from the Government of the United States, and so is the railroad company, and so are the mortgagees. I appeal now to the lawyers of this body as to these words. We are now conferring jurisdiction on a this body as to these words. We are now conferring jurisdiction on a court to hear and determine the controversy between these parties without undertaking to shape it or to color it in any manner whatever, and we use these words:

That jurisdiction is hereby conferred on the circuit court of the United States

for the northern district of Iowa to hear and determine any controversy of either a legal or equitable nature that may exist between the United States and the State of Iowa, or any corporation or person who claims any lands under the laws of said State or of the United States, by reason of an act of Congress entitled, &c.

Then in a subsequent section arranging the method of procedure w say that a bill in equity or a suit at law may be brought and shall be brought by the United States Government under the direction of the United States Attorney-General, the object of the bill being on the part of the Government of the United States to have justice done, the Government recognizing that it stands only in the relation of holding an equitable interest in this land for the benefit of those who may be equitably entitled to it. Now, when we have conferred that sort of jurisdiction for that purpose and accompanied it with that machinery, can there be any doubt in the mind of any lawyer that any right of an equitable or a legal nature in this controversy can be entirely settled by the court without more? I think there can be no doubt about that.

I appreciate the anxiety of the honorable Senator from Massachusetts

to have the rights of the particular class of persons who have spoken to him about this clearly and definitively arranged and settled, but I submit to the honorable Senator that if he had the bringing of the bill in this court he would have no trouble in the world in finding a jurisdiction to invoke, and if he had a cause that appealed to the law or to equity to that jurisdiction his friends would be entirely safe.

When we go on further, and in order to show that the Government

of the United States does not intend to take hold of this title for any other purpose than having justice and equity administered, we say:

The United States hereby asserting its reversionary right to all of said lands, or so much thereof—

That is the way I hope the bill will read. That is the meaningas shall be found to have been patented in excess of the amount of land earned by said company.

Only to the extent of the amount patented in excess of that earned by the company. That brings up the question for the court to decide and which the committee did not wish to decide (and which I think the Senate and the House-I know the House-did not wish to decide) have these lands been earned by the company within the true meaning and intent of the fourth section of the act? Is this an apportionable grant? If they have built six of the ten miles, does it thereupon follow that the lands to the extent that the road has been constructed have been earned? If they have been so earned, the Government of the United States says, "We claim no interest in this; our forfeiture does not extend to these lands at all." If they have not been so earned, then, of course, the railroad company ought not to claim them, and

the honorable Senator from Minnesota says they do not claim them.

That is a question for the court to decide. I would very gladly, if I was on the bench and had the case submitted to me upon evidence which I thought was entirely satisfactory, sit down and try to compose this great controversy which is about to crop out in a number of dangerous lawsuits. I would be very glad to try and give repose to that com-In this bill our committee came just as near to it as we knew how with perfect impartiality between these parties. The committee have setout those words and those phrases, those sentences and expressions which they thought would carry this question before the court in such a manner that the court could not discover that Congress had the slightest bias in favor of one person or another, except to this extent, that where the lands had been earned (leaving the court to determine what that phrase must mean) by the railroad company Congress asserts no right to them, giving, therefore, a perfect opportunity to the court to determine whether or not this is an apportionable grant, and if so how far and to what extent these lands have been earned.

I think that while the bill is open to sharp criticism, and must neces sarily be in a body of lawyers as intelligent and bright as those who are in the Senate of the United States, it will upon examination be found to be a just and good measure. We found that the House bill was not in our estimation a complete measure, and so the committee took great pains to try to render and give an opportunity to these peo-ple to have justice done. Now, suppose that this bill does not pass. We are informed that a lawsuit is pending for the purpose of issuing a mandamus, I suppose it is, to the governor of the State of Iowa, to compel him to certify to this railway company certain lands. Nothing of that record has ever come before us; we know nothing about that.

Mr. McMILLAN. The only suit I know anything about is between

two railroad companies.

Mr. MORGAN. I was quite surprised at hearing the honorable Senator from Massachusetts state anything else, and yet he did state, as I

understand, that there is a lawsuit pending.

Mr. McMILLAN. That is a suit pending in the Supreme Court to determine whether the Milwaukee and Saint Paul road or the Sioux City road shall have certain lands conterminous with their line at the point where the two roads cross

Mr. MORGAN. I understand perfectly well what that suit relates to, but the honorable Senator from Massachusetts so described it that I did not understand it, because he made it a suit applicable to these lands, whereas the truth is that the suit the Senator from Minnesota speaks of is a suit relating to an entirely different tract of land.

Mr. McMILLAN. No, sir; it does affect these lands.

Mr. MORGAN. In what way?
Mr. McMILLAN. It involves the lands that are conterminous with
the line of this road between Le Mars and the Iowa line, and they must go either to the Milwaukee company or to the Sioux City company, and you get another suit to determine the title of those lands.

Mr. MORGAN. It is perfectly obvious that the object of the bill is not to supersede the jurisdiction of any court that has already cognizance of any question of law pending before it. It is to supply a remedy in respect of those lands which have been the whole subject of controversy here this evening, and those are the lands which lie opposite to and conterminous with the four miles which the railroad company did not complete because it formed a junction with another road, and its completion was therefore unnecessary. That is the whole of it.

Now, there is no suit, there is no mandamus proceeding against the governor of Iowa to compel him to convey these lands to the railway company, nor is there likely to be, I suppose, for such a suit could not originate elsewhere than in the State of Iowa, and I presume the statutory law there does not authorize it. What, then, is to become of these settlers? What is to become of this controversy? It will run on the state of the settlers of the settlers? and run on. A will sue B, and in a collateral proceeding these questions will be settled perhaps after the lapse of years, and that community will be thrown into the unfortunate condition which we have belabored so much during the recent days of this session of Congress in the Des Moines case.

I repeat that this is a bill of peace, and if the Congress of the United States wants to stop litigation and wants to do justice to all concerned, it seems to me it will pass the bill. Of course I have no other inter-

est in it than that of trying to secure peace.

I wish to say just one word more, and I am afraid I am debating this question entirely too long. You might strike out sections 5 and 6, all that relates to the method of disposing of these lands into the hands of settlers, and yet the principles of the bill would be entirely unaffected and their rights would not be affected very much. I do not think they would be affected at all; for the moment that these lands become, by the adjudication of the court, public domain, then of course they will be open to disposal under the general laws affecting the publie domain.

Mr. McMILLAN. The Senator does not recognize the fact that even if that were the case yet these lands could not be opened to settlement, because they have been withdrawn from market by the Government

of the United States.

Mr. MORGAN. If that is true, the Senator and I differing about what the effect of this measure would be, the committee have acted very wisely, and the House acted very wisely, in putting the provisions in the bill disposing of these lands, and they had better probably remain. I was not going to strike them out, but I was going to say that nothing had been done to give to these settlers any right or advantage in the world upon these lands until after the court should adjudicate that the lands are a part of the public domain. The United States Government merely asserts whatever right it has. It invites the court to take the subject into hand and to determine it. After final judg-

ment has been rendered, then the proper department of the Government proceeds to dispose of it as public domain; and that is the whole bill. That is all I desire to say about it.

Mr. McMILLAN. I move that the Senate proceed to the consideration of the bill (H. R. 5691) amending section 764 of the Revised Statutes. It is a House bill reported from the Judiciary Committee, and affects the general statute of the United States in regard to appeals in habeas corpus cases. It is a very important matter, and it should be passed so that it may become a law. I submit the motion. The PRESIDING OFFICER (Mr. HARRIS in the chair). The Sen-

ator from Minnesota moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. WILSON. I ask unanimous consent to make a statement. The PRESIDING OFFICER. Is there objection to the Senator from Iowa making a statement in respect to the motion?

Mr. McMILLAN. Not if I may be permitted to make one subse-

The PRESIDING OFFICER. Is there objection to the Senator from Iowa making a statement? The Chair hears none, and the Senator from

Iowa is entitled to the floor.

Mr. WILSON. The greater portion of this day's sitting has been consumed in the consideration of the bill which it is now proposed to lay aside. If the motion of the Senator from Minnesota shall prevail, we shall have substantially lost all the time that has been given to the consideration of the bill to-day; whereas if we proceed with its consideration we may dispose of it to-day, and then the other measures can go on in their orderly method, or upon motions to take them from the Calendar for special consideration. Therefore, I hope that the Senate will conclude the consideration of the bill now pending.

Mr. McMILLAN. I ask unanimous consent to make a statement. The PRESIDING OFFICER. Is there objection to the Senator from

Minnesota making a statement in respect to his motion? The Chair

hears none

Mr. McMILLAN. The very fact of the interruptions which have taken place this afternoon in the consideration of the bill, rendering its consideration almost unintelligible, shows the absolute necessity of disposing of the business upon the Calendar. It is because the bill was brought up at a time when it should not have been brought up, when the Senate should have had an opportunity of disposing of pressing business on the Calendar, needed to be brought to the attention of the Senate by every Senator in the Chamber. The bill which I seek to have passed is a House bill which affects seriously the liberty of citizens of the United

Mr. HOAR. What is it? Mr. McMILLAN. It is the bill amending section 764 of the Revised Statutes so as to allow an appeal in habeas corpus cases to the Supreme Court of the United States—a right which was taken away under circumstances which at the time seemed to create a necessity for it. The bill proposes to restore the right of appeal of a citizen in habeas corpus cases to the Supreme Court of the United States to protect the liberty of the citizen. liberty of the citizen. It is an important measure, which must fall unless we can have it disposed of at this time. It will take but five or ten minutes to dispose of the bill. It is a brief bill, and can be read

Mr. WILSON. If the Senate will allow me to respond—
The PRESIDING OFFICER. Is there objection to the Senator's pro-

ceeding?

seding? The Chair hears none.

Mr. WILSON. I will say that the motion of the Senator from Min-Mr. WILSON. I will say that the motion of the Senator from Minnesota is not to informally lay aside the pending measure and to proceed to consider and dispose of a bill which will occupy but five minutes in his estimation, but it is to proceed to the consideration of another bill to the displacement of the pending bill. That has been done once before this afternoon, and I hope the Senate will not do it again.

Mr. SHERMAN. It is now getting late, and, as we are to meet at 9 o'clock on Monday morning, I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Ohio moves that the Senate adjourn. Does the Chair understand the Senator from Ohio to fix an hour for meeting on Monday morning?

to fix an hour for meeting on Monday morning?

Mr. HOAR. The Senate has already agreed to meet at 9 o'clock on

Monday. Mr. WILSON. Mr. WILSON. I desire to make a parliamentary inquiry. What will be the position of the bill the Senate has been considering in the event of an adjournment now

The PRESIDING OFFICER. In the opinion of the Chair it will

remain as the unfinished business

CIRILO PONBLE.

Mr. CALL. I ask unanimous consent to introduce a resolution, to have it printed, and laid on the table.

The PRESIDING OFFICER. Does the Senator from Ohio yield to

the Senator from Florida?

Mr. SHERMAN. Yes; I will yield for merely formal business. Mr. CALL submitted the following resolution; which was ordered

to lie on the table:

Resolved, That the President of the United States be requested to investigate the facts relating to the arrest and confinement of Cirilo Ponble, a citizen of the United States and of the State of Florida, who was arrested on the 24th of November, 1884, while traveling under a passport from the United States, and is still held in confinement without trial in the city of Havana; and if it shall be found that he is a citizen of the United States and that he has committed no offense against the laws of Spain in the Island of Cuba, that he shall be released from confinement.

AMENDMENTS TO APPROPRIATION BILLS

Mr. CAMERON, of Wisconsin, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations

Mr. MILLER, of California. I ask leave to offer an amendment to the sundry civil appropriation bill for the preservation of the bar at San Francisco. I move that it be referred, without printing, to the Com-

mittee on Appropriations, with the accompanying papers.

The motion was agreed to.

Mr. SAWYER submitted an amendment intended to be proposed by

him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. GEORGE, Mr. MORGAN, Mr. PIKE, and Mr. PLUMB submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations. mittee on Appropriations.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 26th instant approved and signed the following acts:

An act (S. 70) for the relief of Joseph M. Cumming, Hamilton J. Miller, and William McRoberts;

An act (S. 194) to authorize the Secretary of the Treasury to convey land in Providence, R. I., for highway purposes;
An act (S. 1117) for the erection of a public building at Macon, Ga.;

An act (S. 1473) to enlarge the United States custom-house at Rich-

An act (S. 2327) for the relief of James Bedell, sr.; and An act (S. 2551) to amend an act entitled "An act to increase the water supply of the city of Washington, and for other purposes."

The message also announced that the President had this day ap-

The message also announced that the President had this day approved and signed the following acts and joint resolution:

An act (S. 78) for the erection of a public building at La Crosse, Wis.;

An act (S. 229) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Fla.;

An act (S. 357) granting a pension to William Lockhart;

An act (S. 526) granting a pension of \$50 per month, to be paid out of the naval pension fund, to Julia T. Scott, widow of Gustavus H. Scott, late a rear-admiral in the United States Navy, and for forty-six years in active service:

An act (S. 1183) granting a pension to Hugh O'Neil; An act (S. 1268) for the relief of Sydney L. Skaggs; An act (S. 1810) for the erection of a public building at Sacramento, Cal.;

An act (S. 1655) granting a pension to Newton J. Burris; An act (S. 1709) granting a pension to Leonora A. Boyden; An act (S. 1790) granting an increase of pension to Edgar L. Dutton; An act (S. 1803) granting an increase of pension to George A. Wash-

An act (S. 1804) granting a pension to Clarinda Hunt;
An act (S. 2009) granting a pension to Isabella Turner;
An act (S. 2084) to amend chapter 464 of the acts of the first session
of the Forty-seventh Congress, entitled "An act to provide for a public
building at the city of Fort Wayne, in the State of Indiana;"
An act (S. 2272) granting a pension to Andrew Franklin, alias Andrew Mayor.

An act (8. 2272) granting a pension to Andrew Frankin, anas Andrew McKee;
An act (8. 2350) granting a pension to Anna Ginn;
An act (8. 2375) to authorize the increase of the capital stock of the Commercial National Bank of Chicago;
An act (8. 2514) granting a pension to David T Hoover;
An act (8. 2570) granting an increase of pension to Samuel M.

An act (S. 2587) granting a pension to William H. H. Gilley; An act (S. 2610) granting a pension to Patrick Furlong; and Joint resolution (S. R. 109) authorizing the loan of certain flags and

bunting to the committee on inauguration ceremonies.

MILITARY RESERVATION AT CARLISLE.

Mr. HARRISON. I ask unanimous consent to put upon its passage the bill (S. 2637) to authorize the Secretary of the Interior to Please a right of way across lands of the United States at Carlisle, Pa.

Mr. WILSON. Let the pending bill be informally laid aside.

The PRESIDING OFFICER. Does the Senator from Ohio [Mr.

SHERMAN] yield for that purpose?

Mr. SHERMAN. Oh, yes.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the Senate proceed to the consideration of the bill

indicated by him.

Mr. WILSON. Let the pending bill be informally laid aside for that

purpose.

Mr. HARRISON. Very well.

The PRESIDING OFFICER. If the bill is taken up by unanimous consent, the pending bill is informally laid aside, and it leaves the bill referred to by the Senator from Iowa as the unfinished business still. Is there objection to the present consideration of the bill?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was, in line 3, after the word "Interior," to strike out the word "be" and insert "is;" in line 4, after the word "such," to insert "terms;" and in line 5, after the word "think," to insert "proper and;" so as to read:

That the Secretary of the Interior is authorized and empowered, in his discretion, and on such terms, conditions, and restrictions as he may think proper and necessary to protect the interests of the United States, &c.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in line 6, after the word "to," to strike out the word "release" and insert "give;" so as to read:

To give to the South Pennsylvania Railroad Company, for railroad purposes only, a right of way.

Mr. HARRISON. I suggest that that amendment be disagreed to; I think the word "release" as it stands in the bill is better.

The amendment was rejected.

The next amendment was, in line 8, after the word "way," to insert "on such line as may be agreed upon;" so as to read:

A right of way on such line as may be agreed upon, not exceeding one hundred feet in width, over the lands of the United States at Carlisle, Cumberland County, Pennsylvania, and extending a distance of about nine hundred feet over said lands, or so much thereof as said company may require for said purpose.

The amendment was agreed to.

The next amendment was to add to the bill:

Congress reserves the right to amend or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the

third time, and passed.

TERRITORIAL ACTS OF INCORPORATION.

Mr. CULLOM. I ask unanimous consent to call up the bill (H. R. 3058) to amend section 1889 of chapter 1, title 23, of the Revised Statutes of the United States, relative to general incorporation acts of Territories. There will be no objection to it. It comes from the Commit-

Mr. PLATT. I ask for the regular order.
The PRESIDING OFFICER. There is objection.
Mr. CULLOM. I do not think the Senator from Connecticut will insist upon his objection if he will listen to me for one moment. I hope the Senator will not object, or at least that he will allow me to state what the purpose of the bill is.

what the purpose of the bill is.

The PRESIDING OFFICER. Is there objection to the Senator from Illinois making a statement? The Chair hears none.

Mr. CULLOM. The bill only proposes to change two words in the present law as it stands in the Revised Statutes, and it relates to the Territories. It adds to the present section of the statute the words "banking and canals," so that Territorial Legislatures may incorporate companies for those purposes. The Committee on Territories recommend the bill unanimously.

Mr. PLATT. I withdraw my demand for the regular order.
Mr. CULLOM. Then I ask that the bill may be put upon its passage. It comes from the Committee on Territories by a unanimous vote, and is very much sought for. It is exactly the statute as it stands except the words "banking and canals."

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It amends section 1889 of chapter 1, it is a se

title 23, of the Revised Statutes of the United States so as to read:

SEC.1889. The Legislative Assemblies of the several Territories shall not grant private charters or special privileges, but they may, by general incorporation acts, permit persons to associate themselves together as bodies-corporate for mining, banking, manufacturing, or other industrial pursuits, or the construction and operation of railroads, wagon-roads, canals, or irrigating-ditches, and the colonization and improvement-of lands in connection therewith, or for colleges, seminaries, churches, libraries, or any benevolent, charitable, or scientific association.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KIRWIN (KANS.) CEMETERY.

Mr. PLUMB. I ask unanimous consent to proceed to the consideration of the bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas.

Mr. WILSON. That may interfere with the pending order.

Mr. PLUMB. It will only take a moment. I ask for unanimous consent

Mr. McMILLAN. Let the bill be read for information.

The PRESIDING OFFICER. The bill will be read for information subject to objection.

The bill was read, as follows:

Be it enacted, &c., That the southeast quarter of the northeast quarter of section 29, township 4 south, of range 16 west of the sixth principal meridian, in the State of Kansas, now occupied by the city of Kirwin for cemetery purposes, be, and the same is hereby, donated to the said city of Kirwin for the use of a public cemetery.

Mr. HARRISON. May I ask the Senator from Kansas whether there

is an emergency there for this cemetery?

Mr. PLUMB. Not more than that the land is occupied by the bodies of all persons who have died in the past twelve years in that neighborhood, and I think that on the whole the bill should be passed.

Mr. McMILLAN. There is a funeral waiting, I think

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. PETERSON.

Mr. PIKE. I ask unanimous consent to call up the bill (H. R. 6270) for the relief of John P. Peterson.

Mr. PLATT. I object.

The PRESIDING OFFICER. An objection is interposed.

Mr. SHERMAN. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 28, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev.

JOHN S. LINDSAY, D. D.

The Journal of yesterday's proceedings was read.

The SPEAKER. If there be no objection, the Journal as read will be approved.

Mr. WELLER. I rise to a parliamentary question.
Mr. MILLS. I rise to a question of privilege.
The SPEAKER. The first question is to dispose of the Journal.

The gentleman from Iowa states that he rises to a parliamentary

question. Does it relate to the approval of the Journal?

Mr. WELLER. I do not know whether it does specifically relate to the Journal or not. I desire to inquire whether the sundry civil appropriation bill, as passed on yesterday by this House, in truth and in fact results in retiring the one-dollar and two-dollar notes from circulation, so that speculators—

The SPEAKER. The gentleman from Iowa is not in order; that is

not a matter relating to the Journal.

Mr. WELLER. I am informed that that is the result of the bill as

passed the House.
The SPEAKER. The only question before the House is the approval of the Journal.

Mr. RANDALL. I can answer the gentleman from Iowa—
Mr. WELLER. I am satisfied it does refer to the Journal.
The SPEAKER. The gentleman is not in order; the only question is as to whether the Journal as read shall be approved. The Journal was approved.

PERSONAL EXPLANATION.

Mr. THOMAS. Mr. Speaker, I rise to a question of personal privi-

lege.
The SPEAKER. The gentleman will state it.
Mr. THOMAS. On the day before yesterday, during the discussion of a resolution proposing to tender the thanks of Congress to Col. Thomas Lincoln Casey and the assistants under his command for the successful completion of the Washington Monument, I inadvertently did great injustice to that officer, having been misled by statements which I saw in the newspapers of the day, and in quite a number of newspapers at that; but as I did not preserve copies of any of them save one, I have not been able this morning to lay my hands on them. I ask, however, to have the Clerk read the paragraph which I have marked in the newspaper which I send to the desk, which will show the basis upon which placed my statement with reference to Colonel Casey.

Mr. HAMMOND. I submit, Mr. Speaker, that the gentleman states

no question of personal privilege.

Mr. THOMAS. It is a personal explanation.

The SPEAKER. The Chair does not think the gentleman presents question of personal privilege.

Mr. THOMAS. It is a statement which I desire to make in justice

The SPEAKER. The Chair will entertain the request of the gen-

tleman to make an explanation, if there be no objection. Mr. HAMMOND. I withdraw the objection. Mr. THOMAS. As I have said, I inadvertently misrepresented this

Mr. THOMAS. As I have said, I inadvertently misrepresented this gentleman and ask—

Mr. TOWNSHEND (interrupting). I must raise the question of order, Mr. Speaker, that the gentleman has not presented a question of privilege. Let us go on with the appropriation bill.

The SPEAKER. The gentleman from Georgia was disposed to object to the request of the gentleman from Illinois to make this explanation, but afterward withdrew the objection. The Chair stated if there be no further objection the gentleman would proceed. The gentleman then proceeded by consent to make an explanation.

then proceeded by consent to make an explanation.

Mr. THOMAS. It will take but two minutes.

Mr. TOWNSHEND. Very well; I shall not object.

Mr. THOMAS. Now I ask the Clerk to read the article to which I

referred

The Clerk read as follows:

Lieut. Thomas Lincoln Casey, of the Corps of Engineers, United States Army, was designated by President Hayes as the engineer in charge in the fall of 1878, after a commission of engineer officers, appointed by President Grant, had made preliminary examinations of the earth below the existing foundation. These foundations proved the inadequacy of the old foundation to support the weight of such a structure, and in the summer of 1878 Maj. George W. Davis, a captain in the Fourteenth United States Infantry, perfected a plan to build a new foundation below and under the old one. The new foundation is one of the greatest engineering feats in the history of the world, and has attracted the attention of all engineers of this time.

Mr. THOMAS. I have seen that statement repeatedly in different newspapers, and upon that basis I made the charge on the floor of the House that Captain Davis of the Army was entitled to the credit for the successful completion of the work on the monument by having submitted plans for the foundation instead of Colonel Casey. On yesterday I received a letter from Colonel Casey, transmitting a communica-tion from Captain Davis, which is very short and which I ask the Clerk to read, showing that this officer disclaims the credit for having secured the foundation of the monument.

The Clerk read as follows:

WASHINGTON, D. C., February 27, 1885.

SIR: Will you pardon my calling your attention to the following letter of Capt. G. W. Davis, published in the National Republican of this city March 4, 1880? It was written and given to the public without any knowledge of mine:

"Engineer Office, Washington Monument,"

"Washington, D. C., March 3, 1880.

"Sir: In your issue of to-day I have read an anonymous contribution on the Washington Monument. Your correspondent has fallen into an error on one point, when he states 'the work of strengthening the foundation is in progress under the charge of Capt. George W. Davis, United States Army, aided by competent assistants.' I beg to correct this statement by saying that Col. Thomas I.

Casey, Corps of Engineers, is the officer in charge, and his designs for strengthening the foundation are being followed. I am connected with this work as assistant engineer. Please give publicity to this correction.

"Very respectfully, &c.,

Hon. John R. Thomas, House of Representatives.

Mr. THOMAS. Now, Mr. Speaker, I desire to give honor to whom honor is due, and therefore I have made this personal explanation so that it might be known that Captain Davis, notwithstanding the oftrepeated publications in the newspapers, does not claim this credit. I hope it will be given to Colonel Casey, to whom it seems to be due.

ORDER OF BUSINESS.

Mr. TOWNSHEND. I now call for the regular order.
Mr. WELLER. I rise to a question of information.
Mr. HORR. For Heaven's sake, I hope the Speaker will grant the gentleman's request. [Laughter.]
The SPEAKER. The regular order is demanded.
Mr. MILLS. I desire to offer a privileged resolution.

Mr. WELLER. I ask if the demand for the regular order precludes

the question which I addressed to the Chair?

The SPEAKER. The gentleman from Iowa can not ask the Chair to explain the effect of a certain bill which has been passed by the House. Mr. WELLER. I desire to know whether—

The SPEAKER. For what purpose does the gentleman from Iowa

Mr. WELLER. I rise to have the Chair inform me-

Mr. BROWNE, of Indiana. I object. Mr. TOWNSHEND. I insist on the regular order.

The SPEAKER. The gentleman from Minnesota [Mr. STRAIT] rises to a privileged matter.

PERSONAL EXPLANATION.

Mr. COX, of New York. I desire to follow the gentleman from Illi-

nois [Mr. Thomas] in a single remark.

The SPEAKER. The regular order is demanded.

Mr. COX, of New York. What I desire to say is in continuation of the same personal explanation which was allowed by the House.

Mr. TOWNSHEND. Does the gentleman from New York rise to a

question of privilege's

Mr. COX, of New York. I do.
The SPEAKER. The gentleman will state his question of privilege Mr. COX, of New York. I made a similar remark as to Colonel Casey and Captain Davis, based on the statements which I had seen and which I supposed were official. I desire to disclaim now and here the casting of any shadow upon the fame of Colonel Casey in that regard.

SUPPLIES TO INDIANS OF MINNESOTA.

Mr. STRAIT. I call up the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux and Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof. I move that the House insist on its amendments to the bill and agree to the conference asked

The Minnesota, Mr. Strait, and the gentleman from New York, Mr. Steamstone Minnesota, Mr. Strait, and the gentleman from New York, Mr. Strait,

ORDER OF BUSINESS.

Mr. WELLER. I desire to make a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. WELLER. I desire to inquire if it will be proper for me under the rules to ask information of the Chair whether the bill passed yesterday failed to make appropriation for the continuation of the print-The SPEAKER. That is not a parliamentary inquiry.

Mr. WELLER. I desire to inquire further—
The SPEAKER (rapping to order). The gentleman from Iowa is not in order, and will be seated.

INAUGURAL CEREMONIES.

Mr. MILLS. I offer a resolution of the highest privilege.

The Clerk read the resolution, as follows:

Resolved, That the Speaker appoint a committee of three members of the House to co-operate with the committee appointed by the Senate to take charge of the arrangements for the inaugural ceremonies at the Capitol on the 4th of March.

Mr. TOWNSHEND. Is that the regular order? Mr. MILLS. It is a privileged resolution.

The SPEAKER. The gentleman from Texas claims the resolution

is privileged.
Mr. TOWNSHEND. I raise the question of order.
Mr. MILLS. It relates to the part the House will take in the iuaugural ceremonies.

The SPEAKER. The Chair does not see that the resolution involves any matter of privilege. It does not relate to the legislative proceedings of the House or its duties under the Constitution.

Mr. MILLS. To raise the point of order on that resolution is un-

becoming the dignity of this House.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from California [Mr. ROSECRANS] rises to a privileged matter.

Mr. ROSECRANS. I move that the bill (H. R. 5713) which has

been amended in the Senate—

Mr. MILLS. I move to suspend the rules and pass the resolution I

have offered. The SPEAKER.

The SPEAKER. The gentleman from Texas has not the floor. The gentleman from California [Mr. ROSECRANS] has the floor on a privileged matter.

LOSSES OF OFFICERS AND ENLISTED MEN.

The Senate has returned to the House with amendments the bill (H. R. 5713) for the settlement of claims of officers and enlisted men of the Army for the loss of private property de-

stroyed in the military service of the United States. I move—
Mr. TOWNSHEND. Is that a privileged matter?
The SPEAKER. It is. A conference has been asked by the Senate.
Mr. ROSECRANS. I move that the House insist on its disagreement to the Senate amendments and agree to the conference asked by the Senate.

The motion was agreed to.
The SPEAKER. The Chair appoints as managers of the conference on the part of the House the gentleman from California, Mr. ROSE-CRANS, the gentleman from Ohio, Mr. MURRAY, and the gentleman from Indiana, Mr. STEELE.

NAVAL OBSERVATORY REPORTS.

The SPEAKER, under the statute, laid before the House the following concurrent resolution; which was referred to the Committee on Printing:

THE SENATE OF THE UNITED STATES, February 25, 1885. \
Resolved by the Senate (the House of Representatives concurring), That the annual volumes of astronomical and meteorological observations of the Naval Observatory for the years 1881-82 be printed, and that 2,000 additional copies of each volume be printed, of which 400 copies shall be for the use of the Senate, 800 for the use of the House of Representatives, and 800 for the use of the Navy Department or for sale at the cost of paper and printing, in accordance with section 432 of the Revised Statutes of the United States.

HISTORY OF THE RED CROSS.

The SPEAKER also laid before the House the following concurrent resolution; which was referred to the Committee on Printing:

IN THE SENATE OF THE UNITED STATES, February 25, 1885.

Resolved by the Senate (the House of Representatives concurring), That there be 10,000 copies of the History of the Red Cross printed from the stereotype plates now at the Government Printing Office for the use of the American Association of the Red Cross.

BOGUE SOUND, NORTH CAROLINA.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report of the Chief of Engineers of a survey, of Bogue Sound, between New River and Beaufort, N. C.; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

MISUSE OF PIERS, BREAKWATERS, ETC.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting copies of the reports of such officers in charge of river and harbor districts as report instances in which piers, breakwaters, or other structures or works made or built by the United States in aid of commerce or navigation are used, occupied, or injured by a corporation or individuals, and the extent and mode of such use; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

J. R. SANTOS.

The SPEAKER also laid before the House a letter from the Secretary of State, transmitting dispatches from the vice-consul-general of the United States at Guayaquil relative to the imprisonment of J. R. Santos; which was referred to the Committee on Foreign Affairs, and ordered

BIDS FOR MAIL SERVICE.

BIDS FOR MAIL SERVICE.

The SPEAKER also laid before the House a letter from the Postmaster-General, transmitting, as required by law, a report of offers received and accepted for carrying mails under advertisements of October 15, 1883, January 21, 1884, and March 1, 1884; also a report of mails established during the fiscal year ending June 30, 1884, other than those let to contract at the annual letting; also a report of additional allowances made to contractors for carrying mails during the fiscal year ending June 30, 1884; which were referred to the Committee on Expenditures in the Post-Office Department, and ordered to be printed.

ORDNANCE FOR CRUISERS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy for completing the ordnance of the new steel cruisers; which was referred to the Committee on Appropriations, and ordered to be printed

WILLIAM SCHUCHARD.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Secretary of State asking an appropriation to pay William Schuchard for services in pro-curing testimony before the United States and Mexican Claims Commission; which was referred to the Committee on Appropriations, and ordered to be printed.

SAMPSON P. BAILEY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of State for the relief of Sampson P. Bailey, United States consul at Palermo; which was referred to the Committee on Appropriations, and ordered to be printed.

DRY-DOCK, BROOKLYN NAVY-YARD.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy for repairs of the stone dry-dock at the Brooklyn navy-yard, New York.

WITHDRAWAL OF PAPERS.

Mr. REID, of North Carolina, by unanimous consent, was granted leave to withdraw from the files of the House the papers accompanying House bill 1008, there being no adverse report.

REPRINT OF A BILL

On motion of Mr. DORSHEIMER, the bill (H. R. 8240) was ordered reprinted for the use of the House.

LEAVE TO PRINT.

On motion of Mr. RANDALL, by unanimous consent, leave was granted to members to print in the RECORD remarks on the sundry civil appropriation bill.

Mr. ROBINSON, of New York, by unanimous consent, was granted leave to print in the RECORD some remarks upon American citizenship.

LEAVE OF ABSENCE.

Mr. JONES, of Alabama, by unanimous consent, was granted leave of absence, on account of sickness, until Wednesday next.

FRENCH SPOLIATION CLAIMS.

On motion of Mr. DUNHAM, by unanimous consent, 2,000 copies of the law relating to French spoliation claims were ordered printed for the use of the House.

ORDER OF BUSINESS.

Mr. MILLS. Mr. Speaker, I rise to a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. MILLS. Is not the special rule adopted some days ago by the House the first order of business after the reading of the Journal? The SPEAKER. It is, unless the House be engaged in the execution of some other order. The House is now engaged in the execution of an order made yesterday by unanimous consent, to proceed at once, in the House as in Committee of the Whole, to dispose of the Senate amendments to the Post-Office appropriation bill.

Mr. MILLS. But does not the special order take precedence of the unfinished business? Is it not required to be taken up directly after

the Journal is read?

The SPEAKER. The Chair thinks not. Yesterday morning a matter came over under a suspension of the rules which was proceeded with. The Chair thinks an order of the House made by unanimous consent is at least of as high dignity as one made by a two-thirds vote,

and that the House must go on to the consideration of this business, subject only to interruption by privileged matters.

Mr. TOWNSHEND. I desire to say to the gentleman from Texas [Mr. Mills] that I heartly concur with him in regard to the order of business he desires to reach, and as soon as the Post-Office bill is disposed of I will co-operate with him in that direction.

AMENDMENT OF RULES.

Mr. ANDERSON submitted the following; which was referred to the Committee on Rules:

Amend Rule XXI, paragraph 3, by adding to the paragraph the following: "The Appropriations Committee shall report all general appropriation bills to the House not later than the 1st day of May during a long session or the 1st day of February during a short session of Congress."

REPORT OF NATIONAL ACADEMY OF SCIENCES.

Mr. ROGERS, of New York. I rise to present a privileged report. I am directed by the Committee on Printing to report back, with a recommendation of concurrence, the Senate resolution which I send to the

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the report

of the National Academy of Sciences for 1884, with its appendices, be printed in the usual octavo form, but that the eight accompanying memoirs be printed in quarto form, and that 4,500 additional copies of the report and memoirs be printed; of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,500 copies for the use of the National Academy of Sciences.

The resolution was concurred in.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

Mr. ROGERS, of New York, from the Committee on Printing, reported back with an amendment the joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That there be printed 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885; of which 10,000 shall be for the use of members of the Senate, 35,000 for the use of members of the House of Representatives, and 5,000 for the use of the Commissioner of Agriculture; the illustrations to be executed, under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, the work to be subject to the approval of the Commissioner of Agriculture.

sioner of Agriculture,
SEC. 2. That the sum of \$---, or so much thereof as may be necessary, is
hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the cost of the publication of said report.

The amendment reported by the Committee on Printing was read, as

In line 1 of section 2 fill the blank by inserting \$25,827.60.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third

time, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to re-consider be laid on the table.

The latter motion was agreed to.

QUESTION OF PRIVILEGE.

Several members called for the regular order.

Mr. BELFORD. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BELFORD. Last night I made a speech in favor of building a hospital for the orphans of confederate soldiers. While doing so I walked down the aisle. The gentleman from Indiana [Mr. Browne] insisted that I should make my speech from the seat which I usually Now I ask the Speaker to read the first paragraph of Rule XIV and construe it. I am a member of this House and have a right, under the rule, to speak from any place on the floor, provided I do not drive any other member from his seat.

The SPEAKER. The regular order has been demanded. The Chair

does not see that the gentleman from Colorado presents any matter of

does not see that the gentleman from Colorado presents any matter of personal privilege.

Mr. BELFORD. This is a question of personal privilege.

The SPEAKER. The gentleman is asking the Chair to give an opinion merely upon the construction of a rule which is not now presented as a practical question. There is no matter now before the House involving the construction of that rule.

Mr. BELFORD. Why should not the Speaker give a construction to this rule? By the order of the House he is the judge in such matters.

The SPEAKER. The Chair decides questions as to the construction of the rules when they properly arise in the course of business. It is

of the rules when they properly arise in the course of business. It is not the province of the Chair to determine any question which is not directly presented in the course of the proceedings of the House.

Mr. BELFORD. Mr. Speaker—

The SPEAKER. The gentleman from Colorado is not in order.

PRODUCTION OF PRECIOUS METALS.

Mr. SMITH, of Pennsylvania. I am directed by the Committee on Printing to report back with a favorable recommendation the resolution which I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the report of the Director of the Mint on the production of the precious metals of the United States for the year 1884 be printed, and that 9,000 extra copies be printed, 4,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.

The resolution was adopted.

Mr. SMITH, of Pennsylvania, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER. The House resumes, in pursuance of the order adopted yesterday, the consideration of the amendments of the Senate to the Post-Office appropriation bill. The question is upon the motion of the gentleman from Pennsylvania [Mr. Bingham] to concur in the

amendment numbered 11, which was pending at the time the House

ok its recess yesterday afternoon.

Mr. MONEY. Before this amendment of the Senate is acted upon I desire to offer an amendment to the whole paragraph, which I will send up to the Clerk.
Mr. TOWNSHEND.

I must raise a point of order upon that prop-

The SPEAKER. The Chair thinks the gentleman has the right to move to concur in the Senate amendment with an amendment.

Mr. TOWNSHEND. But the House was dividing upon the question.
The SPEAKER. The tellers had made no report, and must necessarily make the count over again. [Cries of "Regular order!"] The Clerk will read the pending amendment of the Senate.
The Clerk read as follows:

Eleventh amendment of the Senate:
Strike out the words "to bona fide subscribers" and insert in lieu thereof "including sample copies;" so it will read:
"That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall, on and after July 1, 1885, be entitled to transmission through the mails at 1 cent a pound or a fraction thereof, such postage to be prepaid as now provided by law."

Mr. TOWNSHEND. My point of order is this: that the House is dividing on the motion of the gentleman from Pennsylvania, and after that is disposed of then the gentleman from Mississippi will be in order to move his amendment.

The SPEAKER. If the House concurs in the amendment of the Senate it closes the matter and precludes all amendments. This is the only time the amendment of the gentleman from Mississippi can be

Mr. TOWNSHEND. Can it be offered now?

The SPEAKER. The Chair thinks so. Otherwise it could not be offered at all. If the House concurs it closes the matter; if it non-concurs it closes the matter and there is no time to offer an amendment to the Senate amendment except while it is pending before the

Mr. MONEY. I do not think there will be any objection to it when it is read.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced the adoption of the conference report on the disagreeing votes of the two Houses on the bill (H. R. 8030) making appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

Mr. DIBRELL. I ask the gentleman from Illinois to yield to me to submit a conference report.

The SPEAKER. The gentleman has the right to submit it at any time. Mr. DIBRELL. Then I submit it now.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House (H. R. 8030) making appropriations for the Agricultural Department for the fiscal year ending June 30, 1856, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 18, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 20, 21, 22, and 23, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

G. G. DIBRELL,

LEWIS BEACH,

WM. CULLEN,

Managers on the part of the House.

EUGENE HALE,

P. B. PLUMB,

W. CALL,

Monagers on the part of the Senate.

The Statement accompanying the report, under the rule, is as follows:

The Senate recedes from its amendment increasing the appropriation under the head of division of agricultural statistics, \$25,000; also in regard to engraving, &c., for Agricultural Department; and the increase in the appropriation for manufacture of sugar from sorghum, &c., to \$50,000, and agrees to make that sum \$40,000. They also agree to reduce the increase to the entomological division of \$10,000 to \$5,000. And the House agrees to the above changes.

The House recedes from all other disagreeing votes, which are principally a change of the word "bureau" to "division" where it occurs in the bill; and also to the increase of \$5,000 for quarantine stations, and \$1,500 increase for funiture, repairs, &c.

The total increase allowed over the amount in the bill as it passed the House is \$31,500, and is \$40,000 less than it passed the Senate.

Respectfully submitted.

G. G. DIBRELL. The statement accompanying the report, under the rule, is as follows:

G. G. DIBRELL, LEWIS BEACH, WM. CULLEN. Conferees on part of the House.

The report was adopted. Mr. DIBRELL moved to reconsider the vote by which the confer- man from Illinois to the amendment which I have submitted, and that

ence report was adopted; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

POST-OFFICE APPROPRIATION BILL.

Mr. MONEY. I ask that my amendment be read, as it has not yet

The Clerk read as follows:

In lines 125 and 126 of the printed bill strike out the words "except as provided in section 25 of the said act," and after the word "law," in line 133, insert: "Provided, That publications of the second class, one copy to each actual subscriber residing in the county where the same are printed, in whole or in part, and published, shall go free through the mails."

Mr. MONEY. Mr. Speaker, this amendment would have been put on in the House when the bill was under consideration before, but it escaped my attention as well as that of other gentlemen interested in escaped my attention as well as that of other gentlemen interested in the measure. Indeed, I thought it was a mistake in the print until I was informed to the contrary by the distinguished gentleman from Illinois [Mr. Townshend] in charge of it. For the bill as it stands now, even as amended by the Senate, re-enacts part of section 25 of the act of March 3, 1879, referred to, which repeals legislation had last year to this effect: That the rate of postage on newspaper and periodical publications of the second class, when sent by others than the publisher or news agent, shall be 1 cent for each four ounces or fractional part thereof and shall be fully prepaid by postage-stamps affixed to said thereof, and shall be fully prepaid by postage-stamps affixed to said matter.

So it will be a re-enactment of this section 25, act of March 3, 1879, so it will be a re-enactment of this section 25, act of mirror 3, 18/8, in the language of the bill, or it establishes a rate distinguishing between the publisher who sends his own publication and the citizen who sends a transient number of it. In other words, it provides a citizen may send a transient number for 1 cent for each four ounces or fractional part thereof, while the publisher shall be charged at the rate of 2 cents for four ounces. This is so manifestly unjust it will not be considered favorably a moment.

But a proper ruling on this subject would be that the law I have referred to was not exclusive but inclusive in its operations, and the publishers to whom Congress intended to be liberal, as shown by giving to them the privilege of sending out their publications at the rate of 1 cent per pound, could not have intended to charge them twice as much for transient numbers. Otherwise it would be so incongruous and unjust we can not consider for a moment Congress ever intended

that any proper ruling of this kind would have such an effect.

But, Mr. Speaker, I want to be perfectly frank with the House in reference to this question, and will, therefore, state that there is something more than that in the amendment, and to which my friend from Illinois will doubtless object. If this amendment is adopted it will repeal also that provision of the act which provides that these papers shall not be delivered at letter-carriers' offices or delivered by carriers unless postage is prepaid at the rate prescribed by the act—that is to say

anness postage is prepaid at the rate prescribed by the act—that is to say 1 cent for each two ounces or fraction thereof, and not 1 cent for each four ounces, as provided for transient newspapers. That the gentleman from Illinois will object to, as I understand.

Now, this, in my opinion, and I call the attention of the House to it, is the most illogical portion of the whole postal law. You permit newspaper publishers in Brooklyn to send their daily publications to every solitary house in the city of New York at the lower rate of postage, while the New York publisher can not send his publications to his subscribers in his own city, except at the rate of 2 cents for each four ounces. Or, vice versa, the New York publisher can send to Brooklyn at the lower rate, while the Brooklyn publisher, to distribute his publications in his own city, has to pay 2 cents for each four ounces.

In the District of Columbia the New York daily newspapers are sent

here at the rate of 1 cent per pound, but the Post, the Republican, the Star, the Critic, and other papers are required by the law to pay 1 cent for each two ounces on every newspaper that is sent through the mails to their subscribers in this District. You bring newspapers from Canada here and we distribute them at letter-carrier offices free of postage, because, according to the terms of the postal reciprocity treaty with Canada, we are compelled to admit them at their domestic rate, which is free, while our publishers in the same city where these papers are distributed must pay the higher rate of postage. They are disare distributed must pay the higher rate of postage. They are distributed free of postage, and yet every newspaper publisher in the United States who mails a paper to his subscriber in the same city where the paper is published is compelled to pay 1 cent for each two ounces or fraction, notwithstanding the fact that there is no expense whatever for transportation. All the cities of the United States can send their papers into this city at 2 cents per pound now, and at 1 cent if this bill becomes law. It must be plain, therefore, that it is a question requiring careful consideration and correction at the hands of Con-

Mr. BINGHAM. If this amendment is adopted it makes the law consistent with itself.

Mr. MONEY. Yes, sir; it makes it consistent with itself and also just and reasonable to all persons. I hope, Mr. Speaker, the proposition will be divided if an amendment should be offered by the gentle-

the whole proposition will not be condemned on account of the one objection which he may urge against it.

I. Mr. TOWNSHEND. Mr. Speaker, I have no objection whatever to the first change that the gentleman from Mississippi suggests or wishes to make in this bill. If that was the sole object of his amendment I should not resist it, but, as he frankly states to this House, the amendment goes very much further. It would also enable newspapers to be distributed—their daily issues—by means of the letter-carriers of the cities where they are published. If, then, this amendment was incorporated in the bill, and became a part of the postal law, the newspapers would simply discharge the messengers or carriers who now convey their pubsimply discharge the messengers or carriers who now convey their publications to subscribers and have them delivered by the mail-carriers at an enormously increased cost to the Government.

Mr. DINGLEY. But does not the gentleman know that that would

be impracticable as far as daily newspapers are concerned? Mr. TOWNSHEND. It would render a great increase of letter-carriers necessary, an immensely great increase over the present number.

Mr. BINGHAM. You accepted the same proposition exactly in the first session of this Congress, and it was passed in the bill word for word

Mr. TOWNSHEND. I must decline, Mr. Speaker, to be interrupted;

the gentleman can have his own time.

Now, this question has been up before the House many times, and has been several times considered and debated in Congress. It has been

always voted down and defeated——
Mr. BINGHAM (interrupting). Not in this Congress.
Mr. TOWNSHEND. For the reason that it is believed it would be too severe a tax upon the Treasury to authorize the letter-carriers to distribute the newspapers in the cities where they are published. Why, take the great daily papers of New York alone; it would require a larger force of letter-carriers to distribute them to daily subscribers than are now employed in the city for the free-delivery system. It would greatly enhance the number and largely increase the expense of the Government to allow the distribution by carriers of these papers. Now I would be glad to accept the gentleman's proposition if it only extended the privilege of allowing newspapers to send through the

mails transient copies at the same rate that other people are paying to send them; but when he couples with that proposition another one im-posing upon the Government the duty of delivering to subscribers by carrier the daily issues of such papers I can not consent to it for the

reason I have stated. And now again I recur to my point of order. I desire to call the attention of the Speaker to the fact that this amendment does change existing law without retrenching expenditures. On the contrary, in my judgment it will cause an immense increase of expenditure.

Mr. HOLMAN. Will the gentleman yield to me for a moment on the point of order?

Certainly. Mr. TOWNSHEND.

Mr. HOLMAN. The point of order seems to be that the gentleman proposes an amendment which changes the original text of the bill as

it comes from the Senate.

Mr. MONEY. No such point of order has been raised.

It would make no difference whether The SPEAKER. It would make no difference whether that particular reason has been stated or not; if it changes what has been agreed upon by the two Houses it would not be in order.

Mr. HOLMAN. It changes the text of the bill as agreed upon, and is not an amendment of the Senate amendment.

The SPEAKER. The House can not now change a matter which has been agreed to by both Houses.

Mr. HOLMAN. That is the case here; and I supposed the attention of the Chair had been called to it. The last part of the amendment is incht enough because it relates to a portion which has been extracted. right enough, because it relates to a portion which has been stricken

out by the Senate; but the other part of the amendment relates to a portion which has been stricken out by the Senate; but the other part of the amendment relates to a portion of the bill that has been agreed to by both Houses.

The SPEAKER. That, of course, can not be done. Upon the other point suggested by the gentleman from Illinois the Chair does not understand that the second part of this proposed amendment actually increases the number of letter-carriers.

Mr. MONEY. It does not.

The SPEAKER. The gentleman from Illinois simply makes an argument that it may result hereafter in a necessity for an increase of

Mr. TOWNSHEND. Will the Chair pardon me for saying this: The amendment does not retrench expenditures; and the rule is, unless an amendment retrenches expenditures, if it changes existing law, it is not in order? This amendment does not retrench expenditures There is no need for an argument showing that it increases expendi-

The SPEAKER. The Chair will call the attention of the gentle-The SPEAKER. The Chair will call the attention of the gentieman from Mississippi [Mr. Money] to the fact that this changes existing law and proposes to diminish the receipts of the Government by requiring the Government to perform a certain service free which is now paid for under the statute. The Chair thinks that objection is fatal to the amendment. The first point of order made by the gentleman from Illinois was simply that it was too late to offer the amendment because the vote was being taken—

Mr. MONEY. Will the Chair permit me one word? There is no proposition here to make this service free. The amendment is simply

a repetition of the existing law as to county newspapers and no others.

The SPEAKER. But it provides that they shall be carried free.

Mr. MONEY. Only as regards papers in the county where they are printed, which are already carried free.

Mr. TOWNSHEND. The Chair has not ruled on my other point.

Mr. BINGHAM. The amendment that provides for the carrying of newspapers free within the limits of the county where they are published is simply the re-enactment or repeating of existing law. That

Mr. TOWNSHEND. Now will the Chair rule on my last point? The SPEAKER. The Chair wishes to inquire what is the necessity

for this amendment if it simply re-enacts existing law.

Mr. MONEY. Because the first amendment there repeals that sec-

tion, and this re-enacts that portion of it.

The SPEAKER. The Chair, of course, will have to examine the stat-

Mr. TOWNSHEND. If I am allowed to make an explanation, I will say the text of the bill preserves the law as it now stands, prohibiting daily newspapers from being sent through the mail at the rate of 1 cent a pound in cities where they are published. Now the gentleman from Mississippi proposes to change that law by his amendment. I insist

the rule says in peremptory terms that no change of existing law shall be ingrafted on an appropriation bill unless it reduces expenditures.

The SPEAKER. There is no difficulty as to what the rule is. But the gentleman from Mississippi [Mr. Money] insists and other gentleman from the control of the contr men insist that this makes no change whatever in existing law, while

the gentleman from Illinois says that it does.

Mr. TOWNSHEND. One portion of the gentleman's amendmentthat which relates to the circulation of newspapers free in the counties of publication—does not change the law; but the latter portion—

The SPEAKER. The Chair has already decided upon the other

portion.

Mr. TOWNSHEND. The gentleman's amendment so operates as to enable these newspapers to be carried by letter-carriers, which is prohibited by law. That is the point I make. It so operates as to

secure the carrying of newspapers by carriers.

Mr. MONEY. If the argument of the gentleman from Illinois proves anything, it proves an increase of revenue to the Post-Office Department. The gentleman says the carriers will be loaded down with newspapers, while they do not now carry any of them. As the law now stands, none of these papers are delivered by the carriers; and the gentleman argues that they will be loaded down with them if we adopt this amendment. But I assert no publishers of daily newspapers can afford to use the letter-carriers for the delivery of their papers; they must be their own carriers. They must have their newspapers on the breakfast-tables of

carriers. They must have their newspapers on the breakfast-tables of their subscribers and not await the slow action of the mail.

Mr. SKINNER, of New York. The same remark would not apply to weeklies and monthlies, would it?

The SPEAKER. The Chair thinks this amendment does not change existing law. The Chair has already decided upon that part of the amendment which proposes to strike out matter agreed to by both

Mr. TOWNSHEND. Now, if I understand the Chair and the gentleman from Mississippi correctly, he does not want to change in any wise the law at this time existing which prohibits the carrying of news-

papers by letter-carriers.

The SPEAKER. The amendment does not refer to that subject at

Mr. TOWNSHEND. I call for the reading of the amendment. The Clerk read the amendment, as follows:

After the word "law," in line 133 of the printed bill, insert:
"Provided, That publications of the second class, one copy to each actual subscriber residing in the county where the same are printed in whole or in part where published, shall go free through the mails."

Mr. HOLMAN. Is that proposition germane to the Senate amendment?

The SPEAKER. The Chair thinks so. It relates to the rates of postage on mailable matter. But the Chair will call the attention of the gentleman from Mississippi to the fact which it has just discovered (because the amendment refers to the printed bill and the Clerk has be-fore him the manuscript bill, the engrossed bill) that the gentleman's amendment does not relate to the Senate amendment at all, but to the text of the bill.

Mr. TOWNSHEND. That is one of the points that I have insisted

upon ever since we began this discussion.

The SPEAKER. The Chair had already ruled out that part of the amendment which proposed to strike out the text; but it appears now that the other part of the gentleman's amendment as proposed does not affect any amendment made by the Senate, but changes the original bill and would insert new words in the original text.

Mr. HORR. Mr. Speaker, is it not in order now to have concur-

The SPEAKER. It is. The Chair thinks this whole proceeding is out of order. The difficulty on the part of the Chair arose from the

fact that the gentleman [Mr. Money] was referring to the printed bill while the Clerk had before him the engrossed bill.

Mr. MONEY. I was going by the printed bill, because I could not indicate the lines by number in any other way.

The SPEAKER. Certainly. The mistake resulted from the fact that the gentleman was looking at the printed bill while the Clerk had the engrossed bill.
Mr. TOWNSHEND. Regular order, Mr. Speaker.

The question was taken on concurring in the amendment; and there were ayes 95, noes not counted.

So the amendment was concurred in.

The Clerk read the next amendment (numbered 12), as follows:

Strike out the following:
"Provided, however, That publishers of second-class publications may mail sample copies of such publications at the rate of 1 cent for each four ounces or fractional part thereof, to be prepaid by ordinary stamps affixed thereto; and all acts, so far as they fix a different rate of postage than herein provided upon such first and second class matter, are to that extent hereby repealed on and after July 1, 1885."

Mr. HORR. Mr. Speaker, I move that we concur in that amendment

Mr. TOWNSHEND. Mr. Speaker, I hope that I shall be recognized as representing the Committee on Appropriations, and I desire to say that, in obedience to the order of that committee, I move to non-conthat, in obscurence to the cur in that amendment.

Mr. BINGHAM. Mr. Speaker—

The SPEAKER. This is a proposition which may be debated five

Mr. BINGHAM. I simply desire to say, Mr. Speaker, that concurrence in this Senate amendment now simply makes the action of the House consistent with the amendment adopted a few moments ago. That is all.

Mr. ADAMS, of Illinois. I did not understand the remark of the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. I said that concurrence in this amendment now is

the logical sequence of the action of the House just taken.

Mr. TOWNSHEND. It is true, Mr. Speaker, as stated by gentlemen here, that concurrence in this amendment would carry into effect the amendment adopted a while ago; but I want to say before passing from this question—for I have no doubt the House will sustain the gentleman from Michigan [Mr. HORR]—that in concurring in this amendment the House is doing what I am satisfied it would not do if gentlemen would

pause long enough to think of the effect of their action.

The Postmaster-General came before the Committee on Appropriations and said that under the law regarding sample copies of newspapers-no, I will take that back, not regular newspapers, but advertising sheets—sheets that are conducted in the interest of lottery schemes and used for mere advertising purposes were flooding the mails. He said that it was done under the clause of the law which permits sample copies to go through the mails at the rate of 1 cent per pound, and he desired to have that permission restricted; and the Committee on Appropriations agreed with him that it ought to be restricted. It is true that the Postmaster-General said he was willing to allow newspapers to send sample copies twice a year, but the Committee on Appropriations said: "Ifitis

copies twice a year, but the Committee on Appropriations said: "If it is wrong to permit them to send sample copies oftener than twice a year, we should abolish the law altogether;" and the committee so acted.

My desire was that we should come to some agreement upon this question. I can see why allowing sample copies of legitimate newspapers, scientific journals, and other meritorious publications to go through the mails should be continued; but I am of opinion that it ought to be restricted to certain periods of the year. I am willing to allow publishers all facilities that are necessary in order to secure subscribers, and I am willing.

am willing

[Here the hammer fell.]

Mr. HORR. Mr. Speaker-

The SPEAKER pro tempore (Mr. Cox, of New York). Debate is exhausted.

Mr. HORR. I think not, Mr. Speaker. The gentleman from Pennsylvania [Mr. BINGHAM] occupied only one minute, and I do not want to occupy more than another minute. I simply want to say that this is the sequence of the vote that we have just taken, and that it is necessary in order to carry out that amendment. It makes postage uniform for city papers, for country papers, and for all papers. It is right, and it ought to be adopted; and when the gentleman from Illinois [Mr. Townshend] says that if members would pause and think they would vote against it, he is mistaken. All that is required to make them yote for it is to pause and think—indeed, they will not have to pause—if they will simply think, they will vote for it.

The amendment was concurred in.

The Clerk read the next amendment (numbered 13), as follows:

Strike out the following:

"(13) That at the future lettings of contracts for the manufacture of postagestamps, stamped envelopes, postal cards, and other postal securities, the Secretary of the Treasury be, and he is hereby, required to submit bids for the manufacture of said stamps, stamped envelopes, postal cards, and other postal
securities by the Bureau of Engraving and Printing of the Treasury Department, which bids shall be considered in competition with bids from private parties: But provided, That the Postmaster-General may reject any and all the bids
of private parties, and award the contracts, or any of them, upon the bid of the

Secretary of the Treasury, if, in his judgment, it shall be for the best interests of the Government to do so."

Mr. TOWNSHEND. I am directed by the Committee on Appropriations to move that this amendment be non-concurred in. I make that

The motion was agreed to.

The Clerk read as follows:

Fourteenth amendment: Page 5, line 24, strike out "forty-nine" and insert "forty-five;" so as to read: "For manufacture of stamped envelopes and newspaper-wrappers and letter-sheets, \$745,060."

Mr. TOWNSHEND. As directed by the Committee on Appropriations, I move that the House concur in this amendment.

The motion was agreed to.

The Clerk read as follows:

Fifteenth amendment: Page 6, after line 11, insert "office of superintendent of foreign mails."

Mr. TOWNSHEND. I am directed by the Committee on Appropriations to move non-concurrence in this amendment.

The motion was agreed to.

The Clerk read as follows:

The Clerk read as follows:

Sixteenth amendment:
Page 6, strike out in lines 12, 13, and 14 the following:
"For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$425,000."
And insert the following:
"For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in this amendment.

The motion was agreed to.

The Clerk read as follows:

Seventeenth amendment: Strike out section 3, as follows: "That a special stamp"—

Mr. TOWNSHEND (interrupting the reading). Mr. Speaker, this and all the remaining sections of this bill, except the last one, relate to the special stamped envelope which the House provided for. I think members will not insist that these sections be read. I am directed by the Committee on Appropriations to move non-concurrence in the amendments, striking out the third, fourth, fifth, and sixth sections. I ask unanimous consent that the reading of those sections be dispensed

Mr. KEIFER. The gentleman's motion is to non-concur in Senate amendments numbered 17, 18, 19, and 20.

Mr. ANDERSON. What are those amendments?

Mr. KEIFER. They all relate to this one subject.
The SPEAKER. The gentleman from Illinois [Mr. TOWNSHEND] asks unanimous consent to dispense with the reading of the seventeenth, eighteenth, nineteenth, and twentieth amendments of the Senate, and that they be non-concurred in. Is there objection? The Chair hears

Mr. TOWNSHEND. Now the only remaining amendment is to strike out the last section.

The Clerk read as follows:

Twenty-first amendment:
Strike out section 7, as follows:

"SEC.7. That the Postmaster-General be directed to instruct his subordinates to publish on the foreign bulletin-board in the corridor of the post-office building in the city of New York the news of the sighting or arrival of foreign mail steamers, to the end that the public shall have such news in advance: And provided also, That no cost or charge to the Government shall be incurred in consequence of such instruction."

Mr. TOWNSHEND. I am directed by the Committee on Appropriations to move non-concurrence in this amendment.

Mr. KEIFER. Pending that, I move that the House concur.

The SPEAKER. The gentleman from Illinois moves to non-concur,

The SPEAKER. The gentleman from Illinois moves to non-concur, and pending that the gentleman from Ohio moves to concur. The question will be upon the motion to concur.

Mr. COX, of New York. I think that this section ought to provide a small appropriation for the purpose of carrying out its provisions. I move, therefore, to amend by striking out the provise at the end of the section and inserting "and \$500, or so much thereof as may be necessary, is appropriated for this purpose."

Mr. HOLMAN. I must make a point of order on that.

Mr. COX of New York. I know it is subject to a point of order.

Mr. HOLMAN. I must make a point of order on that.

Mr. COX, of New York. I know it is subject to a point of order.

Mr. HOLMAN. This is a matter of purely local convenience.

Mr. COX, of New York. Will not the gentleman consent to an appropriation of \$100?

Mr. HOLMAN. No, sir; I object to the provision.

Mr. COX, of New York. This is not a merely local convenience, for the information is sent all over the United States.

Mr. KEIFER. The gentleman from New York [Mr. Cox] will himself admit that section 7 will be entirely inoperative without an appro-

priation; and it is not competent for him now to make an appropriation by way of amendment.

Mr. COX, of New York. Why not? Mr. KEIFER. And it is quite anomalous to require the Postmaster-General through his subordinates to post a bulletin-board in the city of New York or anywhere else. The provision ought not to go into the bill; it does not belong there. By concurring in the amendment of the

Senate the whole section will go out.

The SPEAKER. The Chair thinks the point of order against the

The SPEAKER. The Chair thinks the point of order against the amendment proposed by the gentleman from New York [Mr. Cox] is well taken. The point of order is sustained.

Mr. COX, of New York. As the gentleman from Ohio [Mr. Keifer] has discussed this question, I hope I may be allowed to say a word. All that we propose to do is simply to put this information on a blackboard in the post-office building in New York city for the information of the arrival of foreign mail steamers. of newspapers and the public as to the arrival of foreign mail steamers, so as to prevent a monopoly of news by individuals or corporations. I proposed to insert a small appropriation, lest the Postmaster-General, if no money were appropriated, might hesitate to carry out the provisions of the section. But, even without an appropriation, I would like the section to remain, not as mandatory but as directory to the Postmaster-

Mr. KEIFER. This provision would require the Post-Office Department to keep posted on a bulletin-board intelligence as to the arrival

of foreign mail steam vessels.

Mr. COX, of New York. It is done, anyhow.

Mr. KEIFER. If the gentleman intends the section to be merely directory, let him appeal to the postmaster of the city of New York, and not make a directory law on an appropriation bill. The section with the section with the section of the city of New York, and not make a directory law on an appropriation bill. ought to be struck out.

The SPEAKER. The question is on the motion of the gentleman

from Ohio to concur in the Senate amendment.

Mr. COX, of New York. I wish the gentleman from Indiana [Mr. HOLMAN] would withdraw his point of order; this is a very little

Mr. HOLMAN. No, I must insist on it.

The question being taken on the motion to concur, there were-ayes

48, noes 19.

Mr. COX, of New York. I call for tellers. I think members mis-understood the proposition on which they voted. I do not believe it was generally understood that the Speaker had ruled my amendment out of order.

The SPEAKER. The Chair decided that the gentleman's amend-

ment was not in order and it is not a part of the section.

Mr. COX, of New York. I think a good many members believed

they were voting on my amendment.

The SPEAKER. The question was taken simply upon concurring in the amendment of the Senate to strike out the entire section. The gentleman from New York [Mr. Cox] has demanded tellers.

Tellers were not ordered.

So the amendment was concurred in.

Mr. TOWNSHEND. I move the House request of the Senate a conference on the disagreeing votes of the two Houses on the amendments to the Post-Office appropriation bill.

The motion was agreed to.

The SPEAKER appointed, as the managers of said conference on the part of the House, Mr. Townshend, Mr. Holman, and Mr. Horr.

FORTIFICATION BILL.

Mr. HANCOCK. Mr. Speaker, I move to submit for adoption at this time the following resolution.
The Clerk read as follows:

Resolved. That the rules be suspended and that the House now resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill of the House 8279, making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes; said bill to be subject to general debate for two hours and then be considered under the five-minute rule.

Mr. RANDALL. Will the gentleman from Texas yield to me for a

Mr. HANCOCK. With pleasure.

NAVAL APPROPRIATION BILL.

Mr. RANDALL. I move, Mr. Speaker, to take from the Speaker's table the Senate amendments to the Navy appropriation bill, for refer-

ence to the Committee on Appropriations.

Mr. TALBOTT. Will the gentleman from Pennsylvania intimate to the House when he will likely bring these amendments of the Senate back to the House for action?

Mr. RANDALL. Some time to-day, I hope. Mr. TALBOTT. For action?

Mr. RANDALL. Yes, sir. I move, Mr. Speaker, that the amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, be taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

The motion was agreed to.

FORTIFICATION BILL.

The SPEAKER. The pending question is on the resolution of the gentleman from Texas in reference to the consideration of the fortification bill.

Mr. SPRINGER. I wish to ask the gentleman from Texas whether in the consideration of the fortification bill it would not save time as the question is resolved into one point to move to suspend the rules and pass the bill now

Mr. HORR. No, sir.
The SPEAKER. Is a second demanded?
Mr. TALBOTT. Have all points of order been reserved against the bill and amendments?

Mr. HORR. I did not understand the gentleman from Illinois to do anything but to make a request of the gentleman from Texas.

Mr. SPRINGER. It is too late to reserve points of order on it as the

bill is in committee.

The SPEAKER. All points of order were reserved.

Mr. HORR. The gentleman from Texas has not made any such re-

Mr. SPRINGER. I make it myself.
Mr. HANCOCK. I will accept the suggestion of the gentleman from Illinois if it be acceptable to the House.

Mr. HORR. Oh, no. Mr. SPRINGER. I suggest that the debate be limited to one hour instead of two hours.

Mr. RANDALL. We have no objection to that.
Mr. HOLMAN. Half an hour would be ample.
Mr. THOMAS. Say three hours.

Mr. HORR. Three hours is but a small time. I wish to say there are two bills presented here.

Mr. RANDALL. Only one bill.

Mr. HORR. I beg pardon, there is another bill submitted as a substitute which was the bill prepared by the subcommittee itself; and it is no more than fair they should have time to discuss it.

Mr. RANDALL. Nothing unfair is intended.
Mr. HOLMAN. We all understand this question, and can vote on it at one

Mr. HORR. We ought to have some time. I do not wish to delay the Hous

The SPEAKER. Gentlemen will speak one at a time.

Mr. SPRINGER. I move that general debate be limited to one hour.

The SPEAKER. It can not be amended. It is a motion to suspend

Mr. SPRINGER. I ask the gentleman from Texas to modify it so

as to make it one hour.

The SPEAKER. It is impossible to hear what is going on. Gentlemen will resume their seats. It is a resolution to suspend the rules and is not amendable. The Chair has indulged gentlemen in making suggestions with a view of securing some agreement. That is the only purpose for which debate can be allowed.

Mr. SPRINGER. I understand the gentleman from Texas agrees to

modify his resolution to make it one hour.

Mr. HANCOCK. I adhere to the resolution.

The SPEAKER. Is a second demanded? If not, the question is on the adoption of the resolution which suspends the rules and takes the House into committee.

Mr. McMILLIN rose.

The SPEAKER. It is not debatable.

Mr. McMILLIN. I rise to make a parliamentary inquiry. Does

it reserve all points of order?

The SPEAKER. It says nothing on the subject, and they are to be considered under the rules in the Committee of the Whole House on the state of the Union.

ENROLLED BILL SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes; when the Speaker signed the same.

FORTIFICATION BILL.

Mr. MILLER, of Pennsylvania. What is the proposition before the

ouse? It is utterly impossible to hear what is going on.
The SPEAKER. It is a resolution which has been read to suspend the rules and go into the Committee of the Whole House on the state of the Union and consider the fortification bill with general debate limited to two hours.

Mr. RANDALL. And afterward under the five-minute rule.

The SPEAKER. And then be considered under the five-minute rule.

The SPEAKER. And then be considered under the live-inflate talk.

Mr. REED, of Maine. That is all right.

The House accordingly resolved itself into Committee of the Whole

House on the state of the Union, Mr. BLOUNT in the chair.

The CHAIRMAN. The House is in committee for the purpose of
considering the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the

fiscal year ending June 30, 1886, and for other purposes, and by order of the House all general debate has been limited to two hours.

Mr. HANCOCK. Mr. Chairman, before proceeding with my remarks

it is proper that I should ask consent to dispense with the first formal

The CHAIRMAN. Without objection that order will be made.

There was no objection.

Mr. HANCOCK. It will be observed that there are two bills presented, the one by the committee and the other a proposed substitute offered by the gentleman from Louisiana. This bill is not responsive the bill of the committee-to the estimates submitted by the Department making appropriations for our seacoast defenses. Nor is it responsive to the request for more money to make guns of larger caliber than those which have been purchased heretofore by the Government. For myself I do not profess to know very much about ordnance after you get beyond a double-barreled shot-gun. [Laughter.] I have had, therefore, to consider the subject, so far as I have had any connection with it, from the general practical effect of what has been done in this direction by the Government heretofore.

direction by the Government heretofore.

This bill has been drawn with a view mainly to try to avoid a needless and unprofitable expenditure of the public moneys in this direction, which has marked the policy of the Government for the last twenty or twenty-five years. Looking over the laws and the appropriation bills upon this subject we find that many millions of dollars have been used up by the Army and Navy without any profitable results to the Government, and I for one believe, and the majority of the Committee on Appropriations agree with me, that it would be better instead of going on making appropriations and spending money in fruitless efforts—efforts which amount to nothing as far as the necessary armament of war is concerned-to determine upon some plan and ascertain if possible what character of large ordnance can be made here which would be of a character suitable to us in the event of a war, and the like with reference to our seacoast defenses as to what fortifications would be necessary and to our seacoast deceases as to what fortheations would be necessary and the manner in which they should be constructed. To accomplish that purpose, Mr. Chairman, we have simply to follow the course which has been pursued by all of the great military powers of Europe, which we do in this bill in attempting to form a board with authority to take into consideration the question of construction, in fact, to consider the whole subject and to apply practical and thorough tests to the various kinds of ordnance up to as large sizes as those of 12-inch caliber and subject them to such tests as would determine their fitness for us in warfare.

To this end we have called in by this proposed bill all the branches of the Government at all connected with it in any way or responsible for the War Department of the Government. There is a proposition here, for instance, by the bill to bring together those from the Army whose business it is to inform themselves upon the subject, the Ordnance Department, and from the Navy, that they shall act in concert with the Secretary of War in examining whatever may be brought before their attention at all connected with the art of war. In doing this we also open the door wide to every individual citizen, whoever he may be, who supposes that he has the ability or the skill to produce a gun of the first quality to have it tested thoroughly in order to determine

the question of its efficiency or not for the use of this Government.

Up to the present time and as late as last October, I believe, I noticed that the Secretary of the Navy, speaking of this subject, says that we have not a single gun of the first quality in this country; and he adds we have not a single vessel capable of encountering and resisting an attack from European vessels of the first class, or the war vessels belonging to any of the first class powers of the world. I, for one, am willing, and I think it is the disposition of Congress, to make liberal and generous appropriations for whatever may be found necessary to put the United States in a thoroughly effective condition when we have ascer-

tained that we have the right character of weapons.

There is also a provision in the bill with reference to a uniform caliber of gun in all the branches of the service. At present in the Army and the Navy there is no uniformity in ealiber. For some reason, which it is not necessary now to undertake to discover, the Army have adopted the even numbers, and consequently have guns of 6, 8, 10 inches and so on in caliber, all of even numbers; while on the other hand the Navy have 7, 9, 11, 13, &c., odd numbers. One of the great inconveniences arising from this difference, and an inconvenience not existing anywhere else on the face of the earth, especially among such nations as those we may without shame or blush look to for instruction in this respect, and whose rule in this regard is a uniformity of caliber which we may safely follow, is that now in the United States an officer in the Navy can not without instruction or experience handle guns of the Army, and vice versa an officer of the Army can not without previous training and experience handle guns of the Navy.

Another difficulty is that the ammunition for one class of guns will not do for the others. If the ammunition of one falls short, although the other may have a superfluity it can not be used to supplement the requirements of the other even in resisting an attack. The ammunirequirements of the other even in resisting an attack. The ammunition of the Army would be useless on board a vessel which was short of ammunition, and the ammunition of the Navy can not be used in a crisis by the Army. I find that the Military Committee of the House

have thoroughly considered this subject and have formulated a report upon it, and I wish to invite the attention of the honorable gentleman from California [Mr. ROSECRANS], the chairman of that committee, to the subject.

The total amount appropriated by this bill is \$955,000, as against

\$7,303,000 which have been submitted as estimates for 1886.

Before I conclude for the present I wish to state that I have consulted with a majority of the members of the Committee on Appropriations, and with the approval of those whom I consulted, and at the suggestion of General Benét, I will at the proper time offer this amendment in line 444: "For constructing and testing experimental gun-carriages;" and also in line 447, after projectiles, insert the words "gun-loaders." This, I think, is already included in the bill, but it is desired that there shall be no doubt upon the subject.

I reserve the remainder of my time until after I have heard the dis-

cussion from the other side.

The CHAIRMAN. The gentleman from Texas [Mr. HANCOCK] reserves the balance of his time. The gentleman from Michigan [Mr.

HORR] is recognized.

Mr. HORR. Mr. Chairman, I desire to be stopped at the end of fif-teen minutes, when I will yield fifteen minutes to the gentleman from Maine [Mr. REED] and thirty minutes to the gentleman from Louisiana [Mr. Ellis], who will dispose of that half of the time as he sees fit.

Mr. Chairman, I antagonize the bill reported by the gentleman from Texas [Mr. Hancock], and am in favor of the bill reported by the sub-committee of which I have the honor to be chairman, but which was rejected by the full Committee on Appropriations. The bill which I favor carries nearly \$5,000,000—\$4,935,000 is the exact amount. This is divided up upon the principle of trying to build some fortifications and trying to manufacture some guns in this nation which shall be for the protection of our frontiers and worthy of our people.

I wish to say to the House on both sides that in my judgment the bills on fortifications, which we have been passing for the last ten years here in Congress, have been of no practical benefit to the United States.

We do not give money enough to enable us to manufacture anything in this country that can be called a gun of large caliber.

The bill which I propose, and which we prepared, appropriates money enough to commence building forts at the large cities of the United States—New York, Boston, Philadelphia, Baltimore, and San Francisco. The bill of the committee appropriates almost nothing—only a few thousand dollars to take care of the forts, if you can call them such, that we have in the United States to-day. There is not a fort to-day in the United States that is worth taking care of. There is not a gun in the United States, with the exception of two or three that are now being manufactured, that are of any use whatever for heavy work. heavy work.

Mr. WELLER. Why have not you Republicans done something

about this in the last fifteen years?

Mr. HORR. We have been having a Democratic House mostly for ten years. The gentleman from lowa can interrupt me in a minute,

for I am coming to something that interests him.

I had hoped—and now I want to talk to my good friends on the Democratic side of the House—I had hoped that we were to enter upon a new era in doing things for the benefit of the people of this country under this glorious administration that is about to be inaugurated. I can not say that at the election I had an overabundance of confidence in the man who was elected to manage the affairs of this nation for the next four years. But I will say to my venerable friend from Connecticut [Mr. EATON] that my admiration for that man in the last few days has been increased. I hold here, Mr. Chairman, a letter, the first message given by the incoming President to the Congress of the United States, if I may call it a message. You have got an early man, at least. He is the first President of the United States who ever sent a message to Congress before he was inaugurated.

But I find in this message nothing but words of wisdom. astonishment almost every line of it commends itself to my judgment, and the one thing I regret is that such pearls had to be cast before

such-Congressmen. [Great laughter.]

Why, Mr. Chairman, this letter recognizes the fact that the American Congress ought to take care of the interests of this great nation. It recognizes the fact that this Congress ought to do something to prevent the impending difficulties that hang over us in the financial world before we are dissolved by law and leave this Hall. I do not know what the notions of the incoming President are on this fortification bill. Has any member here a message from him on that subject? [Laughter.]
Did the gentleman from Illinois [Mr. Springer] speak to me?

Mr. SPRINGER. No, sir; I am not casting pearls now. [Laughter.]
Mr. HORR. It is to be hoped that the head of the incoming President is as level on this question of protecting this great American nation as it is on the question of whether we shall stop issuing the bogus dollars that now weigh down the vaults of our Treasury, and which you can not get into circulation among the people even by a high-pressure engine—it may go out for a day, but it will return again, and always must so long as it is not a good, honest dollar. I do hope that this new progressive party which is about to take charge of affairs will think of this matter seriously. Your President has started out right. It is not modest in me perhaps to tell you that you men who voted against his instructions have started out wrong, and that your President will have to rely on the business sense of this side of the House in order to run

Mr. SPRINGER. It would be a great calamity.

Mr. HORR. You want to call a halt, Brother SPRINGER. labored along for a quarter of a century to gain what you have reached Let it not vanish away by this nonsense of trying to create value islative enactments. Take a little business sense with you and by legislative enactments. Take a little business sense with you look at this question from the standpoint of American statesmen. a good deal, but not too much. [Laughter.]

Now, Mr. Chairman, I call the attention of this House to the fact—

Mr. COSGROVE. Will the the gentleman from Michigan allow me

Mr. HORR. Yes, sir. Mr. COSGROVE. W Would you accept a place in the Cabinet? [Laughter.

Mr. HORR. I could not conscientiously do it. My friend wants me to be the one hundred and seventy-ninth applicant for a place in the Cabinet, and I will not take any such position. I do not fancy the

crowd it would throw me into. [Laughter.]

I am frank to say that the President-elect thus far is not troubled for applicants for those places. What may trouble him, though I hope it will not, will be to find men in his party who will rise to the magnificent common sense contained in that short letter and run our Government in accordance with its principles. If he can do that the nation will bless him, though I fear such work will cast dismay among the majority of you gentlemen on the Democratic side of the House. [Laughter.] Your votes drive me to that conclusion.

Now, Mr. Chairman, I yield to the gentleman from Maine [Mr. REED]. having said all that I care to say by way of admonition to gentlemen upon that side of the House, and hoping they will reflect upon what I have said as coming, not from me, but from their leader, who, I am frank

to say, has disappointed me favorably. It has been refreshing to me to find so much good sense from a quarter so unexpected.

Mr. REED, of Maine. Mr. Chairman, I do not propose to continue in the vein of the gentleman from Michigan [Mr. HORR]. I only wish to point out, so far as they may be found within this bill, some grounds for the expression of a hope that somewhere in the Democratic party may be discovered more sense and reason than seem to exist in the Democratic portion of the Committee on Appropriations. The Democratic party now has thrust upon it the business of doing something. For the last twenty-five years the only duty it has had has been the business of finding fault with everything. Now it has to take a positive stand, and we have had, thus far, two illustrations of the Democratic party in positive action. One was on the Navy bill, where we undertook to construct a navy by dismissing everybody that legitimately belongs to the business of constructing a navy; and now we have a bill for the creation of ordnance by wholesale contract, and having in it what seems to me to be one of the most transparent jobs that ever was presented for the consideration of Congress

The first thing this bill provides with regard to ordnance is that the calibers and sizes of the guns in the Army and in the Navy shall be the same. Now that presupposes, if it is founded in sense, that the conditions of managing guns are precisely the same in both branches of the service, and yet it does not need extraordinary knowledge to call the attention of members of the House to the fact that guns belonging to the Army, in the fortification and in the field, are managed upon terra firma, and that there are no problems of flotation connected with them; while the guns on board ship have to be constructed and managed with regard to the floating of the ships and with reference to the service that is to be performed. Nothing can be more absurd than to confine us to 6-inch, 8-inch, and 12-inch guns on shore, and then to say that no ship shall carry a gun of an intermediate caliber. A ship may not be constructed to carry a 12-inch gun, and yet may successfully carry an 11-inch gun; but this bill provides that no 11-inch gun shall be made.

This bill not only fixes the caliber of the gun, but it fixes the length of the gun and says that it shall be the same in the Navy as in the Army. What can possibly be more absurd than a proposition of that kind, except possibly this proposition: that no gun shall hereafter be created until a 12-inch gun has been produced—God knows how! the language is "produced"—which shall answer certain conditions. Why, does not anybody who knows anything about this business know that the mathless that the stable and the sta that the problems connected with the smaller guns are entirely different from the problems connected with the larger guns, and that we can ent from the problems connected with the larger guns, and that we can to-day in this country produce smaller guns; but that in order to produce a 12-inch gun we have got to change the plant of every establishment engaged in manufacturing either guns or large metallic objects, and yet the construction of all smaller guns are to be stopped until this 12-inch gunshall be "produced." Now, how is it to be produced? By the Government? No; because there is no appropriation to do it. Again, it is to be a single-charge gun, and yet this bill appropriates \$400,000, among other things, for the purpose of buying multicharge guns!

Why, just consider a moment what the effect of that is in connection

with the paragraph on the fifth page of the bill. Here is the gun that is to be "produced:" As compared with a Krupp 12-inch gun our 12-inch gun is to weigh 60,000 pounds, is to carry a projectile of 600 pounds, and is to penetrate 13 inches; while a Krupp gun of 12-inch caliber weighs 109,000 pounds, carries a projectile of 1,000 pounds, and penetrates 24.3 inches. Now we are going to "produce," in some way or other, a gun that carries a projectile weighing only 600 pounds and penetrates only 13 inches, and when we have reached the gun is to be ordered as the page of the pag ordnance science then at once and automatically this gun is to be bought in quantity, and one-half these guns are to be turned over to the Navy whether the Navy wants them or not, and the other half to the Army, and that is to be the pattern gun until another 12-inch gun is produced which will surpass that in some peculiarity. Why, sir, this is an attempt to make Government work automatically, and you will never succeed in doing that. You will never succeed wisely in eliminating the element of sound judgment, and the element of responsibility. The way to construct a gun, like the way to construct a navy, is to have the departments and the officers charged with that work fully informed, in full control, to have them manufacture or superintend the manufacture of guns, and be responsible for them and for the results.

I do not know precisely what kind of a gun these paragraphs cover or what contractor's maneuver it covers. But it does seem as if the language of the bill was arranged on purpose to fit a particular kind of gun and to give a particular contractor the benefit of all the manufactures of the Government hereafter; and all to result in the production of a gun, one totally inadequate to the demands of the Navy, of the

Army, and of modern military science.

At its best here is a proposition to give us a gun which, as I have already said, carries only six-tenths of the weight of metal of the Krupp gun, and which penetrates only one-half the distance of the Krupp gun. If you look at the details of the tests which are to be made you will find If you look at the details of the tests which are to be made you will find that every one of them is involved in obscurity. A target, material not specified, is to be penetrated "fairly through." What do you mean by "fairly through?" I will tell you what you mean. You mean a dispute; you mean a pressure brought upon the examining board. You mean the clamor of contractors. Why do you say "fairly through?" Why do you employ such doubtful words?

Then sayin are limit the least to favor say by a proportion to the

Then again you limit the length of your gun by a proportion to the caliber and then apply that iron rule to both branches of service, and of the projectile. Why, that is to stop all future experiments in that direction; that is to limit and put in chains the progress of science upon these matters of practical importance.

Mr. THOMAS. Mr. Speaker, my objections to this bill and to its several provisions are noted down hastily in a memorandum which I shall read and which will convey to the House a better impression of the infirmities of the measure than I should be able to do if I spoke

without notes.

Lines 54 to 66 inclusive provide that the calibers of guns for the Army and Navy shall hereafter be the same, that is, six inches, eight inches, ten inches, and twelve inches, and that no intermediate calibers shall be made; also, that all these guns shall be over thirty calibers long and shall weigh so much. Any given ship of war can carry a given number of guns of a given weight, and the space occupied by the guns and their weight, and therefore caliber, can not be determined by any such considerations as that the Army has guns of certain fixed dimensions. An ironclad of given displacement, for example, can carry two turrets with two guns in each turret. Now, supposing that 12-inch guns can not be carried, why should not 11-inch, or 112-inch, be carried rather than 10-inch, as would be rendered necessary by the provisions of this bill? Given a certain weight for the ordnance outfit of a ship, and guns of a fixed caliber are the best, and that caliber, what-ever it may be, should be used on that ship. The fact that all foreign countries build guns for their navies of irregular calibers is enough to condemn this part of this bill.

English naval guns are 4½-inch, 5-inch, 6-inch, 6.3-inch, 7-inch, 8-inch, 9-inch, 9.2-inch, 10-inch, 10.23-inch, 11-inch, 12-inch, &c.

The portion of the bill fixing the length and weight of guns would

be well enough if ordnance development were at an end, but considering that a very small change in the nature of the powder used, or an improvement in the quality of the material of which guns are built, would at once render the present best length and weight of guns bad, it would seem that such restrictions were intended to prevent any further development of ordnance.

Lines 67 to 91 provide a test for guns to be manufactured by or for the United States. This test is both insufficient and so loosely drawn as to be uncertain in nature. What does "fairly through" mean? Is the plate to be backed; and, if so, with how much backing, and how braced? What is the quality of the plate to be? Some plates could be pierced by almost anything.

This clause also prevents any further work being done on the guns

or Navy till a 12-inch gun has been made. For this the Navy has no money, the Committee on Appropriations having refused the money asked for the steel for a 12-inch gun.

Lines 115 to 141 provide for the purchase of 100 12-inch guns with

10,000 projectiles at an expense of \$3,600,000 from the first person who shall make one of these guns to withstand the insufficient test previously stated. In other words, the Army and Navy are to have 100 12-inch guns of inferior power forced upon them. All that is required of these guns of inferior power forced upon them. All that is required of these guns is that they shall each stand ten rounds fired rapidly. Those that burst are to be rejected and the rest accepted until 100 are taken. No matter if every other gun bursts the rest must be taken.

The practical result of the bill will be to saddle the United States

with 100 useless cast-iron guns of inferior power and of unknown quality at an expense of \$3,600,000, when if such guns were of any use they could be made by the United States at less than one-quarter this amount. Indeed these guns could probably be made by the Government from its old cast-iron smooth-bores for about one-tenth the amount asked in the bill.

Mr. ELLIS addressed the committee. [See Appendix.]
Mr. CURTIN. Mr. Chairman, I am sure I can not say in three minutes anything which will influence this committee. I am in favor of utes anything which will influence this committee. I am in favor of the substitute, and I regret very much the eloquent speech of the gentleman from Michigan [Mr. HORR] who opened the debate in opposition to the bill reported by the majority of the committee, and who I understand is in favor of this substitute. It was a fair and, as politics go, a reasonable political speech; but it was not in favor of the bill, and it may have excited prejudice on this side of the House, which I desire to dissipate by saying that in my judgment it was not in harmony with an occasion like this, involving the question of the defense of our country by the best and most enlightened modern methods. Sir, no man who reads can be insensible to the fact that there is a condition no man who reads can be insensible to the fact that there is a condition of unrest across the water. There are coalitions forming there which are inconsistent with peace in the near future. Before this year closes Europe may be involved in another war. It is about time; and how can we tell, Mr. Chairman, that we also may not be involved in that

The CHAIRMAN. The time of the opponents of this measure has been exhausted. There remain fifty minutes to be used by the advocates of the measure. Does the gentleman from Texas [Mr. Hancock]

desire to occupy the time?

Mr. HANCOCK. I yield fifteen minutes to the gentleman from Cali-

Mr. ROSECRANS], if he wishes to use it.

Mr. ROSECRANS. Mr. Chairman, I desire to submit a few remarks upon this bill of the committee. First, I wish to call attention to what has been said concerning the preservation of our fortifications for seacoast defense. It has been said that they are of no account whatever, and probably it is better that I should state at the outset in what sense that it was that is true. At the time they were planned the theory was to bring to bear upon any channel leading to the place to be defended a sufficient number of guns to make it too perilous and damaging for the enemy to justify the loss and risk of entering, if not to make it utterly impossible, and to place those guns beyond the reach of a coup de main, beyond the reach of being grabbed by a land force. Our fortifications were planned on a calculation of the average speed attainable by sail propulsion, and the guns were the best that were then known. Since that time the substitution of steam propulsion has altered entirely the conditions of defense, making it impossible to deliver many shots from the same gun on any vessel entering a harbor at the speed at which she can go under steam.

The second, change of defensive conditions. Instead of wooden walls, easily penetrated by the shot of the guns with which we formerly armed our forts, we have now to contend with iron armor, which can not be pierced by these shots. But while on these accounts our fortifications are inadequate to meet the exigencies of defense at the present time, let it not be supposed they are entirely useless. The honorable gentleman from Louisiana [Mr. Ellis], if I heard him aright, said that our fortifications were but "man-traps." But I have only to remind him of the resistance which Fort Sprater was able to express to all our extracts the resistance which Fort Sumter was able to oppose to all our attacks.

Mr. ELLIS. Against what kind of guns?

Mr. ROSECRANS. The best we had, and the best we have had

Mr. ELLIS. How would that fort have stood against modern artil-

lery?
Mr. ROSECRANS. It offered such resistance that we were unable

Mr. ELLIS. Does the gentleman know the penetrating capacity of

modern guns—that they penetrate sixty-three feet of sand?

Mr. ROSECRANS. These new exigencies, these new conditions required for the defense of our forts, necessitate the invention and application of new methods of protecting the guns both from being captured by escalade and from being dismounted and destroyed by the shot of the enemy. It is not to be imagined that we are without some idea of what we have to do—that we must have some kind of metallic protection against these heavy penetrating shot. But it has not yet been determined precisely what are the plans best adapted to secure the result with greatest economy and efficiency. Therefore this bill proposes to have that matter investigated between now and the 1st of next December. It seems to me the committee bill is very reasonable in this re-

A few words now with respect to the provisions of the bill concern-

ing heavy breech-loading armor-penetrating guns—the uniformity established by the bill in the construction hereafter of guns of the same caliber for the same class of guns or the same general dimensions, range,

and penetrating power.

On this subject a great deal has been said which I think would not have been said if gentlemen had had more experience. When I took command of the Army of the Cumberland I had in a single brigade two, three, and in some instances four different calibers of muskets. There was just as good reason then for that variety of calibers as there is now for the existing varieties of calibers for guns of about the same power, or that we should have all sorts of calibers for the Army and the Navy. I was obliged with great care to shift and change the muskets of the troops under my command, so that the men of one brigade might be armed with guns using ammunition of one caliber, to prevent the perils and damage arising from mistakes in the distribution of ammunition which could not be used by the troops who had exhausted their supplies in action or being without ammunition because they could not get ammunition of the requisite caliber.

Mr. Chairman, on these points connected with heavy breech-loading guns I think I shall more completely reach the ears of this House

by sending to the desk to be read the first and second pages of the report which I hold in my hand.

Mr. ELLIS. What report is it?

Mr. ROSECRANS. The report of the Committee on Military Affairs made at the present session; and I will state before the Clerk begins reading that it will be seen this matter has undergone investigations. by Congress as long ago as the Fortieth Congress, when a powerful report was made setting forth the difficulties which this bill is intended to remedy. The passages which I ask the Clerk to read are brief but well-considered.

The Clerk read as follows:

Mr. ROSECRANS, from the Committee on Military Affairs, submitted the following report (to accompany bill H. R. 8242):

The Committee on Military Affairs, to which was referred the bill H. R. 8041,

The Committee on Military Affairs, to which was referred the bill H. R. 8041, respectfully reports:

It has heard statements from the Chief of Ordnance, and the testimony of others respecting heavy ordnance, and has arrived at the conclusion that the best interests of the country demand that such tests be made as will enable us to determine the highest attainable standard of heavy ordnance.

Your committee sees many good theoretical reasons why the calibers, lengths, and projectiles of heavy breech-loading guns should be uniform, and no valid ones why they should not be so.

But it also perceives numerous practical reasons for such general uniformity. To prevent rival systems of constructing cannon for Army and Navy uses, from introducing useless varieties and rendering comparisons of relative utility difficult and indeterminate; to make ammunition for like calibers available both on land and sea; to simplify its preparation, reduce its cost, diminish liability to mistakes in sending supplies of ammunition, are ends very desirable to be attained.

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This is well set forth in the following extracts from Senate report 226, third session, Portieth Congress, the whole of which is printed in the appendix hereto:

"A further difficulty, calling for a remedy, lies in the want of co-operation between the War and Navy Ordnance Bureaus. Great diversity exists in the practice of the two branches of the service respecting the arms adopted, and the manner of proving, mounting, and using the same. The calibers, models, chambers, and ammunition of the Navy guns are entirely unlike those in use in the Army. For example, the Navy 12-pounder boat howitzer has a caliber of 3.4 inches, while the Army 12-pounder guns are of the calibers of 3.3, 2.367, and 3.8 inches. The chamber of the Navy gun is of parabolic form, while the Army gun either has a cycloidal chamber or none at all. The models of the two guns are entirely different, so that neither could be used on the carriage of the other; the Army guns being furnished with trunnions, and the Navy gun having, in some cases, the loop and loop-bolt of the old carronade. The system of sighting is also different. A gunner in one arm of the service, without special instruction, could not use a gun belonging to the other; one being graduated to seconds of time of the flight of the shot, and the other to degrees of elevation. The Navy has 8, 9, 11, and 13 inch smooth-bores, while the Army guns are of the calibers of 6, 8, 10, and 12 inches. In the guns of the two branches of the service there is no uniformity, in either rifle or smooth-bore, in the twenty calibers adopted below the caliber of the 32-pounders. It is impossible to use Navy ammunition in an Army gun or Army ammunition in a Navy gun.

"Co-operation between the Army and Navy while in active service is thus greatly restricted, and in some cases has been entirely prevented. Offensive operations on the part of a joint expedition of the two might be brought to an end by the want of project

sought to draw the attention of the proper authorities to what were supposed to be vital principles connected with their art.

"Another difficulty that has retarded progress in the science of ordnance has been the fact that prominent officers have been inventors of arms, and have possessed sufficient influence to secure the adoption and retention in service of their inventions, frequently without due regard to the question of real merit, and to the prejudice of other and better devices brought forward by citizens, or developed in other countries."

The result of the testimony taken before your committee, and hereto appended, leads it to the conviction:

1. That the strains due to the expansive force of the gases generated in the gun by combustion of power are vastly modified by those which are due to molecular forces induced by the inequalities of temperature and of strains in the successive layers of particles proceeding from the interior to the exterior of the gun when heated by rapid service.

2. That the construction of breech-loading armor-penetrating guns is as yet unsettled, and must be tentative and expensive.

3. That guns of small caliber are less liable to these inequalities than those of larger mass, because these inequalities of temperature are more readily adjusted within thinner metal than when there is greater thickness and slower equalization, of temperature within the resisting mass.

4. That therefore the well-attested facts are the success, in service, of guns of small caliber, made even of cast-iron, and the well-known failure of even steel guns which withstand the tests when the firing is slow and time is given for the equalization of temperature, fail when fired rapidly.

5. That even steel guns which withstand the tests when the firing is slow and time is given for the equalization of temperature fail when fired rapidly.

6. That these molecular strains exist in steel as well as in cast-iron, and when time enough has been given for the gradual adjustment of these molecular strains to equ

[During the reading of the foregoing, when the time of Mr. Rose-CRANS expired, Mr. HANCOCK yielded him additional time.]

Mr. ROSECRANS. I wish only to add that it is not at all certain we have reached conclusions that can be depended upon as to the usefulness of steel for heavy guns. It is quite certain that while other metals, even cast-iron, may answer when used for light guns, yet heavy guns made even of steel may fail. It is not to be assumed, therefore, that we ought to launch out at once upon large expenditures for this purpose when we know the Chief of Engineers has testified that we can not successfully prepare for the manufacture of steel guns, now supposed to be as good as can be gotten, without the expenditure of many millions of dollars running through eight or ten years. If we were to-day to make such expenditures as are proposed in the substitute bill we would be simply spending money. It seems to me far better for Congress to secure a clear, comprehensive summary of the results of the experience of other nations, and after getting this information to determine what we had better do—what plans can be adopted most economically and suc-

Mr. ELLIS. Has the gentleman read the report of the gun-foun-

dry board?
Mr. ROSECRANS. I have.

Mr. ELLIS. Does not that contain the conclusions of the world after the best experiments?

Mr. ROSECRANS. Not fully so; but it is the best report we have

up to this time.

[Here the hammer fell.] Mr. McADOO. Mr. Chairman, an intelligent foreigner, if he had been in this Chamber a few moments ago and listened to the learned and oracular gentleman from Maine and the irrepressible gentleman from Michigan, would, were he ignorant of the facts of the situation, have deplored that these gentlemen did not belong to a party that had entire charge of our fortifications, and that the country had been compelled to lose the services of men who know so much from a scientific point of view as to how our fortifications should be constructed and how our guns should be built. He would have said to himself: "If these gentlemen had charge as leaders of a controlling party of such matters for two or three years, surely the harbors of the country would have all the protection they require." But when he learned that these gentlemen have been the leading members of an administration that has had charge of the fortifications and guns of this Government for the last twenty-two years, his astonishment would know no bounds. That they should know so much, be so aggressive and progressive, and yet have accomplished so little, would puzzle any one a great deal. we have no forts or guns or ships, whose fault is it? That the Democratic party should find itself on coming into power with worthless ves-

cratic party should find itself on coming into power with worthless vessels, crumbling forts, and ancient, ineffective guns on its hands is certainly not its fault. Money enough has been expended to have had these arms of the service modern, efficient, and in excellent condition. Why, they turn to this side of the Chamber and say, "Look at the guns you propose to build," and we retort, and I think we can do it with a great deal of force, "Look at the guns you have built." For what was the Government gentlemen were responsible for distinguished in the way of ordnance? Well, it produced one man known as the great gunburster, and he burst about all the guns they made. Why, during the

twenty-two years they have administered the Government they have not produced a single gun that is capable of taking place in modern warfare. The only thing they did was to leave on our hands a lot of old antedated and antediluvian smooth-bores, and apparently made

I am in favor of the committee's bill in preference to the substitute of the gentleman from Louisiana [Mr. ELLIS]; and I wish to say right here in answer to the criticism of my distinguished and able friend and colleague on the Naval Committee, the gentleman from Illinois [Mr. THOMAS], that I think the bill of the gentleman from Texes [Mr. HAN-COCK] is not defective in that it prescribes what shall be the caliber of guns and prohibits intermediate calibers. It says the caliber of our new guns shall be six, eight, ten, and twelve inches.

My friend from Illinois says some vessels will be able to cary 11-inch guns which can not carry 12-inch, and it is therefore unreasonable and

is not a suitable proposition to limit the guns to those calibers. That would be true, Mr. Chairman, if we had a great navy upon which we were going to put these guns; but we are building a navy, we are laying the foundation of one, I trust; and while we are doing that we can plan our guns while we are building the vessels, for we have no vessels now worthy of carrying any mod guns.

now worthy of carrying any good guns.

The gentleman says it is like putting an 8-foot man in a 6-foot bed—you would either have to lengthen the bed or shorten the man. But, sir, we neither have the bed nor the man, and we are going to make the bed and then the man-to make a navy and then the guns, and therefore it is not an unreasonable or unjust proposition in this bill to have the caliber of these guns restricted and classified. Such guns will make ammunition uniform and facilitate its distribution in both Army

and Navy. I object to the substitute for another reason. While I do not share the views of pessimistic gentlemen on the floor of this House who are always prophesying that war is upon us, that Europe is now to invade our coasts, that we are about to be embroiled in international difficulty, yet I do not share the opinions of optimistic gentlemen who cry wa will never come. I wish to be reasonably prepared for war, and I tell gentlemen who are so alarmed and advocate so much the building of these fortifications, that the day of these old forts is past. The only way you can protect your harbors is by the torpedo-boat and the torpedo and submarine mining system. It has been demonstrated after elaborate, intelligent, and searching inquiry in England that torpedo-boats and the torpedo system are the only possible way for keeping out foreign invasion of your harbors.

I ask in this connection to have the Clerk read an extract in reference to torpedo-boats, from a recent publication which has stirred up the British Parliament. It is part of a series of articles in the Pall Mall Gazette and entitled "The truth about the navy."

The Clerk read as follows:

"Why do you worry so much about torpedo-boats." we asked a first-class naval officer the other day.

"Worry about torpedo-boats!" said he, "I den't worry about torpedo-boats. It is our want of torpedo-boats that worries me, and would worry England if war were to break out. You have published Mr. Donaldson's paper on torpedo-boats, an excellent paper, but like every one who writes for you he understands his case."

boats, an excellent paper, but like every one who writes for you he understands his case."

"But are they really so indispensable? Many officers pool-pool them. For instance, Hobart Pasha in the North American Review for November."

"All the pool-pooling in the world will not get rid of facts, and here are five facts about torpedo-boats which can not be disputed:

"I. Actual experiment has proved that on an ordinary night the boats can approach unperceived to within a thousand yards of the ship attacked, though the most powerful electric lights be kept bearing on their line of approach.

"2. From the time the torpedo-boats are first seen till they discharge their Whitehead torpedoes with absolute certainty of hitting is on an average about thirty-six seconds.

"3. During this thirty-six seconds the guns of the attacked ship fire at random, as owing to the darkness the sights can not be effectively used and the distance altered one hundred yards every six seconds.

"4. A foreign experiment has proved that on the torpedo hitting it makes a hole about seventy square feet in the bottom of such a powerful ironclad as the Hercules.

Heroules.

"5. The most powerful pumps mounted in any ironclad will only keep out the water which comes in through an 18-inch hole in the bottom of the ship. Yet with all that we have fewer boats than France."

Mr. McADOO. I want to see as the crowning glory of the Democratic administration, which the gentleman from Michigan has so pleasantly hailed this morning, the restoration of the public domain, the preservation of the lands of the people, the upbuilding in an honest way of an effective navy, and the proper protection of our harbors. But I am in favor of doing it honestly.

I object to the substitute for this, that it limits proposals for build-

ing these guns, and guns are the only things in this bill, to two firms in the United States. The bill of the chairman of the subcommittee of the Committee on Appropriations invites the whole United States to competitive contract for them. I read from the report of Mr. Benet, brigadier-general and Chief of Ordnance:

The South Boston Iron Works and the West Point Foundry are the only ones that have now any portion of the plant and experience. Both of these have made guns for the United States during the last half-century and have always given satisfaction.

Therefore we find that there are only two places in the United States where you can have a gun built if you spring the question on the publie now. If to-morrow you gave contracts out to get guns by the terms of this substitute bill, you must go to the South Boston Iron Works, or to the West Point Foundry. There is no other place where you can get them. These are undoubtedly two most excellent establishments, of which all Americans may be proud, and I am in favor of American material and American manufacture against the world. We are too great, the national genius is too great, to allow of our paying tribute to England or any other country, whether in making guns or plows, monster engines or delicate machinery. Within our own country, with all due respect to these great enterprises, competition must be absolutely free and fair.

Here, under fair competition, the intelligent labor of American free-men shall, on American soil, from American material, build and equip an American navy. The ringing hammers of Elswick and the Clyde must not, as they fashion our shields of war, make mockery of our idle mechanics. Here the earth is rich in minerals, our artisans and officers fertile in resources, thousands of industrious hands ready for the task, and here our guns should be built to give employment and make happy the homes of the men whose courage and patriotism will make

them invincible in war.

Now, what does the bill say on that point—that they shall make a con-act? With whom? With the manufacturer who has the material. All you have to do then is that the Secretary of War should look around and find the place where there is the best plant at present, and where they have the best material, and there make the contract.

When he does look around, however, what does he find? He can see but two places where these conditions are complied with, and there he must make the contract. Moreover it says:

Provided further, That out of the first annual appropriation of \$1,500,000, not exceeding \$500,000 may be expended for such 12-inch mortars as may be approved, subject to the test of those mortars just completed.

I ask the gentleman from Louisiana, who built the mortars just completed? If I am not mistaken they have been built at these places. It is then virtually a contract by bill in favor of these two establishments. I ask the House then as between a bill giving fair, open, and frank competition and this substitute, which must, from the necessities of the case, be in favor of these two establishments, which is the fairest and which the better bill? If we are to build up the Navy, as I know we will: if we are to proceed reasonably and scientifically to proknow we will; if we are to proceed reasonably and scientifically to protect our harbors, let the work be marked by Democratic honesty in the doing of it. I hope that when four years have rolled around, when the twenty-five years, and may be more, of Democratic administrations have rolled around, that there will not be a blot nor a stain of the old infa-mous contract system, of the old jobbery and robbery which have char-acterized the administrations of a period gone by on the records of the Democratic party in its administration of the Government. [Here the hammer fell.]

[Here the hammer fell.]

Mr. KEIFER. It is due to myself to say that when I take the floor in the time given me by the gentleman from Texas [Mr. HANCOCK] it is with the understanding that I am not favoring the committee's bill in its full scope, but only in part of its details. I believe it has been held, under the rules of this House, that in general debate upon a general appropriation bill in Committee of the Whole a member may talk upon any subject he chooses to select, within the range of legislative matters. And accordingly my distinguished friend from Michigan [Mr. HORE] has undertaken to discuss in some relation the silver question and especially the relation of the President-left, Mr. Cleveland. tion, and especially the relation of the President-elect, Mr. Cleveland, to the Democratic party. I do not have very much criticism to make upon what he said except that I do not wish it to go unchallenged that all the statements contained in the recent letter of Grover Cleveland are pure pearls. I do not suppose that he has had much time recently to examine this financial question in all its phases, but it is hardly fair to allow it to go forth as a statement uncontradicted that the greenback and United States Treasury notes are only redeemable in gold coin, which is assumed in the letter the distinguished gentleman from Michigan chooses to in his way compliment.

Mr. Cleveland also assumes that unless we suspend the coinage of the standard silver dollar the time will come when we will not have gold enough in the Treasury of the United States to pay all the "gold obligations of the United States and to redeem all the United States notes called greenbacks." I quote a portion of the letter:

Silver and silver certificates have displaced and are now displacing gold, and the sum of gold in the Federal Treasury now available for the payment of the gold obligations of the United States and for the redemption of the United States notes, called greenbacks, if not already encroached upon is perilously near such encroachment. These are facts which, as they do not admit of difference of opinion, call for no argument.

What gold obligations of the United States are outstanding? None were ever issued. United States obligations are all payable in coin. He could not have referred to gold certificates, for they are based on gold bullion or coin specially held for their redemption. I supposed that everybody knew that under the law the United States may redeem the greenback at pleasure in coin. I have supposed that under the law the greenback could be redeemed at the pleasure of the Government in

gold or silver coin. Is not that right, my friend from Texas?

Mr. MILLS. I think so.

Mr. KEIFER. There then does seem to be some difference of opinion on what the writer chooses to call "facts."

Now, there is another thing I wish to say in relation to this matter and which relates to the central idea in the letter. He says in effect that we must suspend the coinage of the silver dollar in order that we may appreciate silver so as to prevent what he calls the grave calamity of the parting of the metals. According to the judgments of the most of men we suppose that so long as we utilize, use, and find a market for silver bullion that we are appreciating it and not depreciating it. But the statement of this letter is that if the United States ceases to coin bear a higher price. That is simply absurd. My idea is, and it is demonstrated by the recent market quotations of the price of silver bullion in the markets of the world, and especially in the London market, that if we do suspend the coinage of the silver dollar silver bullion will cheapen and the difference between the gold coin and the standard silver dollar will widen. The breach will inevitably widen from the moment we demonetize silver in the United States, and gold will at once be at a premium.

Now I am about done with that letter.

Mr. BRUMM. I desire to suggest the inquiry whether that has not been demonstrated conclusively by the demonetization of silver in

Germany and this country.

Mr. KEIFER. It has been demonstrated everywhere. But it is not entirely correct to talk about gold and silver in the way that is mentioned in the letter. We have, according to the last monthly statement, of gold coin and gold bullion in the Treasury of the United States and gold certificates that are held by the Treasury \$259,567,000. There are outstanding gold certificates \$134,279,000; the difference between the two being \$125,288,000 gold in the Treasury as against \$41,581,000 in silver in the Treasury over and above the outstanding silver certificates. The standard silver dollars in the United States Treasury over what is necessary to redeem outstanding silver certifi-cates is only \$41,581,000. We have coined under the act of February, 1878, \$193,500,000 of standard silver dollars, and through the use of the silver certificates they are much more largely in use than is generally supposed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEIFER. I am allowed two minutes more, and in that time I

Now, Mr. Chairman, I am only giving some of these figures in order that gentlemen who may want to study this question may do it. I wish to say, for it is the only opportunity presented to me, that I am opposed to merely suspending the coinage of the standard silver dollar. I was willing that there should have been debate upon that subject in the House in order that we might have disclosed what we think is entirely in the business interest of this country.

Now, Mr. Chairman, recurring to this bill, I do not believe in spend-

ing any more money upon forts or guns that in the general judgment of the men skilled in warfare, both land and naval warfare, are utterly valueless. I must content myself in the limited time I have with saying that I am opposed generally to the bill reported by the com-

mittee

mittee.

I want to say one word with reference to the calibers that are spoken of in this bill and which have been criticised. I wish it were possible for us to have uniform calibers for guns, both in the Army and Navy, in order that there might not be difficulty in getting ammunition to suit the various calibers, as stated by the gentleman from California [Mr. ROSECRANS]. But I agree in the main with the criticism on this part of the bill offered by the gentleman from Louisiana [Mr. ELLIS]. [Here the hammer fell.]

Mr. HANCOCK. I have neither the time nor the inclination to depreciate the Republican or exalt the Democratic party. I do not know

Mr. HANCOCK. I have neither the time nor the inclination to depreciate the Republican or exalt the Democratic party. I do not know whether it is possible to meet the requirements of the gentleman from Maine [Mr. Reed] or the gentleman from Michigan [Mr. Horr] as to the degree of ability, intelligence, and statesmanship which they find deficient and so lamentably wanting in the Democratic party. Probably the only way that could be done, Mr. Chairman, would be by incorporating those gentlemen into the party; and that being an impossibility we will have to submit to the want of ability that characterizes the Democracy. No other individuals probably in America could supply that deficiency; and as they are not attainable we have to mourn the inability to meet the requirements. [Laughter.]

I do not pretend to be an expert in ordnance and may well submit to the severe animadversions of the gentleman from Louisiana [Mr. Ellis] in characterizing the bill reported by the committee as imbecile, brainless, and nonsensical. He speaks with that degree of confidence

brainless, and nonsensical. He speaks with that degree of confidence that no one can doubt his sincerity; but he might be very much in the category of a certain quadruped which is more characterized by courage than discretion.

I am not called upon to criticise the gentleman's bill. passed I think I should not risk my reputation as a prophet if I should say no gun would ever be produced under it that would stand the test necessary for its being reliable when in use in actual battle. I do not think one gun would ever be produced at all; for, unless I mistake the provisions of the gentleman's bill, it does not provide there should be; but a very large amount of money would be taken from the Treasury for expenditure elsewhere extending over a period of five years.

Mr. ELLIS. The gentleman has not read the substitute or he would not make that assertion.

Mr. HANCOCK. I have read one substitute. I do not know how many there are.

Mr. ELLIS. Only one. It is the bill the gentleman agreed to.
Mr. HANCOCK. I did not agree to it.
Mr. ELLIS. The gentleman agreed to report it.
Mr. HANCOCK. I agreed that it might be offered as a substitute.
I do not know that I understand it correctly. I do not know that I understand this bill correctly. If I do, I do not think the gentlemen who oppose it understand it in the light that I understand it. It seems that the gentleman from Louisiana has become a monometallist, and thinks steel is the only thing that can be used; it is with him the metal of metals. Nothing else need be looked at as adequate to meet the requirements of the art of war except steel.

Now, Mr. Chairman, I do not give you my views upon this subject; for really I am not sufficiently versed in it to have a definite opinion of my own, but I have inquired wherever I thought I could get information on the subject. I have asked the ordnance officers of the Army for a single instance in which a steel gun had stood twenty consecutive fires as in battle without bursting, and even General Benét himself

could not produce such an instance.

Mr. ELLIS. Do you want an instance as stated in the official report?

Mr. HANCOCK. Yes, sir. Mr. ELLIS. The bombardment of Alexandria.

Mr. HANCOCK. I am to come to that in a moment. The gentleman need not get nervous.

Mr. ELLIS: I see no reason why I should get nervous.
Mr. HANCOCK. Then there is the more reason for keeping cool. The gentleman refers to the bombardment of Alexandria. I speak here from the official record, and it is proclaimed in the Senate of the United States, and incorporated in the appendix to this report, that there was no such firing in the bombardment of Alexandria as would be a sufficient test of the reliability of such guns in battle.

Mr. ELLIS. That Senator is your authority, is he? Mr. HANCOCK. No, sir; the history of the transaction is the authority. And your own report shows that the intervals between the firing were from fifteen to twenty minutes. And then the Senator says—
Mr. ELLIS. What Senator is that?
Mr. HANCOCK. He is not from Louisiana.

Mr. ELLIS. Where is he from?

Mr. HANCOCK. I do not care about naming Senators. The gentleman can look for himself. He will find it on pages 208 and 209 of

Senate Report 169, Forty-seventh Congress, second session.

Mr. ELLIS. Will my friend give me the name of the Senator?

Mr. HANCOCK. A distinguished Senator said in debate—

Mr. ELLIS. Will my friend give me the name of the Senator?

Mr. flancock. It was Senator Butler, I believe. He said:

Mr. HANCOCK. It was Senator BUTLER, I believe. He said:

I wish to call the attention of the Senate to one fact. In the siege of Alexandria the other day, which is said to have been one of the most remarkable of all the naval exploits in history in the particular of its being an engagement in which the heaviest missiles were thrown, and in the largest number, one of the British ships, firing at very slow time, perhaps not repeating its fire oftener than twenty minutes' interval, was compelled to retire after one day's action and go to an island in the Mediterranean Sea for a new armament. * * * Every shot she expended cost the British Government at thousand dollars; and yet at the end of a single day of slow action that-ship was compelled to retire to an island in the Mediterranean, where they had reserves of artillery, for a new armamanent. The result will be shown when the report of this naval engagement at Alexandria comes to be made up by scientific men, as the actual facts as stated prove that there is something, even among the English guns and German guns and French guns, which is still very imperfect, and which I trust very much will be supplied by American genius.

I have confidence in the capacity of our inventors to accomplish and master any improvement that needs to be mastered for the success of our Navy in the future and for the defense of our coast.

Mr. Chairman, I too have abundant confidence in American genius—

Mr. Chairman, I too have abundant confidence in American geniusabundant confidence that if it be permitted to enter the lists of competition it will be able to remedy this defect and secure the desired I do not think gentlemen need to disturb their souls by reason of the danger of Krupp coming over here and taking a contract to make these guns, and thereby depriving the American people of the advantage and the glory of supplying their own wants in this particular by their own productions. Why, sir, at the rate proposed to be paid you could head him off by the tariff you would impose so that he could not sell his guns for sufficient to pay the duty on them. No one supposes there is any purpose to go outside of this country to procure these guns. The idea is to develop our own resources and to do that in antagonism to this club which exists here and which is always found arrayed against every great individual enterprise that is proposed—I mean the Army and Navy. Sir, if I had the power (as unfortunately I have not power to do a great many things I would like to do) I would abolish both of those institutions before the sun went down. [Laugh-

abolish both of those institutions before the sun went down. [Laughter.] I would abolish the Military Academy at West Point and the Naval Academy at Annapolis.

We pay large sums annually to graduate young men at those institutions, and yet now, when we have gone far into a century of their existence, we find that they have not graduated a single engineer of national repute—not one; and when the clouds of war gathered over this

country (which can never be alluded to with any pleasure) where did you find your generals to lead your armies to victory? Everybody knows that they were not found in the ranks of the Army or in the

service of the Government at that time.

Mr. JOSEPH D. TAYLOR. How about General Lee?

Mr. HANCOCK. Oh, he led his army the other way.

Mr. JOSEPH D. TAYLOR. But he was a graduate of West Point all the same.

Mr. HANCOCK. Mr. Chairman, we are graduating young men at those institutions so rapidly that we can not find places for them. Of course there is nothing more delightful to them than to graduate there and get their diplomas and get their commissions and draw their pay, and then devote themselves to leading the german, in the matter of which they are said to attain a very high degree of proficiency [laughter], and whenever any proposition out of the ordinary rut is brought up this Army and Navy club comes forward to oppose it with some professional production like that which the gentleman from Illinois [Mr. Thoy well has read here for the miliable search of Congress. Congress. THOMAS] has read here for the enlightenment of Congress-Congress, the body that should be ready to assume the responsibility of whatever

legislation is necessary upon these subjects.

Mr. THOMAS. Mr. Chairman, I do not know by what authority the gentleman makes that statement as to what I read here.

Mr. HANCOCK. Oh, just from the character of the production itself,

Mr. THOMAS. You thought it was a military academy production? Mr. HANCOCK. It sounded very like it, and I have read a good many of them; but I do not know anything about the origin of that one, and probably I would not have taken this view of it if the gentleman from Illinois [Mr. Thomas] had not found a "steal" in this bill. I do not know what particular facilities he may have for detecting steals, but I remember that on one or two previous occasions he has discovered "steals" in places where no one else expected their existence. The "steal" that he finds in this bill is the provision for secur-ing, if it be possible, a 12-inch steel gun of a certain capacity, although The "steal" that he finds in this bill is the provision for securfor the construction of that gun the whole country is invited to come in and compete, and those who do compete are required to test the guns at their own expense. Mr. Chairman, if that is a provision for a steal I am inclined to think it is a kind of larceny that ought to be very much encouraged. [Laughter.] By this plan we shall probably be able to get a gun that will amount to something in less time than your Chief of Ordnance officially says it would take him to make one. late as 1874 he testified as follows as to the time it would take him to make one or two guns-and he has not produced them yet. Speaking before the Senate committee, he says:

To return to the matter of steel guns, if Congress were to go into their fabrication I should begin by trying to make two 8-inch guns—

Mr. THOMAS. Whose statement is that?
Mr. HANCOCK. General Benét's. He goes on to say:

I presume that to make one with bands of steel and another wrapped round with wire would probably take me two years. If we succeed we should go on making steel guns of that caliber and at the same time take a step further—

[Here the hammer fell.] Mr. HANCOCK. Mr. Chairman, I thought I had retained about eighteen minutes.

Mr. BAYNE. I ask unanimous consent that the gentleman from Texas [Mr. HANCOCK] have ten minutes more.

Mr. THOMAS. If the opponents of the bill are given the same cour-

tesy I shall not object.

Mr. HANCOCK. Mr. Chairman, we are engaged in a discussion under the five-minute rule, and I move to strike out the last paragraph.

MESSAGE FROM THE SENATE.

The committee rose informally.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed a bill and a joint resolution of the

following titles:

A bill (H. R. 6089) for the relief of Moses F. Carleton; and
Joint resolution (H. Res. 342) with amendments, to authorize the
printing of 400,000 copies of the report of the Commissioner of Agriculture for the year 1885.

The message further announced that the Senate had concurred in the amendments of the House of Representatives to bills of the following

A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas; and

A bill (S. 2262) granting a pension to Sedate R. Martin.

The message further announced that the Senate had passed a resolution providing for the printing of 5,000 copies of Executive Document 59, being the report of the delegates on behalf of the United States to the third international convention of the Society of the Red Cross of Geneva.

FORTIFICATIONS APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. ADAMS, of Illinois. Mr. Chairman, before the reading of the bill begins I wish to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ADAMS, of Illinois. I notice that this bill consists of only one section, and I desire to ask whether as the reading of the bill progresses I shall be at liberty to make a point of order against the proposition in any paragraph when it is reached.

The CHAIRMAN. The gentleman may make his point of order in the ordinary mode in which points are made during the consideration of general appropriation hills

of general appropriation bills.

Mr. KEIFER. I ask unanimous consent to extend in the RECORD

Mr. KEHFER. I ask thanhnous consent to extend in the like only my remarks made this morning.

There being no objection, leave was granted.

Mr. HANCOCK. I ask that the first paragraph of the bill be read,
The CHAIRMAN. The Clerk will proceed to read the bill by paragraphs for amendment.
The Clerk read as follows:

Be it enacted, &c., That the sums of money herein provided for be, and the same are hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, namely:

For the protection, preservation, and repair of fortifications and other works of defense for the fiscal year ending June 30, 1886, \$100,000, the same to be expended under the direction of the Secretary of War.

Mr. HANCOCK. For the purpose of continuing the remarks in which I was interrupted, I move to amend by striking out the last line of the paragraph last read.

I read further from the testimony of the chief of the Ordnance Department of the Army:

To return to the matter of steel guns,
If Congress were to go into their fabrication, I should begin by trying to make
two 8-inch guns.
I presume that to make one with bands of steel and another wrapped around
with wire would probably take me at least two years.
If we succeeded we could go on making steel guns of that caliber, and at the
same time take a step further and try a 10-inch gun; that would take a year or
two more.

same time take a step further and try a 10-inch gun; that would take a year or two more.

Then if we were successful we could go to a 12-inch gun, which, of course, would require increased plant and heavier hammers.

I should say, if we had the means of going on, that in the course of eight or ten years we ought to have the requisite plant in this country to make guns of any size we might require; but we have not got it now: we have barely got heavy enough hammers for the smaller caliber of guns, such as 6 and 8 inch, and at several of our best establishments a steel ingot cast at one place has to be sent to another place to be forged; steel-making of a quality suitable for guns has not yet progressed beyond the experimental stage.

Mr. ELLIS. From what is the gentleman reading? Mr. HANCOCK. From the testimony of General Benét.

Mr. ELLIS. When?

Mr. HANCOCK. Ten years ago.

Mr. ELLIS. Ten years ago!
Mr. HANCOCK. He stated that he might possibly be able to make such a gun as he described in two years if he had the money. Four million and a half of dollars have been expended; and as late as December 23, 1883, Hon. William E. Chandler, Secretary of the Navy, said in a speech at Philadelphia:

But for the restoration of the Navy, in the place of our obsolete wooden ships and smooth-bore guns, we need modern steel ships and high power rifled can-non, of which we have not one to-day.

This business takes a good deal longer than your paragon of ability in ordnance imagines. Ten years have gone by, and he has not yet completed the first gun; and I think it will take him the residue of this century to get out one gun according to the processes by which he pro-

In May, 1883, Admiral C. P. R. Rodgers, in an address at a banquet of the Society of the Army of the Potomac, at Washington, said:

. We have not one large and efficient ship of war, and our few good sloops are not of the best type.

Mr. ELLIG. What is the date of that?

Mr. HANCOCK. I have already stated the date. The gentleman should come nearer; he is getting hard of hearing. Age is telling upon him, as it is upon myself. [Laughter.]

Admiral Rodgers says further:

So far as I know we have not one very good gun, of even moderate caliber, ashore or afloat, and what is more, I fear we have not the trained artisans and the forges to make them.

He did not know that General Benét had considered this subject in He did not know that General Benét had considered this subject in connection with the honorable member from Louisiana. That was Admiral Rodgers's opinion in May, 1883. So far as I can find there is no advance in this discovery of making everything out of steel and going to Krupp for it. I challenge the gentleman to bring forward an instance where one of the Krupp guns has stood the test of twenty consecutive fires, two or three a minute, as in battle. Krupp will not subject his guns to this test. He will send one of his guns down to the Italians, and let them have it as an ornament, afraid to fire it because the tests of these guns have usually killed more in the rear than in the front.

Mr. ELLIS. Why, Mr. Chairman, if the gentleman knew what he is talking about he would know that before Krupp ships a gun he

tests it by rapid firing eight hours with battering charges.

Mr. HANCOCK. The gentleman will learn something if he will listen a moment, and not get impatient. I had several other short extracts which I had intended to read, but I will forego doing so because

they irritate the gentleman. Here are some of the tests that Krupp himself makes:

In June, 1860, a 12-pounder Mersey steel gun was fired six rounds, at Shoeburyness, and burst.

What further do we have in the way of tests? Let me continue: In November, 1861, a 20-pounder Krupp steel gun was fired two rounds, at hoeburyness, and burst.

In March, 1862, a 30-pounder French steel gun was fired, at Gavres, and burst.

Mr. ELLIS. What was the date of that last test?

Mr. HANCOCK. You must listen a little closer as I read off the dates as it is a great trouble for me constantly to go back and repeat them. Besides I have not the time to spare. The last one was March, 1862. The next was in April:

In April, 1863, a 20-pounder Mushets steel gun was fired one hundred and thirty-two rounds, at Shoeburyness, and burst.

In 1864 a 94-inch Krupp steel gun was fired sixty-six times, in Russia, and burst.

I believe the gentleman will admit that all the Russian guns burst. [Laughter.] They have ordered, I see, some more of them, although they find after a short time they burst and kill a great many at the

breech of the guns, but they have a great many Russians and do not seem to mind it. [Laughter.] In June, 1866, a 9-inch Krupp steel gun was fired fifty-six times, in Russia, and

There is no excuse for that, except incompetency or infidelity. We can make 6 or 7 inch guns here, I am satisfied. I believe that Yankee ingenuity is able to make guns of such caliber that will not burst. The great difficulty has been that as you increase the caliber you render the gun more and more liable to burst, until with some people—not with General Benét or my friend from Louisiana—it is not a proposition simply whether the thing is practical or not, for they have not discov-

Mr. ELLIS rose.

Mr. HANCOCK. You and General Benét have been working on this for a great while.

Mr. ELLIS. Will the gentleman answer me a question?

Mr. HANCOCK. Yes, if I am able to do so.

Mr. ELLIS. If that is so and steel is condemmed, why has Krupp invested \$30,000,000? Why has Sir Joseph Whitworth and Sir William Armstrong abandoned their own line and gone into it? Why has

France and Italy and all the other great powers done the same thing?

Mr. HANCOCK. Do not make your question so long. In answer to the gentleman's question I will say that I suppose it is on the same principle that Worth, the great authority of female fashion in Paris, has invested everything he had on earth in his business [laughter] and so has made himself a millionaire. These other parties have got the world to believe, that is I suppose most of them have, that they are infallible—I know that you and General Benét do; that nothing but steel will do. I do not say that steel will not do. I say that all the experiments up to this time have proved to the satisfaction of my understanding that the best metal that can be used, that the best metal in the world according to experiments and experience of warfare, the best metal that can be used is bronze for guns from seven inches down. Whether it would resist the disposition toward elongation I do not know, but I have seen guns myself which had been reputed to be

in use over a hundred years that were still sound.

Mr. ELLIS. Let me ask the gentleman a question.

Mr. HANCOCK. Certainly.

Mr. ELLIS. Is it the unanimous opinion of the report of the foundry board, the latest authority, that steel is the best metal out of which to

make guns?

Mr. HANCOCK. The gun-foundry board is made up of such persons that I am not willing to see the money of the people of the United States entirely intrusted to them. I want the different branches of the service to come in. If I could have my way I would put in a few hand Vankees and run the risk of their putting up a job. [Laughshrewd Yankees and run the risk of their putting up a job. [Laughter.] But I do not think they could succeed while my friend from Indiana [Mr. Holman] is in Congress when they came to ask for an appropriation.

There is nothing to be got out of this bill. All these experiments

have to be made at the expense of the party producing the gun. They have to bear the whole expense of the tests.

I wish to call the gentleman's attention to the remaining instances of experiments with these guns. They are as follows:

In 1864 a 9j-inch Krupp steel gun was fired sixty-six times, in Russia, and burst. In August, 1865, a 9j-inch Krupp steel gun was fired, in Prussia, and burst. In 1862 an 9j-inch Krupp steel gun was fired one hundred and nine times, in Russia, and burst.

In June, 1866, a 9-inch Krupp steel gun was fired fifty-six times, in Russia, and

In 1866 a Krupp steel field-gun was fired, in Berlin, and burst, killing three ca-

In January, 1867, a 7-inch Krupp steel gun was fired twice, at Woolwich, and

burst.
On the 27th of September, 1867, a 4-pounder Krupp steel gun was fired, at Tegel, and burst, killing two men.
In July, 1867, a 9-inch Krupp steel gun was fired, on the Russian frigate Nvwski, and burst, killing twelve men and wounding thirty.
In November, 1876, a 74, French steel gun was fired, at Havre, and burst, killing one man.

In 1868 a 9-inch Krupp steel gun was fired, in Russia, and burst. In 1868 a 9-inch Krupp steel gun was fired, in Cadiz, and burst. In January, 1869, a 13-inch Krupp steel gun was fired, in Prussia, and burst into twenty pieces.
On the 29th of September, 1871, an 11-inch hooped Krupp steel gun was fired once, at Cronstadt, and burst into several pieces.

All the above facts are found recorded in the Journal of the Royal United Service Institution.

Mr. BUDD was recognized and yielded his time to Mr. HANCOCK.

Mr. HANCOCK. Now, Mr. Chairman, the gentleman from Maine [Mr. Reed], for whom I have the greatest admiration, criticised very severely in his remarks on this bill the provision with reference to the construction of 12-inch guns, and said that it was an unnecessary expenditure of money to get the gun; that it would open up a big job and an opportunity to impose upon the Government, when if he had read the bill carefully he would have found that it confined it solely and alone to one single breech-loading rifled gun of twelve inches caliber, which shall be produced and subjected to such tests of power and en-durance as may be prescribed, and at the expense of the party, in all

respects, who presents such a gun.

The bill also provides that this gun shall be constructed before any contracts are entered into for cannon for the armament of our fortifications, and that it shall receive the favor of the board composed of the officers in whom the members on this floor have great confidence, whose report must be satisfactory before any contract is made. There is no report must be satisfactory before any contract is made. There is no intention to enter into the manufacture of a lot of worthless 8-inch or 10-inch guns. I do not undertake to say it will be entirely satisfactory in all respects, but it is well worth a trial to see whether such guns can be made in this country of sufficient power and endurance for all the purposes of our seacoast and harbor defenses.

Mr. REED, of Maine. Will the gentleman permit an interruption?

Mr. HANCOCK. Certainly. Mr. REED, of Maine. The sixty-seventh and sixty-eighth lines of this bill declare that before any further contracts are entered into or expenditures made for cannon for the armament of fortifications except as herein provided a breech-loading rifled cannon of 12-inch caliber shall be produced, &c. Mr. HANCOCK.

be produced, &c.

Mr. HANCOCK. That is just what I said.

Mr. REED, of Maine. Does not that inhibit the building of other guns until this provision has been complied with?

Mr. HANCOCK. Yes, sir; and I think it ought to.

Mr. REED, of Maine. And that is just what I complain of.

Mr. HANCOCK. It is the opinion of some experts that the amount of money expended—and I think that statement will be found also in the testimony of many officers of the Army and in the report of the Secretary of the Navy—that after spending millions and millions of money we have not succeeded in getting a gun either aftoat or ashore which is a first-class gun: not one. which is a first-class gun; not one.

Mr. ELLIS. Everybody knows that, and that is just what I want

Mr. HANCOCK. Then if everybody knows it do not take up my time in calling everybody's attention to it; at least you need not take up my time to tell everybody what everybody knows. [Laughter.] But I was going on to say that after twenty-five years of experimental work and vast expenditures of money we have not yet a single gun afloat or ashore of a first-class character. I shall say nothing about ships, for that has been provided for under a similar provision in another bill that is attempted here in regard to our fortifications and armament. But I think it is wise policy to let the next Congress, of which I shall not be a troublesome member, I am sure, have some data on which to act, so that when money is appropriated, and I hope millions of dollars

will be, they may know how to apply such appropriations.

For I desire, Mr. Chairman, to see the country properly prepared to meet any emergency that may arise; but I do not wish to see the interests of a great people left alone to the engineering skill of one person because he says that in ten or twelve years he thinks he can make a gun. Let us find out if somebody else can not do a little better, and if they do to the satisfaction of the board, then the duty on the part

of the American Congress is simplified; we will simply make generous appropriations to provide our seacoast cities and towns with fortifications and armament ample to resist any probable attack.

Mr. ELLIS. Are you willing to see that work go on?

Mr. REED, of Maine. If the gentleman will permit another interruption, if he intends to rely upon that board, why this particularity of detail in regard to this gun? It provides certain conditions which at least may be characterized as unusual; some of them seem to be rather strange, and ameen to point to a particular gun or a particular. rather strange, and appear to point to a particular gun or a particular manufacturer. If my opinion be correct, this should be explained by the gentleman from Texas or some other member of the committee.

Mr. HANCOCK. I know nothing of a particular case. But where a bill is general or broad in its extent all through, where its light falls upon the just and unjust alike, like the dews of heaven, I can not think that there is much danger in it.

[Here the hammer fell.] Mr. THOMAS. Mr. Chairman, the distinguished gentleman from Texas a few moments since referred to me as the gentleman always able to detect a steal-

Mr. HANCOCK. Not always.

Mr. THOMAS. He says now I have not always been able to detect all the steals going on. Now, I defy the gentleman to produce from the CONGRESSIONAL RECORD one remark of mine, during the six years

of my service in Congress upon this floor, where I have ever charged upon any member of this House that he has been guilty of a steal.

Mr. HANCOCK. Oh, I never thought of such a thing.

Mr. THOMAS. I suppose the gentleman indulged in ridicule in alluding to my course, because of the fact of my having called attention on yesterday, in the debate on the sundry civil bill, to the gentleman from Texas, as a member of the Committee on Appropriations, having provided for the State of Texas in that hill by two appropriations for provided for the State of Texas in that bill by two appropriations for public buildings

What two? A MEMBER.

A MEMBER. What two?

Mr. THOMAS. The gentleman inquires what two. I will be glad to inform him. I refer to the court-house and post-office at Dallas, Tex., for one, and to the public buildings and grounds at Galveston, Tex., for the other. Now, that is exactly where the shoe pinches.

I found fault with the Committee on Appropriations coming in here with a bill making special provision for public buildings in the States represented by members of that committee, when the other members of the House who wanted such appropriations were compelled to rely

of the House who wanted such appropriations were compelled to rely upon getting special bills passed. I denounced that as unjust. I denounce it now as unjust. I did not say there was a "steal" in it, but I called attention to the fact that those gentlemen having an opportunity to make special provision for their own States provided for them, and the gentleman from Texas [Mr. Hancock] is one of those to whom that remarks emilied. that remark applied.

that remark applied.

Now, so far as my friend from Michigan [Mr. HORR] is concerned, although he is a member of that committee, I find that he did not provide specially for Michigan—why, I am unable to say, unless it is because the public service did not demand such an appropriation.

Mr. HORR. Will the gentleman permit me—
Mr. THOMAS. Just one moment.

Mr. HORR. Mr. Chairman, the fact that I got no extra appropriation in that bill for my State is owing to my excessive modesty, which has bothered me throughout my entire public life. [Laughter.]

Mr. THOMAS. Mr. Chairman, we have often observed here that modesty upon which the gentleman so justly prides himself, and perhaps we have never seen it so strikingly exhibited as in this instance in his failure to get a special appropriation for his State—a thing surprising from any point of view, but especially so when we remember

in his failure to get a special appropriation for his State—a thing surprising from any point of view, but especially so when we remember that the gentleman is from Michigan. [Laughter.]

Mr. Chairman, the gentleman from Texas [Mr. Hancock] says that I have found a "steal" in this pending bill. In the remarks that I made a little while ago I said nothing about a steal. I simply said that while this bill purported to appropriate \$955,000 it was in fact a bill for the appropriation of \$3,600,000 in addition, and I said that it held within its scope a scheme to allow the "great American gunburster" referred to awhile ago by the gentleman from New Jersey [Mr. McAdoo] to buy guns of the Government at a quarter of a cent a pound and then sell them back to the Government slightly changed at 50 cents a pound. at 50 cents a pound.

I assert here, and I can demonstrate it by the highest authority, both naval and military, that the changes that are proposed to be made under this bill could be made at one-tenth of the proposed cost. Now, if the gentleman from Texas is caught with "the meat on his back" let him own up and not go around telling about "steals." [Laughter.] I have said nothing about steals in this connection; but I have said, and I say again, that while this bill pretends to appropriate \$955,000 it really in fact appropriates \$3,600,000, and involves apparently one of the worst jobs that has ever been proposed in Congress since I have been a

member.

MESSAGE FROM THE SENATE.

The committee rose informally; and a message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed bills of the following titles:

A bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for other Government pur-

A bill (H. R. 1321) for the erection of a public building at Reading.

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 2123) for the erection of a public building at Wichita,

Kans.

Kans.;
A bill (H. R. 2949) for the erection of a public building at Fort Townsend, Wash.;
A bill (H. R. 3343) for the erection of a public building at the city of Auburn, N. Y.;
A bill (H. R. 3593) for the erection of a public building at Chicago, Ill.;
A bill (H. R. 4067) to change the limit of appropriations for the public building at Louisville, Ky.; and
A bill (H. R. 6089) for the relief of Mrs. F. Carleton.

FORTIFICATION APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. DORSHEIMER. Mr. Chairman, the gentleman from Michigan [Mr. HORR] who is a member of the Appropriations Committee took occasion a little while ago to deliver his valedictory address to this House. I think this is also a suitable time for me to deliver my valedictory ad-I think this is also a suitable time for me to deliver my valedictory address, and inasmuch as the measure before us relates to heavy weights and big guns, perhaps there is some propriety in the choice of the gentleman from Michigan and myself of the time for delivering our valedictory addresses. [Laughter.] The gentleman from Michigan took the opportunity which the debate afforded him to deliver a glowing eulogy upon a late public act of the President-elect. We all upon this side of the House observed the evidence which he gave of a friendly disposition toward us with great pleasure.

I think I may describe the gentleman from Michigan as a man of a somewhat exuberant humor; but during this entire session a melancholy seemed to have settled down upon his spirit, and he has not shown his characteristic good nature. I was therefore surprised to find that the old faculty had returned to him to-day, and that the speech which he made here in enlogy of Governor Cleveland showed more of his humorous characteristics than any other speech which he has made during the present session. Was it an indication, sir, that the gentleman who has been melancholy at the prospect of going out of power finds that he may have an opportunity of returning to power?

Is it possible that the gentleman from Michigan has indicated here to-day his intention to support Governor Cleveland's administration, and his ambition, perhaps, to return to this House two years hence, to sit upon our side of it, and to enjoy what he has so long enjoyed, the delights of political place and power?

I think I may say, although I shall not be here to welcome him, that if he should come he will receive a cordial welcome from this side of the House, for we should be glad to have his very unusual faculties for debate always displayed as they were this morning in the eulogy of Democratic statesmen and in the defense of Democratic doctrine. [Laughter.]

The public act which was the subject of the eulogy of the gentleman from Michigan was the letter addressed to certain members of this House by the President-elect. Now, I agree with the gentleman that that letter contained an abundance of sound doctrine. I will, however, say, because I propose to be perfectly frank, and from a long knowledge of and personal acquaintance with the President-elect I know that his character and disposition dispose all men to frankness

who deal with him as to public matters—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HORR was recognized and yielded his time to Mr. DORSHEIMER.

Mr. DORSHEIMER. I should have preferred, inasmuch as the President-elect thought it desirable to address certain members of the House, that he had done what I have no doubt he will do upon the first occasion which the detice of his efficiently formed that it has the terminal than the second of the secon casion which the duties of his office shall furnish him, and that is to suggest to Congress some practicable method by which the circulation as coin of the two metals can be maintained and reconciled. For I do not believe it to be either desirable or possible that silver should be demonetized in this country. On the other hand, I think it is a part of true statesmanship to recognize the facts that exist and to bring about a reconcilement between these two currencies by a reconsideration of the ratio of their values.

the ratio of their values.

In my judgment, the true solution is to make the silver dollar equal to the gold dollar, and if the silver dollar be made equal to the gold dollar there will be no reason for placing any restriction whatever upon its coinage. And indeed we might in that case safely make it the sole foundation of the paper money of the country. I believe in some such solution as the one I have suggested, although I wish to be deferential in expressing my views; for without reference to particular plans the most is what I would aim to accomplish and that result in most in the country. the result is what I would aim to accomplish, and that result in my judgment must be a reconcilement of this difficulty by placing the gold coinage and the silver coinage of the country upon an equality as to

How much time have I left?

The CHAIRMAN. The gentleman has one minute of his time remaining

Mr. DORSHEIMER. Mr. Chairman, the time at my disposal will not permit me to go into the subject of the bill. I will, however, briefly state that in my judgment the time has arrived when sufficient appropriations should be made for the re-enforcement of our fortifications and for the provision of new and improved cannon. I am sorry to say that I do not think the bill offered by the committee accom-plishes this. We should place in the hands of the Administration such a law as will enable it to procure the guns that are needed and to give to the fortifications the strength that they should have.

Here the hammer fell.]

Mr. HORR. I have been very much instructed, not to say amused, by the fact that my friend from New York [Mr. DORSHEIMEB] should have taken the peculiar view he did of my remarks in reference to the good sense exhibited in the letter written by his distinguished friend who is to become very soon President of the United States. I was not astonished that he should think it was an intimation that I was about to leave my party and go over to the Democracy, because I recollect it is the most common thing in the world for people to judge others by

what they do themselves. [Laughter.] And I recollect it was only a little while ago when my friend was a rousing good Republican; and the moment the Republicans did not, as he thought, properly provide for him he trotted out and joined the Democrats. [Laughter.] I wish to say that is not my style. I believe in the Republican party and its principles. I am proud of its history and its record, and I hope to die believing in the principles that I have advocated up to this day during my whole life. I do not leave a party because it does not at all times keep me in place, nor would I under any conceivable condition seek refuge in the Democratic party. [Applause.]

I do not think my friend should complain because I happened to discover a little sense in something coming from a Democrat in the United

cover a little sense in something coming from a Democrat in the United States. [Laughter.] You ought not to complain at my giving notice of such a discovery. I know it is extremely rare. [Laughter.] Oh! how rare! [Laughter.] But when I find a Democrat guilty of using good common sense and stating it in good common English, my nature is such that I can not be unjust and deny him full credit for so unusual a gift. [Laughter.] If his party friends here had taken my advice they would not have given their President thus early the "black eye" that they administered to him the other day. My word for it, he did not deserve it nor did he expect it. [Laughter.] I say again, he did better than I supposed it was possible for him to do. I give him credit

for it. And have I not the right to do that?

Mr. DORSHEIMER. Certainly.

Mr. HORR. I wish I could say as much for the Democratic majority here—not for you; you voted with him; it can not be on account of any sly way you have of being in the warming rays of the rising sun.

[Laughter.] Mr. Chairman, as I said in good faith, I hoped when I Laughter.] Mr. Chairman, as I said in good faith, I hoped when I read this letter that we were to have a new era. I did not make that remark for the purpose of lugging in politics. I did it for the purpose of illustrating that on this fortification bill I hoped some good sense would be exhibited, and that we would have in this new Democratic administration—I will not say a return but a resort to business principles; that we would build forts and defend our great cities; that we would have American steel and American guns; that our own factories would be set running, and that this would be done under an administration that I did not expect any great things of . I hope such will be would be set running, and that this would be done under an administration that I did not expect any great things of. I hope such will be the result. Your President has started right. Let us all stand by him—when he is right. When he is wrong I shall take the earliest opportunity to say so, and shall do it (now, take notice) while staying in the Republican party. [Applause.] I shall not go over to the Democracy to preach my polities.

[Here the hammer fell.]

Mr. WARNER of Ohio, obtained the floor.

Mr. WARNER, of Ohio, obtained the floor.
Mr. HANCOCK. I wish to remark that it is not proposed to build Mr. HANCOCK. I wish to remark that it is not proposed to build fortifications or fabricate guns of silver; and I submit that this debate should be confined to the subject before the Committee of the Whole.

Mr. ELLIS. I rise to a question of order. Is it in order, Mr. Chairman, upon amendments to this fortification bill to make political

speeches upon silver?
The CHAIRMAN. The Chair thinks not.
Mr. ELLIS. Then I trust the Chair will confine gentlemen to the question under debate.

question under debate.

Mr. BLAND. That point ought to have been raised a little sooner.

Mr. WARNER, of Ohio. Mr. Chairman, this point of order is raised rather late. I understand very well that this is a fortification bill and that the question before the House relates to guns and fortifications—not to silver and gold. Nevertheless, Mr. Chairman, the silver question has been imported into the discussion; and I think it will not be considered out of place for me to say a word on it. Silver may come in play in payment of guns and fortifications.

The silver question is an economic question, not a political question.

It is a question that concerns the world. It is not a question to be

It is a question that concerns the world. It is not a question to be settled by reference to the opinion of any one. It is well understood that able men hold different views on this question. It is well understood that able men hold different views on this question. It is well understood, and has been I presume, that the President-elect entertained opinions not in harmony with all the members of this House. There is nothing strange in that fact. Republicans do not agree on it, and never have. Distinguished Republicans hold opinions entirely at variance with a majority of their party. There is nothing strange in that. The silver question belongs to a class of questions on which there are certain to be

question belongs to a class of questions on which there are certain to be differences of opinion. It is a question of monetary science.

But I rise, Mr. Chairman, to say a word rather upon the alarm that has been sounded throughout the country that a financial crisis is about to overtake us unless the coinage of silver isstopped. I regret that time does not permit me to give reasons at length for the belief that there is no real foundation for such fears. A certain letter of the President-elect has been referred to. It is a letter evidently prepared with the second doubtless averages his views on this invertant question. But that and doubtless expresses his views on this important question. But that does not deprive a member on this floor from holding different views, and I frankly say that I hold views very different from those expressed in the letter referred to, and especially as to the danger of a financial crisis being about to take place.

I do not believe gold is going to a premium or that it is about to be expelled from this country. Our entire circulation, aside from gold, does not exceed \$725,000,000.

Mr. BAYNE. I rise to a point of order. Unless these guns are to be constructed of silver the gentleman's remarks are out of order.
Mr. BUDD. The bill before the House provides for obtaining guns

by competitive examination, without any regard to caliber or metal, and I submit that gentlemen have the right to propose brass if they wish to

Mr. WARNER, of Ohio. I have no time to reply to interruptions of that kind, as they are not worth replying to. I was about to remark, Mr. Chairman, that with a currency aside from gold of less than \$725,000,000 it is impossible that this currency should go below the par of gold. It is not in the power of the banks of this country, aided by all the banks of London, to put gold to a premium and keep it there so long as the volume of money in this country is kept down to as low a limit as \$725,000,000. In other words, if that volume of money is not larger than is necessary to maintain prices in the United States at a level with international prices, then it is impossible for gold to go to a premium and stay there.

If the volume of money which any country has put into circulation is less than its distributive share of the world's money, then gold will flow to that country and stay there in sufficient amount to fill its channels of circulation to the international level of prices. That is our con-Six hundred million dollars of gold remain here because that amount falls to us as our share as supplemental to paper and silver. There is no instance in the history of the world where gold under circumstances that exist here now went to a premium.

Why, Mr. Chairman, the very attempt to put gold to a premium would put prices down here and gold would then come here as the

cheapest market to buy in. When prices go down, money goes up. To take gold out of circulation, then, would be to raise the value of silver and paper. Who ever knew of gold rising to a premium in a country where prices were falling? When money is cheap and abundant, prices rise; when it is scarce and dear, prices fall. When gold rises to a premium over other money it is because other money is cheap, not because it is dear or becoming dear-exactly the reverse of the conditions that exists here now. The alarm that has been sounded, therefore, is without foundation. The same thing was predicted a year ago, but the crisis did not come.

The same thing was predicted a year ago, but the crisis did not come.

[Here the hammer fell.]

Mr. REED, of Maine. If the Chair will recognize me I will yield my time to the gentleman from Ohio.

Mr. WARNER, of Ohio. I hope the Chair will do so.

The CHAIRMAN. The Chair has already recognized the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, as I am in favor of some measure to arm this country for its protection, I have not time in the allotment made me to make a political speech, as gentlemen make this discussion the occasion. I at times have made political speeches in my life [laughter]—occasionally for other people to get votes for them and frequently for myself, and have always found myself more zealous when I could secure votes for myself than for the opposing candidate. [Renewed] secure votes for myself than for the opposing candidate. [Renewed laughter.] That is the case, no doubt, with the politicians who attempt to inject into this debate political matter having nothing at all to do with this bill. I, too, would be glad to make a political speech if this august assemblage could resolve itself into a town meeting, and I was a candidate for office. If that were the case, I would convince you of my right to your votes. [Laughter.]

But such is not the case, or this the place or occasion. This fortification bill is before the House and under discussion, and soon we will be called upon to vote upon it. I wish to say in the first place that I am in favor of liberal appropriations for the armament of this country for the defense of our extended coast line.

You must not drop into first first

You must not drop into fancied security of peace so eloquently depicted by the gentleman from New Jersey [Mr. McAdoo]. Wars come suddenly upon humanity, and all nations should be prepared for such a calamity. The first man born into the world killed the next who a calamity. The first man born into the world killed the next who followed him, and he was his brother, and from that day to this there has been no hour of the world's history when the people on the face of this earth were not somewhere engaged in warfare in some part of it. Historians and those who study the subject have ascertained the average length of peace among the most civilized nations is about twenty-five years, and that will be found to be the lessons of the past.

The war out of which grew our claims on account of French spoliations.

tions, and which claims remained unrecognized for eighty-five years, or until in this session, when Congress provided for their adjudication—that war burst as suddenly and unlooked for as lightning in January from the sky in the frozen north. It arose from the fact that this country, then in its infancy, negotiated treaties with other countries instead of regardin its infancy, negotiated treaties with other countries instead of regarding France as the exclusively favored nation, and the First Consul, with all the power at his command, proceeded to destroy our commerce on the high seas, and enlisted armies which threatened with war by invasion. The war of 1812 with England found this country without preparation. Their forces landed upon our shores, burned the old capitol standing where this building is now located, and ravaged the shores of the Chesapeake Bay and the Potomac River, closed the entrance to Philadelphia and all the ports along New England, and would have captured Baltimore but for Fort McHenry. In the poverty of

the country, when her armies were defeated, peace was made with that country and concessions never again to be made with any nation. We had war with Mexico in 1846, and it came suddenly upon us. And who had war with Mexico in 1846, and it came suddenly upon us. And who in this country can reflect without emotions of profound sorrow on the bitter war which broke out among our people in 1861 when in civil strife the country was drenched with fraternal blood. That unhappy war was far beyond the wisdom of mortality.

The CHAIRMAN. The gentleman's time has expired.

Mr. ELLIS. I will take the floor and yield my time to the gentle-

man from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Now, Mr. Chairman, when Frederick the Great penetrated into Silesia it was done so suddenly he was in the center of that country before his enemies were aware of it, and then he declared war against Austria. So, too, the war of 1866 fell suddenly on Europe. The French and German war, which resulted in the unity of the German Empire and the prostration of the French Empire and a change

of government, came suddenly, and the success of the Germans followed preparation while in peace. I say, therefore, there is no sensible man on this floor—and I am aware I speak in the presence of enlightened men—who can look calmly and with philosophy on the coalitions form ing in Europe who will not conclude they are not in harmony with

the continued peace of that continuent.

I do not suppose that 3,000 miles away we can be drawn into war if there should be hostilities in Europe, but nevertheless it may break suddenly upon this nation. With the telegraph and telephone, with rapid transit by steam, with the perfect preparation of the nations of Europe, ten days would bring to the harbor of New York a naval force which would need to be a present the present of the fortifications there and law which would pass the guns stationed in the fortifications there and lay under tribute that metropolitan city. I do not wish to say that may occur, but in the affairs of humanity we must stand prepared for national protection; for, gentlemen of the House of Representatives, under the Providence of God we are not exempt from the destiny of nations, and sufficient and prudent preparation in time of peace may save us millions of money in time of war as well as thousands of valuable lives.

I say the time for forts is not passed. Guns of sufficient caliber should be stationed in proper fortifications impenetrable, in casemates, in our harbors for their protection. You can station barbette guns of any weight and caliber protected from any ordnance that can be floated. You can make your forts of sand and mortar; you can make them ironclad, or in turret, and by such works and ordnance the entrance to your great commercial cities shall be protected in time of peace for any emergency that may occur suddenly in time of war. For this I refer the House to the report of the Lieutenant-General, and refer to General

the House to the report of the Lieutenant-General, and refer to General Sheridan, the peer of any living soldier.

We are a great nation. Our commerce and our trade are with all the world. We are prosperous, with 60,000,000 of people; we are powerful, with men and money; and I regret all that has been said of the high regard and friendship of the people of Europe for the government of this country and its people. It is puerile sentimentality. I lived abroad for four years, and my association satisfied me there is not a government in Europe that has any partiality or friendship for this form of government. How can they? We never have been the propagandist-of our ideas of government, and yet insensibly, constantly, and powerfully we have undermined the foundations of all the legitimist governments of Europe by our examples of liberty, social dead level, governments of Europe by our examples of liberty, social dead level, and equality. We have extended by our example of free government the influence of the masses of the people by giving them power heretofore centralized and held by legitimate, hereditary, traditional au-

We have never attempted to preach the gospel of our political faith We have never attempted to breach the gospet of our pointiest lathred to foreign nations; our example and our success in the formation of this Government has demonstrated that, without the necessity of our becoming propagandists of our political faith; and with such teaching to all humanity, with the conflict of interests of the nation in which we are involved as an active agent, how can the governing classes look upon us with other than jealous eyes; and is it not wisdom not to be parsimonious in economy in peace and make preparation for the uncertainty of the future?

[Here the hammer fell.]
Mr. RANDALL. Mr. Chairman, this annual scare in behalf of large appropriations has lost its novelty so far as I am concerned. The bill which the committee recommend is in the main based on the bill of a It was then accepted promptly by the Senate.

I want, for one, before I enter upon a system of seacoast defenses or the construction of new systems of fortifications, to provide that a plan shall be adopted which has been properly matured, so that I can judge of the amount of money required to be expended, and determine whether it is judicious to expend such an amount or not. Until that is done

we have no guide. That is one of the features of this bill proposed by the committee. Another is that it provides a thorough test as to the manufacture of large ordnance before embarking upon a wide sea of expenditure in that direction; for up to this time I have not been aware that there has been a successful termination of any of the experiments heretofore

Therefore it is desired that an effort shall be made to induce those

interested in this character of manufacture to see whether they can give us a sample test-gun that we can safely follow as our model in future.

Mr. ELLIS. Does the gentleman expect that anybody will provide money for the manufacture of that gun until some inducement is offered to do so?

Mr. RANDALL. I believe distinctly, under the provisions of this bill, there will be a test made of a 12-inch gun. I believe the inducements are such as to warrant it.

Mr. ELLIS. Then I understand the gentleman gives his adhesion to the committee's bill.

Mr. RANDALL. I undoubtedly aided, with the rest of my colleagues on this side of the House, with the exception of the gentleman from Louisiana himself, in securing the reporting of this bill to the House. But I am not tenacious of my views in that respect. If there be a fault in the committee's bill let us amend it. I always stand open to enlightenment and to reason, and am ready to listen at all times and sur-

render my views to the views of gentlemen who know more of such subjects than I do.

I think this rule should be adopted on all questions of public policy. But gentlemen propose here in this substitute an expenditure covering a period of five years. They propose something entirely new in legislation. I am unwilling to give it my support. On the contrary, I think we have given ample power to the incoming administration to test a system or character of gun to be purchased and adopted as a governmental model of guns; and that the plan proposed in the majority report will give us through a board of engineers and competent officers some system of fortifications and armament of which we have not now

the knowledge.

Mr. REED, of Maine. I desire to call to the attention of the gentleman from Pennsylvania the actual provisions of this bill. They provide that a cannon shall be produced of 12-inch caliber of 60,000 pounds weight, and fulfilling certain conditions. Now, there is no method of production provided. How can it be produced? Obviously in but one way, and that is by private enterprise. Now, will the gentleman from Pennsylvania tell this House what will be the probable cost of a plant cessary to produce a 12-inch gun of 60,000 pounds weight?

Mr. RANDALL. I answer that I am in favor of private enterprise

Mr. RANDALL. I answer that I am in favor of private enterprise taking hold of the matter, because—

Mr. REED, of Maine. Will the gentleman answer my question?

Mr. RANDALL. I am going to answer it.

Mr. REED, of Maine. I do not want the gentleman to occupy my time in making an argument.

Mr. RANDALL. I will answer the gentleman in my own way.

Mr. RANDALL. I will answer the gentleman in my own way.

Mr. RANDALL. No, sir; I do not. I will answer in proper time.

Mr. RANDALL. No, sir; I do not. I will answer in proper time.

Mr. REED, of Maine. I ask the gentleman to say whether \$500,000 will purchase such a plant. He knows that it will not. What then is the proposition? As a practical man I ask him the question. It is that a gun shall be produced by competition among manufacturers, and the preliminary to that competition is the expenditure of from a half million to one million of dollars. Is that going to be done? Is any manufacturer in this country going to purchase a plant costing \$500,000 or a million of dollars on the chance of his beating the gentleman who invented this description of gun? Everybody knows that there is going to be no practical result from this measure. We are only setting up and following a chimera. There is nothing in it. The gun is to be produced by competition, and the very entrance-money to the competition is at least a half million of dollars, probably a whole million. Now what do you say to that as practical men?

Mr. RANDALL. Mr. Chairman I want to say that I am all the time. Now what do you say to that as practical men?

Mr. RANDALL. Mr. Chairman, I want to say that I amall the time

for throwing the door open to private skill and energy, as well as pri-

for throwing the door open to private skill and energy, as well as private enterprise.

Mr. REED, of Maine. So am I.

Mr. RANDALL. And I believe that this bill will do it. And I want to go upon a new road, to bring in the skill and the enterprise and the capital of private individuals in this country. That road I believe will reach success as against a costly governmental failure. [Applause.]

Mr. BUDD. The gentleman from Maine [Mr. REED] a moment since spoke of the gun-factory plant as costing half a million dollars.

Mr. ELLIS. Nine hundred and sixty thousand dollars.

Mr. BUDD. The gun board, on page 43 of the report which I have in my hand, puts the cost at \$150,000 only.

Mr. ELLIS. The gentleman can not be reading the report correctly.

Mr. BUDD. After giving that estimate they say:

This plant is capable of producing one 12-inch gun every three weeks or a proportionally larger number of smaller calibers.

Mr. ELLIS. From what page is the gentleman reading?
Mr. BUDD. Page 43, Senate Executive Document No. 13. There is shown there the cost of gun-factory plant up to 12-inch caliber, and

This plant does not include rough boring and turning.

Mr. REED, of Maine. Nor all the rest of it, either; that is the mere

Mr. BUDD. The report proceeds:

The parts are supposed to be supplied ready for finishing.

Mr. REED, of Maine. That is the mere assembling. I venture to say that instead of half a million dollars a million dollars is inside the figure.

Mr. BUDD. The gentleman asks where any inducements are offered in this bill to stimulate production of guns. I desire to state that according to this bill if a gun can be furnished that will stand the batthe test the first producer of such a gun is entitled to a contract from the Government of the value of \$3,600,000; and if that be not a sufficient inducement for private enterprise, then there can be none whatsoever. Three million six hundred thousand dollars is the first inducement offered to the successful American producer. Though the total plant might cost a million dollars, it must be remembered that after the manufacturer has produced his first hundred successful guns if he can furnish a gun answering to a better test than the test prescribed by this bill then he is entitled to a further contract. In other words, the bill

bill then he is entitled to a further contract. In other words, the bill itself provides a sufficient inducement for the establishment of a factory! So far as the question of the best kind of metal for large guns is concerned that is a matter still in doubt. The bill proposed here by the gentleman from Louisiana, the substitute bill, provides for \$7,500,000 to be given under direction of the Secretary of War to any person who may produce the material necessary for a gun, or who will produce a blank gun. I suppose the gentleman intends who will produce a finished gun. In other words, the committee's bill provides sufficient compensation for a gun which stands a prescribed test, what is known as the battle test; the substitute bill provides \$7,500,000 for any man who will produce the material fit for a gun, or who will provide a blank; not a finished, gun. In either or any of these latter cases, if the substitute be adopted, that producer is entitled to and shall have the \$7,500,000. \$7,500,000.

Mr. ELLIS. Provided he is the lowest bidder-

Mr. BUDD. And there are but two possible bidders in the United

Mr. BUDD.

States.

Mr. ELLIS. And produces the material.

Mr. BUDD. Now, Mr. Chairman, a word more on this proposition.

There has been no valid objection to the test provided here. The gentleman from Maine in speaking of the penetration of the celebrated Krupp gun states it is double this. I will ask the gentleman from Maine for his authority for the statement that the Krupp gun will penetrate three calibers

Mr. REED, of Maine. I said twenty-four inches.
Mr. BUDD. That is the same thing.
Mr. REED, of Maine. The authority I give is the chief of the bu-

reau of the Navy Department.

Mr. BUDD. I understood the gentleman to state it would penetrate double the amount required here as the war test.

Mr. REED, of Maine. That being thirteen inches.
Mr. BUDD. I make the assertion, and defy any member to produce an authority to the contrary, that the Krupp gun will not stand the test herein contained.

Here the hammer fell.]

Mr. ELLIS. When the substitute I have offered shall come before the House I will try to speak to it. At present we have the bill of the

Now I want to reply to the gentleman from Pennsylvania [Mr. RAN-DALL] who indorses the bill of the committee. In the first place, it tempts the foreigner to compete with your laborer. Does the gentleman approve of that? I want the people to know where he stands.

Under the provisions of this bill the foreigner may compete; the Englishman, the German, the Frenchman may compete. Under this bill all the materials may come from abroad. Does the gentleman sanction

Mr. HUTCHINS. Will the gentleman from Louisiana allow me to

Mr. ELLIS. Yes, sir.

Mr. HUTCHINS. If the foreigner has stronger material than we can produce, can he not with that material beat us if we have an inferior article?

Mr. ELLIS. I will not suppose impossibilities. I know our ord-

I will not suppose impossibilities. I know our ordnance officers tell me that within the last three months a concern in the

district of the gentleman from Pennsylvania, or in his State, the Midvale Steel Works, has produced steel equal to the best English steel.

Mr. HUTCHINS. Now will the gentleman allow me to ask this question, which I asked him before? Would you use an article in the manufacture of a gun, or a ship, or a fortification inferior to that you could get abroad? could get abroad?

Mr. ELLIS. No, sir; I would not. Iron is iron, and steel is steel, and our mountains are full of iron, and our mechanics are full of genius; and our manufacturers are full of enterprise, and we can produce the best steel in the world.

Mr. HUTCHINS. Very well; but even with all this skill and genius, and with our mountains full of iron and coal, if you could get better arms abroad would you not nurshape them?

guns abroad would you not purchase them?

Mr. ELLIS. I will not suppose such a case. I tell the gentleman no; I tell him emphatically no.

Mr. HUTCHINS. You would not even in time of war?

Mr. ELLIS. No; I would not permit such competition.

Mr. HUTCHINS. If the foreign material or the foreign article was

better than you could make at home, would you not prefer to use it?

Mr. ELLIS. I would not use it.

Mr. HUTCHINS. Then you would go on spending the people's money for something that would not defend us, when you could get a better article and a useful one that would defend us by purchasing

Mr. ELLIS. No; I would not do that, because I hold we could get something at home that would defend us. I tell the gentleman that we have produced and can produce and will produce as good steel as any that is made in the world.

Mr. HUTCHINS. Then what is the danger from foreign competi-

tion?

Mr. ELLIS. I hope, Mr. Chairman, that I shall now be allowed to occupy my own time. As to the statement made here by the gentleman from California [Mr. BUDD], if he will look at this report he will find that the plant complete for a gun-finishing establishment is estimated to cost \$960,000.

Mr. BUDD. It costs \$570,000 to produce up to sixteen inches.
Mr. ELLIS. The mere assemblage of the tools will cost the amount
I have stated—not the buildings, not the steel, but the mere tools.

The plant itself.

Mr. ELLIS. The plant itself that is required, not for making but for finishing these guns—because you will find in this report that it is proposed that the private manufacturer shall furnish the steel and make the gun, and that the Government shall establish two plants, one for the Navy and another for the Army, to finish the guns, and this \$960,000 is the cost of the mere tools for finishing purposes. Mr. Krupp's has cost \$30,000,000. You gentlemen who live North, in or near the great manufacturing centers, ought to have more knowledge on the subject than I have, but I can not suppose that the plant for the manufacture of these guns could cost less than about \$3,000,000.

Mr. BOUTELLE. Mr. Chairman, I desire to ask the gentleman from Louisiana [Mr. Ellis] whether this board make any estimate of the cost of the entire plant?

Mr. ELLIS. They do not. They leave that, of course, to the manufacturer. They merely estimate what the Government would have to facturer. They merely estimate what the Government would have to pay for the plant required, not to make the guns, but to finish them. Now, Mr. Chairman, the committee's proposition is that the manufacturer shall go to the expense of procuring the plant and the building and the material, and to the expense of finding and hiring labor to make the steel and to make the guns; and when that is all done, and when he has produced one 12-inch gun of the character and quality described, then if it stands the test and is satisfactory, the Government shall buy fifty of those guns, paying him at the rate of 50 cents a pound. That is, when the manufacturer has expended \$3,000,000 on his plant. That is, when the manufacturer has expended \$3,000,000 on his plant, the Government would probably pay him back about one million and a half, leaving him a million and a half in debt.

Mr. HANCOCK. I move that the committee do now rise for the

purpose of limiting debate. The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BLOUNT, from the Committee of the Whole House on the state of the Union, reported that they had had under consideration the bill (H. R. 8249) making appropriations for fortifications, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

tles; when the Speaker signed the same:

A bill (H. R. 5364) granting a pension to William H. Whitcomb;

A bill (H. R. 5543) granting a pension to David M. Nagle;

A bill (H. R. 5798) granting a pension to John E. Denham;

A bill (H. R. 6011) granting a pension to Robert Cary;

A bill (H. R. 6029) for the relief of Jeremiah McCarty; and

A bill (H. R. 7617) granting a pension to Mrs. Mary Ann Gridley.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following

title; when the Speaker signed the same:
A bill (H. R. 2185) for the relief of Rosa Vertner Jeffrey and others.

FORTIFICATIONS APPROPRIATION BILL.

Mr. HANCOCK. Now, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering a general appropriation bill; and pending that I move that all debate be limited to one minute upon the pending

amendment and paragraph.

The SPEAKER. The gentleman from Texas [Mr. HANCOCK] moves that the House do now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of a general appropriation bill; and pending that he moves that debate upon the amendment and paragraph under consideration be limited to one minute. The question is on the latter motion.

going info Committee of the Whole, I desire to make a request. are quite a number of reports of committees ready to be presented; and the consumption of time in calling committees may be avoided by agree-ing that reports which are ready, together with the views of the minor-ity where there is dissent, may be deposited with the Clerk in the usual way

The SPEAKER. The gentleman from Georgia [Mr. Hammond] asks unanimous consent that an order may be made permitting committees that have reports ready for presentation to file the same with

the Clerk, together with the views of the minority where there is dissent.

Mr. SPRINGER. Does that proposition include the printing of the

reports?
Mr. HAMMOND. Oh, yes.
Mr. RANDALL. And let the reports go to the Calendar.
The SPEAKER. The Chair will see that they go to the proper Calendar. If there be no objection the order will be made.

There was no objection, and it was ordered accordingly.

FORTIFICATIONS APPROPRIATION BILL.

The SPEAKER. The question now recurs on the motion of the gentleman from Texas [Mr. Hancock] that the House again resolve itself into Committee of the Whole on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. BLOUNT in the chair) and resumed the consideration of the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes.

The CHAIRMAN. Under the order of the House, debate on the pending paragraph and amendments thereto is limited to one minute,
Mr. ELLIS. I move to amend the pending paragraph by striking out "\$100,000" and inserting "\$1,500,000;" which is one-third of the amount required, according to the estimate of the engineers, to fortify the five deen-water harbors.

the five deep-water harbors.

The question being taken, the amendment was not agreed to; there

eing—ayes 28, noes 97.

Mr. ELLIS. I move to strike out the paragraph and insert the fol-

For the protection, preservation, repair, and for the construction of work on fortifications already begun, and for the construction of new works for the defense of the following-named ports: Boston, New York, Philadelphia, Hampton Roads, and San Francisco, \$1,000,000.

Mr. HOLMAN. I think this proposition is subject to a point of order on the ground that it is new legislation and not in the interest of economy.

Several Members. Let us vote it down.

Mr. HOLMAN. Very well; I withdraw the point.

The question being taken, the amendment was not agreed to; there

being—ayes 29, noes 89.

Mr. ELLIS. I now move to strike out the entire paragraph as a useless, senseless waste of money.

The amendment was not agreed to.

The Clerk read as follows:

And the President of the United States shall appoint a board, of which the Secretary of War shall be a member and president, to be composed of two officers of the Engineer Corps, two from the Ordnance Corps, two of the Arillery Corps of the Army, and two officers of the line of the Navy, which board shall examine and report at what ports fortifications or other defenses are most urgently required, the character and kind of defenses best adapted for each, with reference to armament, the utilization of torpedoes, mines, or other defensive

reference to armament, the utilization of torpedoes, mines, or other defensive appliances.

Mr. ELLIS. I move to strike out this paragraph and insert section 2 of the proposed substitute, which I suppose the Clerk has.

Section 2 of the proposed substitute is as follows:

Sec. 2. That for the purpose of aiding the Secretary of War in the expenditure and application of the sums hereby appropriated a permanent advisory board of five military officers is hereby created, consisting of the general commanding the division of the Atlantic, the Chief of Ordnance, the Chief of Engineers, the president of the ordnance board, and the commandant of the Willets Point Torpedo School, and two officers of the line of the Navy not below the rank of captain, to be appointed by the Secretary of the Navy; and should any vacancy at any time occur in said board, the same shall be filled by the Secretary of War tor Navy, who shall detail the officer succeeding to the vacancy for service upon the board. Said board shall examine and report to the Secretary of War the different ports where fortifications are most needed, the kind and character of fortifications best adapted at each point, and the amount of said appropriation to be expended at each place; also the kind and character of guns, torpedoes, and torpedo approaches, and other means and appliances necessary for the defense of the country; and shall examine and report to the Secretary of War upon any subject pertaining to the expenditure of any money appropriated by this act which said Secretary may at any time require of them in writing. And no money for fortifications or heavy guns appropriated by this act which said Secretary may at any time require of them in writing. And no money for fortifications or heavy guns appropriated by this act shall be expended except upon the advice, counsel, and approval of said board. And the work to be done on the fortifications shall be by contract to the lowest responsible bidder, after due and legal advertisement according to law; and every

he question is on the latter motion.

Mr. ELLIS. The provision of the bill as well as the section which I propose to substitute provides for a board under whose direction whatMr. HAMMOND. Before the Chair puts the question upon again ever money may be expended in these examinations shall be disbursed.

I believe that my substitute is best inasmuch as it provides that this board shall be composed of officers of the highest grade—the very heads of those departments charged with this work of defense.

Mr. RANDALL. The gentleman's amendment would limit the scope of selection of the officers to compose this board.

Mr. ELLIS. I want to have on this board the very heads of the engineer, ordnance, and torpedo branches of the service

Mr. RANDALL. I want the selection open so that skilled officers may be chosen from the whole Army; that the selection shall not be

confined to designated officers. Mr. BUDD. A few moments ago the gentleman from Maine stated that no company could go into the manufacture of these guns without an expenditure of half a million dollars. I said that the neces ditional plant, as stated by the board, need not exceed \$150,000, and that there are companies in the United States having all the necessary plant. I desire now to call attention to the statement of Mr. William P. Hunt, president of the South Boston Iron Company, that his company has all the material necessary to turn out the largest guns.

Mr. ELLIS. Cast-iron?

Yes, sir; but the additional cost to produce steel ones Mr. BUDD.

Mr. BUDD. Yes, sir; but the additional cost to produce seed of is not so great.

Now, the gentleman, speaking of the Krupp gun, gives, as I understood him, as authority General Benét, the present Chief of Ordnance of the Army of the United States.

Mr. HANCOCK. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. HANCOCK. The point I make is that the debate has been closed, and the gentleman therefore is out of order.

The CHAIRMAN. The committee has passed from the paragraph on which debate was closed.

on which debate was closed.

Mr. HANCOCK. I intended to embrace the whole thing.

Mr. BUDD. Now, Mr. Chairman, the report of the committee, as I understand it, shows that this same able officer, two or three years since, went before an ordnance committee and staked his reputation upon the four guns of the Crispin pattern. Congress required a test of the guns on which General Benét, whom I highly regard as authority, thus staked his reputation, and those guns were tested and three out of the four burst; and the parts of the three guns which gave way were not those of cast-iron, but the steel parts. And yet this substitute bill require for steel guns only. provides for steel guns only.

At the time of the interruption I stated that the Krupp guns would

not stand the battle test herein required. They may penetrate at slow shots two calibers and a little more; but I doubt whether there has ever been any large steel guns made or produced or offered or suggested that could fire the number of shots and deliver the amount of weight of projectiles per inch of caliber prescribed here, and within the same time. Krupp himself, with his larger steel guns, of which they speak, requires between the first and second shot an interval of from fifteen to twenty minutes. The unequal expansion and overheating from rapid firing would cause the steel portion of the guns to give way. doubt whether there is any steel gun produced that can stand the test prescribed by this bill. Whether cast iron gups can stand the test or not I do not know, but it is not proper, nor is it wise, to provide only for a metal that has not yet stood the test, in a bill giving seven and a half millions of dollars.

Mr. ELLIS. Does the gentleman know anything about the relative strength of steel and iron

Mr. BUDD. I certainly do.

The CHAIRMAN. Does the gentleman from California yield to an interruption? Mr. BUDD.

Mr. BUDD. Certainly; I will answer any question put to me.
Mr. ELLIS. Does not the gentleman know that the best iron guns,
the 8-inch converted guns, which I am informed are shown hardly to
be as strong as the original guns—does the gentleman know how much
the charge of that gun is?

Mr. BUDD. No, sir; not exactly.
Mr. ELLIS. Does he know what its extreme charge is?

Mr. BUDD. I have not the data at hand. The gentleman asks me in regard to tensile strength, and I wish to inform the gentleman that the tensile strength of a gun is not the only necessary element in rapid firing. There is no strength in the world which will resist the expanding power of heat. It is not alone the force exerted on a gun, it is not alone the amount of the charge, it is not alone the weight of the projectile that will cause a gun to burst, but it is also the unequal expansion of metal from rapid heating. Weight, size, and metal have

The CHAIRMAN. The gentleman's time has expired.

Mr. ELLIS. If the gentleman will now listen I will give him some figures, taken from actual experiment, showing the difference between the strength and power of iron and steel guns. An 8-inch iron gun carries a charge of forty-five pounds of powder. An 8-inch steel gun carries a charge of forty-five pounds of powder. ries a charge of one hundred pounds, or twice as great. The projectile of an 8-inch cast-iron gun is one hundred and eighty pounds, while the projectile of the steel gun is three hundred pounds. The penetrating power of the 8-inch cast-iron gun is eight inches of iron at a thousand yards. The penetrating power of the steel gun at a distance of a thou-

sand yards is twelve to fifteen inches. The range of the iron gun is four miles, while the range of the other is seven miles.

Mr. BUDD. The gentleman from Louisiana yields the remainder of

the time to me?

Mr. ELLIS. I do.

Mr. BUDD. Now I ask the gentleman if these steel guns have been

fired rapidly?

Mr. THOMAS. I will answer the question if the gentleman yields Mr. BUDD. I will.

Mr. BUDD. I will.

Mr. THOMAS. There is one 6-inch gun, built at the navy-yard in Washington—a high-power breech-loading 6-inch gun—now at the naval testing-ground at Annapolis, Md., which has been fired two hundred and thirty times, and shows not the least sign of breaking up or giving way—a gun showing a muzzle initial velocity of 2,000 feet. That is the highest power ever reached.

Mr. BUDD. Oh, yes; that is a 6-inch gun, and the rule is that the thickness of the barrel is equal to the caliber of the gun, and heat the thinness of the outside metal of the small gun allows it to heat through rapidly, and it does not burst as readily as a large gun. Take

through rapidly, and it does not burst as readily as a large gun. Take a thin glass vessel, as thin as it can be made, and pour boiling water into it and it will not burst, though its resisting strength is slight. But if you take a thick glass and pour water of the same temperature into it you will find that it will not stand the strain, but will burst, though the resisting strength is great. The thinness of the inclosing walls allows the heat to expand the material equally, while thick walls restrain it, and the unequal expansion caused by the heat of the chamber causes the bursting of the shell.

You can not produce, and I defy any man supporting this substitute bill to give an example of it, a thick steel gun, I mean with a thick inclosing shell, which has been subjected to rapid and repeated firing that has not burst before it became thoroughly heated. It has not been done, and I will ask the gentleman on my right, Mr. THOMAS, who talks about these guns with six inches thickness of metal, if it is not a well-known fact that these re-enforced guns, what are known as the Crispin guns, burst—three out of every four of them—when subjected to the tests which I have just mentioned?

the Crispin guns, burst—three out of every four of them—when subjected to the tests which I have just mentioned?

Mr. THOMAS. I understand that is true, and the reason was that they were made of two different metals of different textile strength and different degrees of ductility; hence the re-enforced guns, so far as this goes, have not proved successful. But we ask that they shall be made of steel of a certain quality, and that difficulty will disappear.

Mr. BUDD. You say that two metals were employed in the manufactured the control of t

Mr. BUDD. You say that two metals were employed in the manufacture of these guns; now let me ask which gave way—was it the castiron or the steel that gave way?

Mr. THOMAS. It was the cast-iron in every instance.

Mr. BUDD. No, sir; the gentleman is mistaken. The steel gave way in every instance, as the reports show. I am perfectly willing to leave it to the gentleman from Louisiana, who proposes this substitute bill, whether I am accreate. whether I am not correct

Mr. ELLIS. I handed to the gentleman from California the official report of the bombardment of Alexandria to which I wish again to ask

his attention, and I think he will find his error.

Recently the report of the bombardment of Foo Chow by the French has been received where the modern steel gun was used continuously in action without injury, and with the most powerful results, against the opposing fortress—the most effective ever known in modern warfare.

Mr. BUDD. The report as I understand it makes quite a different

Mr. ELLIS. The gentleman has the report.

Mr. BUDD. No; I handed it back to the gentleman. But that very report shows that one of the vessels, the Achilles, engaged in the bombardment of Alexandria had its steel guns disabled and it had to retire out of range to get a new armament.

Mr. ELLIS. I defy the gentleman to produce the evidence that the

steel guns resulted in such a failure.

Mr. BUDD. The gentleman has the document before him, and I refer further to the London Times's account as stated in the committee's

[Here the hammer fell.]
Mr. BRUMM. Mr. Chairman, it seems to me that the material difference or the most important difference in the two bills rests upon this ground: The committee's bill says we do not know which is the best gun; and inasmuch as we are not sure which is the best gun, therefore we must build no guns at all but must experiment to find out which is the best; while the proposition of the minority bill is that we should go on and build guns under the best lights that we have, not only from our own experience but from the experience of other countries; and if that be true the distinction between them is in that. Why should gentlemen want us to wait, Micawber-like, until something may turn up and

give us actually a perfect gun?

Mr. Chairman, it is the duty of Congress to provide for making guns for our defenses, and to make them now, and to make them of the best material and in the best manner known. As to the second proposition, that we must permit foreign competition in the manufacture of these guns, I want to say that our American manufacturers can produce the steel and can make the guns equally as well as, if not better than, any

steel and can make the guns equally as well as, if not better than, any foreign manufacturer.

But the danger in competition is this, that if we allow that competition the difference will be only in the price, not in the quality. If this Government is going to allow competition it will give the contract to the man who will make the guns cheapest; and the foreign manufacturer can make them cheaper, although he can make them no better. I believe it is the policy of this Government to encourage home manufacturers in this line as in all others, not only for the benefit to be derived, but that we may be able to make them, no matter with what country we may possibly get into a war. We should be able to rest upon our own resources, make our own guns, even though it should country we may possibly get into a war. We should be able to rest upon our own resources, make our own guns, even though it should cost a farthing or two more. That is, in my judgment, all the difference there is between the two measures; and the question is whether Congress is going to take hold of the matter now or do nothing.

Mr. HANCOCK. Unless we can by consent close the debate I move that the committee do now rise.

The CHAIRMAN. The Chair will submit the motion, as no gentleman asks recognition for further debate. The question is on agreeing to the motion of the gentleman from Louisiana to strike out and in-

to the motion of the gentleman from Louisiana to strike out and in-

sert, which has been stated.

Mr. ELLIS. I propose to substitute for the paragraph of the committee's bill constituting the board the section of the substitute bill making provision for the same purposes. My motion is to strike out from line 11 to line 28 in the committee's bill, on page 2, and substitute the second section of the substitute bill which has been read, which is the mere substitution of one board for another, only the board I propose is made of much better timber and more highly finished than the

The question was taken; and on a division there were-ayes 35,

noes 97.

Mr. BROWNE, of Indiana. No quorum.

Mr. ELLIS. I will have to take tellers, I think, Mr. Chairman.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. HANCOCK and Mr. ELLIS were appointed tellers.

The committee again divided; and the tellers reported—ayes 52,

So the amendment was not agreed to. The Clerk read the following paragraph:

For the expenses of said board, and for such plans, tests, and experiments as may be required to enable said board to determine upon the best methods of protecting batteries for defensive works, and for the purchase and erection of iron, steel, and composite armor in the form of sections of turrets, gun-shields, and iron embrasures, for actual competitive tests, or any other question connected with their duties, \$300,000, the same to be immediately available.

Mr. ELLIS. I am hopeless of accomplishing anything by moving to strike out this paragraph. Yet, in the interest of economy, and informing the committee that these tests have been made and the engineering thought and information of the world is full of this question, I propose to try to save that \$300,000 that some future legislators may make fortifications out of it. I therefore move to strike out the para-

graph.

The question being taken on the motion to strike out, there were

ayes 22, noes 63.
So (further count not being called for) the motion was not agreed to.

The Clerk read the following paragraph:

For the purchase and competitive test of specimens of the various kinds of machine-guns now in use, and of any others which may be presented and deemed worthy of consideration; for the armament of seacoast fortifications, including the manufacture of heavy guns and carriages; for the purchase or manufacture of multicharge guns, and testing the same; projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incidental thereto, including compensation of draughtsmen on gun construction while employed in the Ordnance Burcau, \$450,000; and not exceeding \$15,000 thereof may be used for the expenses of experiments in the use of dynamite or other high explosive projectiles.

Mr. HANCOCK I offer the amendment which is in the hands of

Mr. HANCOCK. I offer the amendment which is in the hands of the Clerk.

The Clerk read as follows:

After the word "consideration," in line 44, insert "for constructing and testing experimental gun-carriages."
In line 47, after "projectiles," insert "gun-loaders."

Mr. HANCOCK. This is a little more than a verbal amendment. It is offered at the instance of the committee.

The amendment was agreed to.

Mr. LONG. I move to strike out the last word.

So far, Mr. Chairman, this bill reported by the Committee on Appropriations is intelligible. In the first paragraph it provides for the preservation and repair of existing fortifications. In the following paragraphs it provides for the creation of an intelligent and capable board graphs it provides for the creation of an intelligent and capable board which shall examine this whole important question of a further general and adequate system of fortification, what defenses are necessary, the character and kind best adapted, the utilization of torpedoes, the purchase of movable submarine torpedoes, competitive tests, the investigation of multicharge guns, &c. I believe the Committee of the Whole realize the importance of these matters, both with a view of preserving what we have and of making intelligent provision for future work.

Further than that I for one am not willing to go in favor of this bill.

But I give notice, and I believe I represent others on this floor, that if a motion which is proposed shall be made and carried to strike out all of the bill that follows, namely, all after line 53, I shall heartily give my

vote for the previous paragraphs.

Why strike out the remainder of the bill? First, because it undertakes to deal with matters that are in some respects just the matters on which the board created in the second paragraph are to report to us next year for our consideration and action then. Second, because the provisions of the bill after line 53 are experimental in their nature, of doubtful utility, of uncertainty, and liable to create great expense. Suppose some manufacturer accumulates the plant necessary for and with a view to producing one of these great guns. Suppose he almost succeeds but barely fails. Suppose then he comes to Congress with a succeeds but barely fails. Suppose then he comes to Congress with a claim, saying he was induced to enter upon the experiment by this bill; that he went to an expenditure of nearly a million of dollars in getting his plant; that he is not satisfied with the examination and verdict of the board who have been appointed to test his work.

Taking into consideration the possibility of a claim of that kind, the uncertainties which attend the bill, the objections which have been add to the manufacture who have already english the appearance of the manufacture who have already english the appearance of the same of the same and the same already english the appearance of the same already english the same al

made by members who have already spoken, the experimental character of the whole thing, and the fact that in the second paragraph you appoint a board who are to consider and report upon the whole question of fortification improvements, I believe our legislation will be wiser, more intelligent, and more beneficent if we stop at line 53, strike out the rest of the bill, and be content with it up to that point.

The CHAIRMAN. Does the gentleman from Massachusetts with-

draw the formal amendment?

Mr. LONG. I withdraw it, at the same time asking if there is unanimous consent to move to strike out all after line 53?

Mr. ELLIS. Before we part from the section which has been last read I would like to amend it.

Mr. REED, of Maine. I ask unanimous consent that a motion may be now entertained to strike out the remainder of the bill after line 53. Mr. ELLIS. Wait until we get there. I want to amend this para-

graph.

Mr. RANDALL. I have no objection myself to including all of it

in a single vote.

The CHAIRMAN. Does the gentleman from Louisiana yield?

Mr. LONG. I ask unanimous consent—
Mr. ELLIS. I want to know from the gentleman who drew this bill if he proposes to purchase every machine-gun that comes along before it is tested.

Mr. HANCOCK. I do not propose to purchase a single gun; but I do think it wise to provide a board to pass upon the quality of these guns and to say whether they are worthy to be purchased or not.

Mr. ELLIS. That is all right. Now make the language plain that these guns may be tested but not purchased.

Mr. HANCOCK. If they are tested and found satisfactory why not purchase them?

Mr. ELLIS. And there is a provision here also for purchasing the multicharge gun, when that gun has been reported against elaborately

by our own ordnance officers.

Mr. BUDD. It is a fact shown by the experiments that the multicharge gun made a greater penetration per caliber than any other gun in the world. The officers of the Army in reporting against the multicharge gun compared it with 8, 10, and 12 inch guns to show the amount of penetration and they refused absolutely to compare it with guns of like weights. like caliber.

Mr. ELLIS. I ask the gentleman to produce his official authority for that statement.

Mr. BUDD. It is in evidence taken by your committee. When the gentleman says "produce your authority," I will state it is often impossible to get a report of the committee till some days after the bill is passed. I will refer to the report of the ordnance board of June 4, 1884, which says:

There seems to be no doubt that a higher energy has been obtained with this gun with its successive charges, and with moderate and safer pressure, than can result from any gun of the same caliber using only one charge.

MESSAGE FROM THE SENATE.

The committee rose informally; and the Speaker having resumed the chair, a message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed bills of the following titles:

A bill (H. R. 1266) for the relief of Alexander D. Schenck;

A bill (H. R. 2722) for the relief of Martha Turner;

A bill (S. 3000) for the relief of certain settlers on the Duck Valley

A bill (S. 3000) for the relief of certain settlers on the Duck Valley Indian reservation, in Nevada;

A bill (H. R. 4382) for the relief of William H. Davis;

A bill (H. R. 6087) authorizing the payment by the Secretary of the Treasury of the United States to Charles H. Getman, the firm of E. W. Rathbun & Co., the firm of Kinyon, Wright & Co., the firm of Bond & Jenkins, and the firm of Page, Fairchild & Co. certain duties paid by them on imported lumber accidentally burned while in custody of officers of customs, and before the same had entered into consumption;

A bill (H. R. 6940) granting a pension to Sarah M. Bissell; and Joint resolution (H. Res. 824) authorizing the collector of the port of New York to deliver free of duty a silver cup won by Sergt. A. B. Van

Heusen as a member of the American rifle team at Wimbledon, in

The message further announced that the Senate insisted upon its amendments to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, and asked for a committee of conference upon the same.

FORTIFICATION APPROPRIATION BILL.

The committee resumed its session.

Mr. BAYNE. Mr. Chairman, I hope that unanimous consent will be given to entertain a motion to strike out all of this bill after line 53. We shall then know whether we are to go on and perfect this measure or not, instead of being detained here striking out paragraph after paragraph. If one paragraph should go out, all should go out. Let us have unanimous consent to that effect, and let us have a vote upon it. If we strike out the remainder of the bill after line 53 our labors are finished. The committee can rise and the chairman can report the bill to the

Mr. REED, of Maine. I think that is what we had better do.
Mr. BAYNE. The contents of this bill, after line 53, are such as cannot be considered judiciously or properly at this short session of Congress. We want more knowledge, more light, than we can get in this short session of Congress to give to this proposition an intelligent consideration. Therefore I hope that no member of the committee will object to the motion to strike out all after line 53.

Mr. REED, of Maine. I ask unanimous consent that that may be

Mr. ELLIS (to Mr. REED). It will take but a minute to perfect

Mr. REED, of Maine. If we do not strike it out, then the gentleman

can perfect it

Mr. ELLIS. But I am trying to perfect the preceding paragraph, and I ask the gentleman to withhold his request for a few minutes.

Mr. REED, of Maine. Oh, certainly; I will wait for that.

Mr. ELLIS. Mr. Chairman, I propose to amend by inserting in line 44, after the word "consideration," this provision: "No machine-gun shall be purchased until tested and approved by the board herein provided for

Mr. RANDALL. Does the gentleman from Texas [Mr. HANCOCK]

object to that?

Mr. HANCOCK. Yes.

The question was taken on the amendment; and there were-ayes 30,

Mr. ELLIS. Mr. Chairman, I can not believe that the committee wants to buy inventions before they are tested—inventions which may prove useless; and I therefore must ask for tellers.

The CHAIRMAN. Tellers are demanded, and the Chair appoints the gentleman from Texas, Mr. HANCOCK, and the gentleman from Louisiana, Mr. ELLIS.

Before the count by tellers was completed,
Mr. ELLIS. Mr. Chairman, I withdraw the demand for tellers, and
I will modify my amendment so as to read: "But no gun shall be purchased until tested and approved by the board herein provided for."
The amendment as modified was agreed to.
Mr. ELLIS. Now, I want to add the same proviso at the end:
"That no gun shall be purchased until thoroughly tested and approved

by the Department."

Mr. BUDD. I move to amend the amendment by striking out the words "and approved." The insertion of these words may defeat the entire purpose of the bill. The amendment of the gentleman from Louisiana rightly provides that no gun shall be purchased until tested; but the insertion of the words "and approved" would allow the Department to pass upon the metal itself.

A MEMBER. Oh, no.

Mr. BUDD. Yes, sir; I have no objection to a provision that any gun before being accepted shall conform to the test—

Mr. ELLIS. My object is to prevent the Government from purchas-

ing or accepting under the provisions of this bill guns which may be

Mr. BUDD. That is right.

Mr. ELLIS. Now we have organized Departments to which these subjects are committed. We must trust somebody. I think we should provide that no gun shall be purchased until it has been thoroughly tested and is approved by the Department.

Mr. BUDD. The Committee on Appropriations have provided for a

test, and a gun which does not conform to the test should not be purchased; but the amendment of the gentleman from Louisiana requires the type of the gun to be approved by the Department, and this lan-guage may include the metal and everything else.

Mr. ELLIS. Ought it not be approved?

Ought it not be approved?

Mr. BUDD. Not necessarily.

Mr. ELLIS. Why not?

Mr. BUDD. If it meets the requirements of the test-if it will throw the number of pounds of projectiles required by the test—why should not the gun be accepted?

Mr. ELLIS. Are not the officers of the Department proper judges of such matters?

Mr. BUDD. Does not the gentleman remember that the officers of the Ordnance Department during the late war refused to accept the breech-loader upon the ground that it was unsafe, until long after it had shown its superiority to the muzzle-loader, and that therefore the late civil war was fought with muzzle-loading guns?

Mr. HANCOCK. Mr. Chairman, the effect of this amendment whether that be its object or not, would be to neutralize the entire bill; and probably it is intended for that purpose. This amendment would take the jurisdiction of this matter out of the hands of the board provided for in the bill, and would allow the Department to pass upon any gun without having it tested by the board. I presume the object of the amendment was to undo and cancel the preceding portion of the bill. I trust the Committee of the Whole will vote down the amend-

The CHAIRMAN. The question is upon the amendment of the gentleman from California [Mr. Budd] to strike out in the amendment of the gentleman from Louisiana [Mr. Ellis] the words "and approved."

Mr. BUDD. I modify my amendment so as to strike out the words "and approved" and insert "and found to conform to the requirements of this act."

Mr. ELLIS. All right; I accept that; it amounts to the same thing. The question being taken, the amendment of Mr. Budd was agreed to; and the amendment of Mr. ELLIS as amended was agreed to.

Mr. ELLIS. I move to amend by striking out in lines 44 and 45 the words "including the manufacture of heavy guns and carriages."
It must be obvious that this language is mere surplusage. There is not money enough provided in the bill for this purpose. We have not de-There is not termined the type of heavy gun that shall be constructed, nor even the kind of material that shall be used. Therefore this language is mere

Mr. ROSECRANS. Mr. Chairman, this provision was inserted in view of the fact that a pneumatic gun-carriage for the purpose of handling heavy breech-loading guns has been invented, and after examination by the Ordnance Department an appropriation has been recommended for construction and test. Such a carriage is of vast im-The invention appeared to be promising, and the inventor was too poor to try the experiment himself; hence the Department was willing to recommend an appropriation of \$10,000 for the purpose of constructing a carriage of this description, with its appurtenances, and mounting the gun, if necessary.

Mr. ELLIS. I do not object to any test; but I do emphatically enter my protest against the purchase or manufacture by the Government of

patented invention until it is tested.

Mr. ROSECRANS. I think the gentleman did not understand my statement. The object is not to purchase this patent, but, as the inventor is too poor to make the experiment himself, and as the invention is one of probable utility, the proposition is to expend money enough

to make one test of a pneumatic carriage for heavy breech-loading guns.

Mr. ELLIS. I do not believe the Government of the United States
should embark in anything of the sort. If there be merit in it science
will not be wanting in sight to see it and capital will not be wanting to carry it out. I do not believe the money of the whole people should be embarked for the private advantage of any one. While I want the Government to have the best, I want it to make a proper test before it purchases

Now as to the manufacture of heavy guns, my friend from Pennsylvania [Mr RANDALL] will agree with me, and the gentleman from Texas [Mr. HANCOCK] must agree with me, in favor of striking out the words "including manufacture of heavy guns and gun-carriages."

Mr. RANDALL. I would suggest to the gentleman he should insert a provision that they should be tested before they are purchased.

There is no harm in that.

Mr. ELLIS. One amendment at a time.

Mr. RANDALL. Do not strike them out, but let there be a provision put in that they shall be tested before they are purchased.

Does the gent _man refer to gun-carriages ?

Mr. ELLIS. Does the gent man refer to gun-carriages?

Mr. RANDALL. Both, for guns and gun-carriages?

Mr. ELLIS. I have moved that the words "including the manufacture of heavy guns and gun-carriages" should be stricken out.

Mr. RANDALL. Yes, and I suggest instead that the gentleman shall insert the words that they shall not purchase until tested.

Mr. ELLIS. That is already in the bill and this provision ought to

Mr. RANDALL. There ought to be the same test for gun-carriages that there is for guns.

Mr. ELLIS. Unquestionably.

Mr. RANDALL. Then insert those words.

Mr. ELLIS. But you have not a gun to test.

Mr. RANDALL. I propose we shall test it before we proceed to

Mr. ELLIS. But you have not any to purchase, even. reads now, "including the manufacture and purchase of heavy guns

Mr. BUDD. The word "purchase" is not there.
Mr. ELLIS. The words I move to strike out are "including the

manufacture of heavy guns and gun-carriages."

Mr. RANDALL. What I wish to provide for is that no more than one gun of any type shall be manufactured until that type has been fully tested. I do not want to cut off the gun if it comes up on the test to what is desired.

Mr. ELLIS. Does the gentleman also propose to put in the test for

gun-carriages?

Mr. RANDALL. Certainly; to test the gun-carriage as well as the

Mr. ELLIS. That is already in, and I therefore insist on my mo-tion to strike out the words "including the manufacture of heavy guns and carriages.

The CHAIRMAN. The noes seem to have it.

Mr. ELLIS. I demand a division.

The committee divided; and there were-ayes 5, noes 63.

So the amendment was rejected.

Mr. REED, of Maine. I now ask that motion be stated to the committee.

The CHAIRMAN. The gentleman from Maine moves by unanimous consent that the question shall be taken on striking out all after

I rise to a parliamentary inquiry. The gentleman will state it. Mr. HAMMOND.

The CHAIRMAN.

Mr. HAMMOND. Does it include that the words proposed to be stricken out shall be considered as read?

Mr. BUDD. That is the purpose.
Mr. HAMMOND. I do not object if it includes all purposes.

Mr. REED, of Maine. I merely propose to test the sense of the committee. If the words are stricken out that is the end of it; but if they are not stricken out, then as now that portion of the bill will be open to amendment.

Mr. HAMMOND. I wish to have it considered as read. Really no motion is in order to strike out what has not yet been read.

The CHAIRMAN. Is there objection to the proposition of the gen-

tleman from Maine [Mr. REED]?
Mr. HAMMOND. If modified in that way I do not object.

Mr. BUDD. Of course we all consider it as having been read.

Mr. REED, of Maine. Yes; that is understood, but if that portion of the bill is not stricken out, then it is to be open to amendment. Mr. THOMAS. Points of order can also be made if those words are

not stricken out.

The CHAIRMAN. It will be considered subject to points of order also. Is there objection to the proposition of the gentleman from Maine?

Mr. HANCOCK. I object. [Cries of "Read!"]
Mr. REED, of Maine. I make the point of order that the pending paragraph is new legislation and obnoxious to our rules. I ask for a ruling of the Chair, and will not take up the time in the discussion of the point of order.
Mr. HANCOCK.

There has been a misapprehension in reference to my objection. I do not object to testing the sense of the committee, but merely express my hope that the proposition will not be agreed to.

The CHAIRMAN. Is there further objection to the proposition of

the gentleman from Maine, that all after line 53 in the bill shall be

Mr. HAMMOND. The understanding being that that portion of the bill has been read through.

The CHAIRMAN. Is there objection?

Mr. REED, of Maine. And all points of order are reserved.

Mr. HANCOCK. I hope that motion will not prevail. The effect would be to neutralize almost entirely everything that has gone before. There would be it heutralize almost entirely everything that has gone before. There would be little or nothing left for the board we deem so important and for whose establishment we have provided to act upon. Nor would there be any inducement to any persons to establish plants for the purpose of producing guns of a desirable character. You in effect strike out the object, the purpose, the aim of all the preceding portion of the bill if the motion of the gentleman from Maine shall prevail. It seems to me most remarkable, if it be the sentiment of this House shall ascertain the proper gun, that it will agree now to strike out all this portion of the bill, the effect of which will be to render nugatory all that has gone before. Where will you get your guns for this board to test? Where will you get your ammunition?

Mr. LONG. Three hundred thousand dollars is appropriated for

actual competitive tests in the preceding portion of the bill.

Mr. HANCOCK. But that does not apply to this subject.

Mr. LONG. Yes, it may be used for this purpose; it says for actual competitive tests, or any other questions connected with the duties of

Mr. HANCOCK. And who is going to produce guns on such conditions? What inducement do you offer to any person to undertake the work? Let me ask the gentleman from Massachusetts, would any

give them any hope of repayment for the work if successful? The gentleman proposes to strike out all in the bill that provides any inducement to men to embark in this enterprise. He strikes out all that is likely to bring about the tests of the character that we desire and which

can be accomplished in no other way at present in this country.

It leaves the bill a perfect waste and blank, without the remotest inducement to invite competition or excite emulation among manufacturers to provide the best quality of guns for the use of the Government. There is nothing to be accomplished by the bill with this stricken out. There is no object in being able to furnish guns to the Government, for there is no reward for successful enterprise. These provisions of the bill we believed to be absolutely essential to bring about some satisfactory results, and if stricken out the inevitable result is that nothing can be accomplished. I trust, therefore, the motion will not prevail; I hope it will be voted down, and the portions of the bill proposed to be stricken out will be adopted by the committee and

made a part of the law.

Mr. REED, of Maine. Mr. Chairman, it is perhaps not necessary to repeat anything I have already said; but I want to call the attention of the House to the fact that this strikes out of the bill a proposition which seems to me to be futile, and which I am of the opinion has been already demonstrated clearly to be futile. It is a proposition which in a few words may be stated this way: We offer the manufacturers of guns a proposition to buy of them a certain kind of gun provided they come up to certain tests. Well, now, in order for them to compete for come up to certain tests. Well, now, in order for them to compete for the contract of manufacturing these guns there is not a single one of them in this country that must not spend from \$1,000,000 to \$1,250,000 to get the plant. I have said before, and I repeat, that this is only following an illusion, and that we are sure simply to waste time by adopt-

ing a proposition of that kind.

My second objection is that the test of the gun is so worded that it will only lead to disappointment and disaster, and I think the terms of the test are such that there has been put upon the committee a set of words, a set of terms, which will result in the benefit of a single

manufacturer, and one who has hitherto been a failure as a manufacturer of guns. [Cries of "Vote!" "Vote!"]

Mr. ROSECRANS. Mr. Chairman, in reply to the remarks of the honorable gentleman from Maine, I wish to call the attention of the committee to the first proposition he makes. He says it is entirely futile to attempt this. I want to ask the committee and gentlemen on this floor whether they think it futile to provide some regular dimensions of calibers for our guns? Why is it futile? You might as well say it is futile to provide regular calibers for muskets in the Army as for ordinance? It is ridially as to account the formula of the committee of the commi for ordnance? It is ridiculous to assert the futility of such provisions for guns and at the same time to admit the utility of prescribing uniform calibers for muskets and small-arms.

Mr. REED, of Maine. Why have similarity in caliber both in the

Mr. RELD, or Maile. Why have similarly in camber both the Navy and Army, and prohibit all else? That I discussed before.

Mr. ROSECRANS. In the first place, if you understand gunnery as well as other people do you would know more about it. You made it appear impossible or wonderfully strange that there should be any uniformity whatever. I would like to ask any gentleman on this floor to give any reason why there should not be uniformity when it facilitates the use and interchange of ammunition in use for like calibers in the Army and Navy

Mr. REED, of Maine. I will give the gentleman an answer if he

Mr. ROSECRANS. Why not have uniformity to permit of inter-change of ammunition on land and sea so that by manufacturing fixed sizes we can make no mistakes? Take, for instance, the ammunition for one of our 6-inch guns and see the advantage of uniformity of cali-When a requisition is made for this character of ammunition it can go either for use by sea or land. Now, with regard to uniformity of length. There are cases where a manufacturer of ordnance makes a gun in which there is a slight variation sometimes in the length, or slight variance in the size of the bore. It creates the idea in the testslight variance in the size of the bore. It creates the idea in the testing of the gun that there is an indetermination in the result or character of the tests; that they are not satisfactory, because it is said that perhaps one gun is an inch or two longer in the bore or there may be some little difference between them in other respects which gives a slight advantage. This difference leads to uncertainty in the tests. What we want in these engines of war is that they shall produce the desired effects with uniformity and that the projectiles, ammunition, and all that is needful for their service shall be as simple and uniform as possible, and equally available whether used by the Army or Navy.
Mr. ELLIS. Upon that same question this board is to pass.
Mr. ROSECRANS. The next proposition of the gentleman isthat

it is uncertain. We know enough about ordnance and heavy ordnance to know that, if we can get a gun which will discharge a projectile with muzzle velocity sufficient to penetrate one and a half calibers into a steel plate, we shall have accomplished something in the right direc-and something which we have not before accomplished.

We know that this penetrative power depends upon two things. of your great manufacturers, would the gun foundry in Boston produce guns to have them tested at their own expense when there is nothing in the way of remuneration or inducement or advantage in the bill to

I want further to call the gentleman's attention to this also: The passage of this bill does not in the least interfere with any operation we have in hand, nor any examination, nor any steps that we need to take for the future defense of our country. It only invites those gentlemen who have such confidence in their inventions and in their means of bringing those inventions to perfection that they are willing to accept of the inducement we offer, namely, "Gentlemen, if you want to make a gun, and if you can do it, set about it, and when ready apply for a test and you shall have it; and this is the test you shall have." And it gives a test, and it is a good test; there is no vagueness about it. The offer of pay for the accepted type-gun at a reasonable price, and a contract for fifty such, is only made to the first successful competitor, and to no others.

The price to be paid for these guns is not fixed, but the greatest which the act allows is less than what we are now paying, while any gun which will stand the required tests would be greatly superior to even the Krupp gun, the price of which, General Benét stated to our committee, is now about 55 cents per pound at the manufactory.

It is well to remember in this connection that to prepare and produce

the Krupp guns here would require an outlay of many millions of dollars and ten years of time, and even were the attempt to be made it is uncertain when we should acquire the secrets of handling and of annealing such heavy masses so as to have a guaranteed success.

What then becomes of the claims made by the honorable gentleman

from Louisiana, that to start upon this line of operation would be to benefit home labor and native genius?

Why, the committee's bill proposes to open the doors to American genius and American labor immeasurably in comparison. And the gentleman in one breath expresses his confidence in the superiority of our native genius and capacity to meet the national requirements for our native genius and capacity to meet the national requirements for heavy armor-penetrating guns, and in the very next deprecates opening their production to competition for fear the foreigner would compete for and carry away the prize. [Cries of "Vote!" "Vote!" The CHAIRMAN. The question is on the amendment of the gentleman from Maine [Mr. REED].

The question being taken, the chairman stated that in the Judgment of the Chair the ayes had it.

Mr. BUDD. I call for a division

Mr. BUDD. I call for a division.

The committee divided; and there were—ayes 74, noes 42.

Mr. BUDD. No quorum.
Mr. RANDALL. I hope the gentleman will not insist on that point.
Mr. BUDD. I withdraw the point as to a quorum.
So (further count not being called for) the amendment was agreed to.

Mr. HANCOCK. I move that the committee rise and report the bill to the House with the amendments.

The motion was agreed to.

The committee accordingly rose; and the Speaker having taken the chair, Mr. BLOUNT reported that the Committee of the Whole House on the state of the Union having had under consideration the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, had instructed him to report the same back to the House with sundry amendments.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas; and

A bill (H. R. 3058) to amend section 1889, chapter 1, title 23 of the

Revised Statutes of the United States, relative to general incorporation acts of Territories.

The message further announced that the Senate had passed a bill of the following title, in which the concurrence of the House was re-

A bill (S. 2637) to authorize the Secretary of the Interior to release a right of way across lands of the United States at Carlisle, Pa.

FORTIFICATION BILL

Mr. HANCOCK. I move the previous question on the amendments and upon ordering the bill to be engrossed and read a third time.

The previous question was ordered.

The SPEAKER. Is there a demand for separate votes on the amendments?

Mr. BUDD. I only demand a separate vote on the amendment to strike out the last portion of the bill.

The SPEAKER. Is there a demand for a separate vote on any other

amendment? [After a pause.] If no other separate vote is demanded the question will be taken on the other amendments in gross.

The question being taken on the other amendments, they were agreed to.

The SPEAKER. The Clerk will now report the last amendment.

The Clerk read as follows:

Strike out all of the bill from line 54 to line 141, inclusive,

The portion of the bill which the amendment of the Committee of the Whole proposed to strike out is as follows:

The portion of the bill which the amendment of the Committee of the Whole proposed to strike out is as follows:

That hereafter the calibers of all heavy single-charged rifed cannon shall be uniform for the Army and Navy, and shall be guns of six inches caliber, with projectiles of not less than two hundred pounds weight; eight inches, with projectiles of not less than three hundred pounds weight; and twelve inches, with projectiles of not less than as ix hundred pounds weight; and twelve inches, with projectiles of not less than six hundred pounds weight; and the stand all such cannon hereafter manufactured by or for the United States shall be breech-loaders, not less than thirty calibers in length of bore; and in all cases the cannon shall be one hundred times the weight of the rifle-projectiles therefor.

That before any further contracts are entered into or expenditures made for cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided, a breech-cannon for the armament of fordifications, except as herein provided for the grant and the provided for a provided for the provided for a provided for the grant provided for the grant provided for the grant provided for the g

The question being taken on agreeing to the amendment, there were-

Mr. BUDD. No quorum.

The SPEAKER. The point being made that a quorum has not voted, the Chair will appoint as tellers the gentleman from California, Mr. BUDD, and the gentleman from Maine, Mr. REED.

The House again divided; and the tellers reported—ayes 131, noes 48.

So the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. HANCOCK. I demand the previous question on the passage of

the bill. The previous question was ordered.

ENROLLED BILLS SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for other Government pur-

A bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army and brigadier-general of volunteers;

A bill (H. R. 1813) granting an increase of pension to Ann Cornelia Lanhan

A bill (H. R. 2722) for the relief of Martha Turner; A bill (H. R. 3008) for the relief of certain settlers on the Duck Val-

ley Indian reservation, in Nevada;

A bill (H. R. 6087) authorizing the payment by the Secretary of the Treasury of the United States to Charles H. Getman, the firm of E.W. Rathbun & Co., the firm of Kinyon, Wright & Co., the firm of Bond & Jenkins, and the firm of Page, Fairchild & Co., certain duties paid

by them on imported lumber accidentally burned while in custody of officers of customs and before the same had entered into consumption;

A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord; A bill (H. R. 7830) granting a pension to the widow of the late Com-

mander S. Dana Green; and
A bill (H. R. 847) for the relief of Francis B. Van Haesen.
Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 851) for the relief of the heirs of Mary Jane Veazie,

deceased:

A bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard;

A bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry; A bill (H. R. 1321) for the erection of a public building at Reading,

A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for money erroneously collected from him by the Post-Office Department;

A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 2123) for the erection of a public building at Wichita,

A bill (H. R. 2949) for the erection of a public building at Port Townshend, Wash.;

A bill (H. R. 3343) for the erection of a public building in the city of

A bill (H. R. 3593) for the erection of a public building at Chicago, III.;

A bill (H. R. 4067) to change the limit of appropriation for the public building at Louisville, Ky.;

A bill (H. R. 4686) for the relief of Fendall Carpenter;

A bill (H. R. 5452) for the relief of John W. Martin;

A bill (H. R. 5747) to authorize the increase of the capital stock of

the First National Bank of Larned, Kans., not to exceed \$250,000;
A bill (H. R. 6089) for the relief of Moses F. Carleton;
A bill (H. R. 6824) authorizing the President of the United States to appoint Passed Assistant Engineer Nathan B. Clark, United States

Navy, a chief engineer on the retired-list of the Navy;
A bill (H. R. 7655) granting an increase of pension to the widow of
Maj. Thomas T. Thornburgh, late of the United States Army;
A bill (H. R. 8034) for the relief of the estates of Hugh and Byrd
Douglas, deceased;
A bill (S. 544) granting increase of pension to Elijah W. Penny;
A bill (S. 1877) granting increase of pension to John Hall;
A bill (S. 2245) granting a pension to William N. Morris;
A bill (S. 2302) granting a pension to John Lowe:

A bill (S. 2302) granting a pension to William N. Morris;
A bill (S. 2302) granting a pension to John Lowe;
A bill (S. 2279) granting a pension to Lewis L. Canady;
A bill (S. 2367) granting a pension to Sarah A. White;
A bill (S. 1739) granting a pension to the widow and children of the

late Byram Pitney

A bill (S. 2437) granting a pension to Mrs. Mary Gordon; A bill (S. 2125) granting a pension to Sarah Jane Prince; A bill (S. 2527) granting a pension to Robert Sheridan;

A bill (S. 2443) granting an increase of pension to Polly Young;

A bill (S. 1113) A bill (S. 2153) granting a pension to Anne E. Manchester; granting a pension to Benjamin F. Brockett;

A bill (S. 1836) granting an increase of pension to Sarah Hague; A bill (S. 1612) granting a pension to Bryson R. McCartney;

granting a pension to Bryson R. McCartney; A bill (S. 1633) granting a pension to James Bond; for the relief of Robert J. Ballort;

A bill (S. 2268) A bill (S. 2607) A bill (S. 2607) granting a pension to Mary B. Holmes; A bill (S. 1811) granting a pension to Anne T. Dicks; A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; A bill (S. 1911) for the relief Duncan L. Clinch; A bill (S. 2262) granting a pension to Sedate P. Martin; and A bill (S. 2620) granting a pension to James H. Boaz.

Mr. HANCOCK. Mr. Speaker, I ask unanimous consent to dispense with the yeas and nays on the passage of the fortification appropriation

The SPEAKER. Is there objection? [After a pause.] No objection is made. The question is, Shall this bill pass?

Mr. RANDALL. I call for the yeas and nays. [Cries of "Too

tion is made. The q Mr. RANDALL. late!" Too late!"]

The SPEAKER. The Chair asked for objection and none was offered.

Mr. RANDALL. There was so much confusion that I did not hear
the Chair. [Renewed cries of "Too late!" Too late!"]

The SPEAKER. The Chair thinks the objection comes too late. The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HANCOCK moved to reconsider the vote by which the bill was assed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

POST-OFFICE BUILDING, WASHINGTON, D. C.

Mr. DIBBLE, by unanimous consent, introduced a bill (H. R. to authorize the purchase of the real estate known as square No. 406 of the city of Washington for the enlargement of the Post-Office Department building, and to provide accommodations for the city postoffice; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed. Mr. EATON. I move that the House adjourn.

Mr. RANDALL and others. Oh, no.
Mr. EATON. I withdraw the motion.

ARMY APPROPRIATION BILL. Mr. FORNEY. Mr. Speaker, I rise to present a conference report, which I send to the Clerk's desk to be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate, numbered 23, to the bill of the House 8120, making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same.

WILLIAM H. EQNNEY

WILLIAM H. FORNEY, R. W. TOWNSHEND, J. WARREN KEIFER, Managers on the part of the House. WILLIAM B. ALLISON, P. B. PLUMB, Managers on the part of the Senate.

The SPEAKER. The Clerk will read the statement of the House conferees which accompanies this report.

The Clerk read as follows:

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendment of the Senate, numbered 23, to the bill (H. R. S120) making appropriations for the support of the Army for the fiscal year 1886, submit the following in explanation of the action recommended by the conference committee in the report submitted herewith.

The effect of the action recommended strikes from the bill as it passed the House the provision to amend article 94 of section 1342, so as to permit courts-martial to sit during such hours as they might determine.

WM. H. FORNEY,

R. W. TOWNSHEND,

J. WARREN KEIFER,

Managers on the part of the House.

Mr. KEIFER. Mr. Speaker, I desire one minute to say that the conferees on the part of the House were induced to agree to strike out the last section of the Army bill for the reason that they were persuaded that the articles of war to which that section related may need at an early time very general and substantial revision. That section (which was incorporated in this bill on my motion in the House) was in the right direction, and if the one to which it related were the only article of war needing revision we should have insisted upon the Senate agree-ing to that provision of the bill; but, in view of what will be necessary in that direction in the near future, we thought it was best to ask the House to recede from its position, and we are unanimous in favor of the report

Mr. FORNEY. Mr. Speaker, I move the adoption of the report.

The motion was agreed to.

Mr. FORNEY moved to reconsider the vote by which the report of the committee of conference was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

SALE OF SAC AND FOX RESERVATION.

Mr. PERKINS. Mr. Speaker, I move that the House insists upon its disagreement to the amendments of the Senate to the bill (H. R. 6658) to provide for the sale of the Sac and Fox reservation in the States of Nebraska and Kansas, and for other purposes, and consent to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

The SPEAKER. The Chair will appoint as managers on the part of the House the gentleman from Texas, Mr. Wellborn, the gentleman from North Carolina, Mr. SKINNER, and the gentleman from Kansas, Mr. PERKINS.

CLAIMS OF OFFICERS AND ENLISTED MEN.

Mr. ROSECRANS submitted the following report:

Mr. ROSECHANS Submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5713) to provide for the settlement of claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3 and 4, and agree to the same, as follows:

No. 1, Page 1, line 4, after "officers," insert "and."

No. 2. Page 1, lines 4 and 5, strike out "and duly authorized laundresses."

No. 3. Page 2, line 3, insert after "war" "or hostilities with Indians."

No. 4. Page 2, line 7, after "reasonable," insert "useful, necessary, and proper for such officer or soldier while in quarters engaged in the public service in the

Adams, J. Arnot, Bennett, Bisbee, Blackburn

Breitung, Browne, I Budd, Burnes, Cabell, Campbell, Carleton, Cassidy, Clardy, Clay, Cook, Cosgrove, Covingtor Curtin, Dibble.

line of duty: And provided further, That all claims now existing shall be presented within two years, and not after, from the passage of this act; and all such claims hereafter arising be presented within two years from the occurrence of the loss or destruction."

And the Senate agree to the same.

W. S. ROSECRANS, GEORGE W. STEELE, R. M. MURRAY, Managers on the part of the House. F. M. COCKRELL, BENJAMIN HARRISON, Managers on the part of the Senate.

The report was adopted.

Mr. ROSECRANS moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PAYMENT FOR INDIAN SUPPLIES.

Mr. STRAIT submitted the following report:

Mr. STRAIT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 84) entitled "An act to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof," having met, after full and free conference agree to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, and 5, and agree to the same.

That the House recede from its amendment numbered 4, and in lieu thereof agree to the following:

"Provided, however, That said sum shall be charged to the unpaid annuities stipulated to be paid to the said Sioux Indians under treaties, but abrogated and annuiled by the act approved February 16, 1863;" and the Senate agree to the same.

OLIN WELLBORN,
H. B. STRAIT,
R. S. STEVENS,
Managers on the part of the House. ANGUS CAMERON, JAMES H. SLATER, H. L. DAWES, Managers on the part of the Senate.

The report was adopted.

Mr. STRAIT moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF RUSINESS.

Mr. BLACKBURN. I now move that the House take a recess until 12 o'clock to-morrow for the consideration of such business as may come before it other than contested-election cases.

Mr. WHITE, of Kentucky. I move to amend by providing for a recess until Monday morning at 9 o'clock.

Mr. TURNER, of Georgia. Does this proposition require unanimous

The SPEAKER. The Chair will state that the latter part of the motion of the gentleman from Kentucky [Mr. BLACKBURN], excluding a particular class of business from consideration, requires unanimous consent

Mr. BLACKBURN. Then I will make the motion that the House now take a recess until 12 o'clock to-morrow, and will state that so far as I can aid in preventing their consideration election cases will not be

Mr. HUTCHINS. There is no such pressing necessity as to justify this proposition, and I protest in the strongest terms against this dese cration of the Sabbath.

Mr. BLACKBURN. I withdraw the motion I have made, and substitute a motion that the rules be suspended so that the House now take a recess until 12 o'clock to-morrow, to proceed with legislative business other than contested-election cases

Mr. WHITE, of Kentucky. I demand a second on the motion to sus-

pend the rules.

Mr. BENNETT. I rise to a question of privilege, and call up the contested-election case of Frederick vs. Wilson, from the State of Iowa. Mr. HAMMOND. I move that the House do now adjourn.

Several members addressed the Chair.

The SPEAKER. Debate is not in order. The Chair will state the position of the question. The gentleman from Kentucky [Mr. BLACK-BURN] moves to suspend the rules so as to take a recess until to-morrow at 12 o'clock for the transaction of business other than contestedelection cases. Pending that motion the gentleman from North Caro-lina [Mr. BENNETT] calls up the contested-election case from the State of Iowa; and then the gentleman from Georgia [Mr. HAMMOND] moves that the House adjourn, which is the first question to be voted upon

and is not debatable or amendable.

Mr. WHITE, of Kentucky. I demanded a second on the motion of my colleague [Mr. BLACKBURN].

The SPEAKER. The Chair has not reached that point yet.

Mr. REAGAN. I suggest to the gentleman from Georgia to change his motion from that of adjournment to taking a recess until 9 o'clock Monday morning. [Cries of "Regular order!" "Vote!"]

Mr. BLACKBURN. If the Chair will hear me a moment [cries of "Regular order!"], I want to submit a motion that takes precedence of the motion of the gentleman from Georgia. I move that when the House adjourns to-day it adjourn to meet to-morrow at 12 o'clock.

The SPEAKER. That changes an order of the House, which is to meet at 11 o'clock. The question is on the motion to adjourn.

The House divided; and there were—ayes 80, noes 85.

Mr. HUTCHINS. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative-yeas 108, nays 83, not voting 133; as follows:

	Control of the Contro	A.5—105.	The state of the s
Adams, G. E.	Dunham,	Ketcham,	Rowell,
Anderson,	Dunn,	Lanham,	Ryan,
Atkinson,	Eaton,	Lawrence,	Seymour,
Barksdale,	Ellwood,	Le Fevre,	Singleton,
Bayne,	Everhart,	Long,	Skinner, C. R.
Bland,	Ferrell,	MeAdoo,	Smalls.
Boutelle,	Forney,	McComas,	Smith, H. Y.
Boyle,	Greenleaf,	McCormick,	Spriggs,
Bratton,	Hammond,	Miller, J. F.	Steele,
Breckinridge,	Hardy,	Mills,	Stephenson,
Broadhead,	Hart,	Muller,	Stewart, Charles
Brown, W. W.	Hatch, W. H.	Nelson,	Stewart, J. W.
Brumm,	Hemphill,	Parker,	Strait,
Buchanan,	Henderson, T. J.	Patton,	Struble,
Caldwell,	Hepburn,	Payne,	Sumner, D. H.
Campbell, Felix	Hewitt, A.S.	Pettibone,	Swope,
Campbell, J. M.	Hewitt, G. W.	Pierce,	Taylor, J. D.
Candler,	Hiscock,	Potter,	Thomas,
Clements,	Hitt,	Price,	Tillman,
Converse,	Hopkins,	Pryor,	Van Eaton,
Cox, W. R.	Horr,	Randall,	Wallace,
Craig,	Howey,	Ranney,	Washburn,
Crisp,	Hutchins,	Reed, T. B.	White, J. D.
Culberson, D. B.	James,	Reid, J. W.	Whiting,
Davis, G. R.	Jones, B. W.	Reese,	Wilkins,
Dixon,	Jones, J. H.	Riggs,	Wolford,
Dockery,	Keifer,	Rock well,	York.
	NA	YS-83.	

N	AYS-83.	
Ellis, English,	Mitchell, Morrill,	Shively, Skinner, T. G.
Ermentrout,	Murphy,	Spooner,
Foran,	Ochiltree,	Springer, Stevens,
	O'Ferrall,	Stockslager, Sumner, C. A.
Green,	O'Neill, Charles	Talbott,
	Paige, Peel	Taylor, J. M. Townshend,
Hill,	Perkins,	Turner, H. G.
Jeffords,	Peters, Poland,	Valentine, Wadsworth,
Kleiner,	Post,	Ward, Warner, Richard
Lovering,	Ray, Ossian	Weaver.
		Wellborn, Wemple,
McMillin,	Rogers, W. F.	White, Milo
Matson, Milliken,	Rosecrans, Seney,	Woodward.
	Ellis, English, Ermentrout, Follett, Foran, Foran, Funston, Goff, Green, Halsell, Hancock, Hill, Holmes, Jeffords, Kleiner, Lewis, Lovering, Lowry, McCoid, McMillin, Matson,	Ellis, Mitchell, English, Morrill, Morrill, Frmentrout, Marphy, Follett, Ochiltree, Ochiltree, Foran, Ochiltree, Ochiltree, O'Neill, Charles Halsell, Paige, Hancock, Peel, Hill, Perkins, Holmes, Post, Lewis, Pusey, Lovering, Ray, Ossian Lowry, McCold, Rogers, J. H. Medillin, Rogers, W. F. Matson, Rosecrans.

	NOT VO	TING-133.	
Aiken,	Dowd,	Jordan,	Russell,
Alexander,	Eldredge,	Kean,	Shaw,
Bagiey,	Elliott,	Kelley,	Siocum,
Ballentine,	Evans,	Kellogg,	Smith, A. Herr
Barbour,	Fiedler,	King,	Snyder,
Barr,	Findlay,	Lacey,	Stone,
Beach,	Finerty,	Laird,	Storm,
Belford,	Fyan,	Lamb,	Taylor, E. B.
Belmont,	Garrison,	Libbey,	Thompson,
Bingbam,	Geddes,	Lore,	Throckmorton,
Blanchard,	George,	Lyman,	Tucker,
Blount,	Gibson,	Maybury,	Tully,
Bowen,	Glascock,	Millard.	Turner, Oscar
Brainerd,	Graves,	Miller, S. H.	Van Alstyne,
Brewer, F. B.	Guenther,	Money,	Vance,
Brewer, J. H.	Hanback,	Morgan,	Wait,
Buckner,	Hardeman,	Morrison,	Wakefield,
Burleigh,	Harmer,	Morse,	Warner, A. J.
Cannon,	Hatch, H. H.	Moulton,	Weller,
Chalmers,	Haynes,	Muldrow,	Williams,
Cobb,	Henderson, D. B.	Murray,	Willis,
Collins,	Henley,	Neece,	Wilson, James
Connolly,	Herbert,	Nicholls,	Wilson, W. L.
Cox, S. S.	Hoblitzell,	Nutting,	Winans, E. B.
Culbertson, W. W.	Holman,	Oates,	Winans, John
Cullen,	Helton,	O'Neill, J. J.	Wise, G. D.
Cutcheon,	Hooper,	Payson,	Wise, J. S.
Dargan,	Houk,	Phelps,	Wood,
Davidson, Davis, L. H. Davis, R. T. Deuster,	Houseman, Hunt, Hurd, Johnson,	Rankin, Ray, G. W. Reagan, Rice,	Worthington, Yaple, Young.
Dibrell,	Jones, J. K.	Robinson, J. S.	
Dingley,	Jones, J. T.	Robinson, W. E.	

So the motion was agreed to.

During the roll-call,

Mr. YORK moved to dispense with the reading of the names. There was no objection, and it was ordered accordingly.

The following pairs were announced: On all political questions until further notice: Mr. Morrison with Mr. John S. Wise.

Mr. Shaw with Mr. Laird. Mr. Throckmorton with Mr. Ezra B. Taylor.

Mr. Jordan with Mr. Henderson, of Iowa. Mr. Hurd with Mr. Rice. "Mr. Neece with Mr. Chalmers. For the remainder of the day:

Mr. GLASCOCK with Mr. KEAN. Mr. GEORGE with Mr. GIBSON.

Mr. BLANCHARD with Mr. KELLOGG.

Mr. Barr with Mr. Garrison. Mr. Nicholls with Mr. Lyman. Mr. Buckner with Mr. Wait.

Mr. SNYDER with Mr. HANBACK. Mr. HOLTON with Mr. WILSON, of West Virginia.

Mr. DINGLEY with Mr. Morse. Mr. Houk with Mr. Willis. Mr. Millard with Mr. Elliott. Mr. Davidson with Mr. Harmer.

Mr. Brewer, of New Jersey, with Mr. McAdoo. Mr. Lamb with Mr. Hitt.

Mr. Jones, of Alabama, with Mr. Kelley.
Mr. Vance with Mr. Stone.
Mr. Ballentine with Mr. Cutcheon.
Mr. Covington with Mr. Phelps.
Mr. Williams with Mr. Finerty.
Mr. O'Nerly of Missouries in Mr.

Mr. O'NEILL, of Missouri, with Mr. BINGHAM. Mr. YAPLE with Mr. LACEY.

On this vote:

Mr. Morrison with Mr. Wilson, of Iowa. Mr. Tully with Mr. A. Herr Smith. Mr. Thompson with Mr. Ray, of New York. Mr. Young with Mr. Payson.

Mr. HOBLITZELL with Mr. MILLARD. Mr. FIEDLER with Mr. JOHNSON.

Mr. TURNER, of Kentucky, with Mr. BURLEIGH.

Mr. MURRAY with Mr. BOWEN.

Mr. AIKEN with Mr. EVANS. Mr. GEORGE D. WISE with Mr. LIBBEY.

The vote was then announced as above recorded.

PRODUCTION OF PRECIOUS METALS.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a report from the Director of the Mint of the production of precious metals in the United States during the calendar year of 1884; which was referred to the Committee on Coinage, Weights, and Measures, and ordered to be

And then (at 6 o'clock and 40 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ARNOT: Petition of citizens of New York, asking for the repeal of revenue tax on tobacco, &c.—to the Committee on Ways and

By Mr. BAYNE: Resolution of the Legislature of Pennsylvania for the passage of the bill placing General U. S. Grant on the retired-list as General—to the Committee on Military Affairs.

Also, petition of John Launitz and others, of Allegheny County,

Also, petition of John Launtz and others, of Allegheny County, Pennsylvania, requesting Congress to take early action for the suppression of Mormonism—to the Committee on the Judiciary.

By Mr. BRUMM: Resolution of the Legislature of Pennsylvania in favor of the retirement of General U. S. Grant—to the same committee.

By Mr. R. T. DAVIS: Two petitions of citizens of Nantucket, Mass., on Indian affairs—to the Committee on Indian Affairs—to the Committee on Indian Affairs.

By Mr. FINERTY (by request): Petition of Henry Richards and others, praying for the investigation of certain proceedings in the United States district and circuit courts, eastern district of Louisiana, and the third judicial district of Dakota—to the Committee on the Ju-

diciary.

By Mr. D. B. HENDERSON: Petition of George W. Brindell and 60 others, citizens of Manchester, Iowa, praying for legislation against

Mormonism—to the same committee.

By Mr. HOPKINS: Resolution of the Legislature of Pennsylvania

in favor of placing General U. S. Grant on the retired-list—to the Committee on Military Affairs.

Also, resolution of the Legislature of Pennsylvania in opposition to the abolition of the National Board of Health—to the Select Committee on the Public Health.

By Mr. HOWEY: Petition of Rev. J. G. Williamson, J. G. Huffman, and others, citizens of Hunterdon County, New Jersey, praying for early action looking to the suppression of Mormonism—to the Committee on

By Mr. JAMES: Petition of Mrs. Lenette M. Frost, for extension of letters patent No. 51735 and reissues Nos. 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, to her as sole legatee and devisee of John K. Mayo, deceased—to the Committee on Patents.

Also, petition of 66 voters of Cazenovia, N. Y., praying for early ac-

tion upon the so-called Mormon question-to the Committee on the Judiciary.

By Mr. KEAN: Two petitions of citizens of Elizabeth, N. J., rela-

tive to the Mormon question—to the same committee.

By Mr. LANHAM: Petition of W. L. Sartwelle and others, of Comanche, Tex., on the Mormon question—to the same committee.

By Mr. LIBBEY: Petition of Philip Epstein and others, for relief—

to the Committee on War Claims.

By Mr. MORRILL: Memorial of the Legislature of Kansas, asking for a general pension to the soldiers of the rebellion—to the Committee

on Invalid Pensions.

By Mr. PATTON: Petition of Mrs. E. Tate, president of the Home Missionary Society of Tionesta, Pa., accompanied with 134 names from the same place, asking for legislation on the Mormon question—to the

Committee on the Judiciary.

By Mr. VAN ALSTYNE: Report and resolution of the Board of Trade of the city of Albany, N. Y., in opposition to the passage of any act by Congress authorizing the erection of a bridge across the Hudson River at Storm King—to the Committee on Commerce.

By Mr. WASHBURN: Joint resolution of the Legislature of Min-

By Mr. WASHBURN: Joint resolution of the Legislature of Minnesota urging upon Congress the immediate enlargement of the lockage of the Sault Saint Mary—to the Committee on Rivers and Harbors.

By Mr. WILKINS: Petitions of Rev. Thomas A. Kohr and 100 others, citizens of Palatha; of J. W. Lindstedt and 72 others, citizens of Mount Vernon, and of Rev. Faris Brown and 112 others, citizens of New Concord, Ohio, praying for the suppression of Mormonism—to the Committee on the Judiciary.

By Mr. JOHN WINANS: Memorial of the State Legislature of Wisconsin for an appropriation for experiments with sorehum and improved.

consin for an appropriation for experiments with sorghum and improved methods of making sugar—to the Committee on Agriculture.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. W. W. BROWN: Joint resolutions of the Legislature of the Commonwealth of Pennsylvania.

By Mr. GEORGE: Of Charles H. Osterhaudt and 20 others, of

By Mr. KEIFER: Of R. C. McLaughlin and 63 others, of Frampton; of Samuel Wise and 24 others, of Calla; of J. H. Kimball and 161 others, of C. R. Thomas and 45 others, of Prospect; of J. A. Boyer and 41 others, of West Liberty; of Issac Ax and 40 others, of Beach City; of James Fanning and 104 others, of Forest; of W. D. Mathews and 60 others, of Mount Gilead; of Philetus Dow and 70 others, of Davis; and of Martin Electron 101 of Philetus Dow and 70 others, of Davis; and of Martin Electron 101 of Philetus Dow and 70 others, of Davis; and of Martin Electron 101 of Philetus Dow and 70 others, of Davis; and of Martin Electron 101 of Philetus Dow and 70 others, of Davis; and of Martin Electron 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Martin 101 of Philetus Dow and 70 others, of Davis; and of Philetus Dow and 70 others, of Davis; and of Philetus Dow and 70 others, of Davis; and of Davis; and of Philetus Dow and 70 others, of Davis; and of Davis; and of Davis; and of Davis; and Others, of Davis; and of Davis; and Others, of Davis; and Others, of Davis; and Others, of Davis; and Oth

vin F. Hasson and 101 others, of Centreburg, Ohio.

By Mr. MATSON: Of John H. Percy and 16 others, ex-Union sol-

diers, of Greencastle, Ind.

By Mr. RAYMOND: Thirty-four petitions of citizens of Dakota, and also one of 320 soldiers of Fort Meade, Dak.

By Mr. SPRIGGS: Resolutions of the Grand Army of the Republic, Department of New York.

SENATE.

MONDAY, March 2, 1885.

The Senate met at 9 o'clock a. m.

Prayer by the Chaplain, Rev. E. D. Huntley, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last.

Mr. HALE. I ask unanimous consent that the further reading of the Journal may be dispensed with. There has been ample time to prepare it, and I have no doubt it is entirely accurate.

The PRESIDENT protempore. Is there objection? The Chair hears none, and the further reading of the Journal is dispensed with.

Mr. GIBSON presented the credentials of James B. Eustis, chosen by the Legislature of Louisiana a Senator from that State for the term beginning March 4, 1885; which were read and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purpose

The message also announced that the House had concurred in the amendment of the Senate numbered 23 to the bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year 1836, and for other purposes.

The message further announced that the House had passed a bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June

30, 1886, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had non-concurred in the amendments of the Senate to the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. OLIN WELLBORN of Texas, Mr. T. G. SKINNER of North Carolina, and Mr. B. W. PERKINS of Kansas managers at the conference on its

The message further announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 544) granting increase of pension to Elijah W. Penny;

A bill (S. 1113) granting a pension to Anne E. Manchester;

A bill (S. 1612) granting a pension to Bryson R. McCartney;

A bill (S. 1633) granting a pension to James Bond;

A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney

A bill (S. 1811) granting a pension to Anne T. Dicks;
A bill (S. 1836) granting an increase of pension to Sarah Hague;
A bill (S. 1877) granting increase of pension to John Hall;
A bill (S. 1911) for the relief of Duncan L. Clinch, of the State of

A bill (S. 2125) granting a pension to Sarah Jane Prince;

A bill (S. 2153) granting a pension to Benjamin F. Brockett;

A bill (8. 2245) granting a pension to William N. Morris; A bill (8. 2262) granting a pension to Sedate P. Martin; A bill (8. 2268) for the relief of Robert J. Ballort; A bill (8. 2279) granting a pension to Lewis L. Canady;

A bill (S. 2302) granting a pension to John Lowe; A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;

granting a pension to Sarah A. White; granting a pension to Mrs. Mary Gordon; A bill (S. 2367) bill (S. 2437)

A bill (S. 2443) granting an increase of pension to Polly Young; A bill (S. 2527) granting a pension to Robert Sheridan; A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;

A bill (8. 2607) granting a pension to Mary B. Holmes; A bill (8. 2619) granting an increase of pension to Martha Hughes; A bill (8. 2620) granting a pension to Thomas H. Boaz;

A bill (H. R. 851) for the relief of the heirs of Mary Jane Veazie,

A bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for other Government pur-

A bill (H. R. 948) for the relief of John M. Dorsey and William F.

Shepard;

A bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-gen-

eral in the United States Army;
A bill (H. R. 1132) to place J. Washington Brank on the musterrolls of Company B, Second North Carolina Mounted Infantry;
T bill (H. R. 1321) for the erection of a public building at Reading,

Pa.;

A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for money erroneously collected from him by the Post-Office Department;

A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 1813) granting an increase of pension to Ann Cornelia

A bill (H. R. 2123) for the erection of a public building at Wichita,

Kans : A. bill (H. R. 2722) for the relief of Martha Turner;

A bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash.;

A bill (H. R. 3008) for the relief of certain settlers on the Duck Valley Indian reservation, in Nevada;

A bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y.

A bill (H. R. 3593) for the erection of a public building at Chicago,

Ill.;
A bill (H. R. 4067) to change the limit of appropriation for the publie building at Louisville, Ky.;

A bill (H. R. 4686) for the relief of Fendall Carpenter; A bill (H. R. 5452) for the relief of John W. Martin; A bill (H. R. 5747) to authorize the increase of the capital stock of

A bill (H. R. 5/47) to authorize the increase of the capital stock of the First National Bank of Larned, Kans., not to exceed \$250,000;
A bill (H. R. 6089) for the relief of Moses F. Carleton;
A bill (H. R. 6087) authorizing the payment by the Secretary of the Treasury of the United States to Charles H. Getman, the firm of E. W. Rathbun & Co., the firm of Kinyon, Wright & Co., the firm of Bond & Jenkins, and the firm of Page, Fairchild & Co., certain duties paid by them on imported lumber accidentally burned while in custody of officers of customs and before the same had entered into consumption;

A bill (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer now on the retired-list of the

to appoint one passed assistant engineer now on the retired-list of the Navy a chief engineer on the retired-list of the Navy;

A bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army;

A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord;

A bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, United States Navy; and

A bill (H. R. 8034) for the relief of the estates of Hugh and Byrd Douglas, deceased.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting a supplemental list of claims allowed by the accounting officers of the Treasury under the act of March 3, 1849. The Chair is not sure, but thinks the letter ought to be referred to the Committee on Claims.

Mr. JACKSON. The Committee on Claims has usually acted upon that class of cases. I suggest that the communication be referred to

that committee

The PRESIDENT pro tempore. If there be no objection, the communication, with the accompanying papers, will be referred to the Com-

munication, with the accompanying papers, will be referred to the Committee on Claims and ordered to be printed.

The PRESIDENT protempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate received from the Secretary of the Navy for a combined coal-shed and store-house for the naval station at Port Royal, S. C.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

LAND TITLES IN NEW MEXICO.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of the 4th and 20th instants, a letter from the Commissioner of the General Land Office, with accompanying papers, upon the subject of the fraudulent acquisition of titles to lands in New Mexico. The letter with the accompanying papers will be printed and referred to the Committee on Public Lands. [A pause.] The Chair sees that the documents are very voluminous, and will direct, if there be no objection, that the letter of the Secretary of the Interior and the letter of the Commissioner of the General Land Office be printed, and with the accompanying papers referred to the Committee on Printing, in order that the Committee on Printing may determine the question of printing them.

Mr. HILL. The time is very short now in which this matter can

Mr. HILL. The time is very short now in which this matter can be considered. These papers are of very great importance, and I hope an order will be made to print them without a reference to the Committee on Printing, as it is so near the close of the session.

Mr. INGALLS. I should regret exceedingly to have an order made for the printing of the mass of papers sent in under the resolution, without their being examined by the proper committee. I think the rule requires it

The PRESIDENT pro tempore. The first paragraph of the twenty-ninth rule leaves it in the discretion of the Senate whether to order the printing without a reference. It requires that such papers as offices shall be referred to the Committee on Printing unless the Senate shall otherwise order. The Chair understands the Senator from Colorado to move that the Senate order that the papers be now printed. Is that the motion of the Senator from Colorado?

Mr. HILL. Yes, sir.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. HAWLEY. The Senator will allow me to suggest that that is rather a formidable pile of papers, as the Chair has remarked. With the charge that is now upon the Printing Office anyhow, by reason of the particular time, I will not say that it would be impossible for the Printer to print those papers at once, for of course if everything else is sacrificed he can have them here to-morrow morning. The Printing Office can have almost anything in the world here in print in the morning, but in the course of proper business we should not get them under a week or ten days

The PRESIDENT pro tempore. The Chair understands the Senator from Kansas to move that the papers be referred to the Committee on

Mr. INGALLS. That is my motion.

The PRESIDENT pro tempore. Pending the motion of the Senator from Colorado the Senator from Kansas moves that the papers be referred to the Committee on Printing:

Mr. HILL. Is this subject open to debate?

The PRESIDENT pro tempore. The Chair thinks it is. The Chair will state the question. The Senator from Colorado has moved that the papers be printed. The Senator from Kansas thereupon moves that the papers, together with the motion or resolution to print them, be referred to the Committee on Printing. The Chair thinks that the motion of the Senator from Kansas is first to be put, so that the question is first on the reference.

Mr. HILL. I desire to offer briefly some explanation.
Mr. HOAR. Will the Chair be good enough, before the Senator from
Colorado proceeds, to state what the papers relate to?
The PRESIDENT pro tempore. They relate to alleged frauds in respect of public lands in New Mexico. The mass of papers sent up is so large, it being the mass here on the table, that the Chair thought it fit to refer them to the Committee on Printing, but the Senator from Color to refer them to the Committee on Printing, but the Senator from Colo-

rado desires that they be now printed.

Mr. HILL. Mr. President, on the 4th of February the Senate adopted a resolution, offered by me, directing the Secretary of the Interior to furnish to the Senate copies of the reports of F. D. Hobbs and R. A. Green, who held the official position of inspectors of land offices, in respect to the fraudulent acquisition of titles to the public lands in New

Mexico, and of the testimony accompanying the reports.

The resolution further directed the Secretary of the Interior to furnish copies of "all papers on file relating to this subject."

I offered this resolution in consequence of information communicated

to me by letters from well-known citizens of New Mexico, to the effect that the reports of Messrs. Hobbs and Green exposed great land frauds in New Mexico, in which the register of the land office at Santa Fé was an active participant, and involved the integrity of persons holding much higher official positions than that held by the register. These reports recommended not only that the register should be dismissed from the office, but that the United States attorney in New Mexico should be instructed to take measures to prosecute him and secure his proper punishment for various crimes and misdemeanors. Whether by a mistake or by inadvertence, it would appear that honest men were selected by the Secretary of the Interior to investigate these frauds, or at least that Hobbs and Green went to New Mexico with the intention of hon-estly discharging their official duties.

No action was taken on the reports, the one relating to the land office having been sent to the Interior Department on the 17th of July. The register was retained in his office by the Secretary of the Interior, boasting that he was "solid," to use his own expression, with the Secretary of the Interior, and would therefore be left undisturbed in his offi-

cial position.

About the 16th of last month I received a letter from a prominent citizen of Santa Fé, from which I quote the following words:

In conversation with United States Prosecuting-Attorney Prichard, for New Mexico, he yesterday informed me that he had made application some six weeks or two months ago for copies of the reports of Messrs. Hobbs and Green, for the purpose of aiding him in prosecuting suits against certain parties indicted for irregular land transactions, whom he has reason to believe were mentioned in said reports, but up to this time has not been able to extort a reply from the Interior Department. He also informs me that by reason of said failure to respond to his request he finds himself sadly crippled in the discharge of his duties.

On the 20th day of February, ten days ago to-day, the President nominated Charles F. Easley to be register of the Santa Fé land district, in place of Max Frost, resigned. His resignation was plainly in consequence of the resolution of February 4 and of the disclosures sure to result from it. Asstrange as it may appear, it did not occur till nearly eight months after the report of Hobbs was received at the Interior Department, so much time being generously allowed him apparently to aid the parties who were extensively engaged in plundering the public domain to close up their transactions.

main to close up their transactions.

On the 19th of February, no copies having been sent to the Senate in compliance with the resolution of February 4, I called at the Interior Department to inquire as to the cause of what seemed to be an extraordinary delay. I was then informed that copies had been made of the reports of the inspectors, Hobbs and Green, and of the evidence accompanying the same, but that further time would be required to comply with the electric part of the resolution which called for copies of the with the closing part of the resolution which called for copies of "

papers on file relating to this subject."

On the next day, February 20, the resolution was modified by the Senate, on my motion, by striking off the words which I have just

quoted.

On the 24th of February, the copies not yet having been received by the Senate, I again went to the Interior Department to ascertain the

cause of the continued delay.

I was then informed that the copies of all the papers called for by the resolution of February 4, as modified by the Senate, were complete, and nothing remained to be done except the writing of the formal letter of transmission to the Senate. The papers were not, however, sent to the President of the Senate till last Saturday, the 28th.

New, Mr. President, I believe I am justified in saying that the reso-

lution of the Senate has been complied with reluctantly and with unnecessary delay, and finally, when the papers come, within two or three days of the close of this Congress, a large mass of material is thrown in, which in no sense was called for under the modified resolu-tion, to embarrass the action of the Senate in the matter of ordering the papers printed.

The papers are of a character which requires that they should be printed for the information of Congress and the country. They embrace reports of important officials of the General Land Office and of evidence officially taken by them, which have been hidden from sight in pigeon-holes for nearly eight months, and the threatened publication of which has caused the flight of one of the implicated parties by a resignation of his office. It is true that this is only one of hundreds of cases of criminal misconduct, on which there is an imperative necessity that light should be thrown.

These papers relate to a subject about which the public mind is very sensitive, the administration of the public domain. There is a widespread belief that it is preyed upon and plundered by those who have no just right to it and in violation of the rights of the Government and of the people.

I trust that with this explanation the papers may be allowed to be printed. It is not necessary that they should be furnished to the Senate by the close of the Congress, but if they are ordered to be printed now they will come out in due time, and it is information which the public ought to have.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is, Will the Senate agree to refer the papers, with the motion to

print, to the Committee on Printing? The motion to refer was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885 was read twice by its title, and referred to the Com-

mittee on Printing.

REPORT ON THE PRECIOUS METALS.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution, received on Saturday from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the report of the Director of the Mint on the production of the precious metals in the United States for the year 1884 be printed, and that 9,000 extra copies be printed; 4,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 3,000 copies for the use of the Director of the Mint,

PUBLIC BUILDING AT COUNCIL BLUFFS.

Mr. CAMERON, of Wisconsin. There is one House public building bill remaining on the Calendar. I ask unonimous consent that that may be taken up and considered at this time.

may be taken up and considered at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 441) for the completion of a public building at Council Bluffs, Iowa.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 3, before the word "thousand," to strike out "one hundred" and insert "fifty; so as to make the bill

Be it enacted, &c., That the additional sum of \$50,000 is bereby appropriated to erect a post-office, court-room, and internal-revenue building at Council Bluffs, Iowa, to be expended by the Sceretary of the Treasury, subject to the requirements of an act for that purpose approved May 25, 1882. The limit of cost-pre-scribed in said act is hereby extended, and no plan shall be approved which will involve an expenditure for site and building complete, including approaches, greater than the limit herein fixed.

Mr. ALLISON. I hope the amendment will not be adopted.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. HOAR. I ask unanimous consent that it shall be in order to offer to the sundry civil appropriation bill when it comes up for consideration this amendment:

For the woman's department of the World's Industrial Exposition now held in New Orleans, \$15,000.

The PRESIDING OFFICER. The Senator from Massachusetts asks the unanimous consent of the Senate that it shall be in order to offer the amendment which he has just sent to the desk. Is there objec-

Mr. GIBSON. I should like to hear the amendment read.

Mr. HOAR. It is merely to appropriate an additional \$15,000 for the woman's department.

The PRESIDING OFFICER. The amendment will be read for the

information of the Senate.

The Chief Clerk read as follows:

For the woman's department of the World's Industrial Exposition now held in New Orleans, \$15,000.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. SHERMAN. What is the request?

The PRESIDING OFFICER. That the amendment just read shall be considered in order as an amendment to the sundry civil appropriation bill. Is there objection? The Chair hears none.

JOHN F. SEVERANCE.

Mr. DAWES. I am obliged to be absent from the Senate to-day, and I ask the Senate to take up the bill (H. R. 2268) for the relief of John F. Severance. It is a little House bill appropriating only \$85.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates \$85, to be placed to the credit of the Post-Office Department, and directs the proper accounting officers of the Post-Office Department to credit Laby F. Severance of officers of the Post-Office Department to credit John F. Severance, of Shelburne, Mass., in his account as postmaster, with that sum for loss by robbery of his post-office on the night of the 19th of June, 1878, without fault or neglect on the part of the postmaster.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WOMAN SUFFRAGE.

Mr. HOAR. I give notice that to-morrow morning, after the reading of the Journal, at the first convenient opportunity, not to interfere with an appropriation bill, I shall ask the Senate to take up for consideration Senate joint resolution No. 19, being a resolution proposing an amendment to the Constitution of the United States to secure the right of suffrage to women. It is not proposed to debate that question, but merely to get a vote on it without debate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask leave to report from the Committee on Appropriations the sundry civil appropriation bill.

The PRESIDING OFFICER. If there be no objection the report

will be received at this time.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year entire the state of the control of the committee of the control of 30, 1886, and for other purposes, to report it with amendments.

The bill is on the table of Senators in print, with the amendments.

I ask unanimous consent that the Senate now proceed to the consider-

ation of the bill.

The PRESIDING OFFICER. Is there objection to the request of

the Senator from Iowa?

Mr. McMILLAN. I rise to make an inquiry as to the effect of assent to that proposition. Does it affect the unfinished business of Saturday?

Does it imply an assent that that shall be laid aside informally?

The PRESIDING OFFICER. It does not affect the status of the

The PRESIDING OFFICER. It does not allect the status of the bill referred to by the Senator from Minnesota at this time in any manner whatever. If, however, the sundry civil appropriation bill should continue under consideration through the day and the Senate adjourn with it pending it would become the unfinished business.

Mr. McMILLAN. I have no objection to make to taking up the bill informally if it does not include an assent to laying aside informally

the bill which was under consideration by the Senate on Saturday.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Minnesota that even if the sundry civil appropriation bill is not finished to-day, if the bill he refers to shall be laid before the Senate prior to adjournment it would be continued as unfinished business.

Mr. ALLISON. Do I understand the Senator from Minnesota to ob-

ject?

Mr. McMILLAN. I do, if it implies assent that the bill forfeiting the land grant to the State of Iowa shall be laid aside informally.

Mr. ALLISON. I will say to the Senator from Minnesota that I do not wish to interfere with any of the pending business before the Senate further than is absolutely necessary to continue the consideration of the appropriation bill to-day until it is completed, as I am of the opinion that unless we complete the bill to-day we shall have an opportunity of sitting here some days after the 4th of March.

Mr. HARRISON The Senator from Large will all the control of the control

Mr. HARRISON. The Senator from Iowa will allow me to suggest that as I understand the Senator from Minnesota he is not apprehenthat as I understand the Senator from Minnesota he is not apprehensive that the bill he has referred to may be interfered with, but his apprehension is that it may not be, and he desires the Senator from Iowa to move to proceed to the consideration of the appropriation bill so as to displace the other bill.

Mr. McMILLAN. For that purpose I will object to the consideration of the appropriation bill.

Mr. ALLISON. Very well; the Senator objects.

Mr. McMILLAN. Now I move to lay aside the unfinished business.

The PRESIDING OFFICER. That motion is not now in order.

The morning business has not been completed, and the time for enter-taining such a motion has not yet arrived.

Mr. HOAR. I ask unanimous consent to make a suggestion to the

Senator from Minnesota.

The PRESIDING OFFICER. If there be no objection the Senator from Massachusetts will be heard. Is there objection? The Chair

Mr. HOAR. The Senator from Minnesota knows very well that I am opposed to the bill which he opposes, but it is always a mere question of a vote of the Senate. If the land-forfeiture bill remains the unfinished business, a vote of the Senate can lay it aside without debate. If, on the other hand, it does not remain the unfinished business. but is displaced by the request of the Senator from Iowa to proceed to the consideration of the appropriation bill, a vote of the Senate can

take it up without debate.

Mr. McMILLAN. Certainly; that is all I desire.

Mr. HOAR. So I suggest that it is hardly worth while to postpone the appropriation bill for an hour, which would be the effect of the Senator's position, because the Senator from Iowa can not get the bill up senator's position, because the Senator from Iowa can not get the bill up without unanimous consent until all the morning business is disposed of. It can not be done on motion, and as it runs the risk of some inconvenience to the Senate I hope the Senator from Minnesota will withdraw the objection.

Mr. McMILLAN. I desired to make an inquiry as to the effect of taking up the appropriation bill. I will withdraw the objection for the present.

The PRESIDING OFFICER. The Senator from Minnesota withdraws the objection heretofore made. Is there objection to the request of the Senator from Iowa that the Senate proceed to the consideration

of the Senator from lowa that the Senate proceed to the consideration of the sundry civil appropriation bill?

Mr. CALL. I gave notice on Saturday that I should occupy the time of the Senate for a few minutes to-day in the consideration of a petition for the forfeiture of a land grant in the State of Florida. I make no objection to the request of the Senator from Iowa, the chairman of the Committee on Appropriations, to take up the appropriation bill, but I renew the notice I gave that when the bill is terminated I shall ask the

renew the notice I gave that when the bill is terminated I shall ask the Senate to give me the opportunity of being heard for ten or fifteen minutes upon the petition, which is lying on the table.

Mr. ALLISON. After the appropriation bill shall have been concluded, of course it is not my purpose to interfere with the wish of the Senator from Florida.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa that the Senate do now proceed to the consideration of the sundry civil appropriation bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

other purposes.

Mr. ALLISON. I ask unanimous consent that the formal reading of the bill be dispensed with, and that as the reading progresses the amendments reported by the Committee on Appropriations may be

The PRESIDING OFFICER. The Senator from Iowa asks the unanimous consent of the Senate that the first or formal reading of the

unanimous consent of the Senate that the first or formal reading of the bill be dispensed with, and that it be read by paragraphs for amendment. Is there objection? The Chair hears none, and it is so ordered. The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, in the appropriations for the "Botanic Garden," in line 12, after the word "Congress," to strike out "four thousand six" and insert "seven thousand four;" so as to read:

Botanie Garden:
For concreting walks, reconstructing plant-house No. 13 with iron ribs, extending water supplies, and for general repairs, under the direction of the Joint Library Committee of Congress, \$7,400.

The amendment was agreed to. The next amendment was, after line 13, to insert:

UNDER THE STATE DEPARTMENT.

For payment, under the final award made by the late French and American Claims Commission against the United States, of the claims of French citizens against this Government, under the treaty of January 15, 1880, between this country and France, \$625,566.35.

The amendment was agreed to.

The next amendment was, after line 21, to insert:

International boundary survey, United States and Mexico: To enable the President to execute the engagements of the convention of July 29, 1882, between the United States of America and the United States of Mexico, providing for an international boundary survey to relocate the existing frontier line between the two countries west of the Rio Grande, \$224,556.75, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations for public buildings "under the Treasury Department," after line 32, to insert:

For court-house and post-office at Abingdon, Va.: For completion under present limit, \$25,000.

The amendment was agreed to.

The next amendment was, after line 35, to insert:

For fitting up the building known as the "club-house," Sitka, Alaska, as a temporary jail, \$5,000.

The amendment was agreed to.

The next amendment was, after line 37, to insert:

For repairing Government building for court-room at Sitka, \$1,500.

The amendment was agreed to.

The next amendment was, after line 39, to insert:

For repairing Government building for court-room at Wrangel, \$500.

The amendment was agreed to.

The next amendment was, after line 41, to insert:

For repairing court-room and jail at Ounalaska, \$1,000.

The amendment was agreed to.

The next amendment was, after line 43, to insert:

For constructing a frame or log court-house and jail at Juneau City, \$5,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 60 to line 82, inclusive, in the following words:

82, inclusive, in the following words:

That the Secretary of the Treasury is hereby authorized and directed to sell at public auction, in the city of Boston, Mass., to the highest bidder, after thirty days' notice in six of the principal newspapers published in the city of Boston, the land and premises known as the old United States court-house in said city, on the corner of Tremoni street and Temple Place, the time and place of said sale in said city to be fixed by the Secretary of the Treasury at a date not later than ninety days after the passage of this act, and at a price not less than \$225,000, with power to reject any or all bids and to readvertise and offer the said property in like manner as often as may be necessary to secure the value thereof; and the cost to be paid from proceeds of sale. And it shall be the duty of the Secretary of the Treasury to cause inquiry to be made as to the value of this property; and if it shall appear that the price above named is inadequate, he is authorized and directed to appoint a board of three persons in the employ of the United States to assess the value of the said property, and report the same to the Secretary of the Treasury, when the sum fixed by this board shall be the minimum price at which the property may be thus sold.

The amendment was agreed to.

The amendment was agreed to.
The next amendment was, after line 82, to insert:

For post-office and subtreasury at Boston, Mass.: For completion, \$15,000.

The amendment was agreed to.

The next amendment was, after line 90, to insert:

For marine hospital at Cairo, III.: For completing hospital buildings, \$7,000; and for filling and grading, \$20,000; in all, \$27,000.

and for filling and grading, \$20,000; in all, \$27,000.

The amendment was agreed to.

The next amendment was, in line 106, to reduce the appropriation "for court-house and post-office at Columbus, Ohio: For completion of building," from \$110,000 to \$50,000.

Mr. SHERMAN. I hope the Senate will not agree to this amendment. Indeed I am somewhat surprised that the amendment finds its place in this bill. So far as I know this is the only local item for the State of Ohio in the sundry civil bill, although I have not looked through the bill and can not say positively. This item of \$110,000 is an increase of \$60,000 beyond the legal limit fixed by the law originally for the construction of a public building at Columbus. The original plan, however, recommended by the Secretary of the Treasury, included this sum and more, but the Committee on Public Buildings and Grounds reduced the estimate of the Treasury Department without rhyme or reason, and the estimate of the Treasury Department without rhyme or reason, and reduced the building to a two-story structure in the capital of the State of Ohio, under the shadow of the State capitol, so that any one who saw the plan proposed which the Department was compelled to adopt for the public building at Columbus was ashamed that the United States should occupy such a position in such a place, it being the capital of the State where the State courts are held and where there are a great many public offices. It ought to be a building commensurate with the size of the city, the importance of the State, and the importance of the lo-

It was some time before we could get the attention of Congress to the subject, the Treasury Department continually insisting that the plan they were compelled to adopt was inadequate to the place, and three times recommended an increase of the appropriation for the Columbus building; but for some reason it could not be adopted. Finally at the present session of Congress the Committee on Public Buildings and Grounds reported a bill increasing the allowance \$60,000 upon an except setting the made by the Secretary of the Treasure that the and Grounds reported a bill increasing the allowance \$60,000 upon an urgent estimate made by the Secretary of the Treasury that that was necessary to add an additional story to the building and give it a height somewhat proportionate to the surrounding buildings. That bill passed the Senate unanimously. The House of Representatives not being able to reach that bill on its Calendar, it being lumbered up with a multitude of bills on the Speaker's table, inserted the increased amount of appropriation necessary for that story in the sundry civil bill, so that it comes to us from the House. The House Committee on Appropriations, knowing that the House could not act on the Senate bill, knowing that the House could not act on the Senate bill, knowing that that \$60,000 additional was for the additional story required ing that that \$60,000 additional was for the additional story required

by the estimates of the Treasury Department, put it in on this bill.

Both Houses have agreed to the measure after debate and it now comes to us, and the Committee on Appropriations, I do not know for what reason—certainly they could not have known the facts which I have mentioned—have proposed to reduce the amount to \$50,000, and thus compel the construction of a two-story building right at the corner of the great edifice built by the State of Ohio and at a less altitude than

the surrounding stores and shops. If this amendment is adopted I would rather you should discontinue the building at Columbus. I sup-

would rather you should discontinue the building at Columbus. I suppose it was proposed probably pursuant to some general idea. At all events I trust this amendment will not be adopted.

Mr. ALLISON. The Committee on Appropriations are thoroughly familiar with every statement made by the Senator from Ohio. We understand from all the data in our possession that unless the sum allowed is enlarged as proposed in this bill the building at Columbus, Ohio, will be a two-story building, but that building stands precisely in the same relation to this bill that four or five or six other buildings do

ings do. The rule adopted by the Committee on Appropriations is the rule of the Senate. We felt obliged in making these reports to stand by the rules of the Senate which require us not to interfere in these appropriation bills with the general legislation of Congress. What the Senator from Ohio says is perfectly true; the Senate did pass unanimously at this session a bill looking to the enlargement of the limit, that is, looking to the change of the law, but the House of Representatives have not passed that bill.

ing to the change of not passed that bill.

Mr. SHERMAN. They put it here.

Mr. ALLISON. I know they have made a provision here for the enlieved that, so far as we were concerned, it was our duty to report these bills according to existing law, and we have done so in every instance. Of course Columbus had to stand with the other instances in this bill, and there are five or six of them. They ought all to stand or fall upon the decision of the Senate with reference to this particular amendment now under consideration. I think they substantially stand upon the same condition of facts.

Mr. MORRILL. Will the Senator allow me to ask him whether his committee hold that the recommendation of an amendment by a standing committee is not in order whether there is any previous law for it

Mr. ALLISON. Our committee were not required to decide that

for it.

Mr. MORRILL. There is a rule which provides that a standing committee may move amendments.

Mr. ALLISON. The Senator from Vermont is asking me a question which does not come up in this discussion. He asks me whether an amendment reported by a standing committee of the Senate is in order in the judgment of the Committee on Appropriations. We do not decide that question. If an amendment is proposed by a standing committee of this body, it is in order to offer it whether the Committee on Appropriations agree to it or not, and therefore we deprive no commit-

tee and no Senator of its or his just rights under the rule.

I believe the statement made by the Senator from Ohio to be substantially true. I believe that this appropriation for the building at the city of Columbus, Ohio, is a wise appropriation, but that we could not consider it in the Committee on Appropriations under the rules which the Senate has laid down for our guidance, and we have rigidly adhered to the rules established by the Senate for our conduct, and merely appropriated according to existing law. If the laws are to be changed let them be changed by the Senate acting on reports of committees of the Senate having authority to change them. That is the only reason why this amendment is proposed by the Committee on Appropriations.

Mr. BECK. Supplementing what the Senator from Iowa has said somewhat, I desire to say that I hope the Senate will consider this case carefully, because it will settle all the disputed questions relative to public buildings. All stand upon the same footing, and this is as meritorious as any of those which will be affected by the decision of the

Senate.

The Supervising Architectof the Treasury came before us in this and other cases, and especially in this case at Columbus, and said if we would give the \$60,000 additional beyond what is provided by law he could make a fire-proof building with an additional story, a building which would be a credit to the country, and if he did not get that amount he could not. I state it as broadly as the Senator from Ohio stated it, I believe it ought to be done; but the law prohibits it as the law stands to-day, and the Committee on Appropriations have been told over and over again that we had no right to make appropriations in violation of law, for it is in violation of law, as we understand it, until Congress passes an act extending the limit, which I think they ought to do in this case. If the Senate see fit to vote that this provision ought to go in extending the limit in this case, then I this provision ought to go in extending the limit in this case, then I for one will move in five or six other cases that the limit shall be extended, because they are meritorious cases as well as this.

If we can make appropriations in excess of the limit provided by law and in violation of law, then we shall be at sea and get back to where we were ten or fifteen years ago. I remember once—and the Senator from Massachusetts [Mr. DAWES] will recall the fact—we limited the New York post-office to \$3,000,000, and we put penal clauses in the law to punish those who exceeded the limit. It was not a year before they senat the \$3,000,000, and had not progressed beyond the first story. they spent the \$3,000,000, and had not progressed beyond the first story.

We then gave them \$1,500,000 more, making \$4,500,000, and we put other penal clauses in, but they paid no attention to them. They got up to \$6,000,000, and after three laws passed against giving beyond the limit, they got it up to \$9,000,000 before completing the building.

The Boston post-office had a limit of a million and a half, and I think it got up to \$4,000,000 before it was through, just defying the law. The Committee on Appropriations were denounced in both Houses because they were compelled to yield to pressure; and this committee determined-I was one of them-to make the statement that this building ought to be made three stories and fire-proof, that a law ought to be passed by both Houses authorizing the extension of the limit; and if the Senate desire now to order the committee to add \$60,000 to this when there is no law authorizing it but a law prohibiting it, I for one shall willingly acquiesce in all the other cases; but the difficulty is that if you do that then we shall originate public buildings. If the committee reports in favor of one, we can fix no limit to the power of the Committee on Appropriations. The moment you break down the rule and adopt the suggestion of the Senator from Vermont that when a committee favorably recommends a building we can go on and erect it for what we please and extend the limit ad infinitum, there is no telling

what the Committee on Appropriations can not do.

Mr. VAN WYCK. Will the Senator allow me to ask a question?

Mr. BECK. Yes, sir.

Mr. VAN WYCK. I ask the Senator if he thinks it worth while to discuss the binding force of a rule made by the Senate when the Senate violates that rule day after day whenever it suits its purpose?

Mr. BECK. The Senator can answer that as well as I can. I do not propose to go into that. I have said all I care to say. I believe the motion is right; and if the Senate think they can do it and keep a proper check on appropriations for public buildings hereafter, I have no objection; but it is a dangerous thing.

Mr. COCKRELL. I desire to say that as a member of the Committee of the committee

tee on Appropriations I dissent in toto from the supposed rule of the tee on Appropriations I dissent in toto from the supposed rule of the Senate and of the committee. I say that the Committee on Appropriations had a perfect right to adhere and agree to this provision of the House bill, without any violation of law or the violation of any rule of the Senate; and I desire to say now that that committee was not unanimous in its recommendation, and I disclose no secret of the committee when I say that, and I think if it had been polled it would have been very difficult to tell on which side the majority would have fallen.

Mr. President, it is a question of business and common sense. The

Mr. President, it is a question of business and common sense. The Supervising Architect of the Treasury Department has in this case, in a case at Saint Joseph, Mo., one at Hannibal, Mo., and one at Jefferson City, Mo., and one in nearly every State in the Union made an estimate of the amount necessary to complete public buildings according to the law authorizing their construction. The officers have partly done the work of completing them according to that, but they find that to make those buildings fire-proof and what they ought to be they must have an additional appropriation and they have estimated the amount, and the Secretary of the Treasury and the Architect recommend the appropriation of it.

Mend the appropriation of it.

Now they say here that in Columbus, Ohio, they can complete the building two stories high and not fire-proof, according to the original law. The question is, shall we force the completion of the building two stories and not fire-proof, and inside of a few years have to put on another story or two or construct a new building? That is the question. We have already abandoned a number of inferior and too small buildings which had been erected at the public expense and that amounted to nothing. You take the case at Hannibal, Mo. Seventy-five thousand dollars was appropriated there. They have partly constructed the building—it is not fire-proof—with \$75,000, but with the addition of \$18,000 they can make a fire-proof building, one that will stand indefinitely, and the Architect says that it is for the best interests of the public service and the Government that the increased appropriate of \$18,000 checks a service and the Covernment that the increased appropriate of \$18,000 checks a service and the Covernment that the increased appropriate of \$18,000 checks are a service and the Covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate of \$18,000 checks are a service and the covernment that the increased appropriate are a service and the covernment that the increased appropriate are a service and the covernment that the increased appropriate are a service and the covernment that the increased appropriate are a service and the covernment that the increased appropriate are a service and the covernment that the increased appropriate are a service and th priation of \$18,000 shall be made. And will the Senate say that in order to conform to some mysterious law or rule which some one has established we will disregard the public interests and put up an indifferent and inferior building, one that in a few years will necessarily have to be repaired?

It does seem to me the plainest proposition that was ever submitted to the Senate, that the very best interests of the public service, the in-terests of the tax-payers of this country, require that we shall not accept this amendment proposed by a bare majority of the Committee on Appropriations, and which I do not conceive is required by any law or

rule of the Senate.

Mr. BECK. One word more and I am done. The Senator from Missouri and myself do not differ at all except in this: I claim that when the necessity for changing these buildings and making them fire-proof was made so apparent the Supervising Architect of the Treasury and the persons interested ought to have laid those facts before the Committee on Public Buildings and Grounds, and a bill ought to have been reported which could be passed through both Houses in two days, extending the limit fixed by law. Then the Committee on Appropriations would have had no trouble about it; but when there is a law prohibiting us from doing anything—

Mr. SHERMAN. Will the Senator from Kentucky allow me to in-

terrupt him? I am not quoting the proceedings of the House of Representatives when I state to the Senate that I know from the best information possible that after we passed the bill extending the plan and requiring a third story to be built it could not be taken up in the House. It was covered over by the mass of bills there; and the Committee on Appropriations of the House adopted this as a means of carrying out and really passing the Senate bill. It was because they could not get at that bill.

Mr. BECK. The Senator from Ohio understands exactly the difference between the Senator from Missouri and myself, that we as a committee were compelled to obey existing law and could not make

Mr. SHERMAN. What law? Mr. BECK. The law limiting the total cost of the building at Columbus to \$150,000.

Mr. SHERMAN. This bill is full of change of the law. Take the very next page, to which I call the attention of the Senator. On that page I find an appropriation for the extension and completion of the public building at Des Moines.

Mr. BECK. Congress has passed an act authorizing it. There are a dozen cases of that sort. There were eight bills passed by the Senate

on Saturday authorizing such increases.

Mr. SHERMAN. The changing of a plan by law is a violation of our rule, according to this construction. Mr. BECK. Ou, no! Whenever a law is passed authorizing it, the

Mr. BECK. Oh, no! Whenever a law is passed authorizing it, the Committee on Appropriations appropriate according to law.

Mr. SHERMAN. Let me answer one other point made by the Senator from Kentucky, if he will allow me.

Mr. BECK. Certainly.

Mr. SHERMAN. The Senator says, with great propriety and force, that ten or twelve years ago there was the grossest abuse by the Executive Departments in regard to appropriations for public buildings. They disregarded all limits of laws, and if a million dollars were appropriated they would go on and devise plans for four millions. But that was all corrected, and the Senator from Kentucky will. I think, bear was all corrected, and the Senator from Kentucky will, I think, bear witness that during the time I held the office of Secretary of the Treasury we required the law to be followed in every case, and there was not a solitary case where the expenditure went one single dollar beyond the amount limited by tww. But that does not prevent Congress from making these changes, and I do not see why Congress may not do it

Mr. BECK. I think Congress can do it here if they see fit, but I do not think the Committee on Appropriations could report in favor of it without reporting a violation of law. Congress can make the change.

Mr. SHERMAN. If the committee have any trouble about it, the

Senate may solve the whole matter.

Mr. FRYE. There is no rule of the Senate preventing it.

Mr. FRYE. There is no rule of the Senate preventing it.

Mr. SHERMAN. No rule prevents it.

Mr. CONGER. Mr. President, I think the committee misunderstand the law on this subject. There is no limitation upon the committee and no limitation upon the Senate by any law which I know of which has been passed as to the amount that is to be appropriated for a public building. It is as much open to the exercise of the discretion of the Senate as is the passage of any other law. To prevent the abuses which have been referred to there is a limitation upon the Architect in prehave been referred to there is a limitation upon the Architect in preparing the plans that he shall not prepare plans which will require a greater expenditure than the amount appropriated.

Mr. CAMERON, of Wisconsin. Will the Senator yield to me on a

privileged matter?

Mr. CONGER. I yield to the Senator from Wisconsin without losing my right to the floor.

SUPPLIES TO MINNESOTA SIOUX INDIANS.

Mr. CAMERON, of Wisconsin, submitted the following report, which

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 84) entitled "An act to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Stoux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof," having met, after full and free conference agree to recommend and do recommend to their respective Houses as

ference agree to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, and 5, and agree to the same.

That the House recede from its amendment numbered 4, and in lieu thereof agree to the following:

"Provided, however, That said sum shall be charged to the unpaid annuities stipulated to be paid to the said Sioux Indians under treaties, but abrogated and annulled by the act approved February 16, 1863."

And the Senate agree to the same.

ANGUS CAMERON, JAMES H. SLATER, H. L. DAWES, Managers on the part of the Senate. OLIN WELLBORN,
H. B. STRAIT,
R. S. STEVENS,
Managers on the part of the House.

The report was concurred in.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. GROOME submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5713) to provide for the settlement of claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 847) for the relief of Francis B. Van Haesen; and it was thereupon signed by the President pro tempore.

SUNDRY CIVIL APPROPRIATION BILL

The Senate, as in Committee of the Whole, resumed the consideration The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, the pending question being on the amendment of the Committee on Appropriations, in line 106, to reduce the appropriation "for court-house and post-office at Columbus, Ohio: For completion of building," from \$110,000 to \$50,000.

Mr. CONGER. Mr. President, I was stating when I was interrupted that the limitation referred to by the committee was a limitation proper.

that the limitation referred to by the committee was a limitation upon the Supervising Architect of the Treasury commanding him not to make plans for a building that would cost more than the amount appropriated. There is no restriction upon the Senate; no restriction in that law upon Under our rules amendments to increase appropriations are provided for, and there is nothing to limit making an amendment in this respect in the Senate, provided it is not new legislation. If the Superrespect in the Senate, provided it is not new legislation. If the Supervising Architect reports to Congress that if he does make an estimate according to the appropriation which has been made the building would be unfit for the service, that the amount is not sufficient, then it comes back to Congress again to say whether they will make an additional appropriation, and it is no violation of law for Congress to entertain the proposition to increase an appropriation to such an amount as may be deemed necessary. I do not think the Committee on Appropriations have any right to construe a limitation upon the Architect of the Treasury as a limitation upon their power to recommend legislation to the ury as a limitation upon their power to recommend legislation to the

Mr. HARRISON. Mr. President, for one I am entirely at a loss to understand how the Committee on Appropriations can find any difficulty under our rules in agreeing to this legislation proposed by the House. The chairman of the Committee on Appropriations says it changes existing law. What if it does?

Mr. ALLISON. May I ask the Senator a question?

Mr. HARRISON. Certainly.

Mr. ALLISON. Does the Senator think the Committee on Appropriations could have increased this appropriation to a million dollars? Mr. HARRISON. Mr. President, for one I am entirely at a loss to

Mr. HARRISON. I think the Committee on Appropriations could have increased this appropriation to a million dollars?

Mr. HARRISON. I think the Committee on Appropriations could have suggested any limit they pleased, and if the Senate ratified it that would be the law.

Mr. ALLISON. No doubt of that; I suppose we can do it; but was it within our province to make appropriations beyond the limits of existing law? That is the question.

Mr. HARRISON. There is no rule of the Senate that prohibits the change of existing law in an appropriation bill, and never was. That change of existing law in an appropriation only, and never was. Inatis the rule of the House as we understand it, but the rule of the Senate simply is that general legislation shall not be proposed on an appropriation bill. Our Rule XVI makes explicit provision for introducing new items of appropriation and for increasing items of appropriation upon the recommendation of standing committees of the Senate. Now, this appropriation and others like it in this bill—there is one which is local to Indiana—have not only been recommended by the particular committee having this subject in charge, the Committee on Public Buildings and Grounds, but the Senate has ratified the recommendations of that committee by the passage of several bills. So these propositions to increase the appropriations for these public buildings are not only recommended to the Committee on Appropriations by

the appropriate standing committee of the Committee on Appropriations by the appropriate standing committee of the Senate, but the Senate has added its sanction by passing the bills as separate propositions.

This is not general legislation, and that is the only limit upon our committee. It has been decided by the Chair, and by the Senate upon appeal, that any legislation which exhausted itself with the expenditure of an appropriation was not general legislation.

Mr. HARRIS Will the Senator from Indiana allow me to ask

Mr. HARRIS. Will the Senator from Indiana allow me to ask—
The PRESIDENT protempore. Does the Senator from Indiana yield?

The PRESIDENT protempore. Does the Senator from Indiana yield:
Mr. HARRISON. Certainly.
Mr. HARRIS. I quite agree with the Senator that Congress having
passed a bill authorizing the construction of a public building, if it had
done no more it would have been perfectly legitimate, in my opinion,
for the Committee on Appropriations to have made such appropriation
as, in the light of all the facts, they deemed necessary to carry out that object; but where Congress authorizes the construction of a public build-

ing and by statute prohibits an appropriation beyond a given amount, does the Senator from Indiana hold that in the face of that statutory limitation the Committee on Appropriations is justified in appropriating or proposing to appropriate money that goes beyond the limit fixed by law and stands upon the statute-book so fixed and unchanged?

Mr. HARRISON. I will adopt the New England fashion of respond-

ing to the Senator from Tennessee by asking him a question.

the Senator what rule of the Senate prohibits it?

Mr. HARRIS. I have not asserted that any rule of the Senate prohibited it, but a statute prohibits it is the point I suggested to the Senate pro-ator from Indiana.

Mr. HARRISON. It is a novel doctrine that a statute puts a limitation upon the power of Congress, that an act of Congress limits the power of Congress to change it. The limitation put by that statute is a limitation upon the executive officers of the Government; it is not a limitation upon the power of Congress to change it at any moment it pleases by a concurrent vote of the two Houses. We have prohibited the Supervising Architect from making an estimate or from making plans beyond a certain amount; it is a limitation upon the power of the executive officers; and I do not think the Senator from Tennessee, when he reflects a moment, will hold to the proposition that that limitation of law binds us or binds any committee of this body as to recommend-

ing a change of the existing law.

So, then, there is no limitation under our rule; we are perfectly free. So, then, there is no limitation under our rule; we are perfectly free. The Committee on Appropriations was and the Senate is, in the aspect in which this stands, perfectly free to deal with this question, and it seems to me that the reason sometimes given why the Committee on Appropriations should not deal with these questions does not at all apply in these questions, because as I have said we are not throwing upon the committee the duty of investigating the proper cost of a public building anywhere. The appropriate committee has done that, and not only has it done it and recommended this increase, but the Senate has already given its concurrence in that recommendation. So I submit that the Committee on Appropriations were amply equipped to deal with this question, in the first place because the Committee on Public Buildings and Grounds had dealt with it, and in the second place because the Senate itself had dealt with it.

Mr. INGALLS. Mr. President, I do not understand that the Committee on Appropriations differ materially with those Senators who have spoken upon this subject. I listened with much interest to what the Senator from Kentucky said when he was replying to the Senator from Senator from Kentucky said when he was replying to the best at the Ohio. It appeared to me that he must have listened with great attention to the prayer of the Chaplain this morning, for his appeal appeared to be "lead us not into temptation, but deliver us from evil." He said there was really no objection whatever to the suggestion made by the Senator from Ohio that the building ought to be enlarged, that additional stories should be placed upon it, and that it should be made fire-proof; but he said the Senate should not yield to this importunity because, if it did, the last safeguard to the virtue of the Committee on Appropriations would be swept away; there was no longer any hope that they would refuse to yield to the solicitations from every quarter unless the Senate acceded to the amendment reported by the committee, and refused to listen to the Senator from Ohio.

Mr. President, that is a pretty feeble appeal to make to this body. If the Senator from Kentucky has no stronger foundation on which to

stand than that, I must say that I think his appeal was one rather to

disregard the amendment than to agree to it.

Mr. President, this is not in any manner whatever general legislation. It can not be construed into general legislation. The Senator from Indiana has properly placed that before the Senate. It is not that species of legislation against which the rule of the Senate was intended to guard, and the Committee on Appropriations themselves appear to have acted with singular disregard of the rule. I observe that they have placed in this bill changes of existing law by their own motion. They affirm that it is a rule that should govern them, to the violation of the provisions of which attention has been called in a case where Con-gress during the session has enacted a bill for the construction of a public building. Now they place on page 12, for instance:

For court-house and post-office at Troy, N. Y., \$100,000. For court-house and post-office at Tyler, Tex., \$50,000. For court-house and post-office at Wichita, Kans., \$50,000.

These are absolutely new appropriations. They are not provided for by law, because I heard the bill for the appropriation for the public building at Wichita read this morning at the Secretary's desk. passed both Houses of Congress, but it has not been approved by the President, and therefore is not a law of Congress. It is no more a law of Congress than the appropriation for the building at Columbus is a law of Congress. It will be a law of Congress whenever it is approved by the President; but the Committee on Appropriations have no right to assume that these engaments are to be approved by the President by the President; but the Committee on Appropriations have no light to assume that these enactments are to be approved by the President. It is just as much a violation of the rules of the Senate to put those appropriations in here as it is to disregard the appropriation that came from the House of Representatives about the Columbus building. I hope we shall have some consistency about this matter; that the Committee on Appropriations will adhere, if they intend to enforce this rule, logically to the suggestions of the rule, and not refuse to agree to

one appropriation and at the same time insert others upon grounds that

one appropriation and at the same time insert others upon grounds that can not be supported by the facts.

I trust, sir, that the Senate will agree with the Senator from Ohio, that they will permit the appropriation to stand as it came from the House, because we have just as much right to say in this bill that the limitation for the construction of a public building shall be extended as we have to say that an appropriation for a building not warranted by lear shall be invested in the bill. law shall be inserted in the bill.

Mr. CALL. Mr. President, with all the constructions which have been placed on this rule of the Senate, it has never before been contended that it prohibited the Committee on Appropriations or the Senate from accepting a provision that came from the House. The point has been made that we could not amend, by inserting general legislation upon an appropriation bill, the action of the House on a bill coming here; and in this case this is the action of the House, and it is only proposed to accept that action and concur in it by adopting the bill as it came from the House. But the Committee on Appropriations is now holding that it was not competent for that committee to report to this body accept-

ing the provision which came from the House of Representatives.

It has never before been contended that the rule of the Senate went so far as that. Certainly, however, the committee were justified in saying that this was a proposition to impose general legislation upon an appropriation bill, for the statute which provides for a public building and proposes that it shall not exceed a certain amount is a law; and it only illustrates the impropriety of that rule of the Senate, for it can not be distinguished from general legislation. It does not exhaust itself any more than any other appropriation does. It is simply a law providing for a public building and declaring that that public building shall not exceed a specified amount. Sir, I hold that there is a duty of the Senate imposed by the Constitution, and that the committee have no right to withhold their assent from such a proposition when it is a matter of public interest, when the good of the public service requires that an appropriation shall be increased and the proposition is sent here from

appropriation shall be increased and the proposition is sent here from
the House in an appropriation bill increasing it, and we are required
by the public necessities to increase it. In such a case I think it is the
duty of the committee to report that increase and to adopt it.

So far as this provision is concerned coming here from the House
and requiring a mere acceptance of the provision by the Senate, not
being an amendment, which might be prohibited under the strict technical construction of the rule, there can be no ground of reason for objecting to the clause. It is a heresy in reasoning as it is in law to suppose that the functions of this body in appropriating public money are limited by the action of any past Congress, and I shall not cease so long as I remain here to protest against the idea upon which our rule is based, that there is anything in the action of any past Congress which can

limit this Congress in its action.

Mr. MILLER, of New York. This seems to me to be a very plain and simple matter. Congress in its power exercised for years has passed a number of bills for the erection of various public buildings. The bill in this case limited the amount of money which could be expended by the Secretary of the Treasury in obeying the law and in erecting the building, and by law the Supervising Architect has been restrained from making a plan for any building which would exceed the amount of money appropriated in the various bills; but in the exercise of his duties and powers as Supervising Architect he has reported to the Secretary of the Treasury that a number of buildings have been ordered by Congress which can not be properly constructed for the amount of money to which they were limited in the original bills, and he has recommended an additional appropriation in a number of cases. ommendations go to show that the buildings ordered heretofore can not be constructed in a fire-proof manner; that several of them can not be be constructed in a fire-proof manner; that several of them can not be constructed of sufficient size to accommodate the public business of the country at the points where they are located. The recommendation comes here that the limitation of appropriation be changed and that the amount of money appropriated be increased. Certainly it is within the province and power of Congress to change the limit of appropriation for any public building. It is not in defiance of any law now existing upon the statute-book, because it is simply a change of the law, which we have a perfect right to make and which we should make.

As a business question them it simply amounts to this. Shell we

As a business question, then, it simply amounts to this: Shall we As a business question, then, it simply amounts to this: Shall we compel the Supervising Architect to go on with these buildings, and erect buildings which are not fire-proof and will not answer the public purposes of the Government, or shall we, following his recommendation, so change those limitations, so add to the appropriations that the buildings when completed shall be perfect and fire-proof and shall be of sufficient size to accommodate the public business of the Government at these regime places. These in activities in the statement of the covernment at these regime places. ment at these various places? There is nothing in existing law, there is nothing in the rules of the Senate which prohibits this; and judging from the arguments which have been made by the Appropriations Committee, chiefly by the chairman and by the Senator from Kentucky, it must be evident to the Senate that the Appropriations Committee desire this body not to concur in the amendment which they have proposed. I trust that the Senate will meet the Appropriations Committee in that spirit and disagree to their amendments in all these cases.

Mr. MITCHELL. I desire to ask the Senator a question. I find

upon the statute-book, in the Revised Statutes, section 3734, in these

Before any new buildings for the use of the United States are commenced, the plans and full estimates therefor shall be prepared and approved by the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior; and the cost of each building shall not exceed the amount of such estimate.

I ask the Senator whether that does not come within this provision of Rule XVI:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received.

Mr. MILLER, of New York. It has been stated here repeatedly that these amendments can not be considered general legislation, and even if they were general legislation they would not come under the provisions of this rule, because this legislation comes to us from the House. The House had a right to put it in, and all the Senate can do is to agree to it or strike it out. We can not change the provision which the House has put into the bill. That rule refers to amendments suggested in the Senate, and not to bills of the House.

Mr. MITCHELL. I ask further whether during this session this body has not repeatedly decided that certain provisions coming from the House were within that clause of Rule XVI and not in order?

Mr. MILLER, of New York. The Senate has never decided any-

thing of the kind, but it has repeatedly decided through the Chair directly to the contrary, and on every occasion during this session when that question has been submitted to the judgment of the Senate it has, I think, without any exception, held directly to the contrary. In the case of every amendment upon the Post-Office bill, which passed the other day, the Senate held directly the opposite. It has never held to any such doctrine as the Senator states.

Mr. MITCHELL. One word in reply to what the Senator said. My recollection is entirely different from that of the Senator, and I think the RECORD will bear me out that the Senate has repeatedly decided the other way and sustained the President of the Senate in making that

decision. It is true sometimes it has broken down that ruling.

Mr. MILLER, of New York. If the Senator will put that question to the Chair for an answer I shall be entirely satisfied with the answer he will receive.

The PRESIDENT pro tempore. The question is on the amendment ecommended by the Committee on Appropriations in line 106.

I call for the yeas and nays

The yeas and nays were ordered; and being taken, resulted-yeas 8, nays 46; as follows:

	YE	AS-8.	
Allison, Beck,	Dawes, Edmunds,	McPherson, Mitchell,	Morgan, Pugh.
	NA.	YS-46.	
Bayard, Blair, Bowen, Brown, Call, Camden, Cameron of Wis., Chace, Cockrell, Coke, Colquitt, Conger,	Cullom, Dolph, Fair, Frye, George, Gorman, Groome, Hampton, Harrison, Hawley, Hoar, Ingalls,	Jackson, Jonas, Kenna, Lapham, McMillan, Mahone, Manderson, Maxey, Miller of Cal., Miler of N. Y., Morrill, Palmer,	Pendleton, Pike, Sabin, Sawyer, Sherman, Vance, Van Wyck, Vest, Voorhees, Wilson.
ABSENT—22.			
Aldrich, Butler, Cameron of Pa., Farley, Garland, Gibson	Hale, Harris, Hill, Jones of Florida, Jones of Nevada,	Logan, Platt, Plumb, Ransom, Riddleberger, Saulsbury	Sewell, Slater, Walker, Williams.

So the amendment was rejected.

Mr. SHERMAN. I suggest to the Senator from Iowa to insert the words "extension and" at the beginning of line 106.
Mr. ALLISON. I have no objection to that.
Mr. SHERMAN. That will make it uniform with the other public-

building items

The PRESIDENT pro tempore. The Senator from Ohio moves to amend the clause by inserting the words "extension and" before the word "completion" in line 106; so as to read:

For court-house and post-office at Columbus, Ohio: For extension and completion of building, \$110,000.

If there be no objection, the amendment will be received and considered as agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 107, to insert:

For court-house and post-office at Concord, N. H.: For completion under present limit, \$100,000.

The amendment was agreed to.

The next amendment was, after the word "for," at the end of line 111, to strike out:

Completion of the building, \$25,000; and the cost of said building, including site, shall not exceed \$100,000.

And insert:

Approaches, fencing, and grading, \$15,000.

So as to make the clause read:

For court-house and post-office at Dallas, Tex.: For approaches, fencing, and grading, \$15,000.

Mr. BECK. According to the vote taken by the Senate in the Columbus case, I think the committee ought not to ask that that amendment be adopted.

Mr. COKE. I hope the Senate will not concur in this amendment.
Mr. ALLISON. This case stands precisely on the footing of the case
just decided by the Senate. This clause as it stands is an extension of the limit \$25,000.

The PRESIDENT pro tempore. The question is on the amendment recommended by the Committee on Appropriations.

The amendment was rejected.

The next amendment was, after the word "dollars," at the end of line 117, to insert "to be immediately available;" so as to make the clause

For court-house and post-office at Denver, Colo.: For continuation of building, \$28,000, to be immediately available.

The amendment was agreed to.

The next amendment was, after line 118, to insert:

For court-house and post-office at Detroit, Mich.: For continuing work on same, \$100,000.

Mr. PALMER. I offer the following amendment as a substitute for the amendment of the committee:

For the execution of the provisions of the act of Congress entitled "An act to provide for the erection of a public building at Detroit, Mich.," approved May 25, A. D. 1882, or for the execution of the provisions of the act of Congress entitled "An act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.," as the Secretary of the Treasury may determine according to law, \$200,000.

Mr. ALLISON. If I can I make the point of order on that amend-

The PRESIDENT pro tempore. The Chair thinks it subject to a point of order on the amount; it increases the amount reported by the committee; but it is not subject to a point of order on what it declares, as it refers to laws existing.

Mr. ALLISON. I hope the Senator from Michigan will not insist apon the phraseology that he has inserted there with reference to the two laws, but that whatever amount is appropriated will be appropriated as is proposed by the committee.

Mr. MORRILL. I ask the Senator from Iowa to accept an amend-

ment on line 102, after the word "same"—

The PRESIDENT pro tempore. The Senator from Michigan [Mr.

PALMER] is entitled to the floor.

Mr. CONGER. My colleague [Mr. PALMER] yields to me for a moment. I do not understand that any point of order lies against the amount here proposed under any law or rule. There are still several hundred thousand dollars of the estimate for this building that have not been appropriated, so that my colleague's amendment does not increase the amount beyond the sum already provided either by the former law or by the present one recently passed. I hope the Senator from Iowa will not insist on the point of order as to the amount. That matter was presented to the committee by my colleague, and there is no necessity for insisting on a mere form.

Mr. ALLISON. I will say with reference to the amount that we had the Surpervising Architect of the Treasury before the committee with reference to the various public buildings authorized by law. We asked him the question as to the amount of money he needed to economically continue the construction of the buildings authorized by law, and the recollection of the committee is that he stated that if had \$250,000 for the current year it would be as much as he could economically expend on the building at Detroit. There is now a balance of \$149,000 of the appropriation of last year remaining unexpended, and we add \$100,000 in this bill, making \$250,000 in round numbers that will be at the disposal of the Treasury if the amendment proposed by the com-

mittee shall be adopted.

Mr. BECK. Then we had another trouble, which I will call attention to, that there is some difficulty about a change in the site. That I think is going to cause some delay, and therefore the Architect could not expend all that is proposed, because of the delay likely to grow out

of that condition of affairs. Mr. PALMER. I will come to that if the Senator will give me an opportunity. In 1882 a public-building bill was passed for Detroit appropriating \$600,000 if a new site was obtained, and \$500,000 if it was not obtained—that is, if the old Government property there was used for a site. The building was commenced; some progress has been made; and this Congress has passed another bill increasing the limit to \$900,000, and opening the question of choice of site. That is the reason of the phraseology in the amendment that I sent up. I have no objection to withdrawing that if the Senator from Iowa, the chairman of the Committee on Appropriations, will permit me to change the phraseology of

the appropriation in the bill.

Mr. INGALLS. I did not understand from the reading of the amendment to what the discretion of the Secretary of the Treasury ap-

Mr. PALMER. To the selection of a site according to the terms of the recent bill. That bill has been passed by both Houses; it has gone

to the President, but has not yet been returned with his signature. opens the whole question. The first bill is involved in the second. the second fails the first stands. There is no objection to because the limit under the old bill has not been reached. There is no objection to an increase,

Mr. COCKRELL. I would suggest to the Senator that probably the bill he refers to will become a law before this bill becomes a law, as it has already passed the House and Senate, and this will be one of the

last bills signed.

Mr. ALLISON. We make no point on that. I will say that the amendment of the Senator from Michigan is still within the present limit of the law. The present limit of the law is \$500,000, and there has been the law. appropriated about \$250,000; so that the amendment is within the limit of the law as it now stands. But if the Senate will bear with me one moment, I wish to suggest that we ought to perhaps obey a law that has not yet passed, though I hardly see how we could do so. The facts are that here is an old building in Detroit; authority was given some years ago to enlarge and extend it, and an appropriation of \$250,000 was made for that purpose. One hundred thousands dollars and over of that sum has been expended at the present site. Now it is proposed, as I understand, to change the entire site of the building, and commence the erection of an absolutely new building with a limitation of \$900,000 for its construction. Is not that what is proposed under the law?

Mr. PALMER. The Senator is correct.
Mr. ALLISON. The Committee on Appropriations believed that it was a wise thing to give \$100,000 in addition to the amount already in the Treasury for this purpose without committing the Senate to this

question of a change of site and a new building.

Mr. PALMER. I will say in reply that I do not think in either case the change will be made unless it be made by the Secretary of the Treasthe change will be made unless it be made by the Secretary of the Treasury; it is very doubtful if it will be made; but the question is opened by the bill recently passed, and if a change is made the present appropriation, or what remains of it, the unexpended balance, will not more than buy a new site. The property that the Senator from Iowa speaks of as having been purchased for this site is worth all the money that it There can be no loss to the Government in either event; but the question of the location of the building is reopened. If the site is changed we shall want more than \$100,000 additional. If it is not changed, \$100,000 will be sufficient. When there is a law already fixing the limit at \$500,000 will be sufficient. When there is a law already the limit at \$500,000, of which \$250,000 is unexpended, it seems to me as if the Senate would be taking sides for keeping the location where it is, instead of opening it, as the bill just passed contemplates, and leaving it within the discretion of the Secretary by adopting the committee's amendment in the language proposed.

Mr. HARRISON. May I ask the Senator from Michigan if the bill

opening the question of location has already passed both Houses and

gone to the President?

Mr. PALMER. It has.
Mr. HARRISON. Would it not answer the Senator's purpose to let this stand simply by an increase of the amount, and then the other bill being signed by the President will settle the matter, without putting in any additional words here?

Mr. PALMER. It would if it were not for the phraseology of this amendment. I want to make it so clear that the man who runs may read. "For continuing the work" might be construed by some of our people as committing may be the property the construed by some of our people as committing me to the present building, although I do not think that would be a fair construction. I would say:

For public building and site at Detroit, Mich., \$200,000.

Leaving out the rest of that clause. I should be satisfied with that. Mr. MÖRRILL. I hope the Senator from Michigan will not insist upon that, because that would be taking sides on the question of the site. My own opinion is very decided that there ought not to be a change of site. The present building is right in the heart of business on the borders of the lake, in the midst of the greatest part of the mer The present building is right in the heart of business, cantile and law business of the city. If the appropriation is made it is all that is needed; and so far as a new site is concerned, if that should be decided upon, it would take some considerable time to obtain the authority of the Legislature in relation to it, and it would probably take a considerable time to compose the quarrels of the city in relation

to the building. I hope, therefore, the Senator will not ask the Senate to decide the question of a site at this time.

Mr. HALE. If the Senator desires to change the location of the Detroit post-office and custom-house from the center of business where it is now and where it accommodates the business of that city, let him say so in terms, because what he suggests, an appropriation for a site, is pregnant with the idea of a change of location. The Senator must

see that as plainly as I do.

Mr. PALMER. If the Senator will permit me, that is the reason why I submit the amendment I do, expressing no opinion in regard to the site. Whatever my opinion may be on that subject, I do not declare it. I do not propose to take a hand upon either side of the controversy. It was on that ground that the amendment I sent up was couched in the language it was. I ask the Secretary to read it. I think the Senator from Maine, who was not in at the time, may have a little

light thrown upon the question when it is read.

The PRESIDENT pro tempore. The amendment will be again read if there be no objection.

The CHIEF CLERK. It is proposed to strike out the paragraph comprised in lines 119 to 121, inclusive, and to insert:

For the execution of the provisions of the act of Congress entitled "An act to provide for the erection of a public building at Detroit, Mich.," approved May 25, 1882, or for the execution of the provisions of the act of Congress entitled "An act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.," as the Secretary of the Treasury may determine according to law, \$200,000.

Mr. HALE. The reason why the clause is put in as it stands in the Mr. HALE. The reason why the clause is put in as it stands in the bill is that this is a begun building. Whatever additional accommodations Detroit has for post-office and custom-house business, whether it be in one place or another, there has been money already expended. Whether it shall be on the old site or on a new site is to be settled hereafter through the Secretary of the Treasury. The committee thought that without in any way committing itself upon that question, it being undoubtedly a continuing work, the increasing of the appropriation should be left in that way.

Then the law squarely says, and it has already been passed, that the whole subject shall be taken up by the Secretary of the Treasury, and he shall consider and determine where this additional work of providing additional accommodations for Detroit shall be done. I can not believe that any Secretary will change the site. I do not believe the Senator himself would want the site changed.

I hope the Senator will not insist upon his amendment on this state-I hope the Senator will not insist upon his amendment on this statement. Under the act the Secretary will go on and settle it, and then this work which has been begun will be continued with the additional accommodations for Detroit. If he takes it up at a new place, and thereby removes it from the business center, the responsibility must be with him. I hope the Senator will not insist on the amendment, because evidently it will (and I know the sentiment of many business). men in Detroit) be construed as committing both the Senator and this body and Congress in favor of a new location; and I do not think the Senator ought to press that.

Mr. PALMER. In regard to the merits of the location, with the quarrel, as I said before, I will have nothing to do; my opinion shall not be heard upon that point. What I care for more is to satisfy the people whose interests in the aggregate are greater than mine or those of any other Senator present. It was on that account that I did not want the appropriation even by implication to limit the location of the build-

ing to where it is now.

Mr. HALE. There is no danger of that.

Mr. PALMER. I will withdraw my amendment and modify the clause in the bill.

The PRESIDENT pro tempore. The Senator from Michigan withdraws the amendment he has already offered, and offers an amendment to the amendment of the Committee on Appropriations.

Mr. PALMER. I move to strike out and insert so as to make the clause read:

For public buildings at Detroit, Mich., \$200,000.

Mr. HALE. That of course carries with it in as clear terms as pos-

Mr. HALE. That of course carries with it in as clear terms as possible that this is to be a new building.

Mr. PALMER. I can not see how the Senator from Maine makes out that this is to be a new public building.

Mr. HALE. That is the language used where we appropriate for a new public building. It is for a public building.

Mr. PALMER. I propose to make it read "for public buildings at Detroit, Mich." There are no new public buildings there. I think not a stone has been laid, so that it can not by implication affect the

Mr. HALE. That is a worse amendment, if the Senator will allow me, than the other. It carries with it the idea of an entirely new

building.

The PRESIDENT pro tempore. The amendment now proposed by the Senator from Michigan will be read.

The CHIEF CLERK. In line 119 it is proposed to strike out the words "court-house and post-office," and in line 120 to strike out the words "for continuing work on the same, one," and to insert "two;" so as to read:

For public buildings at Detroit, Mich., \$200,000.

Mr. PALMER. That is the amendment I now propose, and I hope it will be adopted by the Senate. It seems to me to be the fairest and most equitable way in which the appropriation can be put without committing any one to the site.

The PRESIDENT pro tempore. The Chair on reflection is still of the opinion that unless there is an estimate for more than \$100,000 for the year, the amendment is subject to the point of order made by the Senator from Iowa. The Chair thinks the language of Rule XVI in regard to carrying out provisions of an existing law or a treaty applies to a case where there is an obligation on the part of Congress to do something which requires the payment of money; and as these public buildings are authorized, if there be not an estimate the Chair thinks the amendment is not in order. There are a great many analogous and similar

does not fall within the provision of carrying out the provisions of existing law, as the Chair understands the rule to mean, as an obligation of the United States to enter into which requires the payment of money; but the Chair understands the Senator from Michigan to say that it is

in pursuance of an estimate.

Mr. PALMER. It is in pursuance of a general estimate, but not, as I understand, of an annual estimate. I was not aware that such an es-

timate was required every year where a work was continued.

The PRESIDENT protempore. Does it appear in the regular estimates of the Treasury Department for the expenses of the coming year?

Mr. HALE. No, sir; it does not.

The PRESIDENT pro tempore. The Chair will submit the question to the Senate if the Senator from Michigan desires. The Chair thinks it does not fall within the provision of the rule about carrying out the provisions of an existing law, inasmuch as the Chair thinks, as he stated, that that means where the existing law requires an appropriation to be

made, not merely where it authorizes an appropriation to be made.

Mr. CONGER. One law has been passed authorizing the expenditure of \$500,000 on the building. Another law, which may or may not at this hour of the proceedings have been approved, has increased that to \$900,000. Only \$250,000 have been appropriated of the \$500,000 which were authorized to be used for the building. Now, I think, under any rule, there may be under that law \$250,000 more appropriated right along, which has been authorized; and, under the new law, if it should come here approved in half an hour, there would be \$400,000 additional which might be appropriated. There is no request that there shall be an amount appropriated beyond the provisions of either of the

The PRESIDENT pro tempore. The Chair does not put it on the ground that the last act of Congress has not been approved by the President, because if a bill of the Senate alone were passed which required an amendment appropriating the sum the appropriation of money, an amendment appropriating the sum would be within the rule. But as the law only authorizes the carrying on of a public work and limits the extent to which the expenditure shall go, the Chair is of opinion that it does not fall within the meaning of the rule as an amendment which the Senator from Michigan may offer to carry out the provisions of an existing law. The Chair thinks that that has always been construed to mean, and it is clear that for the purposes intended by the rule it should mean, that the provision heretofore passed should require an appropriation to be made and not merely authorize an appropriation. authorize an appropriation.

Mr. CONGER. I do not know that the Chair quite understood the point I made. It is that under the prior law, leaving the present law out of consideration entirely, there are still \$250,000 authorized by law to be appropriated for the purpose. If the Senator from Massachusetts [Mr. HOAR] will allow me to finish my remarks, directed to the Chair, it might perhaps be better.

The PRESIDENT pro tempore. The Chair understood the point of the Senator. The Chair thinks that under the rule the Senator can not move to increase the appropriation reported by the committee, on the ground that the provision in the act authorizing the building is only a limitation of expenditure and does not require that any money shall

be appropriated whatever.

Mr. CONGER. Under the same phrase an appropriation was put in here for the increase of the appropriation at Columbus.

The PRESIDENT pro tempore. The Chair understands that; but that was put in on the report of a committee, and that may be done whether

against the law or pursuant to the law.

Mr. CONGER. There may have been a mistake in regard to it. Both the Senators from Michigan personally appeared before the committee and requested the committee to fix the amount at \$250,000, and presented that as an amendment which they wished to have reported by the committee. If it gives any more formality to have an amendment sent up to the desk without reading and referred, without anybody knowing what it is, to the committee, than to go to the committee and present the amendment directly to them, we should understand

The PRESIDENT pro tempore. If the amendment had been reported from the Committee on Public Buildings and Grounds, or any other appropriate committee, and sent to the Committee on Appropriations, then the difficulty would not have existed. The Chair understands the amendment to be submitted by one of the Senators from Michigan

in his individual right as a Senator.

Mr. CONGER. The committee informed the Senators from Michigan, they acting under their supposed construction of the rule, that they

gan, they acting under their supposed construction of the rule, that they could not recommend it because they had already struck out every such provision from the House bill. Now, the Senate has overruled that, and by consequence it should overrule the decision against the amendment proposed by Senators to the committee, as I have stated.

Mr. ALLISON. There is no estimate whatever for the building at Detroit in the Book of Estimates for the coming year. The change of limit has been made at this session. We called the Supervising Architect of the Treasury before us with a view of inquiring of him what amount he could economically expend at Detroit, Mich., for the building, and he stated to us \$250,000. Then we investigated the amount remaining on the 1st day of January unexpended under former approcases where the increase of appropriation would be enormous under any other construction of the rule. The Chair thinks that the motion to increase the recommendation of the committee from \$100,000 to \$200,000 ing, and he stated to us \$250,000. Then we investigated the amount is not in pursuance of the estimate of the head of the Department, and

Call.

priations and found \$149,000. So the building at Detroit, if the amendment proposed by the committee shall prevail, will have \$250,000 for

whatever purpose the law authorizes it to be used.

Mr. CONGER. I desire to call the attention of the Chair to the first clause of Rule XVI. I submit that if we have been mistaken in the law it is a new ruling, I think, of the Chair. The first clause of Rule XVI, as to amendments to appropriation bills, says:

No amendment shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, &c.

Now, we find on the statute-books a law which authorizes the construction of a building at Detroit, and limits the amount to \$500,000. We find that there have been appropriated under that provision \$250,-000. The law authorizes the expenditure of \$250,000 more.

*I do not know why it is, with a rule which provides that no Senator shall pass between the Chair and the speaker, that shall not only be done, but the attention of the Chair, to whom a Senator is addressing his remarks, should be obstructed by it. Twice during the course of my remarks that has been done, and I object to it now and hereafter.

Unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

F. We come with the first of these propositions, the provisions of an existing law, and we ask to increase an appropriation under the provisions of an existing law within the limits which that law prescribed. Why is not that of equal force with the estimate of the Treasury Department or with the recommendation of a committee? I call the attention of the Chair to that point, and ask, within this provision of an admitted existing law by which a building not to cost more than \$500,000 shall be built, and there remaining a margin of \$250,000 of appropriation to carry out that law, why an amendment to increase the amount within that limit is not in order under Rule XVI?

The PRESIDENT pro tempore. The reason why the Chair expressed the opinion, which he will however gladly leave to the Senate for its determination, was that all the operations of the Government are carried on under the provisions of existing law—ships are built, forts are built, guns are made, the Indian service is carried on, and so on. The Chair thinks that this rule was intended to mean and has always been construed to mean (this part of the rule has stood for more than twenty years, the Chair thinks) that the right to move by an individual Senayears, the Chair thinks) that the right to move by an individual sena-tor, without taking the judgment of a committee and their recommend-ing it, and it then being sent to the Committee on Appropriations, is the right of an individual Senator to move such an amendment, with-out having it referred, as would carry out the provisions of existing law which require the expenditure of money; in other words, an obli-gation that the money shall be expended for the purpose proposed. With any other construction the Chair thinks the rule would be of no value at all, because almost every item which proposes to spend money in a bill an existing law authorizes to be done. But, as the Chair stated, the Chair will submit to the Senate the question as to this amendment being in order, it increasing the sum recommended by the

Mr. LAPHAM. Allow me to make a single suggestion. In the last Congress on an appropriation bill I offered just such an amendment as this, appropriating money for a public building in Brooklyn, and the Senator from Iowa made a point of order on it. The then occupant of the chair, when I called his attention to the fact that the limit proposed by my amendment was within the act authorizing the erection of the building, overruled the point of order, and held that it was admissible, and the amendment was carried by the Senate.

The PRESIDENT pro tempore. The Chair thinks that the present

The PRESIDENT pro tempore. The Chair thinks that the present occupant could not have been in the chair at the time. He remembers

no such precedent.

Mr. LAPHAM. No; it was in the last Congress, when Judge Davis was in the chair. The decision was made by him. I cite it simply as

a precedent.

The PRESIDENT pro tempore. The Chair will submit the question of order to the Senate. Is the Senate ready for the question? Senators who are of opinion that the amendment proposed by the Senator from Michigan [Mr. PALMER], increasing the sum recommended by the Committee on Appropriations, is in order, will say "ay;" those of the contrary opinion will say "no." [Putting the question.] The noes appear to have it.

Mr. PALMER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. I should like to know exactly the point which is

presented. What is the amendment decided to be out of order?

The PRESIDENT pro tempore. No amendment is decided to be out of order. The Chair is submitting the question to the Senate.

of order. The Chair is submitting the question to the Senate.

Mr. COCKRELL. What is the particular amendment?

The PRESIDENT pro tempore. The particular amendment is to increase the appropriation for the public building at Detroit from \$100,000 to \$200,000. The Committee on Appropriations report an amendment

providing an appropriation of \$100,000. The Senator from Michigan moves to increase that sum to \$200,000. The question is whether the amendment increasing the sum above that recommended by the committee, not having been reported from a standing or select committee and referred, is in order, there being no estimate of appropriation

Mr. PALMER. I will state that the amendment would have been referred to the committee if I had not understood from the committee that the appropriation to be recommended by them was \$250,000. probably, in making the statement that they did to me, took the unexpended balance of \$148,000 or \$149,000, and then this \$100,000 additional, making \$249,000; but I understood that they were to report an appropriation of \$250,000, and I told them I wanted but \$200,000. Those are the facts; and it is through no laches of mine that the amendment was not formally offered in the Senate and referred to the committee before to-day. I supposed that this item would come in at \$200,-000 or \$250,000 by way of recommendation. I think under the circumstances the amendment I propose should be received and adopted.

Mr. ALLISON. I hope the Senate will not, under a desire to accommodate the Senators from Michigan, establish a rule which would allow any amendment offered to an appropriation bill to be increased upon the motion of a Senator. That rule never has prevailed in the Senate, and it seems to me it would be a very dangerous one to establish.

The PRESIDENT pro tempore. The question is, Is the amendment

proposed by the Senator from Michigan in respect of its increasing the sum recommended by the Committee on Appropriations in order? ators who are of opinion that it is in order will as their names are called answer "yea;" the contrary, "nay."

The question being taken by yeas and nays, resulted—yeas 22, nays 28; as follows:

YEAS-22. Ingalls, Lapham, McMillan, Mahone, Miller of N. Y., Mitchell, Palmer, Riddleberger, Van Wyek, Vest, Voorhees, Williams. Brown, Chace, Conger, Cullom, Dolph, George Manderson, Miller of Cal., Sabin, Sawyer, NAYS-28 Aldrich, Allison, Hampton, Harris, Morrill, Dawes, Edmunds, Pike, Platt, Plumb, Jackson, Jonas, Kenna, Maxey, Morgan, Frye, Garland, Camden. Cameron of Wis., Coke, Colquitt, Gibson, Gorman, Groome, Pugh, Slater, Vance. ABSENT-26. Bayard, Blair, Bowen, Butler, Fair, Farley, Hale, Harrison, Jones of Florida, Jones of Nevada, Lamar, Saulsbury, Sewell, Sherman, Logan, McPherson, Walker,

Hawley.

Hill

Cameron of Pa., Cockrell, Pendleton, Ransom, Hoar, The PRESIDENT pro tempore. The Senate decides that the amendment, so far as it increases the sum, is not in order.

Wilson.

Mr. CONGER. I feel an embarrassment about this matter that I do not like to feel. The chairman of the committee stated, and I could not find it at the moment turning to it, that there was no estimate for this appropriation in the Book of Estimates, and the Chair so put the proposition. I was spending my time as rapidly as I could to find the estimate.

I make the same request of the officers that I have of Senators, that they do not address the Chair when I am addressing him about a mat-

they do not address the Chair when I am addressing him about a matter for his own personal consideration.

The PRESIDENT pro tempore. The Chair thinks that it is necessary for the officers to address the Chair about current business even when Senators are speaking. They will try not to interrupt the Senator.

Mr. CONGER. Then perhaps the same courtesy which requires a Senator to suspend until a message from the House shall be received might be extended satisfactorily. It comes so often I should like to

might be extended satisfactorily. It comes so often I should like to have some rule about it.

The PRESIDENT pro tempore. The Senator from Michigan will proceed.

Mr. CONGER. The Chair made his ruling on the statement of the chairman of the Committee on Appropriations that there was no estimate for this additional money. I find on page 143 of the Book of Estimates for public works:

Detroit, Mich.: Court-house, post-office, &c., completion under present limit,

It is under the head of total amount to be appropriated this year; and if there is not an estimate for that, there is not an estimate for an item in the whole bill, for it turns on exactly the same rule. I will send this to the Chair; it is exactly in the same line and mode and manner as every estimate in the book. I submit that it is a little irregular to rule the amendment out on statements made contrary to the fact when the estimate is before us. It is at page 143. I do not like to be the subject of that kind of information.

Mr. ALLISON. At the moment I supposed the result is a statement of the subject of

Mr. ALLISON. At the moment I supposed there was no estimate. I think the Senator from Michigan makes a fair criticism. I withdraw my statement.

Mr. CONGER. Then, the statement being withdrawn, I suppose the amendment does come within the proper ruling of the Chair and may

The PRESIDENT pro tempore. It appears in the estimates of appropriations as submitted. The Chair thinks that should be considered as an estimate affirmative. It appears to be for the coming year. So the Chair thinks on that point it is in order. It was understood when the Chair submitted the question of order to the Senate that there was not an estimate for it.

Mr. CONGER. I know it was so stated; and I was unable at the

moment to find the estimate.

Mr. ALLISON. I will state to the Senator from Michigan that it is impossible for me to keep in my memory every item of appropriations estimated for or not estimated for by hastily glancing at the Book of Estimates. I supposed at the moment that this item was not estimated

Mr. CONGER. I do not question at all the correctness of the information of the chairman of the committee at that time, but it affects very seriously a matter of interest to us, and therefore I called atten-

tion to it.

The PRESIDENT pro tempore. If there be no objection the amendment that was ruled out on a vote of the Senate will be received. The Chair hears no objection. The question is on agreeing to it. The amendment will be again read.

The CHIEF CLERK. In line 119 strike out the words "court-house

and post-office" and insert the words "public buildings;" in line 120 strike out the words "for continuing work on same, one" and insert the word "two;" so as to read:

For public buildings at Detroit, Mich., \$200,000.

Mr. HALE. I suggest to the Senator from Michigan that the first amendment submitted by him would be more satisfactory than the one that he has put in now.

Mr. PALMER. Does the Senator say that the first amendment would

be more satisfactory to him?

Mr. HALE. Neither of them suits me, but I think the first is the better one. I have been looking at it since I was on the floor before. Mr. PALMER. I will resume my position and take the first amend-

ment.

The PRESIDENT pro tempore. The amendment was returned to the Senator from Michigan. It is not now at the desk.

Mr. PALMER. I send up the amendment again.

The PRESIDENT pro tempore. The Senator from Michigan modifies his amendment. It will be read as modified.

The CHIEF CLERK. Strike out the paragraph from line 119 to line 121, inclusive and invent.

For the execution of the provisions of the act of Congress entitled "An act to provide for the erection of a public building at Detroit, Mich.," approved May 25, 1882; or for the execution of the provisions of the act of Congress entitled "An act to provide for the purchase of a site and the erection of a public building at Detroit, Mich.," as the Secretary of the Treasury may determine according to law, \$290,000." inclusive, and insert:

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan to the amendment reported The question is on agreeing to the

by the Committee on Appropriations.

Mr. MORRILL. I ask to insert at the end of the amendment the

words:

Under the limits of existing law.

I do not want to increase the amount beyond the sum of \$500,000. Mr. PALMER. I accept that amendment.

The PRESIDENT pro tempore. The Senator from Michigan modifies his amendment. The question is on agreeing to the amendment to the amendment as modified.

The Senator from Michigan, as I understand, under this amendment which he offers, does not in any way consider that it affects or influences the question of a new site or building upon the old

Mr. PALMER. No, sir.

Mr. HALE. And he has no such intention?
Mr. PALMER. The intent is to leave that entirely to the proper authorities. There is not the slightest wish on my part, nor on the part of any one else that I know of who has spoken for this amendment, to influence the location of the site.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan to the amendment of the

Committee on Appropriations.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House requested the return of the concurrent resolution for the printing of 3,500 copies of the first and second volumes of "Decisions relating to the public lands," prepared under the direction of the Department of the Interior.

The message also announced that the House had concurred in the res-

olution of the Senate for the printing of 3,000 copies of the communication of the Secretary of State, containing a list of claimants against France by reason of the spoliations committed prior to the 31st of July,

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, after line 121, to insert:

For court-house and post-office at Des Moines, Iowa: For extension and completion, \$45,000.

The amendment was agreed to.

The next amendment was, after line 124, to insert:

For custom-house at Dubuque, Iowa: For approaches, grading, fencing, and paving, \$8,000.

The amendment was agreed to.

The next amendment was, in line 133, after the word "building," to strike out "eighty-five" and insert "thirty-five;" so as to make the

For court-house and post-office at Fort Wayne, Ind.: For completion of building \$35,199.12.

Mr. ALLISON. That should be "\$60,000" instead of "\$35,000,"

under the ruling of the Senate.

Mr. HARRISON. How does the Senator get at \$60,000 instead of

Mr. ALLISON. I will explain it. At this session of Congress a law was passed for the public building at Fort Wayne making an appropriation in the law itself.

The PRESIDENT pro tempore. The Senator from Iowa moves to amend the amendment of the committee, in line 133, by striking out "thirty-five" and inserting "sixty" before the word "thousand."

Mr. VOORHEES. Eighty-five thousand dollars is the amount named in the bill as it came from the House. Why is 60,000 proposed?

Mr. ALLISON. Because at this session of Congress the limit of the Fort Wayne building has been extended \$25,000; and in the act extending the limit there is an appropriation of \$25,000; and with the \$60,000 there will be a sufficient sum under the new limit.

Mr. VOORHEES. My reason for inquiring is that the House makes the sum \$85,000. The explanation of the Senator from Iowa is satis-

factory.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 139, after the word "acquire," to strike out "such" and insert "three;" in line 149, after the word "additional," to insert "lots of;" in same line, after the word "ground," to insert "adjoining those already purchased;" and in line 142, after the word "exceeding," to strike out "twenty" and insert "ten!" see to make the alarge read. insert "ten;" so as to make the clause read:

The Secretary of the Treasury is hereby authorized, out of any money here-tofore appropriated for the purpose of purchasing a site and erecting a public building in the city of Galveston, Tex., to purchase and acquire three additional lots of ground adjoining those already purchased for a public building in Gal-veston, Tex., as he may deem necessary, at a cost not exceeding \$10,000.

The amendment was agreed to.
The next amendment was, after line 143, to insert:

For custom-house at Galveston, Tex.: For completion under present limit, \$37,500.

The amendment was agreed to.

The next amendment was, in line 149, to increase the appropriation "for court-house and post-office at Greensborough, N. C.: For approaches, grading, fencing, and paving," from \$5,000 to \$7,500.

The amendment was agreed to.

The reading of the bill was resumed, and lines 150, 151, and 152 were read, as follows:

For post-office at Hannibal, Mo.: For completion of building under present limit, \$37,500.

Mr. ALLISON. In line 151 I move to strike out the words "under present limit" and to strike out "\$37,500" and insert "\$55,500." The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 152, to insert:

For court-house and post-office at Harrisonburg, Va.: For approaches, grading, fencing, and paving, \$7,500.

The amendment was agreed to.

The next amendment was to increase the appropriation "for courthouse and post-office at Jackson, Tenn.: For approaches, grading, fenc-

ing, and paving," from \$5,000 to \$10,000.

The amendment was agreed to.

The next amendment was, in line 160, after the word "for," to strike out "completion of the building, \$32,000; and the entire cost of said building, including site, shall not exceed \$132,000," and to insert

"approaches, grading, fencing, and paving, \$10,000;" so as to make the

For court-house and post-office at Jefferson City, Mo.: For approaches, grading, fencing, and paving, \$10,000.

Mr. ALLISON. Under the decision of the Senate that amendment should not be agreed to.

The PRESIDING OFFICER (Mr. HARRISON in the chair). The

Chair did not hear the Senator.

Mr. ALLISON. This amendment should be disagreed to if the Sen-

ate intends to adhere to its vote in the Columbus, Ohio, case.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Committee on Appropriations.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the

Committee on Appropriations was, in line 167, to increase the appropriation "for custom-house and post-office at Kansas City, Mo.: For completion of approaches, clock, and sewer connections," from \$15,000 to \$20,000.

The amendment was agreed to.

The next amendment was, after line 167, to insert:

For court-house and post-office at Marquette, Mich.: For completion under present limit, \$50,000.

The amendment was agreed to.

The next amendment was, after line 170, to insert:

For court-house and post-office at Keokuk, Iowa: For purchase of site and completion of building, \$100,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 174 to 177 inclusive; as follows:

For custom-house and post-office at Saint Joseph, Mo.: For continuation of building, \$50,000; and the entire cost of said building and approaches, including site, shall not exceed \$300,000.

Mr. COCKRELL. That amendment is to be disagreed to under the same rule

Mr. VEST. That amendment comes under the same rule as the Columbus case

The PRESIDING OFFICER. The question is on agreeing to the recommendation of the committee to strike out the clause.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 179, to increase the appropriation "for court-house and post-office at Louisville, Ky.: For continuation," from \$75,000 to \$200,000.

The amendment was agreed to.
The next amendment was, after line 185, to insert:

For court-house and post-office at Macon, Ga.: For purchase of site and commencement of building, \$75,000.

The amendment was agreed to.

The next amendment was, to strike out from line 192 to line 196 inclusive, in the following words:

For post-office, internal revenue, and other Government offices at Minneapolis, Minn.: For continuation of building, \$110,000: Provided, That the entire cost of such building shall not exceed \$500,000.

Mr. SABIN. I ask the Senate to non-concur in the recommendation of the committee

Mr. ALLISON. That is one of the cases that come under the rul-

ing of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 198, before the word "repairs," to strike out "completion;" so as to make the clause read:

For custom-house at New Orleans, La.: For repairs, plumbing, and drainage, \$15,000. The PRESIDING OFFICER. The question is on agreeing to this

amendment

I do not quite understand. Is the Minneapolis matter passed? I do not object to the disagreement with the committee's amendment, but I desire to strike out the proviso, which reads:

Provided, That the entire cost of said building shall not exceed \$500,000.

The PRESIDING OFFICER. The Chair will inform the Senator from Kentucky that the question now is on striking out the word "completion," in line 198.

Mr. BECK. I ask consent to go back to that proviso for a moment.

Mr. BECK. I ask consent to go back to that proviso for a moment. Mr. ALLISON. If we go back to that we shall have to go back to the others. I consented myself to reject that amendment with a view that those provisions should all stand upon an equality.

The PRESIDING OFFICER. If there is objection, in the opinion of

the Chair

the Chair—
Mr. BECK. The vote was taken while I was on my feet trying to be heard. I was willing that the amendment of the committee might be disagreed to, but that did not dispose of the paragraph, and the Secretary commenced reading before I could get a chance to say a word.
Mr. ALLISON. Very well; I shall make no point on that.
The PRESIDING OFFICER. If no objection is made the Senate

will return to the consideration of the amendment proposed by the committee, beginning in line 192. The Chair hears no objection. The question recurs on agreeing to the amendment of the commistee strik-

ing out the clause. Mr. BECK. I Mr. BECK. I move fo amend the amendment by striking out the proviso beginning at the word "provided," in line 194, down to and including the word "dollars," in line 196, and for this reason: This provision has not passed either House. The House of Representatives, as we know, passed this bill under a suspension of the rules, so that the House really never saw it. There is no court held at Minneapolis. The internal-revenue business there amounts to almost nothing, simply the watching of wholesale and retail liquor dealers and cigar-makers; and for a post-office building alone to have a \$500,000 limitation, when it started, I believe, with \$110,000, ought not to be. I am willing to vote all the money that they ask and let the limitation be fixed hereafter when the House and the Senate and the appropriate committees of each House shall have had a fair chance to look at it.

I desire to give Minneapolis all that the bill proposes to give it, but I do not wish to make any provision by which they will erect a \$500,000 building simply for a post-office and for internal-revenue offices, when the internal-revenue business amounts to almost nothing. The courts are held at Saint Paul, within six or seven miles of Minneapolis. The communications between the two cities are constant; every half hour I believe. There is no pretense that anything is needed except a good post-office building, with a room or two in it for the internal-revenue collections. Minneapolis is a great city and a growing city, and the building ought to be a handsome one because it is a handsome city, but \$200,000 or \$250,000 at the outside is all that could be properly expended in justice to the other parts of the country and the buildings in the other cities of the country simply for a post-office in that city.

That is the reason why I desire now to strike out the limitation while giving the money that the House has given.

Mr. SABIN. I trust that the amendment of the Senator from Kentucky will not prevail. The city of Minneapolis is a city containing 140,000 or 150,000 inhabitants. It is a city the growth of which has been almost phenomenal and the growth of which in the future can scarcely be estimated. The amount named in the bill, \$500,000, is not an exorbitant sum considering the location and the prospects of that city situated in the heart of the great Northwest.

I trust that the paragraph will remain as it came from the House and that the proviso will be retained.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from Kentucky to the amendment of the Committee on Appropriations. [Putting the question.] The noes appear to have it.

Mr. BECK. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. McMILLAN. Let the amendment to the amendment be read,

so that Senators may understand it.

The PRESIDING OFFICER. The amendment to the amendment will be again read.

The CHIEF CLERK. After the word "dollars," in line 194, strike out the following proviso:

Provided, That the entire cost of such building shall not exceed \$500,000.

The question being taken by yeas and nays, resulted-yeas 20, nays 35; as follows:

	YEAS-20.		
Bayard, Beck, Brown, Butler, Call,	Coke, Colquitt, Garland, Hampton, Harris,	Ingalls, Jackson, Maxey, Morgan, Morrill,	Pendleton, Plumb, Slater, Vance, Williams,
CALL STREET	NA	YS-35.	
Aldrich, Allison, Blair, Camden, Cameron of Pa., Cameron of Wis., Chace, Conger, Cullom,	Dawes, Dolph, Fair, Frye, Harrison, Hawley, Hoar, Jonas, Jones of Florida,	Jones of Nevada, Lapham, McMillan, Manderson, Miller of Cal., Miller of N. Y., Mitchell, Palmer, Pike,	Platt, Sabin, Sawyer, Sewell, Vest, Voorhees, Walker. Wilson.
ABSENT-21.			
Bowen, Cockrell, Edmunds, Farley, George.	Gorman, Groome, Hale, Hill, Kenna.	Logan, McPherson, Mahone, Pugh, Ransom.	Saulsbury, Sherman, Van Wyck,

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment proposed by the committee, which is to strike out from and including line 192 to and including line 196.

Riddleberger,

Lamar,

The amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Committee on Appropriations in line 198, before the word "repairs," to strike out the word "completion."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 199, to insert:

For court-house and post-office at New York, N.Y.: For iron shed for shelter of mail-wagons and force employed in delivery of mails, and for extension of mezzanine gallery for the proper accommodation of the postal business, \$35,000.

The amendment was agreed to.

The next amendment was, after line 204, to insert:

For court-house and post-office at Oxford, Miss. · For approaches, fences, grading, and paving, \$7,500.

The amendment was agreed to.

The next amendment was, after the word "for," at the end of line 208, to strike out "continuation" and insert "completion;" and in line 210, before the word "thousand," to strike out "fifty" and insert 'seventy-five;" so as to make the clause read:

For post-office and court-house at Peoria, Ill.: For completion of building under present limit, \$75,000.

Mr. CULLOM. In line 210 I move to strike out the words "seventy-five," before "thousand," and insert "one hundred;" so as to read "\$100,000."

Mr. ALLISON. I hope the Senator will not insist on that.
Mr. CULLOM. I hope the Senator will hear me for a moment.
Mr. ALLISON. I will.
Mr. CULLOM. The item that I propose to amend is in reference to the court-house at Peoria, Ill. I think the amendment which I suggest ought to be adopted. As most Senators perhaps know, the business at that city is very large, and the building that would be built if completed under the statute as it stands to-day would not be near sufficient to accommodate the public interests in that city

As the Senator from Iowa will see, under the form of the amendas the Senator from lowa will see, under the form of the amendment proposed by the Committee on Appropriations, the building would necessarily have to be completed with the \$75,000 appropriated in the bill. The building has been in progress and is now up to the top of the second story, and is waiting for the determination by this Congress whether there shall be an additional appropriation so that a third story may be put upon the building, which will make it sufficient to accommodate the public interests. modate the public interests.

This is just one of that class of cases where clearly the equity and right in the premises would justify the amendment which I have asked to be adopted, and I hope the Committee on Appropriations will make no objection to it, at least so far as a point of order is concerned, so as to let the Senate vote upon the question whether they will agree to the

I might go into a general discussion of the vast amount of revenue which is collected in that city and the public business done there, so as which is collected in that city and the public bushless does not to show conclusively that the building if finished under the present to show conclusively that the building if finished under the present to accommodate the public interests. It will law will not be sufficient to accommodate the public interests. either have to be finished as a two-story building and an insufficient one, or it will have to stand there for another year, unless my amendment is adopted. I hope, therefore, that the chairman and other members of the Committee on Appropriations will make no objection to the amendment, and allow the \$25,000 increase which I propose.

Mr. ALLISON. For the building at Peoria, III., the limit is \$225,000.

That certainly ought to build a very good building at Peoria. The estimate for this year is only \$75,000. I trust therefore that the Sen-

ator from Illinois will not at this moment press his amendment.

Mr. CULLOM. The Secretary of the Treasury has recommended that this increase be made, and that it be made at this session in view of the fact that the building has reached a point of construction where it will either have to be completed under the appropriations now made or stand until another session of Congress. I give my word to Senators upon this question that unless the appropriation is increased the building will not be sufficient in size to accommodate the public interests in that city.

Mr. ALLISON. I wish to ask the Senator if the building can be

Mr. ALLISON. I wish to ask the Senator if the building can be changed in its general plan by the amendment proposed.

Mr. CULLOM. It can be changed by adding a story to the building. It is a two-story building as originally designed. It is built up to the top of the second story. All that is necessary is to go on with the third story and make the building larger.

Mr. ALLISON. I can not understand why it requires over \$200,000

to build a two-story building.

Mr. CULLOM. The Senator will understand that some \$45,000 of the original appropriation went to the purchase of ground upon which the building was to be located, which reduced the amount for the building. I desire the Senate to understand that the city of Peoria is a city which pays more taxes than almost any other city in this country and consequently has more need of a public building.

Mr. ALLISON. Notwithstanding that, I must make the point of order upon the Senator's amendment.

The PRESIDING OFFICER. The Senator from Iowa raises the

point of order upon the amendment proposed by the Senator from Illinois. The Chair is of opinion that the point of order is well taken.

Mr. CULLOM. I do not like to appeal from the decision of the Chair, but I insist that the amendment ought to be adopted. I hope the Committee on Appropriations will not stand here and raise a technical point where there are other buildings just exactly like it, so far as

merits are concerned, but which do not happen to be in the same cat-

ments are concerned, but which do not happen to be in the same category on the question of order and get through, while some are ruled out. I shall have to appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from Illinois appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The "ayes" appear to have it. The "ayes" have it. The decision of the Chair is sustained.

Mr. CULLOM. I ask that the President of the Senate submit the question to the Senate not technically upon the question of order, but upon the point whether the amendment may be allowed to be made to

the bill.

Mr. FRYE. That can not be done, Mr. President.

Mr. HARRIS. The question of order has been raised and settled. suggest to the Senator from Illinois that he may perhaps in some rangest to the Senator from Hillions that he may perhaps in some measure accomplish his object by asking the Senate to disagree to the committee amendment striking out the word "continuation" and inserting the word "completion" in line 209.

Mr. CULLOM. If the Senate refuses to increase the amount, then I ask that the word "completion" be stricken out, and that the word "continuation," which the committee proposed to strike out, shall be

allowed to stand in the bill.

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that there is no pending proposition to increase the amount except as made by the Committee on Appropriations. The Senator's amendment has been ruled out of order.

Mr. CULIOM. Then I move that the word "completion" be stricken out and that the word "continuation," which the committee

the reported to strike out, be allowed to remain in the bill.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Illinois that all that would be necessary would be for the Senate to disagree to the amendment reported by the committee, which would

leave the word "completion" to stand.

Mr. CULLOM. I will put it in that form.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, in line 209, to strike out the word "continuation" and insert the word "completion."

The amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Committee on Appropriations, in line 210, to increase the appropriation from \$50,000 to \$75,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 211, after the word "for," where it occurs the second time, to strike out "completion of building, \$30,000," and insert "approaches, fencing, grading, and paving, \$10,000; so as to make the clause read:

For post-office at Poughkeepsie, N. Y.: for approaches, fencing, grading, and paving, \$10,000.

Mr. MILLER, of New York. That is the same as the Columbus and other cases. I wish to have the amendment disagreed to. I understand the committee have given their consent to that. This is one of the cases already decided, and by the understanding of the committee these amendments are to be disagreed to.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the committee.

The amendment was rejected.

The next amendment was, to strike out the following clause, from 214

to 238, inclusive:

That the Secretary of the Treasury is hereby authorized and directed to sell at public auction, in the city of Philadelphia, Pa., to the highest bidder, after thirty days' notice in four of the principal newspapers published in the city of Philadelphia, in one or more lots, the land and premises known as the old court-house and post-office in said city, lying upon Chestnut street and extending back to Library street, and between Fourth and Fifth streets, and adjoining the present custom-house site in said city; the time and place of said sale in said city to be fixed by the Secretary of the Treasury at a date not later than ninety days after the passage of this act, and at a price not less than \$300,000, with power to reject any or all bids and to readvertise and offer the said property in like manner as often as may be necessary to secure the value thereof, and the cost to be paid from the proceeds of sale; and it shall be the duty of the Secretary of the Treasury to cause inquiry to be made as to the value of this property, and if it shall appear that the price above named is inadequate, he is authorized and directed to appoint a board of three persons in the employ of the United States to assess the value of the said property, and report the same to the Secretary of the Treasury, when the sum fixed by this board shall be the minimum price at which the property may be thus sold.

The amendment was agreed to.

The next amendment was, after line 241, to insert:

For post-office at Reading, Pa.: For purchase of site and completion of building, \$20,000.

The amendment was agreed to.

The next amendment was, after line 244, to insert:

For public building at Richmond, Va.: For enlargement of building, \$50,000.

The amendment was agreed to.

The next amendment was, after line 248, to insert:

For post-office at Sacramento, Cal.: For purchase of site and completion of building, \$100,000.

The amendment was agreed to.

The next amendment was to strike out lines 258 and 259, as follows: For post-office and court-house at Syracuse, N. Y.: For completion of building, \$55,000.

Mr. LAPHAM. That is one of the cases in which the Senate has already overruled the committee. I hope the Senate will disagree to that amendment. It comes within the same class.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 265, to insert:

For court-house and post-office at Troy, N. Y.: For purchase of site and com-nencing the erection of building, \$100,000.

The amendment was agreed to.

The next amendment was, after line 268, to insert:

For court-house and post-office at Tyler, Tex.: For purchase of site and completion of building, \$50,000.

The amendment was agreed to.

The next amendment was, after line 271, to insert:

For court-house and post-office at Wichita, Kans.: For purchase of site and completion of building, \$50,000.

The amendment was agreed to.

The next amendment was to strike out lines 282, 283, and 284, in the following words:

Extensive repairs to roof, \$6,400; and annual repairs to Treasury building, \$6,000; in all, \$12,400.

And in lieu thereof to insert:

Extensive repairs to roof, renewal of old concrete floors, replacing worn and worthless water-closets, and annual repairs to Treasury building, \$27,000.

The amendment was agreed to.
The next amendment was, in line 292, before the word "thousand," to strike out "fifty" and insert "seventy-five;" so as to make the clause read:

For repairs and preservation of public buildings: Repairs and preservation of custom-houses, court-houses, post-offices, and other public buildings under the control of Treasury Department, \$175,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 305 to line 315, inclusive, in the following words:

That hereafter no plan shall be prepared or approved by the Secretary of the Treasury for any public building authorized by Congress to be erected until after the site therefor shall have been purchased and paid for; and he shall not authorize or approve of any plan for any such building which shall involve a greater expenditure in the completion of such building and approaches thereto than the amount that shall remain of the sum specified in the law authorizing the erection of such building as the limit of the cost of the site and building after the site shall have been paid for.

The amendment was agreed to.

Mr. VEST. I offer the following amendment, after line 315, to in-

Mr. ALLISON. I ask the Senator to withhold that until after the committee amendments are disposed of. That was the understanding. The PRESIDING OFFICER. The Chair thinks that was the under-

standing of the Senate.

Mr. ALLISON. That I believe is the rule of the Senate also.
The PRESIDING OFFICER. The Chair thinks it is. The reading

of the bill will be continued.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "lighthouses, beacons, and fog-signals," in line 319, to increase the item of appropriation "for establishing a light on Romer Shoal, in the lower bay of New York," from \$20,000 to \$25,000.

The amendment was agreed to.

'The next amendment was, after the word "dollars," in line 323, to insert "to be immediately available;" so as to make the clause read:

Winter-Quarter Shoal light-ship, Virginia: For the construction and establishment of an iron light-ship, with a fog-signal, for Winter-Quarter Shoal, Virginia, \$30,000, to be immediately available.

The amendment was agreed to.

Mr. ALLISON. There was one light-house omitted, and I move to insert, after line 323, from the Committee on Appropriations:

For the construction of a light-house at Plantation Inlet, near the mouth of Chesapeake Bay, \$25,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 326, to increase the appropriation "for a light-house and fog-bell on Bush's Bluff, Elizabeth River, near Norfolk, Va.," from \$20,000 to \$25,000.

The amendment was agreed to.

The next amendment was, in line 332, before the word "thousand," to strike out "five" and insert "ten;" and in the same line, after the word "dollars," to insert "to be immediately available;" so as to make the clause read:

Hunting Island light-station, South Carolina: For protecting the site of the ght-house at Hunting Island, South Carolina, \$10,000, to be immediately avail-

The amendment was agreed to.

The next amendment was, in line 334, after the word "for," to strike out "continuing" and insert "completing;" and in line 336, before the

word "thousand," to strike out "thirty" and insert "seventy:" so as make the clause read:

Mosquito Inlet light-station, Florida: For completing the light-house at Mosquito Inlet, Florida, \$70,000.

The amendment was agreed to.

The next amendment was, in line 338, to increase the appropriation

for establishing a light at Anclote Keys, Florida," from \$15,000 to \$20,000.

The amendment was agreed to.

The next amendment was, after line 342, to insert:

For the establishment of a small range-light at Northwest Passage, Key West, Fla., \$200.

The amendment was agreed to.

The next amendment was, after line 348, to insert:

Hell Gate electric light, New York: For the purchase of land for the site of the electric light tower already established at Hallet's Point, near Hell Gate, New York, \$10,000.

The amendment was agreed to.

The next amendment was, after line 355, to insert:

Pipe Island light-station, Michigan: For establishment of a light upon Pipe Island, Michigan, to form a range to guide into the Detour Passage, Saint Mary's River, \$10,000.

Mr. CONGER. I move to amend by adding the words "to be immediately available." There can be no objection to that.

Mr. ALLISON. I hope the Senator will not do that. reason for making any one of these items immediately available more than another except where the work can be completed during the cur-

Mr. CONGER. This is a small range-light. It can be completed in

a month or six weeks at the most.

Mr. ALLISON. Very well. I had rather agree to it than spend time upon it.

Mr. CONGER. All right.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 359, to insert:

Saint Mary's River ranges, Michigan: For erecting range-lights to guide through the dredged cut in Saint Mary's River, near Round Island, Michigan, \$12,000.

Mr. ALLISON. Let the same amendment be made to that. Mr. CONGER. I move the same amendment there.

To be immediately available.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in line 366, after the word "dollars," to insert "to be immediately available;" so as to read:

Detroit River light-house: For the completion of the light-house at or near the mouth of the Detroit River, in Lake Erie, \$18,000, to be immediately available.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in line 370, to increase the appropriation "for continuing the construction of a light-house on Northwest Seal Rock, off Point Saint George, California," from \$30,000 to \$75,000.

The amendment was agreed to.

The next amendment was, after line 371, to insert:

Angel Island fog-signal, California: For establishment of a fog-signal on Angel Island, San Francisco Bay, California, \$4,500.

The amendment was agreed to.

The next amendment was, in line 376, after the word "establishing," to strike out "complete;" and in line 378, before the word "thousand," to strike out "twenty-five" and insert "forty;" so as to make the clause read:

Destruction Island light-station, Washington Territory: For establishing a first-order light and fog-signal on Destruction Island, Washington Territory, \$40,000.

The amendment was agreed to.

The next amendment was to strike out the following clause from line 379 to 381, inclusive:

That appropriations made by this act shall not be available before the 1st day of July, 1885, except where expressly provided herein.

The amendment was agreed to.

The next amendment was, in line 432, to reduce the total amount of the appropriation "for pay of crews of surfmen employed at the lifesaving and life-boat stations during the period of actual employment," &c., "and miscellaneous expenses that can not be included under any other head of life-saving stations on the coasts of the United States,

other nead of file-saving stations of the coasts of the first state of the saving stations of the committee whether the wording of this provision would not exclude payment to those members of the Life-Saving Service who have become disabled and under an interest of the committee whether in act of Congress are entitled to pay for the year following whether in service or not, or, if they are dead, their widows. I fear that is not included in this. I call attention to the clause from line 412 to 432.

Mr. ALLISON. That is in the language of last year's bill.

Mr. CONGER. Since that time we have passed a law giving one year's salary to persons injured while in actual duty.

Mr. ALLISON. I believe at this session some law has been passed giving additional pay or pension to these people.

Mr. CONGER. At the close of the last session.

Mr. ALLISON. I can not state to the Senator whether the language

Mr. ALLISON. I can not state to the Senator which here employed would cover the provisions of that law or not. There here employed would cover the provisions of that provision. We had the chief the Life-Saving Service before us and he assented to this pro-

Mr. CONGER. That may have been provided for in the general bill.
Mr. ALLISON. I will say to the Senator that the committee did Mr. ALLISON. I will say to the Senator that the committee did not specially examine that. We took it for granted that the chief of this service, who is usually pretty prompt and pretty vigorous in asking for whatever is necessary to maintain the establishment, would have called attention to it if it was wrong. I think the Senator will find that there is no difficulty in the way.

Mr. CONGER. If it may be understood that if, after examining the general bill making appropriations for that service it is found not to be provided for in that, we may return to this and offer an amendment to

secure those who have been injured in the service and their widows—
The PRESIDING OFFICER. The Chair understands that the
whole bill will be open to amendment after the committee amend-

ments have been disposed of.

Mr. CONGER. I will wait until that time and examine the subject. The PRESIDING OFFICER. The question is on agreeing to the amendment in line 432.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 435, to increase the appropriation "for establishing new life-saving stations and life-boat stations on the sea and lake coasts of the United States" from \$25,000 to \$50,000.

The amendment was agreed to.

Mr. MILLER, of California. I desire to ask the chairman of the committee if the chief of the Life-Saving Bureau made any statement as to the proposed necessities of the service for new life-saving stations? I see the committee have increased this item from \$25,000 to \$50,000, but as I am advised the whole amount of \$50,000 is needed for new stations on the Pacific coast alone.

Mr. ALLISON. Some two or three years ago we passed a bill providing for forty new life-saving stations, and the chief of the Life-Saving Service said to us that with this \$50,000 he could establish ten new

life-saving stations, and that that was about the required number for the next fiscal year. He did not state where they were to be located.

Mr. MILLER, of California. That is satisfactory.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out the following clause, from line 450 to line 453:

That the Secretary of the Navy be, and is hereby, directed to transfer to the Treasury Department, for use as a revenue cutter in the waters of Alaska, the Bear, one of the vessels of the late Greely relief expedition.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in line 503, to increase the appropriation

for salaries of keepers of light-houses: For salaries, fuel, rations, rent of quarters, where necessary, and similar incidental expenses of 1,015 light-keepers and fog-signal keepers, 'from \$575,000 to \$585,000. The amendment was agreed to.

The next amendment was to increase the appropriation "for expenses of light-vessels: For seamen's wages, rations, repairs, salaries, supplies, and incidental expenses of thirty light-ships," from \$220,000 to \$230,000.

The amendment was agreed to.

The next amendment was, before the word "thousand," in line 514, to strike out "twenty" and insert "twenty-five;" so as to make the clause

For expenses of buoyage: For expenses of raising, cleaning, painting, repairing, removing, and supplying losses of buoys, spindles, and day-beacons, and for the maintenance of whistling-buoys and bell-buoys, and for chains, sinkers, and similar necessaries, \$325,000.

The amendment was agreed to.

The next amendment was, in line 518, before the word "thousand," to strike out "fifty" and insert "seventy;" so as to make the clause read:

For expenses of fog-signals: For establishing, renewing, duplicating, and improving fog-signals and buildings connected therewith, and for repairs and incidental expenses of the same, \$70,000.

The amendment was agreed to.

The next amendment was, at the end of line 530, to insert the following proviso:

Provided. That so much as may be necessary of the unexpended balance of the appropriation for lighting and buoyage of the Mississippi, Missouri, and Ohio Rivers for the fiscal year ending June 30, 1884, may be used to defray the expense of repairing the light-house tender Lily, damaged by fire September 20, 1884.

The amendment was agreed to.

The reading of the bill was continued to the end of line 547.

Mr. CONGER. I desire to call the attention of the chairman of the committee to this paragraph, ending in line 547:

For maintenance of lighted buoys: For the maintenance of light-buoys now in use, \$5,000.

I move to strike out the words "now in use," so that the Light-House Board may change the light-buoys from point to point, as may

Mr. ALLISON. That amendment is not in order now.
The PRESIDING OFFICER. The Chair will state to the Senator that under the order of the Senate the amendments of the Committee

that under the order of the Senate the amendments of the Committee on Appropriations are being disposed of. It will be in order when the bill has been read through to propose other amendments.

Mr. CONGER. I will reserve it, then, until the reading is completed. The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations "for Coast and Geodetic Survey," in line 569, after the word "Head," to strike out "seven thousand five hundred" and insert "nine thousand;" and in line 570, after the word "dollars," to insert "of which sum \$1,500 shall be immediately available;" so as to make the clause read:

For continuing the survey of the coast of Maine eastward from Englishman's

For continuing the survey of the coast of Maine eastward from Englishman's Bay toward Quoddy Head, \$9,000, of which sum \$1,500 shall be immediately available.

The amendment was agreed to.

The next amendment was, after the word "Sound," at the end of line 575, to strike out "thirteen thousand" and insert "fifteen thousand five hundred;" and after the word "dollars," in line 576, to insert "of which sum \$2,500 shall be immediately available;" so as to make the clause read:

For continuing resurvey of Long Island Sound, \$15,500, of which sum \$2,500 shall be immediately available.

The amendment was agreed to.

The next amendment was, in line 654, before the word "thousand," to strike out "thirty-eight" and insert "forty-two;" so as to make the clause read:

And 10 per cent. of the foregoing amounts shall be available interchangeably for expenditure on the objects named; in all, for party expenses, \$142,500.

The amendment was agreed to.

The reading of the bill was continued to the end of line 623.

Mr. ALLISON. In line 622 the committee authorize me to move to strike out "five" and insert "eight."

The PRESIDING OFFICER. The first "five" or the second?

Mr. ALLISON. The first "five."

The PRESIDING OFFICER. The Senator from Iowa proposes in line 622 to strike out "five" and insert "eight;" so as to make the

For continuing the topographical survey of the coast of Southern California, including the necessary supplementary surveys near San Francisco, \$8,500.

The amendment was agreed to.

Mr. ALLISON. I will say that at a later stage that will require an amendment in line 493. I will call attention to it later. It will necessitate the rechanging of totals to the amount of \$3,000.

The PRESIDING OFFICER. The amendment referred to by the Senator from Iowa will be stated by the Chief Clerk.

The CHIEF CLERK. In line 493 strike out "\$350,000" and insert

The PRESIDING OFFICER. The Chair believes that is the amend-

ment intended to be proposed by the Senator from Iowa. It can be acted on nov Mr. ALLISON. That is not the place. I will reserve that for the

The reading of the bill was continued to the end of line 626.

Mr. MILLER, of California. There is an error in line 625. The name "Sancelito" should be "Saucelito." I move to strike out "Sancelito" and insert "Saucelito."

The PRESIDING OFFICER. That amendment will be made if

there be no objection.

there be no objection.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, before the word "thousand," in line 654, to strike out "thirty-eight and insert "forty-two."

Mr. ALLISON. It should be \$42,800.

The PRESIDING OFFICER. The Senator from Iowa proposes to amend by inserting "eight hundred."

Mr. ALLISON. Strike out "five" and insert "eight."

Mr. MILLER, of California. The addition should be \$3,000.

Mr. ALLISON. Ten per cent. of these appropriations is reserved interchangeably.

interchangeably.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be considered as agreed to if there be no objection. question is on the amendment of the committee as amended.

The amendment as amended was agreed to, so as to make the clause read as follows:

And 10 per cent, of the foregoing amounts shall be available interchangeably for expenditure on the objects named; in all, for party expenses, \$142,800.

The PRESIDING OFFICER. It is the duty of the Chair, the hour of 1 o'clock having arrived, to lay before the Senate the unfinished business, which is the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes.

Mr. ALLISON. I ask unanimous consent that the regular order may be informally laid aside in order that we may proceed with this

appropriation bill.

SAINT PAUL AND SIOUX CITY RAILROAD LANDS.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the regular order be informally laid aside in order that the Senate may continue the consideration of the appropriation bill.

Mr. McMILLAN. I desire to inquire what the regular order now laid before the Senate is.

The PRESIDING OFFICER. The title will be read again.

The SECRETARY. A bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads

in that State, and for other purposes.

Mr. McMILLAN. May I inquire if that is the bill which was under consideration on Saturday at the adjournment?

The PRESIDING OFFICER. The Chair understands that it is.

Mr. McMILLAN. Then I object.

The PRESIDING OFFICER. The Senator from Minnesota objects.

Mr. McMILLAN. If the Senator from Iowa will yield to me I will move that the bill be laid upon the table. It has already occupied one day of debate.

Mr. ALLISON. I ask unanimous consent to say a word.
Mr. McMILLAN. I do not yield.
The PRESIDING OFFICER. The Senator from Minnesota declines to yield. Mr. ALLISON.

Is he making a speech?

Mr. McMILLAN. I am making a statement. That bill has occupied one entire day of the Senate's time in debate, and it would occupy two or three days more if there were that much of the session remain-It is interfering seriously with business, and I move that the bill be laid on the table.

Mr. ALLISON. Pending that motion—
The PRESIDING OFFICER. The motion of the Senator from

Minnesota is not debatable.

Mr. ALLISON. I understand that; I do not propose to debate it; but pending that motion, I ask unanimous consent that the bill may be informally laid aside, in order that we may proceed with the appropriation bill, and pending that I desire unanimous consent to say

The PRESIDING OFFICER. If there is no objection the Senator

from Iowa will be allowed to make a statement.

Mr. ALLISON. I hope the Senator from Michigan will not interse an advantage which he has at this moment to get rid of another bill which I do not propose to interfere with one way or the other. I ask what has never before been denied, unanimous consent to proceed with the appropriation bill without affecting the pending orders, whatever they may be.
Mr. McMILLAN.

I ask unanimous consent to make a statement. The PRESIDING OFFICER. Is there objection to the Senator from Minnesota being heard? The Chair hears none.

Mr. McMILLAN. I do not think that the chairman of the Com-

Mr. MCMILLAN. I do not think that the charman of the committee on Appropriations has pursued a proper course in making the remarks he has in using the power of the Committee on Appropriations to protect this bill which I have moved to lay on the table. To attempt to raise an issue between me and the Senate in regard to the merits of this motion is not I think entirely fair. I present no contest of that kind. I desire to proceed with the bill the Senator has had before the Senate this morning; and it is for the reason that I desire the sundry civil bill to be disposed of without interruption that I make this motion. It will take no time to dispose of this motion except what is required to take the vote of the Senate; and to attempt to antagonize it with the weight of the Committee on Appropriations is not,

I think, exceedingly fair.

Mr. WILSON. Mr. President—

The PRESIDING OFFICER. The Chair will say to Senators that the pending motion is not a debatable motion. If any Senator asks unanimous consent to be heard the Chair will put the request of the Senator.

Mr. WILSON. I ask unanimous consent.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent to be heard on this question. Is there objection? The

Chair hears none.

Mr. WILSON. I do not desire to antagonize the appropriation bill with the pending order. I desired and suggested to the Senator from Minnesota that we allow this to be laid aside informally in order that the Senate might proceed with the consideration of the appropriation bill; and when that shall have been completed, if the Senator from Minnesota desires then to make his motion to lay the bill on the table, he can do so and have a test vote. But I do not desire that advantage taken now when the Senate is anxious to proceed with this appropriation bill. Let it go over informally, and when we shall have concluded the appropriation bill, then if he desires to take a test vote on the motion to lay on the table I shall have no objection, for I do not desire to occupy the time of the Senate on that bill. I shall not, if we come to the discussion of it, occupy more than five minutes of the time of the Senate in what I desire to submit concerning it.

Mr. McMILLAN. Mr. President—

The PRESIDING OFFICER. The Senator from Minnesota is not in

order.

Mr. ALLISON. I object to any further debate. The PRESIDING OFFICER. Objection is made to debate.

Mr. McMILLAN. I desire to withdraw—
Mr. ALLISON. I object.
The PRESIDING OFFICER. Does the Senator rise to debate the question?

Mr. McMILLAN. No, sir; I do not rise to debate it. I yield to the power of the Committee on Appropriations and withdraw the mo-

The PRESIDING OFFICER. The Senator from Minnesota with-

draws his motion.

draws his motion.

Mr. ALLISON. Now I ask unanimous consent—
The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the pending question be laid aside informally, and that the Senate continue the consideration of the sundry civil appropriation bill? Is there objection? The Chair hears none.

Mr. ALLISON. Now I desire to say to the Senator from Minnesota that it is both unjust and unfair to the Committee on Appropriations to assert that they are interposing anything here, and I do not wish that imputation to be cast upon the committee. I only ask in this regard that this bill, whatever it is, shall be treated as everthing else informally laid aside in order that the business of the Senate may be proformally laid aside in order that the business of the Senate may be pro-

ceeded with in reference to appropriations.

ceeded with in reference to appropriations.

Mr. McMILLAN. In justice to myself I desire to say that the time consumed in opposing this motion has been much greater than would have been consumed in taking a vete of the Senate upon the motion to lay the bill on the table. This is a question of great importance, involving public and private rights, and it is my duty as a member of the Senate to take all the opportunities I have to protect those rights. The Senator from Iowa in charge of this bill, it seems to me, has interfered with the motion that I had made without any necessity for daing so doing so.

RETURN OF A HOUSE CONCURRENT RESOLUTION.

The PRESIDING OFFICER laid before the Senate the following resolution of the House of Representatives:

In the House of Representatives, March 2, 1885.

Resolved. That the Clerk of the House be directed to request the Senate to return to the House of Representatives the concurrent resolution of February 27, 1885, providing for the printing of the first and second volumes of "Decisions relating to the public lands," which was by mistake communicated to the Senate as having passed the House.

The PRESIDING OFFICER. Will the Senate agree to the request of the House of Representatives for the return of this resolution?

There being no objection, the request was granted.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 441) for the completion of a public building at Council

Bluffs, Iowa;
A bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kerwin, in the State of Kansas;
A bill (H. R. 1266) for the relief of Alexander D. Schenck;
A bill (H. R. 2158) for the benefit of John C. Herndon;
A bill (H. R. 2268) for the relief of John F. Severance;
A bill (H. R. 3058) to amend section 1889, chapter 1, title 23 of the Revised Statutes of the United States, relative to general incorporation

A bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;
A bill (H. R. 4382) for the relief of William H. Davis;
A bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States:

in the military service of the United States;

A bill (H. R. 6940) granting a pension to Sarah M. Bissell;

A bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes; A bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes;

Joint resolution (H. Res. 124) authorizing the collector of the port of New York to deliver, free of duty, a silver cup won by Sergt. A. B. Van Heusen, as a member of the American rifle team at Wimbledon, in July, 1883.

REPORTS OF COMMITTEES.

Mr. SHERMAN. I ask consent to make a report at this time so that it may be placed on the Calendar without printing, as I wish to call it up to-day.

I am directed by the Committee on Finance, to whom was referred the bill (S. 2669) to authorize the Secretary of the Treasury to issue a du-plicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind., to report it without amendment. I do not ask that the report be printed. We have adopted the House report, and therefore it is not necessary to print it.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (H. R. 7618) granting a pension to Harry H. G. Kislingbury,

Walter F. Kislingbury, Wheeler Schofield Kislingbury, and Douglas E. L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States Infantry, reported it without amendment, and submitted a report thereon.

Mr. CAMDEN, from the Committee on Pensions, to whom was referred the bill (H. R. 2872) granting a pension to Jacob Funkhouser, reported it without amendment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred a letter of the Secretary of War, transmitting, in compliance with law, an abstract of the military force of the United States, reported it back with a recommendation that it be printed; which was agreed to. agreed to.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER (Mr. HARRIS in the chair) presented a petition of the department encampment of the Grand Army of the Republic of Indiana, praying that General U. S. Grant be immediately placed on the retired-list of the Army on full pay; which was ordered to lie on the table.

Mr. MILLER, of California. I ask unanimous consent to present a joint resolution of the General Assembly of the State of California, in regard to the Indian-war debt of that State. I do so because I desire it to go before the Committee on Appropriations before the deficiency bill is acted on.

The PRESIDING OFFICER. If there be no objection, the resolution of the Legislature of California will be received, read, and referred. The resolution was read, and referred to the Committee on Appropri-

ations, as follows:

Assembly joint resolution No. 73, adopted March 30, 1878.

Assembly joint resolution No. 78, adopted March 30, 1878.

Resolved by the assembly of the State of California (the senate concurring), First. That our Senators be instructed and our Representatives requested to urge upon Congress the immediate payment of all bonds, coupons, and certificates of coupons issued by the State of California for expenses incurred in the Indian wars which have not been paid by the General Government. Second, That his excellency the governor be requested to cause a statement of all such bonds, certificates, and coupons, and of the circumstances connected therewith, to be prepared by the comptroller, and upon such statement being prepared to cause an application to be made to Congress, in the name of the State of California, for the payment of said bonds, coupons, and certificates. Third. And that he forward a copy of these resolutions to each of our Senators and Representatives in Congress.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Thomas L. Thompson, secretary of state of the State of California, do hereby certify that I have carefully compared the annexed copy of assembly joint resolution No. 73, adopted by the Legislature of the State of California on the 30th day of March, 1878, with the original now on file in my office, and that the same is a correct transcript therefrom and of the whole thereof. Also, that this authentication is in due form and by the proper officer.

Witness my hand and the great seal of State, at office in Sacramento, Cal., the 3d day of January, A. D. 1885.

[SEAL.]

T. L. THOMPSON, Secretary of State. By A. E. SHATTUCK Deputy.

Mr. CAMERON, of Pennsylvania. I ask unanimous consent to present several joint resolutions of the Legislature of Pennsylvania.

The PRESIDING OFFICER. Is there objection? The Chair hears

Mr. CAMERON, of Pennsylvania, presented a joint resolution of the Legislature of Pennsylvania, in favor of the passage of an act placing General U.S. Grant on the retired-list; which was ordered to lie on the table, and be printed in the RECORD, as follows:

IN THE HOUSE OF REPRESENTATIVES, February 13, 1885.

IN THE HOUSE OF REPRESENTATIVES, February 13, 1885.

Whereas the bill providing for the retirement of General U.S. Grant is still pending in Congress, the dilatory action of that body tending to create a feeling of indignation among the people, who believe that the most generous treatment of this distinguished soldier and patriot is the merest justice; and

Whereas it is the sense of the General Assembly of this State that only the promptest action in passing the said bill can keep apace with the increasing age and falling strength of the great soldier, and that the debt due him from his country should be acknowledged while yet it may lighten the increasing cares of his life: Therefore

Be it resolved (if the senale concur) That our Senators be instructed, and our Representatives in Congress be requested, to use their earliest and utmost efforts to pass the bill placing General U.S. Grant on the retired-list.

Extract from the Journal of the House of Representatives.

GEO. PEARSON,

GEO. PEARSON,

Chief Clerk of the House of Representatives.

IN THE SENATE, February 19, 1885.

The foregoing resolution concurred in.

THOS. B. COCHRAN, Chief Clerk of the Senate.

Approved the 25th day of February, A. D. 1885.
ROBERT E. PATTISON,
Governor.

Mr. CAMERON, of Pennsylvania, presented a joint resolution of the Legislature of Pennsylvania, favoring the passage of an act grant-ing pensions to the surviving soldiers of the Mexican war; which was ordered to lie on the table and be printed in the RECORD, as follows:

In the House of Representatives, February 6, 1885.

Whereas there is now pending in the House of Representatives of the United States a measure known as the "Mexican pension bill," which provides for the pensioning of the surviving soldiers of the United States who participated in the war with Mexico, as well as to facilitate the speedy settlement and allowance of claims of disabled soldiers and sailors who participated in the battles for the supremacy of the Union in the war of the rebellion; and

Whereas the Government of the United States is abundantly able to provide a pension for the soldiers and sailors of the country whose sacrifices have given us a restored Union and a united people: Therefore,

Be it resolved (if the senate concur), That our Representatives in Congress be requested to support said Mexican pension bill with the Senate amendments, and to use their utmost endeavors for its speedy consideration and passage before the termination of this Congress, in order that good faith may be kept and justice done to the nation's defenders.

Resolved, That this resolution, with the preamble, be printed, and a copy, properly attested, forwarded to each of Pennsylvania's Representatives in the national Congress.

Extract from the Journal.

GEO, PEARSON,

GEO. PEARSON, Chief Clerk House of Representatives.

IN THE SENATE, February 11, A. D. 1885.

The foregoing resolution concurred in.

THOS. B. COCHRAN, Chief Clerk of the Senate.

Approved the 19th day of February, A. D. 1885.

ROBT. E. PATTISON.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,

Harrisburg, February 19, A. D. 1885.

PENNYLVANIA, ss:

I do hereby certify, that the foregoing and annexed is a full, true, and correct copy of the resolution of the General Assembly of the Commonwealth of Pennsylvania in relation to the "Mexican pension bill," now pending in the Congress of the United States.

In testimony whereof I have hereunto set my hand and caused the seal of the secretary's office to be affixed, the day and year above written.

[SEAL.]

JNO. C. SHOEMAKER,

Deputy Secretary of the Commonwealth.

In the name and by the authority of the Commonwealth of Pennsylvania.

In the name and by the authority of the Commonwealth of Pennsylvania.

ROBERT E. PATTISON, governor of the said Commonwealth. To all to whom these presents shall come, sends greeting:

Know ye, that the attestation or certificate hereunto attached is in due form and made by the proper officer, and that John C. Shoemaker, whose name is subscribed thereto, was at the time of subscribing the same, and now is, deputy secretary of the Commonwealth, duly appointed and commissioned, and full-faith and credit are due and ought to be given to his official acts accordingly.

Given under my hand and the great seal of the State, at Harrisburg, this 19th day of February, in the year of our Lord 1885, and of the Commonwealth theone hundred and ninth.

[SEAL.]

ROBT. E. PATTISON,

Governor.

By the governor:

W. S. STENGER, Secretary of the Commonwealth.

Mr. CAMERON, of Pennsylvania, presented a joint resolution of the Legislature of the State of Pennsylvania, remonstrating against the abolishment of the National Board of Health; which was referred to the Committee on Epidemic Diseases, and ordered to be printed in the RECORD, as follows:

IN THE SENATE, February 20, 1885.

Resolved, That the senate (the house concurring) do carnestly request our Senators and Members of the House of Representatives at Washington to oppose any effort to abolish the National Board of Health in the face of the approach of the cholera.

Extract from the journal of the senate.

THOS. B. COCHRAN, Chief Clerk of the Senate.

In the House of Representatives, February 24, 1885.

The foregoing resolution concurred in.

GEO. PEARSON, Chief Clerk of the House of Representatives.

Approved the 26th day of February, A. D. 1885.

ROBERT E. PATTISON.

EDUCATION EXHIBITS AT NEW ORLEANS.

Mr. BLAIR. I ask unanimous consent to introduce a resolution calling for a report from a Department:

Resolved, That the Secretary of the Interior be directed to transmit to the Senate the report of the Commissioner of Education of the exhibition of education at the World's Industrial and Cotton Centennial Exposition at New Orleans, La.

Mr. ALLISON. That is a little premature, I think.
Mr. BLAIR. It is not to print it. It is simply to transmit it to the Senate.

Mr. ALLISON. How can the report be ready when the exposition

going on now?

Mr. BLAIR. It will be here to-night if it is not here now.

Mr. ALLISON. I object, and ask that the resolution be printed.

The PRESIDING OFFICER. The resolution will lie over and be

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAMERON, of Pennsylvania, submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. SAWYER submitted an amendment intended to be proposed by

him to the river and harbor appropriation bill; which was referred to

the Committee on Commerce.

Mr. MORGAN submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate resumed the consideration of the sundry civil appropriation bill (H. R. 8256).

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "pay of field officers of the Coast and Geodetic Survey," after line 685, to insert: For pay of four assistants, at \$1,550 per annum, \$6,200.

The amendment was agreed to.

The next amendment was, in line 689, before the word "assistants," to strike out "nine" and insert "five;" and in line 690, before the word "thousand," to strike out "thirteen" and insert "seven;" so as to make the clause read:

For pay of five assistants, at \$1,500 per annum, \$7,500.

The amendment was agreed to.

The next amendment was, at the end of line 704, before the word "hundred," to strike out "twenty-four thousand nine" and insert "twenty-five thousand one;" so as to make the clause read:

Total pay in field, \$125,120. The amendment was agreed to.

The next amendment was in the appropriations for "pay of office force for the Coast and Geodetic Survey," in line 707, to increase the appropriation "for one disbursing agent" from \$2,500 to \$2,800.

The amendment was agreed to.

The next amendment was, in line 714, to increase the appropriation "for one general office assistant" from \$2,000 to \$2,500.

The amendment was agreed to.

The next amendment was, in line 878, before the word "hundred," to strike out "twenty-seven thousand four" and insert "twenty-eight thousand two;" so as to make the clause read:

Total for pay of office force, \$128,278.82.

The amendment was agreed to.

The next amendment was under the head "Miscellaneous objects under the Treasury Department," in line 950, before the word "thousand," to strike out "twenty" and insert "forty;" so as to make the clause read:

Expenses of the national currency: For paper, express charges, and other expenses, \$40,000.

The amendment was agreed to.

The next amendment was, in line 954, before the word "thousand," to strike out "thirty" and insert "forty; so as to make the clause

Distinctive paper for United States securities: For paper, including mill expenses, transportation, examination, counting, and delivery, \$40,000.

The amendment was agreed to.

The next amendment was, in line 956, after the word "coin," to strike out "that" and insert "for transportation of silver coin, \$50,000; and in expending this sum;" so as to read:

Transportation of silver coin: For transportation of silver coin, \$50,000; and in expending this sum the Secretary of the Treasury, &c.

The amendment was agreed to.

Mr. ALLISON. What has become of the amendment from line 956

The PRESIDING OFFICER. The question has just been taken on the insertion of the words:

For transportation of silver coin, \$50,000; and in expending this sum-

Mr. ALLISON. All right.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after the word "Treasury," at the end of line 958, to strike out the words "be, and he is hereby" and insert "is;" and in line 960, after the word "subtreasuries," to strike out "and mints;" so as to read:

The Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, silver coin when requested to do so,

The amendment was agreed to.

The next amendment was, in the proviso to the clause in relation to the "transportation of silver coin," after the word "applicants," in line 964, to strike out:

The expenses of such transportation shall be paid from the fund arising from the profits accruing from the coinage of the standard silver dollar, which is hereby appropriated for that purpose.

And in line 969, after the word "this," to strike out "paragraph, so far as the sum relates to the Treasury or subtreasuries," and insert the word "appropriation;" so as to make the proviso read:

Provided, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall annually report to Congress the cost arising under this appropriation.

The amendment was agreed to.

The Secretary read the clause of the bill from line 971 to line 974, inclusive, as follows:

Transportation of gold coin: For the transportation of gold coin from San rancisco to New York, \$100,000; the same to be immediately available.

Mr. INGALLS. I should like to hear from the chairman of the Committee on Appropriations on the subject of the amount of gold coin in San Francisco, and why it requires to be transported at the expense of the Government to New York.

Mr. BECK. I rose for that purpose, and to add that I hope the chairman of the committee will now tell the Senate the exact condition

of things in regard to these matters. We had more trouble about this than perhaps any other item in this bill, and the chairman of the committee knows all about it.

Mr. ALLISON. Mr. President, this is a provision inserted in the Mr. Allison. Mr. President, this is a provision inserted in the House of Representatives for the transportation of gold coin from San Francisco to New York. This appropriation was made after an investigation of an executive document, the number of which I have on a memorandum, but I do not remember it exactly. I think it is House Executive Document 106, in which the Treasury Department asked for an appropriation of \$500,000 for the transportation of silver coin between subtreasuries and for the erection of further vaults for the purpose of containing the silver coin. The House instead of adopting the suggestion made in this report, authorized the transportation of gold coin from San Francisco to New York.

The facts are that there are now in San Francisco \$56,000,000 of gold coin in the subtreasury at that place. There are also in the subtreasury at that place 19,000,000 silver dollars. There are in the mint at San Francisco 32,000,000 of silver dollars.

Mr. INGALIS. Are these deposits of gold and silver coin the product of the mint at San Francisco, or are they received in the course of the payment of customs and other duties?

Mr. ALLISON. The great body of the gold coin at the San Fran-Mr. ALLISON. The great body of the gold coin at the San Francisco subtreasury is the accumulation of years, which comes there from the production of gold on the Pacific coast. It is utterly impossible under existing law and in the regular range of commerce and trade between the Pacific coast and the Atlantic coast for this silver or this gold to reach the Atlantic coast. The exchanges of course are all in favor of the Atlantic coast, while both gold and silver are produced on the Pacific coast. So it is an inherent difficulty not only with reference to silver but with reference to gold coin that there is an accumulation on the Pacific coast. The Committee on Appropriations believed that it was a wise thing to transfer this gold coin or a portion of it to the Atlantic coast from the Pacific coast. Mr. INGALLS. Why?

Mr. INGALLS. Why?

Mr. ALLISON. For the purpose of having it nearer the range of the great commercial transactions of our country.

Mr. INGALLS. But we have a great deal more than we can use now in the Treasury. Why should there be \$56,000,000 more brought

Mr. ALLISON. I will answer the Senator. There is a constant accumulation at the San Francisco mint and at the San Francisco subtreasury, and there is now in the subtreasury all the coin that it has room for, and therefore the committee believed that this provision was a wise one in relieving the subtreasury at San Francisco and transporting this gold coin to New York.

Mr. INGALLS. All of it?

Mr. ALLISON. Not all of it.

Mr. INGALLS. How much?

Mr. ALLISON. The provision here will transfer \$40,000,000 of gold coin from San Francisco to New York at the rate of \$2.50 a thousand, which is the charge made by the express companies, and is said to be

the lowest charge for the work.

We have added to this provision a clause authorizing an appropria-tion of \$50,000 for the transportation of silver coin between the subtreasuries, and the committee made inquiry both of the Director of the Mint and of the Assistant Secretary of the Treasury, who was before us, why it was that there was this great accumulation of silver in San Francisco and this great cry against the accumulation in San Francisco when there was nothing said about the accumulation of gold there. It is now within the power of the Treasury Department to transfer these thirty-two million silver dollars from the mint in San Francisco to the Treasury at Washington, or the subtreasury at New York, if they desire to do so, without an appropriation, because the profits that are derived from the coinage of silver can be used under existing law to transport any portion of the silver dollars from the mints to any sub-

So the cry made for appropriations and for additional vault room San Francisco, as it appeared to the committee, was unnecessary, from the fact that if there is an undue accumulation of silver at the mint there the Department can transfer that silver, if they choose, to any subtreasury in the United States or to the Treasury here in Washing-

ton, where there is now room for \$36,000,000 of silver in the vaults already prepared in the Treasury.

For these reasons the committee not only agreed to the provision in this bill for the transportation of gold coin, but they also have inserted a provision which will enable the Treasury to make such manipulations and changes of the silver coin now in the different subtreasuries as will relieve the Treasury entirely from the necessity of building any

more vaults for the storage of silver dollars.

Mr. MILLER, of California. The committee have done exactly what they should have done. There is a large accumulation of both silver and gold coin in San Francisco, because that is the largest mint there is in the United States, and it is in the region of silver and gold produc-

Mr. INGALLS. Does this gold and silver all belong to the United States Government?

Mr. MILLER, of California. It does. Mr. INGALLS. How did they get possession of this fifty-six mill-

ions of gold coin?

Mr. MILLER, of California. I do not know how they got possession of it. It was coined at the mint.

Mr. INGALLS. The Government does not buy gold as it does silver

for the purpose of coinage.

Mr. MILLER, of California. The Government receives it, though, from the owners of gold bullion for coinage at the Mint, and exchange greenbacks for it. In that way the United States have accumulated in San Francisco a large amount of gold, and really there is not vaultroom sufficient in the subtreasury or in the mint in San Francisco for all the gold and silver there accumulated, and the vaults there should be relieved by the transfer of the coin from the Pacific coast to the eastern coast, where the coinage is needed and where the disbursements take place.

This proposition of the committee is not only in the interest of the Government, but it is good policy and good sense to do precisely what

they have proposed.

Mr. BECK. It seemed to me that the transportation companies

where the proposed is a seemed to me that the transportation companies of the work they do. When this question charged an enormous price for the work they do. When this question came up we sent for the Director of the Mint and Assistant Treasurer and everybody who knew anything about it. It seemed to me that the idea of paying \$100,000 to carry gold coin from San Francisco to New York was altogether extravagant; but when the facts were laid before us and the charges made against private individuals for the same work were explained, I did not see how to find fault, and therefore I

The PRESIDING OFFICER. The reading of the bill will proceed.
The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 974, to insert:

Transportation of silver coin: For transportation of silver coin between subtreasury offices, \$50,000.

The amendment was agreed to.

The next amendment was, after line 1041, to insert:

Smithsonian Institution building: For finishing and completing the furnishing of the eastern portion of the Smithsonian Institution building, \$5,600.

The amendment was agreed to.

The amendment was agreed to.

The nextamendment was, in line 1089, before the word "thousand," to insert "and twenty;" so as to make the clause read:

Furniture and repairs of furniture: For furniture and repairs of furniture, including carpets, for all public buildings under the control of the Treasury Department, including the public buildings under the control of the Treasury Department, including the public buildings at Cleveland, Obio, and including marine hospitals, and for furniture, carpets, chandellers, and gas-fixtures for new buildings, \$320,000. And all furniture now owned by the United States in other buildings shall be used as far as practicable, whether it corresponds with the present regulation plans for furniture or not.

The amendment was agreed to.

The reading of the bill was continued to line 1129.

Mr. ALLISON. In line 1128, before the word "thousand," I move to strike out "fifteen" and insert "twenty;" so as to read:

For the protection of sea-otter hunting-grounds and seal-fisheries in Alaska: To enable the Secretary of the Treasury to use revenue-steamers for the protection of the interests of the Government on the sea-islands and the sea-otter hunting-grounds, and the enforcement of the provisions of law in Alaska, \$20,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1129, to insert:

National Board of Health: For salaries and expenses of the National Board of Health, \$15,000.

The amendment was agreed to.

The next amendment was, after line 1132, to insert "For suppression of epidemic diseases;" and after the word "danger," in line 1143, to strike out "the same to be expended under the direction of the Marine-Hospital Service;" so as to make the clause read:

Hospital Service; "so as to make the clause read:

For suppression of epidemic diseases: The President of the United States is hereby authorized, in case of threatened or actual epidemic of cholera or yellow fever, to use the unexpended balance of the sum reappropriated therefor by the act approved July 7, 1884, together with the further sum of \$300,000, the same to be immediately available, in aid of State and local boards or otherwise, in his discretion, in preventing and suppressing the spread of the same and for maintaining quarantine and maritime inspections at points of danger.

The amendment was agreed to.

The next amendment was, after line 1145, to insert:

That the Secretary of the Treasury is hereby authorized to issue a warrant in favor of the Hartford and New York Transportation Company for the sum of \$6,479.32, which sum is hereby reappropriated, being the amount appropriated for said Hartford and New York Transportation Company under the act approved July 7,1884, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30,1885, and for other purposes, and now unpaid.

The amendment was agreed to.

The next amendment was, after line 1157, to insert:

To enable the Secretary of the Treasury to reimburse ex-President R. B. Hayes for amount paid for expenses of the commission appointed to go to Louisiana in April, 1877, \$3,950.73.

"one thousand five hundred" and insert "three thousand;" so as to make the clause read:

To enable the Secretary of the Navy to pay to W. P. Wood for services rendered in connection with the detection and exposure of parties concerned in defrauding the Bureau of Medicine and Surgery, \$3,000: Provided, That this sum shall be accepted by the said Wood in full compensation for such services.

The amendment was agreed to.

The reading of the bill was continued to the end of line 1176.

Mr. McPHERSON. Before any action is taken on that clause I should like to offer an amendment

The PRESIDING OFFICER (Mr. HARRISON in the chair). The Chair will state to the Senator from New Jersey that under the agreement amendments are not now in order except those proposed by the Committee on Appropriations.

Mr. McPHERSON. I reserve my right, then, to offer an amendment

to this clause

The PRESIDING OFFICER. The Senator will have that right. The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was to strike out the clause from line 1183 to line 1188, inclusive, as follows:

To pay in full the claim of the New England Transportation Company, of New Haven, Conn., for repairs to certain barges belonging to that company which were injured by collision with the United States steamer Tallapoosa, in July, 1884, \$76.50.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in line 1198, after "California," to strike out "continuation" and insert "completion;" in line 1199, after "drydock," to strike out "one hundred and seventy" and insert "three hundred and sixty;" and in line 1203, after the word "all," to strike out "two hundred and twenty-six" and insert "four hundred and sixteen;" so as to make the clause read:

Navy-yard, Mare Island, California: Completion of stone dry-dock, \$360,000; for continuing artesian well, \$10,000; for iron crane, \$40,000; to complete sewerage system, \$6,000; in all, \$416,000.

The amendment was agreed to.

The next amendment was, after line 1204, to insert:

For the care and preservation of the building on Coaster's Harbor Island formerly known as the "asylum," and the adjoining buildings and grounds, given to the United States for naval purposes by the State of Rhode Island, to be used for an advanced course of instruction for naval officers, and for improvements, furniture, fixtures, heating, lighting, water, and for books and stationery, \$11,000; for pay of one clerk to officer in charge of building, \$1,000; in all, \$12,000.

The amendment was agreed to.

The next amendment was, in the appropriations "Under the Department of the Interior," after line 1217, to insert:

For an additional Assistant Secretary of the Interior, who shall be known and designated as First Assistant Secretary of the Interior, \$4,500.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1222 to line 1231, inclusive, as follows:

The Commissioner of Patents, under the direction of the Secretary of the Interior, is authorized to reproduce and bind 5,000 copies of maps showing the growth of industrial art; 3,500 for the use of the House, 1,000 for the use of the Senate, and 500 for the use of the Interior Department, the cost of which to be paid out of any surplus money heretofore appropriated to defray the expenses of the exhibit of the United States at the World's Fair at New Orleans.

The amendment was agreed to.

The next amendment was, after line 1231, to insert:

The next amendment was, after line 1231, to insert:

The representative of the Department of the Interior appointed by executive order dated May 13, 1884, as a member of the Government board charged with preparing a departmental exhibit for the United States at the World's Industrial and Cotton Centennial Exposition at New Orleans, is hereby authorized to have reproduced 5,000 copies of the "Growth of industrial art." Illustrated, prepared by him for said exposition, and to pay the cost of the same out of the amount heretofore appropriated for paying the expense of the departmental exhibit under his charge: Provided, That the unexpended balance to the credit of said departmental exhibit is sufficient to pay the cost of such reproduction and all other expenses incident to said exhibit. Of said reproduction 1,200 copies shall be for the use of the Senate, 3,500 copies for the use of the House of Representatives, and 300 copies for the use of the Department of the Interior.

The amendment was agreed to

The amendment was agreed to.

The next amendment was, under the head of "public buildings," after line 1250, to insert:

Interior Department building: For completion of the reconstruction of the ast wing of the Department building, \$160,000.

Mr. PLATT. Should that be the east wing?
Mr. ALLISON. Yes, sir; the east wing.
Mr. PLATT. I wish to say just one word, not in opposition to this amendment but on a subject to which it relates. I am very glad that the repairs of the Interior Department building are to be completed. It has been a good many years since the fire occurred which rendered those repairs necessary, and I think there has been no public building in Washington that has needed the expenditure of Government money to be made upon it as much as this building of the Interior Department

But what I rose to say was this: I felt it my duty at the last session of Congress to call the attention of the Senate to the fact that that build-April, 1877, \$3,950.73.

The amendment was agreed to.
The next amendment was, in the appropriations "under the Nayy Department," in line 1168, after the word "Surgery," to strike out ment and the creation of it into a new department or a new bureau. It has not seemed practicable to accomplish anything by pressing that at the present session of Congress. I want now to say that immediately upon the opening of the next Congress I propose to introduce bills and to press them with all my power to secure two objects: to separate the Patent Office from the Interior Department in some way, and to build another building either for the Interior Department or for the

The Patent Office and the Land Office have grown so and will grow so in the future, and the work of those two offices is now so much behind by reason of the fact of insufficient accommodations, that it becomes an absolute necessity, as I believe, that the Patent Office shall be sepaabsolute necessity, as I believe, that the Fatent Once shall be separated from the Interior Department and that a new building shall be provided. I wish to say just that much here. I should be glad to enlarge upon it, but I know how valuable the time of the Senate is in these last hours and I will not enlarge.

Mr. ALLISON. I desire to say only one word in response to what the Senator from Connecticut has said. The present Interior Depart-

ment building is now incomplete with reference to its fire-proof qualities from the fact that the east wing has not a fire-proof roof. The north wing, the west wing, and the south wing have all been repaired and new roofs provided for those wings. The Secretary of the Interior said to us that if this appropriation was made it would enable him to make the entire roof of the building fire-proof, and would also enable him to supply a place for one hundred additional clerks now needed, and also give some additional room to the Patent Office; so that whatever may be done in the future in the direction suggested by the Senator from Connecticut, it is important that this work should be done in order to complete the present building.

Mr. PLATT. The chairman of the committee did not understand

me as making any objection to the amendment.

Mr. ALLISON. No, I did not.

Mr. PLATT. I am aware of the fact that more room is to be provided for the operations of the Interior Department, but I also believe and I think the Secretary of the Interior, and the Commissioner of Pat-ents, and the Commissioner of the General Land Office would all agree that when the new room is provided that is about being furnished, the accommodations will still be insufficient. The Interior Department is growing all the while and must grow as the country grows, and the commencement of a new building in the very near future is an impera-

tive necessity, as I believe.

Mr. ALLISON. I quite agree with the Senator. We are now paying \$68,000 per annum rental for buildings for the Interior Department

The amendment was agreed to.
The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1254, to insert:

For construction of coal-vaults on west wing of the Department building, and repairing pavement, \$6,000.

The amendment was agreed to.

The next amendment was, at the beginning of line 1258, to strike out "for casual repairs of the Interior Department building;" so as to make the clause read:

For casual repairs of the Department building, \$5,780.

The amendment was agreed to.

The next amendment was, after line 1264, to insert:

For completing the cleaning of the outside walls of the House and Senate wings of the Capitol, and the approaches thereto, \$3,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1273 to line 1278, as follows:

For constructing terrace north of the Capitol, section marked B, as shown on printed plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forty-eighth Congress), including wages of mechanics and laborers, \$21,500.

And in lieu thereof to insert:

For continuing the construction of the terrace and grand stairways of the Capitol, as shown on plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forty-eighth Congress), including wages of mechanics and laborers, \$30,000.

Mr. MORRILL. I understand that the committee by mistake left out the following words, and I move to amend by inserting them:

And this appropriation shall be immediately available.

Mr. ALLISON. I have no objection to that, though I suggest to the

Senator that there was no mistake about it.

The PRESIDING OFFICER. If the Senator from Iowa does not object the amendment of the Senator from Vermont will be received at this time. The question is on that amendment to the amendment.

The amendment to the amendment was agreed to, adding:

And this appropriation shall be immediately available.

The amendment as amended was agreed to.

The next amendment was in the appropriations for "Hot Springs improvement," after line 1223, to insert:

To construct a reservoir for hot water on the Government reservation at Hot Springs, Ark., in order to provide for an adequate supply of hot water for the Army and Navy hospital and bath-houses, \$30,000.

The amendment was agreed to.

The next amendment was under the head "expenses of the collection of revenue from sales of public lands," in line 1336, to increase the appropriation "for incidental expenses of the several land offices" from \$165,000 to \$180,000.

The amendment was agreed to.

The next amendment was, in line 1352, after the word "hearings," to insert "to be;" in the same line, after the word "held," to insert "and investigations to be made;" in line 1356, after the word "law," to strike out "twenty-five" and insert "ten;" and in line 1357, after the word "dollars," to insert "and the Secretary of the Interior shall report in detail all expenditures under the four preceding paragraphs;" so as to make the clause read:

For expenses of hearings to be held and investigations to be made by registers and receivers, under instructions from the General Land Office, to determine whether alleged fraudulent entries are of that character or have been made in compliance with law, \$10,000; and the Secretary of the Interior shall report in detail all expenditures under the four preceding paragraphs.

The amendment was agreed to.

The next amendment was in the appropriations for "surveying the public lands," after the word "hundred," in line 1373, to insert "and fifty;" and in line 1388, after the word "exceeding," to strike out "fifty-five" and insert "fifty;" so as to make the clause read:

"fifty-five" and insert "fifty;" so as to make the clause read:

For surveying the public lands, \$350,000, at rates not exceeding \$9 per linear mile for standard and meander miles, \$7 for township, and \$5 for section lines, except that the Commissioner of the General Land Office may allow, for the survey of standard and meander lines through lands heavily timbered, mountainous, or covered with dense undergrowth, a sum not exceeding \$13 per linear mile for standard lines, \$11 for township, and \$7 for section lines; or where, for any cause not provided for by law, in Oregon or Washington Territory, he is unable to get the necessary surveys made at the rates aforesaid, he may allow a sum not exceeding \$12 per linear mile for standard lines, \$10 for township lines, and \$6 for section lines; and of the sum hereby appropriated not exceeding \$50,000 thereof may be expended for occasional examinations of public surveys in the several surveying districts, in order to test the accuracy of the work in the field and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and inspecting mineral deposits, coal-fields, and timber districts, and for the making of such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States.

The amendment was agreed to

The amendment was agreed to.

The next amendment was, in line 1427, before the word "thousand," to strike out "fifteen" and insert "twenty-five;" so as to make the clause read:

For necessary expenses of survey, appraisal, and sale of abandoned military reservations transferred to the control of the Secretary of the Interior under the provisions of an act of Congress approved July 5, 1884, \$25,000.

The amendment was agreed to.

The next amendment was to strike out the clause from lines 1428 to 1432, inclusive, as follows:

For establishing initial monuments of a permanent character to govern mineral survey, in order to secure accuracy in survey of mineral claims, and to connect the monuments with each other and with the public lands, \$7,900.

The amendment was agreed to.

The next amendment was to strike out the clause from lines 1433 to 1436, inclusive, as follows:

For purchase of iron monuments, cost of transportation to the offices of surveyors-general, and storage, to mark the lines of public surveys passing over public lands devoid of timber and stone, \$7,000.

And in lieu thereof to insert:

Provided. That all appropriations herein under public lands shall be expended under the direction of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, under the head of "miscellaneous objects," in the appropriations for the "Government Hospital for the Insane," in line 1515, after the word "dollars," to insert "to be immediately available;" so as to read:

For completion of steck and hay barn, \$2,000, to be immediately available.

The amendment was agreed to.

The next amendment was, after line 1515, to insert:

For erection of cottage at the cemetery, \$800.

The amendment was agreed to.

The next amendment was, after line 1517, to insert:

For dining-hall for the detached buildings, \$9,500.

The amendment was agreed to.

Mr. ALLISON. I think the amendment should be modified. It should be:

For dining-hall in such building.

It can be corrected hereafter, though, and I will let it pass.

The PRESIDENT pro tempore. Does the Senator make any motion at this time?

Mr. ALLISON. No; let it stand as it is.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1519, to insert:

For purchase of additional land for farming purposes, \$6,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Howard University," after line 1538, to insert:

For repairs of buildings, \$5,000.

The amendment was agreed to.

The next amendment was, after line 1539, to insert:

For increase of library, of cabinet, and of philosophical and chemical apparatus, and improvements in the rooms containing the same, \$3,500.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for "Freedmen's Hospital and Asylum," in line 1547, after "subsistence," to strike out "twenty-twe" and insert "twenty-three;" in line 1551, before "thousand," to strike out "thirteen" and insert "fourteen;" in line 1556, after the word "thousand," to insert "five hundred," and in the same line, after the word "all," to strike out "forty-nine thousand" and insert "fifty thousand five hundred;" so as to make the clause read:

For subsistence, \$23,000; for salaries and compensation of the surgeon-in-chief, two assistant surgeons, engineer, clerk, matron, nurses, laundresses, cooks, teamsters, watchmen, and laborers, \$14,000; for rent of hospital buildings and grounds, \$4,000; for fuel and light, clothing, bedding, forage, transportation, medicines, and medical supplies, repairs and furniture, and other absolutely necessary expenses, \$10,500; in all, \$50,500.

The amendment was agreed to.

The next amendment was, after line 1557, to insert:

For purchase of one force-pump, to be immediately available, \$400.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for "National Museum," in line 1565, to strike out the word "preversation" and insert "preservation;" and in line 1570, before the word "thousand," to strike out "ninety-one" and insert "ninety-six;" so as to make the clause

For the preservation of collections of the National Museum: For the preserva-tion and exhibition and increase of the collections received from the surveying and exploring expeditions of the Government, and other sources, including salaries or compensation of all necessary employés, \$96,000.

The amendment was agreed to.

The next amendment was, to strike out from line 1585 to line 1589. inclusive, in the following words:

Tenth Census: That the twenty-second section of the act entitled "An act to provide for the taking of the tenth and subsequent censuses," approved March 3, 1879, be, and the same is hereby, repealed.

Mr. ALLISON. The Senate will observe that this provision repeals

an important section of the act authorizing the taking of the Tenth That provision was put in that act after a very full debate and discussion in both Houses, and it seemed to the Committee on Appropriations that it ought not to be in this way repealed on an appro-

Mr. HALE. Will the Senator read that section?
Mr. ALLISON. I send the section to the desk to be read.

The PRESIDENT pro tempore. If there be no objection the section will be read.

The Secretary read as follows:

The Secretary read as follows:

SEC. 22. That if any State or Territory, through its duly appointed officers or agents, shall, during the two months beginning on the first Monday of June of the year which is the mean between the decennial censuses of the United States is by this act directed to be taken, take and complete a census in all respects according to the schedules and forms of enumeration in the census of the United States and shall deposit with the Secretary of the Interior, on or before the 1st of September following, a full and authentic copy of all schedules returned and reports made by the officers and agents charged with such enumeration, then the Secretary of the Interior that such schedules and reports have been duly deposited, pay, on the requisition of the governor of such State or Territory, out of any funds in the Treasury shot otherwise appropristed, a sum equal to 50 per cent. of the amount which was paid to all supervisors and actual enumerators within such State or Territory at the United States census next preceding, increased by one-half the percentage of gain in population in such State or Territory between the two United States censuses next preceding; Provided, That the blank schedules used for the purposes of the enumeration herein provided for shall be similar, in all respects of form and size of heading and ruling, to those used in the census of the United States.

Mr. CHACE. That refers to a provision for taking a semi-decennial

Mr. CHACE. That refers to a provision for taking a semi-decennial

census by the States.

Mr. ALLISON. That is the provision.

Mr. CHACE. In my opinion it ought to be repealed. I think this clause should be left in the bill. It will be impossible for the Census Department to collate, tabulate, and prepare these statistics and get through with them before the end of this decennial period. I understand that very few States have taken any steps under this provision of law, and unless action under it is arrested now it will be too late, and as a result the Government will be called upon to expend this money without any material benefit to any interest.

Mr. ALLISON. That may be; but I will say to the Senator from Rhode Island that four or five or more States have already taken steps under this provision, and it seemed to the Committee on Appropriations that if it was important to repeal this provision of the law some effort in that direction such that have in that direction ought to have been made before the last day preceding

the final adjournment of this Congress.

Mr. CHACE. I agree that this whole matter ought to have been brought before the Senate earlier; but I should like to ask the chairman of the committee what information the committee had in regard to what steps have been taken by the States. My information is that there has been really no step taken by any of the States, but I may be misinformed. Is the committee in possession of any information in regard to that

Mr. ALLISON. Of course the investigation of the committee on this subject was of a very summary character. We did understand that four

or five States had already taken some steps in compliance with this provision of law, and believing that that was the case, and also believing that it was impossible and improper to repeal this important provision

on this appropriation bill, the committee struck out the clause.

Mr. HOAR. I hope the present law will stand and that the amendment will be adopted. In Massachussetts I have no doubt, though I have had no communication with the office very lately, they are making their preparations to have a thorough census taken in 1885. It seems hardly

in good faith for the Government to make the repeal at so late a day.

Mr. MORRILL. I also add my hope that this law will not be repealed. It will be a vast advantage to the whole country to have this census taken at the semi-decennial period in order to compare the recensus taken at the semi-decennial period in order to compare the results of one period with another, to correct any errors that may be made. Whether there are few or many States that are now taking steps with these semi-decennial censuses, I hope they will not be interrupted, and if they were to be interrupted undoubtedly a claim would be presented to us for all expenses, and therefore it would be economy for us to go

on under the present law.

Mr. HOAR. I should like to say one thing further. It seems to me it is very important to maintain the present policy, so that sooner or later all the States will get into the habit of having a census taken every ten years. It is a great assistance. In the first place, they get in every State a body of trained enumerators who within five years have taken a census, and the National Government has not anybody

ready for that work.

Mr. ALLISON. I will state an additional reason which operated on the minds of the committee, which was that this law certainly ought not to be repealed as respects the taking of the census now in 1885 be-

not to be repeated as respects the taking of the census now in 1935 because certainly some States, and perhaps a good many, have acted under it, and therefore it ought not to be repealed for 1885, and if not for 1885, then we have ten years in which to repeal it.

Mr. MANDERSON. I desire simply to say in response to the inquiry of the Senator from Rhode Island, who, as I understand him, desired to know if the States had taken steps under this law, that the State of Nebraska has passed the necessary act to take a census for 1885 and I understand the officials, the census-takers, have been appointed under that law.

Mr. ALLISON.

Mr. ALLISON. Iowa has also. Mr. MANDERSON. The Senator from Iowa informs me that the State of Iowa has passed similar legislation and has taken steps to take a census in 1885.

Mr. MORRILL. And New Hampshire and New York also.
Mr. MANDERSON. There are four States which have complied with this provision. I hope the recommendation of the committee will

The PRESIDING OFFICER (Mr. PLATT in the chair). tion is on the amendment of the Committee on Appropriations to strike out the clause which has been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriation for the Rock Island arsenal, in line 1596, to increase the item of appropriation "for armory-shop K, an iron-finishing shop," from \$50,000 to \$60,000.

The amendment was agreed to.

The next amendment was, in line 1601, to increase the appropriation "for commencing and completing fire-proof stone building for offices for both the armory and arsenal" from \$30,000 to \$35,000.

The amendment was agreed to.

The next amendment was, after line 1602, to insert:

For erecting lumber storehouse, \$14,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1666 to line 1673, inclusive, as follows:

That the Secretary of War is authorized and directed to sell at public auction, after due advertisement, and at prices not less than those fixed by the board of appraisers in each case, the following arsenals, namely: Allegheny arsenal, Pennsylvania; Augusta arsenal, Georgia; Indianapolis arsenal, Indiana, and Kennebec arsenal, Maine; and the money so received, after paying the necessary expenses of sale, shall be covered into the Treasury.

The amendment was agreed to.

The next amendment was, in the appropriations for "buildings and rounds in and around Washington," in line 1695, before the word 'repair," to insert "construction and;" so as to make the clause read:

For construction and repair of iron fences, \$500,

The amendment was agreed to.

The next amendment was to strike out the clause from line 1714 to line 1718, inclusive, as follows:

That the officer in charge of public buildings and grounds may, on the approval of the Secretary of War, cause to be removed the iron fences surrounding the reservations on Pennsylvania avenue between Thirteenth and Four-teenth streets.

The amendment was agreed to.
The next amendment was, in line 1760, after the words "Washington Monument," to strike out:

For completion of interior stairways and platforms, \$25,000; insertion of presentation blocks, \$6,000; cementing interior walls, \$2,000; paving the floor and

covering drum-pits, \$2,000; closures of doorways and passages, \$5,000—in all, \$40,000—to be expended under the direction of the Secretary of War.

And in lieu thereof to insert:

And in fiel thereof to insert:

For completion of the Washington Monument, namely: For iron work of stairs and platforms and elevator fronts, engine-house and approaches, insertion of presentation blocks, cementing interior walls, paving floor and covering drum-pit, closures of doorways, doors, and passages, change in elevator-carand machinery, new boiler-house and boiler, office expenses, including rent of necessary office-rooms, and for each and every purpose connected with the completion of the monument, \$75,000, to be expended under the direction of the joint commission created by the act of August 2, 1876.

The amendment was agreed to.

The next amendment was, in line 1779, after the words "Yorktown monument," to strike out-

That not exceeding \$5,000 of the unexpended balance of the appropriation for the erection of the Yorktown monument may be expended, under the direction of the Secretary of War, for the erection of an iron railing around said monument.

And in lieu thereof to insert:

For the care and protection of the Yorktown monument, \$2.500, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, in the appropriations for "Army and Navy hospital, Hot Springs, Ark.," in line 1797, to increase the appopriation "for completely furnishing the hospital, including furniture for rooms for patients (officers) and of wards for enlisted men, necessary bedding, hospital clothing, and miscellaneous articles," from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "military posts," in line 1802, after the word "dollars," to strike out:

Fifteen thousand dollars of which sum may be used for the purchase of a site near Atlanta, Ga., for the erection thereon of a ten-company post.

So as to make the clause read:

For the construction of buildings at and the enlargement of such military posts as in the judgment of the Secretary of War may be necessary, \$165,000.

Mr. BROWN. Mr. President, I trust the motion to strike out will not prevail in that case. The object of the appropriation of \$15,000 is the purchase of a site for military barracks at or near Atlanta, Ga. While General Sherman was General of the Army he strongly recommended the permanent establishment of barracks at Atlanta. The presmended the permanent establishment of parracks at Atlanta. The present Secretary of War, Mr. Lincoln, also recommends it. Soon after the war there were military barracks established there which were known as the McPherson barracks, which were upon lands leased by the Government from a man named Alexander. The barracks were built up and were very comfortable. At the end of the lease, however, there being some doubts about the title of the land upon which they were located, there being a disagreement between the land-owner and the Government, the barracks were abandoned; but since that time General Sherman has still insisted that for strategic purposes as well as on account of the health of the place barracks ought to be established

As the appropriation now stands there will be no chance for the expenditure of any portion of the money at the military post at Atlanta for the reason that it confines the appropriation to the construction of buildings or the enlargement of a military post. The object here, the lease having expired and the old barracks having been given up, is to purchase a proper site for the location of the barracks that they may be built upon it. Only the small sum of \$15,000 is considered necessary for that purpose.

I may remark in this connection that there are troops kept at either Charleston or New Orleans every winter; and on account of the health-fulness of Atlanta they are transferred to Atlanta in the summer sea-For the last three summers they have been kept near Atlanta in their tents, there being no other provision made for them. The War Department thinking that the proper location for them, has transferred them there even without any buildings, and has kept them there dur-

ing each of the last three summers.

I do not know upon what ground it is that the committee propose to strike out the appropriation, but I trust it will not be done.

If there is further objection to retaining the clause I shall ask leave

to have read a letter of General Sherman, and also a letter of the Sec-

retary of War, Mr. Lincoln, on the subject.

Mr. ALLISON. The provision which the committee recommend to to be stricken out is a provision which would involve the Government in a very large expenditure of money at Atlanta, Ga., within the heart of the Union. Our posts are now on the frontier. The expenditures for the construction of permanent posts are almost wholly, in fact I believe wholly, in that region, and the committee did not believe that it was a wise thing now to enter upon the construction of expensive permanent posts in the interior of our country. The same reason which I think substantially would apply to Atlanta, Ga., would apply to other strategic points on the Atlantic coast.

Mr. COLQUITT. Mr. President, I could hardly catch the remarks made by my friend from Iowa; but, if I understood him correctly, I think there can be a very sufficient answer made to his suggestion.

The military officers who have control and jurisdiction of this question

advise that these barracks should be built. They do so as a question of humanity, because they are intended to preserve the life and the health of the troops, and also because this is an important strategic point. They, themselves, are the best judges as to whether it is well located or not in that city. The troops are placed there summer after summer with a view to avoid malaria by reason of the latitude in which the barracks are placed. It is purely a question as to whether they shall be made comfortable by a proper building, or whether they shall be exposed to all the vicissitudes of the weather by living in tents.

That is the only question which is involved.

Mr. BROWN. Before the amendment is voted upon, I should like

to have read the letter of General Sherman, and also the letter of Mr. Lincoln, the Secretary of War, on this question. I ask for the read-

ing of General Sherman's letter.

The PRESIDENT pro tempore. The letter will be read, if there be no objection.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

I also inclose you an extract of an inspection report I made to the Secretary of War (McCrary) February 5, 1879, in which I expressed my judgment of the importance of the military authorities maintaining possession of this property for sanitary and strategic reasons. I am of the same mind still, and since the Eighteenth Infantry has been sent to Montana have broken up the garrisons at Charleston and Savannah and transferred them to McPherson barracks, which is now the headquarters of the Fifth United States Artillery.

I do not regard the rental of \$4,000 and taxes as excessive, but still prefer that the United States should buy outright the title, providing it can be bought at a fair market price.

Assuming \$4,500 as the annual rent, and capitalizing at 7 per cent., would give \$65,000 as the value of the ground. I think a thousand dollars per acre would be a fair price, or say in round figures, \$50,000.

If the lessor, Thomas Alexander, can make a good title to the satisfaction of the Attorney-General, and if the State of Georgia will relinquish jurisdiction as is required by existing laws, I surely will recommend that the United States purchase the site of the ground in Atlanta known as McPherson barracks.

You may construe this letter as official if you have occasion to make such use of it.

I am, with respect, your friend and servant, W. T. SHERMAN, General, Mr. BROWN. Now I ask to have read an extract from the report

of General Sherman to the Secretary of War on the same question.

The PRESIDENT pro tempore. The report will be read, if there be

Mr. ALLISON. What is the date of the letter just read? The PRESIDENT pro tempore. It is dated January 16, 1880. Mr. ALLISON. Five years ago.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

And if the ground on which McPherson barracks stand were the property of the United States, I would advise the retention there of this regiment for reasons similar to those which apply to the Saint Paul, Omaha and Leavenworth, but unfortunately the ground, some fifty acres, is private property, leased for a term of years which has expired, and now it is retained from year to year at a rental of \$4,000. High, healthy, and admirably placed, the buildings are numerous, well designed, and seemingly well built on brick foundations, and would with care and ordinary repair last twenty-five years. They were built for and are ample for a whole regiment.

Atlanta is geographically so placed that this regiment could reach Wilmington, N. C., Charleston, Savannah, Tallahassee, Pensacola, Mobile, New Orleans, or Nashville by rail in twenty-four hours. Even if we must use this regiment of infantry in the Indian country this year, I think it will be good military policy to retain the barracks, subject to the rental of \$4,000 for the headquarters and the greater part of the Fifth Artillery, leaving mere fort-keepers on the coast, ready to re-enforce them on the shortest notice. Most of our Guif posts and south Atlantic posts are subject to yellow fever, and Atlanta is the surest and easiest place of refuge.

With great respect, yours, truly,

W. T. SHERMAN, General.

W. T. SHERMAN, General,

Mr. BROWN. The honorable chairman of the committee seems to object to the date of the letter of General Sherman.

Mr. ALLISON. No, I do not object to it; I merely inquired as to the date

Mr. BROWN. He made a note of it at least, that it has been some years ago. I now desire to have read a letter from the Secretary of War dated December 9, 1884, since the present session of Congress convened.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The Secretary will read the letter.

The Chief Clerk read as follows:

WAR DEPARTMENT, Washington City, December 9, 1884.

War Department, Washington City, December 9, 1884.

Sir: I have the honor to aeknowledge the receipt of your letter of the 2d instant, asking to be informed of the present state of the matter of establishing a military post at Atlanta, 6a, and what are the prospects of the same.

In reply, I have the honor to advise you that although this Department has desired to establish a military post at that point, especially for sanitary reasons, no direct provision has been made therefor. By the act making appropriations for sundry civil expenses, approved July 7, 1884, there was appropriated the sum of \$200,000 "for the construction of buildings at, and the enlargement of such military posts as in the judgment of the Secretary of War may be necessary." It will be observed that this appropriation makes no provision for the purchase of land, and gives no authority for doing so out of the appropriation. Communications have been received at this Department offering to sell land for this purpose, but it has not been possible to give any consideration to them by reason of this lack of authority to complete the matter. Of the appropriation of \$200,000 there remains \$100,000 still available for the purposes expressed in the act.

I have the honor to be, very respectfully, your obedient servant,

ROBERT T. LINCOLN,

Secretary of War.

Hon, N. J. Hammond, M. C., Washington, D. C.

Hon, N. J. HAMMOND, M. C., Washington, D. C.

Mr. BROWN. It will be observed that the Secretary of War favors this location on account of sanitary and other reasons that he mention.

but can not construct the buildings there for the reason that the language of the act precludes that use of the appropriation, the appropria-tion being for the construction of buildings and the enlargement of military posts, and there being in fact no buildings there and no military post; the old post that was held under the lease has been given up; the Government owning none there, the general appropriation does not cover the case.

Last year Atlanta was stricken out of the sundry civil appropriation bill on the ground that the Secretary of War would be left to his dis-cretion in the matter, but it turns out that under the construction of the statute he had no such discretion, and can not have until some part of the fund is set aside specifically for the use of purchasing the loca-

The honorable chairman of the committee refers to the fact that the Indian wars are conducted upon the frontier. That is true; but I believe we might say with great propriety that the Indian wars are about at an end. It is not at all probable that the Government of the United States will in the future have much trouble with Indian wars. The Indians are generally located upon reservations; they are under control; there is some system about their management, and we shall have little more trouble there.

It is much more likely that our next uses for the military may be somewhere in the reach of the coast of our own country, and it is therefore judicious I think on the part of the military authorities-at least they practice it-to keep some of the troops every year along upon the Southern coast, where they would be nearer at hand in case of an emergency of the character to which I allude. But whenever the summer season comes, on account of the unhealthfulness of the climate on the coast, they at once transfer the troops to Atlanta; they are thrown into camp there without buildings, and remain in that condition.

Under these circumstances, as the General of the Army lately in com-mand, and the Secretary of War at the present session of Congress

recommend an appropriation of this character, and this \$15,000 is all that is asked to purchase the site, I trust there will not be further op-

The PRESIDENT pro tempore. The question is on agreeing to the recommendation of the Committee on Appropriations that the clause be stricken out.

Mr. ALLISON. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 13, nays 33; as follows:

	YE	AS-13.	
Allison, Beck, Chace, Edmunds,	Garland, Harrison, Hawley, Ingalls,	Miller of N.Y., Mitchell, Platt, Sawyer,	Sherman.
	NA.	YS-33.	
Blair, Bowen, Brown, Camden, Cameron of Pa., Coke, Colquitt, Cullom, Frye,	George, Gibson, Gorman, Groome, Hampton, Harris, Jackson, Jonas, Jones of Nevada,	Lapham, McPherson, Mahone, Manderson, Maxey, Morgan, Pendleton, Pike, Pugh,	Sabin, Sewell, Van Wyck, Voorhees, Walker, Williams.
	ABSI	CNT-30.	
Aldrich, Bayard, Butler, Call, Cameron of Wis., Cockrell, Conger, Dayes	Dolph, Fair, Farley, Hale, Hill, Hoar, Jones of Florida,	Lamar, Logan, McMillan, Miller of Cal., Morrill, Palmer, Plumb, Ransom	Riddleberger, Saulsbury, Slater, Vance, Vest, Wilson.

So the amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriation for the "Signal Service," in line 1811, after the word "agriculture," to strike out "of" and insert "throughout;" so as to make the clause read:

For the observation and report of storms: For expenses of the meteorological observation and report of storms by telegraph and signal, or otherwise announcing the probable approach and force of storms, for the benefit of the commerce and agriculture throughout the United States, as follows, &c.

The amendment was agreed to.

The next amendment was, in line 1815, after the word "reports," to strike out "and messages over commercial lines, and for the rent of leased lines;" and in line 1817, before the word "thousand," to strike out "thirty-six" and insert "forty;" so as to make the clause read:

For telegraphic reports, \$140,000.

The amendment was agreed to.

The next amendment was before the word "thousand," in line 1828, to strike out "five" and insert "seven;" so as to make the clause

For continuing the connections of signal stations at life-saving stations and light-houses, including services of operators, repairmen, materials (such as cable, wire, poles, and insulators), and general service connected therewith, \$7,500: Provided, That such connections, in the opinion of the Superintendent of the Life-Saving Service and the Light-House Board, shall be deemed necessary).

The amendment was agreed to.

The next amendment was, in line 1838, before the word "thousand,"

to strike out "forty" and insert "forty-three;" so as to make the clause read:

For rent, hire of civilian employés, furniture, light, heating supplies, stationery, ice, repairs, and other expenses of offices maintained for public use in cities and ports receiving reports, outside of Washington, D. C., \$43,000.

The amendment was agreed to.

The next amendment was, in line 1848, after the words "telegraph lines," to strike out "including rents of offices, salaries of civilian operators and repair-men, lights, supplies, and general repairs;" so as to make the clause read:

For maintenance and repair of military-telegraph lines, \$24,000.

The amendment was agreed to.

The next amendment was, in line 1869, after the word "exceed," to strike out "four" and insert "five;" and in line 1871, after the word "of," to strike out "three officers" and insert "one officer lately;" so as to read:

And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed five commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law, and of one officer lately serving in the Arctic seas.

The amendment was agreed to.

Mr. ALLISON subsequently said: I ask unanimous consent to go back to line 1871, in order to make a little correction that I intended to make at the moment, but the Chief Clerk, much to my gratification, reads rapidly, and I escaped it. I ask to insert in that line "two offi-cers" instead of "one officer;" so as to read:

And of two officers lately serving in the Arctic seas.

The PRESIDING OFFICER (Mr. Harris in the chair). If there be no objection the amendment suggested by the Senator from Iowa will be cutertained at this time, and that modification will be made. The Chair hears no objection, and the clause is so modified.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the clause making appropriations for "regular supplies" for the Signal Service, after the word "cents," in line 1918, to strike out the following clause:

in line 1918, to strike out the following clause:

And hereafter there shall not be allowed for forage, straw, or shoeing for any greater number of horses and mules in the Signal Service than is herein provided for.

The amendment was agreed to.

The next amendment was, in line 1945, after the word "Signal Corps," to strike out "84,108" and insert "93,960;" and after the word "all," at the end of line 1948, to strike out "85,608" and insert "95,460;" so as to make the clause read:

Barracks and quarters: For commutation of quarters to enlisted men of the Signal Corps, \$93,960; work and supplies at Fort Myer, Virginia, \$1,500; in all \$95,460.

The amendment was agreed to.

The next amendment was, after line 1972, to insert:

The next amendment was, after line 1972, to insert:

That the joint commission, consisting of three Senators and three Representatives, to consider the present organizations of the Signal Service, Geological Survey, Coast and Geodetic Survey, and the Hydrographic Office of the Navy Department, provided for in the act entitled "An act making appropriations for sundry civil expenses of the Government," &c., approved July 7, 184, be, and the same is hereby, continued, with power to sit during the recess of Congress in the city of Washington; and the said commission shall report to their respective Houses on or before the third Monday in December, 1885, or as soon thereafter as may be, by bill or otherwise; and the present President pro tempore of the Senate and Speaker of the House of Representatives shall appoint respectively a Senator and Representative to take the places on said commission of the Senator and Representative whose terms of office expire with the present Congress.

The amendment was exceed to

The amendment was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit,

NAVAL APPROPRIATION BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in some and non-concurred in other amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives concurring in some and non-concurring in other amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30,

1886, and for other purposes.

Mr. ALLISON. I move that the Senate insist upon its amendments in which the House has not concurred, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Hale, Mr. PLUMB, and Mr. BECK were appointed.

MISSISSIPPI RIVER IMPROVEMENTS.

Mr. VAN WYCK submitted the following resolution; which was re-

ferred to the Committee to Audit and Control the Contingent Expenses

Resolved. That the Committee on the Improvement of the Mississippi River be directed to prepare a detailed statement of the expenses of the improvements of the Mississippi River and its tributaries with a view to ascertain the amounts expended for purpose of commerce, the amount expended to protect the lands adjoining from the ravages of the rivers, to report the same to the Senate at the December session of Congress, and be authorized for that purpose to employ a clerk at the usual compensation until December I, 1885, to be paid from the containent fund of the Senate.

SARAH B. JACKSON-RATES OF PENSION.

Mr. VAN WYCK submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved. That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 5800) for the relief Sarah B. Jackson.

EVENING SESSION.

Mr. ALLISON. I wish to state that in the judgment of the Committee on Appropriations a night session this evening will be desira-I move that the Senate take a recess from 6 o'clock until 8 o'clock. I should like to finish the sundry civil appropriation bill before the recess, if possible.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Iowa moves that the Senate take a recess this evening from 6 to 8 o'clock.

The motion was agreed to.

RIVER AND HARBOR BILL.

Mr. CONGER. I ask permission to make a report from the Committee on Commerc

The PRESIDING OFFICER. Is there objection? Hearing none, the report will be received.

Mr. CONGER. I am instructed by the Committee on Commerce, to whom was referred the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes, to report it with sundry amendments.

The PRESIDING OFFICER. The bill will be printed and go to

Mr. CONGER. I ask, in order that it may be before the Senate, that the Chair will instruct the clerks to have the bill printed and returned to the Senate as soon as possible.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "miscellaneous objects," in line 2018, after the word "monument," to insert "in lieu of headstones;" so as to make the clause read:

For erecting a monument, in lieu of headstones, at Baxter Springs, Kans., to the memory of Union soldiers killed at or near that place on the 6th day of October, 1863, \$4,000, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, in line 2027, before the word "thousand," to strike out "one hundred and sixty" and insert "seventy-five;" and after the word "dollars," in line 2028, to insert:

Provided, That no part of this sum shall be paid until a complete title is vested in the United States; and the full amount of said sum shall be paid directly to the owners of the property.

So as to make the clause read:

To enable the Secretary of War to acquire good and valid title for the United States to the Fort Brown reservation, Texas, and to pay and extinguish all claims for the use and occupancy of said reservation by the United States, the sum of \$75,000: Provided, That no part of this sum shall be paid until a complete title is vested in the United States; and the full amount of said sum shall be paid directly to the owners of the property.

Mr. COKE. Mr. President, I hope the amendment of the committee will not be concurred in. I make no objection to the proviso. I simply object to striking out \$160,000 and inserting in lieu thereof \$75,000.

The object of this appropriation is to enable the Secretary of War to acquire title to the Fort Brown reservation at Brownsville, on the Rio Grande, in Texas. In 1846 the Government of the United States took ossession of three hundred and fifty-eight acres of land at that point, having a frontage on the Rio Grande River of a mile and a half, comprising a part of and adjoining the city of Brownsville, a city of 7,000 or 8,000 inhabitants. The Government has held and occupied that land for now nearly forty years, has never paid one dollar of rent for it, and the owners of the land are paying to the State of Texas, as I perceive from papers submitted to the Committee on Appropriations, some years as high as \$1,000 a year taxes upon it.

There have been repeated efforts made here to get something for this

There have been repeated efforts made here to get something for this land by the owners. These efforts have always failed.

In 1853 an officer of the United States Army appeared by petition in the district court of the county of Cameron, of which Brownsville is the county seat, and instituted proceedings for the condemnation of this land in order that the Government of the United States might ac-

quire it. Proceedings were had, and a verdict of the jury was rendered assessing the value of the land. I will read the verdict:

We, the jury, assess the value of the lands mentioned in said application at \$50,000.

This was in 1853. Subsequently a judgment was rendered by the district court of Cameron County, from which I will read:

And it is further ordered, adjudged, and decreed that upon the payment by the United States of the said sum aforesaid of \$50,000, together with the interest thereon, from said 29th day of November, 1853, at and after the usual lawful rate of 8 per cent. per annum, into the First National Bank of the city of Galveston, to be disposed of as hereinafter provided, the whole right, title, and interest of both the said city of Brownsville and of the said Marie Josefa Cavazos, deceased, and also of the said Pedro G. Cavazos, her successor in interest in and to the said lands and premises, shall vest forever in the United States of America for the uses and purposes as prescribed and provided in and by the statute aforesaid.

Under this decree, a portion of which I have read, if you compute the interest at 8 per cent., the legal rate of Texas, you will see that the amount appropriated by the bill is insufficient to pay it. The House provides \$160,000 as payment for the amount. It is simply a computation of the interest with a liberal deduction upon the amount of the judgment and decree of the court. This judgment and decree is alleged to have been irregular in some respects. The fact that the jury assessed the land at \$50,000 and that the assessment was a fair and reasonable one I do not think is controverted by anybody. It gives us the best and most reliable basis we could possibly have for arriving at the value of the land which the Government is bound to have for military and strategic purposes on that border.

The Quartermaster-General, to whom a letter was addressed by the

Secretary of War, makes this reply:

Respectfully returned to the honorable the Secretary of War, with the report,

Mespectrally returned to the Management of the state of Management of the State of Fort Brown from 1846 to 1866 was at least equal to \$2,500 per annum, which, for twenty years, makes a sum of \$50,000. There is no question in his mind that from 1866 to date the value of the rental, considered relatively to prices paid for similar property in the State of Texas, was and is at least \$3,600 per annum, which, for eighteen years, gives a sum of \$64,800, or a total sum of \$14,800."

In addition to that is the \$50,000 of assessed value for the title.

The difference between this calculation and the sum named in the bill, namely, \$21,200, is a fair, equitable amount to offset deferred payment and the natural differences of opinion that arise in determining values of this land. It was alleged in 1873 and 1874 that the property was taxed at or about \$1,000 per annum.

That is, by the State of Texas.

Estimates of the value of this site have varied from \$25,000 to \$75,000.

Mr. ALLISON. Why does the Senator call it a jury?
Mr. COKE. What is the question asked by the Senator?
Mr. ALLISON. Does the Senator from Texas now allude to the

Mr. ALLISON. Does the Senator from 1623.

Mp. COKE. I allude to the appraisal made in 1853.

Mr. ALLISON. I ask the Senator why he calls that a jury?

Mr. COKE. I call it the verdict of a jury because I have a printed record here, and the verdict is:

We, the jury, assess the value of the lands mentioned in said application at \$50,000. E, B. KATMAN, Foreman.

Mr. ALLISON. What is the date of that?

Mr. COKE. That was in 1853. I show you here, in addition to the computation of the Quartermaster-General for rental, \$50,000 for the title assessed by a jury, which has never been paid, which would make \$164,000; and if you discard the rental and claim title under the decree of the court, I show you that 8 per cent. interest upon the amount will come to more than the amount in the bill.

The bill, after the gravest and most deliberate consideration in the other House, is presented here with \$160,000 as the amount which ought to be paid, and I submit to the Senate that the Government of the United States ought to pay it. The Government has had possession of the land since 1846, has never paid one dollar of rent, has never paid one dollar of interest, and year after year when the owners of the land appear here and ask for relief, if they get it in the other House it has been stricken down in this body. It was so at the last session of the Senate, when there was a debate upon this very item and it was stricken out. The applicant comes here again, armed with a certificate from the Quartermaster-General, who approves the amount named in the bill as just, and states that there has been a liberal deduction made from it,

and that the balance should be paid.

I submit that the amendment of the committee should not prevail, and that the sum of \$160,000 should be paid for the land. I make no objection to the remainder of the amendment contained in the proviso,

That no part of this sum shall be paid until a complete title is vested in the United States; and the full amount of said sum shall be paid directly to the owners of the property.

I make no objection to that; I desire the United States Government to get a clear title; but I do submit that when the Government takes three hundred and fifty-eight acres of land belonging to a citizen, and holds it from 1846 until now, the Government ought to pay for it. citizen can not sue the Government. He can not dispossess the Government. He can not sell to another. He is bound to submit to the Government. The Government has never claimed to own this land. The title of the applicant for relief is admitted to be good. The Senate can not resist the justice and equity of this appropriation, indorsed

as it has been by the House.

Mr. MAXEY. Mr. President, this same item was before the Senate once before, and I presented my views in regard to it. If the Senate could now, as ordinarily, listen attentively to a plain statement of the facts there could be no question as to the result

The importance of Brownsville as a strategic point was discovered by General Taylor in 1846. He established what is known as Fort Brown, which was besieged from Matamoras in 1846, and held it. From 1846 to the present hour that has been used and occupied as a fort by the United States every year with the exception of the four years during the late war. There has been no general of the United States Army in the command of the Department of Texas who has not felt that the holding of Fort Brown was an essential point in the line of the Rio Grande frontier defense

The United States have held that land from that day to the present and have never paid any rent upon it. They have put, I will venture to say, at the lowest (the Quartermaster-General puts it much higher) a half-million dollars of improvements upon it. The United States have no title to that property. They have expended that money in the form of improvements. Those improvements belong, under every law ever written upon the statue-book, to the owner of the soil. Here the proposition is to settle upon the basis of \$160,000, which not only covers the value of the property itself, but it covers all the rental from its first occupation by the United States to the present time.

I apprehend that the reason why the title was not first obtained before these great improvements were placed there was because there was a suit

I apprehend that the reason why the title was not first obtained before these great improvements were placed there was because there was a suit pending involving, if I remember correctly, eleven leagues of land embracing these three hundred and fifty-eight acres. The suit was brought in the United States circuit court, the case of Trevinovs. Cavazos, which was appealed, and was decided after a most elaborate argument by the Supreme Court of the United States, whereby the title was affirmed. That was since the war. It was only after that time that the United States could have obtained a title from anybody.

Every year from that time on the attempt has been made to settle this thing, and there has been no settlement for some reason unknown to

thing, and there has been no settlement for some reason unknown to me. Although the House have regularly sent this item up, we meet with disturbance in the subcommittee of the Committee on Appropriations, and it is stricken out or the amount reduced. If there is an item in the bill which should be allowed, this is the item, and I only ask that the Senate will consider what has been said in regard to it, believing as I do that if the Appropriations Committee understood it as my colleague understands it, as I understand it, as the member from Texas in the Appropriations Committee of the House understood it, Judge Han-COCK, who urged it there, there would be no difficulty whatever in set-

I submit the question in the hope that the Senate will not concur with the action of the Committee on Appropriations. My point, as with the action of the Committee on Appropriations. My point, as was made by my colleague, advises only the non-concurrence in the striking out of \$160,000 and the insertion of \$75,000. So far as the proviso is concerned, that no part of this sum shall be paid until the complete title is vested in the United States, I say that is right; it ought to be there. So far as the other part of the proviso is concerned, that the full amount of said sum shall be paid directly to the

cerned, that the full amount of said sum shall be paid directly to the owners of the property, I believe that to be right.

I think the secret of all this opposition is that the opinion of the committee is that perhaps there is some great scheme about this matter in the hands of parties who have been urging it. If the money shall be paid directly to the owners of the property, the question will be settled, and that is all that I want done. I want the money paid to the owners, whoever they are. I do not know who they are. I want it paid to those, whoever they are, and I do not want any dollar of it paid until the title is first completely and fully vested in the United States.

Mr. ALLISON. After what has been said by the two Senators from

Mr. ALLISON. After what has been said by the two Senators from Texas, I shall occupy only a moment. As the Senators from Texas say, this is an old matter. In the first place, it has no business on this bill. It is purely a private claim, and it is a private claim that so far as I know has never been considered by any of the standing committees of this body. If I am mistaken in that statement, I hope the Senators from Texas will correct me.

Mr. MAXEY. It has never been objected to on that ground. On the contrary, if the position of the Senator from Iowa is a tenable one for an argument, the whole clause should be stricken out, but the committee recognize the validity and propriety of it by simply reducing the amount

Mr. ALLISON. I have stated the first objection I have to this matter, that it ought to be considered by the proper committee of the Senate and by the proper committee of the House of Representatives, which is the Committee on Military Affairs.

In 1846, as I understand, the Army on its way home from Mexico established a post at what is now the city of Brownsville, Tex. At that time there was no city there. There were perhaps fifty or one

hundred people there. The Government of the United States established at that point for defensive purposes a military post, and it has held that post from that day until this. In 1853 the city of Brownsville, then having grown up under the shadow of this post, made claim to the ownership of this land and made a request, or at least General Van Vliet, who was then in the command there, an officer of the Army at that post, summoned a jury for the purpose of ascertaining the value at that time of these three hundred and fifty-eight acres. He had no authority to summon that jury.

authority to summon that jury.

No Secretary of War, no superior officer, required him to summon a jury for that purpose. The United States at that time had a proper right to make a claim to the ownership of this ground; but a jury was then summoned, and I believe that jury from the neighborhood of Brownsville did find that the United States ought to pay \$50,000 for these three hundred and fifty-eight acres of land, and from that time until within two years there has not been a reason given why the United States should not write a pay of its money for this purpose. The title States should part with any of its money for this purpose. The title was in dispute absolutely from 1853 until 1879. Am I mistaken in the

date, because I state it from memory?

Mr. COKE. I will state, if the Senator will permit me, that the judgment to which I referred him just now provides that the money shall be paid into court, to be held there to await the decision of the court as to the title, and the money shall be paid to whoever was found to own the lands.

Mr. ALLISON. The judgment of the jury, that is, a neighborhood jury of the city of Brownsville, provided that the money should be paid into the court by the United States. The United States never paid any money into court; there never was any pretense that it ought to pay any money into court, and in 1878 the heirs, whose names I have forgotten-

Mr. MAXEY. Trevino vs. Cavazos is the style of the case which was decided by the Supreme Court.

Mr. ALLISON. The heirs of the Cavazos estate were adjudicated to be the owners of this property in 1879. Then appeared this claim. Last year it was found upon the sundry civil appropriation bill in the form of an appropriation for rental \$121,000 as it came to us from the

Mr. MAXEY. I will ask the Senator from Iowa if under every principle of a court of equity, the title being in dispute and a third party being the occupant, he would not have a right to have interpleaded and to have the fact determined as to whom he should pay the money; and if, after the title was determined, it was not the duty of the Government to pay whoever the title was proved to be in? I ask if the Government is estopped, if the Government is relieved from paying the rent because the title was in dispute? It belongs to whoever owns the title surely

Mr. ALLISON. There never has been any proper adjudication of this

Mr. MAXEY. An appeal was taken to the Supreme Court of the United States and it was there decided.

Mr. ALLISON. It was decided as to whom the property belongs, but there never has been any adjudication as to how much rentshould be paid or how much the Government of the United States should pay for the property.

What I object to is that this question comes in here from the House

What I object to is that this question comes in here from the House of Representatives this year on an appropriation bill for the purchase of the property at \$160,000, when last year it came in the same appropriation bill for rent at \$121,000. If the Government of the United States is under obligation to pay anybody for the land, for the use of it from 1846 until 1885, let the proper committees of the Senate and House of Representatives take up that question and examine it with care and scrutinize every question involved, and see to it that the Government of the United States has a proper title to the property, and also investigate as to the question whether it is a wise thing for the Government to have this property at all, whether we should not aban-

Government to have this property at all, whether we should not abandon the property rather than pay the amount claimed for it.

Mr. COKE. Let me suggest to the Senator that I make no objection to the provise put upon the clause by the Senate committee, which provides that none of the money shall be paid until a perfect title is given to the Government.

Mr. ALLISON. I understand; but there is still a question beyond that. The United States has since 1846 made certain improvements that. The United States has since 1846 made certain improvements upon the property. Now, it is an open question whether the Government of the United States should buy the property at all, or whether it should not abandon it to its uses rather than pay even the \$75,000 which is proposed here to be paid. The Committee on Appropriations were led to believe by the investigation they made last year that if we had appropriated \$75,000 in the bill of last year we could have then secured an absolute title to the property, although, of course, there was no formal statement made by the owners of the property that they would take \$75,000 for it. Now it has grown to \$160,000 in a single year, and comes here again upon an appropriation bill.

year, and comes here again upon an appropriation bill.

I submit to the Senators from Texas and to the owners of this property that, having waited from 1846 to 1885, they can wait one year longer until the Government of the United States, through its proper officers

and through the proper committee of this body and of the House of Representatives, can have an investigation of all the facts connected with

this case, and then pay for it.

But the Committee on Appropriations were willing, in order that the question might be finally settled and disposed of, to pay these people what they have reason to believe they were willing to accept only a year ago, \$75,000, for all the rental and for every claim in connection with this property. Isubmit to the Senate that the proposition to pay \$160,000 for the property, with no further information than we now have respecting it, would be an unjust payment from the Government of the United States to the persons who have been claiming this property from 1853 until 1879.

Mr. COKE. Mr. President, I have to say in reply to the Senator from Iowa that he makes precisely the proposition now that was made a year ago when this same question was up, that is, to wait another year.

Mr. ALLISON. The Senator will bear in mind that last year we

struck the whole provision out.

Mr. COKE. I know it was stricken out, but it was discussed here, and it was said that the Government of the United States ought not to pay a rent, but should own the land. The facts are that the Government has this land in possession, has had it in possession since 1846; that there are three hundred and fifty-eight acres of it, that it fronts the Rio Grande for a mile and a half adjoining a flourishing and prosperous city of 7,000 or 8,000 inhabitants, and that the Government has never paid one dollar of rent nor one dollar of consideration for the possession and use and enjoyment of it. There never has been any pretense that the Government owned the land.

The only reason why payment for it has not been sought earlier was because the land has been in litigation, and the Government said to the litigating parties, "Whenever you settle your lawsuit over the land we will take it at a fair price." It is a fact that in 1853 General Van Vliet, an Army officer stationed at Brownsville, went into the district court of Cameron County on his petition asking for a condensation.

The question being put, there were on a division—ayes 12, noes 17; no quorum voting.

Mr. HARRIS. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 15, nays 24; as follows:

YEAS—15. court of Cameron County on his petition asking for a condemnation of the land to the use of the Government of the United States. The question of its value was submitted to a jury. The jury assessed it at \$50,000 in 1853, and the court said that 8 per cent interest must be paid upon the money until it was paid into a bank in Galveston. Now, if you assess interest upon the \$50,000 from 1853 to this time it exceeds the amount named in the bill. If, however, you say that no title was vested then, and if you pay rent according to the statement of the vested then, and if you pay rent, according to the statement of the Quartermaster-General of the Army the rental will exceed the amount in the bill. I care not which horn of the dilemma you take, the bill is a just one, and unless the Government of the United States proposes to repudiate an honest debt and to take with a strong hand property belonging to citizens the clause should be agreed to as it passed the House, and those people should be paid for the land.

The question about referring this matter to another committee is an

after-thought of the chairman of the Committee on Appropriations. He struck out \$160,000 and inserted \$75,000 and added a proviso. Does not this show that the committee took jurisdiction over it and considered it? If the committee can consider it, can take jurisdiction over it for the purpose of paying \$75,000, ought not the same jurisdiction to enable the committee to do full justice if the land is worth \$160,000 and allow the whole-amount?

I hope that the Senate will not permit the rights of the owners of this land any longer to be deferred, but will reject the amendment and cause the Government of the United States in good faith to pay those people for that which it has enjoyed the exclusive possession of since 1846 and upon which it has placed more than half a million dollars'

worth of improvements.

Mr. MAXEY. The proposition of the Senator from Iowa in regard to the bill is very heroic, but not very well bottomed in judgment, in my opinion. He says it would be better for the Government to abandon the post. There never has been a general of the Army who has occupied it, never a department commander of Texas who has not regarded it not only as an important point but as a supply depot for the Rio Grande frontier. It faces the city of Matamoras, by far the most important city on the Lower Rio Grande in Mexico. It was regarded from the begin-ning by General Taylor as a strategic position, and has been held so from that time to the present.

I ask if there is any honesty in holding a man's property against his consent without paying rent? The Government has never paid a dollar of rent from the time it first occupied it to the present. It holds it by the strong hand. The Government has put half a million dollars of improvements on that land, and yet the proposition is made by a committee charged with managing the money of this country to throw away that half million dollars, to throw away a strategic position, because for sooth the committee is unwilling to agree with the House.

The chairman says it ought to have been submitted to some committee of the House for investigation. How do you know that it has not been so submitted? It came here from the House of Representatives in due form. How do you know the manner in which the provision got on the bill in the House? It is here. It comes to us regularly, it is just, and the Government will get at least a half million dollars more than the value of the property for the \$160,000. The title is not in the United States; it never has been in the United States. If there was

any way whatever of bringing an action of ejectment against the United States, as there would be against a private citizen, all the fixed and permanent improvements built by the United States would pass along with the soil, the improvements built by the United States would pass along with the soil; but the United States occupies this position: "You can not sue me; I have got your land; I shall not pay you any rent; I shall keep your land." That is the position. We ask for a settlement. The proposition made by the House is perfectly fair. Not a reason has been given by the Senator in charge of the bill why the position of the House is not entirely fair, and I ask the Senate to non-concur in the action of the committee.

The PRESIDENT protempore. The question is on agreeing to the recommendation of the Committee on Appropriations.

Mr. ALLISON. I will modify the amendment of the committee. I do not want, even by implication, to say that we are obliged to pay \$75,000. In line 2028, after the word "of," in the proviso recommended by the committee, I move to strike out "this sum" and insert "the purchase-money;" and in line 2030, to strike out "said sum" and insert "the purchase-money;" so as to read:

Provided, That no part of the purchase-money shall be paid until a complete title is vested in the United States; and the full amount of the purchase-money shall be paid directly to the owners of the property.

The PRESIDENT pro tempore. The amendment to the amendment will be agreed to if there be no objection. The question now is on the first amendment of the Committee on Appropriations, in line 2027, striking out "\$160,000" and inserting "\$75,000."

The question being put, there were on a division—ayes 12, noes 17; no concurrent vating.

	10, Hays &1, as 1	omows.		
1		YE.	AS-15.	
6	Allison, Blair, Cameron of Pa., Cameron of Wis.,	Chace, Dawes, Edmunds, Harrison,	Hoar, McMillan, Miller of N. Y., Mitchell,	Plumb, Sewell, Wilson.
ı		NA.	YS-24.	
1 3 3 6	Brown, Call, Coke, Fair, Gibson, Hampton,	Harris, Jackson, Jonas, Jones of Florida, Jones of Nevada, McPherson,	Mahone, Manderson, Maxey, Pendleton, Pugh, Riddleberger,	Sawyer, Vance, Van Wyck, Voorhees, Walker, Williams.
l		ABSI	ENT-37.	
3	Aldrich, Bayard, Beck, Bowen, Butler, Camden, Cockrell, Colquitt, Conger, Cullom,	Dolph, Farley, Frye, Garland, George, Gorman, Groome, Hale, Hawley,	Ingalls, Kenna, Lamar, Lapham, Logan, Miler of Cal., Morgan, Morrill, Palmer, Pike,	Platt, Ransom, Sabin, Saulsbury, Sherman, Slater, Vest.

So the amendment was rejected.

The PRESIDENT pro tempore. The question is on inserting the pro-

viso.

The Secretary read the proviso from line 2028 to line 2031, inclusive,

Provided, That no part of this sum shall be paid until a complete title is vested in the United States, and the full amount of said sum shall be paid directly to the owners of the property.

Mr. ALLISON. I desire to ask unanimous consent to modify the amendment—and I suppose the Senator from Texas will not object to this modification—so that it will read:

Provided, That no part of this sum shall be paid until a complete title is vested in the United States, and the full amount of the price, including all claims for rents, shall be paid directly to the owners of the property.

What I desire is to cover not only the purchase-money for the property, but also the arrears of rent. Therefore I insert after the words "amount of" the words "the price, including rent."

The PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. It is proposed to amend the proviso so as to

make it read:

Provided, That no part of this sum shall be paid until a complete title is vested in the United States; and the full amount of the price, including rent, shall be paid directly to the owners of the property.

The PRESIDENT pro tempore. Is there objection to the modifica-on? The Chair hears none. The question is on the amendment as

The amendment as amended was agreed to.

Mr. VAN WYCK. I call the attention of the committee to the provision at the top of page 83 appropriating \$5,000 to Mrs. Mary T. Barnes, widow of the late Surg. Gen. Joseph K. Barnes, "for especial and meritorious services rendered by her husband in the last illness of President Garfield."

I supposed all the expenditures for attendance on President Garfield were provided for in 1882, when some \$57,000, I think, was appropriated to cover all the expenses and services in connection with that matter. I remember very well that when the proposition was made here

to increase the pension of the widow of Surgeon-General Barnes from \$30 to \$50 a month, one of the reasons urged why that increase should be made was on account of the services of her husband in attending upon General Garfield; and now we find an item placed in this bill, after all that has been done, of \$5,000 to be paid to the widow of General Barnes. I call the attention of the chairman of the Committee on Appropriations to that item.

Mr. RIDDLEBERGER. Will the Senator permit me to ask him whether it is not a fact that Surgeon-General Barnes refused to accept any compensation because he was a public officer? Is not that the

fact ?

Mr. VAN WYCK. I do not know whether he refused to accept it or whether he was unable to receive anything because he was in the employ of the Government in its highest medical position as Surgeon-General of the Army. I do not know whether it was delicacy on the part of General Barnes or whether it was impossible for him to obtain from the Government anything more than the compensation he was receiving. At all events, the fact is that \$57,000 were appropriated in 1882 to cover all the expenses attending service upon General Garfield and his burial. It was even provided that extra compensation might be given not to exceed three months' pay to any employé who had been especially faithful to the dying President. Now, after that whole matter was settled in 1882, and when, as I say, since that time Mrs. Barnes has had her pension increased from \$30 to \$50, and one of the reasons alleged was that her husband had rendered efficient service in attendance on General Garfield, the Appropriations Committee ask us to appropriate \$5,000 to Mrs. Barnes. It at least, I think, requires a little explanation. I move that that item be stricken out.

The PRESIDENT pro tempore. It will not be in order to make that motion until the amendments of the Committee on Appropriations are gone through with. The reading of the bill will proceed. General of the Army. I do not know whether it was delicacy on the

gone through with. The reading of the bill will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 2056, after the words "Garfield Hospital," to strike out.

For the support and medical treatment of thirty-seven transient paupers, medical and surgical patients, in the city of Washington, under a contract to be made with the Garfield Hospital by the Surgeon-General of the Army, \$7,500.

And in lieu thereof to insert:

For maintenance, to enable it to provide medical and surgical treatment to transient persons unable to pay therefor, \$7,500.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "for the publication of the Official Records of the War of the Rebellion, both of the Union and confederate armies," after the word "dollars," in line 2086, to insert the following proviso:

Provided, That the time during which said publication shall be subject to the order of Senators, Representatives, and Delegates shall be extended from July 1, 1885, to July 1, 1886.

The amendment was agreed to.

The next amendment was, after line 2090, to insert:

Fort Leavenworth military reservation: For the improvement of roads on the Fort Leavenworth military reservation, to be expended under the direction of the Secretary of War, \$12,000.

The amendment was agreed to.

The next amendment was, after line 2094, to insert:

Quartermaster and commissary depot at Saint Paul, Minn.: For the completion of the public building for a quartermaster and commissary depot at Saint Paul, Minn., to be used as offices for officers of the Department of Dakota, and for heating the same, \$30,000.

The amendment was agreed to.

The next amendment was, after line 2100, to insert:

For purchasing hospital and other records of the war pertaining to the New England Soldiers' Relief Association, \$5,500.

The amendment was agreed to.

The next amendment was, after line 2103, to insert:

Sea-wall at Governor's Island, New York Harbor: For sea-wall around Governor's Island, \$40,000.

The amendment was agreed to.

The next amendment was, after line 2106, to insert:

For the purpose of erecting a statue, with suitable emblematic devices thereon, on one of the public reservations in the city of Washington, to the memory of General La Fayette and his compatriots, \$50,000.

The amendment was agreed to.

The next amendment was, after line 2110, to insert:

That the Secretary of War, the chairman of the Joint Committee on the Library, and the Architect of the Capitol are authorized to contract for and erect the said statue, and to designate a suitable public reservation in the city of Washington as the site for said statue.

The amendment was agreed to.

The next amendment was, in the appropriations "under the Department of Justice," after line 2226, to insert:

Reform School, District of Columbia: For repairs to buildings, including new roof on main building and new piers in basement, \$1,800.

The amendment was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had directed him to return to the

Senate, agreeably to its request, the bill (H. R. 5800) for the relief of

Sarah B. Jackson, with the Senate amendments thereto.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purpose.

The message further announced that the House insisted upon its disagreement to certain amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Samuel J. Randall of Pennsylvania, Mr. Waldo Hutchins of New York, and Mr. John D. Long of Massachusetts managers at the conference on its part.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the payment thereof; and it was thereupon signed by the President pro tempore.

SAC AND FOX AND IOWA INDIAN RESERVATION.

Mr. DAWES. The Senator from Iowa yields to me to call up a con-

ference report.

The PRESIDENT pro tempore. On what bill?

Mr. DAWES. On House bill No. 6658, to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas,

and for other purposes.

The PRESIDENT pro tempore. The message of the House is that it has concurred in the Senate amendments, which disposes of the bill without any report from the conferees. It supersedes a conference re-

AMENDMENT TO AN APPROPRIATION BILL. Mr. MORGAN submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

SARAH B. JACKSON-RATES OF PENSION.

Mr. VAN WYCK. I wish to ask for a committee of conference on the disagreeing votes of the two Houses on House bill No. 5800, just returned from the House.

The PRESIDENT pro tempore. Is there unanimous consent that this bill from the House be now laid before the Senate?

Mr. ALLISON. I make no objection.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (H. R. 5800) for the relief of Sarah B. Jackson. This bill passed the Senate with amendments, which have been sent to the House of Representatives, but are now returned pursuant to the request of the

Mr. VAN WYCK. I merely ask for a conference with the House on the amendments

The PRESIDENT pro tempore. The Senator from Nebraska moves that the Senate request a conference with the House of Representatives on its amendments.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. MITCHELL, Mr. VAN WYCK, and Mr. JACKSON were appointed.

COINAGE OF SILVER.

Mr. ALDRICH. I wish to be allowed to offer a joint resolution at this time.

By unanimous consent, leave was granted to introduce a joint resolution (S. R. 135) requesting the President to enter into negotiations with foreign powers to secure an agreement for the free coinage of silver; which was read the first time by its title and the second time at length, as follows:

Resolved by the Senate, &c., That the President of the United States is hereby requested to enter into negotiations with the States of the Latin Union, and such other foreign powers as he shall deem advisable, with the purpose of securing such treaties with them as shall bind the nations agreeing thereto to open their respective mints to the free coinage of silver with full legal-tender power, at such uniform ratio to gold as shall be agreed upon.

Mr. ALDRICH. I ask that the joint resolution go over until to-morrow when I shall call it up. The PRESIDENT pro tempore. The joint resolution will lie on the

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The Secretary resumed the reading of the bill. The next amend-

ment of the Committee on Appropriations was, to strike out the following clause from lines 2230 to 2232, inclusive:

Penitentiary for Utah Territory: For construction and completion of the penitentiary for Utah Territory, \$50,000.

Mr. HARRISON. I desire to inquire of the chairman of the Committee on Appropriations why that appropriation is proposed to be stricken out. I call the attention of the Senator from Iowa to the two appropriations for a penitentiary in Utah and Montana. I have myself no Information as to the situation of Utah, but I have as to the situation in Montana, and I do not think the appropriation there ought to be stricken out.

Mr. ALLISON. I can furnish the Senator from Indiana with some information on both provisions; I do not mean new information, not information unknown to him. Last year we inserted in the civil sundry appropriation bill an appropriation of \$26,000 to complete an addition to the penitentiary at Deer Lodge, in Montana.

Mr. HARRISON. We have not got to that yet. It is the Utah case

that is before us now.

Mr. ALLISON. I understood the Senator to make inquiry about both.

Mr. HARRISON. I did about both.
Mr. ALLISON. There was a special provision in that law requiring this sum to complete the penitentiary in Montana. In Utah there is a provision here for a penitentiary to cost \$50,000. There is nothing to support that except a simple estimate of the Treasury Department in the Book of Estimates. There were no papers, no statements that this was important at this immediate time; and inasmuch as there were a large number of amendments made by the Senate to this bill for im-

ortant and necessary appropriations, we supposed that the people of Utah could get on for another year without a penitentiary.

Mr. HARRISON. I have no information about the situation in Utah as to their need of a penitentiary, and therefore I make no objection to that amendment being agreed to; but I desire to be heard

upon the next one.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was to strike out the clause from lines 2233 to 2235, inclusive, as follows:

Penitentiary for Montana Territory: For completion of the penitentiary for Montana Territory, \$25,000.

Mr. HARRISON. The Government made an appropriation some years ago for the construction of a penitentiary in Montana. Plans were furnished for the building, which consisted of a central building intended to be used chiefly for offices and two wings in which the cells were to be situated. The construction of this building was entered upon, and one of the wings was first constructed when the appropriation to which the Senator from Iowa refers of \$25,000 in the last Congress to complete the building there was made. The question was presented to the governor of the Teritory, through whom, and under whom, it was to be expended, as to how it could be expended. Of course it was practically impossible to go to work to construct the other wing, which would thus have left two isolated, unconnected wings of the penitentiary. So that money was expended in part in the construction of the central building, which was to connect the two wings, and I have seen a statement from the gentleman who was in charge of construction that they have out of that appropriation accumulated at the penitentiary a very large part of the material that will be necessary to complete the other wing; but the appropriation was not sufficient in carrying out the plan to construct the central part and also to provide the

Now the situation of things in the Territory as to the necessity for an enlargement of the penitentiary is represented to me by Hon. John Coburn, who is one of the justices of that Territory, to be as follows: He says that the penitentiary has only twenty-eight cells, and that there are more than one hundred and twenty prisoners, and that it was so overcrowded and the condition of the convicts such as to render the building unwholesome, and that the courts were compelled to make orders that the prisoners of the Territory, instead of being sent to the penitentiary, should be lodged in the county jails of the counties where

they have been convicted.

There are but two courses open to us. One is to finish the building and make it useful for the purpose for which it was started, because the plan has been established, the foundations are in, one wing and the central building are built, and the simple question now is whether we shall stop or complete the structure according to the original design, and furnish that Territory with some adequate place for the confinement of its prisoners.

Mr. BECK. The sundry civil appropriation bill for the current year which was approved on the 7th of July last contains this provision:

To erect the unfinished portion of the United States penitentiary at Deer Lodge, Mont., and to complete the same in accordance with the original plans, \$15,000: Provided, That the work shall be carried on under the direction and general supervision of the governor of the Territory of Montana.

That they undertook to do, and when they came to ask us for \$25,000 more without explaining why they had made that expenditure necessary under a law that required the building to be done for \$15,000, we Mr. HARRISON. The Senator from Kentucky will allow me?

Mr. BECK. Certainly.
Mr. HARRISON. It was simply impossible. That was all there was about it. The Government was requiring work that would cost

forty or fifty thousand dollars to be done for \$15,000.

Mr. BECK. No complaint seems to have been made in regard to it as far as we know except that they had adopted plans inconsistent

with the act of Congress

Mr. HARRISON. But the very law which the Senator cites shows that plans had already been adopted before that appropriation was

Mr. BECK. But we have had no information so far as I know, or so far as anybody else knows, unless it be from Judge Coburn, that they have attempted to carry out the act; and in the face of facts like these it would hardly seem proper for us to make further appropria-

Mr. HARRISON. Perhaps I was remiss in not bringing to the attention of the Committee on Appropriations the information I have. I tried to find to-day, but have mislaid it, the report from the gentle-man who was put in charge of the construction by the governor, in which he sets out all the facts, some of which I have outlined, one of which is that one wing has been built. Here was \$15,000 appropriated. They could not enlarge the cell accommodations of the penitentiary with \$15,000. If they constructed the wing without any central part to protect it, they would have there two isolated buildings. That money was expended in part in completing the central part of the building according to the original plan, and he reports that they have accumulated a large amount of material there which can be used in the residue of the work. But there is no use of saying when a plan has been entered upon that will cost \$50,000 the building shall be completed for \$15,000.

Mr. BECK. All I desire to say is that we have had struggles all the time to make our officials comply with the law, and we had no information given us and no good reason assigned why they do not comply with it, and in the absence of such information, having a positive law that required it to be done, and no excuse being offered to us nor any fact laid before us, we did not feel at liberty to insert \$25,000 more.

That was all there was of it, I think

The PRESIDENT pro tempore. The question is on the amendment recommended by the Committee on Appropriations. [Putting the

question.] The noes appear to have it.

Mr. HARRISON. I ask a division on that question. It is one of so much interest to the Territory of Montana that I am sure that if Senators would think of it for a moment they would not refuse this appropriation. There is an unfinished, ragged building, totally inadequate to confine the prisoners of the Territory. What sort of economy is there on the part of the Senate in refusing to give money to go on with it? We have to finish it at some time. I ask for a division.

The PRESIDENT pro tempore. On this question a division is de-

manded by the Senator from Indiana.

The question being taken, there were on a division-ayes 22, noes

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. This is a proposition to appropriate \$25,000 in a case where a year ago the Committee on Appropriations stated that \$15,000 would complete the building.

Mr. HARRISON. That is just the absurdity of this proposition. The Government made a plan for a penitentiary in Montana, as I have said, that would cost perhaps \$50,000—I do not state the amount accurately—and after they had spent \$20,000 or \$10,000 or \$15,000, then the Committee on Appropriations decree that \$15,000 shall finish it. If the decree of the Appropriations Committee was sufficient to make \$15,000 do the work of \$40,000, there might be some sense in that statement. It simply means that you will not finish it at all. Fifteen thousands dollars will not go any further than the number of days. thousands dollars will not go any further than the number of days' work and the amount of material that it will buy, no matter what the

Committee on Appropriations say about it.

Mr. ALLISON. The Committee on Appropriations care nothing about this any more than other Senators. We have no interest in it except to carry on the public service. The Committee on Appropriations make no statement about this. The people who proposed this penitentiary, the responsible officers of the Government, came before the committee last year and expressly stated that if we would appropriate \$15,000 they would complete this building according to the original plan, and we appropriated it. Now they come in here, or some-body does through the House of Representatives, and propose that \$25,000 more shall be allowed, and I suppose next year they will pro-

pose \$50,000 more.

Mr. HARRISON. What does the Senator propose—to let them go without a penitentiary or any building?

Mr. ALLISON. I do not propose to do anything now except to

strike out this appropriation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted-yeas 30, nays

DESCRIPTION OF THE PARTY OF THE	YE	AS-30.	and all of the
Allison, Bayard, Beck, Brown, Call, Cameron of Wis., Cockrell, Coke,	Dawes, Edmunds, Garland, Gibson, Gorman, Groome, Hale, Hampton,	Harris, Ingalls, Jackson, Jonas, Jones of Florida, Morgan, Pendleton, Pike,	Plumb, Ransom, Vance, Vest, Walker, Williams.
	NA	YS-24.	
Cameron of Pa., Chace, Conger, Cullom, Dolph, Frye,	Harrison, Hawley, Hoar, Lapham, Mahone, Manderson,	Miller of Cal., Miller of N. Y., Mitchell, Morrill, Platt, Pugh,	Sawyer, Sewell, Sherman, Van Wyck, Woorhees, Wilson.
	ABSI	ENT-22.	
Aldrich, Blair, Bowen, Butler, Camden, Colquitt,	Fair, Farley, George, Hill, Jones of Nevada, Kenna,	Lamar, Logan, McMillan, McPherson, Maxey, Palmer,	Riddleberger, Sabin, Saulsbury, Slater.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was under the head of "Miscellaneous," in line 2290, after the name "Charles J. Guiteau," to insert "to be immediately available;" so as to make the clause read:

The Attorney-General is authorized and directed to pay to Charles H. Reed and George Scoville, attorneys at law, any sums, not exceeding \$3,000 to Charles H. Reed and not exceeding \$2,000 to George Scoville, for services rendered in the case of the United States vs. Charles J. Guiteau, to be immediately available.

Mr. VAN WYCK. In regard to the item—
The PRESIDENT pro tempore. Does the Senator from Nebraska object to that amendment making the appropriation immediately avail-

Mr. VAN WYCK. Yes, sir; I object to that, and I propose to make a motion to strike out the paragraph. I object to the amendment of the committee, and in order that this thing may be fully understood, as it has been several times in Congress I understand, to allow something to the counsel for Guiteau, I want to know whether there is any statute under which the Appropriations Committee advise this amount. If so, I will withdraw my objection to it; but if it is purely arbitrary, if it is assuming to do what the Committee on Appropriations say they can not do, then I should like to be advised of that fact.

Mr. ALLISON. I know of no law which authorizes the payment of this money and the Committee on Appropriations have no care respecting it. It comes here I believe for the third time in a House bill, certainly the second time, and the Committee on Appropriations in view of all the circumstances surrounding it did not care to strike it out. That is all I desire to say about it; I do not care to defend or

oppose it. Mr. PLUMB. The only time this matter has hitherto been before the Senate was I think two years ago when I moved the provision as an amendment to the deficiency bill, and it was adopted by the Senate. It was rejected in the committee of conference and therefore did not become a law. I think myself the payment ought to be made. A poor creature shot the President of the United States. He was entitled to a fair trial. He had no money. His brother-in-law volunteered to defend him. I do not know anything about the character of that defense; because that is not material to what is before the Senate now; but in addition to that a prominent lawyer of the city of Chicago, at the solicitation of the defendant himself, was engaged as counsel, and devoted some months of service to the preparation necessary todefend this party, and did defend him to the best of his ability. The result of that trial is known. No payment was made to either of these counsel because the defendant had no money to pay the necessary expense of that defense. It is not obligatory on the United States Government to pay for that service; but it was a state trial, it was a trial in the outcome of which the people of the United States had great interest, and I think it is no more than proper that the Government should pay for this service

But I do not care so much for that as I do for the insinuation which was contained in the remark of the Senator from Nebraska against the Committee on Appropriations because this item was found in the bill as it came from the House and there was no law authorizing it to be paid. Mr. President, there is no law for one-half of the appropriations contained in this bill. They are appropriations from year to year for the purpose of carrying on the United States Government. If we are to wait until a law is passed authorizing every particular thing necessary to be done to carry on all the Departments of the Government, then of course the functions of the Committee on Appropriations will necessarily be largely diminished and many of these items will be stricken

In this case, however, the Committee on Appropriations on the part of the Senate simply accepted what the House had said as an expession of their judgment that at all events whatever doubt there might be it ought to be resolved in favor of the payment, as they have done in regard to a large mass of appropriations to be found in other portions of this bill.

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Mr. GARLAND. Some two years ago this matter came before the Committee on the Judiciary upon an inquiry, if I recollect correctly, suggested by the Senate, to inquire whether there was any authority under the law to pay for services of this character. The committee were of opinion that there was no law authorizing it, but they were unanimously of the opinion that payment should be made to these counsel of a reasonable sum for their services. I do not remember that there was a single member of the committee who doubted the propriety of making such a payment, although the committee answered in the negative, that there was no existing statute then authorizing it.

Mr. VAN WYCK. Mr. President—

Mr. HARRIS. If the Senator from Nebraska will allow me I desire

to suggest to him that it is not now in order for a Senator to move to strike out this paragraph, but it will be so as soon as the committee's amendments have been acted upon. I suggest to him that we go on through the bill, and if he will at that time move to strike out the paragraph I shall be glad to vote with him.

Mr. VAN WYCK. I will assent to that in a moment, because it is opportune to say now that we have been endeavored to be held in line.

opportune to say now that we have been endeavored to be held in line by the Appropriations Committee. Against them no word must be said for their strict adhesion to the rules of this body, and for their observance of the law. It has been stated to us at the commencement and day after day that these rules, so mysterious in their creation and in the construction that has been placed upon them, and even the mysterious conduct of the Appropriations Committee, if I may say it without any offense, rendered it necessary that we should understand, particularly in the light of many things that have been said to-day, whether there was a statute requring this, or whether it was in conformity with rule. My friend from Iowa says that he has no particular concern about this matter and the committee have none. Very well, I have no particular concern about this matter, but I have as to the rules and the impulses

The provision was placed in this bill by the House. The chairman of this committee says there have been other things placed in the bill of this committee says there have been other things placed in the bill by the House of Representatives which the Appropriations Committee insisted should be stricken out. Why, then, did their adhesion to this rule give out? About the time they stuck this appropriation here at the end of the bill they got wearied in well-doing, wearied in following the rules of this body which were supposed to be framed for their guidance when they desired them to be, and then when they get near the end of the bill and become weary this rule is so elastic that they draw themselves out from under the yoke.

Is it not a strange spectacle here this evening that we are to be instructed first that there is no law under which this appropriation can be made, and next that it is a violation of the rules of this body; and now the Senator from Iowa says there is no statute, and the Senator from Kansas and other members of the Appropriations Committee say there is no obligation on the General Government to pay this money? Then why pay it? There is no statute requiring it, no obligation on the Government to pay it except that there was a poor wretch indicted for crime. Do the Appropriations Committee stumble over the rules of this body and discharge their duty in that way in regard to every poor creature who happens to be a defendant in a suit where the Government is the prosecutor? No, sir.

I only desired to stop long enough to call attention to this, because before we finish the consideration of this bill I propose to ask the Senate to do some things standing just where the Senator the chairman of the committee stands, and where that other distinguished member of the committee, the Senator from Kansas, places himself on this item.

I will now consent to the suggestion of the Senator from Tennessee that the matter may be withheld until we get through with the com-

mittee's amendments.

Mr. PLUMB. There can be no regret at the occurrence of this de-bate because it has given the Senator from Nebraska an opportunity to exploit himself; but it is not proper that the statement should go with-out any objection, that this amendment is in opposition to the rules of the Senate. It is not in opposition to the rules of the Senate, because it is not general legislation.

But, as I said before, there is found in this bill probably one-half of the paragraphs and probably one-half of the gross appropriations and items that have no warrant in the command of existing law. There is no requirement that we should make appropriations for the prosecution of claims; there is no requirement that we should make appropriations for the extension of the Reform School in the city of Washington; there is no requirement that we should continue the completion of the road at Baton Rouge, La., to the national cemetery. There are all through this bill appropriations of different characters that are not required in deference to existing law; that is to say, there is no specific law requiring the appropriation to be made. This is of a character of appropriations that have been made from time to time which in the judgment of Congress, without any legal obligation, are proper to be made. I do not say that this appropriation is one of that overshadowing character which requires us to incur the hostility of the Senator from Nebraska, nor that we should detain the Senate to hear either his speech or mine in regard to it; but it is one of those things which commend themselves if not to my judgment, at least to my sense of that which is fair and

decent on the part of the Government, and I think the appropriation

The PRESIDENT pro tempore. The question is on the amendment of the committee inserting the words "to be immediately available," in line 2290.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 2291, to insert:

To enable the Attorney-General to employ a competent person to edit and prepare for publication and superintend the printing of the seventeenth and eighteenth volumes of the Opinions of the Attorneys-General, \$1,000.

The amendment was agreed to.

The next amendment was in the appropriations for "United States courts," in line 2318, to increase the appropriation "for fees of United States commissioners, and justices of the peace acting as United States commissioners," from \$100,000 to \$125,000.

The amendment was agreed to.

The next amendment was, after line 2339, to insert:

UNDER THE POST-OFFICE DEPARTMENT.

To pay rent of building occupied by the Washington city post-office, at a rate not exceeding \$5,000 per annum, \$5,000; and for payment of rent of same from November 15, 1884, to the close of the current fiscal year, at same rate, \$3,125.

Mr. WILSON. I move to add "to be immediately available." That is in the nature of a deficiency, but providing for the next year as well. We provide for it all here.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "House of Representatives," in line 2371, to strike out:

One chief page, Alvin H. Pickens, \$900.

And insert:

For one chief page, Alvin.H. Pickens, at the rate of \$900 per annum, from April 4, 1885, to June 30, 1886, \$1,180.

The amendment was agreed to.

The next amendment was, after line 2377, to insert:

To pay the four pages now employed by resolution of the House the same compensation and for the same period as is provided for the payment of session pages employed by the House, \$270, to be immediately available.

The amendment was agreed to.

The next amendment was, after line 2382, to insert:

To reimburse the postmaster for postage-stamps, \$70, to be immediately avail-

The amendment was agreed to.

The next amendment was, after line 2384, to insert:

To reimburse N. A. Fuller, late cashier in the office of the Sergeant-at-Arms of the House of Representatives, for payment of a certain check forged in the name of a member of the House in August, 1883, \$165.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in the clause making appropriations for
"the World's Industrial and Cotton Centennial Exposition," in line
2393, after the first word "For," to strike out "the purpose of aiding"
and insert "final aid to;" so as to read:

For final aid to the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, &c.

The amendment was agreed to.

The next amendment was, in line 2396, before the words "hundred thousand," to strike out "three" and insert "four;" so as to read:

For final aid to the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$400,000, to be immediately available, and to be used first in payment of the indebtedness now outstanding of said exposition, &c.

Mr. SHERMAN. This question is rather an embarrassing one to When an appropriation of \$300,000 was proposed, although I could see some considerations favoring it I had not fully made up my mind on the subject. I should like to have some further and satisfactory reason for increasing the amount from \$300,000 to \$400,000. think the Senator from Iowa should be able to give the Senate a pretty full explanation of this matter. I regard it as a very unfortunate thing that this great exposition should have been convened, and that it is found without money, in bad credit. Perhaps circumstances might justify us in coming to its rescue, and it is now proposed to increase the amount of the appropriation made by the House. I think the Senator ought to state the ground for that proposition. Senator ought to state the ground for that proposition.

Mr. HARRISON. I suggest that the Senator from Iowa give us some reason for increasing the appropriation \$100,000 and for giving any

more money to this exposition.

Mr. ALLISON. Mr. President, I presume every Senator understands, as well as the Committee on Appropriations understand, the situation of the New Orleans Exposition. Two or three years ago we passed a law on this subject, in which we expressly provided that the Government of the United States in no respect should be responsible for a single dollar, but that it should only lend its money to this exposition. I

Mr. ALLISON. I did not remember the exact date. At that time it was expressly stated and understood that the Government of the United States should in no sense take any control or have any responsibility respecting this New Orleans Exposition. The President of the United States, however, at that time was required by that act to invite foreign governments to participate in the exposition. Last year the management of the New Orleans Exposition came to Congress and asked Congress for a loan of \$1,000,000 in order to enable them to properly and respectably conduct this exposition. It was represented then that this sum, if loaned by the Government of the United States, would be repaid; and representations were made to both Houses showing how easy it would be from the receipts of this exposition to reimburse the United States for the advance of \$1,000,000.

The law of last year, which I have not before me, was prepared with considerable care in the Committee on Appropriations, and a number of amendments were inserted on the floor of the Senate for the purpose and with the view of making it certain that the amount of money appropriated under that act should first be properly expended; and, secondly, that at some time the United States should be reimbursed. So the management went on, and this exposition, instead of being opened at the time fixed, did not open until about the middle of December or perhaps the 1st of January, and from that time up to certainly about the middle of February it was an absolutely losing performance. Although it was not stated to the Committee on Appropriations, I believe personally from the papers that the committee examined and the statements made that from this time forward the exposition will be practically a losing business; it will not be, to say the least, more than self-sustaining. The Government of the United States last year expressly provided, as it did two years ago, that under no circumstances whatever should we be called upon again for any further payment of money.

The situation, as I understand it, to-day is this: There are some thirty or forty foreign governments represented at the exposition, at least a large number, and they are respectably represented. The exposition itself, so far as the exhibition is concerned, is a success. These governments are represented at the exposition. Of course they knew years are represented at the exposition. nothing of our internal arrangements here with reference to it. They did not know that these managers two years ago, when they secured the authority of the United States, expressly pledged themselves not to make any request to Congress for an appropriation. These foreign governments probably do not know that last year we expressly stipu-lated that only the million we gave should be required of the United

Now it is a question for the Senate, and every Senator can judge for himself, whether or not we should appropriate anything. If we appropriate nothing, in my judgment the exposition can not last a month.

If we appropriate \$300,000, the probability is that it will survive to the middle of Aprilor the first of May. If we appropriate \$400,000, in my judgment it will be able to get on until the 1st day of June.

That is all there is in this case. The Committee on Appropriations believe that if \$300,000 is appropriated now, at the next session we shall probably be called on for \$300,000 more. We hope that by the amendment which we have inserted here, this final appropriation of \$400,000 will finish up this exposition in a way at least not disgraceful to the United States.

Mr. SEWELL. I desire to ask the chairman of the Appropriations Committee to refer to the proviso of the act granting the loan of a million dollars. It expressly provides for a guarantee by a bond of \$300,000 for the faithful performance of the duty. What has become of that

Mr. ALLISON. I do not know what has become of it, but I pre-

sume the bond was given and, of course, it can be enforced.

Mr. SEWELL. Allow me to read the provision.

Mr. JONAS. If the Senator will permit me, I will—

Mr. SEWELL. Allow me to read the provision. I read from the

Provided further, That no greater amount shall be expended or liability or indebtedness of any kind incurred upon buildings, grounds, and preparations than the aggregate sum that may be paid in, by the subscribers to the capital stock and by donations and the amount of the loan-provided herein: And provided further, That in the distribution of the amounts that may remain in the treasury of the board of management after the payments of the current expenses of administration the amount of the appropriation hereinbefore made shall be paid in full into the Treasury of the United States before any dividend or percentage of profits or assets shall be paid to the holders of said stock or contributors: Provided further, That the Government of the United States shall not, under any circumstances, be liable for any debt or obligation created or incurred by the World's Industrial and Cotton Centennial Exposition, or its board of management, or for any sum whatever in addition to the amount appropriated by this act; and that adequate space to be determined by the President of the United States for such exhibits as the Government of the United States may see proper to make at said exposition shall be furnished free of all charge by said board: Provided further, That no sum shall be paid to the said board of management of said exposition until after the president, secretary, and a majority of the members of said board shall have executed a bond, with good and solvent security, to be approved by the Secretary of the Treasury, in the sum of \$300,000, to sufficiently secure the safe-keeping and the faithful disbursement of the sun hereby appropriated, and for the faithful observance of this act with regard to the limitation of expenditures and liabilities as fixed herein, and for the repayment to the Government of the United States of the surplus of proceeds of said exposition remaining after payment of the current expenses of administration.

On the passage of that bill, looking at it in a purely commercial point law:

On the passage of that bill, looking at it in a purely commercial point of view, I had the honor to use the following language on a motion

made to reduce the appropriation or the loan, as it was said to be, to

Mr. President, I made the motion for the reduction of this amount, as I supposed that we should never get a cent of it back. Judging from my experience as a business man and a transportation man, in view of the location of this proposed exposition, I would give it as my judgment that none of this money will ever come back. If the exposition were to be located at a central point like Saint Louis, or Chicago, or Cincinnati, where the surrounding population is very dense and where the modes of communication are so frequent that large masses of people could be transported there, I would say that the money might come from Mexico and other southern countries will be a very small drop in the bucket. It requires a large mass of population to make an exposition of this kind pay. Therefore I moved to reduced the amount, as I thought \$500,000 was enough for the Government to contribute to what is practically to be a local exposition.

At that time it was stated that \$700,000 had then been subscribed for this exposition. I have understood since from very good authority that not more than \$500,000 has been paid in unto this day and that the city of New Orleans, which reaps great benefit from it, paid \$100,000, while the exposition managers have spent \$130,000 upon permanent improvement of the park where it is located.

I do not think that the United States Congress has a right to squan-

der the money of the people in this way. The appropriation of a million dollars, ostensibly obtained as a loan but really a gift from the pockets of the people of the country, ought to have been enough under prudent management, under a faithful performance of the contract entered into for which they gave a bond of \$300,000, to have carried it through.

I do not believe that three or four hundred thousand dollars now

will make it a success. You will then have a deficiency, in my opinion, of half a million dollars afterward. I am opposed to the amendment of the committee, and I move to non-concur in it; and I give notice

that I shall move to strike out the whole clause afterward.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Ti
tion is on the amendment of the Committee on Appropriations.

Mr. PLUMB. I voted against the proposition of the Senator from New Jersey, when the original appropriation was before the Senate, believing that a million dollars was necessary in order that the exhibition might properly be carried on and that the people of the country could afford to lend to the exhibition, and if necessary give that amount, in order that there might be a reasonable degree of success attained at least. I have been very much disappointed at the result. I have no doubt there is an exposition that is in a manner creditable to the people of the United States at New Orleans; but I am not satisfied that the promises which were made in order to obtain the appropriation of \$1,000,000 have been kept, nor am I satisfied that they were made in good faith at the time they were made as an inducement to the appropriation of \$1,000,000 heretofore made.

I am now prepared to vote with the Senator from New Jersey to strike out the entire appropriation. I shall cast the vote with considerable regret, but I believe that the circumstances are such that that is due to the case as it is now presented, and I am led to believe from representations which have been made to me—and I am not permitted to doubt either the fact or their authenticity—that if a collapse should come to that exposition revelations will be made in regard to the expenditure of the million dollars we have already appropriated which will startle the people of the United States.

I, for one, plant myself upon the repeated declarations contained in the various statutes on this subject: First, that the United States were not to be responsible at all, and that in the next place it was not to be a responsibility beyond the million dollars appropriated; and believing as I do that the people of Louisiana and the people of New Orleans have not only not done what they ought to have done but that they have not kept faith with the United States in regard to the dealings between the United States and them in regard to the exposition, I am prepared to say that I believe it to be the duty of Congress to refuse to appropriate any further money for the purpose of carrying on this exposition; and I say that, as I remarked before, with great regret.

The State which I have the honor in part to represent on this floor has there an exhibition of the products of that State, which is in line with the exposition which that State has reade at other places in the

with the exposition which that State has made at other places in the Union, and which is worthy of the State, and it has there a commissioner and assistants for the purpose of making that exposition what it ought to be. The people of the State of Kansas looked to that exposition with a great deal of interest and have attended it in large numbers; but their confidence, as well as the confidence of Congress, and of the people of the United States, in my judgment, has been forfeited by what has occurred in the expenditure of this million dollars and in the failure of the people of Louisiana and the people of New Orleans to keep faith with the Government in regard to their subscriptions and to do what they ought to have done, and what it was manifestly their duty to do, to make this exposition a financial success. Believing that, I shall vote to strike out this entire appropriation. I regret that the House committee and the Senate committee should have felt under

constraint to appropriate one single dollar.

Mr. HARRISON. Mr. President, the information which the chairman of the Committee on Appropriations furnished to the Senate in

reference to this matter was not satisfactory to me, for one.

Mr. ALLISON. I have been interrupted two or three times.

Mr. HARRISON. I will yield to the Senator now in a moment after indicating to him the direction in which I should like to have information. I notice that this amendment proposed by the Senate committee contains a proposition of this kind, that

No part of the foregoing sum shall be paid until statements and exhibits in detail, satisfactory to the Secretary of the Treasury, are made of all expenditures under the appropriation made by act of July 7, 1885, and that said expenditures have been made for the purposes and in the manner provided for in said act.

I submit to the Senator from Iowa that that audit of the accounts of the New Orleans Exposition ought not to be referred to the Secretary of the Treasury to take place after we have appropriated \$400,000 more. It should have been made and submitted to the Congress of the United States, and I am in hopes that the Senator from Iowa and the commit-tee will be able to furnish the Senate with some information as to what the expenditures have been in connection with this exposition, what they have been for, how much has been received from private sources, what the present debts of the association are, what its receipts and its expenditures are per day, and its salaries, in order that we may have some intelligent understanding of what we are doing here.

I should like to have the item of salaries especially, so as to see how many of these gentlemen have been supported out of this appropriation and at what rate per annum. I should like to know what the prospect is of winding the thing up and when it is intended to be wound up. The Senator intimates that \$300,000 may not keep it going thirty days or sixty days at least, and that \$400,000 may carry it to June. If we have become committed to this enterprise in such a way as to make the United States responsible for its debts, I think we ought to consider the question as to what is the best way out. Perhaps we had better wind it up, take an account of the assets, and pay the debts if we are liable for them.

It does seem to me that to ask an appropriation of \$400,000 in the face of the protestations and promises and repeated declarations of the managers and promoters of this exhibition that they would not ask as a gift one cent from the United States, that it was simply a loan of the credit of the United States, that the million dollars would be returned, and when we are now met with the statement that we are not to have one dollar of the million dollars returned to us, and if we are to follow that million with nearly half a million more, we ought to have from those who have represented this exposition a strict, detailed, and business-like statement of what they have done with the money. It should have been laid in printed form on the desk of every Senator and Member before this proposition was brought under discussion. It should not be asked to refer it to an executive officer of the Government to look into these things, lodging in him the discretion to send \$400,000 more after the million that has gone.

It seems to be conceded all around from statements on this floor by members of the Appropriations Committee who have looked into the subject, it seems to be conceded in the public press, that there has been the most gigantic and magnificent mismanagement of this exposition that ever characterized any public enterprise. I should like to have from the Senator from Iowa, if he has it, some statement of what this association have been doing with this money. I should like to know whether it is true that the city of New Orleans has given \$100,000 and that permanent improvements which will remain in her park for more than the sum she has donated have been taken out of this money

For one I shall not vote for this, if at all, until there has been a full exposé of all these matters.

Mr. ALLISON. Mr. President, the Senator from Indiana says that this proposition should not have been presented here by the Committee on Appropriations until a full printed statement was presented with it of all the facts connected with the New Orleans Exposition. Why, it of all the facts connected with the New Orleans Exposition. Why, Mr. President, does not the Senator from Indiana know that this bill itself did not reach the Committee on Appropriations until last Friday night at 10 o'clock? Does he expect the Committee on Appropriations to go through a hundred pages of a bill between Friday night at 10 o'clock and Sunday night at midnight, and then present here on the tables of Senators at 9 o'clock on the following morning that the contract of the co tables of Senators at 9 o'clock on the following morning full details of every item in this bill-does he expect that of the Committee on Appro-

Mr. HARRISON. I do not, and I was not referring to the Committee on Appropriations as to its being any part of their duty, but I say the promoters of this proposition who ask this additional \$400,000 should have furnished it.

Mr. ALLISON. So I agree.
Mr. HARRISON. I agree that the Committee on Appropriations of
the Senate have not had time to deal with this bill as they ought, that it has come here so late that they must necessarily give it a hasty consideration. But if there has not been time to examine this matter thoroughly, then I can only blame the Committee on Appropriations for making any proposition to donate money at all. I think they should have said we have not time to go to the bottom of this, and until we do we decline to take any step.

Mr. ALLISON. The Committee on Appropriations take no responsibility in reference to this measure that is not taken by every Senator on this floor. We only have recommended in this amendment a statement that if we appropriate at all we ought to appropriate \$400,000 Mr. MILLER, of California. I should like to ask the Senator why

they have recommended the additional \$100,000?

Mr. ALLISON. I will state that before I take my seat. The Committee on Appropriations when this bill came before them made a request of the management who asked this appropriation for every item suggested by the Senator from Iowa. We asked them to send to us a detailed statement of the expenditure not only of the million dollars appropriated by the Government, but of all the money received by the management. We also asked them to show us in detail from what sources they received money in addition to the money received from the Government, and I have before me and have in these papers the response made by the management to the Committee on Appropriations.

The whole amount received by this management on account of this exposition, outside of the receipts at the gates, is \$1,630,968. Of that sum \$1,000,000 was appropriated in the act making a loan to the exposition; \$584,000 has been paid in by the State of Louisiana and by individual subscriptions in the city of New Orleans and by persons in Louisiana. Of subscriptions from other sources, one item is \$15,000, another \$20,000, and another \$11,800. These put together make a

total sum of \$630,968.

I am giving now the statement sent to the committee by Mr. E. A. Burke, the director-general of this exposition and the responsible manager of it, so far as I know, in reference to its finances.

When we appropriated a million dollars last year or loaned it to this exposition we were told that there were \$800,000 of subscriptions in round numbers to the exposition in the city of New Orleans and in the State of Louisiana. We were told that these subscriptions were coming in, that every dollar of them would be paid, and when we came to insert that sum, as we did originally in the first draught of our appropriation, they said it would be impossible within the brief time to get it to the committee to collect the \$800,000 in full; but they said it would be collected, and we inserted the \$500,000 alluded to by the Senator from New Jersey.

I have stated the receipts. The expenses are also given in this paper in general, and the detailed expenses are in papers which I have before me. They state that for construction \$1,000,000 has been expended; me. They state that for construction \$1,000,000 has been expended; for machinery, \$150,000; for grounds, grading, draining, fencing, &c., \$100,000; for distribution to States and Territories, \$235,000; for commercial department, \$50,000; educational department, \$50,000; woman's work, \$50,000; agricultural department, \$50,000.

Mr. CONGER. I ask the Senator if there is any expense for the Red Cross Association who have brought from foreign countries and all parts

of the United States exhibits for the exposition?

Mr. ALLISON. That is not especially mentioned.

Mr. CONGER. I desire to say that individuals out of their own private means have paid the expenses which were to have been met by this management, and they have left ladies in charge of these associathis management, and they have left radies in charge of these associa-tions with a good deal of expense out of their own purses, and have not as yet relieved and will not, if we vote \$400,000 more, relieve those private persons who have been engaged in making the exhibition of that kind both in Europe and the United States, but leave them to pay

Mr. ALLISON. Of course I can only give in a general way the state-

ments of the manager

Mr. CULLOM. Did the Senator state that several hundred thousand dollars were distributed to the States? Is there an itemized ac-

count showing the amount each State has received?

Mr. ALLISON. There is among these papers an itemized account.
Of course the States and Territories had allotments made to them.

Mr. INGALLS. Was that allotment a loan or a gift?
Mr. ALLISON. I suppose it was a gift; that is to say, the managers

allowed the State of Kansas, for instance, \$5,000.

Mr. INGALLS. Out of the Government loan?

Mr. ALLISON. Out of the general fund.
Mr. SEWELL. Will the Senator state whether it was given to the
State or to individuals in the State? The State of New Jersey appropriated \$10,000.

Mr. ALLISON. It was given to the executive officers of the State in every instance, I believe, and applied or managed by the governor of the State

Mr. CHACE. Does the Senator from Iowa say that these amounts

were paid over in full to the States?

Mr. ALLISON. I am saying nothing. I repeat what I said before that the Committee on Appropriations could only take the statements of the management in reference to this matter. I do not know that one dollar was paid to any State or to any State agent. I am only stating what the management stated to us.

Mr. CULLOM. When the Senator gets to that point I should like to have him read the paper showing the amount that each State has

Mr. ALLISON. If I can find it I will read it. This is the statement with reference to the expenditures for the original purposes of the exposition. It is claimed by the management—and I am only speaking with reference to their statement—that because of the general situation at New Orleans, because of the difficulty in the means of transportation, and because of the general delay, the increased cost of

the buildings for the opening of the exposition amounted in round numbers to \$370,000. They also submitted to us a statement of the indebtedness up to this time.

Mr. HARRISON. May I ask the Senator what the aggregate of the

expenditures is?

Mr. ALLISON. The aggregate of the expenditures up to February 1, including, of course, the liabilities of the exposition—as shown by this statement—amounts to \$2,070,000, but the aggregate expense of the construction of buildings prior to the opening of the exhibition

The detailed statement the Senator from Illinois asked for I have

here now for each State and Territory.

The real trouble with this exposition is that it has been, with the exception of a few weeks, an absolute loss from the beginning, and in my belief it will be an absolute loss from now until the time it closes.

I have before me a statement of the daily receipts of the exhibition from its opening on the 15th of December down to and including February 13. The daily receipts ranged from \$466 one day, \$640 another, \$592, \$769, and so on, running up to \$2,235, and so on up to February, when the receipts increased from \$2,000 to \$3,000 per day. After the period known as Mardi Gras the receipts ran up for several days to \$10,000, \$8,000, \$7,000, \$6,000, \$5,000, and \$4,000. From the 1st day of February the receipts averaged over \$6,000. They now average, I believe, about \$2,500 per day, or nearly that sum.

Mr. HARRISON. Will the Senator allow me to ask him a question

as he goes on? I notice from his statement that the total receipts have

been \$1,630,000. That, I understand, was up to the 1st of February.
Mr. ALLISON. Yes, sir.
Mr. HARRISON. The expenditures up to the 1st of February were \$2,070,000.

Mr. ALLISON. Yes, sir. Mr. HARRISON. In other words, there was an excess of expendi-Mr. ALLISON. Yes, sir.
Mr. HARRISON. Now I want to ask the Senator if that debt has

been reduced since?

Mr. ALLISON. The debt has been reduced by the receipts during February

Mr. HARRISON. Has the debt been actually reduced?
Mr. ALLISON. I will say to the Senator—but I trust the Senator will not expect the Committee on Appropriations to go into a detailed account of dollars and dimes with reference to this matter—that there has been a reduction, so that at this time the indebtedness of the estab-

lishment is \$383,071.

Mr. HARRISON. That was what I wanted to get at. Then nearly all this money, \$400,000, is to be applied to pay debts, and they will start with a balance of \$20,000 of this appropriation on the next experi-

Mr. ALLISON: Very likely.
Mr. INGALLS. Is this indebtedness of \$380,000 exclusive of the million they owe to the United States Government?

Mr. ALLISON. Yes, sir.
Mr. INGALLS. Then they owe \$1,380,000.
Mr. ALLISON. One million three hundred and eighty-three thou-Mr. ALLISON. One million three flundred and eighty-three thou-sand dollars; but it is hardly worth while to appropriate money to pay ourselves. During the month of January and perhaps in a portion of December the cost of managing this affair for each day amounted to an average of over \$3,000, probably an average of \$3,500; I do not remem-

Mr. HARRISON. May I ask the Senator whether in the statement as made of the reduction of the debt during the month of February, which I believe included the Mardi Gras celebration, the salary a count for that month has been paid, or whether it is due on the 1st of March, so that it remains in doubt whether there has been any re-

duction?

Mr. ALLISON. I think very likely the suggestion of the Senator may be correct. I think it will be left very much in doubt on the 1st of March whether there has been any reduction, and I think when the 1st of April comes there will not only be no reduction but there will be a deficit of several thousand dollars even if we appropriate this \$400,000, unless this management can secure money from some other source than any known to the Committee on Appropriations or known to the managers themselves. It is a question whether the Congress of the United States, having reference to our obligations and to the invitations we have extended to other governments, shall give this sum of money to keep the exhibition going until the time prescribed in the law for its closing, or whether we shall abandon it now.

That is all the question. Therefore the Committee on Appropriations provided that this money should be expended by one of our own officers, that he should not expend it for this purpose until he was satisfied that every dollar that was appropriated as a loan last year had been faith-fully and honestly expended not only for the purposes indicated in

that law but in the manner indicated in that law.

Mr. HARRISON. The appropriation that the Senate provides for in this bill simply pays debts. It is probable when all the accounts are in, it is a close shave whether it will pay the existing debt.

Mr. ALLISON. I think it is.

Mr. HARRISON. .. How do we get any guarantee that it will run to May?

Mr. ALLISON. None whatever.
Mr. HARRISON. Then is it not likely that it will be compelled to stop at once, or that we shall have to follow this appropriation with two or three hundred thousand dollars more?

Mr. ALLISON. Very likely both. Mr. HARRISON. If it runs to M If it runs to May the Senator thinks we must add to this appropriation two or three hundred thousand dollars more?

Mr. ALLISON. I think so, unless you make the \$100,000 additional appropriation we propose to that made by the House.

Mr. HARRISON. Even if you make that, it only pays the present

Mr. ALLISON. The gentlemen who appeared before the committee stated that if the \$100,000 which we add to this bill should be appropriated they would be able to run this exposition until the 1st day

June. I have serious doubts about that.

Mr. HARRISON. Were those the same gentlemen who said the

money would be repaid?

Mr. ALLISON. One of them. I have said all I care to say with reference to this exposition. I do not think it stands in a creditable way either to the management or to the United States, and it is a question what we shall do with it under the circumstances.' The Committee on Appropriations, or at least a majority of them, believed that under the circumstances surrounding this case it was a wise thing for us in a guarded way to give final aid to this exposition to the extent named in this clause

The PRESIDING OFFICER. The question is on the amendment of

the Committee on Appropriations.

Mr. MILLER, of California. I wish to ask the Senator in regard to this bill if any premiums have been paid or awarded to the States yet, and whether in the calculation of \$400,000 there has been taken into consideration what is awarded on premiums?

Mr. Al-LISON. Certain premiums have been awarded; I do not remember the amount; I think \$17,000. Of course that constitutes one

of the debts of the association.

Mr. MILLER, of California. This speaks of debts to foreigners or foreign nations. Will the Senator explain what those debts are; how this exposition became indebted to foreign nations, and what the amount

Mr. ALLISON. I think the amount is an unknown quantity, though it is not large. This management made certain arrangements with foreign governments to send their exhibits here and agreed to pay freights and some other things in connection with the foreign exhibits. A portion of those expenses have not been paid; premiums have been awarded to exhibitors from foreign countries which have not been paid. I do not think any statements I have before me give in detail the amount of these debts, but it is stated at \$17,000; but when the exposition is closed I believe it will amount to over \$60,000.

Mr. MILLER, of California. There is a difference between foreigners and foreign nations. I do not see how a foreign nation would bring itself to contemplate taking money of this association for freights on

their own exhibits.

Mr. ALLISON. I do not think we owe any foreign nation anything on this account.

Mr. MILLER, of California. I hope not.

Mr. ALLISON. If we do we will try to pay it in some other appro-

The PRESIDING OFFICER. The question is on the amendment

reported by the Committee on Appropriations.

Mr. MITCHELL. I desire to say one word in favor of this amendment. A large number comparatively of the business men from the State of Pennsylvania, and principally of Philadelphia, have been in attendance on this exposition. I saw a party of them on their return a few days ago. They all gave a glowing account of the exposition in so far as the exhibits are concerned, and without exception they are men of Those whom I have conversed with, and those whom I have seen, say we ought to make this appropriation. I myself have given some attention to it, and I believe we ought to do it. If we have made a mistake in this matter we made it when we gave the loan in the first instance. As I regard it, the honor, the credit, the good name and fame of this nation are involved in this transaction, and it becomes us to consider that, Mr. President. I shall do it. I would vote very cheerfully even for more than is proposed by the amendment.

I have some knowledge myself in regard to matters of this kind. was instrumental in a small way in the inauguration of the Centennial Exposition. I know what it costs to set such a work as that in operation and to carry it through. I think people in and about Philadelphia contributed about two millions and a half of dollars, the State of Pennsylvania contributed from its treasury a million dollars, the Govern-

ment of the United States I believe a million and a half.

Mr. SEWELL. Loaned it.

Mr. MITCHELL. They should have given it, as I thought then and

the repayment of every dollar of the appropriation made to the exhibition at Philadelphia, and my recollection is, with interest. ["No!"]
"No!"] Well, without interest. Every dollar of the loan was repaid.
Mr. MITCHELL. I should not have forgotten to state that. The

managers of the exposition undertook to do it and they were able to do it because there was a great central point, a great patriotic object and feeling lying at the bottom of that exposition which is not present in this case to sustain this work.

The gentlemen who were here the other day said to me—and they were very familiar with the work done in Philadelphia—that the work now being done in New Orleans, in extent of buildings erected, of opportunity for exposition, and the exposition itself, is fully equal to that at Philadelphia, and the only thing seeming to be wanting is the gatemoney to be received from visitors there; and I trust when the genial sun of spring shall come and enter into the hearts of the people of the North that they will go to New Orleans and make that exposition a success in that respect. In view of the figures presented by the chairman of the Committee on Appropriations I believe they will and I think they ought.

Mr. SEWELL. Will the Senator from Pennsylvania allow me to ask him does he know whether those persons had subscribed money

and were desirous of getting it back?

Mr. MITCHELL. I do not know; but I think none of them were in that category. One of them, with whom I talked more particularly than with the others, is a prominent business man in Philadelphia and is a patriotic gentleman. He was engaged in the work of the Centennial Exposition. His heart was in that, and it is in this, and he feels precisely in regard to this matter as he did in regard to that, so far as the Government and its obligations are concerned.

Mr. BLAIR. Mr. President, I voted for this original appropriation, and I am very glad that I did so. I wish I had voted for a larger one and that more had been appropriated and more had been expended. Why, sir, we expended in the preparation of the Philadelphia Centennial Exposition, as I have been informed in the items given here to-day, over \$7,000,000 in making that exposition ready to be seen. Here is an exposition located in a portion of the country unaccustomed to making expensive demonstrations of this or perhaps of any other kind, without the necessary means and facilities for intercommunication, unused to this sort of thing, and yet the precise point of the whole country where an exposition was needed for its industrial and its educational effects, and with an amount of money less than \$2,000,000.

Whatever they may have done in the way of bad appropriation,

whatever they may have done in the way of imprudent expenditure, whatever they may have done in the way of corrupt expenditure, which is hinted at darkly here, but of which there is no evidence in existence as far as I know, with an expenditure of less than \$2,000,000 they have prepared an exposition which in many and in important particulars surprepared an exposition which in many and in important particulars surpasses that of the Centennial. I do not make this assertion wildly or blindly. At least one hundred of the most intelligent citizens of my own State, including the governor of the State, have recently visited the exposition, and I have talked with a great many of them.

(The governor was familiar with the Centennial Exposition; so was his wife, a very intelligent woman, as capable of judging in regard to a matter of this kind as any lady almost in my acquaintance; and they and others of this party who want there to observe, and who did obtains a surplementary who want there to observe, and who did obtains a surplementary who want there to observe, and who did obtains the surplementary who want there to observe and who did obtains.

and others of this party who went there to observe, and who did observe, as I believe, impartially, prominent men in both political parties, say to me that this exposition in its substance is superior to what they saw and were familiar with at Philadelphia, and this is in the preliminary stage. It has had no visitors of any great consequence as yet. Their facilities for reaching the point of exhibition from where most of the people are obliged to stay in the city, the four miles travel, are thus far very inferior indeed, and, of course, there has not been a great amount of travel to the exposition. The number of visitors has not as yet been large

Our friends here talk about the United States collecting its money back again, but they did not get that million and a half dollars back again until the Centennial Exposition was over and until there had been a chance for receipts out of which the remuneration was to be made. Now we are holding our friends at the South responsible for accomplished results; we are holding them to, what I think it is very unjust to hold them to, the accomplishment of results at this comparatively early period. Of course it is to be understood that it has taken longer to make this ready, and the weather itself has been inhospitable and unfavorable. Everything has been done at a great disadvantage, and done by a class of people who are not accustomed to make expenditures of this description and who naturally might be somewhat tardy, who might be excused if they failed even without being charged with

fraud and corruption, unless we have the evidence of it.

I believe that if this exposition is treated in a good-hearted way, with a national feeling, with a spirit of brotherhood such as we ought to begin to entertain toward all portions of our country, and if we give them three or four or five hundred thousand dollars more to help them along and to let this exposition last another year, it will be a magnificent success of which the American nation may well be proud; and even if it is not, as compared with what was done at the North nine years ago, as I think now.

Mr. FRYE. Do not forget to state that the United States compelled I say that in my belief the educational effects upon the southern por-

tion of our country and upon the northern portion of our people who may see fit to visit that part of the nation, and the adjacent nations, will fully justify the million or the million and a half which we have given. I trust the committee will be sustained in making this amendment to the bill, and that if a larger amount is thought to be necessary

executive business.

Mr. SEWELL. Will the Senator withdraw the motion for a moment?

The PRESIDING OFFICER. The Chair will inform the Senator from Massachusetts that at 6 o'clock, by a resolution passed at an earlier hour, it is the duty of the Chair to announce a recess until 8

Mr. HOAR. I move that the Senate now take a recess until 8 o'clock.
Mr. SABIN. I move that the Senate proceed to the consideration of

executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota.

The motion being put, there were on a division—ayes 25, noes 16. Mr. VAN WYCK and Mr. BAYARD called for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted-yeas 25, nays 19; as follows:

		YEAS-25.	
Aldrich, Blair, Brown, Butler, Cameron of Wis., Chace, Conger,	Dolph, Harrison, Hawley, Hill, McMillan, Mahone, Manderson,	Miller of Cal., Miller of N. Y., Mitchell, Morgan, Morrill, Palmer, Platt,	Plumb, Sabin, Sawyer, Sewell.
amplitude rolling	To Oran edies	NAYS-19.	of the result of the later
Bayard, Beek, Call, Cockrell, Coke,	George, Gibson, Gorman, Harris, Jonas,	Lamar, Pendleton, Pugh, Ransom, Saulsbury,	Vance, Van Wyck, Vest, Walker.
	4.7	ABSENT-32.	
Allison, Bowen, Camden, Cameron of Pa., Colquitt, Cullom, Dawes, Edmunds.	Fair," Farley, Frye, Garland, Groome, Hale, Hampton, Hoar,	Ingalls, Jackson, Jones of Florida, Jones of Nevada, Kenna, Lapham, Logan, McPherson,	Maxey, Pike. Riddleberger, Sherman, Slater, Voorhees, Williams, Wilson.

The PRESIDING OFFICER. The yeas have it, and the Senate decides in favor of an executive session; but the hour of 6 o'clock having

Mr. CONGER. Mr. President—
The PRESIDING OFFICER. Under a resolution of the Senate assed at an earlier hour of the day, the Senate now takes a recess from

this time-until 8 o'clock to-night.

Mr. CONGER. Which I move to reconsider. I move to reconsider the motion by which the Senate agreed to take a recess.

The PRESIDING OFFICER. In the execution of the order of the Senate the Chair has announced that the Senate has taken a recess from 6 to 8 o'clock.

Mr. CONGER. I addressed the Chair.
The PRESIDING OFFICER. The Chair decides that the Senator from Michigan made his motion too late, because the Chair had announced the execution of the order.

Mr. CONGER. Mr. President, I addressed the Chair two or three times

The PRESIDING OFFICER. The Chair is quite aware of that fact.
Mr. CONGER. And the Chair refused to recognize me. ["Order!"]
The PRESIDING OFFICER. The Chair is quite aware of the fact that the Senator addressed the Chair when the Chair was announcing the order of the Senate previously made.

Mr. CONGER. And it was to prevent that announcement that I exercised my privilege of addressing the Chair.

The PRESIDING OFFICER. The Chair begs to state to the Senator from Michigan that the Chair understood it to be the duty of the Chair to execute the order of the Senate, and not to allow the order to be interfered with by the appeal of any single Senator. The Senate is in recess until 8 o'clock to-night.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

EXECUTIVE SESSION.

The PRESIDING OFFICER (Mr. HARRIS in the chair). In obedience to the order made just before the recess, the Chair directs the Sergeant-at-Arms to clear the galleries and close the doors in order that the

enate may proceed to the consideration of executive business.

Mr. ALLISON. Is it in order now for me to move that the doors be opened?

The PRESIDING OFFICER. Not until the order has been exeented.

The doors having been closed, the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened.

REPORTS OF COMMITTEES.

Mr. BLAIR. I ask unanimous consent to submit two reports from the Committee on Pensions

The PRESIDING OFFICER. The reports will be received if there be no objection.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 603) granting a pension to Rachel Nickell; and A bill (H. R. 7907) granting a pension to Matilda Cody.

Mr. DAWES, from the Committee on Appropriations, to whom was

referred the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armanent thereof, for the fiscal year ending June 30, 1886, and for other purposes, reported it with amendments.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for

The PRESIDING OFFICER. The pending question is on the amendment recommended by the Committee on Appropriations, in line 2396, before the word "hundred," to strike out "three" and insert "four;" so as to read:

For final aid to the World's Industrial and Cotton Centennial Exposition, now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$400,000.

Mr. JONAS. Mr. President, it would seem from the objections which are made to the amendment and the item of appropriation now under consideration as if Senators in the opposition considered that it only concerned the State of Louisiana and the people of New Orleans whom I in part represent. It is true that this great exposition is held in the city of New Orleans. It is not true that it is held particularly under the auspices of the people of that city or the people of Louisiana. The exposition is held in pursuance of an act of Congress approved February 10, 1883, not introduced either in the Senate or in the House by any representative from the State of Louisiana, and not emanating particularly from the people whom I represent. The preamble to that act sets forth:

Whereas it is desirable to encourage for celebration the one hundredth anniversary of the production, manufacture, and commerce of cotton, by holding, in the year 1884, in some city of the Union, to be selected by the executive committee of the National Cotton Planters' Association of America, an institution for the public welfare, incorporated under the laws of Mississippi, a world's industrial and cotton centennial exposition, to be held under the joint auspices of the United States, the said National Cotton Planters' Association of America, and of the city in which it may be located, and in which cotton in all its conditions of culture and manufacture will be the chief exhibit, but which is designed also to include all arts, manufactures, and products of the soil and mine; and Whereas suchan exhibition should be national and international in its character, in which the people of this country and other parts of the world who are interested in the subject should participate, it should have the sanction of the Congress of the United States.

That act was passed, and in pursuance of its authority the National Cotton Planters' Association selected the city of New Orleans as the city in which the exposition should be held, much, I may say en passant, against the wish of a large portion of the commercial community of that city who have since contributed to its success, and who at the time entertained honest doubts (desirous as they were that the exposition should be held) whether New Orleans occupied the proper geographical position in which to hold such an exposition.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. I ask the Senator from Louisiana to yield to me for a moment that I may submit a conference report on the legislative appropriation bill.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Iowa?

Mr. JONAS. Certainly.
Mr. ALLISON. I move that the Senate proceed to the consideration of the conference report on the legislative appropriation bill.
The PRESIDING OFFICER. It is a privileged report that the Senator has a right to make at any time.
Mr. ALLISON. I present the report and ask for its immediate

consideration.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

** That the Senate recede from its amendments numbered 5, 15, 16, 17, 18, 19, 20, 38, 42, 43, 44, 47, 63, 64, 65, 66, 67, 75, 79, 81, 82, 88, 89, 90, 91, 92, 102, 106, 107, 108, 113, 114, 121, 122, 126, 128, 129, 130, 131, 133, 134, 137, 138, 139, 140, 141, 142, 143, 144, 145, 173, and

amendment, and on page 31, in line 11 of the bill, after the word "each," insert: "six assorters of money-orders at \$340 each:" and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$596,030;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7;" and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$50,000;" and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000;" and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000;" and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,00;" and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu o

amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following:

"That a committee consisting of five members-elect to the House of Representatives of the Forty-eighth Congress, shall prior to the first sentiatives of the Forty-eighth Congress, shall prior to the first House of Representatives of the Forty-eighth Congress, shall prior to the first propriation for Indians under treaty for their support, for their deucation and otherwise, and whether any changes should be made in said appropriations or their expenditure. Said committee shall also inquire into the expenditure of public money for the Yellowstone Park and the administration of the laws applicable to said park, whether any change should be made in said laws or the benefit and utility that portion of the public domain. That said committee shall have power to appoint subcommittees and visit the places where appropriations mentioned herein are expended, and in doing so they are authorized to use Government conveyances and means of transportation. Said committee or any subcommittee thereof shall have power to send for persons and papers and Forty-ninth Congress. A sum sufficient to pay the expenses of said committee hereby authorized and of witnesses that may be summoned before it is hereby appropriated out of any money in the Treasury not otherwise appropriated, which shall be immediately available, and payable on the draft of the chairman of said committee in sums not exceeding \$1,000 at any one time."

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same. The mandment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$

W. B. ALLISON, H. L. DAWES, F. M. COCKRELL, Managers on the part of the Ser WM. S. HOLMAN,
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

Mr. ALLISON. I desire to say that in the bill every item has been agreed to by the conference except the one item relating to clerks of Senators. There are two amendments involved in that question.

The PRESIDING OFFICER. Does the Senate to take any action in respect to the disagreeing votes?

Mr. ALLISON. I do not. Mr. INGALLS. I should like to ask the Senator from Iowa, for the information of the Senate, whether all the provisions the House of Representatives asks for their force were agreed to by the Senate.

Mr. ALLISON. I will say in response to the Senator from Kansas that they were all agreed to so far as the House force is concerned.

The PRESIDING OFFICER. The question is on concurring in the

The report was concurred in.

POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8138) making appropriations

for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:
That the Senate recede from its amendment numbered 9.
That the House recede from its disagreement to the amendments of the Senate numbered 13 and 15, and agree to the same.
On the amendments of the Senate numbered 3, 4, 5, 6, 16, 17, 18, 19, and 20, they have been unable to agree.

P. B. PLUMB, W. B. ALLISON, JAS. B. BECK, Managers on the part of the Senate. R. W. TOWNSHEND, WM. S. HOLMAN, R. G. HORR, Managers on the part of the House.

Mr. PLUMB. The points of difference between the two Houses were the proposition of the Senate to authorize the Postmaster-General to pay the rent of third-class post-offices, the proposition of the House that the Bureau of Engraving and Printing should enter into competition with private parties for the production of postage-stamps and stamped envelopes, the proposition of the Senate that to the Postmaster-General should be committed a discretion in regard to the payment of a proper sum for the carrying of foreign mails, the proposition of the House that sum for the carrying of foreign mans, the proposition of the House that a special 10-cent stamp should be provided, and that consequent upon that there should be a special delivery of letters in cities of a certain size, and also the amendment of the Senate to the proposition of the House in regard to the pay of railroads, the Senate having added to the sum proposed by the House \$490,000.

The conferees have agreed upon the settlement of all these differences are the triple added to the respect t

The conferees have agreed upon the settlement of all these differences except that in regard to the payment of the rent of third-class post-offices, the compensation for the carrying of foreign mails, and the 10-cent stamp or special delivery of letters. In the matter of the increase of the appropriation for the payment of railroads for the transportation of mails the Senate conferees agreed to recede. In regard to the proposition that the Bureau of Engraving and Printing should enter into competition with private parties for the manufacture of postage-stamps and stamped envelopes, the House conferees agreed to recede. stamps and stamped envelopes, the House conferees agreed to recede, leaving, as I have before stated, these three items in controversy still before the two Houses so far as the committee of conference is concerned.

I ask the Senate to concur in the report of the committee of confer-

The report was concurred in.

Mr. PLUMB. I move that the Senate further insist on its amendments to the Post-Office appropriation bill not so far agreed on by the two Houses, and ask of the House of Representatives a further conference on the disagreeing votes.

The motion was agreed to.

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate, and Mr. Plumb, Mr. Al-LISON, and Mr. BECK were appointed.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate; as in Committee of the Whole, resumed the considera tion of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886,

and for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment in line 2396, to strike out "three" and insert "four," so as to make the appropriation for the World's Industrial and Cotton Centennial Exposition \$400,000; on which the Senator from Louisiana [Mr.

Jonas] is entitled to the floor.

Mr. JONAS. I was saying when interrupted that the act of Congress authorized the Cotton Planters' Association, who orginated the exposition, and who are an important and respectable agricultural association of this country, to locate the exposition, which they did, at New Orleans. I take occasion here frankly to say that in my opinion it would have been better had they chosen Atlanta, or Nashville, or even Louisville, al-though that city is outside of the cotton belt. They are all greater centers of population, and I believe the exposition would have been a greater financial success if located in either of those cities. But it was located in New Orleans, and without any action or volition on the part of the people of that city.

The act also provided:

That the President of the United States may, upon the recommendation of the executive committee of the National Cotton Planters' Association of America, appoint six United States commissioners, and, upon the recommendation of the majority of subscribers to the enterprise in the city where it may be located, may appoint seven United States commissioners, who together shall constitute a board of management of said World's Industrial and Cotton Centennial Exposi-

tion.

SEC. 3. That the President of the United States may, on the recommendation of the governors of the various States and Territories of the Union, appoint one commissioner and one alternate commissioner for each State and Territory, whose functions shall be defined by the said board of management.

Under the above provisions the President appointed six commission ers, and he also appointed seven other commissioners, who were chosen by the subscribers, who subscribed some \$500,000 to the stock of this enterprise. These constituted the board of managers, appointed and commissioned by the President, with full faith and authority given to them by the President under the provisions of the act of Congress.

Here I take occasion to say that this board of management thus con-

stituted is chosen from the best, the most prominent, the most reliable, and the most successful business men of the city of New Orleans and its vicinity. They were appointed irrespective of politics, and most of them are men out of politics, but actually representing both political

I take further occasion to say that the director-general of the enterprise, who has been held forth as its head and front, is not a member of this board of managers. He is an executive officer, and whatever power he possesses, whatever acts he has performed, or whatever disposition he has made of the moneys which were in his possession, has been under the control and by the direction and advice and the vote of this board of managers.

Some \$584,000 were subscribed to this enterprise by citizens of New Orleans and other persons interested in its success. The President in the mean time was authorized by another provision of the act, which I

shall read, to issue invitations to foreign governments:

SEC. 9. That the President be requested to send, in the name of the United States, invitations to the governments of other nations to be represented and take part in said World's Industrial and Cotton Centennial Exposition, to be held in some city of the United States, to be hereafter selected as aforesaid.

He issued such a proclamation calling on the nations of the earth to send their exhibits to this great world's exhibition to be held in the city of New Orleans under the provisions of this act of Congress. The States all appointed commissioners who were commissioned by the President, and a like invitation was extended to the States and Territories of the Union to send their exhibits to this exhibition. It grew into such grand proportions, so much beyond the conception of its projectors, so large a space was asked for by the exhibitors, so generous a response came from all parts of the world from the nations of the earth who desired to participate, that it became evident that those who had originated the exhibition would not be able to carry it out. It origioriginated the exhibition would not be able to carry it out. It originated with the poor; its managers were poor; the people of the section in which it was to be held were poor. They were utterly unable to meet its immense growth, which had passed beyond their most sanguine expectations, and they came in good faith to Congress to ask for a loan of \$1,000,000, which was accorded to them by the act approved May 21, 1884.

This millies able to be able to be able to carry it out. It originates with the people of the section. The people of the section in which was accorded to them by the act approved May 21, 1884.

This million dollars has been expended. The exposition which was This million dollars has been expended. The exposition which was to have opened on the 1st of December opened on the 16th. It opened like all gigantic enterprises of the kind—behindhand, and wanting in detail and perfection. Very little could be done in the summer. The exhibitor sent forward their exhibits all at once. It was impossible to locate them and get them into position in time for the opening; and when the opening came, instead of the weather being as it usually is, mild, genial, and balmy, suitable not only for the prosecution of outdoor work for the completion of the exposition, but inviting to every one for recreation and enjoyment, for the first two months New Orleans was visited with such wintry weather as has never been known within was visited with such wintry weather as has never been known within the memory of the oldest inhabitant-constant rain, cold almost equal to that in this latitude, mud which rendered the roads impassable and which protracted the transportation of the machinery and heavy exwhich protracted the transportation of the machinery and heavy exhibits; in short, weather which kept off the crowd of visitors who were expected to be present and to pay by their attendance the expenses of the exposition. There were two months of almost absolute disappointment; almost two months of absolute loss of revenue; and it was not until the 27th day of January that the gate receipts began to pay the cur-

rent running expenses of the exposition.

I believe that the managers of the exposition were acting in good faith when they came to Congress and asked for this loan.

Mr. HARRISON. Will the Senator from Louisiana allow me to ask him a question?

Mr. JONAS. Certainly.

Mr. HARRISON. What has he to say to the statement of the chairman of the Committee on Appropriations, that when they came before

man of the Committee on Appropriations, that when they came before that committee asking the loan of \$1,000,000 they represented that they had bona fide and reliable subscriptions to the amount of \$800,000 when it appears they had but a little over \$500,000?

Mr. JONAS. I think that my friend, the chairman of the Committee on Appropriations, is mistaken. I think they represented to him that they expected and hoped to raise \$800,000; that they had over \$500,000 subscribed and they expected to increase it to \$800,000. The foot is they had ever \$600,000 subscribed and at \$800,000 have been required. fact is they had over \$600,000 subscribed and \$584,000 have been actu-

ally paid.

I repeat, they were in good faith when they asked for this loan. I thought they were too sanguine. I never dreamed when I advocated the loan that they would be able to repay it to the Treasury. I believe they were in good faith in thinking that they could pay it, or some portion of it, anticipating as they did that the receipts would be large, and that the whole world would flock to visit the exposition. Situated as it is, at one of the extremities of the Union, almost as remote as if it were in a foreign country, with a sparse population in the ad-joining States, and one illy prepared to bear traveling or other ex-penses, I never dreamed that it would be self-sustaining, but I thought that it would be honestly managed, that it would pay its current expenses, and that what was realized beyond the current expenses would go into the Treasury to the credit of the loan, and that the exposition

would be a great and beneficial enterprise which would repay a hundred-fold to the people of this country the paltry amount which was borrowed from the Treasury to carry it on and make it a success.

Mr. President, I wish for a moment to indulge in some comparisons between this exposition and the one held at Philadelphia. There are

represented in this exposition forty-six States and Territories and twenrepresented in this exposition forty-six States and Territories and twenty-one foreign governments. The total space occupied in Philadelphia by the State exhibitions was 21,711 square feet; in New Orleans it is 327,198 square feet. It will be observed from the above that the actual area of space for exhibits at New Orleans is more than fifteen times that of the Philadelphia Centennial Exposition. The area of the official buildings in Philadelphia was 2,505,789 square feet; in New Orleans it covers 2,726,305 square feet. The principal buildings at the international exhibition in New Orleans cover 2,370,855 square feet; in Philadelphia they covered 2,044,542 square feet; in London in 1862, 1,400,000 square feet; in Paris in 1878, 456,923 square feet; in Vienna in 1802, 1,400,000 square feet; in Paris in 1878, 456,923 square feet; in Vienna in 1873, 430,500 square feet; and in the small but brilliant exposition in Atlanta in 1881, 107,520 square feet—less than one-twentieth that occupied by the New Orleans Exposition, and occupied and filled by actual exhibits. Now let me give a comparison of the cost of the various buildings erected by the management at New Orleans and Philadelphia. The buildings in Philadelphia cost \$5,242,295; in New Orleans \$989,211,

or less than one-fifth of that amount.

Mr. President, much has been said about the improvements of the ground. My friend from New Jersey [Mr. Sewell] called attention to a fact, stated also in argument in another place, that the city of New Orleans subscribed but \$100,000 to the exposition, and that \$140,803 had been expended in the improvement of the public park of that city, in which the exposition is being held, and he called attention to what he said was an injustice that New Orleans should receive back from the improvement of her public park a larger sum than she subscribed to the exposition. The improvement of the grounds upon which an exposition of this kind is to be held is as legitimate an expenditure as the erection of the necessary buildings. Let me call attention to the difference between the amount expended in the improvement of this unoccupied and waste space of ground called by courtesy a park, in which the exposition is held in New Orleans, and the immense amount expended on the beautiful Fairmount Park, opposite the city where the Senator resides and in sight of his home.

At New Orleans the cost of the park improvement was \$140,803; in

Now, Mr. President, the city of New Orleans, he says, derives the benefit resulting from this improvement. Can it be taken away? This money is expended for grass plots, for gravel walks, for pavements, for grading, for cementing, for draining—all for the purpose of making this park beautiful and useful for this exposition. Can it be taken up and the consequence of the con

park beautiful and useful for this exposition. Can it be taken up and given to the Government? Do the Government needs require this park to be reduced to its original condition, that of a morass or wilderness, where all this work would be destroyed? Does the gentleman ask that, and was that done with Fairmount Park in 1876?

Again, a large portion of the expenditure for the improvement of this park was for a wharf. This park is on the Mississippi River. The most convenient mode of reaching the fair is by steamboat running from New Orleans some six miles up to the park. A great many of the exhibits have been carried that way. Boats coming down the river land their passengers and freight there. It was necessary for that purpose to build a wharf, and the expense of building that wharf forms part of the amount which has been expended in the improvement of the park.

which has been expended in the improvement of the park.

Now, Mr. President, I will come to the whole cost of this exposition, and first I will ask my friend the Senator from Connecticut [Mr. HAW-LEY], who was the president of the Philadelphia Centennial, what was the whole cost of that exposition?

Mr. HAWLEY. I am sure I can not say at this moment what the entire expenditure was. I have not looked at the figures for two or

Mr. JONAS. Was it not in the neighborhood of seven or eight million dollars?

Mr. HAWLEY. I should say in general it was.
Mr. JONAS. It was in the neighborhood of seven or eight million dollars. This exposition is larger than that at Philadelphia, occupydollars. This exposition is larger than that at Philadelphia, occupying more space, with larger exhibits, and, as it now stands almost fully completed—the greatest exposition that the world has ever seen, and I bring the testimony of gentlemen of Philadelphia to that effect, the distinguished editor of the Philadelphia Times, the mayor of Philadelphia, and others—has cost altogether, including the debts which they now ask Congress to pay, a little over \$2,000,000—\$630,000 subscribed, \$1,000,000 loaned by the Government, and a deficit of near \$400,000, making in all some \$2,000,000, as compared with seven or eight million dollars spent for the Philadelphia exposition. Does this show extravagance or mis-management? Does it show waste or corruption? The buildings are there; the exhibits are there. The exhibition as a success is equal to if it does not excel the one at Philadelphia, and the expense is a little more than one-fourth of its cost, including the \$400,000 of debt, which

we are now asked to pay.

The director-general, when he appeared before the Appropriations Committee and made his estimates for the exposition, estimated that it

would cost some \$1,700,000. Its cost, including large expenses which have been caused by the delay consequent upon the late opening and the extra expenses of transportation of freight owing to the weather, counting in all the expenses which had to be paid in consequence of these things, is some \$2,000,000, scarcely \$300,000 over the original es-

Is this an evidence, I ask again, of misappropriation of funds in an enterprise so great as this? Are there any people in this country so experienced in the creation and management of these great enterprises as to entitle them to be able to calculate to a dollar, or even within half a million of dollars, what shall be the necessary expense and outlays? Scarcely a gentleman builds a house but finds the outlay 10, 15, or 20 per cent. greater than his estimates made by a careful architect. And this great exposition, a novelty to us, with which every man concerned was entirely unacquainted, in which not one man engaged had one dollar's entirely unacquainted, in which not one man engaged had one dollar's worth of interest except his subscription on which he expected no dividend or return, the director-general even without a salary, because he invested it in stock and gave that stock away to a charity—does this expenditure, I say, show on their part mismanagement or corruption? The Committee on Appropriations may not have had time thoroughly to examine all the papers referred to them, but what evidence is afforded that there has been any mismanagement on the part of the man-

My friend, the Senator from Kansas [Mr. Plumb], says that when the matter comes to be examined things will be developed that will startle the country. I will ask my friend where there is lurking in these expenditures anything which when discovered and exposed to the world (as it is provided by this bill it shall be before a single dollar is taken out of the Federal Treasury) will show any corruption? My friend, I am satisfied, makes this statement without consideration, and has no

evidence on which to base the charge.

Mr. President, in these expenditures the managers have paid \$192,000 to the States. They gave \$5,000 to each State which made an exhibit. At the time this was done many of the State Legislatures had not provided by appropriation for their State exhibitions, and where they did provide an appropriation it was in many cases too small; and this money was taken and used in every case, and used effectively, by the various commissioners from the States in order to perfect and install their exhibits. The management paid \$265,000 for the Government building. At Philadelphia the Government erected and paid for the Government building. It was provided by law when the loan was made that the management should erect the Government building in a style suitable for the exhibition of the United States, and this was done at an expense of \$265,000.

In addition, over \$20,000 was paid for the installation of the Government exhibition and State exhibits, making a total of over \$480,000 aid out of this \$1,600,000 by the management for the installation of the

United States and State exhibits.

Mr. President, this exposition finds itself in debt some \$400,000. This debt is for balance due on the buildings and their erection, it is for salaries, it is for freights, it is for costs of installation, it is for electric lights, portions due the States and Territories; it is, the managers say, all an honest indebtedness; and if it is not, they can not get one dollar of this appropriation which they now ask. They ask, or rather it is asked for them by the commissioners of the States and the committee of exhibitors, that the Government pay this \$400,000 in order to put this exposition in running order and enable it to maintain itself on its daily receipts.

on its daily receipts.

The chairman of the Committee on Appropriations has expressed his disbelief in the ability of the exposition to maintain itself even if this relief is afforded. Mr. President, I differ with him. There is no doubt that it will be self-sustaining. Its running expenses have been reduced now to some \$2,500 a day, and they will not exceed, even if this appropriation is made, \$2,800 a day, which includes advertising, which has been temporarily suspended; and its receipts now average \$5,000 a day. They have been \$10,000. The receipts yesterday were \$5,300. During Lent, after the carnival is over, and with fine weather such as may be expected in March, April, and May, there is no reason to doubt that the receipts daily will be fully double the amount required to pay the current running expenses of the exposition. Of course whatever the current running expenses of the exposition. Of course whatever surplus there is goes to the Government. There are some additional expenses which will have to be paid in the shape of premiums not yet

expenses which will have to be paid in the shape of premains also declared.

They find themselves crippled with this debt. Their daily receipts will not pay their indebtedness, or will not pay it as fast as is required. They have creditors who have been long waiting, who should have been paid in December, in January, or February. They can not wait the slow process of the collection of the amount by the daily receipts. They are pressing. They have it in their power to have a receiver appointed and to stop the exposition; they have it in their power to destroy it just as it is beginning to be profitable, just as it is beginning to be successful, and just as it is beginning to be such an exposition that the cessful, and just as it is beginning to be such an exposition that the whole country and the whole world can be proud of. It is impossible for them to raise the money to discharge these debts, and the committee appointed by the commissioners from the different States and the committee appointed by the exhibitors come to Congress and ask for fur-

ther relief. They do it not because of any failure of the city of New Orleans; they ask it not on behalf of the city of New Orleans; they ask it not on behalf of the State of Louisiana; they ask it from no sympathy or consideration for the managers of this exhibition, and I am not here to defend them except as the figures defend them. They are, many of them, friends of mine; they are among the best of my constituents; I feel every sympathy for them; but I am not prepared to say that they have not reade wistakes. have not made mistakes.

· I am not prepared to say that they may not have spent more money than experts would spend under the same circumstances; I am not prepared to say that some of their contracts may not have been improvident and that some small portion of this money may not have been wasted; but suppose it has been, we are brought face to face with the fact that this exhibition is about to fail and that it has not the power or the means of helping itself. We are told by the commissioners of the different States and the exhibitors that the President of the United States under the authority of an act of Congress has invited them there, that their States have expended \$30,000 or \$40,000 apiece, that the exhibitors have gone to a heavy expense, that the foreign exhibitors have have been always and the state of the said that the said that the said the said that the said t brought expensive and immense exhibits from all parts of the civilized world and from the far East, at a heavy expense to this exposition, on the faith of the Government and under the invitation of its President. They say to the Government, "You have no right to decree that the exposition shall perish." They say it not in the interest of the people of Louisiana, because the interest of the people of Louisiana forms but a small portion of this great and grand exposition.

This exposition brings to them but little of profit except they hope that it will advertise the manifold advantages of their soil and their

climate, as they hope it will also draw attention to all their sister States of the South. They say they ask it for themselves, for the citizens of Minnesota, and Indiana, and Kansas, and Iowa, and New Hampshire, and Vermont, and Maine, and New Jersey. They ask it for your constituents, for your fellow-citizens who have sent their exhibits there under heavy expense and who are threatened with ruin unless the exposition can be carried on for three months longer. They tell you it can not last unless they have relief, and it can not stand up under its present burden of debt. These commissioners and exhibitors, intelligent men, whose report is before you, tell you that with this assistance it can not only pay its running expenses from day to day but can earn some money with which to pay back to the Government a portion of the money which it advanced

the money which it advances.

The House of Representatives voted \$300,000 with a restriction. The list of debts shows that \$383,000 are due. Seventeen thousand dollars, not included in this, for which the Committee on Appropriations have the figures, bring up the amount to nearly \$400,000. These debts have the figures, bring up the amount to nearly \$400,000. These debts are honestly due; they are due to citizens of all parts of the country; they are due, many of them, for premiums; they are due for objects specifically set forth in a detailed account furnished to the Committee on

Appropriations.

There is no reason why, if we pay one dollar, we should not pay all. There is no reason why \$400,000 should not be appropriated as well as \$300,000. There is no reason why Congress should say that the debts due to persons outside of the State of Louisiana are to be paid with this \$300,000 and that not a dollar is to be paid to honest creditors within the State of Louisiana. What sin have the people of Louisiana committed except that this great exposition and world's wonder is now being held on their soil and within their territory—what sin have these creditors living in Louisiana committed, who have given their time and their labor to the perfection of this great enterprise, that they should be denied payment when creditors in other portions of the Union are

The amendment of the Senate Committee on Appropriations simply proposes, if the theory is correct, if we are bound to pay these debts, if the national honor is involved, if we have made ourselves responsible morally if not legally that this exposition shall be carried on successfully until the last of May, as we told the nations of the earth it would be when we invited them to it—if there is a necessity in order to do that that this debt should be paid it should be paid in full, \$400,000 instead of \$300,000, and there should be no restriction preferring one creditor to another. I would say right here that the class of creditors who are to be excluded from any participation in this appropriation are that class of creditors who can do the exposition more harm, whose claims will be more urgent than those urged by any other class, as they are mostly mechanics and laborers, who under the law of Louisiana have a lien on the buildings, have a lien on everything on which they can place a hand, a lien which perhaps many of the foreign creditors have not under our system of laws.

I do not care to pursue this subject any further. The testimony of the whole world has pronounced this exposition a great success. a financial success. It never will be; I never hoped it would be; and there never has been such an exposition held in the wide world which was a financial success, whether at Vienna or London or Paris, or even at Philadelphia. In Philadelphia the money loaned by the United States was paid back to the Government, but not a cent I believe was divided among the stockholders. The Government loan was paid and seven or eight million dollars were spent.

Mr. HAWLEY. Lest I might forget it, I beg to say here that 221

but I think that was the percentage.

Mr. JONAS. Twenty-two and one-half per cent. was paid and 77½ per cent. was lost where the exposition was visited by 150,000 people a day for weeks together; there were over 100,000 visitors every day

in this great center of population.

I have never hoped that this would be a financial success, but, as the Senator from New Hampshire has well said, it is, notwithstanding, a great success. It is an educator of the people. The country could well afford to pay for it five times as much as it has cost. Now, when we are at the fruition of our hopes, when this great exposition is complete, when it offers educational privileges such as have never been seen before in this country, we are threatened with a total destruction and

loss because it is pressed down with \$400,000 of debt which is due.

Mr. BAYARD. Will the Senator from Louisiana yield to me for a moment?

Mr. JONAS. Certainly. Mr. BAYARD. I remember very well in 1872 the Centennial Exposition at Philadelphia was first suggested to Congress, and by the express condition of that act the Government of the United States, while extending a national invitation to visitors, was expressly exempted from any contribution for the cost; but as time went on the collapse of 1873 occurred, and the States that were formerly willing and able to have made subscriptions to carry out the object of that exposition were unable to complete their engagements. Then the bill to appropriate one million and a half to aid that exposition came before the Senate, and it was urged that by the express terms of the act authorising the Government to become the best of foreign guests and inthorizing the Government to become the host of foreign guests and inthorizing the Government to become the host of foreign guests and invite them here no dollar of the expense was to fall upon the Federal Treasury; but Congress realized that a public depression and that a great public distress had fallen upon the people of the country in the shape of a financial collapse, and that the States were not able to carry out the original design; and therefore, despite the fact that Congress had expressly excepted any obligation to pay at all in assistance of that exposition, the appropriation of one million and a half dollars was made.

In the present case it strikes me that much that is similar in fact has When this Cotton Exposition at New Orleans was first set on foot all was fair and entirely prosperous in our land. But to-day we all realize that there is great depression, there is great suffering. There is a large amount of idleness among those who are employés and there is great loss to those who employ them. The state of affairs, then, is quite similar and the cause is almost the same that induced the Congress of the United States in 1874 to make a contribution which it had expressly resolved against two years before, simply because a change

of affairs had taken place all over the country.

I believe to-day that a large cause of the want of receipts at the New Orleans Exposition is the simple poverty of our people. Men who were well off two years ago do not feel themselves able to-day to meet the expense, and for that reason a great commercial project is in straits—an object that we are seeking to accomplish under the commercial power of the Constitution, and which has been repeated over and over again by the Government of the United States sending ships carrying freight free, with the contrivances of American skill and industry, to the exhi-bitions at Paris, at Vienna, and at London. If we could afford and could find power to contribute thus to the education of other nations and to expositions in foreign countries, surely that power must be given us when we are dealing with part of the United States themselves.

If there has been, as I submit, a change and a check—a temporary

check I hope and believe in the prosperity of our affairs-we will recognize that fact to-day just as the Congress of 1874 recognized the fact then that the contributions which were expected then failed because of a public distress. The contributions which were expected from private sources are now withheld because of public distress, and there is no reason why Congress should not step forward now and for a great public end make as fair and liberal a contribution proportionately as it did

ten years ago to the great exposition at the city of Philadelphia.

Mr. JONAS. I was going to say that the proviso which the Senate
Committee on Appropriations has inserted provides that—

No part of the foregoing sum shall be paid until statements and exhibits in detail, satisfactory to the Secretary of the Treasury, are made of all expenditures under the appropriation made by act of July 7,1884, and that said expenditures have been made for the purposes and in the manner provided for in said act.

I submit that if there has been any improvident or improper expenditure, it must all be accounted for satisfactorily before this money can be expended. Here I desire to state to my friend from Indiana, who asked a question of the chairman of the Committee on Appropriations to-day, that the exposition closes on the last day of May, and that it is necessary that the aid should be extended now if at all, and that at the next session of Congress this appropriation would come too late, the exposition would have fallen, would have passed into ruin, and it would be impossible to resuscitate it.

Mr. HARRISON. As the Senator has turned his attention to me, I should like to ask a question.

Mr. BROWN. I had risen to ask a question, but I will yield.

The PRESIDING OFFICER. Does the Senator from Louisiana yield

to the Senator from Indiana?

Mr. HARRISON. The Senator from Louisiana addressed his remarks to me, and therefore I address him. I beg pardon of the Senater from Georgia. It appears from the statements which have been laid before the Senate that the entire amount of the \$400,000 suggested by the Committee on Appropriations of this body will be insufficient to pay the existing debts of the management.

Mr. JONAS. No, sir; I beg the Senator's pardon. It appears that it will be sufficient to pay the debts.

Mr. HARRISON. Well, suppose it be sufficient, as the Senator says; what has the Senator to say as to the future prospects of the exposition between now and May?

Mr. JONAS. The daily expenditures are \$2,500, and the daily receipts are over \$5,000.

Mr. HARRISON. Has that been true on every day during the Mardi Gras celebration at New Orleans?

Mardi Gras celebration at New Orleans?

Mr. JONAS. That has been true every day since Mardi Gras, during Lent, which is the dullest period of the year in New Orleans. The receipts on Saturday last were \$5,300.

Mr. BROWN. Some remarks have been made during the discussion in reference to the management of this fund. I desire to ask the Senator from Louisiana if the management disbursing these funds were not appointed by the President of the United States?

Mr. JONAS. I have so stated.

Mr. BROWN. And they disbursed no money except by resolution signed by their treasurer and on check signed by the treasurer and

signed by their treasurer, and on check signed by the treasurer and anditor.

Mr. JONAS.

Mr. JONAS. They do not; they have a treasurer and auditor.
Mr. BROWN. But all their vouchers are presented to the Secretary
of the Treasury; and do they not undergo the same scrutiny that is required in the case of all Government expenditures?

Mr. JONAS. I am so informed.

Mr. BROWN. Then how is it possible for a misappropriation of funds to have occurred?

Mr. JONAS. I believe the only way it could be insinuated that there has been mismanagement has been in extravagance in expenditures; perhaps they have made improvident contracts; perhaps they have paid more for buildings and more for materials than they should. There is no evidence of it, but I say that as the expenses are some \$400,000 more

than the estimates, it is possible that there may have been some mis-Mr. BROWN. Was there not as much done there for the \$2,000,000

Mr. JONAS. There has been, and I have argued that this proves that there could have been no mismanagement or improper expendi-

Mr. BECK. Mr. President-

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. I ask the Senator from Kentucky to yield to me for a moment. I desire to move, as I see the legislative appropriation bill is still on the table, that the Senate further insist on its amendments

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Iowa moves that the Senate further insist on its amendments to the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Mr. MORRILL. Do you not want to ask for a conference?

Mr. ALLISON. I do not ask for a conference.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and

for other purposes.

Mr. BECK. I listened to all that has been said in regard to the necessity of the granting of an additional sum to the New Orleans Exposition. I confess I listened with some prejudice when the statements were first made; but after looking over the whole ground I was entirely convinced that we ought to give the \$300,000 that the House suggested, and then if we intend to do any good at all we ought to make the aid \$400,000, and there end our contribution to the exposition.

The chairman of the Committee on Appropriations has gone over the whole ground. He has stated all that any member of the committee can state as to our reasons for acting as we propose. I do not believe that any additional argument on my part can add anything to what he has said; and as we have only one more working day before this Congress dies, and as the deficiency bill and the fortification bill and the river and harbor bill and this bill, together with a number of other bills yet in conference, have to be disposed of, I hope and trust that we thall endeavor to close this debate, and vote one way or the other, and

let this bill get through, as it must be passed. If what has been said will not induce gentlemen to vote for the appropriation, nothing that I can say, or that any other member of the committee can say, I think, will change the mind of a single Senator. Time is extremely valuable, and I will not therefore venture to say more than to urge very prompt action in regard to this bill, or we are not going to get away on the 4th of March with our work well done.

Mr. WILLIAMS. I do not want to make a speech, but simply, as this is perhaps the last time I shall ever address the Senate, to express my amazement that the Senate of the United States has hesitated one moment in voting for this amendment of the Committee on Appropri-

Now, what is this case? The House of Representatives have sent to us on this appropriation bill a clause appropriating \$300,000 in further aid to the exposition at New Orleans; and the Senate Committee on Appropriations propose to increase that by \$100,000; and a paltry \$100-

O00 is the sole subject of all this lengthy discussion.

What is the exposition? Is it the exposition of New Orleans? No, sir. Is it the exposition of Louisiana? No, sir. Of the South? No, sir; nor of the West; but of the whole country.

This exposition started with the intention first of being merely an

exposition of cotton production and the manufactures thereof. widened to embrace all the agricultural interests of the South and West. Finally Congress took hold of it, and they said, "We will widen the basis of your operations, we will make the exposition national, we will make it international, we will give you a million dollars to make it the greatest exposition this country or the world has ever seen." It became by that solemn act of Congress a national concern. It is our exposition and not the exposition of Louisiana or of New Orleans. It was placed at New Orleans because that was the most convenient point for the South American and Central American republics, with whom it is our interest to cultivate the most intimate relations, and to extend our commerce and trade by every means in our power, and also for Mexico, the greatest of all our sister republics upon this continent.

The President of the United States was directed by an act of Con-

ress to invite all the nations of the earth to participate in this grand international exposition to be held at New Orleans. He invited them, and they have come. New Orleans is merely the place where the exposition is located. It is the grand banquet hall, and we are the representatives of 55,000,000 people in entertaining all the nations of this earth. And yet we hesitate, we higgle about adding \$100,000 to the appropriation made by the House to prevent this exposition from fail-

Why, Mr. President, I have seen within two days five hundred people who have just returned from that exposition. Many of them have seen the great expositions in London, in Vienna, in Paris, and in Philseen the great expositions in against that this is the grandest one that adelphia, and they all concur in saying that this is the grandest one that has ever been had on the face of this earth. Mexico alone, our sister republic that lies along our borders for more than a thousand miles, occupies five acres of ground in the display of her products alone. There is not one republic of the whole Central or Southern American States that is not represented there to-day; nor is there a civilized nation in Europe or in Asia that has not its exhibition there to-day.

These are the commercial views, but there are moral and political and social views as well. It is a bringing of our people together from every section of this broad country; and the way to make its people love each other more is to make them know each other better. Whenever you bring them together and let them associate with each other, as these exhibitions have always done, the country is greatly benefited, prejudices go away, sectional prejudices drop from off them, and they fra-ternize at once. They are the occasions when all commune together; and they erect their altars upon which all the sections after their long estrangements may come and renew their vows of patriotism upon a

common altar of a common country.

These are some of the advantages, and if the sum was \$5,000,000 instead of \$400,000 I should say it was money well expended, for we should have a return in time of \$500,000,000 for it. Since I have been in the Senate I have never been narrow or sectional in any of my views. I have always stood up for what I thought was the true interest not only of my section, but of the whole country. I have voted away millions and hundreds of millions, or aided in doing it, of the people's money for general purposes that were not confined to my section alone, and I do not believe it is possible that any Senator on either side of the House can have any such view in this matter. I have voted money for internal improvements, I have voted for all public purposes, for education, for pensions, and I voted the other day to put General Grant upon the retired-list. When a great man like Grant, the chief soldier of his age, twice President of the United States, and a man who had filled the largest place in the world's eye of any living mortal, is broken down in health and constitution and weighed down by years, I have felt it to be unjust not to place him on the list of the Army, and I voted for it

be unjust not to place min on the list and I am proud and glad that I did.

I can not believe that there is any Senator who on this question is actuated by a sectional motive. The interests of the Southern country,

this, and it is a paltry sum to be appropriated for such a grand pur-

pose.

These are the reasons for which I shall vote for the amendment of the committee

Mr. ALLISON. Mr. President, I ask unanimous consent that the debate upon this amendment and the other amendments to this bill may be confined to five minutes for each Senator under the usual fiveminute rule

Mr. VAN WYCK. Put it on this clause.

Mr. ALLISON. Well, for the present I will ask unanimous consent to confine debate to five minutes by each Senator on this amendment.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that debate on the pending amendment shall be confined to five minutes

Mr. ALLISON. And on all amendments to this clause.

The PRESIDING OFFICER. Debate on all amendments to this clause of the bill. Is there objection?

Mr. HAWLEY. I am going to say a few words, but I will do my best to keep within the five minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Lows?

the Senator from Iowa?

Mr. HAWLEY. I do not object.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered

Mr. HAWLEY. No doubt there were elements of weakness in this scheme from the beginning. One of them was obviously, as the Senator from Louisiana has admitted, placing the exposition at New Orleans with the Gulf on one side and a thinly settled country all around it. It was different at Philadelphia at least in this: that Philadelphia was the center of perhaps 4,000,000 people who could leave home in the morning, spend some hours, and get back at night; but it is quite

useless to discuss that now.

The difficulty in the case is that the United States has made itself in a sense responsible to the world for the exposition; that it openly did so with the experience of the Centennial Exhibition before it. authorized or directed the Secretary of State to invite foreign nations to come here and join in the exhibition, and loaned the enterprise a million of dollars. That gave a start, particularly to foreign exhibitors, and they came there. We knew the experience which had been had before. I feel under some sort of obligation to the foreign exhibitors. Some one says we have nothing to pay them. I can not help feeling that there is a little moral and equitable obligation at least. If there should happen to be awarded thirty, forty, or sixty thousand dollars to foreign exhibitors, and then the management at New Orleans should turn around and say, "We are quite unable to pay," and a foreign exhibitor writes to his minister at Washington and he says, "The Secretary of State for the United States gave a cordial invitation to our country to go there, and its citizens have gone from Belgium or France; they were cordially invited to come and they did come "—these are the things that trouble me.

I can criticise the management very easily. Any man of business experience can criticise the management of the exhibition to some extent. It was a mistake, I think, to make an offer of \$5,000 to each of the States and Territories to get their exhibits there, to get them to make exhibits. The business of a corporation of an exhibition is in the first place to prepare the ground, to put up buildings, and see that they are ready for exhibits; but it is not to undertake to prepare those exhibits, or to bring them down, or to put them in the building even.

That is the business of the exhibitors

The management should have left it to the patriotism and enterprise of the States to pay the expenses for going down, but they have paid out \$192,000 (and you might as well charge it out of the Government's million) to the States to bribe and stimulate them to go with their exhibits. I am not scolding about it, but I think it was an error in the management, an error in the general policy of such an exposition.

Again, I do not see why they should pay out \$6,000 or \$7,000 for ilways. I suppose they will say that they got into some controversy with the railways companies, and those corporations had not enterprise enough to lay their tracks to the buildings in the way they ought. At any rate the management felt absolutely compelled, in order to do anything in that direction, to spend \$6,000 or \$7,000 on branch railroads running to the exposition. That, whether a misfortune or otherwise of judgment, it is too late to inquire into. There it is as one of the

expenditures.

Then they spent money on the Government building there.

They spent money on the Government building there. were \$265,000 of the million that went toward governmental and State purposes. We ought not to find fault with them about that; we ought not to speak as if they had wasted the million dollars, for they have not done it. If their extraordinary figures, as published in the National Republican of Friday, the 27th, are correct, they have done remarkably well in some respects. I do not see how they have covered so many acres and have a construction account for buildings of only \$900,000. There certainly can not be much robbery in that feature. I do not know where the robbery can be discovered in it by my casual observa-

My friend from Louisiana-I am hurrying through as rapidly as I

can—made a comparison or two for the sake of praising the managers at New Orleans, which seemed slightly to reflect on the Philadelphia exhibition. Let me explain. He says that the buildings at Philadelphia cost \$5,242,000 against \$969,000 at New Orleans; but remember that the State of Pennsylvania put up a Memorial Hall there, at a cost of \$1,000,000, to be a permanent memorial of the celebration. We covered as much ground and found as much room by the expenditure of seventy-five or a hundred thousand dollars. We did not put that million in our actual account; we did not place that among our obligations, and did not put that into the stock at all. The State of Pennsylvania contributed a million-dollar building; but it was nothing to us. It goes into the \$5,000,000, however. So of the beautiful Horticultural Hall, which was a permanent decoration of the ground and is there now. It is the Horticultural Hall of the city of Philadelphia, part of its park. That accounts for the cost of our buildings.

The PRESIDING OFFICER. The Senator's five minutes have ex-

pired.

Mr. VAN WYCK. I hope unanimous consent will be given to the

Senator to proceed. Mr. HAWLEY. I will go on as rapidly as any other man and get

Mr. HAWLEY. I will go on as rapidly as any other man and get through as soon as I can, and that briefly. Horticultural Hall is the permanent property of the city of Philadelphia, in that park.

Again, the Senator from Louisiana says the cost of preparing the grounds in Philadelphia, such as grading, draining, bridges, fences, &c., amounted to \$922,782. I had forgotten the figures. Perhaps that is correct. That is not large; but that was done by the city of Philadelphia and the property of the again from the property of the city of Philadelphia. delphia as permanent improvements of the magnificent Fairmount Park, and there it is to show for itself to-day and it did not cost us a cent. He compares the \$922,000 with \$180,000 that the management have spent on the ground at New Orleans. The management have spent a-out of the general fund and leave it for the city. The city of Philadelphia spent it for the exhibition, and there it is. So the Philadelphia exposition, instead of being \$700,000 behind the New Orleans, was \$130,000 ahead of itso far as the park business is concerned. I say that by the way lest I might seem to submit to some things that are possible reflections

Remember in behalf of this enterprise that they were seeking to crowd the railroads at a time when all the fall crops were rushing there; remember the extraordinary season, the flood and rain, the difficulties in getting to the ground; remember the inevitable delay in opening because this affair was not done in season, the foreign exhibits were not ready quite in season; and the people who went there for the first three weeks sent home very unfavorable reports about all the matters of personal comfort, especially the ease of access to the grounds, &c. Those things were a great discouragement. Take the blocking of the railroads, for example. They had to bring in 10,000 tons of goods there, and they crowded up the roads and side-tracks for miles. The railroads were

overwhelmed, and so were the exhibitors

There is one error in the exhibition, let me say in passing, that has pressed upon every exhibition of the sort. I have been to many other places and seen them. It is the temptation of size. A man will come along there with ten pianos, with ten rakes, or ten reapers and mowers, and wants to make a grand exhibition, covering a space as large as this Chamber. You tell him one single mower and reaper is enough, you tell him one Steinway grand is as good as fifteen, and you condense the space to the size of a common bed-room and crowd him into it with his one piano. I mention that by way of illustration. Size is not neces-

sary as the gauge of excellence.

I am not willing to believe from what has been said that this is not really an admirable exhibition. In one feature I am sure they have done better than was done in Philadelphia, and that is in getting fine collective exhibits from a larger number of States. The States exhibited a good deal in Philadelphia, but their exhibits were largely scattered, and they did not to a sufficient extent make agricultural and geologand they did not to a sunctient extent make agricultural and geological and mining collective exhibits, as Kansas did, to its great benefit without doubt. None of these exhibitions ever paid, none of them ever came near paying in any country in the world, in the ordinary acceptation of the term. They are supported by subscriptions of private stock and by the contributions of governments, and yet there has never been a good one held that was not worth ten dollars to the country for the one that was expended on it. There never has been one of these great international exhibitions held that did not to a large extent revolutionize the industry and the manufactures of the country in which it was held. It was eminently so as far as that of 1851, the famous Crystal Palace exhibition in London, was concerned. The history of every branch of art and manufacturing industry shows it was so with the Philadelphia Exposition, which had an enormous advantage over

all others in being the centennial of a sacred event.

I am entirely willing to vote this appropriation. I regret the necessity of doing it; I wish the management could have avoided it. I do not see the evidence of the corruption charged. I think it will be worth what it has cost to the country. I think it is doing good with the extraordinary exhibit that it has brought there from Mexico, for that is remarkable, and so with Costa Rica and various South American and

Central American countries that are there with exhibits.

Bad as these statements look to-day that there is no prospect of our

getting back any of our million dollars, it is going to be worth what it costs to the country, and the shortest way out of the woods is the day-light ahead instead of the darkness backward, in my opinion.

Mr. HARRISON. Mr. President, when this scheme was inaugurated—and I was one of those who voted for the act loaning a million dollars—we were advised by the Committee on Appropriations that they had by very stringent provisions in the bill protected the United States against any liability for any debt which might be incurred. The chairman of the Appropriations Committee then so advised us. He mentioned another caution or restriction which was contained in the bill which prohibited the management from incurring any debt. which prominted the management from incurring any debt. We were not only to be non-responsible for any debt, but the management in regard to the million dollars were put under prohibition by law at the time from creating any debt. Now we are confronted with a debt that I do not think any Senator will doubt to be less than half a million dollars on the statements that we have had here to-day. We are met with the statement from the chairman of the Committee on Appropriations, who has given careful attention to it, that this money will barely, if so much as, pay the present existing indebtedness, and that he anticipates that the receipts will fall behind the expenses from now until the close of the exhibition.

Mr. President, the question is how are we to deal with this question?

The men who came here and represented to us that this could be managed in such a way as to return the million of dollars to the Government come now and tell us that our million is gone beyond hope, that they are a half million in debt, and they bring here a statement of accounts that to my mind is perfectly satisfactory as proving that the half million dollars will not more than set them on their feet to-day to enter upon another course of debt-making in the management of the exposi-

You talk about the value of this exposition. The value of an exposition is in the dissemination of knowledge which induces people to go and see it. There is little value in an exposition that is not able by reason of location or for any other reason to attract people there to see it. You disseminate knowledge of machinery and of textile fabrics, you disseminate knowledge of the fabrics and manufactures of other countries, by bringing in contact with them, so that they may have a sight of them, a multitude of people; and this object has failed entirely at New Orleans, and I predict to-night that if we pass this appropriation we shall be called upon at the next session of Congress to give a half million more to pay the debts of the New Orleans Exposition.

Will the Senator from Iowa tell me upon what principle it is that he says we will pay any debt this management owes to the citizen of any other State except Louisiana? Are the Senators from Louisiana going to support that proposition making a discrimination against their own citizens? How shall we answer a citizen of Louisiana, or any other citizen, if he comes here at the next Congress and says to us, "I have a debt against that management which is just as honest and valid a debt as the debt of the citizen of Pennsylvania that you have paid, and I want you to pay mine." I say, Mr. President, that though the Appropriations Committee have put in the beginning of this amendment again the expression "for final aid to the World's Industrial and Cotton Centennial Exposition," it will not be final. We have heretofore said we were not responsible for these debts. By this amendment we assume responsibility for them, and attempt to limit that responsibility assume responsibility for them, and attempt to limit that responsibility to debts to non-residents of Louisiana. I say that discrimination can not be maintained in justice; and if this \$400,000 fails to pay off the debt existing now, or the debt that may be incurred, I want to know what answer any Senator will have to make next Congress when they come up and ask us to pay those debts. There is no answer. We are committed to the proposition to see this exposition through, cost what it will.

[Here the hammer fell.]

Mr. GIBSON. Mr. President, I will not detain the Senate by any general argument in favor of this amendment, but I desire to say that general argument in favor of this amendment, but I desire to say that the chief difficulty which the management of this exposition have had to deal with is in the bad weather. It has already been shown by my colleague, in his able speech on this subject, how well the money has been used by the management of this exposition; how in comparison with the exposition at Philadelphia they have achieved much more with the money which they have expended at New Orleans than was accomplished in Philadelphia for the same amount.

The great difficulty, as I said, in New Orleans is that in the months of December and January we had heavy rainfalls. The whole earth became saturated; there was a perfect quarantine around this exposibecame saturated; there was a perfect quarantine around this exposition, a mud quarantine, that absolutely cut off the exhibitors from getting their exhibits into the buildings. That condition of things not only prevented the completion of the exhibits, but indisposed people from visiting the exposition; and these two causes combined made it a failure for two months. But with the coming of good weather, with the increase of facilities for travel, with the completion of all the exhibits both of foreign nations and of the several States of our Union, I believe that the increase of receipts will be very large. In fact we already see that the increase of receipts has gone up within the last few days from one to three, four, and five thousand dollars a day. I say therefore to the Senator from Indiana that there will be no failure from

this time until the closing of the exposition. The same causes which have brought failure up to this time will no longer exist, and for one I am perfectly willing to give the Senator a guarantee that I will not vote for another appropriation at the next Congress for the exposition in New

Mr. HARRISON. How can the Senator refuse to do it if he votes for this?

Mr. GIBSON. I can refuse to do it by answering "nay" when my name is called and by serving notice now that I will not vote for another appropriation; and I am willing to make that guarantee because

Mr. HARRISON. I do not want to take it out of the Senator's time, but I ask consent to put a question. The money is first to be applied to pay debts to individuals and corporations; then to pay the awards. Suppose there should not be enough to pay the awards, would the Senator vote for an appropriation to meet them?

would the Senator vote for an appropriation to meet them?

Mr. GIBSON. You may suppose anything, and if I regarded this exposition with the same feeling that the Senator from Indiana does now I would have voted against the original loan of \$1,000,000, and I would vote to-day against this \$400,000 appropriation; but I believe that this is a worthy exposition; I believe that it is going to be successful and that the management will be able to pay off every dollar of expense incurred from this time on.

The Senator asked me if I was willing to vote for this amendment which makes a discrimination against the citizens of Louisiana who

which makes a discrimination against the citizens of Louisiana who may be employed in this exposition, the laborer or mechanic. I will answer the Senator that I am willing to vote for this bill just as it stands. I am willing to make the discrimination. Why? Because I believe the exposition is going to be a success and that they will earn enough from their receipts to pay off the laborers and the mechanics; and more than that, I will state to the Senator that under the laws of Louisiana the laborer and mechanic have a lien upon the buildings of the exposition, which secures them amply. So then we are making no discrimination which will be effective against the laboring men who give their time and their services in New Orleans to this exposition.

do not believe that there is a Senator here who would be willing to make such a discrimination. They are amply protected.

All I desired to do was to give the assurance to the Senate that this board of management is composed of able, of conscientious, and of intelligent citizens of Louisiana, appointed by the President of the United States, who will handle these funds properly, and when the time comes to render their account I venture to prophesy that that account will be found exact in every respect.

[Here the hammer fell.]

Mr. BECK. The Senator from Louisiana has answered the question
I rose to ask him, and has removed the difficulty suggested by the Senator from Indiana, when he has assured the Senate that the discrimination in this bill is right because in Louisiana mechanics by the law of

that State have a lien, while others have not.

The PRESIDING OFFICER. The question is on the amendment recommended by the Committee on Appropriations.

Mr. HALE. Is it in order now to move to strike out the amend-

ment?
The PRESIDING OFFICER. What amendment does the Senator refer to?

Mr. HALE. I have not been in. The question now is on agreeing

The PRESIDING OFFICER. On agreeing to the amendment reported by the Committee on Appropriations, which will be read.

The Chief Clerk. In line 2396 it is proposed to strike out "three" and insert "four;" so as to read:

Not to exceed the sum of \$400,000.

Mr. HALE. I have no objection to the vote being taken upon that; and whatever may be the result, then if I shall get the floor I shall move to strike out the whole clause.

Mr. SEWELL. I gave notice of a motion of that kind.
Mr. HALE. That I did not know. Of course I will not interfere
with the Senator from New Jersey. I only want the question raised on that proposition.

Mr. HOAR. The Senate gave unanimous consent this morning that

it should be in order for me to move an amendment which was sent to the desk. I suppose regularly I ought to wait until the bill is completed before moving that amendment, but it will be certainly much more convenient to the Senate to have me move it now, and if there be no objection I should like to modify that amendment somewhat. Perhaps the best way would be to make the amendment after the vote has been taken on this, but if the Senate think it should come out of the \$400,000, I can make it in that form in the Senate.

The PRESIDING OFFICER. The question is on the amendment

of the Committee on Appropriations.

Mr. HARRISON called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. PLUMB (when Mr. BUTLER's name was called). The Senator

from South Carolina [Mr. BUTLER's name was called). The Senator from South Carolina [Mr. BUTLER] and myself are paired on this question. If he were here, the Senator from South Carolina would vote "yea."

Mr. MAHONE (when his name was called). I am paired with the

Mr. MAHONE (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN]. If he were here, he would vote "yea" and I should vote "nay."
Mr. PLUMB (when his name was called). On this subject I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."
Mr. RANSOM (when his name was called). I have a general pair with the Senator from Illinois [Mr. LOGAN], but I observe that on this question his colleague votes "yea," and he consents that I should vote. I vote "yea."
The roll-call was concluded.
Mr. MANDERSON. I am paired on this question with the Senator from Florida [Mr. JONES].

from Florida [Mr. JONES].

The result was announced-yeas 40, nays 16; as follows:

		YEAS-40.	
Allison, Bayard, Beck, Blair, Brown, Call, Cockrell, Coke, Conger, Cullom,	Fair,	Jones of Nevada,	Pendleton,
	Garland,	Lamar,	Pugh,
	George,	Lapham,	Ransom,
	Gibson,	McMillan,	Sawyer,
	Groome,	McPherson,	Vanee,
	Hampton,	Maxey,	Van Wyek,
	Hawley,	Miller of N. Y.,	Vest,
	Hoar,	Mitchell,	Voorhees,
	Jackson,	Morgan,	Walker,
	Jonas,	Palmer,	Williams.
		NAYS-16.	
Aldrich,	Dolph,	Harris,	Platt,
Cameron of Wis.,	Edmunds,	Harrison,	Sewell,
Chace,	Frye,	Ingalls,	Sherman.
Dawes,	Hale,	Morrill,	Wilson.

ABSENT-20.

Farley, Gorman, Hill, Jones of Florida, Kenna, Plumb, Riddleberger, Sabin, Saulsbury, Slater. Bowen, Butler, Camden, Logan, Mahone, Manderson, Miller of Cal., Pike, Cameron of Pa., Colquitt,

So the amendment was agreed to.

Mr. HOAR. I move to amend the bill, after the word "department," in line 2412, by inserting the words:

Also for the woman's department of the said exposition, \$15,000.

The PRESIDING OFFICER. The Chair will state to the Senator from Massachusetts that the order of the Senate was to proceed with the reading of the bill and the amendments of the Committee on Appropriations, and the point to which the amendment of the Senator is directed has not yet been reached in the reading. The last reading ended at line 2396 where "three" was stricken out and "four" was inserted. The Senator will withhold his amendment until the point to which it applies is reached. The reading will proceed.

The reading of the bill was resumed and continued to line 2412.

Mr. HOAR. I now make a motion—
The PRESIDING OFFICER. Is it a motion to amend the next amendment reported by the committee?

Mr. HOAR. No, sir. I had unanimous consent from the Senate to make this motion this morning.

The PRESIDING OFFICER. The Chair was not informed of that.

Pursuant to consent, the Senator from Massachusetts may offer his amendment.

Mr. HOAR. After the word "department," in line 2412, I move to insert:

Also for the woman's department of the said exposition, \$15,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Massachusetts.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to add to the clause making appropriation for the "World's Industrial and Cotton Centennial Exposition," after the word "department," in line 2412, the following clause:

And no part of the foregoing sum shall be paid until statements and exhibits in detail, satisfactory to the Secretary of the Treasury, are made of all expenditures under the appropriation made by act of July 7, 1884, and that said expenditures have been made for the purposes and in the manner provided for in said act; and the Secretary of the Treasury shall report to Congress, at the beginning of the next session, all such detailed statements made to him of the expenditures under said appropriation and also under this appropriation; and the necessary expenses of these examinations shall be paid from this appropriation.

Mr. MAXEY. On account of the amendment of the Senator from Massachusetts, the word "sum," in line 2412, should be in the plural. It should be "sums."

Mr. HOAR. The best mode of reaching that would be to transfer

my amendment to the end of the clause.

Mr. MAXEY. The word "sum" would refer to the last appropriation.

Mr. ALLISON. In this amendment the date of the act should be May 21, 1884, instead of July 7, 1884.

The PRESIDENT pro tempore. The Senator from Iowa moves to amend the amendment of the committee by striking out "July 7" and inserting "May 21."

The committee by striking out "July 7" and inserting "May 21."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the

Committee on Appropriations was, in the appropriations for "public printing and binding," after the words "two million," at the end of line 2435, to insert "five hundred thousand;" so as to read:

For the public printing, for the public binding, and for paper for the public printing, including cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, and the Departments, including salaries or compensation of linecessary clerks and employés, for labor (by the day, piece, or contract), and for all the necessary materials which may be needed in the prosecution of the work, \$2,500,000; and from the said sum hereby appropriated printing and binding may be done by the Public Printer to the amounts following, respectively, &c.

The amendment was agreed to.

The next amendment was, in line 2441, to increase the appropriation "for printing and binding for Congress, including the proceedings and debates," from \$1,084,500 to \$1,350,625.

The amendment was agreed to.

The next amendment was, in line 2444, to increase the appropriation for printing and binding "for the State Department" from \$8,400 to \$10,500.

The amendment was agreed to.

Mr. HOAR. I desire to inquire of the Chair, before the Secretary proceeds further, whether an amendment was assented to which was suggested by the Senator from Texas, in line 2412, changing the word "sum" to "sums?"

The PRESIDENT pro tempore. It was not.
Mr. HOAR. It was understood by several Senators that it was assented to. I ask unanimous consent then to return to that line and to change the word "sum" to "sums." Otherwise it would apply only

Mr. MAXEY. It ought to be amended.

The PRESIDENT protempore. The Senator from Massachusetts and the Senator from Texas ask unanimous consent that in line 2412 the word "sum" be changed to the word "sums." Is there objection? The Chair hears none, and it is agreed to.
The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in line 2446, to increase the appropriation for printing and binding "for the Treasury Department" from \$234,800 to \$293,500.

The amendment was agreed to.

The next amendment was, in line 2448, to increase the appropriation for printing and binding "for the War Department" from \$123,-200 to \$154,000.

The amendment was agreed to.

The next amendment was, in line 2451, to increase the appropriation for printing and binding "for the Navy Department" from \$52,900 to \$66,125.

The amendment was agreed to.

The next amendment was, in line 2454, to increase the appropriation for printing and binding "for the Interior Department" from \$292,800 to \$366,000.

The amendment was agreed to.

The next amendment was, in line 2458, to increase the appropriation for printing and binding "for the Department of Justice" from \$6,300 to \$7,875.

The amendment was agreed to.

The next amendment was, in line 2460, to increase the appropriation for printing and binding "for the Post-Office Department" from \$158,-500 to \$198,125.

The amendment was agreed to.

The next amendment was, in line 2463, to increase the appropriation for printing and binding "for the Agricultural Department" from \$15,700 to \$19,625.

The amendment was agreed to.

The next amendment was, in line 2465, to increase the appropriation for printing and binding "for the Supreme Court of the United States" from \$6,500 to \$8,125.

The amendment was agreed to.

The next amendment was, in line 2468, to increase the appropriation for printing and binding "for the supreme court of the District of Columbia" from \$800 to \$1,000.

The amendment was agreed to.

The next amendment was, in line 2469, to increase the appropriation for printing and binding "for the Court of Claims" from \$6,500 to

The amendment was agreed to.

The next amendment was, in line 2471, to increase the appropriation for printing and binding "for the Library of Congress" from \$9,100 to \$11,375.

The amendment was agreed to.

The next amendment was, after line 2479, to insert:

To enable the Public Printer to continue the operations under joint resolution approved February 6, 1882, for the removal and storage of certain property of the Government mentioned therein, \$3,000, to be immediately available.

The amendment was agreed to.

The next amendment was, after line 2485, to insert:

To enable the Joint Committee on Public Printing to complete the prepara-

tion, proof-reading, indexing, and revising the classified, analytical, and descriptive catalogue of Government publications, and of publications of public interest purchased by the United States for use or distribution, \$800, or so much thereof as may be necessary for the final completion of the work, which may be expended as additional pay or compensation to any officer or employé of the United States, the same to be immediately available.

The amendment was agreed to.

The next amendment was to strike out the clause from line 2496 to line 2499, inclusive, as follows:

For payment to sixty-one printers regularly employed on the Congressional Record, \$60 each, for time unemployed during the present session, \$3,660.

Mr. VOORHEES. I rise to oppose that amendment, and say that in my judgment the Appropriations Committee of the Senate is wrong in proposing to strike out this clause.

In composing and preparing the Congressional Record it is necessary to employ and keep ready on hand a large number of printers. Now and then there are days when no work is necessary to be done. These men are then out of employment for a week or two at a time. Thus when we take a recess, when the per diem of our own employés of the Senate is going on, these men are docked for a loss of time. They are very illy able to afford such a deprivation on their part, and they are kept on expense and held to be in readiness to go to work on our motion. They were, in fact, so during the Christmas holidays. I certainly hope the Senate will not oppose the retention of what was in-

grafted in the bill by the House.

I do not wish to detain the Senate upon the subject. I have looked over, however, the memorial of these compositors, and I am satisfied of the justice of their claim. I hope, therefore, the amendment proposed by the Committee on Appropriations will not be concurred in, but that

the bill may be left to stand as it came from the House.

Mr. HARRIS. I should like to inquire of the Senator from Iowa, the chairman of the Committee on Appropriations, if these printers are

mr. VOORHEES. I will answer. I presume they are, but they work all night. It is the hardest work known to the craft. There is nothing like it, and nobody but able-bodied men fit to go into the field can stand the work for any length of time. It is hard, long night-work, in which men break down to my certain personal knowledge, and we throw those men off pay whenever we take a recess for a few days, as we did at Christmas, while we make it necessary for them to be ready to resume work. This is an injustice which we do not practice with any other employes of the Government. They earn their pay, fully

In response to the Senator from Tennessee I say if they are paid a If response to the senator from Tennessee I say it they are paid a little more than others they are not paid enough in excess of others. I know what kind of work they have to do. I take it for granted they are paid more, though on that subject I have not very accurate knowledge whether they are paid in excess of other printers or not.

Mr. HARRISON. If my colleague will yield to me a moment, I will say to him that in conversation with one of these printers from

my State employed on the RECORD, I asked of him the question which the Senator from Tennessee has just propounded, and he told me that they were not, that really they could not earn as much as men doing the same kind of night-work on a newspaper when they had regular

Mr. HARRIS. I will say that in consultation with one of these printers to-night I was informed that they were paid the usual wages of job printers. If that be so, I think there is absolute justice in retaining the House provision and paying them for the time that they are held on duty and yet not permitted to work.

Mr. ALLISON. Since the RECORD has been printed at the Public District Office the true afters hear has been paid by the thousand engage.

Printing Office the type-setters have been paid by the thousand ems. This is the first instance that I know of where they have asked Congress to give them additional compensation. There are a large number gress to give them additional compensation. There are a large number of them. I believe nearly all the printers in the Public Printing Office are paid in this way, and if we are to pay any portion of the printers in the Public Printing Office because for a day or two for some reason or other, or even for a week, there is no type-setting to do, we shall enter upon a system of extra compensation which will result in very large sums of money being paid from year to year.

Mr. BLAIR. I had occasion to inquire into this matter a little, and expressed to the printers who came to me with it the same view of the

suggested to the printer who came to me with it the same view of the subject which the chairman of the committee has now presented to the subject which the chairman of the committee has now presented to the Senate, why it was that for the first time they made this claim, because it seemed to me it would be setting a dangerous precedent, and that the Senate would hesitate to allow the bill to remain as it came from the House making this appropriation. He said to me that this was an exceptional year; that during those days from the 22d of last December to the 7th or 8th of January this year they had had no work whatever. Why it had been so he hardly knew, but always hitherto they had been allowed to work and had worked during the vacation; while others were enjoying their holidays they had work and they were while others were enjoying their holidays they had work and they were paid, paid by the job; but this year, although they were kept there on duty and were losing their time while others were being paid, the Pubbe employed as usual, but they failed to get work. They needed the

be employed as usual, but they failed to get work. They needed the work; others were having it when they were doing nothing, and they thought they should have pay for that time.

Mr. MAXEY. I had a conversation with a young man of intelligence employed upon the Record. I asked him in respect to the way they were paid. He informed me by the thousand ems, as he called it, or some expression of that kind; I do not know anything about the work. During the recess no Record is published. Their work is nightwork necessarily. That corps is organized, and organized to keep up the Record, which is the finest printing that is done, I venture to say, in America or anywhere else. When we are off taking a recess we draw our pay; and when we keep those men here there is no justice to my mind in requiring them to live off of what they have made by hard labor until we get ready to put them back to work.

I think the action of the House is precisely right, and that it is just and fair. We had as well stop our pay, and I think we ought to stop our pay when we take a recess and none of us are tired and there is no need for taking a vacation. We did not do that, and I do not see why these men should not get their rights.

these men should not get their rights.

Mr. CONGER. Almost all the other employés of the Government are paid one-twelfth of the time of the year for a leave of absence of thirty days in each year. These printers are required to excel in their profession, and the accuracy and promptness with which the RECORD is published shows perhaps that they are the best skilled printers in the world. That is said of them. In the short session they have but three world. That is said of them. In the short session they have but three months' service altogether here, or about that during the year, and it is absolutely necessary in order to carry on the business of printing for the Government that there should be kept here the best printers in the world during the time of the session of Congress, so that the work may be done promptly; and it has always required to be well paid. The work must be done at night, after 11 or 12 o'clock, to have the RECORD ready for the Senate at 8 or 9 o'clock in the morning. It leaves but a small portion, three months, with the recess which we have in the short term, for them to work, and they stay expecting continuous work. So some of these printers, a committee of them, told me that this year there has been, for some reason, a lack of work. They have no leave of absence. They are paid solely for the work they do.

I think it is no more than right, especially in the short session, that they should be paid some compensation for the time they are required to be here to be ready to carry on the printing of the Government.

to be here to be ready to carry on the printing of the Government.

If they receive but little if any more than they could receive for work in other cities, and I think the law requires them to be employed at what would be called the average wages in other large cities of the country, it seems to me just and right that these men, required to be here, required to excel in their labor, required to do night-work, required to keep up printing at whatever cost of labor and time, who are deprived of employment for some days in the winter, should receive this compensation, and I shall vote most cheerfully to keep the provision in the

Mr. PLUMB. Mr. President, this thing is not very large, and I heartily indorse all that has been said about the character of the work that these men do; but I have never heard it suggested that they were that these men do; but I have never heard it suggested that they were not paid composition wages satisfactory to them. It has been frequently said to me that they are paid higher than is paid for similar composition by private parties. I am willing to admit that taking the scale of wages which the Government pays as compared with the wages paid for similar services by private parties we ought to pay these people more. I think that generally those who are employed in the Government Printing Office by the month or by the year are not paid any more or perhaps not as much as the Government pays in other departments. There is no question, as I said, about the excellence of the work, but I ask Senators to consider that here is a character of work which has been done by the piece. I do not say whether wisely or not but it has

lask senators to consider that here is a character of work which has been done by the piece. I do not say whether wisely or not, but it has been done by the piece; that is to say, by the thousand ems. It is work which pertains to the session, and that session is always interrupted during the holidays. It is a necessary part of the understanding with which these people engage in the work when they undertake it that there will be a vacation during the holidays. As I understand, those who work upon the RECORD are specially allotted there to work, and when that fails of course they do not get other work.

Mr. BLAIR. Will the Senator allow me to say that I asked particus

Mr. BLAIR. Will the Senator allow me to say that I asked particularly as to that point, and I was informed by one of these men that during the vacation they have always hitherto received other work, so that they were kept employed upon books and other publications, and they were really drawing pay precisely as though they had been at work upon the Record; but this year they were obliged to remain, and for some reason, by no fault of theirs, the ordinary extra work furnished during vacation failed them.

Mr. PLUMB. I do not think that is quite true. Besides, I think it will be found that those who work this year do not work next year, and so on; that is, the force changes from time to time.

But I want to call the attention of the Senate to the fact that there

is in the Government Printing Office a very considerable force of women lic Printer gave them no work at all. Hence they thought it was just that they should receive their compensation as usual. They were there in readiness to work and had every reason to suppose that they would of that class. I know of my own personal knowledge that a very con-

siderable portion of that force is furloughed from time to time, a day or two days, a week or two weeks, during which no pay is allowed at all; and that is totally unexpected; that is to say, it comes at times that can not be anticipated. It is not like the ordinary interregnum that occurs in the publication of the RECORD every year and which is that occurs in the publication of the fixed movely year and the restriction work at this piece-work only get wages for the actual number of hours that they work, and some of them are now down almost to the starvation point by reason of the fact that there is not work enough. Some very hard cases have come under my observation, and I have sometimes thought that perhaps we ought to change the method of doing the work in the Government Printing Office and make it all time-work instead

of piece-work.

It would not bother me a great deal to vote to pay these people so far as this case is concerned, if you regard this simply as a donation, or extra compensation, or whatever you may call it, to meet an unforeseen emergency; but I wish to call attention to the fact that there are other classes of people in the Government Printing Office and in the Government employ elsewhere who are equally meritorious, and who are doing a great deal of printing, as the Senator from Iowa says, where the work is carried on by the piece also; and if we are to establish the rule that when we get a person in our employ for one day, or for one month, or for two months, working by the piece, the moment the employment commences we are under some obligation to make it continnous, and to pay not what they earn but what they might have earned.

nous, and to pay not what they earn but what they might have earned. If we attempt that it opens up a pretty wide door.

It seems to me that while in this particular case there is something to be said, that is not the strongest argument which has been presented to me. I have heard a very intelligent printer who presented this memorial, and the strongest part of the claim that he urged to me was that since the session opened there had not been as many speeches made as usual this year, and consequently the RECORD was "light," as he expressed it, all the way through. I think some guileless gentlemen like the Senator from New Hampshire, the Senator from Michigan or the Senator from Indiana ought perhaps to feel some special gan, or the Senator from Indiana ought perhaps to feel some special responsibility in this matter, in that we have not padded the RECORD this year as much as usual, and therefore the very just anticipation was not realized, because I admit that a failure to realize on an investment of this kind would be one of that peculiar character of unforeseen emergencies to which the Government ought to respond.

No doubt the work during the winter has been, as these men say, "light." They have not realized the profit for their labor which they expected, and their labor has been, as everybody knows of course who sees the RECORD every day, as it always has been in fact since I have known anything about the RECORD, of a very conspicuous character; but it is a kind which the Government has paid for, and as to the price

of it there has been heretofore no controversy.

As I said, I should not object to giving this extra pay if that was all there was of it, but it seems to me it is opening up a very wide door; and when I think of the pale-faced women I have seen there, who are eking out a miserable pittance, hovering between life and death, confronted almost by starvation, in almost nakedness, who are working by the piece, and who by reason of the frequent furloughs are not able to earn more than the money which is necessary, as I said, to barely keep their breath in their bodies, I feel as though there was even a stronger their breath in their bodies, I feel as though there was even a stronger claim than this, and that perhaps we ought to reorganize this service in such a way as to have either a less force continuously employed, or to have some fair understanding in regard to the portion of time in which employment shall be given, so that claims of this kind may not arise. The PRESIDENT pro tempore. The question is on agreeing to the amendment recommended by the Committee on Appropriations.

The question being put, there were on a division—ayes 14, noes 29.

Mr. ALLISON. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired on this question with the Senator from Tennessee [Mr. Harris].

Mr. PLUMB (when his name was called). I am paired with the Senator from South Carolina [Mr. Butler].

The roll-call was concluded.

Mr. CALL. I desire to announce that my colleague [Mr. Jones, of Floridal is detained from the Senate by sickness. He is paired with Florida] is detained from the Senate by sickness. He is paired with the Senator from Nevada [Mr. JONES]

The result was announced—yeas 13, nays 34; as follows:

		YEAS-13.		
Allison, Beck, Cameron of Wis., Chace,	Colquitt, Dawes, Dolph, Edmunds,	Fair, Morrill, Sawyer, Sherman,	Vance,	
100		NAYS-34.		
Bayard, Blair, Call, Conger, Frye, Garland, Gibson, Gorman, Groome,	Hampton, Harrison, Hawley, Hoar, Ingalls, Jackson, Jonas, Lapham, Mahone,	Manderson, Maxey, Miller of Cal., Miller of N. Y., Mitchell, Palmer, Pendleton, Pugh, Ransom,	Sewell, Van Wyck, Vest, Voorhees, Walker, Williams, Wilson.	

Bowen, Farley, Lamar, I Brown, George, Logan, S Butler, Hale, McMillan, S	Plumb, Riddleberger, Sabin, Saulsbury, Slater.

So the amendment was rejected.

Mr. ALLISON. I will venture on behalf of the Committee on Appropriations to offer one more amendment, which is to supply an omission. In line 129, I move to strike out "\$5,000" and insert "\$7,500;" so as to read:

For court-house and post-office at Frankfort, Ky.: For paving, fences, and grading approaches, \$7,500.

The amendment was agreed to.
Mr. ALLISON. In line 130 I move to strike out "\$5,000" and insert "\$7,500;" so as to read:

And for retaining-wall of lot, \$7,500.

Mr. HARRISON. Are the amendments the Senator is proposing to the item for the public building at Frankfort suggested by the esti-

mates, or what reason is there for changing the appropriation?

Mr. ALLISON. They are in the Book of Estimates and recommended by the Committee on Appropriations.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.
Mr. ALLISON. In line 131 I move to change the total by striking out "\$10,000" and inserting "\$15,000."

The amendment was agreed to.

Mr. ALLISON. The committee have instructed me to offer one

more amendment, but I shall not offer it at this moment.

Mr. SHERMAN. I have two amendments reported from the Committee on the Library which have been twice passed upon favorably by the Senate on previous appropriation bills. I shall offer them again. First, at the end of line 2115, I move to insert as a new paragraph:

To enable the Joint Committee on the Library to purchase the portrait of General George H. Thomas, by Miss C. S. Ransom, \$10,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment

Mr. MORRILL. I desire to ask the Senator from Ohio if he considers that a work of art worth the sum of \$10,000.

Mr. SHERMAN. This proposition has been debated very often and believe has received the assent of the two Houses acting separately at different times. I believe it is a work of great merit. It has been debated and discussed here before, and I do not propose to debate it now. I think it is a work of very remarkable merit, a picture of very great value. The lady herself puts a higher value upon it. The Senate has twice agreed to pay her \$10,000 for it. Once the House agreed to pay her \$10,000, but it could not be acted upon in the Senate. I hope the portrait will be purchased, and I believe it will be if the Senate will now consent to the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The question being put, there were on a division-ayes 16, noes 21;

Mr. SHERMAN. There is a quorum present, and I wish to state a little more fully about the picture. I do not care to enter into a debate at this late hour.

The PRESIDENT pro tempore. The Chair thinks a quorum is present, so the Senator may proceed, if there be no objection.

Mr. SHERMAN. This picture has been settled on by the Grand Army of the Republic, as evidenced by petitions signed by tens of thousands of soldiers which are on the files of the Senate Committee on the Library. The subject has been canvassed for some ten years, and these soldiers, who have taken great pride in the character and services of General Thomas, have selected this as a proper memorial of that great soldier. The work has been submitted time and again to the inspection of the most critical of all persons, and it has been agreed on all hands to be the best picture that has ever been made of General Thomas, it having been taken from life and representing a scene of

The picture was painted at great expense, the lady having occupied three or four years of her time in making it. It has been selected by the persons who honor the memory of General Thomas as the best pos-

the persons who honor the memory of General Thomas as the best possible memorial that could be made of him. It is a very large picture, representing besides the figure of General Thomas on horseback a scene at one of the great battles of the war.

I hope the Senate will not go back upon its action heretofore but will vote this appropriation. Although it is a large sum for a picture, yet it is one of those historical pictures which will ornament the Capitol and will be regarded with favor not only by the soldiers who wish to commemorate and give honor to the merits of General Thomas, but I believe will be regarded as a favorite picture in the Capitol. It is intended for one of the panels of the Capitol.

I know there is a quorum present, and I shall ask for the yeas and nays on the adoption of the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS. I desire to ask the Senator from Ohio who painted the picture.

Mr. SHERMAN. Miss Ransom. Mr. WILLIAMS. What is the p What is the price?

Mr. SHERMAN. Ten thousand dollars. It is a very large and a very costly picture.
Mr. VOORHEES. Mr. President-

Mr. SHERMAN. Before the Senator from Indiana proceeds, I wish to say that this matter has come to me partly by inheritance. This picture has been chosen by at least three or four different Joint Commit-

tees on the Library, and I believe by their unanimous vote.

Mr. VOORHEES. I simply desire to say that from the fact that I have been connected with the Committee on the Library ever since I have been a member of this body, I have a very considerable knowledge of this great painting. I desire to say further that I am satisfied this proposition represents the expressed wishes of more than half a million of survivors of the late war on the Union side. It is a great and powerful painting of a very great, strong soldier. The war was prolific of great men on both sides. The time will come when they will all be preserved. We are a great people, making a great history, and it is a part of our policy to preserve in a reasonable way the monuments, statues, and paintings of men who have distinguished themselves in American history.

But few men have made a stronger impression on the American mind than General George H. Thomas, and I should regret extremely if the Senate of the United States should reject the only worthy painting that has ever been presented of him. The Government owns no painting of General George H. Thomas, and there are those instances connected with his service which endear him to the public mind almost if not

quite as much as any other Union general.

We make this one purchase; it is \$10,000. It is a small sum to perpetuate and hand down to posterity a faithful likeness of the general whom it represents.

I hope, after years of association with the subject, that the Senate will honor itself by accepting this painting. I only wish that every eye in this body could see it as I have seen it and as others have. It is on exhibition now in the Hall of the House of Representatives, and is a great and noble painting. While the sum sounds large for a portrait, yet it is not large. Estimated as other nations estimate and prize their paintings worthy of a government's possession, it is not a large price.

I could say more, but I hope I have said enough. I shall vote for the amendment with great pleasure, and in doing so I know that I vote to comply with the wishes which have been expressed here in the petitions, I think I do not exaggerate in saying, of more than half a million American citizens—over 500,000 people—because this is the picture designated and desired and petitioned for by the entire Grand Army of the Penylbia. the Republic.

Mr. VEST. I should like to inquire of the chairman of the Committee on the Library, who has brought forward the amendment, if this is one of the pictures against the purchase of which the Academy of

Fine Arts, Philadelphia, have made public protest?

Mr. SHERMAN. I do not know of any such protest by the Academy of Fine Arts. I know some gentleman, signing himself as a member of the Academy or Society of Fine Arts, has sent here criticisms of the picture; but I suppose there never was a picture of mortal man painted, including the famous and grand pictures of La Fayette and Washington in the Hall of the House of Representatives, that has not been equally criticised.

Who would take \$10,000 for either of those great portraits? The name, the association, and all the surroundings will make this picture more and more valuable and more and more historic. Who has not citicised the great paintings which surround the dome of the Capitol? Even John Randolph made one of those pictures ridiculous by his sharp and acute wit. Yet there is not a man in America who would wish the Government to sell the picture of the Declaration of Independence for \$100,000. I am told that Mr. Thackeray also pronounced it as outrageous. Mr. Randolph thought there were too many legs in it, and various

criticisms of that kind have been made upon it.

I am not an artist; I am not even a judge of paintings. I should not consider my opinion as worth anything; but I place reliance upon the fact that so many men who loved Thomas, and with whom he is a hero, think that this is a great picture, and they have seen it and observed it, and many persons with whom I have conversed and whose opinion is certainly worth consideration speak of it as a grand picture, a picture that will be immortal, or one that will last at least as long as the canvas endures. I do not regard the criticism of a single person as of great weight, because there never was a painting which did not encounter that kind of criticism even from artists. Sometimes there are no people more uncharitable in regard to the work of other artists than artists themselves.

Mr. VEST. I am not placing myself on any pedestal as an artistic or esthetic critic. I never saw this picture, but I certainly would attach a good deal of weight to the opinion of the Academy of Fine Arts

of Philadelphia, because if there is any tribunal in this country competent to pass an opinion upon paintings it is that association of gentlemen.

Mr. VOORHEES. May I ask the Senator from Missouri whether the members of the Academy of Fine Arts in Philadelphia have seen

Mr. VEST. I do not pretend to say whether they have seen it or not. I saw the statement in a newspaper, published over the signatures of the members of that academy. I suppose they had seen it. They pronounced it a "daub;" I believe that is the language that was used. I have never seen the picture, and I simply speak of this statement because I take it that gentlemen of their position would not make a false public statement and risk their restations with I are the statement and risk their restations with I are the statement and risk their restations are the statement and risk the statement and risk the statement are the statement and risk the statement and risk the statement are the statement and risk the statement are the sta make a false public statement and risk their reputation upon it. It is not fair to assume that they did it from any hostility to this lady. As to General Thomas, it is perfectly useless to talk about bringing his character in question here, and to say it is a painting worthy of General Thomas. As a matter of course it might be some tribute to his memory, but it will not if it is a caricature, as those gentlemen say, in which case it would be an injustice to his memory to make the pur-

As to the size of the painting, we are certainly not buying it by the square inch. In this Capitol to-day there are daubs, actual caricatures, almost acres of canvas. Right here in this Capitol is a painting in which absolutely there are six toes to the foot—a thing of which a charcoal sketcher would be ashamed. We have paid thousands of dollars for I do not pretend to say that this is one of them, but I say that I shall not vote \$10,000 after the Academy of Fine Arts, or members of it, men of reputation, have pronounced it to be a painting which is not worthy to be purchased by the United States Senate.

shall defer to their opinion.

Mr. VOORHEES. I know that thousands of men who served with General Thomas and saw him daily in battle, on the march, and everywhere else, have risked their reputations in certifying in the strongest manner that this is a noble and faithful representation of him. I could enumerate names. I need not do so perhaps. I could commence, how-ever, with General Sherman and go through the list of distinguished men who knew General Thomas and who recommend the purchase of this picture as a faithful and worthy representation of him to posterity. I had rather abide by their judgment than by the newspaper criticism of men representing themselves to belong to some academy of art.

There is not a work of art in this Capitol which has not been written

down as a wretched failure by somebody or other, whether the person has ever seen it or not. I do not agree with the Senator from Missouri that the Capitol is disfigured with daubs. I do not know where they are. Is it the picture of Perry's battle on Lake Erie over yonder? Is it Chapultepec here? Is it the painting of the Yellowstone Cañon and the Colorado scenes? Are those daubs?

I say with the Senator from Missouri that I do not set myself up as an art critic, and yet I believe I have a loving eye for things that are beautiful, and I can see coarse and incongruous features in paintings when they are there. I have lingered by the panels which are adorned with paintings about this Capitol perhaps as much as any other gentleman, and have seen what it was good to see and what it was evil to

I confess that this wholesale sweeping denunciation of the works of art in the national Capitol never commended itself to me. I do not speak this of the Senator from Missouri; I am speaking now in more general terms of that iconoclastic spirit which moves around and seeks to destroy everything that everybody else has done—the destructive spirit which has criticised Houdon's statue of Washington and everything else that has been done here. Nothing is done right in the eyes

of some people.

All I desired to say was that I placed my approval of this picture upon the testimony of those who are better capable of judging than the Academy of Art, or Science, or whatever it may be, over at Phila-

delphia. [Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. The Sergeant-at-Arms will take into custody any person violating the rule of the Senate in making any symptoms of applause or disapproval of any of the proceedings of the Senate, and his officers will execute the order. The question is on agreeing to the amendment proposed by the Senator from Ohio, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted—yeas 27, nays

I MANY THE ACTED THE			
		YEAS-27.	
Aldrich, Blair, Chace, Conger, Cullom, Dawes, Dolph,	Frye, Gorman, Harrison, Hawley, Hill, Hoar, Ingalls,	Jones of Nevada, Lapham, Mahone, Manderson, Miller of Cal., Miller of N. Y., Mitchell,	Palmer, Platt, Sherman, Van Wyo Voorhees Wilson.
		NAYS-22.	
Bayard, Brown, Coke, Colquitt, Edmunds, Fair,	Garland, Gibson, Groome, Hampton, Harris, Jackson,	Jonas, Kenna, McPherson, Morgan, Pendleton, Pugh,	Ransom, Vance, Vest, Walker.

ABSENT-27.

Allison, Beck, Bowen, Butler, Call, Camden, Cameron of Pa., Cameron of Wis., Cockrell, Farley, George, Hale, Jones of Florida, Lamar, Sabin, Saulsbury, Sawyer, Sewell, Slater, Williams. Logan, McMillan, Maxey, Morrill, Pike, Plumb, Riddleberger,

So the amendment was agreed to.

Mr. SHERMAN. On page 87, after the amendment just agreed to, I move to insert:

To enable the Joint Committee on the Library to purchase the painting of the Electoral Commission of 1877, by Mrs. C. Adele Fassett, \$15,000.

The PRESIDENT pro tempore. The question is on agreeing to the

Mr. SHERMAN. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted-yeas 25, nays 31; as follows:

	XE.	AS-20.	and the state of t
Allison, Blair, Cameron of Wis., Conger, Dawes, Dolph, Harrison,	Hawley, Hoar, Ingalls, Jones of Nevada, Lapham, McMillan, Mahone,	Manderson, Miller of Cal., Miller of N. Y., Mitchell, Palmer, Platt, Sawyer,	Sewell, Sherman, Voorhees, Wilson,
	NA.	YS-31.	
Aldrich, Bayard, Brown, Call, Coke, Colquitt, Cullom, Fair,	Frye, Garland, George, Gibson, Gorman, Groome, Hampton, Harris,	Jackson, Jonas, Kenna, MePherson, Maxey, Morgan, Morrill, Pendleton,	Plumb, Pugh, Vanee, Van Wyck, Vest, Walker, Williams.
	ABSI	ENT-20.	
Beck, Bowen, Butler, Camden, Cameron of Pa.,	Chace, Cockrell, Edmunds, Farley, Hale,	Hill, Jones of Florida, Lamar, Logan, Pike.	Ransom, Riddleberger, Sabin, Saulsbury, Slater.

So the amendment was rejected.

Mr. HOAR. On page 87, after the amendment last adopted, I move to add the following paragraph:

For the purchase of five manuscript volumes, being the letter-books of William Vans Murray, formerly minister of the United States at the Hague and at Paris, \$2,500.

The PRESIDENT pro tempore. The question is on agreeing to the amendment

Mr. HOAR. This comes from the Committee on the Library. These Mr. Spofford. They are historic documents of great importance in our documentary history. Mr. William Vans Murray was our minister at the Hague, and was one of the three commissioners sent to France in John Adams's time, in the time of the Directory and the early part of the French revolutionary period. Among other very interesting matters is the account of a visit to him by La Fayette when he left the prison at Olmutz.

I shall not detain the Senate by going into a full discussion of the matter, but these manuscripts are of great historic importance, and would be of great value to our library. The committee were of opinion that they are worth the price which we have fixed upon them. The owner thought he ought to receive a much higher price.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The ques-

tion is on agreeing to the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to; there being on a division-ayes 25,

noes 18. Mr. CULLOM. I ask the chairman of the Committee on Appropri-

ations to consent to turn back to line 240, so that I may move to strike

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that the whole bill is now as in Committee of the Whole and open to amendment.

Mr. CULLOM. The chairman of the committee will not object. In line 240, after the word "building," I move to strike out the words "under present limit;" so as to read:

For post-office and court-house at Quincy, Ill.: For completion of building, \$47,500.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois.

The amendment was agreed to.

Mr. CULLOM. In line 209, after the word "building," I move to strike out the words "under present limit;" so as to read:

For post-office and court-house at Peoria, Ill.: For completion of building, \$75,000.

Mr. CAMERON, of Wisconsin. I will inquire what the present

Mr. CULLOM. The present limit is just what the bill appropriates but the Senate has passed a bill appropriating an additional sum, which will probably pass the House; hence those words are not needed there. There can not be any objection to striking them out.

Mr. CAMERON, of Wisconsin. I object. Mr. CULLOM. Then I move to strike them out, if the Senator

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from Illinois.

Mr. HARRISON. The chairman of the Committee on Appropria-

tions makes no objection to this amendment.

Mr. CULLOM. I so understand it.

Mr. CAMERON, of Wisconsin. It is not subject to a point of order.

Mr. HARRISON. I say the committee do not oppose it.

Mr. CULLOM. I understand the chairman of the committee has

sented to striking out those words in both places.

The amendment was agreed to.

Mr. MAHONE. I offer an amendment which is in conformity with the action of the Senate in respect to the public building at Columbus, Ohio. The amendment I propose is recommended by the Committee on Public Buildings and Grounds re-enforced by the recommendation of the Secretary of the Treasury. After line 107 I move to insert:

For making the public building at Harrisonburg, Va., fire-proof, \$15,000.

Mr. ALLISON. Is that amendment in order?

The PRESIDING OFFICER. The Senator from Virginia states that it is offered by the direction of the Committee on Public Buildings and Grounds

Mr. MAHONE. It was before the Committee on Appropriations, and I understand it was left out simply because the committee had

agreed not to report a number of amendments of this character.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

Mr. MAHONE. I move to insert after the amendment just adopted: For making the public building at Abingdon, Va., fire-proof, \$12,000.

The amendment was agreed to.

Mr. MAHONE. I move to insertafter the amendment just adopted: For enlarging the plan of the public building at Lynchburg, Va., and making the same fire-proof, \$25,000.

Mr. ALLISON. Has this amendment been referred to the Commit-

Mr. Allison. Has this amendment been referred to the Committee on Appropriations?

Mr. MAHONE. It was referred to the Committee on Appropriations and it is recommended by the Secretary of the Treasury.

Mr. ALLISON. And by the Committee on Public Buildings and

Mr. MAHONE. Yes, sir. It was referred to your committee, but was not reported because you concluded to report no amendment of that character. However, that rule was changed after the adoption of the amendment of a similar nature in respect to the public building at

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. ALDRICH. After line 1214 I move to insert: Naval training station, Coasters' Harbor Island, Rhode Island: For completing wharf and for the maintenance and repair of sea-wall, roads, and grounds, and the necessary labor and implements required for the proper preservation of the same, \$25,000.

Mr. ALLISON. I raise a point of order on the amendment.
Mr. ALDRICH. I think it is not subject to the point of order. On
page 150 of the estimates submitted by the Secretary of the Treasury
will be found estimates for this work, \$60,000.

Mr. ALLISON. Is the amendment reported from any committee,

Columbus, Ohio.

Mr. ALDRICH. It is not subject to the point of order, I think, under the last sentence of the first clause of the sixteenth rule.

The PRESIDING OFFICER. The sixteenth rule provides that—

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

Mr. ALDRICH. I send to the Chair the estimates of the Department.

The PRESIDING OFFICER. If it is in pursuance of an estimate, the Chair holds that the amendment is in order.

Mr. ALLISON. It is estimated for.
Mr. ALDRICH. The estimate is \$60,000. It is to continue work already in progress. I ask only for \$25,000.
The PRESIDING OFFICER. The question is on agreeing to the

amendment.

The amendment was agreed to.

Mr. GORMAN. After line 344 I move to insert:

For the establishment of range-lights at the new cut-off channel entrance to Baltimore, Md., \$25,000.

Mr. ALLISON. Is that estimated for?

Al Bo Br Ca Ca

Mr. GORMAN. It is. It is to be found in the Book of Estimates,

page 146.
Mr. ALLISON. Then under the ruling of the Chair I suppose it is in order.

The PRESIDING OFFICER. If it appears in the estimates the Chair thinks it is in order. The question is on agreeing to the amend-

The amendment was agreed to.

Mr. PALMER. I move to amend the substitute I offered this morning by inserting after the word "Michigan," in line 11 of said substitute, the words "approved March 2, 1885."

The PRESIDING OFFICER. Does the Chair understand the Senator to move to amend a substitute which was adopted as in Committee of the Whele te days."

tee of the Whole to-day?
Mr. PALMER. Yes, sir.

The PRESIDING OFFICER. The Senator's amendment will not be in order until the bill shall have been reported to the Senate.

Mr. PALMER. I shall reserve that amendment for a separate vote

Mr. VOORHEES. I am authorized by the Committee on the Library to move to insert at the end of line 2115, after the amendment agreed to on that page:

For the purchase of 1,000 copies of the work entitled Original Portraits of Washington, by Elizabeth Bryant Johnston, to be distributed to public libraries under the orders of the Senate, \$12,000.

The PRESIDING OFFICER. The question is on agreeing to the

Mr. VOORHEES. This amendment is authorized by the Committee on the Library. For many years past this lady has been engaged in securing the authentic original portraits of Washington and in giving their history. The result is a volume which I hold in my hand, one of the most creditable volumes to industry and ability that I have known published in the last quarter of a century, throwing vast light upon the history of the most important character in American annals. In order to give a better idea than I could otherwise do, I shall take the liberty of reading a paragraph or two from the preface to the work. After some preceding remarks the author says:

After some preceding remarks the author says:

The large number of portraits proven to have been original may provoke a smile in the reader, as they have amused the writer, and will suggest, to one who has given the matter only passing attention, an overproportion of personal vanity on the part of Washington. This is an unjust conclusion; for the truth is developed, that the American hero was made a martyr to the devotion of his friends at home and his admirers abroad. We have him presented as citizen, soldier, statesman, and patriarch. Artists followed him through campaigns, visited him at Mount Vernon, sketched him on parade, in the council-room, at dinner, drew his features in the church and in the theater. Washington was proverbially a bad sitter; and he became so restive under these increasing demands, that he was wont to declare, even in the earlier years of his military career, that each yielding to such requests should be the last; but he finally, not very gracefully it must be confessed, would submit to the inevitable. Old comrades naturally desired a counterpart of the face and form they had watched in many an hour of peril; women often asked the favor of a portrait of the leader of the armies in which their husbands and their sons fought; artists were sent by monarchs and nobles of Europe to secure an accurate rendering of the features of the citizen of the New World who commanded their veneration. In the history of man there is not to be found a parallel to the wide-reaching respect and admiration given personally to Washington; nor has a century subdued the world's ardor. In 1863, while ascending a mountain road near Lake Lugano, Italy, an American traveler entered a small pavilion, a wayside resting-place, wherein he found only a bust of Washington. It bore no inscription, but was in itself an eloquent tribute from some lover of liberty.

This book presents a correct, reliable history of every original picture

This book presents a correct, reliable history of every original picture known of Washington from the time when at 25 years of age he was sketched on ivory by Copley in Boston. The circumstances of that first picture which is known of Washington are as follows: After the fatal battle of Braddock's Field he was sent for to Boston to be inquired of there as to that campaign, and while there the handsome, splendid, young Virginia colonel, less than 25 years of age, was painted by that great artist Copley, and it is here and its history given. From that time until Washington was painted in his old age by Gilbert Stuart and various other eminent artists, embracing the Peales, father and son, and Rembrandt Peale, the authentic history of each original portrait is given

I feel that to the youth and to the aged also of American readers this would be one of the most instructive books that could be given to the public by the Congress of the United States. I do not know whether the love of the Father of his Country has waned or not. I do not think it. From what I have recently seen, I am inclined to regard this as a good year for Washington memorials, and in presenting this noble monument to history I feel that I am doing something worthy of the name of the man who is here commemorated.

I know how inadequately my remarks do justice to this subject, but I submit, after full consideration by the committee, that we have done what will commend itself to the public justice, and this book, being purchased, will be placed in the public libraries of the country, one of the handsomest, one of the noblest, and best executed works that ever

was presented to Congress for adoption.

The PRESIDING OFFICER. The question is on the amendment

The question being put, there were, on a division—ayes 19, noes 27.

Mr. VOORHEES. Let us have the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 21, nays 32; as follows:

	111		
Beck, Blair, Cameron of Wis., Dawes, Frye, George,	Hill, Hoar, Ingalls, Jones of Nevada, Lapham, McMillan,	Mahone, Miller of Cal., Mitchell, Palmer, Sewell, Sherman,	Voorhees, Williams, Wilson.

NAIS-32.			
Allison,	Fair,	Jackson,	Pendleton,
Bayard,	Garland,	Jonas,	Platt,
Butler,	Gibson,	Kenna,	Plumb,
loke.	Gorman,	McPherson,	Pugh,
Colquitt, Conger,	Groome,	Manderson,	Sawyer,
Dolph,	Hampton,	Maxey,	Vance,
	Harris,	Miller of N. Y.,	Van Wyck,
Edmunds.	Harrison.	Morgan.	Vest.

injunas,	Harrison,	Morgan,	Vest.
		ABSENT-23.	
drich, owen, rown, all, amden, ameron of Pa.,	Chace, Cockrell, Cullom, Farley, Hale, Hawley,	Jones of Florida, Lamar, Logan, Morrill, Pike, Ransom,	Riddleberger, Sabin, Saulsbury, Slater, Walker,

So the amendment was rejected.

Mr. VEST. I am instructed by the Committee on Public Buildings

and Grounds to offer an amendment, to come in after line 315.

Mr. VOORHEES. Will the Senator from Missouri allow me a moment? I desire to inquire whether I can renew my amendment again in the Senate.

The PRESIDING OFFICER. The bill is in Committee of the Whole

Mr. VOORHEES. Then I give notice I will renew the amendment in the Senate

The PRESIDING OFFICER. The amendment of the Senator from Missouri [Mr. VEST] will be read.

The CHIEF CLERK. On page 14, after line 315, it is proposed to add:

The CHIEF CLERK. On page 14, after line 315, it is proposed to add:
That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase a suitable site, and cause to be erected thereon, at Montpelier, in the State of Vermont, a substantial and commodious public building, with fire-proof vaults, for the use and accomodation of the post-office, courthouse, and internal-revenue office. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$75,000; and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and for the purposes herein mentioned the sum of \$75,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, and the State of Vermont shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

The amendment was agreed to.
Mr. VAN WYCK. By direction of the Committee on Public Buildings and Grounds I submit the following amendment, to come in immediately after the amendment just adopted:

diately after the amendment just adopted:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure a proper site, and cause to be erected thereon a suitable building, with fire-proof vaults, in Nebraska City, Nebr., for the accommodation of the United States district court, post-office, and other Government offices in said city, at a cost not to exceed \$75,000, including cost of site; and the said sum of \$75,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose herein mentioned: Provided, That no money shall be used or applied for the purpose mentioned until a valid title to the land for the site of such building shall be vested in the United States; and no expenditure or money shall be made on the building proposed to be erected on said site until the State of Nebraska shall duly release and relinquish to the United States the right to tax or in any way assess said site, or the property of the United States that may be thereon, and shall cede jurisdiction over the same during the time that the United States shall remain the owner thereof.

Mr. ALLISON.—Is this arrendment subject to a point of order?

Mr. ALLISON. Is this amendment subject to a point of order?
The PRESIDING OFFICER. The Senator from Nebraska states that by direction of the Committee on Public Buildings and Grounds he offers the amendment. The Chair thinks the amendment is in order.

The question is, will the Senate agree to it.

The amendment was agreed to.

Mr. BAYARD. I offer the following amendment, to come in after

line 315.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation for the United States circuit and district courts, post-office, and other Government offices, at the city of Wilmington, in the State of Delaware. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of \$150,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Delaware shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. ALLISON. I ask if that amendment is in order?

Mr. ALLISON. I ask if that amendment is in order?
Mr. BAYARD. The amendment is a bill reported by the Committee

on Public Buildings and Grounds at the present Congress, which has already passed the Senate, is now pending before the House, and has

been reported favorably there.
The PRESIDING OFFICER. The PRESIDING OFFICER. If the Senate has passed the bill authorizing the completion of such a building, the Chair holds the amendment to be in order under Rule XVI. The question is: Will the Senate has passed the bill authorizing the completion of such a building, the Chair holds the amendment to be in order under Rule XVI.

ate agree to the amendment proposed by the Senator from Delaware?

Mr. MILLER, of New York. Do I understand that the Committee on Public Buildings and Grounds propose to put upon this bill all the public buildings bills which have passed this body, and which have not yet passed the House of Representatives? If so, I see no objection to it; but if not so, I call upon the chairman of the Committee on Public Buildings and Grounds to report as an amendment to this bill a bill which passed here at the last session for a public building at Saratoga, N. Y. That bill has been reported favorably in the House of Representatives, but, owing to the condition of business there, it has not passed. If the Public Buildings Committee propose here to do this I call upon that committee to treat all public buildings on an eeqality and all Senators on the same footing in this matter. I ask for an answer from the chairman of the committee.

Mr. MAHONE. Mr. President, the Committee on Public Buildings and Grounds is not undertaking to do any such thing as the Sexator understands. It does not propose to report as an amendment to this bill all the bills that have passed the Senate and failed in the House,

but there are extraordinary cases—
Mr. MILLER, of New York. The Senator will pardon me for a mo-

Mr. MAHONE. Allow me to finish and then I will yield entirely. There are extraordinary cases; there are some of the States that have had no public buildings during this Congress, and there are others that have had two and some as high as three buildings, and the committee think in those cases, where no buildings have been allowed to a State by the passage of a bill through both bodies, it is but fair they should

have an opportunity to put one building on this bill for such States. That is the state of the case.

Mr. MILLER, of New York. I simply desired to have a statement made by the chairman of the committee as to the grounds on which they make exceptions in these cases. I have noticed that two or three bills have been offered here as amendments, and when they have been presented the Senators presenting them stated they did so by instruction of the Committee on Public Buildings and Grounds, which made them

in order. Now another amendment is offered for another public building, the bill for which has passed this body either at this session or the last, and upon that ground it is to be put upon this bill.

I think that the Committee on Public Buildings and Grounds should treat all these applications alike. I do not care for one to enter into any unseemly scramble for my State or my constituents. They have been fairly treated and I have no disposition to find any fault with any of these measures; but it does seem to me that if the Senate now put upon this bill amendments for public buildings such as have passed the Senate during this session or the past, but have failed in the House, the committee should take up all those bills and put all of them upon this measure as amendments. I submit to their own sense of fairness and propriety to do it. I do not propose, as I said, to enter into any scramble on this matter. I leave it to the committee to decide for itself what it will do.

Mr. MORRILL. Mr. President, it is but due that I should make a statement in relation to this matter. I understand that thus far there has been but one building put upon this bill that has passed the Senate heretofore. It was proposed by the Senator from Delaware to put one on that has passed the Senate, and the Committee on Public Buildings and Grounds have not moved as an amendment the bill proposed by the Senator from Delaware, which I think is a meritorious case and ought to go on. That proposition has not been before the Committee on Public Buildings and Grounds. The amendment reported by the Senator from Missouri for Vermont, I will say, is to supply the capital of the State. There has not been any money appropriated for the State of Vermont for public buildings in the last thirty years. Every other State in the Union, so far as I know, has had a public building erected at the capital of the State. This bill passed two years ago and it passed again this year, and it is recommended in the House by the Committee on Public Buildings and Grounds, and I do not suppose there is a member at this end of the Capitol or the other who would vote against it. So far as the Committee on Public Buildings and Grounds are concerned, they have done this more at their motion than my own.

Mr. MITCHELL. I should like to ask the Senator from Vermont a question. Do I understand him to say that the amendment now proposed has not passed the Senate and has not been considered by the Committee on Public Buildings and Grounds?

Mr. MORRILL. The bill has passed the Senate heretofore, but has not been referred to the committee to be considered on this appropriation bill.

Mr. MITCHELL. Has it passed the Senate during this session?
Mr. MORRILL. During this Congress.
The PRESIDING OFFICER. The Chair will state to the Senator

from Pennsylvania that on the question of order which was raised by

the Senator from Iowa on the amendment of the Senator from Delaware it was held that as a bill authorizing the construction of this building had passed the Senate and was now pending in the House of Representatives, the amendment was in order. The question is, Will the Senate agree to the amendment of the Senator from Delaware?

The amendment was agreed to.

Mr. MILLER, of New York. I offer the foll be inserted after the amendment just agreed to: I offer the following amendment, to

For the purchase by the Secretary of the Treasury, from the present owners, the property in the town of Middletown, Richmond County, New York, known as the Seamen's Retreat, consisting of thirty acres, more or less, and buildings thereon, together with a water front of six hundred feet, more or less, the same to be used for the purpose of a marine hospital at the port of New York, \$280,000.

I will occupy the attention of the Senate but a moment on this question. The United States Government is now occupying this ground and building as a marine hospital. It has been occupying it for two rears under a contract which expires on the 1st of May next, at which time if the premises should not be purchased by the United States Government the Government will be without any marine hospital at the port of New York. While we have a marine hospital at nearly every other important port in the country, the United States Government has never owned and maintained a marine hospital at the port of New York. Before it leased these premises it had been in the habit of forming out the sailors who needed treatment there to the various hospitals about the city. A short time ago it erected a temporary hospital on Bedloe's Island, but it has been compelled to abandon it on account of the erection of the Bartholdi statue. Two years ago it leased these premises, and the Secretary of the Treasury makes this recommendation:

The recommendations heretofore made for the establishment of a national snug harbor, or sailors' home, are also renewed.

The recommendation of the Surgeon-General for the purchase of the Seamen's Retreat property at Staten Island, New York, as recommended by my predecessor, which recommendation was subsequently adopted by the Committee on Commerce of the present Congress (Report No. 1039), is respectfully renewed, and early action on the part of Congress is suggested. Without action the service at New York will probably be without a hospital when the lease of the building terminates, in May next. A return to the old contract system, formerly in vogue at that port, would, in my judgment, be highly injurious to the service.

I have here also the report of the Surgeon-General of the Marine-Hospital Service, urging in the strongest manner the purchase of this property; and, as I have already said, it has been two years in the control

of the Government, under a lease, with the privilege of purchasing it at the expiration of the lease. The lease expires in May of this year.

This hospital and grounds belong to a number of charitable institutions, the Marine Society and the Seaman's Aid Society, and it has been leased by them to the Government of the United States. They have no longer any use for it; and if not purchased by the Government the property will undoubtedly be broken up and subdivided, and thus the Government will be supposed the subdivided of the control of the United States. ernment will be prevented from continuing the lease or purchasing the property at any future time. It is undoubtedly one of the most desirable points in the harbor of New York for a marine hospital, and certainly the Government ought to have a marine hospital at that port.

The price here fixed has been agreed on by an appraisal and is undoubtedly a fair price; it is not excessive in any way; and it has been recommended now by two successive Secretaries of the Treasury that the premises should be purchased, and, if purchased, the amount paid for them will be much less than the cost of any marine hospital now at any of our prominent ports. The marine hospital at Boston cost \$393,-000; the one at Chicago has cost \$420,000; the one at San Francisco, an old one, which is now being rebuilt, cost \$231,000; the one at Detroit \$109,000; and the marine hospital at New Orleans cost over \$500,000.

This is entirely in the interest of the Marine-Hospital Service and in the interest of the Government.

Mr. MORRILL. May I ask the Senator from New York a question?
Mr. MILLER, of New York. Certainly.
Mr. MORRILL. Have not at the present session two bills passed for New York, one for Saratoga, and one for Troy? That is my recol-

Mr. MILLER, of New York. I am not now talking about a building at Saratoga or any other place. My amendment is for a marine hospital at the port of New York.

Mr. MORRILL. A moment ago the Senator was talking about fair

play to all the States.

Mr. MILLER, of New York. I was talking about fair play for all the States, and I still stand here to talk for fair play for all the States.

This is asked for by the Secretary of the Treasury and the Surgeon-General of the Marine-Hospital Service. It is not asked for by the people of the State of New York. It is not a public building to be used in the public service in the State of New York. It is a marine hospital for the care of the sailors of our marine. Quite likely some of them may come from the good State of Vermont and many of them from the States of Maine and Massachusetts, but certainly the Government ought to maintain a marine hospital in the port of New York.

A hospital tax has been levied upon the sailors of this country, and more than 15 per cent. of the entire sum heretofore collected has been

collected at the port of New York, and yet during all these years it has been levied without any marine hospital at New York, and the sailors have been farmed out to different hospitals scattered about the city and neighborhood, thus preventing any proper control or any proper management of the Marine-Hospital Service. This is undoubtedly a cheap property and should be bought. I submit the question.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York.

The amendment was agreed to.

Mr. McPHERSON. I move to strike out from line 1172 to line 1176,

To pay in full the claim of the owners of the schooner Druid for damages occasioned by the collision of that vessel with the United States steamer Powhatan, in October, 1883, \$11,519.88.

And in lieu thereof to insert:

That the claim of the former owners of the schooner Druid for damages caused by the collision of said schooner with the United States steamship Powhatan be, and the same is hereby, referred to the Court of Claims, under the provisions of section 1055 of the Revised Statutes.

Mr. ALLISON. Is that amendment in order?
Mr. McPHERSON. It is an amendment to the text of the bill. I am very much surprised that a provision has found its way into this bill for the Government to pay out the sum of \$11,519.88 for this vessel, when, taking the whole testimony presented in the case, it is shown conclusively that the Government is not liable at all. The libellants in a case of collision certainly have to prove that they are without fault themselves, and that the opposite party is in fault. In this case no such proof has ever been made. The Government should not pay a dollar of this claim until such time as the Court of Claims has adjudicated upon it and declared it to be valid.

The first board of inquiry that was organized to act upon this case declared that there was only a sum of about \$2,500 due for damages to the Druid. The captain of the Druid himself declared that he lost his head and ran his vessel against the Powhatan. The second board of inquiry were authorized only to investigate as to the value of the cargo and the value of the ship, without determining in any manner as to the liability of the Government. A claim for over \$11,000 has found its way into the bill from the House of Representatives when last year it was rejected both by the House and by the Senate for the very reason I am now stating. It is presented here again. The Government is not liable for certainly more than \$2,000 or \$2,500 at the outside, and the claim is to be paid for \$11,000. There certainly can be no hardship in permitting the libellants in this case to go to the Court of Claims and prove their case if they have a good one, but certainly the Congress of the United States should not make an appropriation to pay a sum of

money which has no foundation in justice or right.

Let me say still further while on my feet that when the collision took place between these vessels it was in broad daylight. The vessels were nearing each other in opposite directions. The Druid had just as much opportunity of keeping out of the way of the Powhatan as the Powhatan had of keeping away from the Druid. The captain himself deleved that he had also a being a way from the Druid. clared that he changed his helm and therefore threw his vessel against the Powhatan, seemingly for no purpose in the world except to wreck the Pownatan, seemingly for no purpose in the world except to wreck her, that he might make the Government pay for her. After the wreck the board of inquiry declared that the only damage the Druid had sus-tained was the loss of her spars and sails. Two Government officers from the Pownatan followed the vessel to port, and it was there dis-covered (contrary to what had been alleged by the owners of the Druid) that the vessel was not leaking. These two officers declared that she had not sprung a leak, that the eargo was not injured in the least. The second board of inquiry appointed by the Secretary of the Navy never saw the Druid at all, never had the opportunity of investigating the question as to whether she was damaged or not. I claim that the part of prudence and right in this matter would be to refer this whole case to the Court of Claims and let them decide whether the libellants have

any claim or not.

The PRESIDENT protempore. The Chair thinks the amendment is in order. As a proposition to pay a private claim it would be indefensible; but being merely a proposition to amend a provision in the bill relative to a private claim, the Chair thinks the amendment is in order. The question is on agreeing to it.

The amendment was agreed to.

Mr. McMILLAN. I offer an amendment, which I send to the desk, to be inserted after the last appropriation for public buildings offered this evening. This is an amendment which has been recommended by the Committee on Public Buildings and Grounds; and a bill for the improvement has passed the Senate and has been reported favorably in the House also.

The PRESIDENT pro tempore. Has this amendment been referred to the Committee on Appropriations?

Mr. McMILLAN. The amendment has been referred to the Committee on Public Buildings and Grounds, reported favorably, and referred to the Committee on Appropriations by the Committee on Public Buildings and Grounds.

The PRESIDENT pro tempore. The amendment proposed by the

Senator from Minnesota will be read.

The Secretary. At the end of the amendments already adopted, after line 315, it is proposed to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected, a suitable building, with

fire-proof vaults therein, for the accommodation of the United States courts, post-office, and internal-revenue and other Government offices, at the city of Winona, Minn. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$100,000: Provided, That the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys; and that no money appropriated for his purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Minnesota shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal law of said State and the service of any civil process therein.

That the sum of \$20,000 be, and the same is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to be used and expended in the purchase of said site and toward the construction of said building.

said building.

The amendment was agreed to.
Mr. GROOME. Mr. President, I offer the following amendment, to come in after the one just adopted:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office, custom-house, and other Government offices, at the city of Annapolis, Md. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys; and for the purposes herein mentioned the sum of \$100,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided further, That no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Maryland shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. ALLISON. I make the point of order on this amendment. Mr. GROOME. I will state that this measure has already passed the Senate unanimously as a bill, and hence I do not think it subject to the point of order.

The PRESIDENT pro tempore. Has it been reported from a committee and referred to the Committee on Appropriations?

Mr. GROOME. It has not been referred to the Committee on Ap-

propriations as an amendment to this bill. The PRESIDENT pro tempore. The Chair thinks then it is not in

Mr. GROOME. But I think the case is exactly like that of the State capital of Vermont. Certain it is this is a building for a State capital. It is for the only State capital I think in the Union for which steps have not been already taken to provide a public building. I hope, therefore, that the point of order will not be pressed if the amendment

The PRESIDENT pro tempore. The Chair thinks if it has not been reported from the Committee on Public Buildings, and referred to the Committee on Appropriations, it is not in order under the decision of

the Senate this morning on the yeas and nays after discussion as to the meaning of the words "carrying out an existing law" or "a bill or resolution previously passed by the Senate during that session."

Mr. GORMAN. A moment ago, in a case precisely similar at Montpelier, Vt., where the bill had passed the Senate at the last session and been reported from the Committee on Public Buildings and Grounds, the Chair held that under the rule that was in order and it was in the Chair held that under the rule that was in order, and it was inserted on this bill within the last half hour.

The PRESIDENT pro tempore. The present occupant of the chair

ras not present at that time.

Mr. GROOME. It was on the strength of that decision that I have moved the amendment.

The PRESIDENT pro tempore. The Chair bases his opinion on the distinctive decision of the Senate this morning after discussion and upon the yeas and nays as to the meaning of the words of the rule.

Mr. CAMERON, of Wisconsin. In the Vermont case the amendment had been introduced and referred to the Committee on Public

Buildings and Grounds, reported back favorably from that committee,

and referred to the Committee on Appropriations.

The PRESIDENT pro tempore. That makes quite a different ques-

Mr. CAMERON, of Wisconsin.

Quite a different case. So that was clearly in order under the rule.

The PRESIDENT pro tempore. The Chair, unless the point of order

is withdrawn, feels bound to hold that the amendment is not in order.

Mr. MILLER, of California. I offer an amendment which has been reported from the Committee on Foreign Relations, and referred to the Committee on Appropriations

The CHIEF CLERK. After line 30, on page 2, it is proposed to in-

To enable the President to bestow testimonials, as recommended in his message of January 27, 1885, upon those officers and subjects of the Russian Government who extended aid and comfort to the survivors of the Jeannette Arctic exploring expedition and assistance to the parties dispatched by the Government of the United States to relieve and succor the said survivors, and to convey to the Government and people of Russia an expression of the high appreciation in which the Government and people of the United States hold the humane services so rendered, the sum of \$15,000 or so much thereof as may be necessary, the same to be immediately available.

Mr. MILLER, of California. That is recommended by the President to reward those people who aided the Jeannette, the list of which is given in the report made by the committee and which is contained in the President's message. I presume there will be no objection to the amendment

Mr. ALLISON. Is this amendment from the Committee on Foreign

Mr. MIIAER, of California. Yes, sir; and was referred to the Com-

mittee on Appropriations and overlooked in some way.

Mr. ALLISON. Not overlooked.

The PRESIDENT pro tempore. The Chair understands the Senator from California, the chairman of the Committee on Foreign Relations, to state that this amendment has been reported from the Committee on Foreign Relations and referred to the Committee on Appropriations in

Mr. ALLISON. I did not hear the reading of the amendment, being occupied at the moment.

The PRESIDENT pro tempore. The amendment will be again read.
Mr. ALLISON. I do not ask it.
The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. MILLER, of California. I have another amendment of the same character. This amendment was reported from the Committee on Foreign Relations and referred to the Committee on Appropriations. move to insert it immediately after the amendment just adopted:

To enable the President of the United States to send a delegate to represent the Government of the United States at the jubilee to be held by the Statistical Society in London in the month of June, 1885, the sum of \$2,000, or so much thereof as may be necessary, to be immediately available.

That society meets in London, and the Secretary of State has recommended that a delegate be sent, and one ought to be sent.

Mr. ALLISON. That proposition was also referred, I believe.

Mr. MILLER, of California. It was.
Mr. VOORHEES. I did not hear distinctly what this was.
Mr. MILLER, of California. A meeting of the Statistical Society

at London in grand convention.

Mr. VOORHEES. Why is it called a jubilee?

Mr. MILLER, of California. I do not know.

Mr. HOAR. Are other nations represented as nations, or are these societies represented?

Mr. MILLER, of California. The societies.

Why should this Government be represented at an association of societies?

Mr. MILLER, of California. Because other governments are represented by sending delegates. It is recommended by the Secretary of

Mr. VOORHEES. I should like very much to see a statistical jubilee.
Mr. VOORHEES. May I inquire of the Senator from California
whether it is recommended to us by the Secretary of State as a jubilee?

Mr. MILLER, of California. Yes; it is. Mr. VOORHEES. It is his designation? Mr. VOORHEES. It is his d Mr. MILLER, of California. Mr. BUTLER. A statistical

Mr. BUTLER. A statistical jubilee?
The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from California.

The amendment was rejected.

Mr. BUTLER. I offer the following amendment, to come in after line 268, on page 12:

For court-house and post-office at Greenville, S. C.: For purchase of site and commencing erection of public building, \$50,000.

Mr. ALLISON. I make the point of order on that.

The PRESIDENT pro tempore. Has the amendment been reported from a committee?

Mr. BUTLER. It has not been reported from a committee, but a bill has passed the Senate making an appropriation of \$50,000 for that

bill ding on two occasions.

The PRESIDENT pro tempore. The Chair thinks it is not in order.

Mr. BUTLER. I submit, of course.

Mr. MILLER, of New York. I offer the following amendment, to come in after the last amendment adopted—

The PRESIDENT pro tempore. The last amendment adopted was that on the motion of the Senator from California, on page 2.

The CHIEF CLERK. On page 14, after the amendments already agreed to, it is proposed to insert:

agreed to, it is proposed to insert:

That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults, for the accommodation of the United States court, post-office, and other Government offices, at Saratoga Springs, State of New York. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for said building shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of New York shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

That the sum of \$50,000 is hereby appropriated for the purchase of a site and commencement of work.

Mr. ALLISON. I make the point of order on that.

The PRESIDENT pro tempore. Is the amendment reported from a

Mr. MILLER, of New York. What is the point of order?

Mr. ALLISON. It is not reported from any committee.
Mr. MILLER, of New York. The bill from which this amendment is copied was reported from the Committee on Public Buildings and Grounds, and passed this body in the last Congress.

The PRESIDENT pro tempore. Has it been reported as an amendment from any committee and referred to the Committee on Appro-

Mr. MILLER, of New York. I think not.

The PRESIDENT pro tempore. The Chair thinks it is not in order. Mr. MILLER, of New York. The decision of the Chair heretofore has been the other way, as I have understood it.

The PRESIDENT pro tempore. The present occupant of the chair was not present when any other decision was made. In the case referred to the Senator from Wisconsin stated that the amendment was reported by a committee and referred to the Committee on Appropria-

Mr. MILLER, of New York. I am unfortunate, then, in not getting in my amendment earlier in the evening.

The PRESIDENT pro tempore. The Chair thinks it is not in order.
Mr. MAHONE. I am instructed by the Committee on Public Buildings and Grounds to offer an amendment, to be inserted between lines 288 and 289. This amendment comprehends the full text of a bill that was passed by the Senate a few days ago for the purchase of square 406 in this city. It passed the Senate unanimously, and has been reported by the House committee, but no action has been taken on it in the House. The necessity for the purchase of this square comes from the pressing demand for a city post-office in Washington; in addition to which it is conceded that sooner or later, and none too soon, the Government must acquire this piece of property for the enlargement of the Post-Office Department building, already largely insufficient for the proper and convenient conduct of the business of that Department.

This piece of property embraces 86,000 square feet when you take in the street, measuring 25,000 square feet, which the Government may take in after the acquirement of this square. The square now brings in a rental of \$43,500, or 7 per cent. upon the price it is proposed to pay for the property. In addition to all this the Post-Office Department is now paying \$14,500 rent for buildings in part upon this very square and for a city post-office, of all of which the Government may be relieved upon the acquisition of this piece of property, since there are buildings upon the square that will fully and conveniently serve the purposes of the city post-office until you are ready to proceed with the construction of a spitable building.

of a suitable building.

That is the state of the case, Mr. President, and this amendment is now before the Senate coming from the Committee on Public Buildings and Grounds duly referred to the Committee on Appropriations, and, as I said, is the full text of a bill that passed the Senate but a few

Mr. ALLISON. It seems to me that it is not quite enough to have had this referred to the Committee on Appropriations. It seems to me to be legislation for the purchase of property. If I can make that

point on it I shall be glad to do so.

The PRESIDENT pro tempore. The Chair does not think it falls within the rule of general legislation.

Mr. ALLISON. Then I make no point.

Mr. MORRILL. I desire to say that this has been recommended since the passage of the bill by the Senate by the Committee on Public Buildings to the Committee on Appropriations, and it is not any singular way of doing business. The National Museum was reported by that committee in the same way and put onto a sundry civil appropriation

Mr. ALLISON. I make no point of order.
Mr. MORRILL. So was the Bureau of Engraving and Printing, and
so was the Agricultural Department. In fact there is hardly any other way you can get a building for this city through Congress except upon an appropriation bill.

I wish to say that there is a very urgent necessity that this building should be erected, and erected promptly. If this ground is taken with the buildings upon it, the Le Droit building alone will furnish better accommodations than we now have in the present building that is rented by the Government for a city post-office, and there are several other buildings that are now rented by the Government for the Post-Office Department. There is a building in this square that is rented by the Government, and also a building on Ninth street, all for the Post-Office Department.

This is obviously an economical thing for us to do. There is not a shadow of doubt but what the property, if it can be purchased at the price these parties have agreed to sell it for, would be a good bargain

for the Government. Mr. MAXEY. I would ask the Senator from Vermont, as a member of the Committee on Public Buildings and Grounds, whether or not, after making ample provision on that plot of ground for the city post-office, there is not enough ground to be used for the use and benefit

of the Post-Office Department?

Mr. MORRILL. Very much; and buildings that would be occupied by the Department. If the city post-office was put up on Ninth street, between E and F, there would be other buildings which could be used that would save the Government a large sum of money; but the main building, with the exception of the city post-office, might be delayed

It is more convenient to the Post-Office Department Mr. MAXEY.

than any other plot of ground which can be obtained.

Mr. MORRILL. Undoubtedly.

Mr. PLUMB. I do not know very much about property in this city, but I do know that there is a very widespread impression based on apparently good foundation that the price proposed to be paid for this property is at least \$150,000 too great, and that the Government in making this purchase is really bulling the real-estate market in the city of Washington. It does not signify to us that if we buy this property and do certain other things we shall save a little money on the basis of a 4 per cent. or a 3 per cent. investment; the question at the bottom of it all is, can this property be purchased at a suitable price, such as it is worth in the real-estate market and as private parties would have to pay for it? Taking the information that I have, my judgment is—a judgment not very securely founded, I admit, but still it is the judgment on which I am bound to act, and which I should act upon as a private individual—that this private property is put at a very much higher price than its value. If I may allude to what has taken place elsewhere, I may say that the Senate in one of its amiable moods, and with that consideration which it always has for a very large sum of money—for I believe it will let through any bill at any time for a half million dollars, while it will higgle with parsimonious persistency over a bill appropriating fifty or sixty dollars for somebody—but in that mood in which it finds itself occasionally the Senate passed this bill; it went to another body which I an not authorized to mention, but like the man who, when approached on a horse-trade, said he could not trade on Sunday, because it was against his religion, but if it was not Sunday he would say that he would pay \$20 to boot; and so I can say in reference to this other place, or if it was not that

the place I would say that the committee of that body—

The PRESIDENT pro tempore. The Chair thinks the Senator is not in order. He is alluding to a report in another body.

Mr. PLUMB. If on reflection the presiding officer thinks that is consistent the whole would be the property of t against the rule I will withdraw the remark; but I will say that a body of men—not the House of Representatives, but a body of men charged with the duty of investigating this subject—say upon their responsi-bility that \$500,000 is an ample price for this property; and now the Senate is proposing to take a short cut to get around that opinion, and in the closing hours of this session, by means of a committee of conference, to avoid the collision and the wreck that would apparently follow from that collision with another portion of this legislative body, and complete the purchase of this property in defiance, as I believe, of what is just, of what is right, of what is fair, of what is prudent, and of what is due to this body and to all other legislative bodies having to deal with the public money. I do not think that is the proper way of conducting legislation.

Mr. MAHONE. Mr. President, I think if the Senator from Kansas had given a little more attention to the subject rather than been content to state some impression which he has formed from floating statements, he would have had no such opinion as that to which he has given

I hold in my hand letters from nine respectable, responsible real-estate owners in the city of Washington. I do not know a single one of these gentlemen; I never saw one of them; but they have addressed letters to the committee, and I have read them all. They all agree that the price proposed to be paid for this property, which is by agreement to the extent of the whole square save about four little pieces involving \$100,000, is quite fair. We shall see who they are in a moment.

They all agree that the price proposed to be paid is below the value of the property saving one, who thinks it is a little above the value.

Now, let us see who they are. I shall not look inside the letters, but give the names from the outside of the evelopes. Hufty & Dyer, real estate, insurance, stock, and note brokers. The most of these gentlemen—indeed all of them—disclaim any connection or any interest whatever in the sale of this property, but they have been called upon—

Mr. PLUMB. Mr. President-

The PRESIDENT pro tempore. Will the Senator yield to the Senator

from Kansas

Mr. MAHONE. In a moment. They have been called upon by some of the citizens here who seem to be interested in the procurement of this most suitable site for the post-office, and have given expression to their judgment.

John Sherman & Co., real estate and loans; Duvall & Marr, real estate and insurance; Parker & Townsend, real estate and brokers; B. H. Warner; George Truesdell; F. H. Smith & Son; Fitch, Fox, and Brown; Thomas J. Fisher & Co., real-estate agents. These are the

parties from whom the letters come. If the Senator from Kansas would like to be better informed, he can take the letters.

Mr. PLUMB. I am glad to have those names go on record, as they will add to the circulation of the paper in which they appear. What the Senator says confirms me in two things, one of which I am very sorry to be confirmed in, and that is that the Senator from Virginia does not seem to understand how people are influenced. Did you ever hear of a real-estate agent who did not, like Paul, magnify his office? Is it not the line of business of all these gentlemen to enhance by representations the value of all property in Washington? They do not have this particular site for sale, but they have other property for sale, the price of which will largely be based on the price the Government pays for this property in the city of Washington? for this property in the city of Washington if it purchases it.

The one thing these gentlemen are interested in is to establish the fact that property in Washington is greater in value than the price being offered, in order that they may get thereby more business to do; and if they can get the Government into this laudable enterprise of bulling the real-estate market as I said, thereby they will get more percentage and their customers will get greater gains. I may not know as much about this ground as the members of the Committee on Public Buildings and Grounds, but I do believe that if the Government were to-day to invite real competion for a site it could save \$100,000. That is not much I know, the present impression being that the great burden we are laboring under now is how to get rid of the money we have in the Treasury; and of course under that idea the larger the appropriation the more beneficial it is.

The Senator from Maine [Mr. FRYE] says we are getting rid of the surplus fast enough to-night. I think that is so myself, and if we shall sit here until morning, and the Committee on Public Buildings and Grounds have the floor, and a few more enterprises of this kind shall be brought into the bill, the surplus will be less to-morrow morning than

was yesterday morning certainly.

Mr. President, I think in regard to this matter that it has not had proper consideration. I do not believe this is the way to buy property either in Washington or elsewhere, and I especially think in regard to this purchase there ought to be some competition, so as to bring the price down to that level which would naturally prevail in dealing be-tween private individuals. We have had some experience of that kind heretofore; at least we have had some observation of the result of this method of buying property. If we were to go around anywhere in the city of Washington and ask owners what they would sell their property for in the absence of competition, we may be certain that the price they offer would be a very large percentage above what they themselves actually believe its value to be.

I am willing, as far as I am concerned, to build a post-office in Washington, although the business I have with it does not seem to impress me with the need of that institution very much. I do not think there is very great want for it, but still I am willing to have it, willing to take the steps necessary for the purpose of getting it; but I want to do it on some basis which shall be just and open, in which we shall seem to be applying the ordinary rules of private business to the transaction of public business.

Mr. BUTLER. Then why not authorize a commission to purchase

a site for a post-office?

Mr. PLUMB. I would go in for something of that kind. I honestly believe that \$150,000 less, certainly \$100,000 less, would buy this block if we in the mean time, by our proposition to buy it, do not en-

hance its value in the minds of those who have it to sell.

Mr. President, there will be, as there always is properly under proper circumstances, more or less competition in regard to the location of public buildings. I have in my mind the capital of a State where property was needed for a Government building. The people owning adjoining property bid for the location of the United States building, and they paid large sums for the property in order to get the location in a certain place. They knew its value to them. It brought them business. They were willing to pay for it. Competition of that kind is proper and fair. I do not say it could be instituted in this particular case, but I do say that when we come to huy this property in view of all the circular case. I do say that when we come to buy this property, in view of all the circumstances surrounding the transaction of public business here and the general extravagance which prevails and which we are all the time cultivating by the money we are paying out and by the salaries we are paying, we ought to secure fair and free competition. In regard to public buildings, about which there is no perishing interest at the present moment, if we can not wait, if we must go ahead nolens volens, at least we ought to go ahead with some decent regard for the practices which

obtain in transacting private business.

I therefore hope this amendment will not be put on. It is going to be put on now in the expectation that it will escape the final judgment of the other branch of the Legislature. That is what it means. It is absolutely known, I think, that the House of Representatives will not agree, as an independent proposition, to this purchase in the terms proposed by the Committee on Public Buildings and Grounds. It is, therefore, sought to get around that judgment which has been substantially expressed, and in this way by means of a conference committee and the consent, grudging or otherwise, given by these men in the expiring hours of the session and under the fear of an extra session if the concession is not made, that this will be done which otherwise would not

Mr. MORRILL. I do not like to have this measure "whistled down the wind" in this kind of style. The Committee on Public Buildings and Grounds have had this subject under consideration for at least half a dozen years. They have investigated various sites throughout the city. I have no doubt that we could go out beyond the boundary and get competition and get for a small sum a site that would not be appropriate or at all suitable for the post-office building; but to get a site where it will be proper to locate such a building we shall have to pay And when we are investigating this subject it is well that we should have some forecast and look out for the future. We not only need a post-office for the city accommodation, but we need such a building largely for doubling the accommodations of the General Post-Office. There is no question but what the General Post-Office must have accommodations double their present amount, and that in a very short time. This site is adjoining the General Post-Office; that building can be extended on to Eighth and Ninth streets to very great advantage, and there will be ample room to accommodate the General Post-Office and the city post-office. So far as the price is concerned I have examined it with some particularity, and there is but one piece of property that I think is overvalued, and that the Government had the option of taking for a year or two at \$80,000. The present holders of it have raised their price to \$115,000, which I think is extravagant, and I should be glad to have that appraised by a jury appointed by the court; but be-yond that I venture the prediction that the Government will not only buy this specific piece of property as the only one that can accommodate the General Post-Office and the city post-office, but that they will buy it and pay more than 25 per cent. more for it than what has been proposed and what the Senate has heretofore agreed to.

May I ask the Senator from Vermont how the Com-Mr. BUTLER. mittee on Public Buildings and Grounds arrived at the value of this

Mr. MORRILL. They arrived at it in the first place by looking at the assessment and then by having an agent go around and see each one of the parties and obtain the lowest terms. We informed them in the of the parties and obtain the lowest terms. of the parties and obtain the lowest terms. We informed them in the first place that \$500,000 was all we would give for the whole square, and we squeezed the major part of them to a very low price; and there is only one piece of property that the Government had the option of for two or three years which I think is held at an extravagant price.

Mr. VOORHEES. May I ask the Senator from Vermont whether it

is designed to close Eighth street, between E and F?
Mr. MORRILL. It is designed to cover the whole space from F to

Mr. VOORHEES. And to close Eighth street?
Mr. MORRILL. To close Eighth street so as to make the General Post-Office a building of the same size as the Patent Office, to match that in point of distance from one end to the other.

Mr. HARRIS. From Seventh to Ninth streets.
Mr. PLUMB. If this purchase be effected I hope it will be effected before the RECORD comes out to-morrow, because I have no doubt

Mr. MORRILL. Let me say one word. Some gentlemen contend for this without any expectation that it is going to carry, with the po-tential influence of the Senator from Kansas and with the tired, jaded look of my friend the chairman of the Committee on Appropriations; and I have no doubt they will fling out all our amendments without a

single tear in either eye. Mr. PLUMB. I do not happen to be on the conference on the sundry civil bill; but the reference to me is somewhat gratuitous. I was going to say that if we are to buy this property for the sum proposed we ought to buy it to-morrow, because after what the Senator from Vermont has said it is plain to be seen that these property-holders have the Government in a hole. We can not have a post-office that is a post-office which will be what a post-office ought to be, unless we have it on this particular spot of ground; and after the very lurid statement of his in regard to the value of that property I shall do justice to the modesty of the ordinary real-estate owner of the city of Washington when I say that I think he will find some way, particularly after the RECORD is published to-morrow and comes under his observation, to raise the price of the property 25 per cent., especially after the Senator from Vermont has stated the manner in which they applied the screws to some of the property-owners to get them down in order that the balance might get up, just as one part of a feather-bed rises when you put down any other part. So I think that the moment we attempt to establish the average, the general average after that statement will rise to the highest peak of price established by any owner in any part of the square. I think this debate has perhaps—and I may say that I fear I have contributed to that—enabled these people to put on the screws so that this property will cost even a great deal more than is now proposed.

But, seriously, it seems to me that this is not the way for the Govern-

ment to purchase property in the city of Washington or elsewhere. I know that it does not purchase it that way out West; it does not pur-

propriety, of justice to the tax-payer, of business principles that ought to govern the just transaction of the Government business like that of private individuals, seem to be lost sight of.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on certain amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, further insisted upon its disagreement to the amendments of the Senate numbered 1 and 29 to said bill, and asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WILLIAM S. HOLMAN of Indiana, Mr. JOHN HANCOCK of Texas, and Mr. J. G. CANNON of Illinois managers at the conference on its part.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 6658) to provide for the sale of the Sac and Fox and Iowa Indian reservations, in the States of Nebraska and Kansas, and for other purposes; and it was thereupon signed by the President pro tempore of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Virginia [Mr. MAHONE].

Mr. VEST. I simply wish to say in regard to the remarks of the Senator from Kansas that the Committee on Public Buildings and Grounds—and I say it without personal reference to myself—have done had they could in regard to this matter. For two years past the very best they could in regard to this matter. For two years past, anticipating the very thing to which the Senator from Kansas has alluded, that when we had concluded that this block opposite the General Post-Office building was the most eligible site its price would rise, had a paper drawn up and signed by nearly all the property-holders pledging themselves not to charge over a certain price for their property. It is true that after this paper was signed by the large property-owners a few others stood off. That is always the case and is inevitable. Every lawyer who has had experience in regard to the adjustment of estates in bankruptcy or the settlement of failing firms knows that invariably there are a few, generally small, creditors, who will stand out from any arrangement in the hope that they will be paid in full; and so in this instance five or six of the small property-owners in the block refused instance live of six of the small property-owners in the block refused to sign the paper as soon as they ascertained that the Government wanted the property, but all the large property-owners agreed to reasonable terms, and some of them put their property in under the appraised value. I beg to say, after serving on the Committee on Public Buildings and Grounds for six years, that this is the fairest transaction that I have ever known where the Government was a party to a proposed purchase of property for a Government building.

Now I want to call the attention of the Senator from Kansas to one fact, because he has not examined this matter as the committee has that has had it in charge. The Government, for 35,000 feet of ground on the site of the old city post-office where it is now, were asked \$400,000. For sixty thousand and more feet in a much more favorable locality near the General Post-Office we are asked \$640,000, and that is in a portion of the city where property is advancing in value, on F streets one of the best squares in the entire city, and I think is by far the best

site for the location of the post-office.

These are the facts. In my judgment it is the best bargain the United States can obtain. The large property in this block can not go back in value. The property is advancing in that locality, and in the course of twelve months if we want this same block we shall be compelled to pay, in my judgment, 25 per cent. more in order to obtain it.

Mr. PLUMB. It seems to me that if the committee have been at this about six years they ought to have found a way of getting a bill through

both Houses without coming in at this moment and asking to put it on an appropriation bill, not for the purpose but still with the effect of getting around the adverse action of the House, and therefore prevent-

ing it practically from receiving concurrence.

Mr. MORRILL. I will say to the Senator that the bill has been reported in the House, but the chairman of the committee informed me yesterday that he feared he would not be able to get any action upon it.

It has been reported, and reported favorably.

Mr. PLUMB. For \$500,000, a hundred thousand dollars less than is

here proposed.

The PRESIDENT pro tempore. It is not in order to refer to proceedings of the other House.

Mr. VEST. I want to state to my friend that the Senate Committee

know that it does not purchase it that way out West; it does not purchase it that way anywhere, so far as I know, except in the city of Washington. In the desire to beautify the capital of the nation, and to spend public money for the benefit of this community, all considerations of

been over them. We have attempted to guard the interests of the Government in every possible way; we have shut out all lobbyists; we took this agreement from these property-owners in order to prevent the advance of property as soon as they found the Government wanted it.

As I said, five or six of the small property-owners held out. The gentlemen who were the large owners told us they thought the entire property could be obtained for \$500,000, and I will do them the justice to say-the chairman of the committee has the papers-that those

to say—the chairman of the committee has the papers—that those gentlemen acted fairly, and reduced their price in order to bring it within the \$500,000; but I believe there were six of the smaller property-owners who nearly doubled the valuation.

If any others can do this business any better, I hope they will take it in charge. For myself I am tired of it. We have done everything we could, and because this bill has not passed, and because we have acted as faithfully as possible, we are told now, "Do not put it on an appropriation bill."

Mr. PLUMB. It seems to be confessed that this ground it is the same to be confessed that this ground it is not passed.

Mr. PLUMB. It seems to be confessed that this ground is to be sold to the Government at a great value, because while certain large property-owners would not ask beyond the real value—and I do not know anybody who would sell for less than real value to the Governmentcertain others wanted more. That brings it back to the point I started with. Here is \$140,000 to be given more than this property is really

Mr. MAXEY. My judgment about it is that the sooner the Government gets possession of this property the better. It is the only block of ground that can be purchased which is adapted, first, to the city postoffice, and, second, to the extension of the Post-Office Department. can not combine both purposes in any block of ground except this. ago, when the city post-office was in the Post-Office Department buildthe Department building was then large enough to accommodate ing, the Department building was then large enough to accommodate all the business of the Post-Office Department and the city post-office. The country has been rapidly increasing. They have had to take out the city post-office; and not only have they had to do that, but the Government has had to rentanother piece of ground, for which we pay about \$14,000 a year, to carry on the business of the Post-Office Department. This country is rapidly increasing in population, and as it increases in population every one connected with the post-office business knows that the postal business increases with the population of this country.

Now you have a chance to get a piece of ground, which added to the present Post-Office Department, will answer for years and years to come; and it is a most unwise thing, in my judgment, for this Government to

and it is a most unwise thing, in my judgment, for this Government to

let the proposition pass by.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MITCHELL. In line 276 I move to strike out the words "under present limit" and insert "and for the purchase of additional ground one hundred and," so as to read:

For court-house and post-office at Williamsport, Pa.: For completion of building and for purchase of additional ground, \$125,000.

Mr. ALLISON. I raise the point of order on that amendment.

Mr. MITCHELL. I hope the Senator will not raise the point of order in this case. If it is made, at all events I have here a recommendation of the Architect of the Treasury Department, who says that this appropriation is necessary. That work has been suspended now for a year and a half. A portion of the ground which is desired for the building is condemned and waiting the action of Congress. That condemnation is now interfered with by an application to the court to set it aside. The case was recently postponed until after the 4th of March. it aside. The case was recently postponed until after the 4th of March, in hopes that Congress would make an appropriation for this public building.

This is one of the most important towns in Pennsylvania as respects the question of public buildings. The United States courts are held the question of public buildings. The United States courts are held there, and have been for a great many years. Twenty counties of the State do their legal business at that place so far as they do it in the United States courts. The internal revenue collected at the town is very large, amounting to about a quarter of a million dollars a year. The receipts of the post-office during the last year were \$31,991. There are over half a million people who are concerned in the business of the United States court held at that point.

The town of Williamsport manufactures between 3,000,000 and

The town of Williamsport manufactures between 3,000,000 and 4,000,000 feet of lumber every year. There is the largest manufactory at that point of lumber in the United States east of Michigan. The internal-revenue offices are also there. The Government has to pay, I think, a thousand dollars a year for rent of the post-office, and of course it has to pay rent for all the other offices of the United States.

An appropriation of \$100,000 was made. It was found that no lot in that city could be purchased at any eligible point for less than \$40,000. I know that seems to be a large sum, but the surroundings of the place are such that it was impossible to get an eligible site for less than that amount. The work itself was delayed for about two years in order to get a lot even as cheap as that. Three indees of the semiin order to get a lot even as cheap as that. Three judges of the common pleas court adjoining that county were appointed, and finally selected a place which was to cost \$60,000. That the Secretary of the Treasury would not purchase under the appropriation which was made. Afterward they secured a portion of the square for a little less than

\$20,000, I believe, and the rest of that square has been condemned, and it cost \$20,500 according to the condemnation. That is now pending. So it will cost \$40,000 to secure the land for the building, and the recommendation of the Architect of the Treasury, which I hold in my hand, is that the appropriation here desired is absolutely necessary in order to construct a proper building in that place. A bill is pending in the House of Representatives and has been favorably reported by the committee there

The PRESIDENT pro tempore. It is not in order to refer to reports in the House of Representatives or proceedings there, as affecting the

action of the Senate.

Mr. MITCHELL. I perhaps may be allowed to state that the gentlemen representing the Committee on Public Buildings of that body have recommended that this amount be inserted in this bill. I hold

in my hand a paper signed by them to that effect.

I trust the point of order will not be made and that the Senate will adopt this amendment. I do not know how I can very well go home through the city of Williamsport in my old Congressional district, which I represented in the House of Representatives for four years, or I shall represented in the House of Representatives for four years, or I shall have to go some other way, unless the Senate will do me the kindness to put this amendment in the bill. It is an appropriation which I think must and will be made. The work is suspended; the Government is at a considerable cost to take care of the property, and the Architect of the Treasury wishes to have the appropriation made now. The PRESIDENT pro tempore, Is the amendment reported from the Committee on Appropriations?

Mr. ALLISON. It is not.

Mr. MITCHELL. Let me say further that as I understand in two

Mr. MITCHELL. Let me say further that, as I understand, in two or three instances the Senate has agreed to do precisely what I desire shall be done in this case. It has done so in the case of the amendment which was inserted on the suggestion of the Senator from Missouri. On page 7 the bill as reported from the committee reads:

For post-office at Hannibal, Mo.: For completion of building under present limit, \$37,500.

That has been increased to \$52,500, an increase of \$25,000, and the words "under present limit" have been stricken out.

I understand that to be in effect precisely what I propose here. I

think the same thing has been done in other instance I did all I possibly could in this case. I introduce I introduced the amendment as intended to be proposed to this bill and had it referred to the Committee on Appropriations, but that committee, obeying, as I suppose they thought they were doing, the rule of this body, declined to insert any of these propositions. I understood that if any of them were to be inserted this one would be. I hazard the statement there has been no case presented to this body which deserves its recognition so strongly or at least more strongly than this.

The PRESIDENT pro tempore. Is the amendment reported from a

Mr. MITCHELL. Unfortunately it is not reported from the committee. That is what I desired, but the committee declined to report

it, as they declined in other cases, I understand.

The PRESIDENT pro tempore. Was it reported from any other committee and referred to the Committee on Appropriations?

Mr. MITCHELL. I think that committee has not reported it.

The PRESIDENT pro tempore. Then the amendment is not in order.

Mr. MITCHELL. I am sorry for it.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives further insisting upon its disagreement to the first and twenty-ninth amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, insisted upon by the Senate, and asking a further conference with the Senate on the disagreeing votes of the 4wo Houses thereon.

Mr. ALLISON. I move that the Senate still further insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. DAWES, and Mr. COCKRELL were appointed.

AMENDMENTS TO APPROPRIATION BILL.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. McMILLAN submitted an amendment intended to be proposed

by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills:

A bill (S. 2577) to authorize the printing of the eulogies delivered in Congress upon the late Henry B. Anthony; and

A bill (S. 2666) to provide for the printing of the report and proceed-

ings of the commission to provide suitable ceremonies for the dedication

of the Washington Monument.

The message also announced that the House had agreed to the resolution of the Senate for the printing of the annual volumes of Astronomical and Meteorological Observations of the Naval Observatory for the years 1881 and 1882.

The message further announced that the House had agreed to the resolution of the Senate for the printing of the report of the Commissioner of Fish and Fisheries for the year 1885.

RIVER AND HARBOR APPROPRIATION BILL.

'Mr. CONGER. I give notice that as early in the morning, after the Senate meets, as possible I shall call up the river and harbor appropriation bill and ask its consideration by the Senate.

SUNDRY CIVIL APPROPRIATION BILL

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

Mr. ALLISON. I move to insert after line 21:

Subject to the deduction provided for in the tenth article of the convention between France and the United States, concluded on the 15th day of January, A.D. 1880.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. CONGER. How would it read? What is it about?
The PRESIDENT pro tempore. It is a deduction provided for in the treaty with France for French claims from the sum to be paid for the expenses. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MILLER, of California. I offer an amendment which was submitted and referred to the Committee on Appropriations, and which is estimated for in the Book of Estimates. After line 1634 I move to

For reclaiming eighteen and three-quarter acres of marsh land of the Benicia arsenal grounds, \$10,000.

This is estimated for in the Book of Estimates, Public Works, page 155. It is a much-needed improvement. It is estimated at \$35,000. I only put in \$10,000 in my amendment.

Mr. ALLISON. I make the point of order that the amendment is

not reported from any committee.

Mr. MILLER, of California. Under the sixteenth rule I think it is

in order. It was estimated for.

The PRESIDENT pro tempore. The Chair thinks it is estimated for in the sense in which the construction usually has been put upon it. It is a submitted estimate, and it has been the practice of the Senate to treat such estimates as being within the rule. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MITCHELL. In line 276, I move to strike out the words "under present limit twenty-five," and to insert in lieu thereof "seventy-five." This would be an increase of \$50,000 for the public building at Williamsport. The Architect of the Treasury Department in a letter which I hold in my hand recommends an increase of \$100,000. As I have stated, unless something is done there now, nothing can be done in relation to this matter. I trust the Senator from Iowa will find that there is no occasion for any objection at this point in view of what has been done in other instances precisely like it without objection coming from that source. I appeal to him to read industriously the items in the appropriation bill to which I refer while this amendment is being adopted.

Mr. ALLISON. The amendment is in order to strike out "under present limit." I do not make a point of order on that.

The PRESIDENT pro tempore. Does the Senator from Iowa make the point of order?

Mr. ALLISON. I make the point of order on the increase of appropriation. I do not make the point on the first part of the amendment. The PRESIDENT pro tempore. The Chair feels bound to sustain the

The PRESIDENT pro tempore. The Chair feels bound to sustain the point of order. It increases the amount.

Mr. MITCHELL. The amendment I proposed was to strike out the words "under present limit," and to increase the appropriation from \$25,000 to \$75,000. I can see no object in striking out the words "under present limit," as the appropriation which remains in the bill is not in excess of the limit already fixed by existing law.

The PRESIDENT pro tempore. The Chair understands the Senator

from Pennsylvania to offer an amendment increasing the sum from

\$25,000 to \$75,000?

Mr. MITCHELL. Yes, sir; that would be the effect of the amend-

The PRESIDENT pro tempore. That the Chair thinks is not in order. It increases an item in the appropriation bill, and that is against the rule

Mr. MITCHELL. It ought to be in order after what has taken

The PRESIDENT pro tempore. The rule positively prohibits it.

Mr. BECK. I only rose to say before the Chair ruled—I do not

know that I desire to say it now-that the motion which would seem

to be more in order than any other is a motion that the Senate does not intend to pass a sundry civil appropriation bill.

Mr. DOLPH. In the item in regard to the New Orleans Exposition, I move to strike out all from and including the word "for," in line 2393, down to and including the word "published," in line 2405, and to

For the purpose of paying the indebtedness now outstanding of said exposition which is due to foreigners and foreign nations, and all premiums heretofore awarded or which may be hereafter awarded by said exposition to foreign exhibitors in accordance with the lists of awards heretofore published, the sum of \$50,000, or so much thereof as may be necessary.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Oregon.

Mr. DOLPH. I do not propose at this late hour to make a speech. Some Senators who spoke upon the amendments proposed by the committee to this appropriation suggested that the United States by reason of having invited foreign nations were under some sort of moral obligation to foreign exhibitors and to foreign nations as to debts which were owing by the exposition to foreign exhibitors and foreign nations, and as to premiums which had been awarded or should be awarded. I have been told by the chairman of the Committee on Appropriations that probably the indebtedness to foreigners would not exceed \$30,000 or \$25,000. The amendment offered by me proposes an appropriation of \$50,000, or so much thereof as may be necessary, for the payment, first, of all the indebtedness of the exposition to foreign exhibitors or foreigners, and next, to the premiums which have been awarded or shall be awarded. I suppose it will meet the views of those Senators who think we are under some obligation to foreigners.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The question is on agreeing to the amendment proposed by the Senator from

Oregon.

The amendment was rejected.

Mr. DOLPH. I offer still another amendment. I move to strike out all from the word "due," in line 2399, to and including the word "published." in line 2405, and to insert:

To foreigners and foreign nations; secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition to foreign exhibitors; thirdly, in the payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations other than foreigners and foreign nations; fourthly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition to other than foreign exhibitors in accordance with the lists of awards heretofore published.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from Oregon.

Mr. DOLPH. This proposed amendment does not increase the amount of the appropriation, but it provides for its application, first, to the debt due to foreigners and to foreign nations; second, to premiums which have been or shall be awarded to foreign exhibitors; third, to debts due to others than foreigners; and, lastly, to the payment of premiums to others than foreign exhibitors. The object of the amendment is to get rid of our supposed obligation to foreign nations and to foreigners, so that when at the next session an application is made for another appropriation of half a million dollars we shall not have our obligation to foreigners used as an argument for making the appropria-

The amendment was rejected.

Mr. VAN WYCK. In lines 2014, 2015, and 2016 I move to strike out the appropriation of \$5,000 to the widow of Surgeon-General Barnes. I fail to perceive any reason for this appropriation. I remember that when it was proposed to raise the pension of Mrs. Barnes from \$30 to \$50 a month one of the arguments used in the Senate was on account of the meritorious services performed by her husband in waiting upon General Garfield during his sickness. Why a proposition now comes to pay her \$5,000 for those services, I am at a loss to know. In 1882, \$57,000 was appropriated for payment for the medical attendance and expense of attending upon General Garfield's sickness and burial. I think \$37,500 was assigned for medical attendance, and a board was provided in that act to determine and designate how the division of the \$37,500 should be made. That I supposed was the end of the matter, and ample provision made; but now at this late day, after the widow has been compensed by the highest rate of pension on the ground of the corrections. compensated by the highest rate of pension on the ground of the services of her husband, we are asked to appropriate in bulk \$5,000 for what? That is a proper inquiry, for what? It is to be given to the widow of Surgeon-General Barnes, and then the question arises again, for what? I move that it be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the appropriate to the property property of the property of t

amendment proposed by the Senator from Nebraska.

The question being put, it was declared that the noes appeared to

Mr. VAN WYCK. I call for a division.

There were on a division—ayes 2, noes 25; no quorum voting.

Mr. EDMUNDS. There is no quorum; let us have the yeas and ays. That is the shortest way.

nays. That is the shortest way.

Mr. ALLISON. I trust the Senator from Nebraska will withdraw his demand for a division.

Mr. VAN WYCK. If it is any accommodation to the Senator, I will withdraw it.

Mr. ALLISON. It is no accommodation to me. It is only a question as to whether the bill shall pass before the 4th day of March or not.

Mr. VEST. Let us have another division.

Mr. CULLOM. I think there is a quorum in the Chamber.

The PRESIDING OFFICER. The Chair is satisfied that there is a quorum, and if there is no objection the demand for a division will be regarded as withdrawn, and the motion to amend will be regarded as

rejected.

Mr. ALLISON. I offer an amendment from the Committee on Ap-

propriations. After line 110 I move to insert:

For continuation of the public building at Council Bluffs, Iowa, \$50,000,

Mr. CONGER. I should like to hear that amendment read. The Chief Clerk read the amendment.

Mr. VAN WYCK. Let it be read again, please. What is the State?

The amendment was again read.

Mr. VAN WYCK. May I ask where that amendment comes from? Not knowing, I will raise the point of order, and then I will obtain the information.

Mr. ALLISON. It comes from the Committee on Appropriations.
Mr. VAN WYCK. Is it just reported?
Mr. ALLISON. I have authority to report it. I will state to the Senator and to the Senate that for two days last week I was obliged to be out of the Chamber. There were some eight or ten public-building bills voted on in the Senate, all of them passing. I not being in the Chamber on account of the business of the Committee on Appropriations, the Council Bluffs bill was not called up. It was called up, I believe, this morning, if this is still Monday, and passed. The Committee on Appropriations authorized me to move to insert this provision in tee on Appropriations authorized me to move to insert this provision in the pending bill. I state the facts. If any Senator desires to raise the point of order upon the amendment, he can do so, and if the point is sustained I shall have discharged my duty as chairman of the Committee on Appropriations and as one of the Senators from my State.

Mr. BECK. The Committee on Appropriations in view of all the facts gave unanimous consent that this amendment should be moved,

whatever that is worth.

Mr. FRYE. The bill authorizing the expenditure has passed the

Mr. CAMERON, of Wisconsin. It passed the Senate to-day, so that

the amendment is not subject to a point of order.

Mr. FRYE. The amendment is in order.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALLISON. In line 2473, I move to change the word "sum" to "sums;" so as to read:

And no more than an allotment of one-half of the sums hereby appropriated shall be expended in the two first quarters of the fiscal year.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. HARRISON. I desire to reserve a separate vote in the Senate

on the amendment as to the Montana penitentiary building.

Mr. SEWELL. I desire to reserve the paragraph in relation to the Cotton Centennial Exposition for a separate vote. I gave notice that I should move to strike out that section in the Senate.

Mr. HARRIS. I call the attention of the Senator from Michigan

[Mr. PALMER] to the fact that in Committee of the Whole an amendment which he moved and which was agreed to he subsequently desired to amend, and he must move his amendment before the amendment is concurred in.

Mr. PALMER. I desire to offer an amendment to the amendment. Mr. ALLISON. I ask that the amendments not reserved may be

considered together.

The PRESIDING OFFICER. If there be no other amendment reserved the question will be taken upon concurring in all the other amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. PALMER. My amendment to the amendment made as in Committee of the Whole is, after the word "Michigan," in line 11 of the substitute for lines 119, 120, and 121, to insert "approved March 2,

The PRESIDING OFFICER. If there be no objection, that amendment will be made and the amendment will be concurred in as amended. The next reserved amendment will be read.

The CHIEF CLERK. Page 91, beginning at line 2233, the Senate, as in Committee of the Whole, agreed to strike out the following paragraph:

Penitentiary for Montana Territory: For completion of the penitentiary for Montana Territory, \$25,000.

Mr. HARRISON. The Senate has voted to-night, I do not know how many hundreds of thousands, up into the millions, perhaps, for the construction of public buildings where the buildings provided for have been a mere matter of convenience to those having business with the Government. I believe that the completion of the penitentiary in Montana is more than a matter of convenience; it is a question of the humane treatment and the safe-keeping of prisoners in that Territory.

It does seem to me that the Senate ought to consent to make the appropriation provided for in the bill as it came to us from the House.

Mr. BECK. After the debate this afternoon I examined all the past appropriation acts, and I could find only \$4,000 appropriated before, and that with the \$15,000 makes only \$19,000. I am inclined to think that the Senator from Indiana is right, and that we have not given enough for that building. I for one shall vote to non-concur. I thought we had given a good deal more before.

The PRESIDING OFFICER. Will the Senate concur in the amend-

ment made as in Committee of the Whole?

The amendment was non-concurred in.

The PRESIDING OFFICER. The Secretary will report the next served amendment. Does the Chair understand the Senator from

New Jersey to move to strike out?

Mr. SEWELL. I move to strike out the whole paragraph relating to the World's Industrial and Cotton Centennial Exposition.

The SECRETARY. It is proposed to strike out, beginning at line 2391, down to and including line 2423, as follows—

Mr. HOAR. I ask unanimous consent that the words be not read.
The paragraph is very long.
The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent to dispense with the reading of the paragraph. The Chair hears no objection.

Mr. SEWELL. I ask for the yeas and nays on my motion to strike

The yeas and nays were ordered.

Mr. BECK. There is some misapprehension about the meaning of the vote. Will the Chair please state the question?

The PRESIDING OFFICER. The Senator from New Jersey moves

to strike out the provision contained in lines 2391 to 2423, inclusive, relating to the Centennial Cotton Exposition.

Mr. BAYARD. There seems to be some misapprehension in regard it. A vote in the affirmative will destroy the appropriation. The PRESIDING OFFICER. It strikes out the entire provision rel-

ative to the Centennial Cotton Exposition.

Mr. BAYARD. Then it amounts to a clear issue for or against the

Chace,

appropriation.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the motion of the Senator from New Jersey to strike out the paragraph.

The Secretary called the roll.

Hale,

Mr. CAMERON, of Wisconsin (after having voted in the affirmative). I am paired with the Senator from Georgia [Mr. Brown]. I had au-I am paired with the Senator from Georgia [Mr. Brown]. I had authority, however, to vote if it were necessary to make a quorum; but as there is a quorum without my vote, I shall withdraw it.

Mr. PENDLETON. I am paired on this question with my colleague [Mr. SHERMAN]. I should vote "nay" if I were not paired.

Mr. MANDERSON. I am paired with the Senator from Florida [Mr. Jones]. If he were present, I should vote "yea."

The result was announced—yeas 10, nays 35; as follows:

YEAS—10.

Mahone,

Wilson.

Frye,	Harrison,	Sewell,	
	NA	YS-35.	
Allison, Bayard, Beck, Blair, Bowen, Butler, Call, Cockrell, Coke,	Conger, Cullom, Dawes, George, Gibson, Gorman, Hawley, Hoar, Ingells,	Jonas, Jones of Nevada, Lamar, McMillan, McPherson, Maxey, Miller of Cal., Mitchell, Morgan,	Palmer, Sabin, Sawyer, Vance, Van Wyck, Vest, Voorhees, Williams.
	ABS	ENT-31.	
Aldrich, Brown, Camden, Cameron of Pa., Cameron of Wis., Colquitt, Edmunds.	Farley, Garland, Groome, Hampton, Hill, Jackson, Jones of Florida.	Lapham, Logan, Manderson, Miller of N. Y., Morrill, Pendleton, Pike.	Pugh, Ransom, Riddleberger, Saulsbury, Sherman, Slater, Walker.

Kenna,

So the motion to amend was not agreed to.

Mr. PLUMB. By the authority of the Committee on Public Buildings and Grounds I move, after line 277, to insert:

For court-house and post-office at Fort Scott, Kans.: For purchase of site and erection of building thereon, \$50,000.

erection of building thereon, \$50,000.

The amendment was agreed to.

Mr. BLAIR. By authority of the Committee on Public Buildings and Grounds I move, after line 315, to insert:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with commodious fire-proof vaults, for the accommodation of the post-office, pension office, the United States courts, internal-revenue office, and other Government offices, at the city of Manchester, in the State of New Hampshire. The site, and the building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$200,000: Provided, That no money to be appropriated for this purpose shall be available until a valid title to the site shall be vested in the United States, and the State of New Hampshire shall have ceded her jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein: Provided, That the site shall leave

the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys. That the sum of \$100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Hampshire. [Putting the question.] The noes appear to have it. The noes have it. The amendment is not agreed to.

Mr. BLAIR. Mr. President, I desire to say a word. There was a bill introduced, for the purpose of the construction of this building, at the last session, which passed the Senate, appropriating \$300,000; the estimate having been made by the Treasury Department.

Mr. BUTLER. May I inquire what the question is before the Sen-

The PRESIDING OFFICER. The bill is still open to amendment in the Senate. The Senator from New Hampshire has the floor.

Mr. ALLISON. From the statement made by the Senator from

New Hampshire the amendment is liable to a point of order, which I

The PRESIDING OFFICER. The amendment has been rejected by a vote of the Senate.

Mr. BLAIR. I do not understand that it is subject to the point of

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire has

Mr. BLAIR. I wish to have it understood by the Senate, as the proposition is to be voted upon on its merits, that at the last session a bill was introduced for the construction of a public building at Manchester, N. H. Mr. ALLISON.

Mr. ALLISON. I inquire what amendment is pending?
The PRESIDING OFFICER. The bill is still before the Senate and open to amendment. The Chair supposes that the Senator from New Hampshire desires to offer an amendment. He is entitled to the floor. Mr. BLAIR. I have offered an amendment, which I understand to

be pending.

The PRESIDING OFFICER. It has been rejected by a vote of the

Mr. BLAIR. I do not understand how that can be, Mr. President. I addressed the Chair before the vote was announced, and I desired to be heard upon it.

The PRESIDING OFFICER. The Chair did not so understand the

Senator from New Hampshire.

Mr. BLAIR. It was a misapprehension of the presiding officer, then.
The PRESIDING OFFICER. The Chair regrets it.
Mr. BLAIR. May I be heard?
The PRESIDING OFFICER. The Senator from New Hampshire

has the floor

Mr. BLAIR. I do not wish to move another amendment. I desire to be heard upon the amendment which I have offered.

The PRESIDING OFFICER. That amendment has been rejected

by a vote of the Senate.

Mr. BLAIR. I ask unanimous consent that the vote by which the amendment was rejected may be reconsidered.

The PRESIDING OFFICER. The Senator from New Hampshire

asks unanimous consent that the vote

Mr. BUTLER. I object, Mr. President.

The PRESIDING OFFICER. Objection is made. Are there further amendments to be proposed to the bill?

Mr. BLAIR. I wish to say before I sit down, having the floor, that during the short period I have been in the Senate I have never known a presiding officer to decline to allow a question to be reput when a Senator rose and declared that he addressed the Chair with the hope of being heard upon the merits of the proposition, as I now state, although technically there may have been a declaration of the decision of the

The PRESIDING OFFICER. Are there further amendments to the bill in the Senate? If there are none, the question is on ordering the amendments to be engrossed and the bill to be read a third time.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ALLISON. I submit the following statements for publication in the RECORD:

SUNDRY CIVIL APPROPRIATION BILL, 1886. Amount of estimates for 1886...

	TO THE OWNER OF THE OWNER OWNER OF THE OWNER OWN	
Amount of House bill	22, 201, 077 3, 519, 099	
Amount as reported to the Senate	6, 606, 225 3, 420, 742	30 67
Increase: For Botanic Garden For payment of French claims For survey of Mexican boundary	2,800 625,566 224,556	35

For the following public buildings: Abingdon, Va	
Abingdon, Va	
Boston, Mass	25,000 00
Cairo, III	13,000 00 15,000 00
	27,000 00 100,000 00
Concord, N. H	100,000 00
Detroit, Mich	45,000 00
Dubuque, Iowa	8 000 00
Galveston, Tex	37,500 00
Jackson, Tenn.	2,500 00 5,000 00
Harrisonburg, Va	7,500 00
Margnette Mich	5,000 00
Greensborough, N. C. Jackson, Tenn. Harrisonburg, Va. Kansas City, Mo. Marquette, Mich. Keokuk, Iowa. Macon, Ga. New York city Oxford, Miss. Peoria, Ill. Reading, Pa. Richmond, Va. Sacramento, Cal Troy, N. Y. Tyler, Tex	100,000 00
Macon, Ga	100,000 00 75,000 00
New York city	85,000 00 7 500 00
Peoria, Ill.	7,500 00 25,000 00 80,000 00
Reading, Pa.	80,000 00
Segramento Cal	50,000 00 100,000 00
Troy, N. Y.	100,000 00
Tyler, Tex.	50,000 00
Treesury building Washington D C	50,000 00 14,600 00
Wichita, Kans	11,000 00
partment	25,000 00
Total increase of public buildings	1, 152, 600 00
Light-houses as follows:	
At Romer Shoal, New York	5,000 00
At Bush's Bluff, Virginia.	5,000 00
At Mosquito Inlet, Florida	40,000,00
At Anclote Keys, Florida	5,000 00 5,000 00 40,000 00 5,000 00 10,000 00
At Hell Gate, New York	10,000 00
Light-houses, as follows: At Romer Shoal, New York. At Bush's Bluff, Virginia. At Hunting Island, South Carolina At Mosquito Inlet, Florida. At Anclote Keys, Florida. At Hell Gate, New York. At Northwest Passage, Florida. At Pipe Island, Michigan. At Northwest Seal Rock, California. At Angel Island, California.	\$10,000 00
At Northwest Seal Rock, California	45,000 00
At Angel Island, California	4,500 00
At Angel Island, California	\$10,000 00 45,000 00 45,000 00 12,000 00 15,000 00 10,000 00 10,000 00 5,000 00 20,000 00 20,000 00 20,000 00 10,000 00 15,000 00 10,000 00 10,000 00 15,000 00 15,000 00 15,000 00 15,000 00 15,000 00 20,000 00 15,000 00 20,000 00 30,000 00 30,000 00
Life-Saving Service (net) Keepers of light-houses Light-house vessels	5,000 00
Keepers of light-houses	10,000 00
Buoyage expenses.	5,000 00
Fog-signals	20,000 00
Fog-signals Coast Survey	4,000 00
Distinctive paper United States securities	10,000 00
Transportation of silver coin	100,000 00
Smithsonian Institution repairs	5,600 00
National Roard of Health	15 000 00
Payment of W. P. Wood	1,500 00
Navy-yard, Mare Island, California	190,000 00
Coast Survey. National currency expenses. Distinctive paper, United States securities. Transportation of silver coin. Smithsonian Institution repairs. Furniture and gepairs, public buildings. National Board of Health. Payment of W. P. Wood. Navy-yard, Mare Island, Californis. Coasters' Harbor Island. Assistant Secretary of the Interior. Interior Department building repairs. Cleaning walls of Capitol.	4,500 00
Interior Department building repairs	166,000 00
Cleaning walls of Capitol Capitol terraces. Hot Springs Hospital improvement.	3,000 00
Hot Springs Hospital improvement	30,000 00
Surveying public lands	46,000 00 16,300 00 8,500 00
Insane Hospital improvements, &c	16,300 00
Howard University. Freedmen's Hospital National Museum. Rock Island arsenal Washington Monument.	2,900 00 5,000 00 29,000 00 35,000 00
National Museum	5,000 00
Rock Island arsenal	29,000 00
Yorktown monument	2,500 00 5,000 00
Army and Navy hospital	5,000 00
Yorktown monument. Army and Navy hospital Signal Service. Fort Leavenworth military reservation Quartermaster and commissary depot at Saint Paul Purchase of hospital records. Sea-wall at Governor's Island Status of Le Fayette	5,000 00 18,852 00 12,000 00 30,000 00 5,000 00 50,000 00 1,800 00 1,000 00 25,000 00
Quartermaster and commissary depot at Saint Paul	30,000 00
Purchase of hospital records	5,000 00
Statue of La Favette	50,000 00
Statue of La Fayette. Reform School building, repairs. Publishing opinions of the Attorney-General. Fees of United States commissioners.	1,800 00
Publishing opinions of the Attorney-General	1,000 00
House of Representatives	785 00
House of Representatives	8 195 M
New Orleans Exposition	100,000 00
Building for storage &c. Public Printer	500,000 00 3,800 00 3,950 78
Public printing	3, 950 73
Total increase.	
Public buildings:	
Total increase public buildings	1, 152, 600 00
Total reduction public buildings	390,000 00
Net increase	*762,600 00
Reduction on public buildings:	
Columbus, Ohio	60,000 00
Dalias, Tex. Fort Wayne, Ind.	10,000 00 50,000 00
Galveston Tex	10,000 00
	22,000 00
Jefferson City, Mo	50,000 00
Jefferson City, Mo. Saint Joseph, Mo.	110,000 00 20,000 00
Jefferson City, Mo. Saint Joseph, Mo. Minneapolis, Minn. Poughkeepsie, N. Y.	
Jefferson City, Mo Saint Joseph, Mo. Minneapolis, Minn Poughkeepsie, N. Y Syracuse, N. Y	58,000 00
Jefferson City, Mo Saint Joseph, Mo Mimeapolis, Minn Poughkeepsie, N. Y Syracuse, N. Y Total reduction on public buildings	58, 000 00 390, 000 00
Total reduction on public buildings	390,000 00
Total reduction on public buildings	390,000 00 76 50 85 000 00
Total reduction on public buildings	390,000 00 76 50 85 000 00
Total reduction on public buildings New England Transportation Company Fort Brown reservation, purchase of. Penitentiary in Utah Penitentiary in Montans.	390,000 00 76 50 85,000 00 50,000 00 25,000 00
Total reduction on public buildings	76 50 85,000 00 50,000 00 25,000 00 3,660 00

INDIAN APPROPRIATION BILL.

Mr. HARRIS obtained the floor.

Mr. DAWES. I wish to submit a conference report.

The PRESIDING OFFICER. The report will be received, being

Mr. HARRIS. I yield to the Senator from Massachusetts for that

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House 7970, making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the Houses 7070, making appropriations for the current and contingent expenses of the Indian Department, and to June 20, 1888, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as 50, 50, 50, 60, 61, 62, 65, 67, 72, 80, 81, 83, 99, 100, 101, and 104.

That the House recode from its disagreement to the amendments of the Senate numbered 1, 8, 67, 71, 81, 92, 12, 22, 42, 99, 93, 23, 33, 34, 83, 94, 44, 45, 46, 47, 48, 49, 50, 102, 33, 45, 65, 65, 64, 65, 77, 77, 78, 68, 56, 78, 58, 50, 90, 12, 62, 77, 56, 65, 66, 64, 65, 77, 77, 78, 68, 56, 78, 58, 50, 90, 12, 62, 67, 56, 12, 60, 160, 107.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In line 3 of the matter proposed to be inserted by said amendment, after the word "of," That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$11,000,"" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,750;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,750;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as foll

Mr. DAWES. There are several disagreements, the result of the Mr. DAWES. There are several disagreements, the result of the conference, which will cause some discussion. It is suggested that the question upon the disposition of the amendments still pending be postponed until after an adjournment. I have no objection to that course; but I will go on with a discussion at this time if the Senate prefer.

Mr. HARRISON. I wish to ask the Senator from Massachusetts if he will yield to a suggestion. There are quite a number of pension bills reported favorably from the Committee on Pensions the consideration of which I understand the chairman of the Committee on Pensions

tion of which I understand the chairman of the Committee on Pensions desires to move. He does not intend to call up any contested cases, desires to move. He does not intend to call up any contested cases, but only those bills which are reported favorably. They must be acted upon to-night in order that they may be properly enrolled. If the Senator will allow the Indian appropriation bill to lie over, I will suggest that we take up those pension bills. I think we can dispose of them in a very few minutes

The PRESIDING OFFICER. The Chair will state that the Senator from Tennessee [Mr. HARRIS] had been recognized and was upon the floor, and yielded to the Senator from Massachusetts to make a confer-

Mr. DAWES. If it is agreeable I will let this matter lie over in-

formally to be taken up when the Senate again convenes.

Mr. PLUMB. Has the report been concurred in?

The PRESIDING OFFICER. The report has been concurred in, but it does not dispose of all the amendments to the Indian appropriation bill.

Mr. DAWES. Does this leave it the unfinished business to come up when the Senate again meets?

The PRESIDING OFFICER. The Chair understands that it being

a conference report it will be privileged, and can be moved at any

Mr. DAWES. The conference report has been adopted, but there are disagreeing votes. In what manner will they come before the Sen-

ate if we take a recess at this time?

The PRESIDING OFFICER. On a motion to recede or a motion to

insist and ask for a further conference.

Mr. DAWES. I should like to have an understanding that this mat-

Mr. DAWES. I should like to have an understanding that this matter be laid aside informally to be called up when we meet again.

Several SENATORS. Ask for unanimous consent.

Mr. DAWES. I will ask for unanimous consent to that arrangement.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the further consideration of the report of the conference committee he informally laid wild to be resumed at the part. conference committee be informally laid aside to be resumed at the next meeting of the Senate. Is there objection? The Chair hears none.

BRANNIN, SUMMERS & CO.

Mr. HARRIS. I ask unanimous consent to proceed to the consideration of the bill (H. R. 652) for the relief of Brannin, Summers & Co. It is a bill that has had six reports, I think, in its favor and not one

Mr. MITCHELL. I desire, if it is the wish of the Senate to continue further in session, to take up the pension bills on the Calendar.

The PRESIDING OFFICER. The Senator from Tennessee has been

recognized by the Chair, and asks unanimous consent for the consideration of a House bill.

Mr. MITCHELL. I was not aware of that.

The PRESIDING OFFICER. Is there objection to the present con-

The PRESIDING OFFICER. Is there objection to the present consideration of the bill indicated by the Senator from Tennessee?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 652) for the relief of Brannin, Summers & Co. It directs the Secretary of the Treasury to pay Brannin, Summers & Co., of Louisville, Ky., \$9,588.62, in full for duties paid by them in certain proceedings in rem brought by the United States against certain sugars, in the United States court for the district of Kentucky, alleged to have been fraudulently imported through the custom-house at New Orleans.

The bill was reported to the Senate without amendment ordered to

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT ON THE PRECIOUS METALS.

Mr. MANDERSON. I ask unanimous consent to make several reports from the Committee on Printing, which seem to be important. I am directed by the Committee on Printing, to whom was referred the following concurrent resolution, to report it without amendment:

Resolved by the House of Representatives (the Senate concurring), That the report of the Director of the Mint on the production of the precious metals in the United States for the year 1884 be printed, and that 9,000 extra copies be printed; 4,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.

I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885, to report it without amendment, and I ask for its present consideration. By usanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDINGS.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the fol-lowing resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Buildings and Grounds be directed to compile a statement showing the number of public buildings constructed and authorized to be constructed under existing laws for each State, the amount expended or authorized for each such building from the first public building constructed to the 4th of March, 1885, and to report such statement to the Senate in December next; and for such purpose the said committee be authorized to employ a clerk at the usual compensation until the 1st of December next; to be paid from the contingent fund of the Senate.

COMMITTEE ON RULES.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Rules be, and is hereby, continued and authorized to sit during the recess of Congress, and that the necessary expenses thereof be paid out of the "miscellaneous items" of the contingent fund of the Senate.

MISSISSIPPI RIVER IMPROVEMENTS.

Mr. JONES, of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, to report it without amendment; and I ask for its present consideration:

Resolved. That the Committee on the Improvement of the Mississippi River be directed to prepare a detailed statement of the expenses of the improvements of the Mississippi River and its tributaries with a view to ascertain the amounts expended for purpose of commerce, the amount expended to protect the lands adjoining from the ravages of the rivers, to report the same to the Senate at the December session of Congress, and be authorized for that purpose to employ a clerk at the usual compensation until December 1, 1885, to be paid from the contingent fund of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution

Mr. HARRISON. Would it not be cheaper to put these clerks on

The PRESIDING OFFICER. The Chair thinks it would. The question is on agreeing to the resolution.

The resolution was agreed to.

TOWN LOTS IN PERU, IOWA.

Mr. PLUMB. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 449) to provide for the appraisement and sale of lots in the town of Peru, Dubuque County, Iowa. It is a bill which has passed the Senate twice heretofore, and has now come to us from the House. It will take but a moment.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISTRICT TAX SALES.

Mr. INGALLS. I ask for the present consideration of the bill (H. R. 8236) relating to sales for taxes in the District of Columbia. a bill which was previously under discussion, and I believe all objections have been withdrawn.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Is there objection to the present consideration of the bill?

Mr. MORGAN. I object.

The PRESIDING OFFICER. The Senator from Alabama objects.

OUTERBRIDGE HORSEY.

Mr. GORMAN. I ask unanimous consent for the consideration of the bill (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of, and providing for the payment of, Outerbridge Horsey, assignee.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the commissioners of the District of Columbia to examine the claims of Outerbridge Horsey, assignee of T. B. Winter, for medicines furnished the poor of the sixth council district in the District, and ascertain forthwith what, if any, sum be due and unpaid thereon.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. HARRISON. I ask the unanimous consent of the Senate to proceed now to the consideration of House pension bills on the Calendar

reported favorably.

Mr. CULLOM. That is exactly what I was going to ask myself.

Mr. HARRISON. There are quite a number of them, and it is only proposed to take up the unobjected cases. They are House bills, and unless they are considered to-night it will be impossible to enroll them.

Mr. BUTLER. Before the Senate proceeds with the consideration of the bills to which the Senator from Indiana calls attention, I ask him

of the bills to which the Senator from Indiana calls attention, I ask him to allow me to call up House bill 1401.

Mr. HARRISON. I would gladly consent to let the Senator from South Carolina call that bill up, but I am pressed by Senators about me to yield in the same direction. I hope the Senator will let us go on with this other order now. We shall have time for that bill to-morrow. There are several other bills in which I have friends who are interested, that I should like to have considered now if it were not for

the necessity of considering the pension bills.

Mr. VEST. Let me ask the Senator from Indiana what objection there can be to taking up the House bills on the Calendar in their

order?

Mr. HARRISON. These are House pension bills that I propose to have considered.

Mr. VEST. Why not take up all House bills? I have a bill here in which I or my constituents have no more individual interest, only as much as the constituents of other Senators, which I have been try ing to get up-a bill entirely in the interest of valuable property and human life.

Mr. CULLOM. If the Senator will allow me to suggest one reason why I think the order ought to be carried out—there is quite a large number of these pension bills and they can be passed more quickly than any other class of bills, and go to the enrolling clerk so as to give him

time to get the work up.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana to proceed to the consideration of House pension bills reported favorably from the Committee on Pensions?

Mr. BUTLER. I object.

The PRESIDING OFFICER. There is objection.

Mr. HARRISON. Let me appeal to my friend from South Carolina

mot to make that objection.

Mr. BUTLER. I shall insist on it.

Mr. HARRISON. Here are perhaps seventy-five or eighty of these pension applicants whose bills have passed the House.

The PRESIDING OFFICER. The Senator from Indiana may pro-

ceed by consent; otherwise he is out of order.

Mr. VEST. Now I ask the Senator—

Mr. HARRISON. I have not yielded the floor. I desire to move, then, if we are to be met with this sort of resistance, that the Senate proceed to the consideration of the first one of the House pension bills on the Calendar. Mr. CULLOM.

Mr. CULLOM. It is House bill 7718, Order of Business 1357.
The PRESIDING OFFICER. The Chief Clerk will report the title of the bill referred to by the Senator from Indiana.
Mr. BUTLER. I object.

The PRESIDING OFFICER. The Chief Clerk will report the title of the bill. The Senator from Indiana moves, as he has a right to move, that the Senate proceed to its consideration.

The CHIEF CLERK. "A bill (H. R. 7718) restoring John Snyder to

the pension-roll."

the pension-roll."

The PRESIDING OFFICER. The Senator from Indiana moves that the Senate proceed to the consideration of the bill. [Putting the question.] The "ayes" appear to have it.

Mr. BUTLER. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. PENDLETON. I am paired with my colleague [Mr. Sherman], but inasmuch as there is no quorum voting I shall vote. I vote "yea."

The result was announced—yeas 31, nays 5; as follows:

	YE	AS-31.	
Allison, Beck, Blair, Bowen, Conger, Cullom, Dawes, Edmunds,	Frye, Gorman, Hale, Harris, Harrison, Hawley, Jones of Nevada, Lamar,	McMillan, Mahone, Manderson, Maxey, Miller of Cal., Mitchell, Morgan, Palmer,	Pendleton, Plumb, Sabin, Sawyer, Vest, Williams, Wilson.
	NA	YS-5.	
Bayard, Butler,	Call,	Coke,	Vance.
	ABSE	NT-40.	
Aldrich, Brown, Camden, Cameron of Pa., Cameron of Wis., Chace, Cockrell, Colquitt, Dolph, Fair,	Farley, Garland, George, Gibson, Groome, Hampton, Hill, Hoar, Ingalls, Jackson,	Jonas, Jones of Fla., Kenna, Lapham, Logan, McPherson, Miller of N. Y., Morrill, Pike, Platt.	Pugh," Ransom, Riddleberger, Saulsbury, Sewell, Sherman, Slater, Van Wyck, Voorhees, Walker.

The PRESIDING OFFICER. No quorum having voted, it is the duty of the Chair to order a call of the roll. The Secretary will call the roll of the Senate.

The Secretary called the roll, and 34 Senators answered to their

The PRESIDENT pro tempore. Thirty-four Senators have answered to their names-not a quorum.

Mr. ALLISON. I move that the Senate take a recess from now un-

til 9 o'clock this morning.

The motion was agreed to; and (at 2 o'clock and 30 minutes a. m., Tuesday, March 3, 1885) the Senate took a recess until 9 o'clock a. m. MORNING SESSION.

The PRESIDENT pro tempore (at 9 o'clock and 15 minutes a. m., nesday, March 3). The time of the recess has expired. At the time Tuesday, March 3). the recess was taken there was no quorum present, and there seems to

be no quorum present at this time.

Mr. DAWES. I move a call of the Senate.

The PRESIDENT pro tempore. The roll of the Senate will be called. The Secretary called the roll, and 21 Senators responded to their names.

The PRESIDENT pro tempore. Only twenty-one Senators have answered to their names. There is no quorum present.

Several Senators entered the Chamber.

Mr. ALLISON (at 9 o'clock and 45 minutes a. m.). Is there a quorum present, Mr. President?

The PRESIDENT pro tempore. There is not. Thirty-seven Sena-

tors are now present.

Mr. FRYE and Mr. Maxey entered the Chamber.

The PRESIDENT pro tempore. A quorum of Senators has now appeared. The Senate proceeds to the consideration of the motion to take up the bill (H. R. 7718) restoring John Snyder to the pension-roll.

Mr. CONGER. Mr. President—

Mr. DAWES. I ask the Senator to give way.

Mr. CONGER. Let that bill be passed and I will give way. I have been waiting all winter to pass that bill.

Mr. DAWES. I have been waiting all winter to pass the Indian appropriation bill.

The PRESIDENT protempore. Debate is not in order.

Mr. HARRISON. If I may be allowed to make a suggestion, I ask unanimous consent now that we proceed to the consideration of the pension bills reported favorably, and when that consent is obtained, if it

is, then of course I will give way to the Senator from Massachusetts.

Mr. DAWES. I should be very glad to do that, but it is perfectly apparent that if the Indian appropriation bill can not go to the House

Mr. HARRISON. I am going to give way as soon as I get unanimous consent

Mr. DAWES. Why do you want to get consent of the Senate and then not use it?

Mr. HARRISON. I intend to use it; but it simply gives the confer-

ence committee report a chance to get in.

The PRESIDENT pro tempore. The Chair would suggest to the Senator from Indiana that he ask unanimous consent to take up pension

ator from Indiana that he ask unanimous consent to take up pension bills after the Indian appropriation bill is disposed of.

Mr. HARRISON. That is exactly what I propose to do.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the report of the conferees on the Indian appropriation bill be now considered, and that immediately after the disposition of that the Senate take up the House pension bills.

Mr. HARRISON. Reported favorably

Mr. HARRISON. Reported favorably.

The PRESIDENT pro tempore. House pension bills reported favorably. Is there objection? The Chair hears none.

INDIAN APPROPRIATION BILL.

I beg pardon of the Senate for taking any considera-Mr. DAWES. ble portion of their time this morning. I wish to state the condition of this bill and the final disposition of it by the two bodies.

The Senate and the House have now come together upon everything In this bill that pertains to an Indian appropriation bill. It has been some time since this bill passed the Senate, and perhaps it is proper ihat I should state the condition of it in the beginning, and that will show the condition of it at this time.

It came over from the House with the ordinary appropriations for the Indian service loaded with a large amount of what are called depredation claims and burdened with a large amount also of general legislation upon important matters. The Senate at that time sustained the Committee on Appropriations in stripping the bill of everything except what pertained to the appropriations. It went back to the other branch with the Senate rejecting by way of amendment the entire body of depredation claims and substituting in their place a provision which seemed so wise that the conferees on the part of the House have agreed to it, looking to safeguards and clearer light upon the subject of depredation claims, and also with all the independent legislation stricken out of it.

The conferees have agreed on all matters in the bill pertaining to appropriations, and it comes back to the two Houses to say whether it shall be an appropriation bill, or shall be an appropriation bill and a private claims bill and also a bill to carry general legislation.

As the Senate sustained the Committee on Appropriations in striking out all the independent legislation, I have to say that this was the first bill I believe in which the committee's determination that they were instructed by the Senate came before this body and the Senate sustained the committee in every respect and struck out every particle of that legislation. Since then the course of the Senate in reference to other

matters, while the committee have been compelled to adhere to the resolution and rule of the Senate, has somewhat weakened the conference committee, and this conference committee have resolved to submit the question to the Senate, and the conferees on the part of the House to the House.

The conferees on the part of the Senate have been severely criticised publicly and in this body for resisting the introduction of legislation into this bill which of itself the public have come to consider very important. It was. It was in vain that the committee at the time it was considered pointed out defects in this legislation, admitting its general purpose to be wise and that if in independent bills where it could be perfected it would be eminently proper to consider it. It seems to have been in vain for them to try to make others understand outside of this body, and even the body itself, that under the rules we could not per-

fect this proposed legislation.

I have felt that it is necessary to ask a vote of the Senate upon some of these propositions, at the same time voting to adhere to the rule of the Senate, and to point out what are the defects in these measures that render it improper that in their present shape they should go on the statute-book; and for that purpose I would, if it were proper, if there were any such motion known to parliamentary law as receding from our amendment with an amendment, make that proposition; but there is no such motion known to parliamentary law. There are but two is no such motion known to parliamentary law. There are but two motions that can be made in reference to this independent legislation. One is to insist upon our amendment striking it out, and the other is to recede from it. The only way it seems to me that we can make known to those who demand that we yield this legislation what is the matter with it beside the rule, is to propose an amendment here and let it go into the RECORD, and that will show what if this were in a place where under the rules we could adopt it in our opinion it ought to be; and therefore I desire to call attention to one or two of these provisions.

The first to which I desire to call attention is that one which seems to have attracted attention in the other body and throughout the country as one of vital importance. It is what is called the crimes act, for the first time proposing to punish Indians like white men, in the same courts for the commission of crimes—a very important provision and one which the demands of the Indian service are very urgent for; and yet the provision, which is section 11 of this House bill, proposes in the first place—unfortunately in its phraseology, not in its intent to take away from State courts, whether there be a reservation in the State or not, in Massachusetts or Connecticut, as well as any other State where there is a reservation, jurisdiction over the commission of an offense if either party to it be an Indian, and transfer it bodily to the United States courts. If any Indian should come from Nebraska to Massachusetts and there fall into a quarrel with any white man there or an Indian there the State courts of Massachusetts, if this were a valid provision, would lose all control over that offense, and it would be taken into the United States courts. It is sufficient to say that the Constitution would not permit that, and therefore if this provision were taken, as we are obliged to take it as it stands or strike it out, it would be well in this respect.

It then goes on further and attempts to establish the civil jurisdiction of the United States courts among the five civilized tribes where they have their own courts, and where we have solemnly by treaty covenant declared that they shall have them exclusively, and where we have no right to interfere. Therefore I would propose, and I should like to have it go upon the record so that people may not say we are against this provision—I would propose if it were in order that instead of this provision the following be adopted; but it is impossible under our rules that it can be done. our rules that it can be done:

our rules that it can be done:

That immediately upon and after the date of the passage of this act all Indians committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner and shall be subject to the same penalties as are all other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in all such cases; and all Indians committing any of the above crimes against the person or property of another Indian or other person within the boundaries of any State of the United States, and within any Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner, and subject to the same have, tried in the same courts and in the same manner, and subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

Now, in order to accept in which the Careta same illing to the person.

Now, in order to ascertain whether the Senate are willing to recede from the amendment which strikes out the defective provision which I have pointed out, I move that the Senate recede from their amendment striking out the defective provision, and I say that I shall vote against the motion myself; and I only make the motion to ascertain by a yea-and-nay vote of the Senate what is the sentiment of the Senate upon the subject. If it were in our power I would propose to offer the amendment which I have just read.

The PRESIDING OFFICER (Mr. HARRISON in the chair). Will the Senator from Massachusetts indicate the number of the amendment

to which he refers?

Mr. DAWES. It is numbered 113.
The PRESIDING OFFICER. The Senator from Massachusetts

moves that the Senate recede from its amendment numbered 113, which

The CHIEF CLERK. Amendment numbered 113 is to strike out section 11, in the following words:

The CHIEF CLERK. Amendment numbered 113 is to strike out section 11, in the following words:

Sign. 11. That immediately upon and after the date of the passage of this act all Indians within the provisions of this act committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny within any Territory of the United States, and either within or without an Indian reservation, shall be subject to the laws of such Territory relating to said crimes, and shall be tried therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner and shall be subject to the same penalties as are all other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in allsuch cases; and all such Indians committing any of the above crimes against the person or property of another Indian or other person within the boundaries of any State of the United States, and either within or without an Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner, and subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States: And provided further, That from and after the passage of this act any Indian or Indians may hereafter prosecute in any court any civil action at law or equity in like manner as others are permitted to do; and in all actions in said courts Indians shall not be rejected as witnesses on account of their race or nation: Provided further, This act shall not be so construed as to confer jurisdiction upon either the State or Federal courts to execute the laws of any of the five civilized tribes in the Indian country: Provided further, That the district court of the United States for the western district of Arkansas shall have civil jurisdiction over

Mr. FRYE. I should like to inquire, if the Senator can with propriety reply to the inquiry, whether or not the amendment which he proposes has been submitted by the Senate conferees to the consideration of the conference committee?

Mr. DAWES. If there is no impropriety in answering the question will state that I have reason to believe that that would be adopted by the conference if the Senate should insist upon its amendment. If the Senate recedes, following my motion, against which I shall vote my-

self, it puts into the law the defective measure which I have pointed out.

Mr. FRYE. And if the Senate insists, probably the modified amend-

ment will be inserted?

Mr. DAWES. Yes, sir. If it were in order I would move to recede with an amendment substituting that for the present section, but it is only because it is not in order and there is no way that the Senate can reach it except by insisting and indicating in this way what the Senate

Mr. SHERMAN. I would a great deal rather hear the Senator make

the motion to insist upon the amendment.

Mr. DAWES. The only reason I move to recede and then vote against it is because there is a feeling elsewhere that we prevent the Senate by our course from receding and taking these provisions; and I want it to be understood that I submit this plainly to the Senate, whether they will recede or not.

Mr. SHERMAN. The old rule-I have stated it two or three times and an almost ashamed to repeat it again—is that where a legislative provision is proposed by either House and readily accepted by the other it is all right; but where it is objected to by the other body the House proposing it has no right to insist on it under parliamentary custom.

Mr. DAWES. We have preached that doctrine the last three or four weeks so long and so ineffectually to other ears than our own that we

are utterly helpless. Now, I do not propose to ask a yea-and-nay vote on the formal motion to insist. I know the law is just what the Sen-

Mr. SHERMAN. I beg pardon of the Senator. The Committee on Appropriations have not put their conduct on the right position. I do not want to find fault with them, because they are doing the very best they can; but I say there never was a rule of the Senate that forbade legislation to be put upon an appropriation bill. It has been done time out of mind. The ground is that when we propose legislation that the House object to we must at once abandon it. When they propose leg-House object to we must at once abandon it. When they propose legislation, as they have a right to do, the rule is the same; but we have islation, as they have a right to do, the rule is the same; but we have no right to say that they can not put legislation on an appropriation bill, and therefore it is out of order for us to complain of the House of Representatives for putting legislation on appropriation bills. We have no business with that. They have the right to make their rules, and they can put all the legislation of Congress, repeal all the statutes of the United States, on an appropriation bill, and we have no right to complain if they do it in any way they choose, either by unanimous complain if they do it in any way they choose, either by unsammous consent or by their rules. But when they do anything in that respect which we do not like we can simply say, "No; we will not agree to that; first, because it is wrong, and next, because we do not want it on an appropriation bill;" and in that event, whenever that disagreement occurs, the House proposing the legislation is bound to recede according the same and they will do it always. If they insist ing to parliamentary law, and they will do it always. If they insist and insist and insist they have a right to do so, but they have no right under parliamentary laws; they have the power to do it, but they have no right to insist ultimately upon independent legislation on any appropriation bill to which the other House objects.

Mr. INGALLS. Suppose they do insist?
Mr. SHERMAN. Then the Senate would be perfectly right in adhering to its disagreement, and instead of making a motion to recede

I would simply say, "Upon that amendment we adhere." Then I would stand upon that until the crack of doom!

Mr. DAWES. No Committee on Appropriations that ever I served on in this body ever took the ground that the House had not, under its rules, the right to put independent legislation on an appropriation bill. We have not gone before a conference on any such weak ground as that. We have admitted that they had the right under their rules to put it there; but we have submitted to them that it was unwise to put it there. We have told them that under our rules we were bound hand and foot and could not perfect their independent legislation, and there was another reason why they should not force us into that position; and another one was the reason assigned by the Senator from Ohio-and that reason has never been set aside by any committee of conference in which I have been-namely, that when either House proposes independent legislation in an appropriation bill and insists upon it and the other House resists it, the proposing House must yield in order to let the appropriation bill go through. That is sound, and that is an argument in a committee of conference that has always been urged; but the others have not been lost sight of.

Now, Mr. President, the reason why I desire to have a yea-and-nay vote upon the motion to recede is so that if I go into another conference I can meet the committee of conference on the part of the House by saying that I have presented their question precisely as they wanted it submitted. They have sent up this defective legislation, and up to this time they are insisting upon it. I come back and say if the Senate is willing to take such defective legislation the responsibility is off the shoulders of the conferees; I submit it fairly to the Senate. I submit it in such a form that it will give them the best opportunity of acting, and the responsibility shall be upon the Senate.

It will take no longer to take a yea-and-nay vote on a motion to recede than it will on a motion to insist. Nobody will ask a yea-and-nay vote on the formal motion after this is acted on, and so I hope the Senator from Ohio will see the wisdom of the Senate presenting this question fairly, so that the House will have no occasion to complain that we refuse to take the sense of the Senate on this matter, and I hope there will be a yea-and-nay vote on the motion to recede.

The PRESIDENT pro tempore. On this question the yeas and nays

are called for.

The yeas and nays were ordered.

Mr. PLUMB. Mr. President, this question has assumed very considerable proportions by reason of the contention between the two Houses on this very important proposition, and also by reason of the fact that we are in the very closing hours of the session confronted with the possibility, to say nothing more, of an extra session of Congress growing out of this contention. The subject has never assumed any very great importance to my mind heretofore; but the events of this session have impressed upon me more strongly than I ever expected I could have been impressed in that way with the utter unwisdom and legislative unsoundness of the position of the House of Representatives in assuming to legislate upon important matters on appropriation bills; and that is true, as it seems to me, from every possible standpoint from which it can be viewed.

Take, for instance, the legislation which is on the Indian bill and which is now under consideration on the motion of the Senator from Massachusetts. As it came to us it had not received practically the consideration of the House of Representatives, it had not received the consideration of the Appropriations Committee even, and if it had the subject was not germane to the jurisdiction of that committee, and it was a subject which that committee, in the multitude of its other business, could not properly consider anyhow. In point of fact it was put on in the House, and when we come to consider it we find that it not only violates solemn treaty obligations of the nation, but it is absolutely unconstitutional.

Now what shall we do? That is a very grave question. The House people say, "Amend it; we will consider this thing on its merits, and if you will show us wherein we are wrong we will amend it." The answer to that is twofold. In the first place our rules do not permit us swer to that is twolfd. In the list place out rates to not permit to do that. We have got to take the chances of a unanimous agreement upon the modification of an important measure, and which in the shape it comes to us from the House is pregnant with the great consequences which may grow out of any measure which violates a treaty and is also unconstitutional. In answer to that the House conferees say, "That is your fault and not ours; it is your rules, therefore, that are obstructing this matter, and not our rules." My answer to that is this: Take the Senator from Massachusetts, who I am willing to follow as a lawyer and as the chairman of the Committee on Indian Affairs, and as a Senator versed in all the intricacies of the law on this very important question; but is he himself willing to accept a snap-judgment such as he may form in the hurried hours of conference on this question? say he is not, because he has said so himself.

In the next place, this measure ought to be discussed in the Senate; and no man can say with reference to a proposition of this kind thus hurriedly fixed up that if it were submitted to the mature judgment of the Senate it would not receive important modifications in the discussion which must necessarily ensue if it came forward as an inde-

pendent proposition.

But there is another important objection, and that is this: We have had a great deal of discussion as to the relative powers of the two Houses of Congress in regard to the origination of appropriation bills. The Senate has yielded in effect to the demand of the House that it, and it alone, has the power to originate appropriation bills. But this is going a step further. It is yielding to the demand of the House that they shall originate not only appropriation bills but by the means of appropriation bills they shall originate all other substantive legislation to be passed upon by Congress. It is even stronger than that. Taking into account what has occurred within the last few days, it is a proposition that the Appropriations Committee of the House shall originate all the legislation to be passed upon by both branches of Congress, because that committee has so managed its affairs, or has been so managed, that it has been impossible that legislation should pass the House that did not come from that committee, whether it were in the shape of measures originating in the House or in the shape of measures which originated in the Senate and passed the Senate and had gone to the House and were on the Speaker's table.

But it is even more than that. It is not only the Appropriations Committee, but it has been in the power, as has been amply demonstrated in the last few days, of a single individual member of the House and of that committee, to do all the things I have mentioned in the nature of coercion in regard to that legislation, and in the absorption not only of the functions of the House but the functions of the Senate as well. We have seen how near the magnificent will-power of one man could bring Congress to the danger of an extra session of Congress, pregnant as I believe that event would be with the gravest con-

sequences to the people of the United States.

Mr. President, all these reasons conspire to make me immovable, as an individual member of this body, upon this question of yielding upon these propositions, so far as they involve at least important legislation.

Mr. BECK. I desire to ask the Senator from Kansas for his views in regard to an argument we often hear. Five of the most important appropriation bills that have come over to us have come laden down, some of them, with legislation, within the last week of the session. We come at once to look at them; we can not examine them without sitting up all night, as our Committee on Appropriations has had to do for a week past. Might there not be some joint rule, some arrangement, something requiring that the bills should come to the Senate within a reasonable time, or that we should take some step ourselves to lay such bills before the Senate, because under the present system we can not really consider them at all, as they are held back so long that it is an impossibility to do it? And why ought not some modification be made, so that we can at least see them and consider them, by originating them ourselves if they are not presented within sixty days, or do something; for at present we can hardly do anything else than take what is sent to us? sitting up all night, as our Committee on Appropriations has had to do sent to us?

Mr. PLUMB. That is a question which can be discussed incidentally The propriety of the course intimated can be suggested, and perhaps it ought to be done; but that is a question which relates to the practice of the other House of Congress. It is something which they ought to do themselves in some effective way. The mere question of method amounts to nothing. If they are to preserve their own control of legislation, I can conceive of no more gross confession of legislative incompetency than has been manifested within a stone's throw of where we are now during the last thirty days, and, in fact, during this entire session of Congress. The absolute helpless condition of things existing session of Congress. The absolute helpless condition of things existing has impelled the sending to the Senate of one appropriation bill, involving an appropriation of \$22,000,000, without the consideration of any item in it with one single exception, and that one not germane to the carrying on of the operations of the Government; and another bill, the deficiency bill, was passed in the same way without any opportunity to debate, and under the whip and spur of an apparent necessity to do it in that way in order to avoid the graver consequences of an extra esseries.

Mr. INGALLS. Has the deficiency bill yet been reported from the Senate committee?

Mr. PLUMB. The deficiency bill is now in the hands of the com-

mittee of the Senate, and will be reported to-day.

Mr. PLUMB. The bills thus passed receiving no consideration at the hands of the House, subjected to no scrutiny there, submitted to the hands of the House, subjected to no scrutiny there, submitted to no debate and no amendment, coming here in the way they did, imposed upon the Appropriations Committee of the Senate a double responsibility. We are in the habit, as all of us are, of being enlightened from time to time when bills are on their passage with the arguments for or against not only the bills themselves, but the several items which they contain as found in the speeches reported in the RECORD every morning; and although not permitted to give it any very great weight directly, we are in the habit of giving great consideration to matters which, having been subjected to discussion in the other branch of Congress, have received its final judgment in the shape of a vote following such discussion.

But, Mr. President, bills have come to us this year without any such

But, Mr. President, bills have come to us this year without any such aid to their enlightened consideration here; and, in addition to that, they have come here with legislation of an important character, which I have spoken of; and the Senate has been characterized during the last

week or ten days as deliberately designing to bring about an extra session of Congress because, forsooth, it insisted that it would not take legislation of that kind upon appropriation bills. And though we have been ready here at all times to consider these measures promptly as they came over, to give them ample consideration if time were allowed us the endeavor is made to put us in the wrong in this very important matter.

The sundry civil bill which passed last night received the considera-tion of every single moment of time of the subcommittee and of the full Committee on Appropriations of the Senate that elapsed from the moment it was received from the House until it was reported to this body; and so with the deficiency bill; and the Senate committee was obliged to do in two days what the House required three months to do. The deficiency bill, as the Senator from Massachusetts reminds me, has been subjected to the same process, the committee taking it the moment it came over and sitting night and day in its consideration in order that they might in some decent way discharge their duty to this body be-

fore presenting it here.

Mr. President, this is a grave question with reference not only to the condition by which we are confronted now, but with reference to our future relations to the legislation of this country. If it is suggested that this legislation ought to come in the shape of separate bills, we are confronted with the statement that under the rules of the House no legislation can be put through there unless it is put through under the whip and spur of an appropriation bill; and there we land at last in that final confession of legislative incompetency which has borne the fruits which I have brought to the attention of the Senate, not only in the passage of two bills, among the largest appropriation bills for carrying on the Government, under a suspension of the rules and without the consideration of any but one single item in both of them put together, and in the final passage of a river and harbor bill giving a lump sum of \$5,000,000 to be expended pro rata upon public works named in the preceding year's bill, which is not only a similar confession of incompetency but is a criminal expenditure of the public money because, as every man knows who voted for it and as every other man knows who has given it any consideration whatever, three-fourths of that money must necessarily be wastefully and wickedly expended, sub-

stantially without any returning result to the Government.

Mr. INGALLS. By a Democratic Secretary of War.

Mr. PLUMB. I do not know how much or how little that might aggravate the case, nor do I speak now to characterize this with reference to the political complexion of either House of Congress. I had occasion to say some disagreeable things once about the House of Representatives of a Congress that happened to have a majority of my polit-

ical faith.

I think if this difficulty is not inherent in the system, at any rate it is incrusted by time, and nothing but some drastic remedy can ever be effectively applied to relieve us from similar straits to that which we are now in and from the grave consequences with which we are con-

Mr. President, if there is to be an extra session of Congress, if we shall go hour by hour steadily and resistlessly up to the time when by the Constitution the session of both Houses is to cease, it will not be because this body in all its parts has not done its duty in regard to appropriation bills. It will be because of the fact that crude and undigested measures have been sent to us here, and sent to us in the closing hours of the session, with a demand that we should bolt them entire, take them as they came, abandon our own prerogatives as Senators, give up the co-ordinate position of this body, and simply record the will of the House of Representatives, which has practically sought, whether intentionally or not, to drag the Senate at its heels; and not only that, but in doing so to give to the country legislation which its own conferees admit is in violation of treaties, in violation of the Constitution, subversive of private right, crude, ill-digested, and unworthy of the name of legislation.

MESSAGE FROM THE HOUSE.

message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 346) authorizing the immediate payment of the officers and employes of the Senate and of the House for the month of March, 1885; in which

it requested the concurrence of the Senate.

The message also announced that the House had non-concurred in the amendments of the Senate to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Samuel J. Randall of Pennsylvania, Mr. William H. Forney of Alabama, and Mr. Thomas Ryan of Kansas managers at the conference on its part.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. DAWES. I ask unanimous consent to take up the message from

the House of Representatives accompanying the civil sundry bill.

The PRESIDENT protempore laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 8256) making appropriations for sundry civil

expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DAWES. I move that the Senate insist on its amendments and

accede to the request of the House for a conference.

Mr. HOAR. I do not desire at this time of the session to detain the Senate by a discussion-

The PRESIDENT pro tempore. The Senator will pardon the Chair. Does he desire to discuss the motion of his colleague on the sundry civil bill?

Mr. HOAR. No, sir; I desire to discuss the subject which the Senator from Kansas was discussing.

The PRESIDENT pro tempore. The sundry civil bill is before the Senate, and the question is: Will the Senate agree to the motion of the Senator from Massachusetts [Mr. DAWES]?

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. HALE, and Mr. BECK were appointed.

INDIAN APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June

30, 1886, and for other purposes.

Mr. HOAR. Mr. President, I do not expect to discuss at this time of the session the very interesting and important matters which the Senator from Kansas [Mr. Plumb] has touched, but I think it proper after what he has said to remark that while his criticism upon the condition of finise presented at the present Congress by the conduct of the dition of affairs presented at the present Congress by the conduct of the two-branches is undoubtedly sound, and while the Senate could have and would have dealt carefully, prudently, at any rate considerately with all the great matters of legislation if they had been presented to us for our consideration from the other branch as they might have been, yet the evils of which he complains can never be corrected without a change in the time of the assembling of the two Houses of Congress for

There is no reason why the habits which were formed when the country contained a population of five, ten, or fifteen millions should be maintained by the Legislature of a country containing fifty or sixty millions with its large commercial and other business interests. Now there is no reason why the time of stimulating and pleasant weather in this climate from the 1st of October to the 1st of December should not be spent in legislation, especially in the session which ends under our arrangement on the 4th of March. I hold that it will be the duty of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress at a very early day to provide by law for the assembling of Congress and Congress at a very early day to provide by law for the assembling of Congress and Congress at a very early day to provide by law for the assembling of Congress and Congress at a very early day to provide by law for the assembling of Congress and Congress at a very early day to provide by law for the congress at a very early day to provide by law for the congress at a very early day to provide by law for the congress at a very early day to provide by law for the congress at a very early day to the congress at a very early day to the congress at a very early day to the congress at gressat a day as early as the 1st of October, certainly in the year when

the session ends on the 4th of March.

Mr. HALE. Does the Senator believe that it would be possible on the year of the Presidential election, which occurs in November, for any great public business to be attended to and well done at any time previous to that election, or perhaps immediately succeeding it, unless

previous to that election, or pernaps immediately succeeding it, unless an interval of a few weeks elapsed?

Mr. HOAR. A vacation of two weeks could be had, if it were necessary, consistently with the general plan which I have stated; but if it could not, it certainly is of more importance to the country that the great legislative subjects should be dealt with conscientiously and considerately than it is that the particular gentlemen who belong to this or the other branch of Congress should take part in the campaign. It is certainly more important that legislation should be dealt with than that we or they should be attending to the interests of our own election that we or they should be attending to the interests of our own election or re-election. Mr. HALE.

or re-election.

Mr. HALE. I agree fully with the Senator from Massachusetts that there should be some equalization in some way of the two sessions of Congress; but it has occurred to me always in thinking of it that the direction was more favorable toward utilizing the spring months, March and April, in the alternate year, so that we should have the benefit of a lengthened session that might be ended before the summer heats set in, and give us at least five months for the shorter session. I agree fully with the Senator that we can not remedy this almost intolerable evil with the Senator that we can not remedy this almost intolerable evil

Intil something is done in that direction.

Mr. HOAR. As I said, I did not rise to enter into a discussion of the details of this difficulty in our legislative processes and habits. We have practically every other year a session of Congress of ten weeks, deducting the ordinary time taken for the Christmas holidays. The particular time of the continuous control of the continuous control of the ticular time of meeting or separating of course will be adjusted at a time when that can be considered; but I think it proper to state to the Senate and the country my own conviction that this change is a change which we must enter upon the consideration of when we assemble

Mr. DAWES. Now I hope we may have a vote, and I hope the Senate will understand that the vote upon receding will be the judgment of the Senate whether they desire this defective legislation in the bill

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. DAWES] that the Senate recede from its amendment numbered 113 to the Indian appropri-

ation bill, and on this question the yeas and nays have been ordered.

Mr. INGALLS. Do I understand that the Senator from Massachusetts invites the Senate to assent to a violation of its rules by the adop-

tion of general legislation on an appropriation bill?

Mr. DAWES. I am sorry the Senator has not been listening so that he could better understand the Senator from Massachusetts.

Mr. INGALLS. I have unfortunately been absent from the Cham-

Mr. DAWES. I beg the Senator's pardon for the remark I made. The Senator from Massachusetts stated that he made this motion with the intention of voting against it himself in order to get the judgment of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the motion that the Senate recede from this amendment, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted-yeas 4, nays 47: as follows:

YE	CAS-4.	
Coke,	George,	Maxey.
NA	YS-47.	
Edmunds, Fair, Frye, Garland, Hale, Hampton, Harrison, Harrison, Hawley, Hoar, Jackson.	Jonas, Lapham, McMillan, Manderson, Miller of Cal. Miller of N. Y., Mitchell, Morgan, Morrill, Palmer, Pendleton, Pike.	Platt, Plumb, Ransom, Saulsbury, Sewell, Sherman, Vance, Van Wyck, Vest, Voorhees, Wilson.
ADGUN	Contract of the second	THE REAL PROPERTY.
Gibson, Gorman, Groome, Hill, Jones of Florida, Jones of Nevada,	Lamar, Logan, McPherson, Mahone, Pugh, Riddleberger,	Sawyer, Slater, Walker, Williams,
	Coke, NA Edmunds, Fair, Frye, Garland, Hale, Hampton, Harrison, Harrison, Hawley, Hoar, Ingalls, Jackson, ABSEN Gibson, Gorman, Groome, Hill, Jones of Florida,	NAYS—17. Edmunds, Jonas, Fair, Lapham, Frye, McMillan, Garland, Miller of Cal. Hampton, Miller of N.Y., Mitchell, Harrison, Morgan, Hawley, Morrill, Hoar, Ingalls, Pendleton, Jackson, Pike, ABSENT—25. Gibson, Gorman, Logan, McPherson, Mill, Jones of Florida, Jones of Nevada, Vindender, Pugh, Jones of Nevada, Riddleberger,

So the motion was not agreed to.

Mr. DAWES. I will not ask for the yeas and nays on any other of these amendments. I will indicate what the difficulty is with them and put upon record the amendments that would be satisfactory to the committee of conference.

The one hundred and eleventh amendment is to strike out a proposition to try to prevent the selling of intoxicating liquors to Indians, a very proper provision if properly worded and a measure which is greatly demanded, and which has attracted great attention among all those who have had anything to do with Indians. It is a very desirable thing, but the way in which it is put forth in this provision, section 9, is such that the committee if it were in an independent bill would not feel at liberty to support it without modifications. It starts out in this

No ardent spirits shall be introduced, under any pretense, into the Indian country.

It then goes on to provide how it may be done. The committee would propose this simple provision in the place of it; if it were in their power under the rules of the Senate they would offer this as a substitute for it:

That every person who sells, exchanges, gives, barters, or diposes of any spirituous liquors, beer, wine, or any intoxicating beverage to any Indian under the charge of an Indian superintendent or agent, shall be punishable by imprisonment for not less than six months nor more than two years, and by a fine of not less than \$50 nor more than \$1,000.

That takes and gathers together in what we suppose to be a proper form for a criminal act all the elements which are contained in this sec-

here to the first at the telements which are contained in the tion, and other elements.

Mr. BUTLER. May I inquire of the Senator from Massachusetts if he does not consider that general legislation on an appropriation bill?

Mr. DAWES. Most certainly, and under the rules I say I can not

offer it.

Mr. President, there is a provision here designed to authorize the President of the United States to disarm Indians. There is a condition of things on some of the reservations perfectly alarming so that it is necessary to take the arms, Winchester rifles, away from the Indians; but the provision is of such a character as instead of producing peace and safety among the Indians will only irritate them and thwart the very purpose in view. It ought to be amended so that when a Winchester rifle is taken from an Indian, at the same time he will have offered to him the full pay for his rifle; and that is the objection to this as independent legislation.

There is one other matter that I desire to call the attention of the Senate to which has been discussed here a good many times and which it is desirable that the Senate should have some positive position upon; and that is in relation to Oklahoma. There is a provision, section 10, in this bill which I ask the Secretary to read.

The Chief Clerk read as follows:

SEC. 10. That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August 11, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress.

Mr. DAWES. It so happens that the Senate on several occasions have expressed a desire to accomplish the very purpose indicated in that section, but they have all along accompanied it with a declaration that until that negotiation shall have brought forth some result those who are now defying the laws of the country and declaring that they will go upon that land, lawfully or unlawfully, shall be kept off. The President of the United States has on two occasions called upon Congress to clothe him with power, to amend an existing statute of the United States which only imposes a fine upon those who willfully commit trespass upon Indian reservations.

The whole trouble in Oklahoma has grown out of that fact. The man at the head of these bands has from time to time led innocent and deluded people into that country; he has then been arrested and fined, and taken the poor-debtor's oath, and the next day snapping his fingers in the face of the officers of the law, gone and gathered a new band. The Senate of the United States has passed a bill amending that law, simply imposing in addition to the fine, or instead of the fine, in the discretion of the court, a short term of imprisonment. That bill has twice passed the Senate, but for some inscrutable reason it has failed to reach the form of law.

Now while the committee are willing and desirous to open negotiations for that property, it is the opinion of some of the committee at least that opening negotiations in the form here proposed is an invitation to all those who can go with impunity upon that land to hurry

tion to all those who can go with impunity upon that land to hurry there, gathering as they are now under some mysterious impression that on the 5th of March they will be at liberty to go there whether the law be regarded or the law be violated.

I propose if that provision is adopted in any way to add to it that section of the bill which has already passed the Senate for the very purpose, simply adding to the existing penalty a short imprisonment, so that if those who demand to have that country opened are honest and really desire to have it opened for honesthomesteaders, they will agree to join us in providing that until it is opened law-breakers shall not go down there and possess the land in advance of the honest homesteader. down there and possess the land in advance of the honest homesteader. That is the purpose of the amendment, and if it were in order I should offer as a substitute for that section what I send to the desk.

Mr. CULLOM. I inquire of the Senator if the amendment he proposes is the same bill that we passed here a few days ago?

Mr. DAWES. Yes; the same bill in substance.

Mr. CONGER rose.

Mr. DAWES. I will answer the Senator from Illinois before I yield to the Senator from Michigan. It is a provision in the bill authorizing negotiations, with the second section of the bill passed the other day added to it, and that second section is the existing statute with the additional penalty.

Mr. CULLOM. As I understand it, the section that was read as having come from the House is one of the sections of the bill that was

passed here the other day.

Mr. DAWES. It is in substance, with some change of phraseology.

The second section of the bill we passed the other day I would pro-

pose to add to that if it were in order.

Mr. CULLOM. I only desire to say that I hope the section that is in the bill, if nothing else gets in there on the subject, will be left there, but I have no objection to the addition of what the Senator has sent to the Chair to be read.

Mr. DAWES. In reply to that I would say that I would as a Senator have no objection to that section if I did not think that, left alone, instead of producing peace it would increase the difficulty by inviting lawless people, proclaiming to them, "This is about to be opened; first come first served;" and the bands now gathering for an incursion into that territory will be stimulated in my opinion to be there in advance of the honest settler. That is my only objection to it as it stands.

HOUR OF MEETING.

Mr. CONGER. Mr. President, in order that the legislative Journal and RECORD may be kept right to-day, I move that when the Senate adjourn to-day it adjourn to meet at 12 o'clock meridian.

Mr. ALLISON. I would suggest to the Senator from Michigan that

be make that 1 o'clock.

Mr. CONGER. Very well; I so modify the motion.

The PRESIDENT pro tempore. The motion is not debatable. The Senator from Michigan moves that when the Senate adjourn to-day it be to meet at 1 o'clock on the 3d day of March. The question is on that motion. [Putting the question.] The noes have it.

Mr. CONGER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. GEORGE. Mr. President—

The PRESIDENT pro tempore. Debate is not in order.

Mr. GEORGE. I understand it is proposed to adjourn until 1 o'clock

to-morrow.

The PRESIDENT pro tempore. This is the 2d of March in the legislative session of the Senate.

Mr. GEORGE. Then it is proposed to meet at 1 o'clock to-morrow.

The PRESIDENT pro tempore. One o'clock of the 3d of March is the time proposed for meeting.

The Secretary proceeded to call the roll; and Mr. ALDRICH and Mr. AYARD responded to their names.

Mr. SHERMAN. I should like to make a statement of about two

or three minutes in regard to a matter rather in the nature of privilege.

The PRESIDENT pro tempore. The roll-call has commenced on the motion of the Senator from Michigan, and two Senators have answered. The Chair has only waited for order to be restored to have the call proceed.

The roll-call was resumed and concluded, and resulted-yeas 33, nays 15; as follows:

Aldrich, Beek, Brown, Butler, Call, Camden, Coke, Colquitt, Conger,	Garland, Hampton, Harris, Harrison, Hawley, Jackson, Jonas, McMillan, Maxey,	Mitehell, Morgan, Morrill, Palmer, Pendleton, Pike, Pugh, Ransom, Saulsbury,	Sewell, Sherman, Slater, Vance, Vest, Walker.
		NAYS-15.	
Allison, Bayard, Blair, Cameron of Wis.,	Cullom, Dawes, Edmunds, Ingalls,	Lapham, Manderson, Miller of N. Y., Platt,	Plumb, Van Wyck, Wilson.
		ABSENT-28.	
Bowen, Cameron of Pa., Chace, Cockrell, Dolph, Fair, Farley,	Frye, George, Gibson, Gorman, Groome, Hale, Hill,	Hoar, Jones of Florida, Jones of Nevada, Kenna, Lamar, Logan, McPherson,	Mahone, Miller of Cal., Riddleberger, Sabin, Sawyer, Voorhees, Williams.

So the motion was agreed to.

INDIAN APPROPRIATION BILL.

Mr. DAWES. I do not care to have the amendment read if it may go into the RECORD.

The PRESIDENT pro tempore. It will be printed in the RECORD, if there be no objection.

The amendment is as follows:

The amendment is as follows:

SEC. 10. That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August 11, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress. And every person who, without authority of law, enters and shall be found upon the lands described in the first section of this act, with intent to occupy any such lands or reservation, or any part thereof, shall for the first offense, upon conviction thereof, pay a fine of not more than \$500, or be imprisoned at hard labor for not more than one year, or both, in the discretion of the court, and for every subsequent offense shall, upon conviction thereof, pay a fine of not more than \$1,000 and be imprisoned at hard labor for not more than two years; and the wagons, teams, and outfit of such person or persons so offending shall be seized and delivered to the proper United States officer, and be proceeded against by libel in the proper court and forfeited, one-half to the informer and the other half to the United States.

Mr. DAWES Lales cand up an amendment as a substitute for sec-

Mr. DAWES. I also send up an amendment as a substitute for sec-

tion 8, which I ask may be printed in the RECORD.

The PRESIDENT pro tempore. That will also be printed in the RECORD, if there be no objection.

The proposed amendment is as follows:

The proposed amendment is as follows:

SEC. 8. That whoever shall furnish to any Indian, by barter, sale, gift, or exchange, any gun, rifle, pistol, or sumunition or munitions of war, shall, upon conviction thereof, be fined not less than one hundred nor more than one thousand dollars, and be imprisoned not less than six months nor more than two years: Provided, That this provision shall not apply to the five civilized tribes of the Indian Territory; and that the Secretary of the Interior may issue such permits to Indians for the purchase of arms and ammunition for sporting purposes as he may deem proper: And provided further, That the President of the United States may, in his discretion, disarn such Indians as in his judgment may seem best to preserve peace and prevent depredations. All arms thus taken shall at the time they are taken be appraised and the value of such appraisement be at once paid to the Indians entitled thereto, and said arms shall be sold and the proceeds thereof paid into the Treasury. The Secretary of War shall make all needful regulations for carrying out this section and report his doing thereunder to Congress, and the money necessary to carry into effect the provisions of this section is hereby appropriated.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (S. 2577) to authorize the printing of the eulogies delivered in Congress upon the late Henry B. Anthony; and
A bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument.

INAUGURATION CEREMONIES

Mr. SHERMAN. I ask the attention of the Senate for a minute or two to a matter personal to the Senate I may say, and personal perhaps to myself and to other members of the committee on inauguration arrangements. I notice in the newspapers and in other places that an impression prevails that the committee on arrangements appointed by the Senate to take charge of the inauguration ceremonies have departed from the established rules in respect to the conduct of the ceremonies. I wish now to correct that impression, and to say that in all respects the rules adopted now and published in the programme laid upon the tables of Senators conform to all the precedents of the past except some changes which have been made in favor of the House of Representatives.

It is complained that the committee of arrangements is composed only of representatives of the Senate and not of the House. We have had the precedents examined, and find that that has been the case always, We have had for the simple reason that the Senate being a permanent body it is the only body in existence after 12 o'clock on the 4th of March. Therefore a committee of three members of the Senate has uniformly regu-

lated the ceremonies.

It has also been complained that a discrimination has been made against the members of the House of Representatives. So far from that being the case the programme is much more considerate as to the members of the House of Representatives than any programme ever before

adopted.

I have had all the programmes hunted up. The one issued at the time Mr. Buchanan was inaugurated was the first that I witnessed after I was a member of either House of Congress. We went back to the inauguration ceremonies at the time of Mr. Polk's inauguration, and have followed since in that line. I shall read an extract from these proceedings showing where the changes have been made in favor of the House of Representatives and in no respect whatever discriminating

against them.

At the inauguration of President Polk, for example, on the 4th of March, 1845, the privilege of the floor of the Senate Chamber was given to "Senators and others who, by the rules of the Senate, and the arrangement of the committee, are entitled to admission, as follows: The President-elect, the ex-Presidents, the Chief-Justice and associate justices of the Supreme Court, the diplomatic corps, district judges of the United States, heads of Departments and bureaus at the seat of Government, officers who by name have received the thanks of Congress for their gallantry and good conduct in the service of their country or who have received medals by a vote of Congress, and any persons entitled to a seat on the floor of the Senate, including the governor for the time being of any State or Territory of the Union, the ex-governors of the several States, such gentlemen as have been heads of Departments or members of either branches of Congress."

No other mention was made of gentlemen who had been members of the House of Representatives which had just expired by limitation. Nor was any mention made of the members-elect of the new House,

yet to be organized.

In the order of procession from the Senate Chamber to the eastern portico the Supreme Court led the way, followed by the President-elect, the ex-Presidents, the Senate, the diplomatic corps, the mayors of Washington, Georgetown, and Alexandria, and then—"the other persons before admitted on the floor of the Senate."

"On reaching the front of the portico," the programme goes on to state, "the President-elect and Chief-Justice will take the seats provided for them. The ex-Presidents, the committee of arrangements, and associate justices of the Supreme Court will occupy a position several feet in the rear of the President-elect. The Vice-President, Secretary, and members of the Senate will occupy parallel lines next in rear. The diplomatic corps will occupy the next position, and the space immediately in their rear is assigned to the late Speaker, Clerk, and ex-members of the Senate and House of Representatives.

It will be seen that according to the old formula the House of Representatives was not recognized in the proceedings as an existing body, it having expired before the ceremonies commenced, but they were recognized as persons who had been members of Congress. There has been a gradual change in favor of a more marked recognition of the House of Representatives, and now we have adopted a still more marked change in favor of the House. Here is the order in which the procession is to

be formed on the 4th of March:

Members of the Senate,

The diplomatic corps.
Heads of Departments.
The retired General of the Army, the Lieutenant-General of the Army, the Admiral of the Navy, and the officers of the Army and Navy who, by name, have received the thanks of Congress.

Members of the House of Representatives elect, governors and ex-governors

It will be seen that in the programme forty years ago the heads of Departments, all the heads of bureaus and various executive offices that were then in existence, together with the governors and the ex-governors of the States preceded the House of Representatives. But this has been gradually changed, and the House of Representatives is recognized as a constituent body although it has ceased to exist.

I hope, therefore, if anybody in either House of Congress or any one

among the people of this country thinks that the Senate of the United States have sought in any way to make any discrimination or cast any disparagement on the House of Representatives, either past or present, he will be disabused by this correction of the record.

My friend from Connecticut [Mr. HAWLEY] has hunted up all the

precedents since the time of which I spoke, and it is found that in every case there has been a marked discrimination in favor of the House of

Representatives by the programme now laid upon the table.

I am not at liberty to refer to what occurred in the other House, but I am told that some complaint has been made that the members of the House of Representatives come in here and take their seats in the rear of the Senate. The truth is Senators concentrate themselves in as small a space as possible and give the members of the House of Representatives two-thirds of all the room of the Senate. That has been done during the eight times I have witnessed these ceremonies. Consequently there has been no discrimination made in that respect. I should be very sorry indeed if some of the sensitive gentlemen of the House of Representatives or of the Senate should think that any discourtesy whatever of the slightest shade has been cast upon the House or its members. Certainly no man in this body, or I think in Congress, has a more profound respect for the House of Representatives than I have and I would stand by their rights and their privileges and by the utmost courtesy which has ever been given to them from the beginning of the Government to this time.

I make this statement merely to disabuse the minds of gentlemen who may have been misled by remarks made in the heat of possion probably, or without a consideration or examination of the subject.

Mr. HAWLEY. As a member of the committee of arrangements,

the Senate will pardon me if I put upon record, now that the matter has been referred to, one or two references to other occasions than the one spoken of by my colleague on the committee.

I have in my hands a copy of the programme for the inauguration of President Buchanan. I will read from it only that which describes the march from the Senate Chamber. It was the old Senate Chamber

The Marshal of the District of Columbia.
The Supreme Court of the United States.
The Sergeant-at-Arms of the Senate.
The committee of arrangements.
The President of the United States and the President-elect.
The Vice-President and the Secretary of the Senate.
The members of the Senate.
The diplomatic corps.

The members of the Senate.

The diplomatic corps.

Heads of Departments, governors of States and Territories, the mayors of Washington and Georgetown, and other persons who shall have been admitted into the Senate Chamber.

On reaching the front of the portico, the President-elect will take the seat provided for him on the front of the platform.

The ex-President and the committee of arrangements will occupy a position in the rear of the President-elect.

Next, in the rear of these, the Chief-Justice and the associate justices of the Supreme Court will occupy those seats on the left; and the Vice-President, Secretary, and members of the Senate, those on the right.

The diplomatic corps will occupy the seats next in the rear of the Supreme Court; heads of Departments, governors and ex-governors of States and Territories, and ex-members of the Senate, ex-members and members-elect of the House of Representatives in the rear of the members of the Senate.

Representatives were mentioned lastly and as individuals, not as a

Representatives were mentioned lastly, and as individuals, not as a House, perhaps because one House has just expired and the new one had not been organized. I will admit that there was an apparent discourtesy at that time in that merely incidental reference to members and members-elect of the House of Representatives.

Mr. FRYE. Is this proceeding by uanimous consent? The PRESIDING OFFICER (Mr. INGALLS in the chair). So the Chair understands.

Mr. FRYE. I give notice that when the Senator from Connecticut through I shall object.

Mr. HAWLEY. I shall have no objection to the objection at that

I desire to put on record a similar statement in regard to the inauguration on the 4th of March, 1865. Substantially the same method was followed in all respects, ex-members and members elect of the House of Representatives in the rear of members of the Senate.

I wish to put upon record also the programme of the 4th of March, 1881, in which was substantially the same thing, and where the dip-lomatic corps, heads of Departments, members of the House of Repre-sentatives and members-elect, governors and ex-governors of States, &c., are so designated and not otherwise.

In the programme adopted at this time, modeled upon that, there is scarcely a change worth mentioning. I think it just as well that this should be put on record because of criticisms which have been made elsewhere.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the fol-lowing enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 449) to provide for the appraisement and sale of lots in

the town of Peru, Dubuque County, Iowa;
A bill (H. R. 652) for the relief of Brannin, Summers & Co.; and
A bill (H. R. 4089) to empower the commissioners of the District of

Columbia to examine the claim of and providing for the payment of Outerbridge Horsey, assignee.

INDIAN APPROPRIATION BILL.

The PRESIDING OFFICER (Mr. INGALIS in the chair). Chair understands the Senator from Massachusetts [Mr. Dawes] to have the floor upon the disputed amendments to the Indian appropria-

Mr. DAWES. The Senator from Kansas [Mr. PLUMB] desires to take the floor. I have nothing further to submit at present.

Mr. PLUMB. I have detained the Senate a good deal on this question already, but I wish to call the attention of the Senate to the difference between this and an ordinary legislative proposition contained in a bill which has been the subject of dissent on the part of the Senate. We have been in the habit of giving to the President of the United States and to the heads of Departments, &c., authority, and, in fact, requiring them, during the vacation of the Senate to do certain things which we think are necessary for our information in regard to legislation which is likely to come before us at a succeeding term.

In the fortification appropriation bill, which will be before the Senate in a few minutes, provision is made for a board to examine the seacoast of the United States, and ascertain and recommend to Congress where fortifications should be built; and so in all appropriation bills. In the legislative appropriation bill which passed a provision was stricken out by the Senate, on which I find our conferees yielded, on authorizing a commission to visit the Yellowstone Park; and so with commissions to visit Indian schools and things of that kind for the purpose of more thoroughly informing the legislative mind than it otherwise would be informed in regard to the subject.

This provision, however, has assumed the proportions of a national question in which there is great danger, as I think, of some untoward result happening very soon. I feel that while this is far from what I should like to have, if it is even half a loaf, still, whether half a loaf or an ounce, it is better than no bread, as I think. This being the only thing which can be done, it seems to me that the Senate ought not to stickle on the question of legislation which is simply of that character which is the inevitable accompaniment of an appropriation bill. It seems to me I may say this without subjecting myself to that criticism which the Senator from Massachusetts has been so quick to visit upon me, that I am here doing those things which are disturbing the public peace. I assure him that conscientiously I believe that the passage of this provision in the bill will tend to prevent a rupture and conserve the public

Mr. DAWES. I should not like to have that statement, the last part of the sentence, go on the record. The Senator is the last man that I would intimate would disturb the public peace. I believe the Senator conscientiously thinks that this is the only way to preserve it.

Mr. PLUMB. The Senator said the other day in debate just such remarks as I made led to all the trouble. While I acquit him of any design to reflect upon me, at the same time he can not resist the opportunity, as he never can, of hitting somebody under the fifth rib. I appeal to him, notwithstanding that disposition of his, to give to this matter the consideration of his well-formed judgment and of that conscience which he brings to the discharge of his duties here, and let this matter, simply a negotiation, be conducted, which the President of the United States might feel a constraint about otherwise, to go on during the recess of Congress. I believe it will have a sedative effect. I believe the moment we manifest a disposition to do something in this direction it will have the effect of largely preventing the flocking of people to that quarter.

As I said, this is not what I wanted. I have earnestly contended here for affirmative legislation which I believe Congress ought to pass in regard to this land settlement. It seems to me if Congress believes, as it apparently does by the votes it has given, that something of this kind must be done, then to say so in this emphatic and affirmative way will have of itself a very considerable effect in restraining from doing that which the judgment of Congress says can not be legally done.

Mr. MANDERSON. Will the Senator from Kansas yield for a ques-

tion?

Mr. PLUMB. Yes, sir.
Mr. MANDERSON. I desire to ask the Senator whether the socalled Oklahoma clause in the bill suits him as it was passed by the

House, or if he proposes to amend that.

Mr. PLUMB. It does not suit me in any way, but at the same time I am advised by parliamentary authority to which I always bow that it has to be taken exactly as it is or not at all. It being a House proposition, it can not be amended by the Senate, and is therefore beyond our jurisdiction even in committee of conference, as I think it has been stated to us in an authoritative way by the presiding officer of this body; but certainly it can not be amended here. If it were our proposition we could amend it, and being a House proposition the House can amend it, but we can not touch it. We have got to take it as it

can amend it, but we can not truck it is, legislation and all, without any change.

Mr. DAWES. If the Senator will permit me, I suppose it is perfectly competent for the committee of conference to modify it in any way. I now ask that the Senate insist upon its disagreeing votes and ask for

a new committee of conference.

Mr. MANDERSON. I ask that a separate vote be taken on the amendments numbered 27 and 28. I think that the Senator from Massachusetts will not object to that.

Mr. DAWES. Very well; and let the Senate now insist on all the

The PRESIDING OFFICER. The Secretary will report the amendment reserved by the Senator from Nebraska.

The CHIEF CLERK. Amendment numbered 28: Page 20, line 27, strike out all down to and including the word "act," in line 10, on page 21, as follows:

The Secretary of the Interior is hereby authorized to make such extension of time for the payment of the purchase-money under the sale made under an act entitled "An act to provide for the sale of the remainder of the reservation of the Confederate Otoe and Missouria tribes of Indians, in the States of Nebraska and Kansas, and for other purposes," as he may deem advantageous to said Indians and settlers: Provided, That the interest shall be paid at the rate as now provided by said act; but the time for the payment of the whole of said purchasemoney shall not be extended more than two years from the time the said purchase-money became due according to the original terms of sale under said act.

Mr. MANDERSON. The other amendment to which I referred is that which makes the same extension of time to those who purchased the Omaha lands. I think it is the amendment immediately preceding. The PRESIDING OFFICER. What motion does the Senator from Nebraska desire to submit in regard to the amendment?

Mr. MANDERSON. I am willing to submit them both, by unanimous consent, to a vote of the Senate, because they both involve the same principle.

Mr. DAWES. Let us insist as far as we can, and then take the vote on the other amendments.

Mr. PLUMB. I ask that the vote be reserved on what is called the Oklahoma provision of the bill.

The PRESIDING OFFICER. The Secretary will report the amend-

ment desired to be reserved by the Senator from Kansa

Mr. DAWES. The Senator from Nebraska wishes a separate vote on amendments numbered 27 and 28, and the Senator from Kansas on amendment numbered 112

The PRESIDING OFFICER. The motion of the Senator from Massachusetts is that the Senate insist upon the other amendments? Mr. DAWES. Yes, sir.

The PRESIDING OFFICER. Are there any other amendments to

Mr. MILLER, of California. I wish to have amendment numbered

35 reserved, the Hogan claim. The PRESIDING OFFICER. The clerks will make a memorandum of it. If there is no objection the amendments other than those reserved will be considered as insisted upon. The question now recurs whether the Senate will further insist upon its amendments numbered

27 and 28. Mr. MANDERSON. I desire simply to call the attention of the Senate to the character of those two amendments.

Mr. DAWES. The Senator will reach what he is after if he moves

to recede. That takes precedence of a motion to insist.

Mr. MANDERSON. I move that the Senate recede from its amendments numbered 27 and 28. The different provisions of the bill upon which the Senate insists I understand are those which are objectionable in themselves as the bill came from the House. The Senator from Massachusetts, the chairman of the Committee on Indian Affairs, has suggested to the Senate what there is objectionable in the clause which provides for the jurisdiction of courts over offenses committed by Indians off their reservations. He has given his suggestions as to the objections to the clause which provides punishment for the sale of liquor to Indians, and he mentioned the amendment that he would propose to the clause regarding the purchase of arms, and the amendment also to

the Oklahoma provision, which is yet to be considered.

But I do not understand that the Committee on Indian Affairs has any objection whatever to the extension of the time for the payment of the remaining purchase-price of the lands sold by the Omaha and Otoe Indians.

This extension of time has been recommended by the Secretary of the Interior, and it would be certainly a great hardship to those people if it was not extended. The extension is properly guarded. The consent of the Indians must be obtained. When this matter was under discussion before I heard no one in the Senate make any objection to it whatever on the ground of merit, but it was conceded to be most right-cous and just legislation. I hope the Senate will recede from the two amendments I have indicated.

The PRESIDING OFFICER. The Senator from Nebraska moves first that the Senate recede from its amendment numbered 27.

The question being put, there were on a division—ayes 7, noes 40.
Mr. VAN WYCK. I shall ask for the yeas and nays, and I desire to say a word on the subject. This is one of the cases where the rules are a stumbling-block in the way of accomplishing something which receives the unanimous consent of both Houses. We are instructed receives the unanimous consent of both Houses. We are instructed as to the meaning and extent of the rule. I think possibly an hour was spent this morning, several hours are spent every day, as to the meaning of the rule which requires that no general legislation or new legislation shall be placed upon an appropriation bill. It would be well if the rules were first made and then construed, so that legislation which commends itself to the judgment of every man should be placed

upon an appropriation bill.

The Senate have no trouble while wrangling with the House about their rules as to the power which the House exercised in this matter. They have no difficulty in concurring with the House in a matter of doubtful legislation, and even placing legislation upon an appropriation bill which is of a doubtful character. Only a few days ago, on an ap-propriation bill from which the House itself had stricken the legislation recommended by its own committee, when the House was placing itself in accord with the rules of the Senate by refusing legislation upon an appropriation bill when the Committee on Appropriations of this body refused to place it in the bill as a recommendation from them, the Senate interposed and placed legislation upon the bill against the recommendation of the Committee on Appropriations of this body and against the position of the House of Representatives. I refer to the legislation which placed a subsidy for steamships upon an appropriation bill. The Senate did it in defiance of our rules; it did it in defiance of the action of the House of Representatives, and the Senate insisted that that legislation should go upon an appropriation bill, and it was done.

Here is an innocent measure. The Committee on Indian Affairs recommend it unanimously, and no one in this body or out of it ever knew the Committee on Indian Affairs to recommend anything wrong. The Committee on Indian Affairs in the other House were in favor of it, and yet a proposition to benefit the Indians and to benefit the white man, unanimously approved, causes the stern virtue of this body to rise in indignation and declare that one of its rules is about to be put in

We seek to do justice to the white settlers, and that is where the trouble is. We seek to do justice to the five hundred families of white settlers upon the Omaha and Otoe lands who by reason of adverse circumstances are not able to make the Senate hear them. They are not entitled to consideration, while John Roach, Jay Gould, and C. P. Huntington can stand at the entrance of the other end of this Capitol and have their lobbies at your doorways and demand that the Ameri-

can Senate shall violate its own rules.

That is the explanation. It is understood in this body. It is understood by the country at large. If any suggestion could be made that there was any possible injustice in the proposition, then it would be well to stop to consider it for a moment. But there is nothing of that The Indians have been benefited by the large price paid for this kind. The Indians have been benefited by the large price paid for this land. It was assessed honestly, liberally, at a large price. We buy the Indian lands in the Indian Territory; we drive them off of the land and pay them 30 cents an acre. These lands in the Omaha and Otoe reservation brought from \$7 to \$15 per acre, and were bought by honest purchasers, settlers who benefit the nation, and they are paying 6 per cent. in the Indians.

By reason of adverse circumstances, the low price of grain, and the high rate of transportation, they are unable to meet the payment due. Unfortunately they are in a country where it is really cheaper to buy corn for fuel than to buy coal. Those are the men who are stretching forth their hands in their poverty and adverse circumstances and asking the American Congress to do no wrong to anybody, not to harm the Indian, but to benefit him.

The Senate will remember that when this money is paid by the white man it does not go into the pocket of the Indian himself, but it is paid to the General Government and the General Government invests it for to the General Government and the General Government invests it for him and pays him a certain rate of interest upon it. The money to-day is drawing 6 per cent. interest, and if it remains unpaid a year longer at 6 per cent. interest the Indian is benefited. If it is paid to the Government of the United States the Indian gets less interest. I know not how much interest he will get, but not to exceed 5 per cent. By and by I suppose the Government will only want to pay the Indian 3 per cent. interest, because that is the rate of interest that it is desired to apply to the immense indebtedness of the subsidized railroads.

of course Senators and other gentlemen feel as friendly to the Indian as the Committee on Indian Affairs in this body, who insist that the Government should pay no more interest to the Indian than it receives on its own debt from wealthy corporations presided over by the Goulds and Huntingtons of this country. The result would be an actual injury to the Indian, because in a little while he would receive only 3 per cent. upon his money. Now from the settler and purchaser he ob-

tains 6 per cent. Those are the facts of the case. It is but justice to the Indian. This proposition requires his assent. We only ask now that the bill shall retain the legislation which the House put on it, and let the settler and the purchaser understand that the Indian is to be protected while he

It may be that because this proposition is so plain and so equitable, so just and so honest, the Senate adheres stubbornly to its rule. Certainly it is strange in these last hours of the session that this matter which commenced nearly on the first day of the session continues to the last. But the rules are in the way. What do they mean? They are a very convenient resort when Senators desire certain things not to appear upon an appropriation bill; then they are used as a stumblingblock; but when other legislation is required and desired, then there is not a word of objection raised on account of the rules.

Now, Mr. President, I hope-Mr. DAWES. You hope we

Mr. DAWES. You hope we shall have a vote.
Mr. VAN WYCK. Yes; I hope we shall have a vote, and I hope we shall have a vote that will be a little in the interest of justice and equity, and in the interest of the class of men who are not able to send lobbies here at great expense, who are not able to employ the most learned intellect, who have not the power to go into your large cities or into either branch of Congress and lay their hands upon the legal talent which may be there and ask that they shall rise up and defend their claims. There is nothing of that kind. All they can rely upon is the petition which they send here to plead for the recognition of a few of the principles of justice. That is all they can ask in this case. few of the principles of justice. That is all they can ask in this case.

Mr. MILLER, of New York. The Indians do not get any of this

Mr. VAN WYCK. I have been standing here talking to the Senator from New York, who was right within the sound of my voice, and who I am pleased to see paid attention to what I was saying, but he now rises up and says that the Indians do not get any of this money. That is just what I was trying to tell the Senator, that the Indians do not get this money. In no way do the Indians get this money. They obtain only the interest on the money. I was trying to show my friend the Senator from New York that it was in the interest of the Indians that the interest should be paid to them.

I shall not say anything more on this question. I have got the Senator from Massachusetts I think calm and quiet and not so nervous. will therefore ask that we may have a vote upon this matter. I should like to have a vote which would be in consonance with the views of the Committee on Indian Affairs of this body, and that is to retain this legislation upon the bill. Therefore, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARRIS. Is the motion to further insist?

Mr. HARRIS. Is the motion to further insist?

The PRESIDING OFFICER. The question is on the motion to recede from the amendment numbered 27. As the Senate acted on the bill by striking out the paragraph, the Senator from Nebraska [Mr. Manderson] moves that the Senate recede from its amendment, which would leave the paragraph standing in the bill.

The Secretary proceeded to call the roll.

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. Sabin].

The roll-call having been concluded, the result was announced—yeas 13 nays 33: as follows:

13, nays 33; as follows: YEAS-13.

Blair, Bowen, Cameron of Wis., Cullom,	George, Manderson, Maxey, Miller of Cal.,	Palmer, Sewell, Van Wyck, Vest,	Wilson.
CON ANTIQUE ILS	NA.	YS-33.	
Aldrich, Allison, Bayard, Beck, Butler, Camden, Chaee, Coke, Conger,	Dawes, Dolph, Edmunds, Garland, Hale, Hampton, Harris, Hawley, Ingalls,	Jackson, Jonas, Jones of Florida, McMillan, Miller of N. Y., Mitchell, Morgan, Morrill, Pendleton,	Pike, Platt, Pugh, Saulsbury, Vance, Walker.
TETRICAL PROPERTY.	ABS	ENT-30.	I DESERTED TO
Brown, Call, Cameron of Pa., Cockrell, Colquitt, Fair, Farley,	Gibson, Gorman, Groome, Harrison, Hill, Hoar, Jones of Nevada, Kenna	Lamar, Lapham, Logan, McPherson, Mahone, Plumb, Ransom, Riddleberger	Sabin, Sawyer, Sherman, Slater, Voorhees, Williams.

So the motion to recede was not agreed to.

Jones of Nevada, Kenna,

The PRESIDENT pro tempore. Amendment numbered 28 is not yet disposed of.

Ransom, Riddleberger,

Mr. MANDERSON. I do not care about pressing a vote upon that. withdraw my motion to recede from it. Mr. DAWES. I move that the Senate

I move that the Senate insist upon the amendments

numbered 27 and 28.

The PRESIDENT pro tempore. The Senator from Nebraska withdraws his demand for a separate vote on amendment numbered 28. The Senator from Massachusetts moves that the Senate insist upon its amendments numbered 27 and 28.

The motion was agreed to.

The PRESIDENT pro tempore. Amendment numbered 35 was reserved on the request of the Senator from California [Mr. MILLER].

Mr. DAWES. I wish to say in reference to that amendment that it

is one of the depredation claims. I think it is the best of them all, but they all ought to go together. If any one of them is admitted they ought all to be admitted; but, on the other hand, they all ought to be referred for examination.

Mr. MILLER, of California. I move that the Senate recede from its disagreement on that amendment, and I wish to take the sense of the

Senate upon my motion.

The PRESIDENT pro tempore. The Senator from California moves that the Senate recede from the amendment numbered 35, the nature of which has been stated.

Mr. INGALLS. Let it be read.

The PRESIDENT pro tempore. It will be read.

The CHIEF CLERK. Amendment numbered 35 is to strike out lines 959 to 965, in the following words:

For the payment by the Secretary of the Interior to J. M. Hogan, of Stockton, Cal., the sum of \$6,600, out of the funds herein appropriated for the Shoshone Indians, the same being a claim for damages caused by depredations of said Indians, and examined, and approved, allowed, and reported to Congress by the Department of the Interior, \$6,600.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California that the Senate recede from the amendment just read.

Mr. COCKRELL. Is it in order to move that the Senate adhere to its action in striking out?

The PRESIDENT pro tempore. The motion to recede has preced-

Mr. COCKRELL. I hope the Senate will not recede.
Mr. MILLER, of California. I hope it will.
The PRESIDENT pro tempore. The question is on agreeing to the motion to recede.

The motion was not agreed to.

The PRESIDENT pro tempore. The next is amendment numbered 112, which will be read.

The CHIEF CLERK. Amendment numbered 112 is to strike out section 10, as follows:

SEC. 10. That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August 11, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress.

Mr. VEST. I sincerely hope that the Senate will accede to the provision inserted by the House. We are now in the last hours of this Congress. Since this matter was up for discussion in the Senate I have received a pamphlet published by the leader of these so-called Okla-homa boomers, in which a plausible argument is made, obviously prepared by a man of ability, taking the position that the Indians have no title whatever to these lands and that they are open to settlement by citizens of the United States.

Unless this legislation is had now we must expect that we shall inevitably have a condition of affairs in that Territory which will be dangerous, to say the least, to the peace of the entire southwestern portion of this country. We ought to make no mistake about this matter. The men who are there, hovering upon the borders of that Territory,

intend to occupy it unless the Congress of the United States forbids it.

So far as the rule is concerned I was really in hopes that after the performance of yesterday and last night it would not seriously be invoked here again. Last night we placed upon the sundry civil bill pages of new legislation by the unanimous vote of the Senate, and today when an emergency comes upon us which involves the peace of an entire section of this country and brings us face to face with a most serious crisis, we are told that the rule must stop this legislation.

If there is a single Senator in this body who will say now that in his opinion the legal position which the House and Senate have both assumed in regard to the rights of these Indians is not correct, I shall have nothing more to say upon this subject. I have yet to hear a single Senator say that Congress is not right in saying that its honor, that justice, that the public peace, all require that negotiations should be opened with these Indian tribes, and that their title, whatever it may be, should be extinguished.

Mr. DAWES. If nobody disputes that proposition I should like to have the Senator answer a question. He has stated that the persons hovering upon the borders of that Territory propose to go in there unless Congress prohibits them. I ask him if he has any objection to adding to this section a prohibition to their going in until it is settled?

Mr. VEST. I voted for the bill which contained that clause and it

had my full concurrence, as the Senator from Massachusetts very well

Mr. DAWES. There would not be anybody objecting to this proposition if it had that added to it.

Mr. VEST. If such a clause should be added to the section now it would absolutely destroy it. The House would agree to no such legis-

would absolutely destroy it. The House would agree to no such legislation. I am not here to discuss that, however.

This provision does not go as far as I would have it go; but it is all that we can get here now, in the very last moments of the session. To put on the clause which is urged by my friend from Massachusetts, and to which I heartily assent, would be simply to destroy what little of value there is in sight at this time.

Mr. PLUMB. It can not be put on now.

Mr. VEST: It can not be put on now. as the Senator from Kansas

Mr. PLUMB. It can not be put on now, as the Senator from Kansas says. I am no skilled parliamentarian, but I understand it is amenable to a point of order. I have not raised that; but I sincerely hope that the Senate will do all that can be done now at this point of time and agree to the legislation proposed by the House of Representatives.

The PRESIDENT pro tempore. Does the Chair understand the Senator from Missouri to make any motion?

Mr. VEST. No, sir.

The PRESIDENT pro tempore. There is no motion pending before

Mr. DAWES. I move that the Senate insist upon its amendment numbered 112.

Mr. VEST. I will move that the Senate recede from the amendment. The PRESIDENT pro tempore. Pending the motion of the Senator from Massachusetts that the Senate insist upon the amendment, the Senator from Missouri moves that the Senate recede, which latter motion has precedence.

The question being put, there were on a division-ayes 24, noes 14; no quorum voting.

Mr. ALLISON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. INGALLS. Mr. President, I am disposed to think that the significance of this vote is not fairly understood by the Senate. If I am correct, if the Senate recedes the proposition will be left in the bill as it came from the House of Representatives. Am I correct?

Mr. ALLISON. You are.

The chairman of the Committee on Appropriations Mr. INGALLS. informs me that I am correct, and when he says that I am correct, I have a double assurance.

I have no doubt that within forty-eight hours from this time 20,000 people by concerted action will move upon what are known as the Oklahoma lands with the intention of forcibly occupying them, and that they will be prepared to maintain that occupancy by a resort to arms if need be. I do not think that any graver complication will confront the administration that is just dawning upon us, whose crepuscular light we already see in the eastern sky, than that which will devolve upon it in consequence of the movement of what are known as the boomers upon Oklahoma.

President Arthur felt called upon in pursuance of treaties made with the five civilized tribes of Indians, and under the laws of the United States, to direct that a colony as he believed illegally settled upon those lands should be removed by force of arms, and a small army of the United States, or a small portion of the small army of the United States, under the command of an eminent general, was directed to proceed to that territory for the purpose of expelling some four hundred or five hundred men who had intrenched themselves in that locality. The first manifestation of force made against them was not sufficient to overawe them. They successfully resisted the force which was sent against them, and it was not until re-enforcements had been sent that at last they finally yielded, "folded their tents like the Arabs and silently stole away;" but with the express declaration that upon the 5th of March they should rendezvous upon the southern limits of the State of Kansas in such numbers as they could assemble for the purpose of repeating their assault upon the authorities, and with the further

assurance, in some way obtained, that this movement would be with the concurrence and approbation of the incoming administration.

Mr. CULLOM:—Will the Senator allow me to interrupt him simply for the purpose of saying that I have had several letters from men who were engaged in this movement stating that over 2,000 would start on the 5th of March for the country the Senator is speaking of?

Mr. DAWES. Why on the 5th of March?

Mr. CULLOM. I am not able to answer that question, but I sup-

pose it is on account of what the Senator from Kansas has suggested.

Mr. INGALLS. Whether that is an instance of post hoc or propter hoc, whether it is cause and effect or whether it is coincidence, this deponent sayeth not. But there will be a great many times two thousand men ready, in my judgment, on the 5th of March to take up their line toward the Oklahoma region. To reach that they must pass over territors which it is admitted that they football the property of the same transfer o ritory which it is admitted they are forbidden by law to traverse. is alleged that there are some eight or ten million acres of land there held by the United States Government as public lands of the United States within the limits of the Indian Territory.

Mr. VEST. Fourteen million acres.
Mr. INGALLS. Fourteen million acres, the Senator from Missouri tells me, circumscribed, a sort of Mediterranean region that is included, a mare clausum, surrounded on all sides by territory over which con-

Mr. BUTLER. May I ask the Senator from Kansas whether the commanding officer of the United States troops has not been ordered to prevent such an invasion of that Territory?

Mr. DAWES. Certainly he has. Mr. INGALLS. Certainly he has. Mr. INGALLS. Certainly he has. I understand that orders have been issued by the President of the United States directing the military force of the Government to assemble upon the frontier for the purpose of preventing this threatened invasion; but, sir, the star of that eminent commander is about to set. Within a very brief space of time the command of that majestic body of men known as the Army of the United States will have passed from the great general who now has control of it to the still greater general who will shortly be its commander in-chief. What course he will see fit to take of course is yet in the womb of the future; but it is undoubtedly true that these men assume that in some mysterious way or other the policy of the Government is to be changed, and that after the 5th day of March (and the Senator I understand that orders have

from Massachusetts is as able to answer his conundrum as I am) the military force is to be withdrawn, and the avenues are to be widely opened through which those men may proceed to occupy that territory.

There are no public lands of the United States within the limits of what are commonly known as the Oklahoma lands. They were ceded

to the United States for a specific purpose, well defined in the treaty of contract by which the contracting parties agreed, and that was that they should be used for occupation by other friendly Indian nations or by the freedmen of the civilized tribes who had formerly owned and occupied them.

occupied them.

There have been many injurious statements sedulously made public in connection with those lands. Among other things, it has been said that the Senate of the United States was preventing the occupation of the lands by homestead settlers in the interest of the great cattle corporations which it was alleged had grazing leases thereon, and that we were standing here as an impassable and insuperable barrier to the occupation of that territory by the homestead settlers of the United States. I feel called upon to say that having been for a considerable space of time a member of the Committee on Indian Affairs of the Senate, which has had under consideration by order of the Senate the question as to has had under consideration by order of the Senate the question as to the propriety and the legality of the grazing leases which have been hitherto made by Indian tribes to various citizens in different portions of the Republic, there is not a grazing lease that covers one single rood of that country.

There is not upon all the area that is known and recognized and described upon the map as the Oklahoma region a single hoof of stock that is grazed by any white man under any contract, assumed or direct, permitted or not permitted by any authority whatever, either by the Indians or by the United States Government. It is as absolutely free from all occupation as was the Garden of Eden before our first parents were placed therein, and it is surrounded by a territory upon every square foot of which stands the angel of the law with the flaming sword of a statutory prohibition declaring that under penalty no man shall be permitted to go thereon.

Sir, I take occasion to say further, because many of my own constituents have been stigmatized in connection with this matter as being

sents have been stigmatized in connection with this matter as being lawless, violent, disorderly citizens, who were in some way or other stimulating this movement, engaged in hostile demonstrations against the peaceable Indians in that Territory, that to the best of my knowledge and belief this movement has neither the sympathy nor the support of any considerable number of the inhabitants of the State of Kansas. By its propinquity, by its neighborhood, by its being a conterminous region, it has so happened that these lawless adventurers, these people who have not the fear of the law before their eyes, these men who are homeless and who always want to go wherever they are forbidden to go, have made the State of Kansas the rendezvous, the stamping-ground upon which they have assembled for the purpose of organizing their colonies and carrying on their attempted operations for the occupation of this territory; but the people of Kansas, in my judgment, do not desire that there shall be any unlawful occupation of that region, for they know just as well as I know, just as well as every Senator who hears me knows, that if the amendment which is proposed by the Senator from Massachusetts to the bill shall be agreed to, it means not only the occupation of the Oklahoma lands properly so called, but it means the absolute subversion and destruction and overthrow of the autonomy of the entire Indian country.

the entire Indian country.

We are not without lessons; we are not without experience in these matters. It is in the memory of many of those who now sit around me that but a few years since the Sioux occupied what is known as the Black Hill region, the Deadwood country. It was held by the sanction of a treaty as consecrated, as binding as that which now controls the latest that the Cherokee Nation. tion of a treaty as consecrated, as binding as that which now controls this land in the Indian Territory; and I say that the Cherokee Nation there have a parchment title to 19,000,000 acres under the sign and seal and superscription of the President of the United States guaranteeing them in the possession of that land by a title as indisputable, as irrefragable, that is as binding in law as that by which any Senator here holds the title to the home which he occupies.

This movement that is being made upon the Oklahoma region simply means that all that autonomy shall be overthrown; that that whole area which we now describe as the Indian Territory shall be given up

to white occupation upon such terms as the white occupants who may unlawfully go there shall see fit to prescribe.

Mr. President, this matter should give us pause. It is a very grave situation. It may be that before the sun shall have twice risen upon this Capitol there will be an armed conflict upon the territory of the United States between misguided and misinformed citizens and the Army of the United States under orders from its Commander-in-Chief. I know that such a controversy can have but one issue. I should regret more than words can express to have the blood of American citigret more than words can express to have the blood of American citzens shed in an effort, whether it may be well intentioned or whether it may be in deliberate violation of law, to obtain for themselves homes upon what they believe to be the public lands of the United States.

Sir, there is but one way to avoid it, and that is for the Senate of the United States this day not to invite those men to go there by a promise that the intention of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the United States this day not to invite those men to go there by a promise that the content of the united States this day not to invite those men to go there by a promise that the content of the united States this day not to invite those men to go there by a promise that the content of the united States this day not to invite those men to go there by a promise that the content of the united States this day not to invite those men to go the content of the united States this day not to invite the united States this day not to invite those men to go the united States the

that there is to be a negotiation entered upon for the purpose of quieting title, not to invite them to go there by telling them that in twelve

months from this time it will be lawful for them to be there, but to say that the treaties of the United States are to be respected, that the force of the United States is to be employed until the Indian title to the land is extinguished to prevent any occupation of that territory under

any pretext whatever.

I have been astonished—and the Senator from Massachusetts frequently astonishes me—to hear the Senator from Massachusetts deliberately advocate a policy here which he has been, I believe, among the foremost hitherto to resist, by asking the Senate to recede from its amendments, practically for the purpose of enabling the committee of conference to agree to amendments which he says will be satisfactory to the Senate conferees if it can be accepted by the House. I hope I do not misunderstand the Senator; I do not desire to do so; but I gather from his statement that he wishes the Senate to depart from its rule and practice; and he has given notice of an amendment which he says would be satisfactory to him, and which he would offer in the Senate if the rules of this body permitted him so to do.

The Senator from Massachusetts knows that I speak in entire kind-

ness to him, not with any desire, in a hostile spirit, to criticise him, but in view of the emergency which is before us, dangerous, violent, whose ends can not be foreseen, I say that I am surprised that the Senator from Massachusetts should say that he will ask the Senate conferees to agree to the amendment he has proposed, and which if I understand the rules of the Senate is not admissible and could not be retained under the practice we have adhered to thus far this session. I wish the Senator would state to me if I misapprehend him. I do not

Mr. DAWES. The Senator has, I do not know that I ought to say strangely, but he has greatly misunderstood me. The Senator first has misunderstood me in the fact that he thinks I want the Senate to recede from its amendment when I distinctly stated that I wanted the Senate to insist upon it. It is the Senator's colleague who asked the Senate to recede. The Senator misunderstands me further if he understands me to be in favor of any infraction of the treaties of the United States, which I agree with him in saying have made the title of the Indians to that land perfect.

Mr. INGALLS. May I interrupt the Senator? Was I mistaken in supposing that the Senator from Massachusetts tendered an amendment to the provision of the House which he said would be satisfactory to the conferees, and that he would offer it in the Senate if the rules per-

mitted him to do so?

Mr. DAWES. No; fortunately the amendment which I propose is not satisfactory to any other conferee but myself. All the other conferees, I am sorry to say, are for taking that provision of the bill just as it is. I have insisted upon it that I would not agree to that proposition unless there was annexed to it the provision that until the arrangement was made it should be a penal offense for men to go down into that Territory without authority of law. I was for accomplishing just exactly what the Senator from Kansas says. I stand here to vindicate the incoming administration from any aspersion thrown upon it in advance by the statements of the Senator from Missouri and both the Senators from Kansas. I do not believe that those who are gathering on the border of Kansas have the slightest intimation from any one authority of the statements. on the corder of Kansas have the slightest intimation from any one authorized to speak for the incoming administration that it will flinch one hair's breadth from an honest, honorable, steady, and firm administration of the law. I vindicate it from the aspersion thrown upon it. I do not know that anybody will thank me for any words of defense in reference to the administration, but I do not for a moment believe that the executive power of this Government has been intrusted to any lands that will be a ministration. hands that will for an instant consider the question whether they will maintain the law or not.

But, sir, I look at this question in the future. That country must be opened to settlement. My desire is that it shall be opened according to law and upon just and fair terms. My desire is that the incoming administration shall be authorized to negotiate with these Indians for this vast tract of country that they can not occupy, but which is theirs

to dispose of.

to dispose of.

They will part with it at some time, nolens volens; whether they will or not, they will part with it; and it is my desire, in vindication of the rights of the Indians as well as of the law of the United States, that when they part with it they shall part with it upon fair and just terms agreed to by themselves. But while the negotiation is going on I want the arm of the United States strengthened in an effort to keep lawless trespassers from that land. I do not want the negotiation to go on while the land has been taken possession of by trespassers and law-breakers, such as those described by the Senator from Kansas.

If there is any difference between him and me it is only this: I say

If there is any difference between him and me it is only this: I say that that land must some time or other be opened to the homesteader. I want it paid for, and I want the honest homesteader to have it after the same of the sa

treaties with those Indians. I am here to vindicate them and preserve them, and preserve their rights.

Mr. VEST. Mr. President, the Senator from Kansas is right when

he states that there is not a single hoof of cattle upon what is properly denominated Oklahoma; but the Senator must understand that the men who are leading this lawless immigration into the Indian Territory claim that the Oklahoma country does not comprise 1,200,000 acres of land in the center of the Indian Territory, but 14,000,000 acres of land, being one-half of the western half of the entire Territory, and upon that land there are thousands of head of cattle to-day.

Mr. INGALLS. Not on the Oklahoma land.

Mr. VEST. I say not upon Oklahoma proper, but Mr. Couch in the pamphlet which he has distributed all over the West, and a copy of which I have, claims that Oklahoma means the western half of the whole Indian Territory, the land purchased from the Cherokees, from the Creeks, from the Choctaws and Seminoles, altogether amounting to 14,000,000 acres.

Mr. INGALLS. He may say that, but he knows better.

Mr. VEST. I am speaking of the effect of that pamphlet, plausibly and ingeniously written, made for the purpose as an appeal to ignorant persons in order to induce them to join him in this incursion in viola-tion, as I hold, of the law of the land and the rights of the Indian tribes.

So far as the declaration of Mr. Couch and the leaders of this immigration is concerned, in which it is said or intimated that the incoming administration will protect them in violating the laws of the United States, it is unfair, unjust to the administration of Mr. Cleveland, about

to go into existence, and it is particularly unfair to the members of the Democratic party in the two Houses of Congress.

The legislation which the House of Representatives, a Democratic body, proposes, and which we are now considering, is in direct opposition to the position assumed by these boomers under the leadership of Mr. Couch. The pamphlet to which I have alluded assumes that the Indianal Couch is the contract of the dians have no title whatever to a single foot of this land, but that it is bublic domain and therefore these people have the right to go upon it for homestead or pre-emption. The Senate of the United States and the House of Representatives of the United States have both declared in their respective provisions that the Indians have a title, and that that title should be secured by negotiation by the Chief Executive.

The proposition to negotiate, and which recognizes the title of the

Indians, was twice proposed on this floor by a Democratic Senator. The provision which recognizes the same thing comes from a Democratic House of Representatives, and the assumption, or intimation, or suspicion that the administration of Mr. Cleveland is in sympathy, directly or indirectly, with any violation of the law and intends to violate any treaty made with these Indian tribes, springs alone from the desperation of the adventurers who are attempting to violate the law, and not from the constituted authorities of the Democratic party in this body or in the other.

The PRESIDING OFFICER (Mr. GARLAND in the chair). question is on the motion of the Senator from Massachusetts [Mr. DAWES] that the Senate recede from its amendment numbered 112, on

which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. PLATT (when Mr. HAWLEY's name was called). My colleague [Mr. HAWLEY] is detained on business connected with the Sen-I do not know whether he is paired or not.

The roll-call having been concluded, the result was announced-yeas 18, nays 24; as follows:

YEAS-18. Maxey, Pugh, Saulsbury, Slater, Van Wyck, Camden, Cockrell, Coke, Colquitt, Garland, George, Hampton, Jones of Florida, McPherson, Manderson, Vest, Walker, Williams. NAYS-24. Hoar, Ingalls, Jones of Nevada, Lapham, Mahone, Morrill, Dawes, Edmunds, Groome, Hale, Harris, Pike, Platt, Sewell, Vance, Voorhees, Wilson. Aldrich, Allison, Blair, Butler, Conger, Harrison. ABSENT-34. Fair, Farley, Frye, Gibson, Gorman, Hawley, Hill, Lackney Kenna, Lamar, Logan, McMillan, Miller of Cal., Miller of N. Y., Mitchell, Bayard, Beck, Bowen, Pendleton, Pendleton, Plumb, Ransom, Riddleberger, Sabin, Sawyer, Sherman. Brown, Call, Cameron of Pa., Cameron of Wis., Jackson, Jonas, Morgan, Palmer, Dolph,

So the Senate refused to recede.

Mr. DAWES. I now move that the Senate insist upon its disagree-

ing vote.

The PRESIDENT pro tempore. The Senator from Massachusetts mores that the Senate insist on its amendment numbered 112.

The motion was agreed to.

Mr. DAWES. Now I move that a committee of conference be asked. The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate request of the House of Representatives a conference on the disagreeing votes of the two Houses on the several amendments still open on this bill.

The motion was agreed to.

By unanimous consent, the conferees on the part of the Senate were authorized to be appointed by the President pro tempore; and Mr. DAWES, Mr. PLUMB, and Mr. RANSOM were appointed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885; and it was thereupon signed by the President pro

PENSION BILLS.

The PRESIDENT pro tempore. It is the duty of the Chair now to lay before the Senate the first pension bill, according to the unanimous order of the Senate, being the bill (H. R. 7718) restoring John Snyder

to the pension-roll.

Mr. BLAIR. I wish to remind the Chair that unanimous consent was given that the unobjected pension cases should be immediately disposed of as soon as the Indian appropriation bill was out of the way, and that time having come, I ask that under that unanimous consent we proceed now to dispose of the unobjected pension cases.

The PRESIDENT pro tempore. The Chair was under the impression that this was the first bill moved by the Senator from Indiana yester-

day.

Mr. BLAIR. That is the first case; but I wish it understood that it comes up under unanimous consent to dispose of all like it

The PRESIDENT pro tempore. That was precisely what the Chair stated, that it was his duty under the unanimous order of the Senate to lay this bill before the Senate as the first on the list. The bill is

before the Senate as in Committee of the Whole.

Mr. WILSON. I ask unanimous consent to make two favorable reports from the Committee on Pensions in order that they may be con-

sidered.

The PRESIDENT pro tempore. Is there objection to receiving the reports? The Chair hears none.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amend-ment, and submitted reports thereon:

A bill (H. R. 8155) granting a pension to Addie L. Moore; and A bill (H. R. 8237) granting a pension to Mary J. Dickson.

W. H. MURDAUGH.

Mr. GARLAND. I wish to ask the Senator from New Hampshire if he will allow me to make a report from the Judiciary Committee.

Mr. BLAIR. Certainly.

Mr. GARLAND. The Committee on the Judiciary to whom was referred the bill (H. R. 8183) to remove the political disabilities of W. H. Murdaugh, of Virginia, have directed me to report it without amendment. I wish to ask the Senate, under the instruction of the committee, to have the bill put on its passage. It is a disability bill, which will excite no debate, and it is the last one of the lot.

Mr. BLAIR. I cannot assent to the request of the Senator. I think it justice that we proceed with the pension bills. There are some ninety of them, and I think we ought to insist on their being now

Mr. ALLISON. I rise to make a privileged report.

The PRESIDENT pro tempore. The Chair understands the Senator from New Hampshire to object to the request of the Senator from Arkansas, and the bill reported by him will be placed on the Calendar. Pending the bill now before the Senate, the Senator from Iowa is recognized.

PENSION APPROPRIATION BILL.

Mr. ALLISON. I present the report of the conference committee on the pension appropriation bill.

The report was read, as follows:

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7755) "making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1886, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, and agree to the same.

W. B. ALLISON,
H. L. DAWES,
WILKINSON CALL,
Managers on the part of the Senate.

JOHN HANCOCK,
JOHN F. FOLLETT,
W. D. WASHBURN,
Managers on the part of the House.

Mr. ALLISON, I move that the Senate agree to the report.

Mr. ALLISON. I move that the Senate agree to the report.

The report was concurred in. The PRESIDENT pro tempore. Does that complete the bill? Mr. ALLISON. That completes the bill.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The bill before the Senate will be

read.

Mr. HALE. The Senate has proceeded with such unexampled dispatch in the transaction of public business for the last three hours that

I have some hesitation in asking it now to proceed to consider the deficiency appropriation bill. It is a long bill of ninety-odd pages, and it ought to be sent to the House of Representatives as soon as possible. There are now but twenty-three hours and one-fourth left in which all the business needed to be done can be transacted, and, therefore, I ask

unanimous consent that the Senate proceed to consider the deficiency appropriation bill. I am ready to report it.

Mr. BLAIR. Here are nearly one hundred of these pension bills, and they all come from the House. It is necessary that they be acted upon almost immediately or they must fail, and I have no doubt that they can be disposed of inside of an hour. I hope the Senator from Maine will not press for unanimous consent under the circumstances, for it would force me to do what I should very much dislike to do, object, at least for a little while.

Mr. HALE. I report from the Committee on Appropriations the regular annual deficiency bill with amendments.

The PRESIDENT pro tempore. The Senator from Maine asks unan-

imous consent for leave to make a report from the Committee on Appropriations at this time. Is there objection?

Mr. BLAIR. I do not object to the report unless it displaces the

existing order.
The PRESIDENT pro tempore. The report does not displace it. If

The PRESIDENT protempore. The report does not displace it. In there be no objection, the report will be received.

The Senator from Maine, from the Committee on Appropriations, to whom was referred the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, reports it with amendments.

Mr. HALE. I move that the Senate proceed to consider the bill. The PRESIDENT pro tempore. Is there objection?

I must object.

The PRESIDENT pro tempore. Objection is made.

Mr. BLAIR. I think there ought to be no collision between these pension bills and that very important measure. It can not take over an hour, probably not over three-quarters of an hour, to dispose of all

the pension business.

Mr. HALE. The Senator must take the responsibility if he thinks there is anything now of more importance than this great appropriation bill. If it is put through, everybody knows that the pension bills will surely go through. I have done my duty in reporting it and in exhausting my parliamentary right in seeking to get this bill up. I shall not trouble the Senate again about it until it is entirely ready to any and if the Senator chooses to object of course I can not hinder go on; and if the Senator chooses to object of course I can not hinder him.

Mr. BLAIR. I would like to inquire of the Senator in charge of this bill if he can give any intimation as to the probable length of time it will consume in consideration?

Mr. HALE. I do not think it will be a long bill. I do not think there are matters upon it that will raise any issue requiring debate. I presume it will pass as fast as the Secretary can read it.

Mr. BLAIR. I ask unanimous consent that this bill reported by the

Senator being taken up, the pension bills may be considered immediately after it is disposed of.

Mr. HALE. Would not that follow as a matter of course?

Mr. ALLISON. I will say to the Senator from New Hampshire that there is still another appropriation bill that ought to be disposed of,

there is still another appropriation bill that ought to be disposed of, and I presume it will not take much time, but there are some differences between the two Houses which ought to be submitted.

Mr. BLAIR. I ask the unanimous consent indicated; that is, that upon the disposition of the bill reported by the Senator from Maine, the deficiency bill, and the fortification bill, the pension bills on the Calendar may then be immediately considered.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the deficiency bill being taken up and disposed of, and the fortification bill, the Senate will then take up and dispose of the House pension bills favorably reported. Is there objective. dispose of the House pension bills favorably reported. Is there objec-

Mr. CONGER. If there be no objection, that would imply that the Senate agrees to take up the fortification bill and the deficiency bill first. There is before the Senate the river and harbor bill, which has in point of time of report precedence, and I shall take, as I gave notice last night, the earliest opportunity to call the attention of the Senate to that bill. I object to this proposition, because it implies that the other two bills mentioned shall have some precedence of the river and harbor bill.

The PRESIDENT pro tempore. Objection is made.

Mr. HARRISON. I do not think it implies what the Senator from Michigan says. It is simply as to what shall be done after these two appropriation bills are disposed of. It does not imply, I think, that he may not get precedence over these two bills with the river and harbor bill.

Mr. CONGER. It was tacitly understood, in fact unanimous consent was given, that when the Indian appropriation bill was disposed of, except on consent about pension bills, the river and harbor bill should be taken up. Notice was given to that effect the first thing this morning, and I must insist on that bill coming in before either of the other appropriation bills, or at least after the deficiency bill.

Mr. ALLISON. I desire to say to the Senator from Michigan that I was present and heard him give that notice. I did not think it was at all necessary for me or for any member of the Committee on Appropriations to give notice that we would insist on taking up the regular appropriation bills when they were presented. I supposed that that was thoroughly understood in the Senate and agreed to by every Senator on this floor. So there was no unanimous consent, I submit to the Senator from Michigan, that the river and harbor bill should be taken

Mr. CONGER. No; the Senator misunderstood me. I said that I Mr. CONGER. No; the Senator misunderstood me. I said that I agreed to unanimous consent being given to take up pension bills, and I gave notice that as early as possible, and not to interfere with that unanimous consent, I would call up the river and harbor bill, and I intend to carry out that notice.

Mr. ALLISON. Very well.

The PRESIDENT pro tempore. Pending the consideration of the present order of the Senate, the request of the Senator from New Hampshire having been objected to the Senator from Majne asks unanimous

shire having been objected to, the Senator from Maine asks unanimous consent that the pending order be informally laid aside and that the Senate proceed to consider the deficiency appropriation bill. Is there objection?
Mr. CONGER.

I object.

The PRESIDENT pro tempore. Objection is made. Mr. HALE. Isit in order now to move—

The PRESIDENT pro tempore. It is not in order. Mr. HALE.

When will be the time that that can be done? The PRESIDENT pro tempore. The Senate will be obliged either to rescind or execute the order it has made that the House pension bills

favorably reported be considered and disposed of in order.

Mr. HALE. Let me say that I have had great doubt about the possibility in the little time remaining of getting through all the mass of business required to be done. This has added almost immeasurably to that danger. The Committee on Appropriations certainly has done its duty; it has worked day and night; it has spent its days and nights upon these bills; it has pushed them before the Senate whenever opportunity has offered. It has now done its best to get this great appropriation bill before the Senate in order that it may be passed and sent to the House and become finally, through the processes of parliamentary law, a statute upon the law-books of the land. That is all the Committee of the senate in order that it may be passed and sent to the House and become finally, through the processes of parliamentary law, a statute upon the law-books of the land. That is all the Committee of the senate has a senate before the senate that the senate mittee on Appropriations can do; and the Senate must of course take the responsibility of the situation that will from now until 12 o'clock to-morrow be upon it.

Mr. BLAIR. I desire it to be observed that the failure of the motion of the Senator from Maine depends upon the objection of the Senator from Michigan rather than the Senator from New Hampshire.

Mr. HALE. I understand that the Senator from Michigan antagonizes a possible or conjectural river and harbor bill with the likelihood of getting through other business in order that we may complete it dur-

of getting through other business in order that we may complete it during this session.

Mr. BLAIR. I wish further to say that when the moment comes—
I do not know just when it is—when the Senator from Maine can make his motion under the rules of the Senate, I will not further oppose it.

Mr. COCKRELL. Mr. President, unfortunately under the rules of the Senate this deficiency bill can only be considered now by unanimous consent. It was only reported to-day and one objection kills it. I design for the proof of the senator to know the exact which to reconstitute the reconstruction. consent. It was only reported to-day and one objection kills it. I desire Senators to know the exact weight of responsibility that rests upon them when they refuse to permit this bill to be considered now.

Mr. BLAIR. Will the Senator permit me to ask him upon what Senator the responsibility of this objection rests?

Mr. COCKRELL. I do not know, but upon whatever Senator refuses unanimous consent of the Senate to the consideration of the bill.

I hope that unanimous consent will be given in order that we may dispose of it. We have worked in the Appropriations Committee as faithfully as men could work Saturday night, Sunday, Sunday night, and all the time. We have gotten the bills here at the earliest possible day, and now we are ready to dispose of them. There is only this bill and the fortifications bill, a very small bill, only three pages and a half, besides the bills that are in conference. Some of us who are attending to this bill ought now to be in conference; and, unless we get prompt action upon this bill, we can not give attention to the other bills which are now in conference and get them disposed of at this session, and the passage of some of those bills is an absolute necessity to prevent an extra session of Congress.

Mr. CONGER. I do not bear very lightly the reflections of the Senator from Missouri. I do not know by what authority the Committee on Appropriations can come here and talk about their arduous labors and their precedence here over any other committee. There is a com-I hope that unanimous consent will be given in order that we may dis-

and their precedence here over any other committee. There is a comand their precedence here over any other committee. There is a committee in this body charged with a general appropriation bill, and as rapidly as it was possible after that bill came from the House Friday night, as soon as they could take it up Saturday the Committee on Commerce took up that bill and considered it as carefully as they had time to do, and ordered it to be reported to the Senate as it was yesterday in calendar time and to-day in legislative time. It has the precedence, and the only point about it is that one objection before adjournment would carry the bill over, as it would the deficiency bill or any other bill reported to-day.

I made the motion early in the day that the Senate adjourn by 1

o'clock so that we could close the legislative day, and I now move that o'clock so that we could close the legislative day, and I now move that the Senate adjourn, the order having already been entered, as I understand, that when we meet again it be at 1 o'clock.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate do now adjourn.

Mr. HALE. Will the Senator withdraw his motion for a moment?

Mr. BLAIR. The pension bills are the unfinished business.

The PRESIDENT pro tempore. The motion is not debatable. The question is on the motion of the Senator from Michigan.

Mr. HALE. The Senator will withdraw his motion for a moment.

Mr. HALE. The Senator will withdraw his motion for a moment.
Mr. CONGER. But I do not yield the floor.
Mr. HALE. I only wish to make a suggestion. If the Senate adjourns and we begin a new day at precisely 1 o'clock, we have got to go through with all the formal proceedings required on beginning every new day. Certain motions can not be made for an hour after we have the table of the formal proceedings. begin that day, and the Journal must be read unless there is unani-

mous consent to dispense with it.

Mr. CONGER. The motion is not debatable. I have not yielded for debate. I insist on the motion.

Mr. HALE. I only wish to say—

Mr. HALE. I only wish to say—

The PRESIDENT pro tempore. Debate is not in order.

Mr. HALE. If we do not adjourn we can go right on.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Michigan that the Senate do now adjourn.

[Putting the question.] The noes seem to prevail.

Mr. CONGER. I desire the yeas and nays.

The PRESIDENT pro tempore. All this debate is proceeding by unanimous consent. The Senator from Michigan calls for the yeas and

Mr. CONGER. As I stated, one objection—
The PRESIDENT pro tempore. Debate is not in order. The yeas and nays are called for on the motion to adjourn.

The yeas and nays were ordered; and being taken, resulted—yeas 41, nays 19; as follows:

	1 12	CALL COMP	
Aldrich, Allison, Bayard, Beck, Brown, Butler, Call, Canden, Chace, Cockrell, Coke,	Colquitt, Conger, Dolph, Garland, George, Groome, Hampton, Harrison, Harrison, Hawley, Jackson,	Jonas, Jones of Florida, Kenna, Lamar, McPherson, Maxey, Mitchell, Morgan, Platt, Pugh, Ransom, VS—19.	Saulsbury, Sewell, Sherman, Slater, Vance, Vest, Walker, Williams.
Cameron of Pa., Cameron of Wis., Cullom, Dawes, Edmunds,	Frye, Hale, Hoar, Ingalls, Manderson,	Miller of Cal., Miller of N. Y., Morrill, Pendleton, Pike,	Plumb, Sawyer, Voorhees, Wilson.
	ABSI	ENT-16.	
Blair, Bowen, Fair, Farley,	Gibson, Gorman, Hill, Jones of Nevada,	Lapham, Logan, McMillan, Mahone,	Palmer, Riddleberger, Sabin, Van Wyck.

So the motion was agreed to.

The PRESIDENT pro tempore (at 1 o'clock p. m., March 3). The Senate stands adjourned until March 3, at 1 o'clock p. m.

HOUSE OF REPRESENTATIVES.

MONDAY, March 2, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. S. LINDSAY, D. D.

The Journal of the proceedings of Saturday was read and approved.

Mr. RANDALL. I ask for the regular order.

FRENCH SPOLIATION CLAIMS.

Mr. BRATTON, from the Committee on Printing, submitted the fol-

The Committee on Printing, to which was referred the resolution of the Senate of January 24, 1885, as follows:

"Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 copies of the communication of the Secretary of State, containing a list of claims against France by reason of spoliations prior to the 31st of July, 1801, of which 1,000 copies shall be for the use of the Senate and 2,000 for the use of the House of Representatives"—
having duly considered the same, recommend that the House concur therein.

The motion was agreed to.

Mr. BRATTON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on

The latter motion was agreed to.

RETURN OF A SENATE RESOLUTION.

The SPEAKER. The Chair lays before the House the following re olution, which is rendered necessary in order to correct a mistake which has been made in the transmission of a resolution to the Senate. The Clerk read as follows:

Resolved, That the Clerk of the House be directed to request the Senate to return to the House of Representatives the concurrent resolution of February 27, 1885, providing for the printing of the first and second volumes of decisions relating to the public lands, which was by mistake communicated to the Senate as having passed the House.

The resolution was adopted.

NAVAL APPROPRIATION BILL.

Mr. RANDALL. Mr. Speaker, under instructions from the Committee on Appropriations I report back the bill (H. R. 8239) making appropriations for the naval service of the United States for the fiscal year ending June 30, 1886, and for other purposes, with the Senate amendments thereto, and ask unanimous consent to consider the same immediately in the House as in Committee of the Whole on the state of the Union under the five-minute rule.

There was no objection.

The SPEAKER. The Senate amendments will be reported.

Mr. RANDALL. I ask that these amendments be read, and I will then state after each has been reported to the House the recommenda-tions of the committee in regard to the same.

Mr. HISCOCK. I think these amendments should be considered in

the House as in Committee of the Whole.

Mr. TALBOTT. I was just going to make that suggestion.
Mr. RANDALL. That is the effect of my motion, unless some gen-

tleman objects to it.

Mr. HISCOCK. There will be no objection to their consideration in the House as in Committee of the Whole with the understanding, of course, that they are to be considered under the five-minute rule.

The SPEAKER. That of course will be the order of the House.

The Clerk will report the first amendment. The Clerk read as follows:

On page 1, line 13 of the printed bill, strike out "one."

On page 1, line 13 of the printed bill, strike out "one."

Mr. RANDALL. That is a mere clerical error, this word being printed twice in succession. The committee recommend concurrence. I must request, Mr. Speaker, that there be order upon the floor, as it is almost impossible to proceed in the prevailing confusion.

The SPEAKER. The Chair will state that at this stage of the session it is very important to transact business as rapidly as possible; and but little progress can be made unless order is preserved upon the floor. The Chair hopes gentlemen will preserve order.

Mr. RANDALL. In this first amendment, as I have said, the committee recommend concurrence.

The metion was agreed to

The motion was agreed to. The second amendment was read, as follows:

In line 21 of the printed bill strike out "nine" and insert "ten;" so that it will ead "ten naval constructors," &c.

Mr. RANDALL. The committee recommend concurrence in the second Senate amendment, as also in the third amendment, as they bear relation to each other.

The amendment of the Senate is in obedience to the requirement of existing law.

The amendment was concurred in.

Amendment numbered 3 was read, as follows:

In line 22, strike out "ten" and insert "nine."

Mr. RANDALL. As I have just said, the committee recommend also concurrence in this amendment.

The amendment was concurred in.

Amendment numbered 4 was read, as follows:

On page 74 of the printed bill, line 75, strike out after the word "pilotage"; the words "bringing home the bodies of naval officers who have died or may hereafter die abroad while on duty."

Mr. RANDALL. Mr. Speaker, the House inserted that provision because we believe that where a naval officer died while on duty abroad his remains should be brought home at the expense of the Government. It is a question that appeals to our good feelings, and what I deem to be a case of humanity. I have nothing further to say except that the committee recommend non-concurrence.

Mr. TOWNSHEND. Will the gentleman allow me a moment?

Mr. RANDALL. There is no disposition to concur.

Mr. TOWNSHEND. I only desire to say that I fully indorse what the gentleman says. I have a case now in my own hands where a young naval officer died abroad while on service at Nagasaki, Japan, and his remains are there without an effort to bring them home.

Mr. THOMAS. I think it would be inhuman to strike this out. It

ought to be adhered to.

Mr. RANDALL. The committee recommend non-concurrence in the amendment.

The motion to non-concur was agreed to.

Amendment numbered 5 was read, as follows:
On page 4, line 76, strike out "valubles" and insert "valuables."

Mr. RANDALL. That is the correction of an error of engrossment. The committee recommend concurrence.

The amendment was concurred in.

Amendment numbered 6 was read, as follows:

In lines 112 and 113, page 6, under the heading "Bureau of Navigation," strike out "\$87,500" and insert "\$100,000,"

Mr. RANDALL. This amendment relates to the amount appropriated for the Bureau of Navigation. The committee recommend non-concurrence. I have no doubt when it comes into conference a settlement will be quickly reached.

The amendment was non-concurred in.

Amendment numbered 7 was read, as follows:

After line 113 insert as follows:
"For special ocean surveys and the publication thereof, \$10,000."

Mr. RANDALL. The committee recommend non-concurrence; but I desire to say that there is an inclination on the part of the committee to favor this proposition. We propose, however, that it shall be non-concurred in in connection with another matter. The two questions may be adjusted together.

Mr. BLOUNT. What is the other matter?

Mr. RANDALL. The next item.

The amendment was non-concurred in.

Amendment numbered 8 was read, as follows:

After the seventh amendment insert as follows: "For publication of professional papers, \$10,000."

Mr. RANDALL. The committee recommend non-concurrence.

The amendment was non-concurred in.

Amendment numbered 9 was read, as follows:

After line 133 insert the following:

For the purchase or manufacture of steel guns of small caliber for ships now in service, and for testing the same at the naval ordnance proving-ground, \$21,000.

Mr. RANDALL. We recommend non-concurrence.

Mr. REED, of Maine. I hope the gentleman from Pennsylvania will

give us some reason for non-concurring.

Mr. RANDALL. This is an item which relates to the purchase or manufacture of small steel guns costing from \$2,000 to \$4,000 each. The committee considered this proposition before sending the bill to the Senate and thought it was unnecessary. But the Senate has inserted it and the committee desire non-concurrence with a view to having further light, if there be any, from the Department in connection with the sub-The Committee on Appropriations originally were as a whole opposed to the purchase or manufacture of these guns by the Government.

The question being taken on non-concurring, the Speaker stated that in the judgment of the Chair the "noes" had it.

Mr. RANDALL. I call for a division.

The House divided; and there were—ayes 81, noes 25.

So (further count not being called for) the amendment was non-con-

Amendment numbered 10 was read, as follows:

Page 7, line 138, after the words "completion and," insert the word "public;" so that it will read:
"For the completion and public test of two breech-loading rifle cannon of the larger calibers now in course of construction for the Navy, with carriages and ammunition for both, \$80,000."

Mr. RANDALL. We recommend concurrence.

The amendment was concurred in.

Amendment numbered 11 was read, as follows:

Amendment numbered 11 was read, as follows:

Strike out all after the word "dollars," in line 141 on page 7, down to and including line 153 on page 7, namely, the following:

"Provided, That the test shall be conducted as follows: With battering charges for two hours, and under the most rapid continuous rate of firing, as near as may be like the conditions of a hotly contested battle; then with the service charge not less than five hours. Permission, with ample notice to be present, shall be given to all persons who indicate a desire to examine the preliminary preparation and witness the firing. Expenditures of public money on all other naval cannon of and above said caliber shall cease until this public test has terminated. And all the facts and incidents of the test shall be reported to Congress by the Chief of the Bureau of Ordnance as soon thereafter as possible."

Mr. RANDALL. The committee recommend non-concurrence.
Mr. THOMAS. I would like to ask the gentleman from Pennsylvania whether this amendment does not stop the construction of the guns which are almost completed now for the new cruisers.

Mr. RANDALL. It has no connection whatever with any armament incident to the new cruisers. I will state for the information of the

House to what it relates.

There are now in course of construction at the Washington navy-yard two 10-inch guns. We in this bill give sufficient money for their completion, to wit, \$80,000. The House thought it prudent to add the character of test which should be given to these guns prior to their being placed in use on board ship. The Senate has seen fit to strike that out. The House considered that the severest test should be applied to these 10-inch breech-loading steel guns, because probably in the event of their proving a success they will become the type of that sized gun, and because we are admonished by the history of the late civil war that the severest test should be applied to this character of gun. We remember that even guns of smaller caliber than these, the guns, for instance, at Fort Fisher, were more dangerous to us than they were to the confederates in that struggle. There were said to have been eleven of the confederates injured, while forty-odd of the Federals were injured by the bursting of our own cannon.

It is rather surprising that there should be any disinclination on the art of the Department to have a full test as to these guns. It does not indicate to me that confidence in their manufacture which they ought

to have, and that is the reason why the committee insist upon this char-

acter of test as necessary.

Mr. THOMAS. Mr. Speaker, I quite agree with the gentleman from Pennsylvania, the chairman of the Committee on Appropriations [Mr. RANDALL], that the greatest test should be given to these guns, and

RANDALL], that the greatest test should be given to these guns, and I think it ought to be a public test.

Mr. RANDALL. That is provided for in the bill.

Mr. THOMAS. I do not object to non-concurrence. I simply rose for the purpose of asking whether this prevents the completion of the 6-inch and 8-inch guns which are being built at the Washington navy-yard in addition to the 10-inch gun, but I see by reading the amendment that the language is this: "Expenditure of public money on all other naval cannon of and above said caliber shall cease until this public test has terminated." So it will be seen that this does not affect the 6-inch and 8-inch guns which are building, but is intended to apply 6-inch and 8-inch guns which are building, but is intended to apply only to the two 10-inch guns, and I think that is right.

The amendment was non-concurred in.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed bills of the following titles:

A bill (H. R. 2268) for the relief of John F. Severance; and

A bill (H. R. 44) for the completion of a public building at Council

Bluffs, Iowa.

The message also announced that the Senate had agreed to the report of the committee of conference upon the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and to provide for the payment thereof.

NAVAL APPROPRIATION BILL.

Amendment numbered 12 was read, as follows: Strike out "three" and insert "four." Mr. RANDALL. Mr. Speaker, that relates to the amount of the appropriation, and the committee recommend that the House non-concur, with the view of reaching an agreement.

The amendment was non-concurred in.

Amendment numbered 13 was read, as follows:

After the word "hundred" insert "and twenty-five;" so that it will

read, as the total appropriation for the Bureau of Equipment and Recruiting, "eight hundred and twenty-five thousand dollars."

Mr. RANDALL. The committee recommend non-concurrence in

that amendment.

The amendment was non-concurred in.

Amendment numbered 14 was read, as follows:

Strike out the words "car-tickets."

Mr. RANDALL. The Senate desires to cut off the supply of car-tickets to employés of the Department, and the committee recommend concur-

The amendment was concurred in.

Amendment numbered 15 was read, as follows:

After the word "hundred" insert "and fifty;" so that it will read "\$250,000," as the total appropriation for the Bureau of Yards and Docks.

Mr. RANDALL. That also relates to the amount of the appropriation, and the committee recommend non-concurrence.

The amendment was non-concurred in.

Amendment numbered 16 was read, as follows:

Attendment numbered 16 was read, as follows:

Strike out the words: "And if the Secretary of the Navy shall not be able to maintain properly the whole number of naval hospitals now kept open on the amounts hereby appropriated for the maintenance of a civil establishment at naval hospitals, he shall close those which are least necessary to the service, and provide for the patients now cared for therein at such other naval hospitals as may be most convenient."

may be most convenient."

Mr. RANDALL. That clause was originally placed in the bill at the first session of the Forty-seventh Congress. The Committee on Appropriations deem it a wise provision because it prevents a deficiency; and if sufficient money should not be appropriated for the maintenance of all these hospitals, then the provision is that such of them as can be safely closed shall be closed by order of the Surgeon-General.

Mr. THOMAS. Mr. Speaker, the enactment of this provision has been three times recommended by the Secretary of the Navy—

Mr. RANDALL. And it has been inserted in the law.

Mr. THOMAS. I say it has been recommended three times by the Secretary of the Navy, and it meets the unanimous concurrence of the Committee on Naval Affairs. I will not take time to state them, but there are other reasons than those given by the chairman of the Committee on Appropriations why this amendment should be non-concurred in.

Mr. RANDALL. I am obliged to the gentleman.

The amendment was non-concurred in.

Amendment numbered 17 was read, as follows:

Strike out the words "and car-tickets."

Mr. RANDALL. That amendment, like number 14, relates to the

use of car-tickets by employés.

Mr. KEIFER. Mr. Speaker, I wish to say in regard to this amendment, as well as in relation to the one numbered 14, under the head of Bureau of Equipment, that while I am willing that the amendment shall be concurred in, it seems to me that we are simply prohibiting the supply of car-tickets and leaving persons who may have to be transthe supply of car-tickets and leaving persons who may have to be transported to various points on the business that they are engaged in to ride in carriages at a much greater cost to the Government.

Mr. RANDALL. I do not know where there is any appropriation made in any of these bills for carriage-hire.

Mr. KEIFER. But there is plenty of money to be used for carriage-hire made under the head of "incidental expenditures."

The amendment was concurred in.

Amendment numbered 18 was read, as follows:

Page 10, line 3, strike out "ten" and insert "fifteen;" so as to make the appropriation for necessary repairs of naval laboratory, naval hospitals, &c., \$15,000.

Mr. RANDALL. This amendment relates to the amount of the appropriation. The committee recommend non-concurrence.
The amendment was non-concurred in.

Amendment numbered 19 was read, as follows:

Page 10, line 13, strike out "eighty-five" and insert "one hundred;" so as to make the appropriation for provisions of seamen and marines, &c., \$100,000.

Mr. RANDALL. This amendment also relates to the amount appropriated. The committee recommend non-concurrence, with a view to reaching an amicable adjustment in conference.

The amendment was non-concurred in.

Amendment numbered 20 was read, as follows:

Page 10, line 21, strike out "car-tickets."

Mr. RANDALL. I move to concur in this amendment.

The amendment was concurred in.

Amendment numbered 21 was read, as follows:

Page 11, line 16, strike out "30" and insert "20;" so as to make the proviso

read:
"Provided, That no part of this sum shall be applied to the repairs of any
wooden ship when the estimated cost of such repairs, to be appraised by a competent board of naval officers, shall exceed 20 per cent, of the estimated cost,
appraised in like manner, of a new ship of the same size and like material."

Mr. RANDALL. Mr. Speaker, upon the recommendation of the committee in this case, which is to concur in the amendment of the Senate, I am not a proper spokesman for the committee. I will yield to some other member—the gentleman from Massachusetts [Mr. Long] or the gentleman from Ohio [Mr. Keifer]—and after an explanation on that side of the question I shall take the liberty to give the views of the minority of the committee on this matter.

Mr. LONG. I move that the House concur in this amendment of the

Mr. RANDALL. That is the recommendation of the committee.

Mr. LONG. That is the recommendation of the majority of the committee. This is the same question which has been discussed and setthed two or three times heretofore. For two or three years we have been proceeding under the policy embraced in the amendment of the Senate—that no repairs of wooden ships of war shall exceed 20 per cent. of the estimated cost of a new ship of the same size and like material. The figures show that the great extravagance in our naval establishment has arisen from repairs made upon our wooden ships, which in some cases have amounted to two, three, or four times the original cost of the vessel. Unless we are to go back to the era of wooden ships, we should concur in the Senate amendment.

All the more necessary is this in view of the fact that our Navy consists of old wooden vessels; and unless we continue the present policy of restricting repairs to 20 per cent. we shall be spending all our money in repairs of vessels which when repaired will be of no value.

move that the House concur.

Mr. RANDALL. Mr. Speaker, a minority of the committee would have preferred that this point might go to the committee of conference. The real question involved is how soon we shall get rid of the wooden vessels in the Navy. This naturally depends upon how fast we construct steel vessels to take their places. The minority of the committee thought we should not be too rapid in dispensing with our wooden vessels until we are assured of their substitution by steel vessels; and that until the purpose of Congress in this particular is manifest, the limit of repairs might properly be placed at 30 per cent. For the current year under the two six-month bills and for the prior year the limit has been 20 per cent. This is about what is involved in the amendment. There are some gentlemen so zealous in behalf of steel vessels that I fear they think the taking away of wooden vessels now in the Navy will increase the rapidity with which a new navy may be constructed.

Mr. COX, of New York. Mr. Speaker, when the other day the question came up about finishing the New York, I dropped a remark which I think will apply to this business of wooden ships. As in an army we may need artillery, infantry, and cavalry—all three—so in our Navy we may need wooden ships, iron ships, and steel ships. There is not a very great difference between 20 per cent. and 30 per cent., and we need not take up much time upon it. I would be willing that the house of the contract when the contract of the contract we have a contract the contract of the contract when the contract of the contract when the contract of the contract of the contract when the contract of the contra House non-concur, and let the question be settled in conference. We must have some wooden vessels. We cannot improvise all at once a steel navy. We have here propositions for steel cruisers which I hope will be concurred in; and, at the same time, I hope we shall non-

concur in the amendment as to the finishing of the wooden vessel, the New York. I think it would be well to give the committee of conference a little leeway that they may adjust or, if you please, "trade" on this business, in order that the bill may provide for these various arms of our service.

Mr. KEIFER. Mr. Speaker, in answer to the remarks made by the distinguished gentleman from New York [Mr. Cox], I desire to say that while it may be possible we ought to have various kinds of vessels in our Navy, yet at the same time we have no vessels that rise to the dignity of war vessels. Our vessels are all wooden vessels now; and we do not wish that all the money Congress sees fit to expend for the building up of a navy shall be spent in repairing old obsolete wooden

ships.

I desire to understand exactly what this proposition is, because the same form of amendment will be found further along in this bill. The amendment of the Senate proposes that no part of the sum appropriated shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 20 per cent. of the estimated cost of a new ship of the same size and like material. If we agree to the limitation of 20 per cent.—that is, one-fifth of the cost of a new ship of the same size and like material—we shall have enough wooden ships of that same size and like material—we shall have enough wooden sings of kind, I think, to answer all the purposes that the gentleman from New York expects to be served by wooden ships. The limitation of 30 per cent. allows nearly one-third of the original cost to be spent in repairing a wooden vessel which we have no use for when constructed. These ing a wooden vessel which we have no use for when constructed. These vessels are all upon old models—all obsolete. If we keep up such a policy we can spend from year to year on these old vessels more than enough to make a good navy.

Mr. COX, of New York. Will the gentleman from Ohio yield to me?

Mr. KEIFER. Certainly.
Mr. COX, of New York. Suppose we compromise this matter at 25

Mr. ELILIS. No.

Mr. KEIFER. If the gentleman chooses to make that amendment it can be submitted to the House. I wish to say there is some present promise that we are going to have finished the best cruisers which we have commenced constructing; we are going to finish the monitors; we are proposing to do something also in the way of building the best ship that floats on the waters according to the best and most approved model. We have now this in prospect, but we shall limit ourselves a little on these old obsolete tubs. That is the position I take, that we will spend money enough that we will keep enough of this class of vessels if we money enough, that we will keep enough of this class of vessels, if we are allowed to spend up to 25 per cent. of the value of a new ship of the same size and model.

Mr. O'NEILL, of Pennsylvania, rose. Mr. RANDALL. I understand, Mr. Speaker, that the gentleman

Mr. KANDALL. I understand, Mr. Speaker, that the gentleman from Ohio has not suggested any amendment.

Mr. KEIFER. No; I have not moved any amendment.

Mr. COX, of New York. I move to concur with the amendment.

The SPEAKER. The gentleman will state his amendment.

Mr. COX, of New York. I move to insert 25 instead of 20, so it will provide that it shall not exceed 25 per cent. instead of 20 per cent.

The SPEAKER. Does the gentleman from New York wish to be heard on his amendment?

heard on his amendment? Mr. COX, of New York. For a moment only. All I have to say is this in response to what has fallen from the gentleman from Ohio [Mr. Keffer], that many of these wooden vessels are not obsolete tubs. They are made of good timber. The New York when completed will be built of perfectly good timber, and the new engines to be placed in these vessels will be of the most recent origin. So the remark of the gentleman does not altogether apply to the wooden vessels, and I hope we may have some of these old wooden vessels which may serve adwe may have some of these old wooden vessels which may serve admirably in the uses of the Navy. Therefore, I say 20 per cent. will apply to the repair of more vessels than 30, and a fair compromise between the two I think would be 25 per cent., which amendment I have

Mr. HEWITT, of New York. I should like to ask my colleague

where these new engines are to come from.

Mr. COX, of New York. I suppose they will come from the future.

Mr. HEWITT, of New York. Out of what fund—how are they go-

ing to be paid for?

Mr. COX, of New York. Is there nothing in the bill as to that ob-

Mr. HEWITT, of New York. My colleague says they will put improved engines upon these vessels of the Navy.

Mr. COX, of New York. Evidently they would, or they would not be made hereafter.

Mr. HEWITT, of New York. Why, they have to be made, and out of what fund is it to be done?

Mr. COX, of New York. That will be attended to hereafter; if not this year, why, then, the next.

Mr. RANDALL. It will come out of the fund for steam-engineering,

\$950,000.

Mr. O'NEILL, of Pennsylvania. Now, Mr. Speaker, I desire to reply to a remark made by the gentleman from Ohio [Mr. Keifer] a moment or two ago in reference to the models of our ships, he deprecat-

ing the use of the models of the old tubs, as he calls them, which were designed years ago. I say, sir, in the interest of the Navy it is to be regretted that the old models have not been adhered to in building ships, both iron and wooden. I will state this fact, which may be information to the gentleman from Ohio, that the old frigates United States and Constellation, wooden ships, built in this century, have never been surpassed in speed. Those are the models which ought to be adhered to. The frigate United States was the fastest sailing vessel in the United States Navy in her day, and the fastest sailing naval vessel in the world. The Constellation came just after her in speed, and the old Constitution not much behind.

I am speaking, Mr. Speaker, in the interest of the old models, and I assert it here that there never has been any improvement since those days in building naval vessels for speed. I do not deprecate the idea, therefore, that we shall adhere to those old models if we want quick

Mr. KEIFER. Then had we not better build new ships than repair

old ones

Mr. O'NEILL, of Pennsylvania. The ships were built with great care; they were built in the navy-yards of the country. Every piece of wood or other material used in their construction was properly inspected before being allowed to go into their construction. The ship-builders of those days produced vessels which could sail away, if necessary, from the greater fleets of England during the war of 1812. I consider the naval architecture since, as a general thing, to be comparatively a failure in regard to speed.

One vessel I will refer to which gentlemen will recall, and that is the Princeton, which was built under the auspices of a Democratic administration. Everything was allowed to be put in here. She was constructed in accordance with the ideas of Commodore Stockton of that day, who supervised the construction of that vessel. She was a failure. So it has been with vessels since then. Hence, I say, do not let ns depreciate the older ship-builders of the country, those who produced ships that could sail away from the hostile fleet if that fleet was stronger than one of our naval vessels.

stronger than one of our naval vessels.

[Here the hammer fell.]

The SPEAKER. The gentleman from New York has three minutes of his time left. Does he claim it?

Mr. COX, of New York. Yes; and I will yield to the gentleman from Massachusetts [Mr. Long].

Mr. Long. Mr. Speaker, with regard to the amendment of the gentleman from New York [Mr. Cox], I believe it is hardly worth while—it is simply making two bites of a cherry. The Senate have determined on 20 per cent. The question with the House is whether we will amend by making it 30 per cent. This is not permanent legislation. It applies merely to the present year. It is carrying out the policy of the last two years. Our Navy is in a transition state. All our wooden vessels are very old, and most of them if repaired at all would exceed the limit.

Experience has shown that the great expense connected with the Navy arises from the repair of these old wooden vessels. It will reduce that expense and the extravagance which has heretofore applied to their repairs to keep that limit down, 3s proposed by the Senate amendment.

pairs to keep that limit down, as proposed by the Senate amendment. Let us, therefore, during this transition state, keep it down to the lowest point. When we have reached another period, and when our Navy rests upon a basis of iron or steel vessels, we can then afford to change this limit, but not now.

this limit, but not now.

I will yield the remainder of any time that remains to the gentleman from Louisiana [Mr. ELLIS].

Mr. ELLIS.

Mr. ELLIS.

Mr. Speaker, I trust that this House will restrict repairs upon these wooden ships as much as it possibly can. In the first place, sir, they are all of a type that is passing away. Wood in naval construction is a thing of the past. So far as ship-building is concerned its day is over, and the enormous repairs that have been put more our ships in the past has been the graveyard of our Navy. Year cerned its day is over, and the enormous repairs that have been put upon our ships in the past has been the graveyard of our Navy. Year after year we have been repairing these old wooden vessels at a cost which would have given us a modern navy. Let us take the Tennessee, the best vessel of our Navy, and the only one which ranks as a first-class vessel, and I quote with reference to that from a speech of my honorable and distinguished friend from New York [Mr. Hewitt], every word of which is verified by the official reports. His description of the Tennessee is complete and conclusive. He shows that the repairs to the hull of this vessel and other incidental repairs, during the Robeson administration of the Navy Department, was \$1,434,500. That is the Tennessee, our best vessel afloat, which was built in 1844, and the only vessel upon our register which ranks as a first-class ship of war. The reports, as I have said, show that the statement of the gentleman from reports, as I have said, show that the statement of the gentleman from New York is verified, and that during that administration the expense of the repairs of this ship reached nearly a million and a half of dollars. That would have been ample to have built a modern cruiser—

That would have been ampie to have built a hoteling transfer [Here the hammer fell.]
The SPEAKER. Debate is exhausted upon this amendment.
Mr. ELLIS. I have not exhausted five minutes, certainly.
The SPEAKER. The gentleman has exhausted the remainder of the time of the gentleman from Massachusetts.
Mr. HUTCHINS. I move to make the limit twenty-six.

Mr. ELLIS. I move to strike out the last word.

The SPEAKER. The gentleman from New York moves an amendment which is in order. He moves to amend the amendment by striking out twenty-five and inserting twenty-six.

Mr. HUTCHINS. Mr. Speaker, it seems to me the question for the House to consider now is not whether we are to have a navy of wooden

ships, but whether we are to have any navy at all left after the expiration

of two years

Now, Admiral Porter recommended that this limit should be fixed at 40 per cent.; and for one I prefer to take his judgment as head of the Navy Department to risking my own in a question of this kind. But the Bureau of Construction and Repair recommend that we fix the limit at 33\frac{1}{3} or 33, I believe, and the committee after considering the question have decided to fix it at 30, in which form it passed the House and went to the Senate, where it was reduced to 20.

Now, Mr. Speaker, we have in our Navy Department at the present time thirty-one vessels of war available; that is to say, one of the first class, eleven of the second class, and nineteen of the third class. Under class, eleven of the second class, and mneteen of the third class. Under the limit proposed by the committee at the expiration of one year from this time eleven, or more than one-third of the available fleet of to-day, will be stricken from the rolls of the Navy; and if we pass this amendment at 20 or 25 per cent. at the expiration of two, or at most three, years we will not have a ship left. Now, the only proposition is to extend the Navy by improving the modern ships or repairing them, making them available for some time for service, until we have devised some plan for the permanent increase of the Navy. As yet no plan has been

There is no certainty whatever that within a year or two we shall have another steel cruiser, and certainly it does not seem to be the part of wisdom or policy on the part of the legislators of this country to deprive the nation of any navy at all, even if it be a wooden navy, until we have something to take its place. It is like a man burning the house in which he lives before he has completed a new one into which he can move. All that gentlemen say of the expense in connection with the wooden vessels is true, but do not let us discard them, in the face of the recommendation of the Navy and the Bureau of Construction and Repair, until we have something to replace them with.

Let us keep the limit of their repair down to 30 per cent. I hope it will be the will of the House to reject the motion to concur in the Senate amendment, and let the matter at least go to a conference committee, where, after a full consideration of the subject, we can doubtless arrive at some arrangement or conclusion that may be satisfactory both

to the Senate and to the House.

Mr. ELLIS. Now, Mr. Speaker, to resume where I left off. I desire again to call the attention of the House to the cost of this only first-class vessel, the Tennessee. This vessel has a speed of fourteen knots per hour.

Mr. HUTCHINS. You speak of the Tennessee?

Mr. ELLIS. Yes, sir.
Mr. HUTCHINS. She goes off under this amendment in a year.
Mr. ELLIS. Ah! she is rated as a first-class vessel, the best in your Navy and of a type you want to keep up.

Mr. HUTCHINS. She would not come in under this limit.

Mr. HUTCHINS. She would not come in under this limit.
Mr. ELLIS. I do not yield. I trust the gentleman from New York
will possess his soul in patience. As a coal-consumer she consumes now
2.95 pounds per hour of horse-power; while your modern engine consumes one and one-third pounds per hour of horse-power. She is an
enormous coal-consumer. She is too slow for any purpose. And yet
the gentleman would have this Government enact a law which would permit this vessel to be absolutely built over, when she would be of no use in war or in peace.

Mr. HUTCHINS. I desire to correct the gentleman.

Mr. ELLIS. I decline to yield. I know the views of the gentle-man from New York, and so does the House.

man from New York, and so does the House.

Now, what does the Secretary of the Navy tell us? He gives you a long catalogue of vessels that have not been repaired but have been absolutely built over; more having been expended on their repairs under that enormously wasteful system than the vessels originally cost; enough to have made modern vessels in the place of every one of them.

The gentleman from New York knows we have no vessels; this matter of repairs amounts absolutely to the building of the vessel or the rebuilding it over, and thus perpetuating in the Navy of the United States a type and class and character of vessels that are insufficient in war and no credit in peace.

war and no credit in peace.

Now, how long is the country to be subjected to this wasteful and Now, how long is the country to be subjected to this wasteful and extravagant process? How long are you to keep this open grave for our hopes for a navy? For as long as we have a few old rotten, obsolete hulks on the sea, just strong enough to bear the flag and not strong enough to defend it, I am persuaded the views of certain gentlemen will prevail and that we will not embark in the work of building a navy. I say let these old vessels pass away. I would not spend a dollar in repairing them; but when they become totally unfit I would sell them and get rid of them. Let the people know we have not a navy, and then they will fill this Hall with Representatives up to their thought, up to their wealth, up to their ideas of national power and glory, who up to their wealth, up to their ideas of national power and glory, who will compel the building of a modern navy.

Mr. HUTCHINS. I withdraw my amendment and move to amend

by making it 27 per cent.

I am sure the gentleman from Louisiana means to treat this question fairly. He has selected the Tennessee, and he founds all his argument on the condition of that ship as a reason why no money, not a dollar, should be expended on the repairs of the present Navy.

If the gentleman from Louisianahad read the report of the Secretary

of the Navy he would have seen he was dealing unfairly with this subject. The Secretary says at page 14 of his report:

The available cruising sea vessels of the Navy are the following: One first-rate, the Tennessee, of 4,840 tons displacement.

He means by that first class, not that it is in the best repair; because on the same page he says:

Of the above list it is reported that the following will be condemned when surveyed, as they can not be repaired under the law: Tennessee, Lackawanna, Powhatan, and Wachusett.

Now, the gentleman from Louisiana has been talking here about the Now, the gentieman from Louisiana has been talking here about the Tennessee, which the Secretary of the Navy tells us under the law, as it stands, of the 30 per cent. clause, can not be repaired. He says that we propose to appropriate a sum of money here to rebuild that vessel. My answer is, under that law that vessel can not be repaired. It is only those in good condition which can be repaired; and it is only for a temporary purpose, that the American flag may be seen at some mast-head until we can agree among ourselves to provide for the construc-tion of such navy as this Government ought to have.

I withdraw the amendment, and hope that the 30 per cent. limit will

be adopted.

Mr. HISCOCK. I move to amend by striking out "25" and insert-

Mr. Speaker, this is the old contest which we have had before in the

House, striving to support the navy-yards; and every one who has a navy-yard in his neighborhood is in favor of the 30 per cent. limit.

Mr. HEWITT, of New York. Does the gentleman seriously mean to make that statement? I have a navy-yard in my immediate neighborhood and I am not in favor of that limit.

Mr. LONG. And I am not.
Mr. HISCOCK. I will not undertake to say that there are not some

Mr. HUTCHINS. Will the gentleman answer me a question?
Mr. HISCOCK. There may be some exceptions, and I will except
gentlemen from the State of New York.
Mr. HUTCHINS. That is not the point of my question.
The SPEAKER. Does the gentleman from New York [Mr. HIS-

COCK] yield?
Mr. HISCOCK. I do not yield further.

I have before me a statement of the expenditures upon these old ships The investigation of that subject in the past resulted in the establishment of this limitation of 20 per cent. Twenty per cent., I believe, is the law to-day.

Mr. LONG. And has been for two years.

Mr. HISCOCK. And has been for two years, and I am not sure but it has been for three years. Now, as a matter of course, when you carry the limit up to 30 per cent. you increase the employment in the

navy-yards.

Now I do not say that my colleague from New York, Mr. HEWITT, or my other colleague from New York, Mr. HUTCHINS, is influenced by that, but it is wooden ships that are to be repaired, and the moment you carry the expenditure up to 30 per cent, you increase the amount of work in these navy-yards, and the interests of locations, the interest perhaps of Brooklyn, the interest of League Island, the interest of all the navy-yards and of the communities in the vicinity of those navy-

yards, is in favor of the highest amount.

Mr. KELLEY. Mr. Speaker, I beg leave to say, as representing one of the League Island districts, that I am in favor of the smallest limitation. I want to get rid of these wooden hulks.

Mr. HISCOCK. The gentleman from Pennsylvania [Mr. Kelley] has always occupied that position, but I believe that his colleague, Mr. O'NEILL, who is always looking after his navy-yard with great industries always looking after his navy-yard with great industries. dustry and great intelligence, always antagonizes the gentleman from Pennsylvania [Mr. Kelley] upon that subject. Now, sir, I will call the attention of the House and of my friend from New York [Mr. HUTCHINS] to the remarkable statement which was sent to us at the beginning of this Congress in regard to the ships now borne upon the register. Upon those vessels since they have been borne upon the register we have expended for repairs \$41,200,000, and those vessels cost only \$40,000,000. Therefore it appears that we have expended upon them for repairs since they have been borne on the register more than they originally cost. Are we to continue this policy? I say, sir, that if we are to have a new navy, an iron and steel navy, we can do for a while with a less number of these old ships, and save this money and devote it to the construction of new cruisers, and I believe that will be a much better use to make of it. I yield now to the gentleman from Pennsyl-

wania [Mr. BAYNE].

Mr. BAYNE. I have only a word to say. The proposition is made to expend 30 per cent. upon the repairs of these ships. I am informed

by the gentleman from Maine [Mr. DINGLEY], who is thoroughly well posted in all naval matters, that these vessels were constructed during the war and soon after the war, when the cost of building ships was very high. Unseasoned timber was used in their construction; was very high. Unseasoned timber was used in their construction; they were not enduring; and if this appropriation be made on the basis of 30 per cent. of the original cost, it will amount now to 50 per cent. on the estimated present cost of such vessels. If we appropriate even 20 per cent. now, it will be perhaps equivalent to 50 per cent. of the real value of the vessels, so that in two years the appropriation will reach what would be the full par value of these vessels if constructed in times like these. I can not imagine what business principles enter into a proposition of that kind, and I am surprised that such a proposition of the such as surprised that such as proposition of the surprised that such as proposition of the surprised that such as proposition of the surprised that such as surprised into a proposition of that kind, and I am surprised that such a proposition should come from this economical Committee on Appropriations.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, I desire to say a word in reply to the gentleman from New York [Mr. HISCOCK]. I am here, sir, as an advocate of building ships in the navy-yards of the country. I do not hold, however, that there should be no ships built by contract, but pari passu with the building of naval vessels in the navy-yards I would like to see contractors build ships in their private ship-yards. I stand here, sir, as I have always stood, as an advocate of the League Island navy-yard, and to assert that for the purposes of building vessels of war it is not equaled by any navy-yard in the country; and in this connection I desire to bring to the recollection of the House the fact that one of the gentlemen who in a former Congress was foremost in advocating the closing of that yard by legislation was my friend from

in advocating the closing of that yard by legislation was my friend from New York [Mr. HISCOCK].

The League Island navy-yard is in the neighborhood of the city a part of which I represent upon this floor. In that city there are mechanics unsurpassed in their skill in ship-building, either iron ships or wooden ships, either building a new vessel from the keel up or repairing an old one; and such vessels as have been built or repaired at the League Island navy-yard, the Quinnebaug and the Ossipee, for instance, have had less money expended upon them in comparison with the amount of work necessary to be done than any vessels which have been repaired at any other navy-yard in the country. I say this in respect of the mechanics and ship-builders in the city of Philadelphia, that they possess the highest skill, developed by long experience, in the construcpossess the highest skill, developed by long experience, in the construc-tion of ships and in the production of models of naval architecture, and I predict that before long Congress will have to re-establish the League Island navy-yard, for it is the only place in this country where iron naval architecture can be profitably carried on.

Mr. POTTER obtained the floor.

Mr. RANDALL. After the gentleman from New York [Mr. POT-TER] has spoken I shall move to close debate upon this paragraph. The SPEAKER. On the Senate amendment and the amendments

thereto?

Mr. RANDALL. Yes.
Mr. HISCOCK withdrew his formal amendment.
Mr. POTTER. I renew the amendment. I quite agree, Mr. Speaker, that this nation should have a navy equal to its great wants and its great duties. We should not be behind any of the other nations of the world in this respect. But, sir, there is unanswerable force in the sug-gestion of the honorable member, my colleague, from New York [Mr. HISCOCK], that it is of higher importance than any question of 5 or 10 or 15 per cent. that the flag of our country be kept affoat until we shall introduce and produce vessels of iron that shall supplement those that we now have to bear our flag. For one, sir, I am willing that the naval authorities who have recommended that this limit shall be kept at 30 per cent, or as near that as possible, shall have their way. I desire that the flag of my country, if it can not float upon iron ships, shall at least, until we have such ships, float wherever possible upon the best ships that we have.

Mr. RANDALL. I now move to close debate on this amendment of

the Senate.

the Senate.

The motion was agreed to.

The SPEAKER. The first question is upon the amendment of the gentleman from New York, Mr. POTTER, to the amendment of the gentleman from New York, Mr. Cox.

Mr. POTTER. I withdraw it.

The SPEAKER. The question is now upon the amendment of the gentleman from New York, Mr. Cox, to strike out "twenty" and insert "twenty-five."

The amendment was not agreed to: there being—aves 12 noes not.

The amendment was not agreed to; there being-ayes 12, noes not

The question being then taken upon the motion of Mr. Long to concur in the amendment of the Senate, there were—ayes 61, noes 83.

Mr. LONG. I call for the yeas and nays. The yeas and nays were ordered, 53 voting in favor thereof.

SURVEY OF NAPA RIVER, CALIFORNIA.

The SPEAKER. Before the vote is taken, the Chair, if there be no objection, will lay before the House several executive communications and personal requests.

There was no objection.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Engineers of a survey of Napa River, California; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Engineers of a survey of Cashie River, from its mouth to Windsor, N. C.; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SURVEY OF DARIEN HARBOR, GEORGIA.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Engineers of a survey of Darien Harbor, Georgia; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

WASHINGTON AND GEORGETOWN RAILROAD.

The SPEAKER also laid before the House a letter from the president of the Washington and Georgetown Railroad Company, transmitting the annual report of that company; which was referred to the Committee on the District of Columbia.

The SPEAKER also laid before the House a letter from the Secretary of State, transmitting a dispatch from the consul-general of Guayaquil relative to the citizenship of J. R. Santos; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following

To Mr. YORK, for Tuesday and Wednesday next, on account of sick-

To Mr. MILLER, of Pennsylvania, until Tuesday next, on account of serious illness in his family.

To Mr. Johnson, from attendance in the evenings for the remainder of the session, on account of sickness.

LEAVE TO PRINT.

By unanimous consent, leave to print remarks in the RECORD was granted as follows:

To Mr. BUDD, on the fortification appropriation bill. To Mr. STOCKSLAGER, on the bill (H. R. 7523) defining the duties of the Supervising Architect, and for other purposes.

WITHDRAWAL OF PAPERS.

Mr. STEELE, by unanimous consent, obtained leave to withdraw from the files of the House papers in the case of George W. Osborn without leaving copies, there having been no adverse report.

ENROLLED BILLS AND JOINT RESOLUTION.

Mr. SNYDER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills and a joint resolution of the following titles; when the Speaker signed the same:

A bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, Kans.;

A bill (H. R. 1266) for the relief of Alexander D. Schenck;

A bill (H. R. 2158) for the benefit of John C. Herndon;

A bill (H. R. 3058) to amend section 1889 of chapter 1, title 23 of Revised Statutes of the United States, relative to general incorporation

Revised Statutes of the United States, relative to general incorporation

acts of Territories;

A bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;

A bill (H. R. 4382) for the relief of William H. Davis;

A bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States;
A bill (H. R. 6940) granting a pension to Sarah M. Bissell;

A bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other pur-

A bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes; and

Joint resolution (H. Res. 124) authorizing the collector at the port of New York to deliver, free of duty, a silver cup won by Sergt. A. B. Van Heusen as a member of the American Rifle Team, at Wimbledon, in July, 1883.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced the return, in compliance with the request of the House, of concurrent resolution of the House of February 27, 1885, providing for the print-ing of the first and second volumes of decisions relating to the public

NAVAL APPROPRIATION BILL.

The SPEAKER. The question recurs on concurrence in the twentyfirst amendment of the Senate, on which the yeas and nays have been

The question was taken; and it was decided in the negative-year 115, nays 151, not voting 58; as fellows:

YEAS-115.

dams, G. E.	Dingley.	Kean,	Rockwell,
dams, J. J.	Dixon,	Keifer,	Rowell,
iken,	Dunham,	Kelley,	Russell,
nderson,	Ellis,	Ketcham,	Ryan,
rnot.	Ellwood,	Lacey,	Smalls,
tkinson,	Evans,	Lawrence,	Smith, A. Herr
arksdale,	Everhart,	Libbey,	Smith, H. Y.
arr.	Findlay,	Long,	Spooner,
ayne,	Finerty,	Lyman,	Steele,
isbee.	George,	McCoid,	Stephenson,
lanchard,	Guenther,	McComas,	Stewart, J. W.
outelle,	Hanback,	McCormick,	Stone,
owen.	Hancock,	Millard,	Strait,
reitung.	Hart.	Money,	Talbott,
rewer, F. B.	Hatch, H. H.	Morrill,	Taylor, J. D.
rewer, J. H.	Henderson, D. B.	Nelson.	Thomas,
rown, W. W.	Hepburn,	Ochiltree,	Valentine,
rowne, T. M.	Hewitt, A. S.	O'Hara,	Wait,
rumm,	Hewitt, G. W.	Parker,	Wakefield,
urleigh,	Hiscock,	Payne,	Washburn,
ampbell, J. M.	Hitt,	Payson,	Weaver,
annon,	Holmes,	Perkins,	Wemple,
assidy,	Holton,	Peters,	White, J. D.
raig,	Horr,	Pettibone,	Whiting,
ulbertson, W. W.	Houk,	Poland,	Wilson, James
urtin,	Howey.	Post,	Woodward,
utcheon,	Jeffords,	Price,	Worthington,
avis, G. R.	Johnson,	Ranney,	York.
avis, R. T.	Jones, B. W.	Riggs,	1012
	NAI	78-151.	

	N.	AYS-151.	
lexander, agiey, allentine, each, each, elmont, ennett, ingham, land, lount, oyle, reckinridge, readhead, uchanan, uckaner, udd, urnes, abell, aldwell,	Dorsheimer, Dowd, Dunn, Eaton, Eidredge, Elliott, English, Ermentrout, Ferrell, Fiedler, Foran, Forney, Fyan, Garrison, Geddes, Gibson, Glasoock,	Jones, J. H. Jones, J. K. Jordan, Lanham, Le Fevre, Lewis, Lore, McAdoo, McMillin, Matson, Maybury, Miller, J. F. Mills, Mitchell, Moulton, Muldrow, Muller,	Rogers, W. F. Seney, Seymour, Shively, Singleton, Skinner, T. G. Slocum, Spriggs, Springer, Stevens, Stewart, Charl Stockslager, Storm, Sumner, C. A. Swope, Taylor, J. M. Thompson, Tillman,
uckner, udd, urnes, abell,	Fyan, Garrison, Geddes, Gibson,	Mills, Mitchell, Moulton, Muldrow,	Sumner, C. A. Swope, Taylor, J: M. Thompson,
lay, lements, obb, onnolly, onverse, ook, osgrove,	Halsell, Hammond, Hardeman, Hardy, Harmer, Hatch, W. H, Hemphill,	Oates, O'Ferrall, O'Neill, Charles Paige, Patton, Peel, Pierce,	Turner, H. G. Turner, Oscar Van Alstyne, Vance, Van Eaton, Wallace, Ward,
ovington, ox, S. S. ox, W. R. risp, ulberson, D. B. avidson, avis, L. H. euster, ibrell, ockery,	Henley, Herbert, Hill, Hoblitzell, Holman, Hopkins, Houseman, Hunt, Hurd, Hutchins,	Potter, Pryor, Pusey, Randall, Reagan, Reid, J. W. Reese, Robertson, Robinson, W. E. Rogers, J. H.	Warner, A. J. Warner, Richs Willis, Wilson, W. L. Winans, E. B. Wolford, Wood, Yaple, Young.

NOT VOTING-58.

	2102 10	*****	
arbour, elford, lackburn, rainerd, ratton, ampbell, J. E. halmers, ollins, ullen, argan, libble, unston, off, avnes.	Henderson, T. J. Hooper, James, Jones, J. T. Kellogg, King, Kleiner, Laird, Lamb, Lovering, Miller, S. H. Milliken, Morgan, Morrison, Morse.	Murray, Neece, Nutting, O'Neill, J. J. Phelps, Rankin, Ray, G. W. Ray, Ossian Reed, T. B. Rice, Robinson, J. S. Rosecrans, Shaw, Skinner, C. R. Snyder.	Struble, Sumner, D. H. Taylor, E. B. Throckmorton, Wadsworth, Wellborn, Weller, White, Milo Wilkins, Williams, Williams, Winans, John Wise, G. D. Wise, J. S.

So the amendment was non-concurred in.

During the roll-call,

Mr. RANDALL moved that the reading of the names be dispensed with by unanimous consent.

There was no objection, and it was ordered accordingly.

The following pairs were then announced: On all political questions until further notice: Mr. Morrison with Mr. John S. Wise.

Mr. SHAW with Mr. LAIRD.

Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.

Mr. RANKIN with Mr. RICE.

Mr. NEECE with Mr. CHALMERS.

For this day:

Mr. Kellogg with Mr. Blanchard. Mr. Jones, of Alabama, with Mr. Struble.

Mr. O'NEILL, of Missouri, with Mr. HENDERSON, of Illinois.

On this vote:

Mr. CAMPBELL, of Ohio, with Mr. HAYNES.

Mr. DIBBLE with Mr. BELFORD. Mr. SNYDER with Mr. GOFF.

The vote was then announced as above recorded.

Mr. RANDALL moved to reconsider the vote by which the Senate amendment was non-concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles;

when the Speaker signed the same:

A bill (H. R. 2268) for the relief of John F. Severance; and

A bill (H. R. 441) for the completion of a public building at Council Bluffs. Iowa.

REPORT OF CAPT. M. A. HEALY, UNITED STATES REVENUE MARINE.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting the report of Capt. M. A. Healy, U. S. R. M., on the cruise of the revenue-marine steamer Corwin in the Arctic Ocean; which was referred to the Committee on Printing.

Mr. HISCOCK. I move that the question of printing extra copies of that valuable report be referred under the rule to the Committee on

Printing.

The SPEAKER. That question will be referred to the Committee on Printing, when it will then become a privileged matter.

Mr. HISCOCK. So I suppose, and that is what I desire.

NAVAL APPROPRIATION BILL.

The SPEAKER. The Clerk will read the next amendment of the

Amendment numbered 22 was read, as follows:

Strike out the following: "For the completion of the New York, \$400,000."

Mr. RANDALL. The Committee on Appropriations recommend non-concurrence; and as this subject was very fully discussed when the bill was under consideration some days ago, I feel justified in demanding the previous question.

Mr. HISCOCK. It seems to me we should have some discussion on

this question of concurrence or non-concurrence in the amendments of

the Senate in striking out this paragraph.

Mr. REED, of Maine. I think we are entitled to a discussion under the order of the House.

The SPEAKER. Under the order of the House there will be discussion for five minutes on each side.

Mr. RANDALL. Very well; let each side state the case.
Mr. KEIFER. I move to concur in the Senate amendment.
The SPEAKER. Of course the question will be on concur

Of course the question will be on concurrence.

Mr. RANDALL. The Committee on Appropriations recommend non-concurrence.

Mr. KEIFER. Mr. Speaker, I have a very bright hope that the House will so vote, looking at the provisions of this bill for the support of the Navy, that it shall be something more than a mere nominal navy, and in that view I ask the amendment of the Senate striking out this appropriation of \$400,000 be concurred in. As we all agree, I believe, this money is to be expended upon an old frame of a ship of an obsolete model, and which when finished at this vast cost will be of no possible

use or value to the country in time of war.

As has been already said here on this floor in debate on this bill, this is a vessel without speed in comparison with the naval vessels of the world of to-day. It would have a speed of about twelve knots an hour, perhaps not even so much as that, and it would be incapable of catching a vessel on the high seas that it could whip; and what is still worse, ing a vesser on the high seas that it could winly; and what is still worse, it could not run away from anything on the high seas, and everything could whip it that could catch it. It would be of no value in coastdefense. It would be of no value at sea in time of war. It is well known that this is a mere frame-work of a ship called the New York, on the stocks in the Brooklyn navy-yard. It has some wooden ribs, and has some of the skeleton of a great ship; but it has been standing now for a full score of years in that unfinished condition, and no Congress up to this time has deemed it worth while to expend any money toward its completion. All of a sudden, however, it occurs to the House of Representatives of the United States to expend \$400,000 in trying to put the ship in a condition that it can be launched upon the waters

But nobody pretends that it will be of any value except my distinguished friend from New York [Mr. Cox] who, I see before me, and another distinguished friend from Maine [Mr. DINGLEY] on this side of the House, both of whom agreed in the course of debate some days ago that it would be valuable, possibly, in case we should need another ship to keep a naval school in, tied up somewhere in some harbor of the United States. This is the best and the sole purpose to which the vessel could be applied in case the vessel was ever finished. We have, as my friend from Massachusetts [Mr. RANNEY] suggests to me, sufficient of these old wooden ships well fitted for the business of teaching a naval

school in at some point along the coast, without the necessity of embarking in the construction of others for that purpose. This vessel, therefore, is not needed for that.

It is beyond comprehension that we should be able to find a body of men insisting upon completing it. The amount to be expended upon it if completed would build some sort of a vessel valuable at least for coast defense; but this expenditure, in addition to what has been already expended on this vessel, is an absolutely useless expenditure and waste of the public money, and ought not to receive the sanction of this House. It would be simply money thrown away, and resolves itself into a mere

atter of squandering the public funds.

Mr. RANDALL. Mr. Speaker, this provision was recommended by the Committee on Appropriations, and was adopted by the House after a full debate. The Senate has non-concurred, and the Committee on Appropriations again recommend non-concurrence in their amendment. I do not think any further debate is necessary; but I will yield two minutes to the gentleman from New York, Mr. Cox, and two minutes

to the gentleman from New York, Mr. POTTER.

Mr. COX, of New York. Mr. Speaker, my friend from Ohio [Mr. Keifer] has taken occasion, as he did some time ago in the debate on this subject, to indulge in a spirit of ridicule toward the construction of this ship by calling it an old, obsolete type, or tub, or something of that sort. I wish to say to the House, and to the gentleman from Ohio, that it is nothing of the kind. In the Forty-seventh Congress a report was made by a committee on this very subject; and they reported as to the New York that it should be built. They show that the vessel was commenced in 1865; that it is a vessel of twenty-one guns, with 2,490 ton-nage and 4,070 displacement; and as to its present condition and locanage and 4,070 displacement; and as to its present condition and location, it is shown by the tabulated statement accompanying the report as a partly completed vessel or frame on the stocks in New York, built of live-oak, and worthy of being finished. That report, the substance of which I have merely alluded to, was made to the Forty-seventh Congress by that very committee, and I call the attention of the gentleman from Ohio to the fact, that recommended the construction of the steel cruisers for our navy of the future.

And now to show that this is not a matter brought up in a hurry, without debate and without proper consideration or proper examina-tion, I hold in my hand another report, which was quoted by myself the other day in reference to this New York, a report made from the Bu-reau of Construction and Repair to the Secretary of the Navy for the year ending June 30, 1884, in which it will be found, and I will have it printed, but will now only say to my friend from Ohio that this report by Naval Constructor Wilson strongly recommends the completion

of this ship. He says, to quote his own language:

of this ship. He says, to quote his own language:

The bureau strongly recommends the completion of the frigate New York at the Brooklyn navy-yard. This vessel has been on the stocks in one of the ship-houses since 1865; and from the fact that she was in frame before work was suspended on her, and was neither ceiled nor planked, the air has freely circulated through her timbers, and to-day they are as hard as bone and probably in better condition than any frame timbers ever put in a ship. If completed with materials that have been preserved by the Thilmany process for preserving ship timber, she would make a useful and most efficient ship of her class for twenty years. Although designed in 1855, she is an exceedingly fine model, and if finished will give us a first-class flag-ship. She can carry a battery as heavy and equally as well arranged for head and stern fire as the new cruiser Chicago has. Her length on the mean load line is 315 feet, extreme breadth of beam 47 feet, depth from lower edge of rabbet of keel to lower portsill on gun deck 25 feet II inches. She is designed to have a ship's rig, having 24,000 square feet of sail surface in her ten principal sails. Her displacement at a draught of 18 feet 9 inches forward, and 21 feet 5 inches aft, would be equal to 4,527 tons, and her lowest port sill on the gun deck would be 8 feet above water. The plans for finishing this vessel are in such a condition that they could be completed in a very short time, and the work on her, if authorized, could be pushed to completion and the vessel put afloat within six months from the time it is resumed. To permit of doing this work without having to draw so heavily upon the regular appropriations for construction and repair, the bureau has estimated for \$400,000, which it is thought will be sufficient to complete her.

All I have to say, then, is that inasmuch as the skeleton of this ves-

All I have to say, then, is that inasmuch as the skeleton of this vessel is in a first-class condition, and as it has been recommended for completion by competent naval authorities, I hope the good work will go on, and we will furnish machinery in the future by which she may be made useful, if not upon the sea as a belligerent in time of war, at least for other purposes in connection with our naval service.

least for other purposes in connection with our naval service.

[Here the hammer fell.]

Mr. POTTER. Mr. Chairman, I have only time to say that in my judgment this ship should be completed. We have won nearly all we have won by our Navy in the past in wooden ships; and to whatever extent the construction of iron ships will be carried there will be always ample room and ample demand for the use of ships like this. She has cost already many hundreds of thousands of dollars, all of which is either to be thrown away or also we must make this appropriation to either to be thrown away or else we must make this appropriation to complete her. She is a new ship and will be one of the best of her kind in the Navy when completed; and, as I have said, there will be always places in the naval service where ships of this character will be needed, both in time of war and in peace.

In war we need transport ships; in war we shall always need ships under circumstances where this ship will serve better than the iron ship. I hope the House will stand by the committee and insist upon the com-

pletion of this ship.

Mr. THOMAS. I move to amend by striking out "\$400,000" and inserting "\$200,000."

Mr. RANDALL. I give notice that after the gentleman from Illinois

has been heard I shall move to close debate.

Mr. THOMAS. I offer this amendment in order that I may reply to the statement made by the gentleman from New York [Mr. Cox] the chairman of the Committee on Naval Affairs, with reference to the recommendation for the rebuilding of this vessel. I happened to be a member of the Naval Committee at the time this recommendation was made and before it was certainly known we could furnish the materials and build steel vessels in this country. Since then it has been shown we can not only manufacture the steel, but we can manufacture the ships, as the new vessels which will soon be completed demonstrate.

I desire to call the attention of the House to a letter I have received from the Admiral of the Navy. And however little or however much the members of this House may know about naval architecture and ships of war it is safe to say that David D. Porter, Admiral of the Navy, knows something. He has written to me in reference to this vessel, and he

savs:

An item is introduced appropriating \$400,000 to finish a wooden ship-

The New York-

whose hull was modeled twenty years ago, and which will cost \$1,000,000 before she is finished.

Why, two shells from this little gunboat would set her on fire and completely destroy her.

I have given the experience of fifty-five years to the naval service.

If Congress thinks proper to go to work and build a wooden vessel upon plans that were prepared twenty years ago, and which, when finished, will scarcely have speed enough to get out of her own way, and will be but a duplicate of the Tennessec, with a vulnerability greater than ships had at the time she was planned, owing to the increase in the size of guns and shell, well and good.

It is said the reason for building her is because we must have something to represent us abroad until iron or steel ships are built, but that would be a poor representation of a nation's progressiveness which would offer a ship to the eyes of the European world that was twenty years behind the time and built of a material that no naval power on the earth would think of using for a fighting ship.

ing ship.
Even the Chinese deride the old wooden ships that we send abroad. Of course,
Europeans know how useless they are. What we want for immediate use is
something to defend our coasts.

These are the words of wisdom which have fallen from the lips and pen of the Admiral of the Navy, and they meet the concurrence of every man who has looked into this question of the construction of the Navy. These wooden ships have passed out of date. They are no longer useful. Take, for instance, the Michigan, to which I referred on another occasion. She was built forty years ago. She cost about \$500,000; and in the forty years she has been afloat she has cost less to keep her in repair than any wooden vessel now afloat has cost for the same purpose in five years; while the Kearsarge, the Powhatan, the Lancaster, and any number of wooden vessels I might mention, and to which the attention of Congress has been called by an executive document frequently read here, have cost for repairs twice, ay, three times as much, as their original cost. To-day if this bill becomes a law they will be stricken from the Navy Register, because even 30 per cent. will not keep them affoat and make them efficient even for surveying vessels.

I hope the amendment of the Senate will be agreed to.

Mr. RANDALL. I hope the House will sustain the recommendaon of the committee. I move to close debate on the amendment of tion of the committee. the Senate and the pending amendment.

The motion was agreed to.

Mr. THOMAS. I withdraw the amendment.

The SPEAKER. The question is on the motion of the gentleman from Ohio [Mr. Keifer] to concur in the Senate amendment striking out the lines which have been read.

Mr. KEIFER. I think we may as well have the yeas and nays. On the question of ordering the yeas and nays there were ayes 48-

not one-fifth of the last vote.

Mr. KEIFER. I call for tellers.

Tellers were ordered, 40 members voting therefor.

Mr. RANDALL. I perceive that the demand for yeas and nays can not be beaten, and therefore to save time I am willing that they shall be ordered by consent.

There was no objection.

The question was taken; and there were-yeas 100, nays 151, not voting 73; as follows:

YEAS-100.

Craig.	Hatch, H. H.	Lacey,
Culbertson, W. W.	Havnes.	Laird.
Cullen,		Lawrence,
Curtin,	Henderson, T. J.	Libbey,
Cutcheon,	Hewitt, A.S.	Long,
Davis, G. R.	Hiscock,	Lyman,
Davis, R. T.	Hitt,	McCoid,
Dixon,	Holmes,	McCormick,
Dunham,	Holton,	Millard.
Ellwood,	Horr.	Morrill.
Evans.	Houk.	Nutting:
Findlay,	Howey,	Ochiltree,
Finerty,	James,	O'Hara,
	Jeffords,	Parker,
	Jones, B. W.	Payne,
	Kean,	Payson,
Harmer,		Perkins,
Hart,	Kelley,	Peters,
	Culbertson, W. W. Cullen, Curtin, Curtcheon, Davis, G. R. Davis, K. T. Dixon, Dunham, Ellwood, Evans, Findlay, Finerty, Guenther, Hanbaek, Hancock, Harmer,	Culbertson, W. W. Haynes, Culten, Curtin, Cutcheon, Davis, G. R. Davis, R. T. Dixon, Dunham, Ellwood, Evans, Findlay, Finerty, Guenther, Hanbaek, Hancock, Hancock, Jones, B. W. Hance, Kean, Harrer, Keifer,

Pettibone,	Skinner, C. R.	Stone,	Weaver, White, J. D.
Poland,	Smalls,	Strait,	White, J. D.
Ranney, Reed, T. B.	Smith, A. Herr	Taylor, J. D.	White, Milo
Reed, T. B.	Spooner,	Thomas,	Whiting,
Rockwell,	Steele,	Valentine,	Whiting, Wilson, James Wise, J. S.
Rowell,	Stephenson,	Wait,	Wise, J. S.
Russell,	Stewart, J. W.	Washburn,	York.
partition of the last of		YS-151.	out out the second ()
Alexander,	Dorsheimer,	Kleiner,	Singleton, Skinner, T. G.
Bagley, Ballentine,	Dowd,	Lanham,	Skinner, T. G.
Ballentine,	Dunn,	Le Fevre,	Slocum,
Barbour,	Eaton,	Lewis,	Spriggs,
Barksdale,	Eldredge,	Lovering,	Springer,
Beach, Belmont,	Elliott, English,	Lowry, McAdoo,	Stevens, Stewart, Charles
Bennett,	Ermentrout,	McMillin,	Stockslager,
Blount,	Everhart,	Maybury	Storm,
Boyle,	Ferrell,	Maybury, Miller, J. F.	Sumner, D. H.
Bratton,	Fiedler,	Mills,	Swope,
Breckinridge,	Follett,	Mitchell,	Talbott,
Buchanan,	Forney,	Muldrow,	Taylor, J. M.
Buckner,	Fyan,	Murphy,	Tillman,
Burnes,	Garrison,	Mutchler,	Thompson,
Cabell,	Geddes.	Neece,	Tully,
Caldwell,	Glascock,	Nicholls,	Turner, H. G.
Campbell, Felix	Graves,	Oates,	Turner, Oscar
Campbell, J. E.	Green,	O'Ferrall,	Van Alstyne,
Candler,	Greenleaf,	O'Neill, Charles	Vance,
Carleton,	Halsell,	O'Neill, J. J.	Van Eaton,
Clay,	Hammond,	Paige,	Wallace,
Clements,	Hardeman,	Patton,	Ward,
Collins	Hardy, Hatch, W. H.	Peel,	Warner, A. J.
Connolly,	Hatch, W.H.	Phelps,	Warner, Richard
Converse,	Herbert,	Pierce,	Wellborn,
Cook,	Hewitt, G. W.	Potter,	Wilkins,
Cosgrove,	Hoblitzell,	Pryor,	Willis, Wilson, W. L.
Covington,	Holman,	Randall,	Winans, E. B.
Cox, S. S. Cox, W. R.	Hopkins,	Reagan, Reid, J. W.	Winans, John
Crisp,	Houseman,	Reese,	Wise, G. D.
Culberson, D. B.	Hunt,	Robertson,	Wolford,
Davidson,	Hurd,	Rogers J H	Wood,
Davis, L. H.	Hutchins,	Rogers, J. H. Rogers, W. F.	Woodward,
Deuster,	Jones, J. H.	Seney,	Worthington,
Dibrell,	Jordan,	Seymour,	Yaple.
Dockery,	King,	Shively,	
	NOT	VOTING-73.	
Atkinson,	Funston,	Money,	Ryan,
Belford,	George,	Morgan,	Shaw,
Bingham,	Gibson,	Morrison,	Smith, H. Y.
Blackburn,	Goff,	Morse,	Snyder,
Blanchard,	Hemphill,	Moulton,	Struble,
Bland,	Henley,	Muller,	Sumner, C. A. Taylor, E. B.
Bowen,	Hepburn,	Murray,	Taylor, E. B.
Broadhead, Brown, W. W.	Hooper,	Nelson,	Inrockmorton,
Brown, W. W.	Johnson, Jones, J. K.	Post,	Townshend,
Budd,	Jones, J. K.	Price,	Tucker,
Burleigh,	Jones, J. T.	Pusey, Rankin, Ray, G. W.	Wadsworth,
Chalmers,	Kellogg,	Rankin,	Wakefield,
Clardy,	Ketcham,	Ray, G. W.	Weller,
Cobb,	Lamb,	nay, Ossian	Wemple,
Dargan, Dibble,	Lore, McComas,	Rice,	Williams,
Dipole,	Moteon	Riggs,	Young.
Dingley, Ellis,	Matson, Miller, S. H.	Robinson, J. S. Robinson, W. E.	
Foran,	Milliken.	Rosecrans.	

Matson, Miller, S. H. Milliken, So the amendment was non-concurred in.

On motion of Mr. RANDALL the reading of the names was dispensed

The following additional pairs were announced from the Clerk's desk: Mr. JONES, of Arkansas, with Mr. HOOPER, for the remainder of the Mr. RIGGS with Mr. JOHNSON, on this vote.

Mr. DIBBLE with Mr. MILLER, of Pennsylvania, on this vote.

Mr. SNYDER with Mr. GOFF, on this vote. Mr. BUDD with Mr. GEORGE, on this vote.

Mr. CLARDY with Mr. BELFORD, on this vote. Mr. FORAN with Mr. CHALMERS, on this vote. Mr. BLACKBURN with Mr. BINGHAM, on this vote.

The result of the vote was then announced as above stated.

Mr. RANDALL moved to reconsider the vote by which the amendment was non-concurred in; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

Amendment numbered 23 was read, as follows:

Strike out the word "thirty" and insert the word "twenty;" so that, if amended, the proviso will read:

"That no part of said sum shall be applied to the repair of engines and machinery of wooden ships where the estimated cost of such repair shall exceed 20 per cent. of the estimated cost," &c.

Mr. RANDALL. The committee recommend concurrence, but there has been an indicative vote of the House this morning in the other direction.

Mr. KEIFER. There is no objection to taking the judgment of the

Mr. RANDALL. In obedience to the instructions of the committee I make the motion that the House concur, but I express an individual hope that the House will vote that down.

Mr. LONG. I suggest that that amendment and the next one be

taken together.

Mr. KEIFER. Make the motion to non-concur in the twenty-third and twenty-fourth amendments.

Mr. RANDALL. That would be in harmony with the action of the

House this morning.

The SPEAKER. If there be no objection, the House will non-con-

There was no objection; so the amendments were non-concurred in. Amendment numbered 25 was read, as follows:

Strike out "warves" and insert "wharves."

The amendment was concurred in.

Amendment numbered 26 was read, as follows:

Strike out "car-tickets, \$200,"

The amendment was concurred in.

Mr. KEIFER. Mr. Speaker, I wish to make a suggestion. I think the Committee on Appropriations were unanimous in agreeing that the remainder of the amendments of the Senate should be non-concurred in. I do not mean that all the members of the committee were in favor of non-concurrence in each of these amendments, but they were

agreed that that was the best policy.

Mr. RANDALL. In accordance with the suggestion of the gentleman from Ohio [Mr. KEIFER], for which I am indebted to him, I move that the House non-concur in the remaining amendments of the Senate.

The SPEAKER. If there be no objection, the remainder of the Senate amendments to this bill will be non-concurred in.

Mr. COX, of New York, and Mr. TALBOTT. There is objection.
The SPEAKER. Objection is made.
Mr. TALBOTT. I make no objection except as to amendment 28.
Mr. RANDALL. The Committee on Appropriations, as stated by the gentleman from Ohio [Mr. Keifer], reached a unanimous conclusions to the remainder of the Sentet and Senter the state of the Senter of the sion as to the remainder of the Senate amendments to this bill, that they should be non-concurred in. The subjects all relate to each other; the amendments are interwoven, as it were, one with another, and the committee have also, in some degree, discussed the position to be taken by the conferees. I hope the suggestion of the gentleman from Ohio

by the conferees. I hope the suggestion [Mr. KEIFER] will be assented to.

Mr. KEIFER. I wantit understood that we do not necessarily disagree with the substance of all these amendments, but we do agree that it is a wise policy to go into conference upon them.

Mr. RANDALL. We all agree as to the increase of the navy, and he heads of bureaus the responsible parties in the construction of these vessels.

The SPEAKER. If there be no objection—

Mr. COX, of New York. Objection has been made.

The SPEAKER. The Chair understood that objection was made only to non-concurrence in the twenty-eighth amendment.

Mr. COX, of New York. I understood the gentleman from Pennsylvania [Mr. RANDALL] to say that he proposed to non-concur in all the rest of the Sanata amendments. the rest of the Senate amendments.

Mr. RANDALL. Yes.

Mr. COX, of New York. Now I should think that gentlemen on both sides might be willing to take the sentiment of the House in re-lation to these things. Let them make the motion to non-concur and

let the House act upon it.

Mr. RANDALL. We do move to non-concur.

Mr. COX, of New York. The amendments are quite different in character. Here is a motion to strike out what the House has already inserted and insert something else.

Mr. RANDALL. That is the Senate amendment, and we propose to

Mr. COX, of New York. Then, further along, in another amendment, come the monitors. Now, some gentlemen here do not want to vote for the monitors

Mr. RANDALL. Well, you are not voting for them by non-concur-

Mr. COX, of New York. I know I am not, but I may want to vote

for some of these other propositions.

Mr. RANDALL. Well, if you want to you can vote for the cruisers.

The SPEAKER. The amendments must be acted upon separately unless unanimous consent is given to act upon them all together. Objection is made, and the Clerk will read the next amendment.

Amendment numbered 27 was read, as follows:

Strike out the words "To complete the construction of the steel cruiser of not less than 5,000 nor more than 6,000 tons displacement, and the armament therefor, authorized by act of Congress August 5, 1882, \$1,780,000, or so much thereof as may be necessary: Provided, The Secretary of the Navy shall approve of the construction of said vessel."

Mr. RANDALL. I move the previous question on the motion to nonconcur in that amendment.

The amendment was non-concurred in.

Amendment numbered 28 was read, as follows:

"To enable the President to strengthen the naval establishment of the United States by additional vessels of the best and most modern design, having the highest attainable speed, the sum of \$1,895,000 is hereby appropriated, to be expended as follows and under the following limitations:

"For the construction of two cruisers of not less than 3,000 nor more than 5,000 tons displacement, costing, exclusive of armament, not more than \$1,100,000 each;

one heavily armed gunboat of about 1,600 tons displacement, costing, exclusive of armament, not more than \$520,000; and one light gunboat of about 800 tons displacement, costing, exclusive of armament, not more than \$275,000; and authority is hereby given for the construction of said four vessels, at not exceeding the total cost for each above specified, in accordance with such final plan as may be determined upon, after a revision and reconsideration of all designs which have been heretofore made, and in the manner and conformity to the conditions and limitations provided for the construction of the new cruisers in the acts of August 5, 1882, and of March 3, 1883."

Mr. RANDALL. Under instruction of the Committee on Appropri--I believe without dissent-I move non-concurrence.

Mr. TALBOTT. I move to concur with an amendment to insert the word "steel" between "two" and "cruisers;" so as to read "two steel cruisers.

Mr. RANDALL. I ask the previous question on my motion and on

the amendment.

Mr. COX, of New York. Mr. Speaker, with the permission of my friend from Pennsylvania [Mr. RANDALL], I desire to state that the Committee on Naval Affairs, of which I am chairman, favor, I believe almost unanimously, some attempt of this kind to increase our navy. We are not wedded to wooden vessels, although I voted for one of them. We are perfectly content with the increase of steel cruisers of the description embraced in this amendment of the Senate. I should think, as I have already said, that my friend from Pennsylvania and the gentlemen who may be on the conference committee would be glad to have an expression of the opinion of the House upon this matter.

Mr. RANDALL. Both sides of the House, as represented upon the

Committee on Appropriations, favor an increase of the navy, and have

joined in recommending non-concurrence, with a view to reaching a conclusion which will give us an increase of the navy.

Mr. COX, of New York. Is not the gentleman from Pennsylvania opposed to this 20 per cent. amendment?

Mr. RANDALL. I am not opposed to the object of the Senate amendment—the increase of the navy, but I think that the Committee on Appropriations, after a full discussion of this subject, will indicate a way in which it can be better and more appropriations. which it can be better and more expeditiously done and place the re-sponsibility for the construction of the ships upon the Secretary of the

Navy and the heads of the respective bureaus,
Mr. COX, of New York. That is not included in this amendment.
Mr. RANDALL. Well, we are going to try to reach it by non-con-

currence.

Mr. COX, of New York. By a conference?
Mr. RANDALL. Yes, sir. I think I have stated fairly the position of gentlemen on both sides of the House.

Mr. KEIFER. As I have already stated, while we favor non-con-

currence, we are in favor of this proposition to construct new cruisers.

Mr. RANDALL. I think I have stated the position of the other side of the House on this question as fairly and fully as that of gentlemen on this side.

Mr. TALBOTT. Mr. Speaker, have I any time for debate at all on this question

The SPEAKER. The gentleman from Pennsylvania [Mr. RAN-DALL] moves to close debate.

Mr. RANDALL. I want to test the wish of the House as to order-

ing the previous question.

Mr. TALBOTT. I think we may reach an agreement here among

ourselves in the House without losing time by a vote.

The SPEAKER. The question is upon the motion of the gentleman from Pennsylvania to close debate.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. COX, of New York. After the statement made by the distinguished chairman of the Committee on Appropriations, I trust that my friend from Maryland [Mr. Talbott] will withdraw his amendment and let the conference committee do all they can to initiate this move-

Mr. RANDALL. That is what we are all striving for on both sides of the House

Mr. TALBOTT. Well, Mr. Speaker, I desire to say one word. The Committee on Naval Affairs, who ought properly to have charge of such matters, believe that this is good legislation contained in this amend-

Mr. RANDALL. Very well; the recommendation of the Committee on Naval Affairs shall have full consideration in the conference.

The SPEAKER. The first question is upon the amendment of the

gentleman from Maryland.

Mr. TALBOTT. I withdraw it.

Mr. RANDALL. As I understand, objection will now be withdrawn to the proposition of the gentleman from Ohio [Mr. Keifer].

Mr. KEIFER. I renew my proposition to non-concur in all the re-

maining amendments.

The SPEAKER. That can be done only by unanimous consent.

Mr. RANDALL. There is no objection now.

The SPEAKER. If there be no objection, the remaining amendments of the Senate will be considered as non-concurred in. hears no objection, and it is so ordered.

Mr. RANDALL. I now move to reconsider the action of the House on these various amendments, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BELFORD. I rise to a question of order. The disorder is so great that gentlemen in this part of the Hall have been unable to hear a single remark of the gentleman from Pennsylvania or other gentle-

men touching these appropriations.

The SPEAKER. The Chair thinks the point of order well taken. The Chair has endeavored by all the means in his power to preserve order. There is so much conversation on the floor and in the rear of the seats that it is impossible to transact the public business. The Sergeant-at-Arms will request gentlemen to take their seats and cease conversation.

ORDER OF BUSINESS.

Mr. BENNETT. I rise to a question of privilege, and call up the contested-election case of Frederick vs. Wilson, from the State of Iowa.

Mr. MILLS. I hope the gentleman from North Carolina will yield a moment to allow me to offer a resolution.

The SPEAKER. The gentleman from North Carolina [Mr. BEN-

NETT | calls up for consideration the contested-election case of Frederick vs. Wilson.

Mr. VALENTINE. On that I raise the question of consideration. Mr. MILLS. I ask the gentleman to allow me a moment to introduce a resolution which will cause no debate.

Mr. TURNER, of Kentucky. I call for the regular order. The SPEAKER. The gentleman from Kentucky on the right demands the regular order.

PRIVILEGES OF REPRESENTATIVES IN INAUGURATION CEREMONIES. Mr. MILLS. I move to suspend the rules and pass this resolu-

Mr. SPRINGER. I believe there is no objection to this matter of the gentleman from Texas.

The SPEAKER. There is objection.

Mr. SPRINGER. It relates to the inauguration ceremonies.

The SPEAKER. The resolution of the gentleman from Texas will

be read, after which the Chair will ask for objection.

The Clerk read as follows:

Resolved by the House of Representatives, That the committee appointed to arrange the inaugural ceremonies for the 4th instant having declined to give to the Representatives in Congress their proper place, we will decline to take any part in said ceremonies at the Capitol.

Mr. MILLS. I move to suspend the rules and pass this resolution. The SPEAKER. Is there objection to the consideration of this reso-Intion?

Mr. KEIFER. Let it be read again.

The SPEAKER. The resolution will be read again, and the Chair asks gentlemen to preserve order.

The resolution was again read.

The SPEAKER. Is there objection to the consideration of this resolution?

Mr. HAMMOND. I object.

Mr. MILLS. I move to suspend the rules and pass this resolution. It is a resolution which reflects the wishes of a large number of gentlemen on this floor.

Mr. RANDALL (to Mr. MILLS). Call the previous question.
Mr. MILLS. I move to suspend the rules. No previous question is
eccessary. The resolution affects the dignity of the House.

necessary. The resolution affects the dignity of the House.

The SPEAKER. The gentleman from Texas moved that the rules be suspended. That can only be done by consent of the gentleman from North Carolina [Mr. BENNETT] who holds the floor to call up an elec-

Mr. MILLS. I ask the gentleman from North Carolina to yield to me, as this question which I present affects the dignity of the House of

Representatives.
Mr. SPRINGER. I do not see the necessity of taking up the time

of the House in a matter of this character.

The SPEAKER. The Chair has already stated that the motion to suspend the rules can not be submitted without the consent of the gentleman from North Carolina, who has the floor on a contested-election case

Mr. MILLS. I appeal to the gentleman from North Carolina to yield to me the floor.

Mr. BENNETT. I will yield the floor to the gentleman from Texas.

Mr. MILLS. I will demand the previous question.

The SPEAKER. Then the gentleman from Texas moves to suspend the rules and adopt the resolution.

Mr. WILLIS. I understand the gentleman from Texas moves the adoption of the resolution, and on that motion demands the previous

The SPEAKER. Objection has been made to the introduction of the resolution, and the gentleman from Texas has moved to suspend the rules and adopt it.

Mr. HAMMOND. I demand a second under the rule.

The SPEAKER. The Chair will appoint as tellers the gentleman

from Georgia, Mr. HAMMOND, and the gentleman from Texas, Mr. MILLS.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof; when the Speaker signed the same.

PRIVILEGE OF THE HOUSE-INAUGURAL CEREMONIES.

The House divided; and the tellers reported—ayes 138, noes 8. So the motion to suspend the rules was seconded.

The SPEAKER. Under the rule of the House thirty minutes are

allowed for debate, fifteen minutes on each side.

Mr. MILLS. I demand the previous question on the adoption of the esolution. We do not want debate. It affects the dignity of this

The SPEAKER. Then if no debate is desired the question will be

on the motion to suspend the rules and adopt the resolution.

Mr. HAMMOND. What becomes of the fifteen minutes of debate

on either side?

The SPEAKER. The Chair announced there were thirty minutes allowed for debate, fifteen minutes in support of the motion and fifteen minutes against it. It was then stated on the floor that no debate was asked by the gentleman from Texas. Does the gentleman from Georgia desire to debate it? [Cries of "Vote!" "Vote!"]

Mr. HAMMOND. I ask to debate it.

The SPEAKER. Then the gentleman is entitled, under the rules of

the House, to fifteen minutes, and will proceed.

Mr. HAMMOND. Mr. Speaker, I regret very much that I am so hoarse that it will be very difficult for me to be heard. But I feel that we are about to do, under passion, a very unseemly thing. On the 4th of March a President of the United States is to be inaugurated. It is usual that the House of Representatives shall be present with the Senators and other public officials to witness that great event. And now we are about to pass, without debate, and as I understand it, in childish pique, a resolution that we will decline to be present on that important occasion because it is charged that somebody has offered us a slight. I deny it. The Senate had no such intention. If this House a slight. I deny it. The Senate had no such intention. If this House believes it had, there is a dignified way of asserting and maintaining the dignity of this body. I say that a resolution that declares that, because we sit behind the other gentlemen in the Senate Chamber, therefore we will not sit there at all, is puerile. I had the pleasure of a like seat when Garfield was inaugurated. The House sat there and no man dreamed that he was insulted by his location.

Whence comes this sudden notion of insult to the House. Why is it wrong that the members of the House of Representatives should sit in the rear? There will be the Supreme Court and the diplomatic corps and the Senate and all the rest in the Senate Chamber. Some must sit behind. I maintain that true dignity consists in taking the seat that

benind. I maintain that true dignity consists in taking the seat that is offered; for they are all equally honorable and of equal importance. It is childish to quarrel about location in that small assembly hall.

I speak earnestly because I feel earnestly. Instead of maintaining its dignity at this moment the House is in danger of losing its dignity. If there has been any slight, it has been entirely unintentional. The Senate never intended to insult us or in any way to inflict upon us a slight of any sort.

Will any gentleman tell me wherein this inauguration differs from any other? Will any gentleman tell me it is any more dishonorable on the 4th of March to sit behind them than it was to sit behind them when we attended the Washington Monument ceremonies?

Mr. BELFORD. If the gentleman will allow me I will tell him. Mr. HAMMOND. I yield for five minutes to the gentleman from

Mr. BELFORD. You ask questions and then you decline to have

Mr. YOUNG. I shall hardly require that much time, Mr. Speaker, to enter my earnest protest against this hasty and inconsiderate action. I seems to me that we owe it to ourselves and we owe it to the occasion to conduct ourselves with somewhat more of dignity.

Mr. VALENTINE. I ask the House be called to order and that

members be requested to take their seats. It is impossible to hear what

The SPEAKER. Members can hear much better in their seats than

when crowded in the area in front of the reporters' desk.

Mr. YOUNG. It may be true, Mr. Speaker, that the Senate has not been quite so considerate in this matter as it ought to have been. may be they have shown some discourtesy to the House. Admitting all that to be true, does it furnish any justification to the House to show equal if not greater discourtesy to the President of the United States by refusing to be present when he is inaugurated? Perhaps it would have been better, and I think myself it would have been, if the Senate had conferred with the House before arranging this programme for the inauguration. Possibly it was an oversight. I can not think any discourtesy or indignity was intended on the part of the Senate toward the House of Representatives. Whether that is so or not, we owe it to ourselves, it seems to me, to take the usual part the House of Representatives has always taken on occasions of this sort.

It would present a most unseemly spectacle to the country if one branch of the legislative department of this Government, and the largest branch, too, should absent itself altogether, and under a resolution favorably adopted, when the President recently elected by the people is about to be inaugurated. I hope, sir, the House will calmly and dispassionately consider this matter before they adopt the resolution offered by the resolution offered by the gentleman from Texas. I have nothing more to say.

the gentleman from Texas. I have nothing more to say.

Mr. HAMMOND. How much time have I remaining?

The SPEAKER. The gentleman has eight minutes.

Mr. HAMMOND. I yield two minutes to the gentleman from North Carolina [Mr. Cox].

Mr. COX, of North Carolina. Mr. Speaker, this is an unusual resolution which is proposed at this time for our adoption in connection which is proposed at this time for our adoption in connection. with the inauguration ceremonies about to take place. If I am correctly informed, the method now proposed by the committee on arrangements is the method that has been uniformly followed in similar ceremonies heretofore, and if I am mistaken in that respect I shall be glad

to stand corrected by any gentleman on the floor.

I am perfectly satisfied that no discourtesy is intended to the House on the part of the Senate, and that the gentlemen who made the arrangements, providing the order of proceeding on that day, intended no discourtesy. We are acting to-day in the eyes of this country and of the world; and what a spectacle would we present, not only to our own people but to foreign nations, if one body of the great national Legislature of America should stand upon a more matter of countesy or Legislature of America should stand upon a mere matter of courtesy or form, and absent itself from this great inaugural ceremony to which the people of the whole country are invited? It seems to me, therefore, before any action is taken such as this resolution contemplates, that it would be at least courtesy to the Senate to signify our disapproval in another manner. I think myself we are making a great deal about a matter which does not justify any such course; and before this body commits itself to the action suggested by this resolution I trust it will deliberate upon the question, and deliberate gravely and dispas-

will deliberate upon the question, and deliberate gravely and dispassionately and not hastily and inconsiderately.

This is too grave a question to be disposed of in this hasty manner; and I trust we will consider the spectacle presented, as I have said, to our own people as well as to the civilized world—that the more numerous branch of the national Legislature by resolution propose to absent themselves altogether, taking no part in the inauguration ceremonies of the President because of an imaginary slight or discourtesy. It will not add to the dignity of this House to adopt such a resolution. It is not add to the dignity of this House to adopt such a resolution. It is our right as the Representatives of the people who send us here to be present, and they expect us to be present, and in my judgment nothing but a very grave and momentous occasion should prevent our at-

tendance.

Here the hammer fell.

Mr. HAMMOND. I yield two minutes to the gentleman from Del-

Mr. HAMMOND. I yield two minutes to the gentleman from Delaware [Mr. LORE].

Mr. LORE. Mr. Speaker, my first impression was in favor of adopting the resolution which has been read, but a moment's reflection convinces me that it is unwise. If the Senate or the committee on arrangements had deliberately intended this as a discourtesy, or as a slight upon us, then, sir, I feel it would be unworthy of this House to notice it. If on the contrary it did not so intend it, and I am persuaded and advised that such is the fact, it is equally beneath the dignity of this House to give it further consideration. My own judgment is clear that it would be but child's play for the House of Representatives of the United States to take such notice of the action of this committee, whether United States to take such notice of the action of this committee, whether it is intentional or unintentional, as would place us in an unfavorable and ridiculous attitude before the country.

[Here the hammer fell.]

Mr. HAMMOND. I now yield one minute to the gentleman from Pennsylvania [Mr. Kelley].

Mr. Kelley. Mr. Speaker, I think one minute will suffice for me to say that this programme is no departure from precedents. It can have nothing offensive as a purpose. It will be the sixth inaugural ceremony that I have attended consecutively; and I have never seen one in which, under a programme identical with the one now submitted, the members of the House could all or any great part of the House get into the Hall of the Senate. I think it would be better if the Senate and the House should take the rear and leave the distinguished guests to the body of the Hall; but such has not been the case, and precedents are all in harmony with the programme now submitted to the House. I think it would dishonor this House in refusing to attend the ceremonies upon such an apparent slight.

Here the hammer fell.]

[Here the hammer fell.]
Mr. HAMMOND. I think the House has now had time to think, and if so, I know it is ready to vote. I have no intention myself of allowing a Republican Senate, if it wishes to keep me away from seeing Grover Cleveland inaugurated, to perform that act. It is the first chance I have ever had to see a Democrat inaugurated, and I intend to see it. [Applause.] I do not intend that any supposed insult upon the dig-

nity of this body shall keep me from my proper place as one of the Representatives of the people to witness the inauguration of that man in whose hands they have committed administration for the next four years. [Applause.] And I trust that when the House comes to vote it will change its front as solidly as under quick excitement it voted

the other way ten minutes ago.

Mr. MILLS. I yield five minutes to my colleague from Texas [Mr.

Mr. HAMMOND. I submit after the gentleman from Texas [Mr. MILLS] had stated there would be no debate in favor of the proposition that there can be none.

Mr. MILLS. That proposition is absolutely ridiculous.

The SPEAKER. The Chair of course can not prevent under the rules of the House fifteen minutes being occupied in support of the proposition.

Mr. HAMMOND. I am glad, then, the gentleman thinks it will take fifteen minutes to make the House do wrong.

Mr. MILLS. I hope the gentleman will sit down and contain himself for the balance of the day. I yield five minutes to my colleague

[Mr. REAGAN]. Mr. REAGAN. The President of the United States is to be inaugurated and the two Houses of Congress are to adopt the usual courtesies and regulations for the witnessing of that inauguration. The two Houses make up the Congress of the United States. It is not composed of a Senate alone. Each House is entitled to be respected and to have its voice in making the appropriate arrangements and to occupy its proper position in the ceremonies connected with the inauguration. The Representatives of the American people should not permit the Senatorial branch to take absolute, unqualified control of the inauguration of the President, ignoring the people's Representatives, and after they have accommodated themselves on the right of the President who is to be inaugurated and placed diplomats, judges, heads of Departments, bureau officers, military officers, and everybody else in the second place of honor, condescending to place the three hundred and twenty-five Representatives of the American people in the last place of honor instead of consulting them and permitting them to occupy the place that comrated and the two Houses of Congress are to adopt the usual courtesies of consulting them and permitting them to occupy the place that common right and common decency and courtesy demand for them.

Mr. GLASCOCK. Will the gentleman from Texas allow me to ask

him a question?

Mr. REAGAN. I have not time; but I will hear the gentleman's question.

Mr. GLASCOCK. I want to ask the gentleman this question: At the time the ceremonies will take place what Congress will be in ex-

Mr. REAGAN. Until 12 o'clock of that day this House is in existence, and a number of Senators will have no longer tenure than the whole of the House; and it is the Congress of the United States that whole of the House; and it is the Congress of the United States that ought to make arrangements for the inauguration of the President according to custom and precedent. It is not for a single body of this Congress to dictate to the other co-ordinate branch of Congress and to assign it a subordinate and inferior position. If that is done it can not be otherwise than an intentional and deliberate discourtesy on the part of the Senate. I feel that the Representatives of the people will degrade and dishonor themselves if they do not resent that discourtesy, and that we could not answer to our constituents any more than we could answer to future Houses of Representatives if we permit this degrada-

I regret, Mr. Speaker, that any such question should have arisen. But common courtesy and the rules of propriety demanded that there should have been a joint committee of the two Houses of Congress to

should have been a joint committee of the two Houses of Congress to have made these regulations, and not that one House should set itself above everything else. I ask by what authority, by what law, by what custom does it assume this new prerogative of absolutely controlling the inauguration of the President?

They go further, and provide that if it is an inclement day the President shall be inaugurated in the Senate Chamber instead of in the Representatives' Hall, before the Representatives of the people, and where a larger number of the people of the country at large can be witnesses of that ceremony. It seems to be a close corporation, arranging every-thing to suit itself and manifesting deliberate discourtesy to the House, a discourtesy which if not resented ought to degrade and dishonor the men who submit to it.

Mr. MILLS. I yield five minutes to the gentleman from Virginia [Mr. JOHN S. WISE].

Mr. JOHN S. WISE. I rise in support of this motion because I look upon this as simply one of the many slight outcroppings of a growing the United States. I believe that the theory of this Government is that it consists of three departments—legislative, executive, and judicial. I see in the programme which is announced here an arrangement whereby the executive department is represented, where the judicial department follows, where the Senate assumes to represent the legislative department of this Government, and allows us, the poor House of Representatives, to follow along as the little dog under the wagon of the entertainment. [Laughter.] the entertainment. [Laughter.]

Now, sir, I am not willing to accept that back seat and be quiet. I

do not approach this subject from any personal standpoint, because my own time here is too short to fight for any particular precedence. But I do feel that it involves a question of representative dignity in the House of Representatives that we have no right to ignore or to pass over.

This is not an isolated example of the assumed superiority of the Senate of the United States, a superiority which they are inclined to make grow and grow, which exhibits itself in the little social courtesies of the Capitol, which year by year expands so that we, the Representa-tives of the people, coming directly from the people, and having more right to represent the people than its intermediates, come to ask our-selves, "On what rich meat have these our Cæsars fed?"

I say I would like to know by what process of reasoning not only Senators but Senators-elect are given five tickets apiece to this entertainment when Representatives have two, and Representatives-elect, who were elected at the same time that Grover Cleveland was made President of the United States, are ordered to stand out in the cold while the Senate takes the first place. I had rather be a doorkeeper in the House of Representatives than a prince in such a palace of Senators. I care not what may be the result of this resolution, but I am glad of an opportunity here and now to enter an emphatic protest on behalf of the

Representatives of the people against these gradual encroachments of this would-be aristocratic body, the Senate of the United States.

It is our right to be there as a co-ordinate body. It is our right to be there as their equals in all respects. I believe that the principle announced by this resolution is right, and that if we can not be there as co-ordinates and equals, the most proper thing for us is not to go at

Mr. O'NEILL, of Missouri. Go as individuals.
Mr. JOHN S. WISE. Yes; go as individuals. I, too, like the gentleman from Georgia [Mr. HAMMOND], desire to see this inauguration. He wants to see it because it is the first inauguration of a Democratic President he has seen for a long time. I want to see it because I think it entirely likely that this is the last one I shall have an opportunity of seeing for a long time. [Laughter.]

Mr. HENLEY. I am sorry to hear that the gentleman is not com-

ing to Washington again.

Mr. YOUNG. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YOUNG. I desire to be informed if it is in order at this time

to offer a substitute for the pending resolution.

The SPEAKER. Of course not. This is a proposition to suspend

Mr. MILLS. Is my time exhausted, Mr. Speaker?
The SPEAKER. The gentleman from Texas [Mr. MILLS] has six

minutes of his time remaining.

Mr. MILLS. Mr. Speaker, in the outset of the remarks which I shall submit for the consideration of the House, I feel that I ought to make a very low bow to the gentleman from Georgia [Mr. HAMMOND] for the magisterial manner in which he came down and paraded himself in the arena and lectured this great body, the Representatives of fifty millions, ay, sixty millions of people, for their puerility and childishness in proposing to maintain the dignity and the equal rank of the Representatives of the people in the great and solemn transaction of the inauguration of a republican-democratic President of the United States. I use those terms in their large sense, not in their partisan sense.

I use the expression by way of contrast with the idea of a "scepter,"

which the gentleman from Georgia [Mr. Hammond] spoke of a while ago. Sir, it has always been an object of the chiefest concern among the people of England to maintain the dignity of the House of Commons, which they in their affection have characterized as "the breath of the English people." They have never been willing to accept any affront either from kings or lords, and they have maintained that great representative body in all its power and prestige by resisting every attempt to humble it or to make it inferior, either in the law-making power of Great Britain or in anything else pertaining to its character and history. The gentleman from Pennsylvania [Mr. Kelley] stated a moment ago that all the precedents were in accord with the idea of the House of Representatives marching at the rear as is proposed in this instance. I have been able to find but one such precedent, and that was in 1877 when the Senate took one side and the House of Representatives the other.

We are told, sir, and it is an old story which we all understand, that the Senate and the House of Representatives are co-ordinate branches of the legislative department of this Government, equal in dignity, equal in authority, equal in importance; but now apologists rise upon this floor and tell us that we ought not to offend against propriety by taking this proposed action when we are assigned to a place in the rear, while the Senate and the heads of Departments and the diplomatic corps are given a superior position. I agree with the gentleman from Georgia [Mr. Hammond] and other gentlemen here, that we are going to see the inauguration of the President, but we are not going at the tail end of the procession with the boot-blacks; we are not going there as Representatives of the people to take a place in the rear.

Let us go there, but let us occupy the exalted position that all the American people occupy. Let us take our places with our constituents and look on with them at the inauguration of our President. [Ap-

plause.] He is our President; he is the President of all parties; he is the President of the people of the United States. He takes the oath of office, not in the Senate, not in the House of Representatives, but before the eyes of the assembled multitude of his fellow-citizens, and there we as individuals, as his fellow-citizens, will go to see him inaugurated as our Chief Magistrate. But, sir, we owe it to the dignity of this House, we owe it to the people whom we represent, not to accept for this great representative body the inferior station which the Senate has assigned to us, and I trust that we will so declare by this vote to-day.

Mr. HUTCHINS. While agreeing with much that has been said on

both sides of the House, I move to lay the resolution on the table.

Mr. MILLS. That can not be done.

Mr. HAMMOND. Mr. Speaker, I believe I have a minute and a

The SPEAKER. That is the fact.

Mr. HAMMOND. I yield that time to my colleague [Mr. BLOUNT].

Mr. MILLS. How much time have I?

The SPEAKER. One minute.

Mr. BLOUNT. Mr. Speaker, like my colleague from Georgia [Mr. HAMMOND] I am apprehensive that in this matter we are acting under the impulse of temper and under a misunderstanding of the facts. The venerable gentleman from Pennsylvania [Mr. Kelley] rises in his place and tells this House that he has witnessed the inauguration of six Presidents of the United States, and that the position assigned to the members of the House of Representatives under this programme is

in accord with what he has witnessed on those several occasions.

Mr. REAGAN. Will the gentleman allow me—

Mr. BLOUNT. I will not allow the gentleman to interrupt me. I trust that I may use this minute and a half as I see fit.

Mr. REAGAN. The gentleman ought not to flinch at a fact.

Mr. BLOUNT. I do not "flinch at a fact." The gentleman from

Texas has misstated the facts.

Mr. REAGAN. I have not.
Mr. BLOUNT. I will refer to the printed order of arrangements, which every gentleman has at his desk. It distinctly states in the first place that the diplomatic corps "will occupy seats on the right of the Chair," that is, of the President of the Senate; and then after giving the position of ex-Presidents, ex-Vice-Presidents, and Justices of the Supreme Court on the right of the Chair, and heads of executive departments, the retired General of the Army, &c., on the left of the Chair, ments, the retired General of the Army, &c., on the left of the Chair, governors and ex-governors of States, commissioners of the District of Columbia, &c., east of the main entrance, the programme states that "members and members-elect of the House of Representatives will occupy seats on the right of the Chair, next to the diplomatic corps." This is the arrangement in the Senate Chamber; and the gentleman from Pennsylvania tells us that it has been uniformly the arrangement heretofore. It trust six that as the people of this country and

ment heretofore. I trust, sir, that as the people of this country, and especially the democratic people of this country, are gathering here to witness this inauguration, we shall not do what my friend and col-

league has characterized as a puerile thing.

[Here the hammer fell.]

Mr. MILLS. The gentleman from Georgia [Mr. BLOUNT] refers to the arrangement in the Senate Chamber. When the Senate gets into its position, and when the invited guests who come in before the House of Representatives all get their places, the members of this House can stand in the corridors, as they have done heretofore. I was speaking

of the position on the platform; and in relation to this I will read from the order of arrangements that the gentleman may understand it:

The Senators take their position on the right. Why? Because it is the first post of honor. Why, then, should not the House of Representatives take the place immediately on the left? But that is given

to the diplomatic corps.

The diplomatic corps.

The diplomatic corps will occupy the seats on the left of the President. Heads of Departments, the retired General of the Army, the Lieutenant-General of the Army, the Admiral of the Navy, and the officers of the Army and Navy who, by name, have received the thanks of Congress, governors and ex-governors of States, and ex-members of the Senate, will take seats west of the President.

The Members and Member-elect of the House will occupy seats reserved for them in the rear of the above.

That is the position of the House of Representatives; and it means to place the military in advance of the civil branch of this Government, which has never been done before.

Here the hammer fell.

Mr. FINDLAY. I call for the yeas and nays.

The SPEAKER. The question is upon the motion made by the gentleman from Texas to suspend the rules and pass the resolution, on which the yeas and nays are demanded. Mr. McMILLIN. I rise to a parliamentary inquiry. Would not a

substitute be in order by unanimous consent?

The SPEAKER. Anything can be done by unanimous consent. Mr. FINDLAY. I object. Let us have the yeas and nays. I hope e shall vote down this frivolous and foolish resolution.

The yeas and nays were ordered.

Mr. EATON. Mr. Speaker, I rise to make an inquiry. I am aware that this resolution is not amendable; but I desire to appeal to the good sense of the members all over the House

Mr. BLOUNT. Debate is not in order.

Mr. EATON. Can we not lay this motion on the table and let a committee be appointed by the Chair to confer with the Senate on this subject?

The SPEAKER. That can only be done by unanimous consent.

Mr. EATON. I hope there will be unanimous consent.

Many Members. Regular order.

The SPEAKER. Objection is made.

Mr. YOUNG. I ask unanimous consent that the resolution be again read. [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded on all sides of the House; but if there be no objection the resolution will be again read; and the Chair asks gentlemen to stop conversation while this is being

The Clerk again read the resolution.

The SPEAKER. On the motion to suspend the rules and adopt this resolution the yeas and nays have been ordered. The Clerk will call

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MESSAGE FROM THE PRESIDENT.
A message from the President, by Mr. PRUDEN, one of his secretaries, announced that he had approved and signed bills of the following titles:
    An act (H. R. 732) granting a pension to William Weddingfield;
An act (H. R. 256) granting a pension to Mary A. Land;
An act (H. R. 891) granting a pension to Reuben J. Ebberman;
An act (H. R. 2550) to prohibit the importation and migration of
foreigners and aliens under contract or agreement to perform labor in
the United States, its Territories, and the District of Columbia;
An act (H. R. 1759) granting a pension to Robert Patterson;
     An act (H. R. 2068) granting a pension to James H. Reid;
An act (H. R. 1046) granting a pension to Mary A. Griffin;
An act (H. R. 2284) granting a pension to Elizabeth Fowler;
      An act (H. R. 2537) granting a pension to Hugh Ryan;
      An act (H. R. 2539)
                                               granting a pension to George W. Kiser
     An act (H. R. 2894)
An act (H. R. 3605)
                                                granting a pension to Henry Rodenback;
                                                granting a pension to Eliza Sluss
                                               granting a pension to Charles P. Mahan; granting a pension to William Bolwork;
     An act (H. R. 3728)
An act (H. R. 3749)
      An act (H. R. 4833) granting a pension to Louisa Earle;
                                               granting a pension to Mrs. Mary J. Stotts;
granting a pension to Samuel Z. Cooper;
      An act (H. R. 5069)
      An act (H. R. 5124)
      An act (H. R. 5555)
                                                granting a pension to James Frazier;
      An act (H. R. 6235)
                                                granting a pension to Eliza J. Norris;
     An act (H. R. 6044)
An act (H. R. 6310)
                                                granting a pension to Eliza Pigeon;
                                                granting a pension to Benjamin P. Lowell;
     An act (H. R. 7094) granting a pension to Samuel M. Bartlett;
An act (H. R. 7175) granting a pension to James O. McKenna:
                                                granting a pension to James O. McKenna
                                               granting a pension to John A. Vanderhoff; granting a pension to T. A. Morton;
      An act (H. R. 7256)
     An act (H. R. 7336)
An act (H. R. 7338)
An act (H. R. 7709)
                                                granting a pension to Chloe A. Whipple;
                                                granting a pension to Louisa A. Ester;
      An act (H. R. 7722) granting a pension to Almira K. Parker;
An act (H. R. 7731) granting a pension to Lois B. Smith;
An act (H. R. 7822) granting a pension to Spencer Van Loan;
                                                granting a pension to James D. Kirk;
granting a pension to Lydia Wetherbee;
      An act (H. R. 4079)
An act (H. R. 7724)
      An act (H. R. 7952)
                                                granting a pension to Julia Hartley;
                                               granting a pension to William E. Ayer granting a pension to Thomas McGill;
      An act (H. R. 7773)
      An act (H. R. 8133)
     An act (H. R. 8038) granting a pension to Harriet A. B. Corts;
An act (H. R. 6205) granting a pension to Catharine S. Edmondson;
An act (H. R. 4189) granting a pension to Caroline Van Norton;
An act (H. R. 4098) granting a pension to William Gibbons;
An act (H. R. 3901) granting a pension to Mrs. Olive W. Parker;
      An act (H. R. 3701)
                                                granting a pension to James Bradford;
      An act (H. R. 3681)
                                                granting a pension to William L. Sloan;
      An act (H. R. 3681) granting a pension to William L. Sloan;
An act (H. R. 2325) granting a pension to Helen M. Harrison;
An act (H. R. 2282) granting a pension to Adolph Weach;
An act (H. R. 2138) granting a pension to Martha Angell;
An act (H. R. 1984) granting a pension to Robert M. McKirley;
An act (H. R. 1502) granting a pension to William Robinson;
An act (H. R. 5613) granting a pension to Jacchel Smith;
An act (H. R. 5082) granting a pension to Jane Hilton;
An act (H. R. 5082) granting a pension to Charles H. Phillips.
      An act (H. R. 4837) granting a pension to Charles H. Phillips;
An act (H. R. 4548) granting a pension to Cordelia Gale;
An act (H. R. 4266) granting a pension to Margaret A. Ringwalt;
An act (H. R. 6826) granting a pension to Rebecca Kupp;
      An act (H. R. 6835) granting a pension to Bernard Donohue;
An act (H. R. 6653) granting a pension to Mary C. Axline;
An act (H. R. 6196) granting a pension to R. D. Lawrence;
       An act (H. R. 5508) granting a pension to Isaac P. H. Caldwell;
An act (H. R. 5207) granting a pension to Adalbert Stickney;
       An act (H. R. 7315) granting a pension to Frederick P. Dearth;
      An act (H. R. 7313) granting a pension to Charles W. Baldwin;
An act (H. R. 6965) granting a pension to David T. Dudley;
An act (H. R. 6966) granting a pension to Wealthy H. Seavey;
An act (H. R. 7571) granting a pension to Cornelia V. Blackburn;
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An act (H. R. 7386) granting a pension to Eliza M. Byers
An act (H. R. 7302) granting a pension to Elizabeth Smit
    An act (H. R. 7302) granting a pension to Elizabeth Smith;
An act (H. R. 3402) for the relief of Jacob J. Morningstar;
An act (H. R. 7092) for the relief of Anthony Beyer;
An act (H. R. 5989) for the relief of Elizabeth A. Springsteed;
An act (H. R. 5929) for the relief of Abigail Honey;
     An act (H. R. 7308) for the relief of David Fried;
     An act (H. R. 7524) for the relief of Lavisa Heth;
    An act (H. R. 5762) for the relief of Ann Lumphrey;
An act (H. R. 4061) for the relief of William C. H. Bowman;
An act (H. R. 3000) for the relief of William R. Miller;
An act (H. R. 8033) granting an increase of pension to George W.
     An act (H. R. 8104) granting an increase of pension to George S.
     An act (H. R. 7732) granting an increase of pension to Edward P.
     An act (H. R. 7672) granting an increase of pension to Elbert Hewitt;
An act (H. R. 2136) granting an increase of pension to Merlin C.
Harris:
    An act (H. R. 7602) to grant a pension to Harriet M. Baily;
An act (H. R. 6018) increasing the pension of George Tapp;
An act (H. R. 7561) to allow a pension to George F. West;
An act (H. R. 4317) increasing the pension of Julia A. Chambers;
An act (H. R. 7262) increasing the pension of Elmina P. Spencer;
An act (H. R. 5969) increasing the pension of Frederic S. Rich;
An act (H. R. 3352) to restore the name of Warren Sams to the penson real.
sion-roll:
     An act (H. R. 7500) to restore the name of Lewis J. Blair to the pen-
     An act (H. R. 1164) to restore to the pension-roll the name of Elenor
     An act (H. R. 6663) restoring to the pension-roll the name of Caro-
line Lewis
An act (H. R. 7707) to pension Holden Cook;
An act (H. R. 1711) granting a pension to Frederick Nelson, T.
Caine, and Henry C. Sanders;
Came, and Henry C. Sanders;

An act (H. R. 2670) granting a pension to Sarah A. Scott, widow of John D. Scott, deceased, late first lieutenant of Company H, First Regiment Pennsylvania Volunteer Cavalry;

An act (H. R. 3074) to grant a pension to Jasper J. Henry on account of wounds received while acting as guide for the First Arkansas Cavalry Volunteers in the war of the rebellion;
An act (H. R. 8273) authorizing the printing of 2,500 extra copies of the annual report of the health officer of the District of Columbia;
 Joint resolution (H. Res. 335) to print 2,000 additional copies of
Lieut. P. H. Ray's report of the international polar expedition to Point
     An act (H. R. 2799) to authorize the construction of a bridge across
the Mississippi River at Memphis, Tenn.;

An act (H. R. 3933) to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other purposes;

An act (H. R. 4247) granting a pension to Anna Maria Ressler;

An act (H. R. 2344) for the relief of Melissa G. Polar;
      An act (H. R. 6287) for the relief of John H. Johnson
     An act (H. R. 7373) for the relief of Sarah A. Burchfield;
An act (H. R. 3336) for the relief of Sherman C. Perry;
An act (H. R. 3355) for the relief of Mary Mulholland;
An act (H. R. 7002) for the relief of Harriet L. Stevens;
     An act (H. R. 5123) granting a pension to Frederick Braunwald;
An act (H. R. 5925) granting a pension to Margaret A. Berry;
      An act (H. R. 5374) granting a pension to Phillip Wiggins
     An act (H. R. 6596) granting a pension to John Hazlewood;
An act (H. R. 6929) granting a pension to Leonard King;
     An act (H. R. 2627) granting a pension to Noah Caton;
An act (H. R. 7696) granting a pension to Thomas D. Fitch;
     An act (H. R. 4263) granting a pension to Elizabeth Hood;
An act (H. R. 7869) granting a pension to Emeline L. Fitch;
      An act (H. R. 2540) granting a pension to Priscilla J. Small;
     An act (H. R. 2538) granting a pension to Christiana Almier;
An act (H. R. 3994) granting a pension to William Strickland;
     An act (H. R. 3751) granting a pension to Francis Curran;
An act (H. R. 6948) granting a pension to George W. Eagles;
An act (H. R. 7026) granting a pension to Jeremiah P. Swatzell;
An act (H. R. 1219) granting a pension to Charles Hendrix;
      An act (H. R. 1653) granting a pension to John R. Hurlburt;
      An act (H. R. 1898) granting a pension to Harriet Armstrong;
     An act (H. R. 6798) to grant a pension to Lloyd W. Hixon;
An act (H. R. 7769) to grant a pension to Joseph R. Dodds;
An act (H. R. 2398) granting an increase of pension to Mrs. Ann W.
Mulvey; and
      An act (H. R. 7292) to increase the pension of Jacob Wiener.
               PRIVILEGES OF THE HOUSE-INAUGURAL CEREMONIES.
     The SPEAKER. The question is on the motion of the gentleman
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An act (H. R. 7673) granting a pension to Adeline E. Chadbourne;

from Texas to suspend the rules and adopt the resolution of the gen-

tleman from Texas [Mr. MILLS].

The question was taken; and it was decided in the negative—yeas 55, nays 185, not voting 84; as follows:

Hatch, W. H. Henderson, D. B. Henley, McAdoo, McMillin, Miller, J. F. Mills, Nelson, Nicholls, Ochiltree, O'Ferrall, O'Hara, Payson,	Pryor, Randall, Reagan, Shively, Smalls, Stewart, Charles Tillman, Weaver, Weller, Willis, Wise, J. S. Worthington, Yaple.
	Henderson, D. B. Henley, McAdoo, McMillin, Miller, J. F. Mills, Nelson, Nicholls, Ochiltree, O'Ferrall, O'Hara,

Craig,	Hardy,	Pettibone,	Lapie.
	N.	AY8-185.	
Adams, G. E.	Ferrell,	Le Fevre,	Skinner, T. G.
Adams, J. J.	Findlay,	Long,	Sloeum,
Alexander,	Finerty,	Lore,	Smith, A. Herr
Atkinson,	Foran,	Lovering,	Smith, H. Y.
Bagley,	Forney,	Lowry,	Spooner,
Ballentine,	Funston,	Lyman,	Spriggs,
Barbour,	Garrison.	McComas,	Springer,
Barr,	Geddes,	McCormick,	Stephenson,
Beach,	Glascock,	Matson,	Stevens,
Belmont,	Goff,	Maybury	Stewart, J. W.
Bennett,	Graves,	Mitchell.	Stockslager,
Bingham,	Greenleaf,	Money,	Storm,
Blount,	Guenther,	Morgan,	Sumner, C. A.
Boutelle,	Halsell,	Morrill,	Sumner, D. H.
Boyle,	Hammond,	Moulton,	Swope,
Bratton,	Hardeman,	Muldrow,	Talbott,
Brewer, F. B.	Harmer,	Muller,	Taylor, J. D.
Brewer, J. H.	Hart,	Murphy,	Taylor, J. M.
Broadhead,	Hatch, H. H.	Neece,	Thomas,
Browne, T. M.	Hemphill,	Nutting,	Thompson,
Buchanan,	Herbert,	Oates,	Townshend,
Buckner,	Hewitt, A.S.	O'Neill, J. J.	Tucker,
Burleigh,	Hewitt, G. W.	Paige,	Turner, H. G.
Cabell,	Hill,	Parker,	Turner, Oscar
Campbell, J. E.	Hitt,	Patton,	Valentine,
Campbell, J. M.	Hoblitzell,	Payne,	Van Alstyne,
Candler,	Holman,	Peel,	Vance,
Carleton,	Holmes,	Perkins,	Van Eaton.
Cassidy,	Hopkins,	Peters,	Wadsworth,
Clay,	Horr,	Phelps,	Wait,
Clements,	Houseman,	Pierce,	Wallace,
Converse,	Howey,	Poland,	Ward,
Covington,	Hurd,	Post,	Warner, Richard
Cox, W.R.	Hutchins,	Pusey,	Wemple,
Crisp,	James,	Ray, Ossian	Whiting,
Davidson,	Jeffords,	Reed, T.B.	Wilkins,
Dibble,	Johnson,	Reid, J. W.	Wilson, W. L.
Dibrell,	Jones, B. W.	Reese,	Winans, E. B.
Dingley,	Jones, J. H.	Robertson,	Winans, John
Dixon,	Jordan,	Rockwell,	Wolford,
Dockery,	Kean,	Rogers, W.F.	Wood,
Dowd,	Kelley,	Rowell,	Woodward,
Elliott,	Ketcham,	Russell,	York,
English,	Lacey,	Ryan,	Young.
Ermentrout,	Lamo,	Seney,	FIGURE STATE
Evans,	Lanham,	Seymour,	
Everhart,	Lawrence,	Skinner, C. R.	
and the state of			

NOT VOTING-84.

Arnot, .	Davis, R. T.	Laird,	Rogers, J. H.
Bayne,	Eaton,	Lewis.	Rosecrans,
Blackburn,	Ellis.	Libbey,	Shaw,
Blanchard,	Fiedler.	McCoid.	Singleton,
Bowen,	George,	Millard.	Snyder,
Brainerd,	Gibson,	Miller, S. H.	- Steele,
Breitung,	Hanback,	Milliken.	Stone,
Brown, W. W.	Haynes,	Morrison,	Strait,
Budd,	Henderson, T.J.	Morse,	Struble.
Burnes,	Hepburn,	Murray.	Taylor, E.B.
		Mutchler.	Throckmorton,
Cannon,	Hiscock,		Throckmorton,
Chalmers,	Holton,	O'Neill, Charles	Tully,
Clardy,	Hooper,	Potter,	Wakefield,
Connolly,	Houk,	Price,	Warner, A. J.
Cosgrove,	Hunt,	Rankin,	Washburn,
Cox, 8. 8.	Jones, J. K.	Ranney,	Wellborn,
Culberson, D. B.	Jones, J. T.	Ray, G. W.	White, J. D.
Cullen,	Keifer.	Rice.	White, Milo
Cutcheon,	Kellogg,	Riggs,	Williams,
Dargan,	King,	Robinson, J.S.	Wilson, James
Davie I. H	Kleiner	Robinson W E	Wise G D

So (two-thirds not voting in favor thereof) the rules were not sus-

Mr. STORM. I ask unanimous consent to dispense with the reading of the names.

Mr. PETERS. I object.

The Clerk then recapitulated the names of those voting.

The following additional pair was announced:
Mr. Kleiner with Mr. Cutcheon, for the rest of the day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate requested the House to return the bill (H. R. 5800) for the relief of Sarah B. Jackson.

Also, that the Senate insisted upon its amendments, disagreed to by the House of Representatives, to the bill (H. R. 8239) making appropria-tion for the naval service for the fiscal year ending June 30, 1886, and

for other purposes, and asked a further conference with the House on the disagreeing votes thereon; and had appointed Mr. Hale, Mr. Plumb, and Mr. Beck as managers at said conference on the part of the Senate.

NAVAL APPROPRIATION BILL.

Mr. RANDALL. I move that the House accede to the request of the Senate for a further conference on the naval appropriation bill.

The motion was agreed to.

The SPEAKER announced as the managers on the part of the House at said conference Mr. HUTCHINS, Mr. RANDALL, and Mr. LONG.

RETURN OF A BILL TO THE SENATE.

The SPEAKER. If there be no objection, in pursuance of the request of the Senate, the bill (H. R. 5800) for the relief of Sarah B. Jackson will be returned to the Senate.

There was no objection, and it was ordered accordingly.

ORDER OF BUSINESS

The SPEAKER. The gentleman from North Carolina calls up the contested-election case of Frederick against Wilson, from the fifth district of Iowa; against which the gentleman from Nebraska [Mr. Val-ENTINE] raises the question of consideration.

SALE OF SAC AND FOX RESERVATION.

Mr. PERKINS. Pending that, Mr. Speaker, I rise to submit a con-

ference report.

The SPEAKER. That is privileged, and the gentleman will send it to the desk.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6558) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate insist on and adhere to all its amendments made to the said

That the House recede from its disagreement to the amendments of the Senate, and agree to the same.

OLIN WELLBORN, T. G. SKINNER, B. W. PERKINS, Managers on the part of the House. H. L. DAWES, BENJ. HARRISON, RICHARD COKE, Managers on the part of the Senate.

The statement accompanying the report is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6558) "to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes," submit the following in explanation of the action of the conference committee as submitted in the accompany-

ing report:

The amendments made by the Senate do not change any of the provisions of the bill (H. R. 6588) except to reduce the amount authorized to be expended by the Secretary of the Interior from thirty thousand to ten thousand dollars, and extends the provisions of the bill to the Iowa tribe of Indians and reservation, which has already been recommended by the Committee on Indian Affairs and the Commissioner of Indian Affairs. These Indians live together and ask for this legislation.

OLIN WELLBORN, B. W. PERKINS, T. G. SKINNER. Managers on the part of the Hous

Mr. PERKINS. I move that the House concur in the report of the committee of conference.

The motion was agreed to.

Mr. PERKINS moved to reconsider the vote by which the report was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter matter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The question is, Will the House now proceed to the consideration of the contested-election case of Frederick vs. Wilson, from the State of Iowa?

Mr. VALENTINE. I would like to ask unanimous consent to see if it is not possible that an arrangement can be made for taking up these election cases without any delay, and considering them in the regular order in which they were reported. In the first place I wish to state that there is no disposition on the part of the minority of the Elections Committee to stand out or make any fight against the consideration of the cases in their order. There are four cases reported from the Elections Committee. Some have been here for ten months and some not more than ten days. We are ready to proceed with the consideration of these cases in the order in which they were reported by the committee to the House, provided that fair consideration and fair debate be given to them, and that we proceed at once in that manner. If the chairman of the committee then will inform the minority of the committee that he will call up the cases in their order as they are now before the House, there will be no objection on this side.

Mr. TOWNSHEND. I desire to say that it is my intention to call

Mr. TOWNSHEND. I desire to say that it is my intention to call up for consideration the report on the Post-Office bill.

Mr. HORR. Why don't you call it up now?

Mr. TOWNSHEND. I am not prepared to call it up just now, but

give notice that even if this election case is gone into I shall call it up as soon as it is ready.

The SPEAKER. The notice is unnecessary, since the conference re-

port is a privileged matter and can be called up at any time.

Mr. BENNETT. In answer to the question put by the gentleman from Nebraska [Mr. VALENTINE] I wish to say—

Mr. TOWNSHEND. Let me give notice to the House—

Mr. BENNETT. I can not yield now.

Mr. TOWNSHEND. I do not propose to interfere with you, but wish to make a suggestion—

wish to make a suggestion—

The SPEAKER. The gentleman from North Carolina is recognized on a subject before the House.

on a subject before the House.

Mr. TOWNSHEND. Allow me a single word. I will not interfere with the gentleman's motion.

Mr. BENNETT. Not a word now.

The SPEAKER. The gentleman declines to be interrupted.

Mr. WASHBURN. Regular order.

The SPEAKER. The gentleman from Minnesota demands the regular order, which is equivalent to an objection.

The question is. Will the House now proceed to the consideration of

The question is, Will the House now proceed to the consideration of the election case?

The question was taken; and on a division there were-ayes 106,

Mr. VALENTINE. No quorum.

The SPEAKER. The point of order being made that no quorum has The SPEAKER. The point of order being made that no quivoted, the Chair will appoint tellers.

Mr. VALENTINE and Mr. BENNETT were appointed tellers.

The House again divided; and the tellers reported—ayes 134, noes 0.
Mr. VALENTINE. No quorum.
Mr. SPRINGER. I call for the yeas and nays.
The yeas and nays were ordered.
Mr. ADAMS, of New York, addressed the Chair. [Cries of "Reg-

Mr. ADAMS, of New York. I desire to make a parliamentary in-

The SPEAKER. The gentleman will state it.

Mr. ADAMS, of New York. I desire to know if it will be in order after this contested-election case is over to bring up for consideration

and disposal the bankruptcy bill.

The SPEAKER. That can only be done by unanimous consent or by a motion to suspend the rules; and that is not in order when any other matter of higher privilege is before the House.

Mr. BENNETT. If in order, I would like to answer the question

put by the gentleman from Nebraska [Mr. VALENTINE].

The SPEAKER. That may be done by unanimous consent.

Mr. ADAMS, of New York. I object.

The question was taken; and there were—yeas 164, nays 4, not voting 156; as follows: YEAS-164

		ALEIS TOR.	
Alexander,	Dorsheimer,	Le Fevre,	Skinner, T. G.
Bagley,	Dowd,	Lovering,	Slocum,
Ballentine,	Dunn,	Lowry,	Snyder,
Barbour,	Eaton,	McAdoo,	Spriggs,
Barksdale,	Elliott,	McMillin,	Springer,
Beach,	Ellis,	Miller, J. F.	Stewart, Charles
Belmont,	English,	Mills,	Stockslager,
Bennett,	Ermentrout,	Mitchell,	Storm,
	Finerty,		Sumner, C. A.
Blackburn,	Finerty,	Money,	Sumner, C. A.
Bland,	Follett,	Morgan,	Sumner, D. H.
Blount,	Foran,	Moulton,	Swope,
Boyle,	Forney,	Muldrow,	Talbott,
Bratton,	Fyan,	Muller,	Taylor, J. M.
Breckinridge,	Garrison,	Murphy,	Thompson,
Broadhead,	Geddes,	Mutchler,	Tillman,
Buchanan, .	Glascock,	Neece,	Townshend,
Buckner,	Green,	Nicholls,	Tucker,
Budd,	Greenleaf,	Oates,	Tully,
Cabell,	Halsell,	O'Ferrall,	Turner, H. G.
Caldwell,	Hammond,	O'Neill, J. J.	Turner, Oscar
Campbell, Felix	Hancock,	Paige,	Van Alstyne,
Campbell, J. E.	Hardeman,	Patton,	Vance,
Candler,	Tander,	Peel,	Van Eaton,
Candler,	Hardy, Hatch, W. H.		
Cassidy,	Haten, W. H.	Pierce,	Wallace,
Clay,	nempun,	Post,	Ward,
Clements,	Henley,	Potter,	Warner, Richard
Cobb,	Hewitt, A.S.	Pryor,	Wellborn,
Connolly,	Hewitt, G. W.	Pusey.	Weller,
Converse,	Hill,	Randall,	Wemple,
Cook,	Hoblitzell,	Reagan,	Wilkins,
Cosgrove,	Holman,	Reid, J. W.	Willis,
Covington,	Hopkins,	Reese,	Wilson, W. L.
Cox. W. R.	Houseman,	Riggs,	Winans, E. B.
Crisp,	Hunt,	Robertson.	Winans, John
Culberson, D. B.	Hutchins,	Robinson, W. E.	Wise, G. D.
Curtin,	Jones, B. W.	Rogers, J. H.	Wolford,
Davidson,	Jones, J. H.	Rogers, W. F.	Wood,
Davis, L. H.	Jordan,	Seney,	Woodward,
Deuster,	King,	Seymour,	Worthington,
	Lamb,	Shively,	
Dibble,			Yaple,
Dibrell,	Lanham,	Singleton,	Young.
	N	TAYS-4.	
Adams, J. J.	Brewer, F. B.	Everbart,	Morse.
	NOT	VOTING-156.	
Adams, G. E.	Atkinson,	Bingham,	Bowen,
Aiken,	Barr,	Bisbee,	Brainerd,
Anderson,	Bayne,	Blanchard,	Breitung,
Arnot,	Belford,	Boutelle,	Brewer, J. H.

ell, ell, v, ner, C. R. lls, h, A. Herr
ner, C. R. lls, h, A. Herr
ner, C. R. lls, h, A. Herr
ner, C. R. lls, h, A. Herr
lls, h, A. Herr
lls, h, A. Herr
h. H. Y.
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nenson,
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ble.
or, E.B.
or, J. D.
mas,
ekmorton,
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sworth,
A STATE OF THE STA
efield,
ner, A. J.
hburn.
ver.
te. J. D.
te, Milo
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on, James
a, J. S.

So the House agreed to consider the contested-election case of Frederick vs. Wilson.

Mr. HENLEY. I ask unanimous consent to dispense with the read-Mr. HENLEY. I ask unanimous consent to dispense with ing of the names of members voting.

Mr. ANDERSON. I object.

The following additional pairs were announced:

Mr. GIBSON with Mr. McCORMICK, for the rest of the day.

Mr. AIKEN with Mr. KELLEY, for the rest of the day.

Mr. DOCKERY with Mr. EZRA B. TAYLOR, on the Frederick-Wilson election car

Mr. MUTCHLER with Mr. BRUMM, on the Frederick-Wilson election

Mr. Miller, of Pennsylvania, with Mr. Davis, of Missouri, on the Frederick-Wilson election case.

Mr. MUTCHLER. I am paired with the gentleman from Pennsyl-

vania, Mr. Brumm, but have voted as I understand Mr. Brumm is

Mr. BLANCHARD. I voted to make a quorum although paired. Understanding that more than a quorum has voted, I withdraw my

The result of the vote was then announced as above stated.

Mr. ADAMS, of New York. I move that the House do now adjourn.

Mr. ANDERSON. I move to adjourn. Mr. ANDERSON. I move to adjourn.

The SPEAKER. The gentleman from North Carolina [Mr. BEN-

The SPEAKER. The gentleman from North Carolina [Mr. BENNETT] has the floor.

Mr. REED, of Maine. The gentleman from New York [Mr. ADAMS]
stood ready to move as soon as the vote should be announced that the
House do now adjourn, and made that motion.

The SPEAKER. But the gentleman from North Carolina having
the election case in charge, which the House has just agreed to consider,
addressed the Chair and was recognized.

Mr. REED, of Maine. A motion to adjourn after a vote of that kind
is always in order.

is always in order.

The SPEAKER. The Chair did not hear the gentleman from New York make the motion before the gentleman from North Carolina was recognized. The gentleman from North Carolina, in fact, addressed the

Chair before the result was annunced.

Mr. REED, of Maine. The gentleman from New York stood there in front of the Chair and sought recognition.

The SPEAKER. But the gentleman from North Carolina was on the floor and addressed the Chair.

Mr. REED, of Maine. After such a vote as has just been taken a

motion to adjourn is always in order when a gentleman takes the floor and makes that motion immediately on the announcement of the vote.

The SPEAKER. If the gentleman from New York states that he made the motion before the Chair recognized the gentleman from North

Carolina, the Chair, as he always does, will accept the gentleman's statement

Mr. ADAMS, of New York. I do not make that statement.

Mr. REED, of Maine. The gentleman from Kansas, Mr. Ander-

son, also made the motion.

Mr. ANDERSON. I made that motion.

The SPEAKER. The gentleman from Maine now claims that another gentleman made the motion to adjourn.

Mr. REED, of Maine. I do. The gentleman from Kansas moved to adjourn.

The SPEAKER. The Chair did not hear either of the gentlemen make the motion to adjourn till after the gentleman from North Carolina had been recognized. But if the gentleman from Kansas states

he made the motion to adjourn before the gentleman from North Carolina took the floor and was recognized, the Chair will entertain his motion.

Mr. ANDERSON. I can not state that. I made the motion as quickly as I could; but in the confusion I can not say whether I made it before the gentleman from North Carolina was recognized or not.

Gentlemen standing around me say I did.

The SPEAKER. There is so much confusion on the floor that it is impossible to transact business. If gentlemen will resume their seats the Chair will endeavor to see that the public business is transacted in an orderly manner. The House will be in order.

The Chair will state that the gentleman from North Carolina [Mr. Bennett] rose in his place and addressed the Chair before the result

was announced, but the Chair did not then recognize the gentleman. Immediately upon the announcement of the result the gentleman from North Carolina again addressed the Chair, and the Chair recognized him, not having heard any motion made before that time.

Mr. VALENTINE. Mr. Speaker, I desire to say that I heard the gentleman from Kansas [Mr. Anderson] make his motion to adjourn

before the gentleman from North Carolina was recognized.

The SPEAKER. But the gentleman from Kansas himself declines to state that he made that motion before the gentleman from North

Carolina was recognized.

Mr. ANDERSON. Mr. Speaker, all that I desire to state is this: I did make the motion as promptly as I could make it, but in the confusion I could not hear whether the gentleman from North Carolina was recognized at that time or not.

The SPEAKER. The Chair so understands the gentleman from

Kansas [Mr. Anderson].

Mr. Anderson. Gentlemen standing around me say my motion

The SPEAKER. But other gentlemen say it was not, and the Chair, having recognized the gentleman from North Carolina [Mr. Bennert],

can not decide that question.

Mr. REED, of Maine. Mr. Speaker, I desire to make a statement.

The SPEAKER. The gentleman from Maine is recognized to make a statement

Mr. REED, of Maine. I presume that the rule of parliamentary law is very plain and simple. It is not a race on the part of the Speaker or on the part of a member as to recognition. It is not for the Speaker to turn toward a member and recognize him and thereby prevent a mo-tion to adjourn. I am sure that would not be the view of the present occupant of the chair. The motion to adjourn is a privileged motion which takes precedence of recognition, and if a gentleman was standing on the floor and making every effort to be recognized to make that motion, and the Chair turned to another gentleman and recognized him, and then the gentleman who was first trying to get recognition for the

purpose of making a motion to adjourn should make that motion, the Chair would be bound to recognize him and to put the motion.

The SPEAKER. The Chair, of course, would not endeavor to give one gentleman an advantage over another on the floor. When the Chair announced the result he had already turned toward the gentleman from North Carolina [Mr. Bennett], because that gentleman was in charge of this matter and had addressed the Chair. The Chair thereupon recognized him. Afterward it was claimed that the gentleman from Kansas [Mr. Anderson] had made a motion to adjourn before the recognition of the gentleman from North Carolina [Mr. BENNETT].

cries of "Regular order!"]

CONTESTED ELECTION-FREDERICK VS. WILSON.

Mr. BENNETT. Mr. Speaker, the returning board of the State of

Mr. RANNEY. Mr. Speaker, I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. RANNEY. The resolution in this case has not been read. Are we not entitled to have the report read?

Mr. TOWNSHEND. Mr. Speaker, the gentleman from North Carolina [Mr. Bennert] has the floor, and desires to be heard.

The Chair is aware that the gentleman from North The SPEAKER. Carolina has the floor.

Mr. RANNEY. Mr. Speaker, I raise the point of order that the resolution has not been read.

The SPEAKER. The resolution was read on Saturday.

Mr. RANNEY. The report of the minority was read, but not the

The SPEAKER. Both the resolution reported by the minority and the one reported by the majority were read on Saturday.

Mr. REED. But that is not to-day. We voted not to consider the

authorize gentlemen to demand the reading of the resolution in the time of a gentleman already on the floor, but of course every gentleman has a right to have the resolution read before it is voted upon.

Mr. VALENTINE. Mr. Speaker, I submit that the Chair had no

right to recognize a gentleman to debate the resolution until it had been

read or stated to the House.

The SPEAKER. The Chair will examine the rule. [After a pause.]

The Clerk will read the rule.

The Chief Clerk read as follows:

RILE XVI.

2. When a motion has been made the Speaker shall state it, or, if it be in writing, cause it to be read aloud by the Clerk, before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

The SPEAKER. The Chair thinks that if this rule is insisted upon the resolution must be read or stated before it can be debated.

Mr. VALENTINE. Now, Mr. Speaker, I insist that the resolution be read, and that opportunity be given to all members alike for recognized. nition to debate it.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Resolved, That James Wilson-

Mr. HISCOCK. Mr. Speaker, I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. HISCOCK. Is it in order to move that the House now adjourn? The SPEAKER. The Chair thinks not while the Clerk is reading the resolution.

Mr. HISCOCK. I move that the House do now adjourn.

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] has asked for the reading of the resolution.

Mr. HISCOCK. Yes; but we are transacting business, and any business can be interrupted by a motion to adjourn.

The SPEAKER. The Chair thinks not. The Chair thinks the gentleman can not stop the reading of a paper which has been demanded as a matter of right. The Clerk will read.

The Clerk continued and concluded the reading of the resolution, as follows:

Resolved, That James Wilson was not elected as a Representative in Congress com the fifth district of Iowa, and is not entitled to a seat on the floor of this

Mr. HISCOCK and Mr. ANDERSON. I move that the House do now adjourn

The SPEAKER. The gentleman from New York [Mr. HISCOCK]

moves that the House do now adjourn.

Mr. ANDERSON. Pending that, I move that the House take a re-

cess until 7 o'clock this evening.

Mr. HISCOCK. Pending that, I move that when the House adjourn it adjourns to meet to-morrow at 4 o'clock.

The SPEAKER. That would be to change the order of the House.

Mr. SPRINGER. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. Mr. Speaker, I make the point of order that the gentleman from North Carolina [Mr. BENNETT] is now entitled to the floor to debate the proposition before the House. When this matter was called up it was stated that it was the contested-election case of Frederick against Wilson. The question of consideration was then raised and the question was submitted Will the House now proceed to Frederick against Wilson. The question of consideration was then raised and the question was submitted, Will the House now proceed to consider this question?—the question then stated to the House and then before the House. I see the Speaker shakes his head.

The SPEAKER. The question then before the House was merely the question of consideration.

Mr. SPRINGER. But what were we to consider? The resolution

which has been read; and the House voted to consider it. If gentlemen had desired to have that resolution read, it was their province to askit when the question of consideration was raised. The question of consideration being raised, it could only be upon the resolution and upon nothing else; and the House has decided now to proceed to the consideration of the resolution, notwithstanding gentlemen absented themselves and broke a quorum.

The gentleman from North Carolina was then recognized, and proceeded to debate—began his speech; and he is now entitled to occupy

the floor for one hour on that question.

The SPEAKER. The question which was pending before the House when the resolution was read was not the question whether the report should be adopted or not; the question then was whether the House would consider it or not.

Mr. SPRINGER. But after the House determined that it would

consider it then the question was upon the resolution.

The SPEAKER. But the attention of the Chair having been called since that controversy arose to the fact that the resolution had not been read, and the question had not been stated, the Chair was bound, in accordance with the rules, to hold that it was not yet before the House, and that therefore the gentleman from North Carolina could not debate it.

Mr. SPRINGER. The Chair did not get my point. The point I make is this: If gentlemen had desired the resolution read it was their

Seymour, Shively,

Weller, Wemple

duty to call for its reading when the question was put to the House upon consideration. The question then before the House was, Will the House now consider this resolution? That question having been submitted, the House voted to consider it; and consideration means debate. The gentleman from North Carolina had the floor and began to debate the question, and he is entitled to speak an hour before he can

be taken from the floor without his consent.

The SPEAKER. But the point made by gentlemen on the other side, after the gentleman from North Carolina had been recognized by the Chair, was that under the rules of the House there was then no question before the House which the gentleman from North Carolina could debate, because the resolution had not been read nor had the Chair stated the question to the House.

Mr. SPRINGER. What have we voted on then?

The SPEAKER. The Chair under the rules was obliged to sustain that rules are could be a controlled to the sustain that rules are controlled to the sustain the susta

that point of order, and holds that at the time the gentleman from North Carolina took the floor there was in fact no question before the House. Mr. SPRINGER. What, then, did the House vote on by yeas and

nays?
The SPEAKER. That was the question whether the House would

consider the matter at all.

Mr. SPRINGER. Whether it would consider this resolution; there

is nothing else before it.

The SPEAKER. The Chair thinks the distinction is very plain-

The SPEAKER. The Chair thinks the distinction is very plain—Mr. WHITE, of Kentucky. I rise to a question of order.

The SPEAKER. There is a question of order pending. The Chair thinks the distinction is very plain and obvious between the question whether the House will consider the report at all and the question whether the House will adopt the report.

Mr. SPRINGER. Now I make this further point—that the gentleman from North Carolina, having this report and resolution in charge, was first entitled to recognition when the House voted to take it up.

The SPEAKER. The Chair has decided that he was entitled to the floor as soon as the question was before the House for debate, and that

floor as soon as the question was before the House for debate, and that he could be prevented from taking the floor only by a privileged motion under the rules.

Mr. ANDERSON. I rise to a parliamentary inquiry. Pending that, is a motion to take a recess until 7 o'clock in order?

The SPEAKER. The motion to adjourn has precedence over a mo-

tion to take a rece

Mr. ANDERSON. But still the motion to take a recess may be

pending?

Mr. VALENTINE. I move that when the House adjourns to-day it

Mr. VALUE TIMOVE that when the House adjoins to-day it be to meet on Wednesday next, at 10 o'clock.

Mr. SPRINGER. That is out of order.

The SPEAKER. That motion is not in order, because it changes a standing order of the House. The question is on the motion to ad-

The question being taken, there were—ayes 37, noes 78.

Mr. ANDERSON. No quorum.

The SPEAKER. A quorum is not necessary on this question.

Mr. VALENTINE and others called for the yeas and nays.
The yeas and nays were ordered, 48 voting in favor thereof.
The question was taken; and it was decided in the negative—yeas 11, nays 194, not voting 119; as follows:

YEAS-11.

Adams, J. J. Atkinson, Bingham,	Brewer, F. B. Brewer, J. H. Browne, T. M.	Culbertson, W. W. Cullen, Hatch, H. H.	James, Johnson.
	NA.	YS-194.	
Alexander, Bagley, Ballentine, Barbour, Bayne, Beach, Beech, Beenett, Blentine, Bland, Blount, Blount, Boyle, Brainerd, Brainerd, Bratton, Breckinridge, Brown, W. W. Brumm, Buchnann, Buckner, Budd, Burnes, Cabell, Campbell, J. E. Campbell, J. E. Campbell, J. E.	Cook, Cosgrove, Covington, Cox, S. S. Cox, W. R. Crisp, Culberson, D. B. Curtin, Davidson, Davis, G. R. Davis, L. H. Davis, R. T. Deuster, Dibble, Dibrell, Dockery, Dorsheimer, Dowd, Dunn, Eadron, Eldredge, Elliott, Elis, English, Ermentrout, Everhart, Ferrell, Fiedler,	YS-194. Graves, Green, Greenleaf, Halsell, Hammond, Hardeman, Hardeman, Hardeman, Hemphill, Henderson, T. J. Hewitt, A. S. Hewitt, A. S. Hobitzell, Hobitzell, Holman, Houk, Howey, Hunt, Houkey, Hunt, Hutchins, Jeffords, Jones, J. H. Keifer, Keteham, King, Lamb,	Matson, Maybury, Miller, J. F. Mills, Mitchell, Morgan, Morse, Moulton, Muller, Murphy, Mutchler, Necce, Oates, O'Ferrall, O'Hara, O'Neill, J. J. Paige, Patton, Pierce, Peel, Perkins, Petters, Post, Potter, Pryor, Pusey, Randall, Reid, J. W.
Candler, Clardy,	Findlay, Follett,	Lanham, Le Fevre,	Reese, Riggs,
Clay, Clements, Cobb, Connolly, Converse,	Foran, Forney, Funston, Garrison, Glascock,	Long, Lore, Lovering, Lowry, McMillin,	Rockwell, Rogers, J. H. Rogers, W. F. Ryan, Seney,

Singleton,	Sumner, D. H.	Van Alstyne,	Whiting,
Skinner, T. G.	Swope,	Vance,	Wilkins,
Slocum,	Talbott,	Van Eaton,	Willis,
Smith, A. Herr	Taylor, J. D.	Wadsworth,	Wilson, W. L.
Snyder,	Taylor, J. M.	Wait,	Winans, John
Spooner,	Thomas,	Wallace,	Wolford,
Spriggs,	Thompson,	Ward,	Wood,
Springer,	Tillman,	Warner, A. J.	Worthington,
Stevens,	Townshend,	Warner, Richard	Yaple,
Stewart, Charles	Tucker,	Washburn,	York.
Stockslager,	Tully,	Weaver.	A ULAL
Stone,	Turner, H. G.	Wellborn,	
Stone,			THE RESIDENCE
SERVICE THE	100 200 100	TING-119.	
Adams, G. E.	Goff,	Lyman,	Reed, T. B.
Aiken,	Guenther,	MeAdoo,	Rice,
Anderson,	Hanback,	McCoid,	Robertson,
Arnot,	Hancock,	McComas,	Robinson, J. S.
Barksdale,	Hardy,	McCormiek,	Robinson, W. E.
Barr,	Hart,	Millard,	Rosecrans,
Bisbee,	Haynes,	Miller, S. H.	Rowell,
Blanchard,	Henderson, D. B.	Milliken,	Russell,
Boutelle,	Henley,	Money,	Shaw,
Bowen,	Hepburn,	Morrill,	Skinner, C. R.
Breitung,	Herbert,	Morrison,	Smalls,
Burleigh,	Hiscock,	Muldrow,	Smith, H. Y.
Cannon,	Hitt,	Murray,	Steele,
Carleton,	Holmes,	Nelson,	Stephenson,
Cassidy,	Holton,	Nicholls,	Stewart, J. W.
Chalmers,	Hooper,	Nutting,	Strait,
Collins,	Horr,	Ochiltree,	Struble,
Craig,	Hurd,	O'Neill, Charles	Taylor, E. B.
Cutcheon,	Jones, J. K.	Parker,	Throckmorton,
Dargan,	Jones, J. T.	Payne,	Wakefield,
Dingley,	Jordan,	Payson,	White, J. D.
Dixon,	Kean,	Pettibone,	White, Milo
Dunham,	Kelley,	Phelps,	Williams,
Ellwood,	Kellogg,	Polend	
	Klaines,	Poland,	Wilson, James
Evans,	Kleiner,	Price,	Winans, E. B.
Finerty,	Lacey,	Rankin,	Wise, G. D.
Fyan,	Laird,	Ranney,	Wise, J. S.
Geddes,	Lawrence,	Ray, G. W.	Woodward,
George,	Lewis,	Ray, Ossian	Young.
Gibson,	Libbey,	Reagan,	
The state of the s			

Turner, Oscar Valentine,

Storm, Sumner, C. A.

So the House refused to adjourn.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, requested a conference on the disagreeing votes of the two Houses on the bill (H. R. 5800) for the relief of Sarah B. Jackson, and stated that it had appointed Mr. MITCHELL, Mr. VAN WYCK, and Mr. JACKSON as conferees on its part.

IOWA ELECTION CASE.

During the roll-call the following additional pairs were announced:

For the rest of the day— Mr. GEDDES with Mr. HOLMES.

Mr. BALLENTINE with Mr. LAIRD.

Mr. Young with Mr. Holton. Mr. Murray with Mr. Steele.

Mr. Nicholls with Mr. Wakefield. Mr. George D. Wise with Mr. Libbey. If present, Mr. Wise would vote in the negative.

The vote was then announced as above recorded.

Mr. HEPBURN. I move that the House take a recess until 9 o'clock this evening

Mr. ANDERSON. I move the House take a recess until 11 o'clock

The SPEAKER. Gentlemen will submit their motions one at a time. As the Chair understands, the gentleman from Nebraska moves the House take a recess until to-morrow at 11 o'clock.

Mr. HEPBURN. I move that the House take a recess until 9

o'clock.

Mr. VALENTINE. Mr. Speaker, I did not make a motion that the House take a recess until 11 o'clock to-morrow morning, but I will move now that the House take a recess until 10 o'clock to-night.

The SPEAKER. Several gentlemen made motions at the same time,

and the Chair may have been mistaken.

Mr. MORRILL. I ask by unanimous consent to take up from the Speaker's table the message from the Senate asking for a committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 5809) for the relief of Sarah B. Jackson, and to move that the

conference asked for be agreed to.

The SPEAKER. That is not in order just now. It is a privileged matter, but it does not stand on the same footing with a conference

report.

Mr. SPRINGER. What is the question before the House?

The SPEAKER. The gentleman from Nebraska [Mr.VALENTINE]
moves that the House take a recess until 10 o'clock this evening.

Mr. HEPBURN. And I move to amend that motion so the House shall take a recess until 9 o'clock this evening.

Mr. PETTIBONE. And I move to still further amend by making

it 8 o'clock this evening.

The SPEAKER. The gentleman from Iowa moves to amend by saying 9 o'clock, and the gentleman from Tennessee moves still further to amend by inserting 8 o'clock to-night.

Mr. ANDERSON. And now I move the House adjourn.

Mr. SPRINGER. These are all dilatory motions, and I ask notice be taken of that fact. I have been informed that the contestee in this be taken of that fact. I have been informed that the contested in this case has said time and again he would not make any objection to the consideration of this case. [Cries of "Order!"] I ask [cries of "Order!"] that the assurances of the gentleman from Iowa [cries of "Order!"] that there should be no contest and no filibustering in this case— [Cries there should be no contest and no filibustering in this caseof "Order!"

Mr. WELLER. Mr. Speaker, I move that all these motions be laid

on the table.

The SPEAKER. The Chair will entertain no motion whatever until

gentlemen resume their seats and order is restored.

The question is first on the motion of the gentleman from Tennessee [Mr. Pettibone] that the House take a recess until 8 o'clock this even-

ing.

Mr. RANDALL. If taken at all it should be until 8.

Mr. ANDERSON. Let us have a division on that vote.

The House divided; and there were—ayes 4, noes 44.

Mr. VALENTINE. No quorum has voted.

The SPEAKER. The Chair will appoint as tellers the gentleman from Nebraska, Mr. VALENTINE, and the gentleman from Illinois, Mr. SPRINGER.

The House again divided; and the tellers reported—ayes 0, noes 103.

Mr. VALENTINE. No quorum has voted.

Mr. HEPBURN. I move that there be a call of the House.

The House divided; and there were—ayes 43, noes 54.
Mr. HEPBURN demanded the yeas and nays.
The yeas and nays were ordered.

The question was taken; and it was decided in the negative-yeas 50, nays 168, not voting 106; as follows:

YEAS-50.

Adams, G. E.	Dunham,	Nutting,	Spooner,
Adams, J. J.	Greenleaf.	O'Hara,	Stockslager,
Anderson,	Guenther,	Parker.	Strait.
Atkinson,	Hanback,	Payne,	Swope,
Barr.	Hatch, H. H.	Peters,	Taylor, J. D.
Bisbee,	Henderson, D. B.	Ray, G. W.	Valentine,
Collins.	Horr.	Ray, Ossian	Washburn,
Culbertson, W. W.	James,	Rockwell,	Weaver,
Cullen.	Jeffords.	Rowell,	White, J. D.
Davis, G. R.	Lacey,	Russell,	Wilson, James
Davis, R. T.	Libbey,	Skinner, C. R.	Wise, J.S.
Dingley,	McComas,	Smalls,	
Dixon.	Millard.	Smith. H. Y.	

Dixon,	Miliaru,	Smith, H. X.	
	NAT	7S—168.	
Alexander,	Davidson,	Jones, J. K.	Rogers, J. H.
Arnot,	Davis, L. H.	King.	Rogers, W. F.
Bagley,	Dibrell,	Lamb,	Seney,
Ballentine,	Dockery,	Lanham,	Seymour,
Barbour,	Dorsheimer,	Le Fevre,	Shively, ·
Barksdale,	Dowd,	Lewis,	Skinner, T. G.
Bayne,	Dunn,	Long,	Slocum,
Beach,	Eaton,	Lore,	Smith, A. Herr
Belford,	Eldredge,	Lovering,	Spriggs,
Belmont,	Elliott,	Lowry,	Springer,
Bennett,	Ellis,	McMillin,	Stevens,
Bland.	English,	Matson,	Stewart, Charles
Blount,	Everhart.	Maybury,	Sumner, C. A.
Boutelle,	Ferrell,	Miller, J. F.	Sumner, D. H.
Boyle,	Findlay,	Mills,	Talbott,
Brainerd.	Follett,	Money,	Taylor, J. M.
Bratton,	Foran,	Morgan,	Thomas,
Breckinridge,	Forney,	Muller,	Townshend,
Brewer, F. B.	Graves,	Murphy,	Tucker,
Brewer, J. H.	Green,	Mutchler.	Tully,
Broadhead,	Halsell,	Neece,	Turner, H. G.
Browne, T. M.	Hammond,	Oates,	Turner, Oscar
Brumm,	Hardeman,	Ochiltree,	Van Eaton,
Buchanan,	Hardy,	O'Ferrall,	Wallace,
Buckner,	Hatch, W. H.	O'Neill, Charles	Ward,
Budd,	Hemphill,	O'Neill, J. J.	Warner, Richard
Cabell,	Henderson, T. J.	Paige,	Wellborn,
Caldwell,	Henley,	Patton,	Weller,
Campbell, Felix	Hepburn,	Peel,	Wemple,
Campbell, J. E.	Hewitt, A. S.	Pettibone,	White, Milo
Campbell, J. M.	Hewitt, G. W.	Pierce,	Whiting,
Candler,	Hill,	Poland,	Wilkins,
Carleton,	Hoblitzell,	Post,	Willis,
Clay,	Holman,	Potter,	Wilson, W. L.
Clements,	Holmes,	Pryor,	Winans, E. B.
Cobb,	Hopkins,	Randall,	Winans, John
Converse,	Houseman,	Reagan,	Wise, G. D.
Cook,	Howey,	Reed, T. B.	Woodward,
Cosgrove,	Hutchins,	Reese,	Worthington,
Cox, W. R.	Johnson,	Riggs,	Yaple,
Crisp,	Jones, B. W.	Robertson,	York,
Culberson, D. B.	Jones, J. H.	Robinson, W. E.	Young.

NOT VOTING-106.

Aiken,	Covington,	Fyan,	Holton,
Bingham,	Cox. S. S.	Garrison.	Hooper,
Blackburn,	Craig,	Geddes.	Houk,
Blanchard,	Curtin.	George,	Hunt,
Bowen,	Cutcheon,	Gibson,	Hurd,
Breitung,	Dargan,	Glascock.	Jones, J. T.
Brown, W. W.	Deuster,	Goff,	Jordan,
Burleigh,	Dibble,	Hancock,	Kean,
Burnes,	Ellwood,	Harmer,	Keifer,
Cannon,	Ermentrout,	Hart,	Kelley,
Cassidy,	Evans,	Haynes,	Kellogg,
Chalmers,	Fiedler,	Herbert,	Ketcham,
Clardy,	Finerty,	Hiscock,	Kleiner,
Connolly,	Funston,	Hitt,	Laird,

Lawrence,	Murray,	Rosecrans,	Throckmorton,
Lyman,	Nelson,	Ryan,	Tillman,
McAdoo,	Nieholls,	Shaw,	Van Alstyne,
McCoid,	Payson,	Singleton,	Vance,
McCormick,	Perkins,	Snyder,	Wadsworth,
Miller, S. H.	Phelps,	Steele,	Wait,
Milliken.	Price.	Stephenson,	Wakefield,
Mitchell,	Pusey,	Stewart, J. W.	Warner, A.J.
Morrill,	Rankin,	Stone,	Williams,
Morrison,	Ranney,	Storm,	Wolford.
Morse,	Reid, J. W.	Struble,	Wood.
Moulton.	Rice.	Taylor, E. B.	
Muldrow	Pohinson TS	Thompson	

So a call of the House was not ordered.

The following additional pairs were announced:

Mr. ERMENTROUT with Mr. HARMER, on all political questions, until further notice.

Mr. DARGAN with Mr. FINERTY, for the rest of the day. Mr. Buckner with Mr. Wait, for this day. Mr. Dibble with Mr. George, for to-day.

Mr. VANCE with Mr. SMITH, of Pennsylvania, for this day.

Mr. JORDAN with Mr. DINGLEY, until 7 p. m.
Mr. WARNER, of Ohio, with Mr. HOUK, until 8 o'clock p. m.
The result of the vote was then announced as above recorded.
Mr. HEPBURN. I move to reconsider the vote by which the House
refused to order a call of the House.

Mr. ANDERSON. And I move to lay that motion on the table.

The SPEAKER. The motion to reconsider will be entered.

Mr. RANDALL. I would like to make a brief statement, and with the consent of the House

The SPEAKER. Without objection the gentleman will proceed.

[Cries of "All right!"]

Mr. RANDALL. It is probable that we shall be compelled to stay late to-night, perhaps until to-morrow morning, and I think it will be for the comfort of both sides that we now take a recess until 8 o'clock,

so as to allow members of the House an opportunity to get their dinner.

The SPEAKER. That is the question now pending before the House.

The amendment proposed by the gentleman from Tennessee is that the

House shall now take a recess until 8 o'clock.

Mr. ANDERSON. Will the Chair state the question?

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE]
moved that the House take a recess until 10 o'clock to-night. The gentleman from Iowa [Mr. Hepburn] moved to amend that motion by taking a recess until 9 o'clock; and the gentleman from Tennessee [Mr. Pettibone] moved to amend the amendment by making the hour 8 o'clock, which is now the pending question.

Mr. RANDALL. I suggest to the House that we adopt that with

unanimity, and we can commence anew at 8 o'clock.

The SPEAKER. Does the gentleman from Iowa withdraw the motion to reconsider?

Mr. HEPBURN. I do.

Mr. ANDERSON. I withdraw the motion to lay on the table.

The SPEAKER. The question is on the amendment to the amendment proposed by the gentleman from Tennessee [Mr. Pettibone] that the House now take a recess until 8 o'clock.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The motion as amended was then agreed to; and accordingly (at 5 o'clock and 23 minutes p. m.) the House took a recess until 8 o'clock.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its

CONTESTED ELECTION-FREDERICK VS. WILSON.

Mr. VALENTINE. I move that the House do now take a recess until 10 o'clock to-morrow morning.

Mr. HEPBURN. I move to amend by making it 9 o'clock.

The SPEAKER. The Chair will state the motion of the gentleman from Nebraska.

Mr. SPRINGER. I rise to a parliamentary inquiry.
The SPEAKER. The Chair will state the motion, after which the
Chair will hear the gentleman from Illinois.
Mr. SPRINGER. I desire to know, in the first place, what is the

pending question.

The SPEAKER. The pending question is on the adoption of the report of the majority of the Committee on Elections in the contested-

Mr. SPRINGER. Upon that I wish to be recognized.

The SPEAKER. But the gentleman from Nebraska has made a motion that the House take a recess, which is a privileged motion.

Mr. SPRINGER. I desire to ask if it is not in order to proceed to the discussion of the election case.

The SPEAKER. Not pending a motion for a recess.

The gentleman from Iowa moves to amend the motion so as to make

the recess until 9 o'clock.

Mr. PETTIBONE. I move a further amendment to the amendment, that the recess be taken until 8 o'clock to-morrow morning.

Mr. ANDERSON. I move that the House adjourn.

Mr. SPRINGER. If gentlemen have got through with their motions, I would like to state that the contestee in this case agreed that there should be no filibustering in connection with it [cries of "Regular order!"], and in view of that agreement I ask that gentlemen now cease their filibustering and let us go on with the case.

Mr. ADAMS, of New York. There never was any such arrangement

made.

Mr. SPRINGER. I say that an agreement was made on the part of the contestee [loud cries of "Regular order!"], and I want to inform members on that side of the House [resumed cries of "Regular order!"] that this case will be before the House, notwithstanding their efforts. [Cries of "Regular order!"]

The SPEAKER. The question is upon the amendment proposed by

the gentleman from Tennessee to the amendment of the gentleman

Mr. HEWITT, of Alabama. I make a point of order upon that last amendment.

The SPEAKER. The gentleman will state it.

Mr. HEWITT, of Alabama. I understand that the gentleman moves that the House take a recess until 10 o'clock, another until 8, and another until 9. That is an amendment in the third degree, and if I am correct in the statement it is not in order.

The SPEAKER. The gentleman is mistaken. There was a motion to take a recess until 10 o'clock, to which an amendment was offered making it 9 o'clock, and the amendment to the amendment by the gentleman from Tennessee, which is now the pending question, until 8 o'clock. The question is on the latter motion.

The question was taken; and on a division there were-ayes 2, noes

Mr. VALENTINE. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will order tellers.

as voted, the Chair will order tellers.

Mr. VALENTINE and Mr. SPRINGER were appointed tellers.

Mr. SPRINGER. I move that there be a call of the House.

The SPEAKER. The House is now taking a vote.

The House again divided; and the tellers reported—ayes 3, noes 42.

Mr. VALENTINE. No quorum.

The SPEAKER. A quorum has not voted.

Mr. VALENTINE. I move a call of the House.

The question being taken, the Speaker stated that the "noes" seemed have it.

Mr. HEPBURN. I call for a division.
The House divided; and there were—ayes 26, noes 31.
Mr. HEPBURN. I call for tellers.

Tellers were not ordered, only 22 members voting therefor-not onefifth of a quorum.

So the motion for a call of the House was not agreed to.
Mr. ADAMS, of New York. I rise to a question of privilege.
The SPEAKER. The gentleman will state it.

Mr. ADAMS, of New York. I have a resolution to offer which bears directly on the question before this House, namely, the contested-elec-tion case of Frederick vs. Wilson.

The SPEAKER. A quorum has not appeared and no business is in order except a call of the House or a motion to adjourn.

Mr. SPRINGER. A quorum not being present would it be in order now to proceed to discuss the question before the House?

The SPEAKER. The question before the House is on the motion for a recess and the amendments thereto.

Mr. SPRINGER. That is a mere dilatory motion which gentlemen are urging for revolutionary purposes. [Cries of "Regular order!"]
Mr. VALENTINE. The gentleman form Illinois is out of order.
Mr. SPRINGER. I have a right to be out of order when revolution is afoot.

Mr. GEORGE D. WISE. I move that the House do now adjourn. The qestion being taken on the motion to adjourn, the Speaker stated at the "noes" seemed to have it.

Mr. HEPBURN. I call for a division.

The House divided; and there were-ayes 38, noes 56.

So the House refused to adjourn.

Mr. BENNETT rose

The SPEAKER. Mr. BENNETT. The gentleman from North Carolina. I rise to make a parliamentary inquiry. The gentleman will state it.

The SPEAKER.

What is the next question before the House?

The question before the House is on the motion Mr. BENNETT. The SPEAKER. for a recess. The first question is on the amendment to the amendment, which is now pending.

Mr. VALENTINE. On which no quorum appeared.

Mr. SPRINGER. Does not a motion to adjourn supersede all those

motions for a recess?

The SPEAKER. It does not supersede them; it has priority over them.

Mr. CANNON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Would it be in order for me to ask unanimous consent that the gentleman from North Carolina [Mr. BENNETT] and the

gentleman from Illinois [Mr. SPRINGER] have leave of absence until to-morrow

Mr. SPRINGER. What was the question of my colleague? That chunk of wisdom has been lost, I am afraid, not only to this generation but to posterity. That cannon exploded in mid-air; nothing was heard of it. [Cries of "Regular order!"]

The SPEAKER. The question is on the amendment of the gentleman from Tennessee [Mr. Pettibone] to the amendment of the gentleman from Iowa [Mr. HEPBURN].

The question being taken, the Speaker stated that the "noes" seemed

to have it.

Mr. VALENTINE. I call for a division.

The House divided; and there were—ayes 3, noes 36.

Mr. VALENTINE. No quorum.
Mr. SPRINGER. I move that there be a call of the House, a quorum not having voted.

The question being taken on Mr. Springer's motion, the Speaker stated that the "ayes" seemed to have it.

Mr. ANDERSON. I call for a division.

The House divided; and there were—ayes 53, noes 25.

Mr. VALENTINE. Upon this question I call for the yeas and nays.

The yeas and nays were ordered, 43 members voting therefor.

The question was taken; and there were—yeas 129, nays 61, not vot-

ing 134; as follows:

YEAS-129.

Alexander,	Dunn,	Lowry,	Stevens,
Bagley,	Eaton,	McComas,	Stewart, Charles
Bayne,	Eldredge,	Matson,	Stone,
Belmont,	Elliott,	Maybury,	Storm,
Bennett,	Ellis,	Miller, J. F.	Sumner, C. A.
Blackburn,	English,	Mills,	Swope,
Blount,	Ermentrout,	Mitchell,	Talbott,
Breckinridge,	Fiedler,	Money,	Taylor, J. D.
Broadhead,	Findlay,	Murphy,	Taylor, J. M.
Brown, W. W.	Follett,	Mutchler,	Thomas,
Browne, T. M.	Forney,	Neece,	Thompson,
Brumm,	Garrison,	O'Ferrall,	Tully,
Buchanan,	Gibson,	Patton,	Turner, H. G.
Burnes,	Graves,	Payson,	Van Alstyne;
Cabell,	Greenleaf,	Peel.	Vance,
Caldwell,	Halsell,	Pettibone,	Van Eaton,
Campbell, J. E.	Hammond,	Pierce,	Wallace,
Candler,	Hancock.	Post,	Ward,
Carleton,	Hardeman,	Potter,	Warner, A. J.
Clay,	Hatch, W. H.	Pryor,	Warner, Richard
Clements,	Hewitt, G. W.	Pusey,	Wellborn,
Cobb,	Hill,	Randall,	Weller.
Connolly,	Hopkins,	Reese,	Wemple,
Cook,	Houseman,	Riggs,	Willis,
Cosgrove,	Hutchins.	Robertson,	Wilson, W. L.
Cox, W. R.	Jones, B. W.	Rogers, J. H.	Winans, E. B.
Crisp,	Jones, J. H.	Rosecrans,	Wise, G. D.
Culberson, D. B.	Jordan.	Seymour,	Woodward.
Davidson,	Kleiner,	Shively,	Worthington,
Davis, L. H.	Lamb,	Skinner, T. G.	Yaple.
Deuster,	Lanham,	Slocum,	
Dockery,	Lewis,	Snyder,	
Dowd,	Lore,	Springer,	
Dowa,		Springer,	

NAVE-61

2123	LID OL.
Evans,	James,
Everhart,	Jeffords,
Funston,	Johnson,
Goff,	Kean,
Guenther,	Keifer,
Harmer,	Libbey,
Hart.	McCoid.
Hatch, H. H.	McCormick,
Haynes,	Millard,
Henderson, D. B.	Morrill,
Hepburn,	Nelson.
Hitt.	Ochiltree,
Holman,	O'Hara,
Holmes,	Parker.
Houk,	Payne,
Howey,	Perkins.

NOT VOTING-134.

O'Neill, Charles O'Neill, J. J.

ken.	Curtin,	Jones, J. K.
not.	Cutcheon,	Jones, J. T.
kinson,	Dargan,	Kelley,
llentine.	Davis, R. T.	Kellogg.
rbour.	Dibble,	Ketcham,
rksdale,	Dibrell,	King,
each.		King,
	Dorsheimer,	Lacey,
lford,	Ferrell,	Laird,
ngham,	Finerty,	Lawrence,
anchard,	Foran,	Le Fevre,
and,	Fyan,	Long,
owen,	Geddes,	Lovering,
yle,	George,	Lyman,
ainerd,	Glascock,	McAdoo, -
atton,	Green,	McMillin,
ewer, F.B.	Hanback,	Miller, S. H.
ewer, J. H.	Hardy,	Milliken,
ickner.	Hemphill,	Morgan,
idd,	Henderson, T. J.	Morrison,
rleigh,	Henley,	Morse,
mpbell, Felix	Herbert,	Moulton,
mpbell, J. M.	Hewitt, A. S.	Muldrow,
	Hiscock,	Manual Cow,
ssidy,		Muller,
nalmers,	Hoblitzell,	Murray,
ardy,	Holton,	Nicholls,
llins,	Hooper,	Nutting,
nverse.	Horr,	Oates.

Adams, G. E. Adams, J. J. Anderson, Barr, Bisbee, Boutelle, Breitung

Breitung.

Ellwood,

Breitung, Cannon, Craig, Culbertson, W. W. Cullen, Davis, G. R. Dingley, Dixon, Dunham,

Paige, Phelps, Poland, Rankin, Poland,
Rankin,
Ranney,
Ray, G. W.
Ray, Ossian
Reagan,
Reed, T. B.
Reid, J. W.
Rice,
Robinson, W. E.
Rock well,
Rogers, W. F.
Russell,
Seney,
Shaw,
Singleton,
Skinner, C. R.
Smith, A. Herr
Spooner,
Spriggs,
Steele,
Stephenson,
Struble,
Sumner, D. H.
Taylor, E. B.
Throck morton,

Peters, Price, Rowell, Ryan, Smalls, Smith, H. Y. Stewart, J. W. Stockslager, Strait.

Stockslager, Strait, Townshend, Valentine, Washburn, Weaver.

Tillman, Tucker.	Wakefield, White, J. D.	Williams, Wilson, James	Wood, York,
Turner, Oscar	White, Milo	Winans, John	Young.
Wadsworth,	Whiting,	Wise, J.S.	Thirte Start
Wait,	Wilkins,	Wolford,	

So the motion was agreed to.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to dispense with the reading of the names.

Mr. ANDERSON, Mr. ADAMS, of Illinois, and Mr. BROWNE, of

Indiana, objected.

The Clerk read the names of members voting.

The following additional pairs were announced from the Clerk's

Mr. John S. Wise with Mr. Turner, of Kentucky, on this vote.

Mr. Tucker with Mr. Long, on this vote.
Mr. Hemphill with Mr. O'Neill, of Pennsylvania, for the remainder of the day

Mr. WINANS, of Wisconsin, with Mr. YORK, for the remainder of the

Mr. WHITE, of Minnesota, with Mr. DIBRELL, for the remainder of

the day.

Mr. Sumner, of California, with Mr. Rockwell, for the remainder

Mr. GLASCOCK with Mr. NELSON, for the remainder of the day.
Mr. CONVERSE with Mr. STORM, for the remainder of the day. Mr. HISCOCK with Mr. DORSHEIMER, for the remainder of the day. The result of the vote was then announced as above stated.

Mr. BROWNE, of Indiana. Mr. Speaker, I move to reconsider the vote by which a call of the House has been ordered.

Mr. SPRINGER and Mr. HEPBURN moved to lay the motion to reconsider on the table.

Mr. SPRINGER. Mr. Speaker, I rise to a question of order. I desire to ask how the gentleman from Indiana [Mr. Browne] voted.

The SPEAKER. Indiana voted "ay." The Chair is informed that the gentleman from

Mr., BROWNE, of Indiana (to Mr. SPRINGER). I voted "yea" on

purpose, my friend.

The SPEAKER. The question is on laying the motion to reconsider on the table. [After a pause.] The "ayes" seem to have it.

Mr. VALENTINE. Mr. Speaker, I think we had better have the

yeas and nays on this.

The question was taken; and the yeas and nays were ordered. The question was taken on laying the motion to reconsider on the table; and there were—yeas 138, nays 70, not voting 116; as follows:

YEAS-138. Deuster, Dockery, Dowd, Dunn, Alexander, Bagley, Barbour,

Lamb,

Lanham, Le Fevre, Lewis, Lore, Lowry, McAdoo, Slocum, Snyder, Spriggs, Springer, Stevens, Stewart, Charles Bayne, Belford, Eaton, Eldredge, Belmont. Ellis, Ellis, English, Ermentrout, Ferrell, Fiedler, Findlay, Maybury, Miller, J. F. Mills, Mitchell, Morgan, Murphy, Mutchler, Bennett, Blackburn, Stockslager, Storm, Storm,
Swope,
Talbott,
Taylor, J. M.
Thompson,
Townshend,
Tully,
Turner, H. G.
Van Alstyne,
Vance,
Van Eaton,
Wallace,
Ward, Bland, Boyle, Breekinridge, Breckinridge, Broadhead, Browne, T. M. Buchanan, Budd, Burnes, Cabell, Caldwell, Felix Campbell, J. E. Candler, Carleton, Clardy, Clay, Findlay, Finerty, Follett, Garrison, Gibson, Greenleaf, Halsell, Neece, Oates, O'Ferrall, O'Neill, J. J. Patton, Hammond, Peel, Pettibone, Hammond, Hancock, Hardeman, Hatch, W. H. Henderson, T. J. Hewitt, G. W. Hill, Ward,
Warner, A. J.
Warner, Richard
Weller,
Wemple,
Wilkins,
Wilson, W. L.
Winans, E. B.
Wise, G. D.
Wolford,
Woodward,
Worthington,
Yaple. Ward. Pierce, Post, Potter, Pryor, Clay, Clements, Pusey, Randall, Clements, Cobb, Connolly, Cook, Cosgrove, Cox, S. S. Cox, W. R. Holman. Holman, Hopkins, Houseman, Hunt, Hutchins, Jones, B. W. Jones, J. H. Jordan, Kleiner, Lemb Randall, Reese, Riggs, Rogers, J. H. Rogers, W. F. Rosecrans, Seney, Seymour, Shively, Skinner, T. G. Crisp, Culberson, D. B. Davidson, Davis, L. H.

NAYS-70.

Adams, G. E.	Ellwood,	Kean,	Rowell,
Anderson,	Evans.	Keifer,	Ryan,
Atkinson,	Everhart,	Lacey,	Skinner, C. R.
Barr,	Forney, ·	Libbey,	Smalls,
Bisbee,	Funston,	McComas,	Smith, H. Y.
Boutelle,	Glascock,	McCormick,	Spooner,
Breitung,	Goff,	Millard,	Stephenson,
Brown, W. W.	Harmer,	Morrill,	Stewart, J. W.
Brumm,	Hatch, H. H.	Nelson,	Strait,
Cannon,	Henderson, D. B.	Nutting,	Struble,
Craig,	Hepburn,	O'Neill, Charles	Taylor, J. D.
Culbertson, W. W.	Hitt,	Payne,	Thomas,
Cullen,	Holmes,	Payson,	Valentine,
Davis, G. R.	Herr,	Perkins,	Wadsworth,
Davis, R. T.	Houk,	Peters,	Washburn,
Dingley,	Howey,	Ranney,	Weaver.
Dixon,	Jeffords,	Ray, Ossian	
Dunbam.	Johnson,	Reed, T. B.	

NOT	VOTING-116.	CERTIFICATION OF THE PROPERTY OF THE PERSON
Foran,	Long,	Robinson, J. S.
Fyan.	Lovering,	Robinson, W. E.
Geddes,	Lyman,	Rockwell,
George,	McCoid,	Russell,
Graves,	McMillin,	Shaw,
Green,	Matson,	Singleton,
Guenther,	Miller, S. H.	Smith, A. Herr
Hanback,	Milliken,	Steele,
Hardy,	Money,	Stone,
Hart.	Morrison,	Sumner, C. A.
	Morse,	Sumner, D. H.
Hemphill,	Moulton,	Taylor, E. B.
	Muldrow.	Throckmorton,
	Muller,	Tillman.
	Murray.	Tucker,
		Turner, Oscar
		Wait,
		Wakefield,
	Paige.	Wellborn,
	Parker.	White, J. D.
		White, Milo
		Whiting,
		Williams,
Kelley.		Wilson, James
Kellogg.		Winans, John
Ketcham.		Wise, J. S.
		Wood,
	Rice.	York,
Lawrence,	Robertson,	Young.
	Foran, Fyan, Geddes, George, Graves, Green, Guenther, Hanback, Hardy, Hart, Haynes, Hemphill, Henley, Herbert, Hewitt, A. S. Hiscock, Hoblitzell, Holton, Hooper, Hurd, James, Jones, J. K. Jones, J. T. Kelley, Ketleham, King, Laird,	Fyan, Geddes, Geddes, Lyman, George, McCoid, Graves, McMillin, Green, Guenther, Miller, S. H. Miller, S. H. Milliken, Money, Hart, Morrison, Morse, Hemphill, Moulton, Henley, Muldrow, Herbert, Muller, Hewitt, A. S. Murray, Nicholls, Hoblitzell, Ochiltree, Holton, Hooper, Paige, Hurd, James, Jones, J. K. Poland, Jones, J. T. Kelley, Rankin, King, Reid, J. W. Laird, Miccold, Miller, Rankin, King, Reid, J. W. Laird, Meclody, McCold, Reie, Meld, J. W. Laird, McCold, McC

Mr. WELLER. Mr. Speaker, I move to dispense with the reading of the names

Several members objected.

The following additional pairs were announced from the Clerk's desk:

Mr. JONES, of Alabama, with Mr. MILLIKEN, for the remainder of the

day.

Mr. John S. Wise with Mr. Turner, of Kentucky, on this vote.

The SPEAKER. On this question the yeas are 138 and the noes are The ayes have it; the motion to reconsider is laid on the table; a 69. call of the House is ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced A message from the senate, by Mr. McCook, its Secretary, announced that the Senate further insisted upon its amendments numbered 3, 4, 5, 6, 16, 17, 18, 19, and 20 to the bill (H. R. 8135) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, disagreed to by the House, asked a further conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLUMB, Mr. ALLISON, and Mr. BECK as conference on the rest of the Senate. ferees on the part of the Senate.

ORDER OF BUSINESS.

A call of the House having been ordered, the Clerk proceeded to call the roll, when the following members failed to answer to their names:

Aiken, Ballentine,	Fyan, Geddes,	King, Laird,	Rankin, Reagan,
Barksdale,	Glascock,	Lawrence,	Rice,
Beach,	Hardy,	Lovering,	Robinson, J. S.
Bingham, Bowen.	Haynes, Hemphill,	Lyman, McCoid.	Robinson, W. E. Shaw,
Campbell, J. M.	Henley,	Miller, S. H.	Singleton.
Chalmers,	Herbert,	Milliken,	Steele,
Collins,	Hewitt, A.S.	Morrison,	Sumner, D. H.
Converse,	Hoblitzell,	Moulton,	Taylor, E. B.
Covington,	Holton,	Murray,	Throckmorton,
Curtin,	Hooper,	 Nicholls,	Tillman,
Cutcheon,	Jones, J. K.	Paige,	Wait,
Dargan,	Jones, J. T.	Peters,	Williams,
Dibble,	Kelley,	Poland,	Winans, John
Dibrell,	Kellogg,	Price,	Young.

The SPEAKER. Before the names of the absentees are called, the Chair desires to lay before the House some requests of members to be excused from attendance on account of sickness

By unanimous consent, leave of absence was granted in the following

To Mr. DIBRELL, for the remainder of this day, on account of sick-

ness. To Mr. Cutcheon, for the remainder of the day, on account of sick-

To Mr. GLASCOCK, for the remainder of the day, on account of sickness in his family. To Mr. Steele, for the remainder of the day, on account of sick-

To Mr. BALLENTINE, for the remainder of the day, on account of sickness

Mr. HAMMOND. Mr. Speaker, I ask leave of absence for the remainder of the day because I am suffering from a cold, accompanied

with neuralgia.

There being no objection, Mr. Hammond was excused.
Mr. PERKINS. I ask that my colleague, Mr. PETERS, be excused from attendance this evening. He has been here, but is now absent upon duty as a member of the Committee on Enrolled Bills, having gone to the Executive Mansion.

There being no objection, Mr. Peters was excused.

Mr. PARKER. I ask leave of absence for the gentleman from Con-

Vance,

Stewart, J. W.

Rowell,

necticut, Mr. Wait, who desired to be excused as he was not feeling Phelps, well this evening.

There being no objection, Mr. Wait was excused.
Mr. JORDAN. I ask that my colleague, Mr. GEDDES, be excused from attendance this evening. He has gone home sick.
There being no objection, Mr. GEDDES was excused.
Mr. MUTCHLER. I ask leave of absence for my colleague [Mr. General of single-position]

CURTIN] on account of indisposition.

There being no objection, Mr. CURTIN was excused.

Mr. HEWITT, of Alabama. I ask that my colleague, Mr. HERBERT, be excused from attendance this evening on account of sickness in his

There being no objection, Mr. HERBERT was excused. Mr. HEWITT, of Alabama. I ask also that my colleague, Mr.

Mr. HEWITT, of Alabama. I ask also that my colleague, Mr. WILLIAMS, be excused from attendance on account of sickness.

There being no objection, Mr. WILLIAMS was excused.

Mr. BROWN, of Pennsylvania. I ask that my colleague, Judge KELLEY, be excused from attendance this evening.

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLEY] has leave of absence from all evening sessions.

Mr. MILLS. I ask that my colleague, Mr. Throckmorton, be exceeded a second of sightness.

cused on account of sickness.

There being no objection, Mr. Throckmorton was excused.
Mr. VALENTINE. I ask that all members be excused until tomorrow morning at 9 o'clock.
The SPEAKER. The Clerk will now report the names of the absentees, after which the doors will be closed.

Mr. RAY, of New Hampshire. I am requested to ask that the gentleman from Pennsylvania, Mr. LAWRENCE, be excused from attend-

ance this evening on account of sickness.

Mr. HEPBURN. I object.

The SPEAKER. Objection being made, the gentleman from New Hampshire moves that the gentleman from Pennsylvania be excused on account of sickness

The question being taken, there were—ayes 96, noes 13.

Several MEMBERS. No quorum.

The SPEAKER. A quorum is not necessary upon this question.

Mr. HEPBURN and others called for tellers.
Tellers were ordered; and Mr. RAY, of New Hampshire, and Mr. HEPBURN were appointed.

The House again divided; and the tellers reported—ayes 93, noes 12.

Mr. HEPBURN. On this question I call for the yeas and nays.

The yeas and nays were ordered, 54 voting in favor thereof.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced agreement to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 8179) making appropria-

ing votes of the two Houses on the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes. It further announced that the Senate further insists upon its amendments numbered 1 and 29 to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

IOWA CONTESTED-ELECTION CASE.

The SPEAKER. The question recurs on the motion to excuse the gentleman from Pennsylvania [Mr. LAWRENCE], on which the yeas and nays have been ordered.

The question was taken; and it was decided in the affirmative—yeas

203, nays 10, not voting 111; as follows:

sidy, y, ments, ob, lins.	Goff, Graves, Green, Greenleaf,	Kleiner, Lanham, Libbey,
ments,	Green,	Libbey,
ments,		Libbey,
limm		Lore,
	Guenther,	Lowry,
nolly,	Halsell,	McAdoo,
		McComas,
grove.	Hardeman.	McCormiek,
	Harmer,	McMillin,
ig.	Hart,	Matson,
SD.	Hatch, H. H.	Millard.
bertson, W. W.	Hatch, W. H.	Miller, J. F.
len.		Mills,
	Henderson, D. B.	Mitchell.
vis, L. H.	Henderson, T. J.	Money,
vis, R. T.	Hepburn,	Muldrow,
	Hewitt, G. W.	Muller,
on,	Hiscock,	Murphy,
ekery,	Hitt.	Mutchler,
sheimer,	Holman,	Neece,
wd,	Holmes.	Nelson,
nham,	Hopkins,	Nutting,
nn,	Houk,	Ochiltree,
iott,	Houseman,	O'Hara,
wood,	Howey,	O'Neill, Charles
glish,	James,	O'Neill, J. J.
mentrout.	Jeffords.	Paige,
ans.	Johnson.	Parker,
erhart.	Jones, B. W.	Patton,
		Payne,
		Payson.
	Kean,	Peel.
rrison,	Kellogg,	Pettibone,
	nnolly, obt, sgrove, c, S. S. dig, sp, bbertson, W. W. llen, vis, L. H. vis, R. T. usster, con, ckery, rsheimer, wd, nn, iott, wood, glish, mentrout, ans, erhart, rrell, rney, nnston, rrison,	ok, Hanback, serove, Hardeman, ex. S. S. S. Hardeman, ex. S.

Post,	Russell,	Stockslager,	Van Eaton,
Potter,	Seney,	Stone,	Wallace,
Pryor,	Seymour,	Strait,	Warner, A. J.
Pusey,	Shively,	Struble,	Warner, Richard
Randall,	Skinner, C. R.	Sumner, C. A.	Washburn,
Ranney,	Skinner, T. G.	Swope, *	Weaver,
Par C 10		Talbott,	Wellborn.
Ray, G. W.	Slocum,	Tanbott,	
Ray, Ossian	Smalls,	Taylor, J. D.	White, J. D.
Reed, T. B. Reid, J. W.	Smith, A. Herr	Taylor, J. M.	Whiting,
Reid, J. W.	Smith, H. Y.	Thomas,	Willis,
Reese,	Snyder,	Thompson,	Wilson, W. L.
Riggs,	Spooner,	Townshend,	Winans, E. B.
Robertson,	Spriggs,	Tully,	Wise, G. D.
Rockwell,	Springer,	Turner, H. G.	Wood,
Rogers, J. H.	Stephenson,	Turner, Oscar	Woodward,
Rogers, W. F.	Stevens,	Valentine,	Yaple.
Rosecrans,	Stewart, Charles	Van Alstyne,	
Rosecrans,			
	N.	AYS-10.	
Barr,	Clardy,	Hill,	Price.
Bisbee,	Cox, W. R.	Horr,	
Caldwell,	Follett,	Pierce,	
Citicanicing		OTING-111.	
	The second secon		
Aiken,	Findlay,	Laird,	Robinson, W. E.
Ballentine,	Finerty,	Lamb,	Ryan,
Barksdale,	Foran,	Lawrence,	Shaw,
Beach,	Fyan,	Le Fevre,	Singleton,
Belford,	Geddes,	Lewis,	Steele,
Bingham,	George,	Long,	Storm,
Blackburn,	Gibson,	Lovering,	Sumner, D. H.
			Taylor, E. B.
Bowen,	Glascock,	Lyman,	
Bratton,	Hammond,	McCoid,	Throckmorton,
Browne, T. M.	Hancock,	Maybury,	Tillman,
Brumm,	Hardy,	Miller, S. H.	Tucker,
Buckner,	Hemphill,	Milliken,	Wadsworth,
Campbell, J. M.	Henley,	Morgan,	Wait,
Chalmers,	Herbert,	Morrill,	Wakefield,
Converse,	Hewitt, A.S.	Morrison,	Ward,
Covington,	Hoblitzell,	Morse,	Weller,
Culberson, D. B.	Holton,	Moulton,	Wemple,
Curtin,	Hooper,	Murray,	White, Milo
Cutcheon,	Hunt,	Nicholls,	Wilkins,
Dargan,	Hurd,	Oates,	Williams,
	Hutchins,	O'Ferrall,	
Davis, G. R.			Wilson, James
Dibble,	Jones, J. T.	Perkins,	Winans, John
Dibrell,	Jordan,	Peters,	Wise, J.S.
Dingley,	Keifer,	Poland,	Wolford,
Eaton,	Kelley,	Rankin,	Worthington,
Eldredge,	Ketcham,	Reagan,	York,
Ellis,	King,	Rice,	Young.
Fiedler,	Lacey,	Robinson, J.S.	The state of the s
			at became come
so the motio	n that Mr. LAWR	ENCE De excused	was agreed to.

During the roll-call,

The following additional pairs were announced.

Mr. WARD with Mr. LAWRENCE, for the rest of the day. Mr. HARDEMAN with Mr. JOHNSON, for the rest of the day. The vote was then announced as above recorded.

Mr. VALENTINE moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. STEWART. I ask now, Mr. Speaker, that my colleague, Mr. OLAND, be excused.

The SPEAKER. The noes seem to have it.

Mr. ANDERSON. I demand a division.

Mr. ANDERSON. I demand a division.
The House divided; and there were—ayes 44, noes 24.
Mr. RANDALL. I desire to make a suggestion to the House.
The SPEAKER. Is there objection? [After a pause.] The Chair

ears no objection, and the gentleman will proceed

Mr. RANDALL. The report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, has come over from the Senate, and if proceedings are dis-pensed with under the call of the House that report can be taken from the Speaker's table and acted upon.

Mr. ANDERSON. Can not that be done by unanimous consent, the

present business before the House standing just as it is?

The SPEAKER. If further proceedings under the call are dispensed with the pending motion can be resumed. These proceedings grow out of the fact of no quorum having voted on the motion before the House.

Mr. VALENTINE. I ask by unanimous consent to dispense with

all further proceedings under the call.

Mr. O'NEILL, of Missouri. I object.

Mr. RANDALL. Then I move to disp Then I move to dispense with all further proceed-

ings under the call.
The motion was agreed to.

LEGISLATIVE, ETC., BILL.

Mr. HOLMAN. I rise to a privileged question. I submit the report of the conference committee on the disagreeing votes of the two Houses on the legislative, executive, and judicial appropriation bill, and also the statement, under the rules, of the conferees on the part of the House.

The SPEAKER. The Clerk will read the report.

Mr. ANDERSON. I wish to make a parliamentary inquiry; is this

The SPEAKER. It is. The Chair will state that a conference report has priority over everything except the reading of the Journal, the call of the roll, or a division of the House.

Mr. WHITE, of Kentucky. I rise to a question of order. I desire to know whether this bill is not subject to debate under the five-minute rule.

The SPEAKER. It is subject to debate under the hour rule, unless the previous question is ordered on the report. The Clerk will read the report.

The Clerk read as follows:

same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$5,000;" and the Senate agree to the same.

the sum proposed in said amendment insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: Restore the number proposed to be stricken out by said amendment, and on page 31 in line 11 of the bill, after the word "each," insert "six assorters of money-orders at \$840 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$506,032;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$50,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$50,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

That the House recede from its disagreement to the am

69, on line 42 of the bill, alter the word "four," insert the loniowing: "One of whom shall be employed on the general index;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,700;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,120;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: "That a committee consisting of five members-elect of the House of Representatives of the Forty-night Congress, to be appointed by the Speaker of the House of Representatives of the Forty-eighth Congress, shall prior to the first Monday of December next inquire into and investigate the expenditures of appropriations for Indians under treaty for their support, for their education, or otherwise, and whether any changes should be made in such appropriations or their expenditure. Said committee shall also inquire into the expenditure of public money for the Yellowstone Park and the administration of the laws applicable to said park, whether any change should be made in said laws or the boundary of the park, and what steps, if any, can be taken to make of practical benefit and utility that portion of the public domain. That said committee shall have power to appoint subcommittees to visit the places where appropriations mentioned

herein are expended, and in doing so they are authorized to use Government conveyances and means of transportation. Said committee, or any subcommittee thereof, shall have power to send for persons and papers and to appoint a clerk, and the committee may report by bill or otherwise to the Forty-minth Congress. A sum sufficient to pay the expenses of said committee hereby authorized, and all witnesses that may be summoned before it, is hereby appropriated out of any money in the Treasury not otherwise appropriated, which shall be immediately available and payable on the draft of the chairman of said committee in sums not exceeding \$1,000 at any one time;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert "one skilled laborer, \$340;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$45,420;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: 'In lieu of the sum proposed insert "\$1,200;" and the Senate agre

same.

That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment as follows: On page 95 of the bill, after line 10, insert as a new paragraph the following:
"For the following, for the additional buildings for the money-order and Sixth Auditor's offices, namely: For heating apparatus and fuel, \$3.00; gas, \$400; furniture for the money-order office, \$500; miscellaneous items, \$503, four watchmen, three laborers, and three charwomen, at \$180 each; in all, \$8,100."

And the Senate agree to the same.
On the amendments of the Senate numbered 1 and 29 the committee of conference are unable to agree.

WM. S. HOLMAN.

WM. S. HOLMAN, JOHN HANCOCK, J. G. CANNON, Managers on the part of the House. W. B. ALLISON, H. L. DAWES, F. M. COCKRELL, Managers on the part of the Senate.

The statement of the conferees on the part of the House accompanying the report was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8179, making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 39, 1886, submit the following, in explanation of the accompanying conference report:

The conference committee have agreed upon all of the one hundred and seventy-four Senate amendments except those numbered 1 and 29, which involve the appropriation of \$39,432 for clerks to Senators who are not chairmen of committees.

The bill as it is agreed upon, and including the amount involved in said amendments 1 and 29, appropriates in all \$21,390,298,70, being \$153,488 more than as it passed the House, \$30,671,39 less than as it passed the Senate, \$2,843,15 less than the law for the current year, and \$976,201.35 less than the estimates which were submitted.

WM. S. HOLMAN, JOHN HANCOCK, J. G. CANNON, Managers on the part of the House.

Mr. HOLMAN. Mr. Speaker, I desire to submit only a few facts in regard to the substance of that report and to call the attention of the House to the one proposition which is still in difference between the two Houses. It will be a very brief statement that I shall make.

There were one hundred and seventy-four amendments made to this bill by the Senate, adding \$153,480 to the amount. The bill as it would be amended by the report of the conference committee appropriates \$80,671.93 less than the amount added to the bill by the Senate. The bill as amended would appropriate a trifle less than the law of the present year-\$4,843.15.

The amendment of the Senate which is the subject of disagreement is amendment numbered 29. I ask that that amendment may be reported to the House.

The Clerk read as follows:

For clerks to Senators who are not chairmen of committees, at \$5 per day, \$39,432.

Mr. HOLMAN. The amendment numbered 1 is simply a matter of footing. If this amendment should be either adopted or rejected it changes the footing; so that amendment numbered 1 is a mere matter of form. But the amendment which has now been read, that num-bered 29, involving \$39,432 for clerks of Senators, gives the subjectmatter of dispute. It is upon that that the committee have not been able to agree

There are two matters to which I wish to call the attention of the House before asking a vote upon the proposition I have just referred to. The first is as to the act of the Senate touching the employes of the House; and I feel the more in duty bound to call attention to this particular amendment from the fact that it concerns the House Committee on Appropriations. The Senate of its own motion increased the salary of the clerk of the Senate Committee on Appropriations from \$2,500 to \$3,000, and also the salary of the chief clerk of the House Committee on Appropriations from \$2,500 to \$3,000.

These two amendments, one affecting the House and the other the Senate, are Senate amendments and have both been concurred in by the con-I shall not suppose the House will deem it important to inquire how this conclusion was arrived at. As I have stated this report concurs in these two amendments of the Senate, the one affecting their own body and the other affecting the House. So much for that. I was the more desirous of calling the attention of the House to it because it is a

matter affecting the Committee on Appropriations.

There is another amendment to which I wish to call the attention of the House for a moment. It is amendment numbered 135. I ask that it may be reported to the House, being a change in the provision as it passed the House by the act of the conferees.

The Clerk read as follows:

The Clerk read as follows:

Amendment 135: Strike out all after line 11, on page 79, down to and including line 9, on page 80, and insert the following:

"That a committee consisting of five members-elect of the House of Representatives of the Forty-eighth Congress, shall, prior to the first Monday of December next, inquire into and investigate the expenditure of appropriations for Indians under treaty for their support, for their education, or otherwise, and whether any changes should be made in such appropriations or their expenditure. Said committee shall also inquire into the expenditure of public money for the Yellowstone Park, and the administration of the laws applicable to said park, whether any change should be made in said laws or the boundary of the park, and what steps, if any, can be taken to make of practical benefit and utility that portion of the public domain. That said committee shall have power to appoint subcommittees and visit the places where appropriations mentioned herein are expended, and in doing so they are authorized to use Government conveyances and means of transportation. Said committee, or any subcommittee thereof, shall have power to send for persons and papers and to appoint a clerk, and the committee may report by bill or otherwise to the Forty-minth Congress. A sum sufficient to pay the expenses of said committee hereby authorized, and of witnesses that may be summoned before it, is hereby appropriated out of any money in the Treasury not otherwise appropriated, which shall be immediately available and payable on the draft of the chairman of said committee in sums not exceeding \$1,000 at any one time."

Mr. MILLIS. Mr. Speaker, I desire to ask the gentleman from In-

Mr. MILLS. Mr. Speaker, I desire to ask the gentleman from Indiana [Mr. Holman] whether this amendment was put in the bill by

the Senate or by the conference committee.

Mr. HOLMAN. The original proposition was put in the bill by the

Mr. MILLS. Was it not stricken out in the House on the point of order?

Mr. HOLMAN. No. It went to the Senate; the Senate struck it out, and then the conferees restored it with some change in the phraseology.

It ought to be stricken out.

Mr. HOLMAN. Mr. Speaker, one additional fact I wish to mention, and it is a subject to which I wish to call the attention of the Post-Office Committee. The conferees have restored the office of superintendent of foreign mails, and have provided for the same body of employés in that branch of the postal service with the same salaries as in the existing law.

I believe that those are all the changes which have been made in the bill since it left the House, and I now call the previous question

Mr. CANNON. I ask my colleague on the committee from Indiana [Mr. HOLMAN] to yield to me for a moment. Mr. HOLMAN. How much time does my

How much time does my friend from Illinois wish?

Mr. CANNON. Very little. Mr. HOLMAN. Five minutes?

Mr. CANNON. I think that will be enough.

Mr. HOLMAN. I yield five minutes to the gentleman from Illinois

[Mr. CANNON]

Mr. CANNON. Mr. Speaker, my colleague on the committee [Mr. HOLMAN] has called attention to an amendment made by the Senate increasing the salary of the clerk of the Appropriations Committee of the Senate \$500, and also increasing the salary of the clerk of the House Committee on Appropriations \$500. The House conferees concurred in both those amendments, and I wish to state very frankly that I, as one of the conferees, not only concurred in the amendments but did so heartily, because I believe they are right. I am not so familiar with the clerk of the Senate Committee on Appropriations (although quite familiar with his work) as I am with the clerk of the House Committee on Appropriations.

Most members of the House are familiar with him and his work, and I say to the House that, from the fact of these appropriation bills involving an examination of the whole civil service of the Government from beginning to end, and requiring a technical and correct knowledge of the whole of that service, it must be apparent to every member that the duties of the clerks of these committees are very onerous. Especially

is this true under the peculiar rules of the House, by which, to a great degree, appropriation bills are made to carry through the chief part of the legislation that each and almost every member of the House desires carried through. I do not propose to discuss that matter now, except to say that I hope that in the future our rules may be so amended that the committees of this House can have measures which they recommend considered under the rules. As I was saying, gentlemen can readily see that the clerks of these two great appropriations committees require to have a close and technical knowledge of the matters covered by these bills, and that such knowledge on their part can be and is of immense advantage in the preparation of the appropriation bills. I think the two clerks in question have that knowledge. More than that, when it is considered that the appropriations made by these bills aggregate over a hundred million dollars every year and that they are massed together at the close of the session of Congress, gentlemen can see at once that these officers require not merely knowledge but rapidity and integrity. I think that these qualities are to be found in these two clerks, and while I have no doubt that there are many other gentlemen throughout the country who could be educated to do this work I have no hesitation in saying that I do not believe there are two others in the United States who without that education and training would be one-half as competent as these gentlemen are, and I believe that \$3,000 is a small salary rather than a large one to pay them. Therefore I, for one, heartily concur in the amendment of the Senate increasing their salaries

Mr. SKINNER, of New York. How many clerks does the increase

apply to in each committee?

Mr. CANNON. One.
Mr. HOLMAN. Mr. Speaker, my special purpose in calling attention to this action of the Senate in increasing the salaries of these two clerks was to bring to the notice of the House the fact that the Senate, while resisting any interference by the House with Senate employés or their salaries, thought proper to increase the salary of an employé of the House. That was the point to which I wished especially to call the attention of the House. Now, Mr. Speaker, I move that the House insist on its disagreement-

The SPEAKER. The Chair will state that the first question is upon

the adoption of this report.

Mr. HOLMAN. Then I call the previous question on adopting the report.

The previous question was ordered; and under the operation thereof

the report was adopted.

Mr. HOLMAN moved to reconsider the vote by which the report was

adopted; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

Mr. HOLMAN. I now move that the House further insist on its disagreement as to the twenty-ninth amendment of the Senate, and ask

a further conference.

Mr. CANNON. Pending that motion, I move that the House recede.

The SPEAKER. The motion to recede takes precedence.

Mr. CANNON. I would like to occupy the floor a minute or two on this question.

The SPEAKER. The Chair will state the question. The gentleman from Indiana [Mr. HOLMAN] moves that the House further insist on its disagreement to the twenty-ninth amendment of the Senate and ask a further conference. Pending that the gentleman from Illinois [Mr. Cannon] moves that the House recede from its disagreement to the Senate amendment and agree to the same.

Mr. HOLMAN. How much time does the gentleman wish? Mr. CANNON. I believe I have the floor.

The SPEAKER. Under the rules the question is first upon the motion to recede.

Mr. HOLMAN. Certainly; but I had a right to insist on the previous question upon my motion. I was only giving way so that the gentleman's motion might come before the House before the previous question had been called.

The SPEAKER. Still the motion of the gentleman from Illinois Mr. CANNON] is of higher privilege than that of the gentleman from

Indiana

Mr. HOLMAN. But the gentleman could not take me off the floor. The SPEAKER. There must be an opportunity under the rules to make this motion of higher privilege.

Mr. HOLMAN. Then I will call the previous question after the

gentleman has concluded.

Mr. CANNON. Mr. Speaker, this amendment is as follows:

For clerks to Senators who are not chairmen of committees, at \$6 per day during the session, \$39,432.

The amendment provides for thirty-one Senators' clerks, at \$180 a month in round numbers, for a session of seven months. I have moved that the House recede from its disagreement and agree to this amendment, and I will state very briefly why.

Prior to the last session of this Congress the Senate by resolution provided these clerks for Senators who were not chairmen of committees and provided for their pay from the contingent fund of the Senate; and we had to concur in increasing the contingent fund. At the last session the Senate, when it came to consider the legislative appropriation bill for the current year, placed upon that bill an amendment substantially the same as this.

The matter was fought at great length, there having been conference after conference between the two Houses, the Senate insisting that it had the right to regulate its own affairs so far as the conduct of the business of the Senate was concerned. Let that be as it may, it is certainly the fact that on a fair, square vote, upon a motion to recede, just such a motion as I now make, this House did recede; and there was put in the bill for the current year an appropriation similar to this.

This year when this bill was considered in the House we omitted this

appropriation. The Senate put this amendment upon the bill; it came back to the House; we non-concurred, and the question went to a conference.

Now, I would be very willing, ordinarily, to have another conference upon this question—a third and a fourth, for that matter, though I do not know exactly what good it would do unless to call the attention of the country to this subject. Ordinarily, I say, I would be willing for further conference, but when I recollect that to-morrow is the last legislative day of this Congress, I realize there is not much time for that kind of thing; so I think I am authorized to say that in the end the House will do just what we did last session, and what I propose to do

One word upon the merits of this amendment. The gentleman from Texas [Mr. Mills] offered to-day a resolution that this House should not participate in the inaugural ceremonies because he thought members of the House had been given a back seat. Well, to be frank about it, I did think that the Senate had not treated the outgoing and the incoming members of this House with any very great courtesy; yet I did not mind that much, because the matter was all "dress parade." Neither the House nor the Senate is required under the Constitution or the laws to be present at those ceremonies. Feeling, therefore, that the matter was not of much importance, I contented myself with not voting at all. But here is a proposition to which in substance the House has already assented. This appropriation has run for two years.

This is the second year that this amendment has come to us upon this

bill, to give to Senators who are not chairmen of committees clerks at \$180 a month. I have thought that if Senators had these clerks the members of the House ought to have the same assistance for themselves. We are a co-ordinate branch of the Government, representing the people, coming near to them—coming more directly in contact with them day by day, week by week, and year by year, with our elections every other year, than the Senators do. We hold positions of equal dignity, positions which, in the years immediately succeeding the adoption of the Constitution, were considered if anything of superior dignity, men of great ability preferring to come here rather than go to the Senate.

I have thought, I say, the House ought to take the same things conceded to the Senate by the House. What prevents them from doing it? I think members of the House are afraid—that they have not the

courage to do it.

A MEMBER. Try us.

Mr. CANNON. Everybody understands, of course, they are willing to do it; but they have not done it.

I must confess two years ago when the Senate passed the resolution in reference to these clerks I thought it might attract some attention in the country; that they might be blamed for so doing; but strange to say I do not suppose there are 1,000 people in the United States outside of the District of Columbia who know Senators have these clerks. If they do, I apprehend most of them approve of it, for I have not seen any condemnation in the public prints, nor have I heard a single word of denunciation hurled against them from the stump.

A MEMBER. Most of them think it is right.

Mr. CANNON. The gentleman says most of them think it is right. I did not move an amendment for members of the House because of my I did not move an amendment for members of the House because of my remembrance of the fate of a precisely similar motion, and because I was satisfied there was no use in doing so. I venture, however, to say and to hope that at the next session of Congress, early in the session, one of two things will be done, namely, either that this appropriation under the law as it is now provided shall be refused to Senators to pay for personal clerks, or the House shall insist it shall be regulated by law and their selective somewhat degreesed and the members of this House. and their salaries somewhat decreased, and the members of this House, a co-ordinate of the National Legislature, shall demand for themselves that while they assume the responsibility of granting this to the co-ordinate branch of the Legislature they shall assume for themselves the same right. [Applause.]

Mr. BELFORD. Is it not a fact that I introduced a resolution given

ing to each member a clerk, and is it not a further fact that you voted

Mr. CANNON. I do not recollect how I voted; I do not think the yeas and nays were taken or any record of that vote. I recollect, however, that the gentleman did offer that resolution. I think I do. He has offered a great many resolutions and has made a great many demands, as I remember pleasantly, to empty, as he says, the Treasury of the United States. Now, I do not care about emptying the Treasury of the United States.

Mr. BELFORD. You will remember about emptying the Treasury

before you are two years older.

Mr. CANNON. I now yield for five minutes to the gentleman from

Texas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, at the organization of our Government the House of Representatives was considered to be the important branch of the National Legislature. The Senate was adopted as a body that represented the States, and this House was the great, important representative body of the American people. But the bicameral system was adopted when we had two Houses. Nobody dreamed for years that the House of Representatives was not equal in power, equal in importance and in dispits. tance, equal in dignity, equal in prerogative, equal in privilege, equal in deed and in fact in all respects with the House at the other end of the Capitol. But, sir, within a few years that House has encroached upon the rights of this House, little by little, as abuses always grow and arbitrary power always gains upon the right, until to-day they boldly avow superior prerogative and privilege, and we bow down on our knees and grant it unto them.

The gentleman talks about the rights of the House after having voted with the vast majority of this House to take in one of the most important transactions of the people of the United States a secondary position, not by the side of the Senate of the United States where our fathers placed this body. They have placed the diplomatic corps, blazing with the tinselry of foreign decorations, on the right, where this House of Representatives ought to be. Instead of occupying our rightful position we have been located to the rear. Heads of Departments were placed next in importance to the diplomatic corps, and behind them came the Army, with the clanking of sabers, while far to the rear were located the representatives of the American people. And the gentleman from Illinois voted that the representatives of the people by being

Mr. CANNON. If my friend will allow me—
Mr. MILLS. The gentleman from Indiana [Mr. HOLMAN], your colleague, voted with you, although he first voted through the tellers and voted on the Representatives' side of the question. [Laughter and applause.]
Mr. CANNON. If my friend will allow me-

Mr. MILLS. I will, Mr. CANNON. I was not present when that vote was taken, and

therefore did not vote at all.

Mr. MILLS. Itake it all back then. I thought you did. [Laughter.]

There are so many here who did as I have accused my friend from Indiana of doing that I must be pardoned for my mistake in his case. One hundred and twenty-six went through the tellers and voted to main-tain the dignity and the rights of the House of Representatives, but when the yeas and nays came to be taken that vote dwindled down to 55 for and 185 against. [Laughter and applause.] I came to this House twelve years ago, and by the grace of God two years after I came here the Democratic party came into power in this House and at once commenced to cut down the salaries of officers. It commenced to reduce the expenditures of the Government. We began upon the line of economy, but at the other end of the Capitol that body which represents nothing, is responsible to nobody, refused to accede to the reductions we then made, but on the contrary established a distinction between their officials and the employés of this House by insisting that their employés should receive higher pay than ours. The House then agreed to it and still continues to agree to it. Two years ago they came in with a provision to allow each Senator to have a clerk at \$6 a day or \$180 a month. How did this House of Representatives, representing the horny-handed Democracy of the country, behave? We said we would not agree to give them these clerks, but the Senate insisted and when the yeas and nays came to be taken that vote dwindled down to the horny-handed Democracy of the country, behave? We said we would not agree to give them these clerks, but the Senate insisted and we kneeled down in submission and gave it to them out of the public Treasury of the United States. They claimed it as their right and they have ever since received it. To-day they propose to put you away to the rear during the ceremonies of inaugurating the Chief Magistrate of the country, and yet one hundred and eighty-five representatives of the people of the United States said that was the proper position for us to occupy. It is against all this I enter my solemn protest.

The SPEAKER. The gentleman's time has expired.

Mr. CANNON. I yield now for five minutes to the gentleman from

Ohio [Mr. KEIFEB].

Mr. KEIFER. I am also permitted to offer an amendment to the amendment of the gentleman from Illinois. My amendment is in the form of a motion to concur in the Senate amendment with an amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out amendment numbered 29 and insert "for clerks to Senators and Representatives who are not chairmen of committees, at the rate of \$100 per month during the session, \$209,300."

Mr. HOLMAN. Is that amendment germane?

The SPEAKER. The Chair thinks so. It is offered as a substitute for the Senate amendment.

Mr. KEIFER. It is to concur in the Senate amendment with an amendment

Mr. HOLMAN. But it is subject to the point of order as any other

question coming before the House, that is to say, it involves an expenditure of money, and is subject to consideration in the Committee of the Whole.

The SPEAKER. The Chair will state the point of order, and will

be glad to hear the gentleman from Ohio upon it.

The gentleman from Indiana makes the point of order that under the rules of the House the proposed amendment must have its first consideration in Committee of the Whole House on the state of the Union because it proposes to increase expenditures.

Mr. KEIFER. I would like to be heard on that.

Mr. SPRINGER. I make the further point of order that it changes existing law and does not retrench expenditures.

Mr. KEIFER. That has nothing to do with it now, for we are considering the proposition of the Senate, which is subject to amendment in the House

I submit the other point is made too late for the purpose of having this amendment of the Senate go to the Committee of the Whole House on the state of the Union, and for the reason that we have entered upon the consideration of it in the House. It has been debated and we are proceeding with its consideration in the House; and, therefore, it is too late now to make the point of order as against that amendment.

The SPEAKER. The point of order is not made against the Senate

Mr. KEIFER. But my amendment comes in in consequence of the fact that we are considering the Senate amendment in the House against which no point of order was made. Having this Senate amendment before us in the House by failing to make the point of order against it, we are considering it in the House subject to be amended in such way as our rules prescribe; and when an amendment to a Senate amendment is offered it is too late then, of course, to make the point of order that the Senate amendment must go to the Committee of the Whole.

Under Rule XX Senate amendments which would be liable to the point of order if originating in the House may be sent to the Committee of the Whole House on the state of the Union on the point of order,

but it must be the original proposition as it came from the Senate.

I am not able to give exactly the language of Rule XX; but that rule, the language of it, applies to the Senate amendment, and the point of order was not made against the Senate amendment. I submit, then, that it is proper under our rules to offer to a Senate amendment another amendment which is proper to be offered or which is germane to the subject-matter of such an amendment when acting on it in the House as we are here. The SPEAKER.

The SPEAKER. The question was presented at the last session of Congress and the Chair made a ruling upon it then, but has never been entirely satisfied that it was altogether correct. The Chair will cause

the Journal entry to be read. The Clerk read as follows:

The Clerk read as follows:

The House then proceeded as the regular order of business (as a privileged question) to the consideration of the bill of the House (H. R. 5459) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1885, and for other purposes, and amendments of the Senate thereto, pending when the House took a recess on yesterday; the pending question being on the following amendment of the Senate, namely: "Page 74, after line 27, insert: 'For necessary and special facilities on trunk lines, one hundred and eighty-five.'" Pending which Mr. Hora moved that the House recede from its disagreement to the said amendment, and agree to the same with the following amendment:

"Strike out the words 'one hundred and eighty-five' and insert in lieuthereof 'two hundred and fifty.'"

Pending which Mr. HOLMAN made the point of order that the said amendment under clause 3 of Rule XXI was not in order, for the reason that said appropriation was for a purpose not authorized or specified by law or for work already in progress.

progress.

The Speaker overruled the said point of order on the ground that the proposition to which the amendment was offered was properly before the House and was amendable, without regard to the rule applicable to an original amendment proposed in the House.

The SPEAKER. It will be observed that the question presented in that case was on an amendment which proposed simply to increase the amount appropriated by the Senate amendment for the same purpose provided for in the Senate amendment. The gentleman from Ohio now submits a proposition which is to make an appropriation for a different purpose from that provided for in the Senate amendment.

Mr. REED, of Maine. But it is a legitimate amendment to the

Mr. REED, of Maine. But it is a legitimate amendment to the Senate amendment.

The SPEAKER. It is germane. But that is not the question. The question is whether it is competent under the rule of the House, which the Chair will cause to be read, to propose an amendment in the House to a Senate amendment which provides for an appropriation for a different purpose from that provided for by the Senate amendment unless it shall have its first consideration in Committee of the Whole.

Mr. REED, of Maine. I would like after the rule is read to be permitted to say something on this point of order.

The SPEAKER. The Chair will then hear the gentleman.

Mr. SPRINGER. I suggest to the Chair that this comes within clause 3 of Rule XXI. It changes existing law.

Mr. KEIFER. That has nothing to do with it now.

Mr. KEIFER. That has nothing to do with it now. The Clerk read clause 3 of Rule XXIII, as follows:

3. All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authoriz-

ing payments out of appropriations already made, or releasing any liability to the United States for money or property, shall be first considered in a Commit-tee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Mr. REED, of Maine. Let me suggest to the Chair that the gist of that rule, so far as it applies to the present question, is to be found in the last two lines:

And a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

This evidently refers to a bill which is before the House; and any proposition in such a bill subject to the points of order would carry the bill with it.

We found before the adoption of the twentieth rule that when the Senate made such an amendment it did not become subject to the point of order. We therefore made a further amendment in Rule XX, which declared that any proposition originating in the Senate in the form of of an amendment to a House bill should go the Committee of the Whole upon a point of order, provided it would have been subject to that point had it first come up in the House. Now, then, the House had the option of sending this matter to the Committee of the Whole.

The SPEAKER. Not this matter, because this comes up now on

a conference report.

Mr. KEIFER. I suggest to the Chair that this is not on a conference report. It is an amendment disagreed to by the House and on which the conferees have not agreed.

The SPEAKER. It comes before the House by reason of the pres-

entation of a conference report; otherwise it would not be before the House. Mr. REED, of Maine. But the point of order was never made and

that amendment was never sent to the Committee of the Whole. Now, it must be certainly in order for the House to amend the proposition of the Senate. We can not be cut off from a due consideration and amendment of a proposition originating in the Senate by a rule which refers only to the consideration of a bill of the House originating in the House.

Mr. RANDALL. Will the gentleman from Maine allow me to ask

him a question?
Mr. REED, of Maine. Certainly.

Mr. RANDALL. I ask him whether the proposition of the gentle-man from Ohio [Mr. KEIFER] does not change existing law?

Mr. KEIFER. That does not affect it.
Mr. REED, of Maine. That does not affect it in any way. That is in another section of another rule.

Mr. RANDALL. That is the point of order made by the gentleman from Illinois [Mr. SPRINGER].

Mr. REED, of Maine. What the gentleman from Pennsylvania refers to is the third clause of Rule XXI. We are talking now about the third clause of Rule XXIII. That clause refers to a bill originating in the House and can not be made to apply to an amendment which originates in the Senate. That would clog the free action of the House which ought to have the power to amend any proposition of the Senate before agreeing to it. And the proposition as to the free right of the House to agree to an amendment of the Senate with an amendment, I submit to the Chair, becomes much stronger at this last stage than ever before; and unless there be some positive rule requiring it we should not be hampered by the suggestion that we should go into Committee of the Whole.

Mr. KEIFER. Will the Chair allow me to make a suggestion which I think has not yet been made? This clause of the bill has been considered in the House, and the point of order was not made against it that it had first to be considered in Committee of the Whole House on the state of the Union; and it is probable it could never be made against it after we had passed upon it once in the House. When these amendments came up first after the return of the bill from the Senate, this amendment, like all other Senate amendments to this bill, was considered in the House and was disagreed to. Then was the time, I maintain, if ever, for the point to be made that the amendment should have its first consideration in the Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair thinks so, too, but this proposition was not then before the House at all. This proposition now comes before

the House for the first time.

Mr. KEIFER. Then if the original Senate amendment, to which my motion relates, could not be sent to the Committee of the Whole House on the state of the Union either under Rule XX or under paragraph 3 of the rule which the gentleman from Maine [Mr. REED] has just read, it would be impossible to consider it anywhere else. My proposition is one that must go with the Senate amendment, and can not be considered anywhere else. If it is germane to that amendment (and that is conceded), then it can only be considered because we are considering the Senate amendment, and under our rule we may concur in a Senate amendment with an amendment.

My proposition could not be sent to the Committee of the Whole on the state of the Union unless the original Senate amendment could be sent there. I agree that if we were considering Senate amendments on a bill when they first come here, and we reached one of this character, any gentleman might make the point of order that that amendment must go to the Committee of the Whole House on the state of the Union

and the Chair would hold, as it has held, and as it did hold on the Mexican war pension bill, that certain amendments should go for consideration to the Committee of the Whole House on the state of the Union; but we have passed that stage with this Senate amendment and are now in the House considering it, and while it is true that we are considering it because a conference report is brought in here, that report does not include this at all, but simply disagrees to it and leaves the House to consider whether or not it will agree to the amendment or concur in the disagreement of the conferees. My amendment is here because the original proposition is here, and that is all there is of it.

Mr. RANDALL. Mr. Speaker, I desire to say a word as to the point of order and that the conferees.

of order made by the gentleman from Illinois [Mr. Springer]. It is not denied that the proposition which the gentleman from Ohio [Mr. Keifer] has introduced changes existing law. I maintain that, this being a general appropriation bill, the gentleman's proposition is subject to the point of order provided for in the twenty-first rule, whether in Committee of the Whole or in the House. And further, I submit, to strengthen that position, that this is an original proposition, upon which that rule could not be made to operate at all except when it is introduced and known to the House.

Mr. REED, of Maine. Then why did the gentleman from Pennsylvania [Mr. RANDALL] cause to be enacted Rule XX? Because if his argument amounts to anything it must cover amendments that came from the Senate.

Mr. RANDALL. That rule relates to a case where the Senate pro-vides for an object different from that contained in the bill as it passed Mr. RANDALL. from the House

Mr. REED, of Maine. Mr. Speaker, I must say that I am surprised to hear the gentleman from Pennsylvania [Mr. RANDALL] contend that the third section of Rule XXI has anything to do with this matter.

Mr. RANDALL. Mr. Speaker, the point of order made by the gentleman from Illinois [Mr. SPRINGER] is, in my judgment, a valid

point of order and ought to be ruled upon.

The SPEAKER. The question of order is made against this amendment upon two grounds: first, that being an original proposition here in the House to appropriate a certain sum of money for a certain purpose, it must have its first consideration in Committee of the Whole on the state of the Union; and secondly, that it changes existing law and does not retrench expenditures. The Chair has caused to be read a decision made at the last session, in which it was held that a proposi-tion made upon the floor of the House, when a Senate amendment was under consideration, to increase the amount proposed to be appropriated by the Senate for the same purpose for which the appropriation was proposed by the Senate need not necessarily have its first consideration in Committee of the Whole on the state of the Union; but this, as the Chair has remarked before, is a different proposition from

This amendment proposes not simply to increase—not at all to increase, so far as the Chair sees—the amount which the Senate proposes to appropriate as compensation for its own clerks, but to add the clerks of the House, and thereby make an appropriation of something over \$200,000 for another purpose than that provided for in the Senate amendment. Now the rule of the House is that every proposition involving a tax or charge upon the people, all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriations to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Mr. REED, of Maine. Of a bill?

Mr. REED, of Maine. Of a bill?

The SPEAKER. Of a bill.

Mr. REED, of Maine. Has actually commenced?

The SPEAKER. But the rule includes all propositions or proceedings touching the appropriation of money. Of course the amount involved does not affect the principle or the construction of the rule, but the Chair may be permitted to allude to that for the purpose of illustrations of the construction of the second control of the construction of the rule, but the Chair may be permitted to allude to that for the purpose of illustrations are constructed. trating the importance of the rule. If it is in order to add to a Senate amendment, for a different purpose than that to which the amendment relates, the sum of \$100, without first considering the proposition in Committee of the Whole, it is equally in order to add \$10,000,000, and if the Chair were to hold that such an amendment as that could be considered in the House without having its first consideration in the Committee of the Whole, clearly the spirit of the rule would be violated. The Chair thinks that, this being an original proposition in the House and for a purpose not provided for in the Senate amendment, it must have its first consideration in the Committee of the Whole on the state of the Union.

Upon the other question, the Chair held during the last session that when a Senate amendment providing for an appropriation not authorized by existing law came to the House, it was in order for the House to amend it by adding other appropriations relevant to it, although not authorized by existing law, because otherwise the House would have no power to amend a Senate amendment which proposed to appropriate money for purposes not previously authorized by law. But upon the first ground the Chair thinks this amendment is not in order.

Mr. REED, of Maine. Is it in order to go into Committee of the Whole for the consideration of this amendment?

The SPEAKER. The Chair prefers to hear gentlemen on that ques-

Mr. REED, of Maine. Does the Chair decide it not in order because it must first be considered in Committee of the Whole?

The SPEAKER. Not in order to be offered in the House and considered in the House. If the Chair entertains it as pending in the House

Mr. REED, of Maine. But the Question upon it.

Mr. REED, of Maine. But the Chair will see that his ruling requires foresight on the part of members as to what amendments are going to be offered; and the amendment of the Senate must be sent to the Committee of the Whole upon the strength of amendments which it is proposed subsequently to offer. The Chair can not desire to come to that conclusion. This rule must be construed all together; and the concluding language is:

And a point of order under this rule shall be good at any time before the consideration of a bill has been commenced.

Now we have commenced the consideration; and I submit that the point of order is not good under the rule. True, the first clauses of the rule are general-

All motions or propositions involving a tax or charge upon the people, &c., shall be first considered in a Committee of the Whole.

But that is limited by the subsequent language of the rule:

And a point of order made under this rule shall be good at any time before the consideration of a bill has commenced.

If it is good before that time the implication of the rule must be that it is not good after that time; and we have entered upon the consideration of this matter.

The Chair will see at once by the condition to which his construction would reduce the House that such can not possibly be the intention of the rule, for the Chair has to rule out this amendment as not being in order because offered in the House.

The SPEAKER. Certainly, because, as the Chair has already said, if the point of order had been made against the Senate amendment when it was presented to the House it would necessarily have had its first consideration in Committee of the Whole on the state of the Union, and then this amendment could have been offered and considered. But that point of order was not made. The House determined not to consider this Senate amendment in Committee of the Whole on the state of the Union, but to consider it in the House; and this is an amendment which the Chair thinks can not be considered in the House without being first considered in the committee.

Mr. REED, of Maine. Then how would the Chair construe this last part of the rule-because our sole purpose is to arrive at some reasonable construction-

The SPEAKER. Certainly; that is the only purpose of the Chair. Mr. REED, of Maine. How would the Chair construe this last part of the rule:

And a point of order made under this rule shall be good at any time before onsideration of a bill has commenced.

Does not that imply that the point of order shall not be good after consideration has commenced?

The SPEAKER. But there was a time when a mere point of order would have taken this amendment to the Committee of the Whole House on the state of the Union; and gentlemen who desired to offer amendments increasing the appropriation or making appropriations for other purposes had a right to take it there for that purpose and offer their amendments. But that was not done; that point of order was not made; and the Senate amendment is now before the House for consideration in the House.

Mr. REED, of Maine. But not for amendment.

The SPEAKER. For proper amendments-for amendments which are in order.

Mr. REED, of Maine. Is there anything in the rule which says we shall not offer an amendment of this sort?

The SPEAKER. There is a rule which says that a proposition of this kind shall have its first consideration in Committee of the Whole.

Mr. REED, of Maine. But that rule also says:

And a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Meaning it shall not be good afterward.

The SPEAKER. But the House is not considering a bill; it is considering a Senate amendment. That is the original proposition.

Mr. REED, of Maine. If the House is not considering a bill, then the third clause of Rule XXIII is not applicable.

The SPEAKER. The Chair thinks that clause of the rule relates to any resolution, proposition, or proceeding.

Mr. REED, of Maine. But the language of the rule refers entirely to a bill, and the Chair must see that—

The SPEAKER. The Chair will read it again:

All motions or propositions involving a tax or charge upon the people; all receedings touching appropriations of money—

Mr. REED, of Maine. Yes, sir.

The SPEAKER (reading)-

or bills making appropriations of money or property-

Mr. REED, of Maine. Yes, sir.

The SPEAKER-

or requiring such appropriations to be made, or authorizing payment out of appropriations already made.

Now, "all proceedings touching appropriations of money" are as much embraced by the rule as what is technically called a bill. Mr. REED, of Maine. But then comes the rest of the rule:

And a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Now, I submit to the Chair that this rule never contemplated the present situation; that this was an omitted case, just as that which was remedied by Rule XX was an omitted case; and the Senate having made an amendment, and no point of order having been made upon it in the House, which would have carried it to the Committee of the Whole, it became open for amendment. Now, the amendment of an appropriation bill naturally involves either the increase of an appropriation or the decrease of it or a change of its character; and the House can not have free way on such a matter unless it has the right to amend it not only by increasing the amount which the Chair has already decided is proper, but by varying the object for which the appropriation was made.

The Chair makes a distinction which I think on reflection he will see is not sound. That is, that there is a difference between changing the is not sound. That is, that there is a difference between changing the amount and changing the nature of the object for which the amount is appropriated. Provided it is germane it is just as proper to change the object as it is to change the amount, and the Chair already having ruled on a previous occasion, and properly I think, the amount can be changed, surely it follows logically the object also may be changed. And I think the difficulty which has arisen in this case has arisen from laying too much stress on the earlier words of the rule and not bearing in mind

the fact that the rule must be construed all together.

The SPEAKER. If the gentleman's construction of the rule in this particular is correct, then the Chair made a great mistake in deciding the amendments to what is known as the Mexican pension bill must have their first consideration in the Committee of the Whole House on the state of the Union, because the point of order was not made before the consideration of the bill was commenced, but was made on each amendment as it was reached.

Mr. REED, of Maine. That came under Rule XX, which provides any amendment of the Senate to any House bill shall be subject to the

point of order.

Mr. KEIFER. The Chair was exactly right as to the amendments to the Mexican pension bill, because they came under another rule.

The SPEAKER. The Chair has great difficulty in determining

whether Mr. REED, of Maine. That is an important point.

The SPEAKER. The Chair has great difficulty in determining whether it is his duty to decide an amendment out of order and exclude it from the consideration of the House because it ought first to be considered in committee, or whether it is the duty of the Chair to rule simply that it must have its first consideration in the Committee of the Whole House on the state of the Union and allow it to be offered, with the right to go into the Committee of the Whole House on the state of the Union for the purpose of considering it. That is a question, so far as the Chair knows, which has never been presented or discussed in the House.

Mr. REED, of Maine. Perhaps we might go on with the other amend-

Mr. KEIFER. That is all there is of it.
Mr. JOSEPH D. TAYLOR. Mr. Speaker, I desire to know when it will be in order to move that this House adjourn. [Cries of "No!"]
The SPEAKER. The Chair has only one object in view, and that is to give a construction to this rule that will be in accordance with its spirit and not establish a precedent which the House may desire to escape from hereafter. It is an entirely new question, so far as the Chair knows, whether the fact that the proposition must have its first consideration in the Committee of the Whole House on the state of the Union absolutely excludes its presentation in the House, or whether the simple effect of it is to allow it to be presented, if germane and unobjectionable in other respects, and then have its consideration in the Committee of the Whole House on the state of the Union. If the gentleman from Indiana knows of any ruling the Chair will be glad to have his attention called to it?

Mr. HOLMAN. I wish to say, Mr. Speaker, that in reference to the particular letter of Rule XX it is clear, considering the purpose of the rule and its spirit, that it would be impossible with any safety to the deliberations of the House to adopt any other construction than that adopted by the Chair. I submit that after this discussion we should dispose of this amendment to the Senate amendment. I trust my friend from Illinois will allow me to call the previous question.

Mr. CANNON. I have promised to yield to the gentleman from Kansas. I will then allow the gentleman to take the floor for the pur-

pose of demanding the previous question. All I wish to do is to dispose of the amendment.

Mr. JOSEPH D. TAYLOR. I move the House adjourn.

Mr. KEIFER. The gentleman does not have the floor to submit

The SPEAKER. The Chair is inclined to think, after as careful examination of this rule as he is able to make under the circumstances, that to hold that the amendment could not be entertained might result in preventing the House from making very necessary amendments to Senate amendments, and that the Chair ought therefore to allow an amendment to the amendment to be entertained and have its consideration in the Committee of the Whole House on the state of the Union. The Chair makes that ruling because great inconvenience and injustice might result to the House itself from any other construction of the rule.

Mr. KEIFER. I hope the gentleman will not make any objection to granting unanimous consent to consider it in committee.

A. MEMBER. Consider it in the House as in committee.

Mr. HOLMAN. I object.

Mr. SPRINGER. It is still in order to make the point that the amendment is not germane to the amendment of the Senate.

The SPEAKER. That has been substantially decided.

The SPEAKER. That has been substantially decided.

Mr. SPRINGER. This has not been made as yet, however; it may have been referred to casually in the statement of the Chair. I desire to call attention to the fact that it is not germane to the pending proposition, for the reason that it is a distinct, additional, substantive proposition. The fact that if a proposition before us which allows clerks to Senators is not to be amended as matter germane to it by giving clerks to the House of Representatives, no more than it would be germane to give additional clerks to the President or to the lega-tion at Paris or to any department here. Simply because clerks are provided here for Senators that does not make it germane to give clerks to any other department of the Government.

Mr. KEIFER. We can not hear the gentleman from Illinois here, but I supposed I was entitled to the floor.

The SPEAKER. The Chair thinks it is germane. It relates to the subject of clerks for members of Congress. The fact that the Senate amendment provides simply for clerks to members of the Senate does not preclude the right of the House to so amend as to pay clerks of members of the House. Suppose, for instance, the question was as to the compensation of the clerks of the Senate committees or the officers of the Senate, might it not be amended by adding the clerks or officers of the House? The Chair thinks it could. If you take it in the narrowest sense of course it relates only to the subject of clerks to the individual Senators; but the Chair thinks that would be an exceedingly narrow construction to put upon it and one not warranted by

Mr. BLAND. I understand that this is now being considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Indiana objected.
Mr. KEIFER. I understood he withdrew the objection.
Mr. HOLMAN. No, sir; I think the House does not intend to in-

crease our own salaries; that is practically the effect of this proposition, if adopted. It amounts substantially to that.

Mr. BLAND. How, then, can we consider it?

The SPEAKER. By going into Committee of the Whole.

Mr. KEIFER. If we have a little order in the House I think we can get through this without any difficulty. I want to avoid making the motion if I can that the House resolve itself into Committee of the Whole on the state of the Union. I am willing, if unanimous conent can be given to consider this in the House as in Committee of the Whole, to limit the time for debate as much as the gentleman desires.

Mr. HATCH, of Missouri. One minute, then.

Mr. SPRINGER. I make the point of order that it is not in order to move at this time that the House resolve itself into Committee of the Whole House on the state of the Union. That can only be done under a suspension of the rules, and the House is not now in a condition where that motion to suspend the rules can be made. We can not in the rules can be made. into the committee without a suspension of the rules, and that motion is not in order.

The SPEAKER. On what ground?

Mr. SPRINGER. Because another proposition is pending.

The SPEAKER. Another proposition was pending when this conference report came in; but this is a privileged report and has suspended the consideration of this subject.

Mr. SPRINGER. The conference report did that; but here is another proposition that was not embraced in the conference report.

The SPEAKER. But the House is actually considering it.

Mr. SPRINGER. But not in Committee of the Whole. It would not, of course, be in order to refer the conference report to the Committee of the Whole or to lay it on the table. Mr. Blaine held that to be the construction of the rule. He held that the House must act upon it.

The SPEAKER. The gentleman from Illinois is aware of the fact that the House has disposed of the report of the conference committee hy

adopting it, and the matter before us now is not the report of the conference committee, but a particular Senate amendment which the gentleman moves to concur in with an amendment. The subject, however, was brought before the House by the conference report.

Mr. RANDALL. But if the question goes to the conference com-

mittee it takes the whole subject.

The SPEAKER. It takes the proposition before the House of course, Mr. SPRINGER. But this bill came from the conference committee. It is the report of that committee, and we are now considering a part of the conference report; and if you can refer this portion of the conference report to the Committee of the Whole House on the state of the Union, you can dispose of all conference reports by referring them the committees of the House, which would be a means of defeating all legislation.

The SPEAKER. It does not refer the conference report which has

been disposed of by the House. It only refers a particular amendment on which the point of order is made.

Mr. SPRINGER. But the conference report is this bill.

The SPEAKER. The conference report is upon the disagreeing votes of the two Houses, or rather on the amendments of the Senate to the House bill. The conference report does not relate to any part of the bill to which the two Houses agree; and hence no part of the bill would go to the Committee of the Whole House on the state of the Union excepting such amendment as the point of order may lie against. It has all been disposed of but the one single question which is now before the House for consideration.

Mr. SPRINGER. But if we go into Committee of the Whole, then

where would it be?

The SPEAKER. The gentleman from Ohio asks unanimous consent to consider it in the House as in Committee of the Whole. He states that he will agree to such limitation upon debate as the gentleman

from Indiana will suggest.

Mr. RANDALL. That is objected to.

Mr. BLAND. I wish to reserve the point of order that this changes existing law and does not retrench expenditures.

The SPEAKER. That point of order has been disposed of. The

Senate amendment changes existing law also.

Mr. HOLMAN. Mr. Speaker, I regret to seem to stand in opposition to the general sentiment of the House, but gentlemen will see exactly the position in which the conference committee would be placed if they themselves consented voluntarily that this amendment should be submitted.

Mr. KEIFER. But the conference committee would not be respon-

sible for what we may decide.

I trust the gentleman will not misapprehend what Mr. HOLMAN. interpretation would be fixed upon our action in that respect if the members of the conference committee consent that such proposition shall go before the House.

Mr. KEIFER. Then we can go into Committee of the Whole House,

and I shall have to make that motion.

Mr. HOLMAN. I greatly prefer voting for an increase of our salaries directly than to vote for the increase in this indirect way, for that is simply what it amounts to, and for one I can not consent to that.

Mr. KEIFER. The gentleman will see the time in the remaining part of this session, short as it is, as he did in the last, when we will agree to pay certain clerks \$180 a month, at the same time refusing to pay them \$100 a month in-connection with paying clerks for members of the House \$100 a month.

Mr. HOLMAN. The conferees on the part of the House recommend to the House to insist on its disagreement to the amendment of the Senate. What more could they do? They have done that. And if now they voluntarily consent by their own act that that provision shall be enlarged from \$39,000 to over \$200,000 in what position does that place It is a position which I for one can not consent to occupy.

Mr. KEIFER. Is the gentleman from Indiana not in error when he says the conferees on the part of the House recommend the House to insist on its disagreement? Do not they say only they disagreed with the conference on the part of the Senate as to that amendment? do not say anything on the subject of what the House should do.

Mr. HOLMAN. What more could we do than disagree?

Mr. HOLMAN. What more could we do than disagree?

Mr. KEIFER. One of the conferees on the part of the House has already moved that the House shall recede from its disagreement to the Senate amendment.

Mr. HOLMAN. I speak of the act of the majority of the conferees.

Mr. McMILLIN. I beg the gentleman to remember that one man does not constitute a majority of the conferees. A majority favor nonconcurrence, and they should be sustained by the House

Mr. KEIFER. In order to have this proposition considered I move that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. MORSE. I understood the Chair to rule that that required nnanimous consent.

The SPEAKER. The Chair has made no ruling upon that subject.

Mr. MORSE. Then I object; and we will have a ruling.
The SPEAKER. The Chair will rule when the point is made. Under the rules of the House it is not in order to move to go into Committee 1

of the Whole House on the state of the Union till after the morning hour has been occupied or dispensed with, and neither has been done to-day.

Mr. REED, of Maine. Then we will have to stop with the bill.
Mr. KEIFER. I think paragraph 9 of Rule XVI applies to this mo-

The SPEAKER. Clause 9 of Rule XVI provides that-

At any time after the expiration of the morning hour it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue or general appropriation bills.

Mr. KEIFER. Under the circumstances and with very great regret I shall be obliged to withdraw this proposition.

Several MEMBERS. Why withdraw it?

Mr. KEIFER. There is a variety of opinion as to whether this should be insisted upon. We cannot finish this bill to-night perhaps

if we insist upon this amendment.

The SPEAKER. The gentleman can insist upon it in the conference.

Mr. KEIFER. I will be entirely candid and will say I am afraid of the conferees on the part of the House, although I know the Speaker will appoint very excellent men. I wish it were possible to instruct the conferees to agree to such a proposition as this before agreeing to provide for the payment of Senators' clerks at \$180 per month.

Now, as I have a few minutes of time yielded to me by the gentleman from Illinois [Mr. CANNON], I will at least state what will be the effect of such an amendment. The proposition if it were adopted would cut down the pay-that is proposed to be given to Senate clerks from \$6 a day, or \$180 a month, to \$100 a month, and it would give to each Representative not a chairman of a committee a clerk during the session, paying him at the rate of \$100 a month. There would be some economy in the matter of paying the Senate clerks, and we would not pay a large price to the clerks of the members of the House.

In a long session, the average of which is seven months, it would be \$700 for the clerk; in the short session about \$300; in an entire Congress \$1,000 would be paid to the clerk of each Representative and each Senator, except the clerk-that was appointed by the chairman of a committee either of the Senate or of the House; and that clerk would be left to receive the same pay as he now receives, \$6 a day, and he ought to have the difference. He, as the clerk to the committee, has the committee, has the committee work to do, and presumably a good deal of work for the chair-

man of the committee.

Allow me to say, as I am about to take my leave of the Congress of the United States, that the people of this country would gladly give clerks to members, and be willing they should be paid out of the United States Treasury if they knew how much better a Representative a member would be if he had a clerk. I venture to state here in this presence that there is no member of this House who does not occupy more than four-fifths of all his valuable time in looking after matters that are entirely and wholly disconnected with his legislative duties, and while he is doing that he is cut off from the necessary work that he should do in following legislation, in studying the subjects of legislation, in good reading, in close investigation; he is cut off from that and he is tired and wearied out writing letters and going for this thing and for that for his constituents. All that may be proper enough in itself, but it results in this, that he is so weary and tired that he is unable to dishere his dutie here were the force or in approximately and white charge his duties here upon the floor or in committee.

I know that members of this House of Representatives who do much work on the floor and in committee are men who fail in a large sense to please their constituents at home. And why? They do not write enough letters; they do not run enough errands; they do not devote their time sufficiently to attend to little things for their constituents, but are devoting their time to the things they came here to attend to. I take it that no person will be offended when I say that practically

nineteen Representatives on the floor of this House out of every twenty are utterly disqualified by reason of this for properly discharging their legislative duties. Now, it is a very proper thing to attend to the correspondence connected with the Pension Office. It is a matter of sentiment with us, and we all do it, or try to do it. It is a very proper thing to do, and so are a multitude of other things that we have to do in connection with the Land Office and the Indian Office and the other public office. lic offices. All these things we could do if each member had a clerk recognized as the clerk of a particular member. The clerk could attend to the correspondence; he would be received by the heads of Departments and the heads of the different bureaus; he would have the entrée anywhere he chose to go on this business, and he could attend to these matters as well as the member, and the member might be devoting himself to study, to investigation, to the duties that belong to him as a Representative here

Mr. McMILLIN. Will the gentleman permit me to ask him a ques-

Mr. KEIFER. Yes, sir.
Mr. McMILLIN. Do not the members know the duties that they assume when they seek the votes of their constituents?
Mr. KEIFER. Oh, yes.
Mr. McMILLIN.

Mr. KEIFER. Oh, yes.
Mr. McMILLIN. And do they not accept the office with that knowledge?

Mr. KEIFER. Oh, yes; they know the burdens, and when they get here—I say it without intending to give offense to anybody—they fail to do the things they ought to do, and do first those other things which their constituents, as individuals, require them to do, but which are no proper part of the duties of a Representative in Congress. I know this. I am perfectly well aware of it. We are all guilty of that. A man will tramp about this city from Department to Department all the morning and he will hasten away from his seat during the sessions of the House; he will grow tired and weary, and the day will pass by, and he will he will grow tired and weary, and the day will pass by, and he will give no sort of attention to the legislation of Congress. He does this because he feels that if he does not write to "John Smith" promptly and get his little matter through some Department he will make an

We ought to be above it. But if we are to do these things, if we are required to do them, let us have this aid. I say "us," although I am not included for the future. If this amendment should be agreed to in the conference committee it would not affect me; it would go into effect in the Forty-ninth Congress. I am speaking, therefore, as one having no sort of interest in this proposition except the great interest which we all have that Representatives in the Congress of the United States whell he recedit that registion with relations to their continuous. States shall be placed in that position with relation to their constituents that they can discharge their proper duties here.

If this provision were adopted legislation would go on more rapidly and it would be better done, for each member each day could know that he was free to set about his legislative duties and not to have his time taken up in answering letters and running errands. Mr. Speaker, this is no new trouble, nor did it originate in America. Edmund Burke, when taken to task on a certain occasion for not coming to visit his constituents for a long period of time, responded and said, "While I have not been among you, I have run my very legs off in London doing your errands." We are running our legs off doing errands, and while we are doing that we are not doing the duties we are sent here

The question was taken on the motion of Mr. Cannon, to concur in the Senate amendment; and there were—ayes 34, noes 59.

So the amendment was non-concurred in.

Mr. HOLMAN. Now, Mr. Speaker, I move that the House further insist upon its disagreement to the amendment of the Senate and ask a further conference.

Mr. HISCOCK. May I inquire of the gentleman from Indiana [Mr.

HOLMAN] if he expects the Senate will yield?

Mr. HOLMAN. I am not able to tell.

Mr. HISCOCK. Have you the slightest idea that the Senate will

Mr. HOLMAN. I have no other information than the gentleman from New York has himself, but I trust that the Senate will see the

propriety of yielding this point.

Mr. HISCOCK. You have been in conference with the Senate and

Mr. HISCOCK. You have been in conference with the Senate and must have formed an opinion.

Mr. HOLMAN. As far as I am concerned as one member of the House I do not propose that this amendment of the Senate shall be adopted. I propose to do all I can to prevent it.

Mr. HISCOCK. I simply want to know what we have before us, even if it goes to the extent of an extra session.

Mr. ANDERSON. Yes; I will stand up for an extra session rather

than agree to this amendment.

than agree to this amendment.

Mr. REED, of Maine. Mr. Speaker, I simply desire to call attention to the fact that last session at 10 o'clock in the evening we voted against giving the Senate an extra \$30,000, because, although nothing was said about it, it was understood that the money was for clerks, and at 4 o'clock next morning the House voted for the Senate proposition pure and simple. I mention this merely as an interesting historical for

Mr. CANNON And Mr. Speaker, I want to say that, in my opinion, this House, inside of twenty-four hours, will do exactly what it

has now refused to do.

Mr. WARNER, of Ohio. But we must save our money now for publie buildings

Mr. REED, of Maine. Mr. Speaker, I want to add that I voted steadily against the proposition, both at 10 o'clock and at 4 o'clock.
Mr. SPRINGER. It is time enough to cross that stream when we

Mr. HOLMAN. I desire to say a single word before submitting the motion for the previous question. If the House proposes to have a further conference on this proposition, I must protest that gentlemen here, especially my colleague on the committee [Mr. CANNON], who it is to be presumed will be one of the managers on the part of the-House in the further conference, should not notify the Senate that within twenty-four hours the House will recede from its disagreement. I do not think my friend is justified in indulging in that prediction. Such a result may take place; but I do not propose for one to advertise the other. House that the present action upon our part is not a bona fide and honest expression of the conviction of the House that the Senate ought not to increase the salaries of Senators, especially in this indirect way.

Mr. CANNON. The gentleman from Indiana [Mr. HOLMAN] is no mere opposed to Senators having these clerks than I am.

Mr. HOLMAN. So I understand.

Mr. CANNON. I wish to add that if, perchance, I am to be one of the managers on the part of the House in the further conference upon this bill, it may be that I was guilty of an indiscretion in making the remark that I did. But I wish to call the attention of the gentleman from Indiana, who is an older member than I am, to the fact that I did but follow in his wake when he, who will also probably be one of the conferees, announced that he never had assented and never would assent to this proposition, and would do all he could to defeat it.

Mr. SKINNER, of New York. May I ask the gentleman from Illinois a question?

nois a question? Mr. CANNON.

Mr. CANNON. Yes, sir.
Mr. SKINNER, of New York. Is it true that under this provision thirty-one Senators who are not chairmen of committees will be entitled to clerks?

Mr. CANNON. Yes, sir.
Mr. SKINNER, of New York. And that the salary of each clerk at \$180 a month for a long session of seven months will be \$1,260?
Mr. CANNON. Yes, sir.

Mr. SKINNER, of New York. Now I would like to know what difference there is between passing an amendment in this guise and voting to each of these United States Senators \$1,260 extra compensation from the United States Treasury. As a rule Senators are able to hire clerks from their own private means; while Members of the House of Representatives, who spend their time and money in the service of their constituents, working night and day, depriving themselves of social comfort with their families, are asked to vote Senators this extra compensation.

I hope that the conferees on the part of the House will hold out until 12 o'clock on the 4th of March in their resistance to this demand, and if necessary will allow an extra session to come rather than agree to

this amendment.

Mr. HOLMAN. I call for the previous question.

The previous question was ordered, and under the operation thereof
the motion of Mr. HOLMAN that the House further insist on its disagreement to the twenty-ninth amendment of the Senate and ask a further conference was agreed to; and the Speaker announced the appointment of Mr. Holman, Mr. Hancock, and Mr. Cannon as con-

The SPEAKER. What motion does the gentleman from Indiana [Mr. Holman] make as to the other amendment—the amendment numbered 1?

Mr. HOLMAN. As to that amendment, which is formal, I make the same motion—that the House further insist on its disagreement and ask a further conference

The SPEAKER. If there be no objection, that order will be made.

There being no objection, it was ordered accordingly.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:
A bill (H. R. 6658) to provide for the sale of the Sac and Fox and Iowa Indian reservations in the States of Nebraska and Kansas, and

for other purposes

CATTLE TRAFFIC IN THE WEST.

The SPEAKER, by unanimous consent, laid before the Housea letter from the Secretary of the Treasury, transmitting a report from the Chief of the Bureau of Statistics in response of the resolution of the House calling for information in regard to the ranch and range cattle traffic in the Western States and Territories; which was referred to the Committee on Agriculture, and ordered to be printed.

ORDER OF BUSINESS.

Mr. SPRINGER. I wish to inquire whether it is now in order to proceed with the consideration of the election case? If so, I hope we shall go on with it.

Mr. ANDERSON. I call for the regular order.

The SPEAKER. The question is on the motion to take a recess.

Mr. SPRINGER. That was certainly superseded by all these interening matters

The SPEAKER. Under what rule?

Mr. SPRINGER. Unanimous consent was given—
The SPEAKER. It required no unanimous consent. The conference report was a privileged matter, and simply suspended the proceedings which were going on—did not terminate them.

Mr. VALENTINE. The first question is upon the motion for a re-

ess till 8 o'clock.

Make it 9.

The SPEAKER. The first question is upon the amendment of the gentleman from Tennessee [Mr. Pettibone] to the amendment of the gentleman from Iowa [Mr. Hepburn.] The amendment of the gentleman from Tennessee proposes a recess till 8 o'clock to-morrow morn-

Mr. VALENTINE. I understand there is a desire on the part of members on both sides that we now take a recess until 9 o'clock. If

that be the general desire, I suggest that the amendment fixing 8 o'clock be withdrawn, so that we may vote at once on the amendment of the gentleman from Iowa [Mr. Hepburn] proposing 9 o'clock.

Mr. SPRINGER. I propose to stay here till the House settles this question of the right of a member to his seat; and I ask every man who

desires the question shall be settled to stay here until it has been settled. [Cries of "Regular order!"]

A MEMBER. What is the question?

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] moved that the House take a recess until 10 o'clock-

Mr. RANDALL. I hope that will not prevail.

The SPEAKER. The gentleman from Iowa [Mr. Hepburn] moved to amend by fixing 9 o'clock, and the gentleman from Tennessee [Mr. Pettibone] moved a further amendment to fix 8 o'clock. The question is now on the amendment of the gentleman from Tennessee.

Mr. RANDALL. Mr. Speaker, it is desirable that we should sit here with the country and the gentleman from the country of the gentleman from the second of the gentleman from the gentl

here until we receive from the Senate the sundry civil appropriation bill, so we may take action upon the amendments of the Senate, the action of the House requires it, that the disagreements of the two Houses may be sent to a conference committee, and the managers of

said conference appointed on the part of the House.

Mr. SPRINGER. That is right; and while we are waiting I insist we shall proceed with the discussion of the question of the right of a

member to his seat upon this floor.

Mr. VALENTINE. Would it not be in order, Mr. Speaker, for the House now to designate the conferees who shall act on the sundry civil

bill when it comes over from the Senate?

Mr. RANDALL. The House must concur or non-concur in the amendments of the Senate.

Mr. VALENTINE. It seems to me by unanimous consent we can non-concur and order the appointment of the conferees on the part of

The SPEAKER. The House can not act on a matter that is not be-

Mr. HOLMAN. I hope the gentleman from Pennsylvania, chairman of the Committee on Appropriations, will give to the House such information as he may possess as to the probability of the sundry civil

bill being reported during the night.

Mr. RANDALL. It may be 2 o'clock or it may be 3.

Mr. VALENTINE. It may be daylight or 5 or 6 o'clock in the morning; and what is the use of our staying here during all these long hours and tiring ourselves out when we have so much work to do to-

morrow and to-morrow night?

Mr. HORR. The Senate are debating the question yet.

Mr. RANDALL. It ought to come here to-night, and the conferees ought to be able to sit as early as 7 o'clock in the morning.

The SPEAKER. If the Chair may be allowed to state, he was informed that the Senate will pass the bill before it takes a recess or ad-

Mr. RANDALL. My information comes from what I believe is an authentic source that the Senate will probably finish the bill by 2

The SPEAKER. The question recurs on the motion of the gentleman from Tennessee [Mr. Pettibone] that the House shall take a recess until 8 o'clock in the morning.

Mr. BLAND. I ask by unanimous consent that we take a recess

Mr. BLAND. I ask by unanimous consent that we take a recess until half past 1 o'clock.

The SPEAKER. That is objected to by the gentleman from Illinois.

Mr. SPRINGER. We must keep the members of the House here if we are to have any business done before 2 o'clock in the morning.

Mr. BLAND. There is no quorum here now, and by taking the recess I suggest it will save the clerks, who are now nearly worn out.

[Cries of "Regular order!"]

Mr. HEWITT of Alabama. I move that after 2 clerks and the recess.

Mr. HEWITT, of Alabama. I move that after 2 o'clock nothing shall be done except the consideration of the sundry civil bill when it comes from the Senate, and that then we shall take a further recess

until 9 o'clock in the morning.

Mr. WELLER. I demand the regular order.

The SPEAKER. The regular order being demanded, the question recurs on the motion of the gentleman from Tennessee, to take a recess until 8 o'clock in the morning.

The House divided; and there were—ay 1, noes 44.
Mr. VALENTINE. No quorum has voted.
The SPEAKER. The Chair will appoint as tellers Mr. SPRINGER

and Mr. WELLER.

Mr. VALENTINE. By way of compromise, I ask the House to agree to take a recess until half past 1 o'clock for the purpose of considering the sundry civil bill as it comes from the Senate; that a motion may be considered as made and agreed to to non-concur in the Senate amendments; and that then the Speaker shall have power to appoint the conferees on the part of the House, after which the House will take a recess until 9 o'clock to-morrow morning.

The SPEAKER pro tempore (Mr. HATCH, of Missouri, in the chair).

Is there objection to that?

Mr. VAN EATON. Yes, I object.

Mr. VALENTINE. Then let us have the result announced of the

vote by tellers.

The House again divided on Mr. Pettibone's motion to take a recess until 8 o'clock; and the tellers reported-ayes 6, noes 24.

Mr. VALENTINE. Still no quorum has voted.

Mr. ANDERSON. I move the House do now adjourn (12 o'clock and 15 minutes a. m., March 3).

Mr. HEWITT, of Alabama. We either ought to adjourn or take a

The House divided; and there were—ayes 29, noes 60. So the House refused to adjourn.

Mr. LAMB. I ask by unanimous consent the House take up the

Mexican pension bill.

The SPEAKER pro tempore. The question again recurs on the motion to take a recess until 8 o'clock to-morrow morning.

The tellers will resume their places, as a quorum has not yet voted.

Mr. RANDALL. I move that the House take a recess until 2 o'clock. The SPEAKER protempore. Is there objection?

Mr. VALENTINE. I object, unless some understanding can be

reached

Mr. HEWITT, of Alabama. With the understanding that nothing shall be done except to receive the amendments of the Senate to the sundry civil bill and send them to conference.

Mr. LORE. I object.

Mr. RANDALL. I move the House take a recess until 3 o'clock.

Mr. SPRINGER. That is not in order, unless the previous motions to take a recess are withdrawn.

The SPEAKER pro tempore. The motion of the gentleman from Pennsylvania is not in order except by unanimous consent.

Mr. VALENTINE. I object.

Mr. HOUK. I ask unanimous consent of the House that I may be

heard for one minute in regard to a matter of great importance to a very

heard for one minute in regard to a fixed to a large number of people.

Mr. BENNETT. I call for the regular order.

Mr. HOUK. I ask unanimous consent— [Cries of "Regular order!"] If the House will listen to me but for one minute—

The SPEAKER pro tempore. The gentleman is not in order.

Mr. HOUK. I would be glad if the House would give me unani-

mous consent for one minute-

The SPEAKER pro tempore. Objection is made.

Mr. HOUK. I appeal to gentlemen to give unanimous consent that I may make a brief statement. Here is a bill—— [Cries of "Regular order!"]

The SPEAKER pro tempore. The Chair, without objection, will recognize the gentleman from Tennessee for one minute.

Mr. SPRINGER. I object.

Mr. BLAND. Regular order. Mr. HOUK. Here is a list of the names of persons whose accounts have been audited by the Departments of the Government-

Mr. BLAND. I have objected to this all the while. The SPEAKER pro tempore. The Chair recognized the gentleman for one minute.

Mr. BLAND. Well, he can have one minute, if that is all, as far as I am concerned.

Mr. HOUK. Mr. Speaker, this bill has been passed every session of Congress heretofore as a matter of course.

Mr. HOLMAN. For sixteen years.
Mr. HOUK. Is contains the claims which have been audited by the various Departments of the Government after the most careful scrutiny and investigation.

There are a very large number of these claims contained in this bill, and, as I have said, it has been invariably passed heretofore, generally under a suspension of the rules. Here we are now within twenty-four under a suspension of the rules. Here we are now within twenty-four hours of adjournment. If this bill does not pass these people will be compelled to wait more than twelve months for honest debts which have been thoroughly investigated, considered, allowed, recommended, and audited by the authorized auditing officers of the Government. I appeal, then, to members to let this bill be taken up and passed. It has always passed heretofore almost unchallenged.

Mr. KEIFER. Has that been reported by a committee of this House at this receive.

at this session?

Mr. HOUK. Yes, sir.
Mr. KEIFER. What committee?
Mr. HOUK. The Committee on War Claims. I say this, Mr.
Speaker: that committee has gone into the most careful scruting of this matter; has looked into every case, with very few exceptions, covered by this bill, and in the view of that committee it is absolute justice to these claimants that this bill should become a law. It is one of the appropriation bills of Congress, and ought to be passed. I ask gentlemen, therefore, to let us take it up and pass it. I refer to the gentleman from Indiana [Mr. Holman] and the gentleman from Pennsylvania [Mr. RANDALL] in support of what I have said as to this bill hereto-

Mr. BLOUNT. Let me ask the gentleman a question. Does this bill contain anything but audited accounts?

Mr. HOUK. No, sir; not a thing, as I understand it; and I ask my colleague on the committee [Mr. Rowell] to state what course the committee has taken in the examination of the accounts?

Mr. COX, of North Carolina. Has not the minute expired?

The SPEAKER pro tempore. The Chair will recognize the gentle-

man for a moment or two.

Mr. ROWELL. Mr. Speaker, in regard to this bill permit me to say that the committee examined into every claim allowed by the auditing officers of the Government, taking up claim after claim and looking carefully through them as has never been done before. They took up the cases in their order and threw out on amendments and motions some five or six claims that they thought ought not to have been audited, and reported the bill by the unanimous vote of the committee after a close scrutiny and careful examination of nearly every one of the claims that came in.

Mr. McMILLIN. Mr. Speaker, I hope I may be indulged to make a very brief statement in reference to this bill. I wish to say that the request of my colleague from Tennessee is one that ought to prevail. As has been stated by him, this bill pertains to claims all of which have been audited by the accounting officers of the Government, and all of which have been in the first place examined by quartermaster's agents of the United States and approved by the Quartermaster-Gen-

eral.

Mr. LAMB. What sort of claims does this bill contain?

Mr. McMILLIN. Audited war claims; and I may be permitted to say to my friend from Indiana that if it does not contain claims of citizens of his State it is the first bill bearing the claims so reported from the Quartermaster-General in the course of my experience in Congress that they were not interested in, for they suffered losses of this kind.

They are what is known as the 4th of July claims, under the act passed on the 4th of July, 1864, which provided for the payment of claims of citizens for property taken for the use of the Army of the United States. These claims are examined by quartermasters' agents throughout the country in States to which the act applies, and reported to the accounting officers of the Department, and are transmitted to Congress after thorough examination.

Mr. THOMPSON. And it has been uniformly passed.

Mr. HEWITT, of Alabama. What States are interested in this

matter

Mr. McMILLIN. It pertains to a great many of the States; to all of the border States, I believe.

Mr. HEWITT, of Alabama. Yes; Kentucky and Tennessee.
Mr. McMILLIN. All the border States. In response to the gentleman from Alabama who asks what States it applies to I will say that I do not remember how many are represented in this bill, but heretofore bills which have been passed embraced the States of Kentucky, Tennessee, Ohio, Indiana, West Virginia, Maryland, and probably

Mr. PETTIBONE. Missouri.
Mr. McMILLIN. Yes; Missouri and Pennsylvania. I do not know what other States have been embraced in it.
Mr. HEWITT, of Alabama. Mr. Speaker, I must object to this

Mr. McMILLIN. I do hope the gentleman from Alabama will not interpose an objection to this. The Government has owed these claims interpose an objection to this. The Government has owed these claims for more than twenty years, and to fail to pay them now is an outrage against every citizen and an unjustifiable postponement of justice. These unfortunate claimants do not get a cent of interest during this long delay. What justice is there in postponing payment?

Mr. HEWITT, of Alabama. I have a claim here for a citizen of my own district in Alabama, which is just as meritorious and honest a claim as any of these, and I can not pass that claim through this House.

Mr. McMILLIN. Let us take it up then and pass it. I hope I have fairness enough to do at least justice to any citizen of this Republic.

Mr. HEWITT, of Alabama. Unless we can pass that claim I shall object to this.

object to this. Mr. McMILLIN. I will aid the gentleman in his efforts to get a

meritorious claim through.

Mr. ROGERS, of Arkansas, rose.

Mr. SPRINGER. I desire to say to both the gentleman from Tennessee and-

The SPEAKER. The Chair has recognized the gentleman from Ar-

Mr. ROGERS, of Arkansas. Mr. Speaker, I have consumed during the present session of Congress but very little of the time of this House, and I appeal now to members on the ground of humanity that they may hear me for two or three minutes upon a subject foreign to this one we have under consideration, but of importance to the people of my State.

Mr. VALENTINE. If we are to go into any new subject I must

object.

Mr. ROGERS, of Arkansas. I would feel that I was neglecting a public duty if I failed to call the attention of this House to this matter if an opportunity is offered me to do so.

On the Speaker's table is a Senate bill authorizing the construction of a Federal jail at Fort Smith, Ark.

Mr. ROBERTSON. I rise to a question of order. Under what rule

is this debate now going on?
The SPEAKER pro tempore.
Mr. ROBERTSON. I object By unanimous consent.

The SPEAKER pro tempore. Objection is made.

Mr. CANNON. Is it not too late to make objection after the gen-

Mr. CANNON. Is it not too late to make objection after the gentleman from Arkansas commenced speaking?

Mr. TUCKER. It seems we are all giving our experiences. I would like to give mine. One gentleman has spoken of claims that the Government has owed for twenty years. I have a bill on the Speaker's table that has passed the Senate, to restore to a constituent of mine \$400 that were taken from him by unjust taxation seventeen years ago. I want to have that bill pass the House so that this man may have his money returned to him. I appeal to the House to let that bill be taken up and passed up and passed.

Mr. HEWITT, of Alabama. I would like to tell my experience

Mr. VALENTINE. I ask unanimous consent that the election case be withdrawn so as to allow all these matters to be brought up.

Mr. TUCKER. I appeal to the gentleman from Nebraska [Mr. Val-

ENTINE], my colleague on the Judiciary Committee, to allow this bill to be taken up.

The SPEAKER. All this is proceeding by unanimous consent.

Objection was made.

Mr. WELLER. I hope the Chair will not be partial, so as to fail to recognize me.

Mr. BLOUNT. I ask unanimous consent to make a statement.

The SPEAKER pro tempore. Is there objection to the gentleman from Georgia making a statement?

Mr. ROGERS, of Arkansas. Unless I be permitted to go on, I ob-

Mr. BLOUNT. I have no objection to the gentleman from Arkansas being heard.
Mr. WELLER addressed the Chair.

The SPEAKER pro tempore. For what purpose does the gentleman from Iowa rise

Mr. WELLER. I rise for the express purpose of being recognized by the Chair. [Laughter.]
The SPEAKER pro tempore. The Chair will state to the gentleman

from Iowa that he can not recognize him unless he discloses for what

purpose he desires to be recognized.

Mr. WELLER. I will state what I propose. I desire to secure unanimous consent for the present consideration of the joint resolution (H. Res. 252). I send it to the Clerk's desk.

Mr. VAN EATON. I object, unless the gentleman provides for the payment being made in standard silver dollars.

Mr. WELLER. I do.

The SPEAKER. The gentleman from South Carolina [Mr. BRATTON] has a privileged report from the Committee on Printing in ref-

Ton] has a privileged report from the Committee on Printing in reference to the eulogies on the late Senator Anthony. It is a privileged report, although not as against the election case. Is there objection to the gentleman from South Carolina making the report?

There was no objection.

EULOGIES UPON THE LATE SENATOR ANTHONY.

Mr. BRATTON, from the Committee on Printing, reported back with a favorable recommendation the bill (S. 2577) to authorize the printing of the eulogies delivered in Congress upon the late Henry B. An-

The bill was read, as follows:

The bill was read, as follows:

Bett enacted, &c., That there be printed of the eulogies delivered in Congress upon the late Henry B. Anthony, a Senator from Rhode Island, with an account of his funeral, prepared under the direction of the Joint Committee on Public Printing, 12,000 copies; of which 4,000 shall be for the use of the Senate and 8,000 for the use of the House of Representatives; and the Secretary of the Treasury is hereby directed to have printed a portrait of said Henry B. Anthony to accompany said eulogies; and for engraving and printing said portrait the sum of \$500, or so much as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The SPEAKER. The question is on ordering the bill to be read a

Mr. SKINNER, of New York. Would it be proper to amend so as to give the Senate 8,000 copies and take 4,000 copies for the House? The SPEAKER. That amendment is in order, if the gentleman de-

sires to offer it.

Mr. SPEINGER. What is the amendment?
The SPEAKER. None has been offered.
The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. BRATTON moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

PRINTING OF REPORT-WASHINGTON MONUMENT CEREMONIES.

Mr. DORSHEIMER. I ask unanimous consent to call up the Senate bill providing for the printing of the proceedings had here on the occasion of the dedication of the Washington Monument. The House passed a resolution and sent it to the Senate, which has not been acted upon by the Senate. The Senate passed a bill covering the same subject, differing somewhat from the House resolution. The bill is now

on the Speaker's table.

Mr. HOLMAN. That is right.

The SPEAKER. The gentleman from New York asks unanimous consent to take up the Senate bill indicated. The title will be read, after which the Chair will ask for objections.

Mr. ADAMS, of New York. While that bill is being looked for I ask unanimous consent

The SPEAKER. There is one request for unanimous consent now pending. There can not be two pending at the same time.

The Clerk read the title of the bill, as follows:

A bill (S.2666) to provide for the printing of the report and proceedings of the emmission to provide suitable ceremonies for the dedication of the Washington Monument,

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed under the direction of the Committee on Printing; and that 26,500 additional copies be printed, 8,000 copies of the same for the use of the Senate; 16,000 copies for the use of the House of Representatives; 500 copies for distribution by Lieut. General P. H. Sheridan, United States Army, to the civil and military organizations which participated in the proceedings; 500 copies for the Washington National Monument Association for distribution among its members; 500 copies for distribution by Col. Thomas L. Casey, engineer, among the mechanics and workmen employed in the crection of the monument; 500 copies to the Hon. R. C. Winthrop; and 500 copies to the Hon. John W. Daniel; and for the purpose of defraying the expense of printing the attached card the sum of \$2,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

Mr. DORSHEIMER. I will state to the House that the only respect

Mr. DORSHEIMER. I will state to the House that the only respect in which this bill differs from the resolution already passed by the House is that the bill provides for the printing of the engraved card, which was not provided for by the resolution, and this bill also provides for giving five hundred copies to each of the two orators. Those are the only respects in which the bill differs from the resolution already passed.

Mr. WELLER. Mr. Speaker, I desire to inquire if the bill is open

to amendment?

The SPEAKER. It is.

Mr. WELLER. I move that the bill be amended so as to make the number of copies 35,000, the distribution to be in the same ratio as provided in the bill.

The SPEAKER was proceeding to put the question when Mr. Wel-

LEE withdrew the amendment.

Mr. DORSHEIMER. Mr. Speaker, I now demand the previous

Mr. DORSHEIMER. Mr. Speaker, I now demand the previous question on the passage of the bill.

Mr. SKINNER, of New York. Mr. Speaker, I wish to ask my colleague [Mr. DORSHEIMER] how many copies this bill would give to each Senator and how many to each Member of the House.

Mr. DORSHEIMER. I have not figured it up—it provides for 8,000 copies for the Senate, and 16,000 for the House.

Mr. SKINNER, of New York. It gives every Senator 105 copies and every Member 49 copies.

The bill was ordered to a third reading, and it was accordingly and it was ac

The bill was ordered to a third reading; and it was accordingly read

the third time, and passed.

Mr. DORSHEIMER moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

REPORT ON FISH AND FISHERIES.

Mr. ROGERS, of New York. Mr. Speaker, I desire to make two privileged reports from the Committee on Printing, which I send to

Mr. SPRINGER. Mr. Speaker, are these reports subject to objec-

tion when they are read?

The SPEAKER. They are subject to the question of consideration.

Mr. SPRINGER. Is this a conference report?

The SPEAKER. It is not. It is a privileged report from the Com-

Mr. SPEAKER. It is not. It is a privileged report from the Committee on Printing, as the Chair understands.

Mr. SPRINGER. But it can come in only by unanimous consent.

I do not know what matters they relate to, and I may desire to object.

The SPEAKER. The Chair does not know with certainty that this is a privileged report; but certain reports from the Committee on Printing are privileged. ing are privileged.
Mr. SPRINGER.

Mr. SPRINGER. Not as against the present order, which is the question of the highest privilege, the right of a member to his seat.

The SPEAKER. The pending question is on a motion for a recess.

Mr. SPRINGER. There is a contested-election case pending.

The SPEAKER. There is no question pending on the report of the

Committee on Elections

Mr. SPRINGER. Let this report from the Committee on Printing

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, February 25, 1885. Resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Fish and Fisheries for the year 1885 be printed, and that rightly done, with reference to these audited claims.

there be printed 11,000 extra copies, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House, 1,500 for the use of the Commissioner of Fish and Fisheries, and 500 for sale by the Public Printer under such regulations as the Joint Committee on Printing may prescribe, at a price equal to the additional cost of publication, and 10 per cent. thereto added; illustrations to be obtained by the Public Printer under the joint direction of the Committee on Printing.

The resolution was concurred in.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was concurred in; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

ASTRONOMICAL OBSERVATIONS.

Mr. ROGERS, of New York, from the Committee on Printing, reported the following concurrent resolution:

IN THE SENATE OF THE UNITED STATES, February 25, 1885.

Resolved by the Senate (the House of Representatives concurring), That the annual volume of Astronomical and Meteorological Observations of the Naval Observatory for the years 1881 and 1882 be printed, and that 2,000 additional copies of each volume be printed, of which 400 copies shall be for the use of the Senate, 800 copies for the use of the House, and 800 copies for the use of the Navy Department, or for sale at the cost of paper and printing, in accordance with section 422 of the Revised Statutes of the United States.

The resolution was concurred in.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was concurred in; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

FOURTH OF JULY CLAIMS.

Mr. BLOUNT. Mr. Speaker, a while ago I asked unanimous con-sent to make a statement in reference to Executive Document 119. The gentleman from Arkansas [Mr. ROGERS] objected, but he withdraws his objection.

Mr. ROGERS, of Arkansas. I withdraw the objection.

The SPEAKER. The gentleman from Georgia [Mr. Blount] asks unanimous consent to make a statement. Is there objection?

Mr. VALENTINE. Regular order.

Mr. ROGERS, of Arkansas. Mr. Speaker, I ask unanimous con-

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] demands the regular order, which cuts off all requests for unanimous

Mr. ROGERS, of Arkansas. This is a matter of a good deal of interest.

The SPEAKER. The gentleman must make his appeal to the gentleman from Nebraska. The Chair has no discretion in the matter.

Mr. VALENTINE. Mr. Speaker, I withdraw my objection to the

gentleman from Georgia making his statement.

Mr. BLOUNT. Mr. Speaker, Executive Document 119 is a letter from the Secretary of the Treasury, transmitting a list of claims which have arisen under the act of July 4, 1864. By virtue of that act the Quartermaster-General, the Commissary-General, and the Third Auditor of the Treasury are required to examine and consider certain claims, and it is made the duty of the Secretary of the Treasury to report them to Congress at each session. In the Forty-fourth Congress this document, covering claims amounting to about \$500,000, was reported by Mr. Ede. & Illinois, then chairman of the Committee on War Claims. It passed the House at both sessions of that Congress by unanimous consent, and it has always passed without objection until, I think, the last session of the last Congress, when some objection was made, but I believe it finally passed the House. This time the claims amount to only \$228,000. Now, the law did not contemplate that these claims should be examined by the House. The act provided that they should be examined by the Quartermaster-General, the Commissary-General, and the Third Auditor. They have always passed in the way I have stated, and I think it will be agreat injustice to these claimants if this bill does not now pass. This is not the case of ordinary claims on the Calendar which we reserve to ourselves the right to examine. These are cases the examination of which has been delegated to the officers I have designated, and I trust that the House will see the justice of doing what has been done heretofore in reference to these cases and allow them to pass without objection. The committee have reported these claims unani-

mously.

Mr. HEWITT, of Alabama. Mr. Speaker, I would like to say to the gentleman from Georgia [Mr. Blount] that the House may get at the bill to which he refers by simply disposing of this contested-elec-

Mr. KEAN. You want to take \$11,000 out of the Treasury on that.
Mr. WELLER. Well, if he is entitled to it give it to him.
Mr. KEAN. But he is not.
Mr. BLOUNT. My friend understands very well the difficulty there

We have been in a minority ourselves, and have had some difficulty of this sort. I trust that neither this election case nor any other reason will prevent the House from doing what it has always done, and

Mr. McMILLIN. This claim ought to be passed, and I hope the gentleman from Alabama will make no objection.

tleman from Alabama will make no objection.

The SPEAKER. Is there objection?

Mr. SPRINGER. I object. I would be delighted to have this bill passed; and I ask gentlemen on the other side to cease their opposition to this election case, and let us fix a time to consider and dispose of it, and then we can take up these other matters. I think the right of a member to his seat on the floor is a question of the highest importance. [Cries of "Regular order!"]

The SPEAKER. The question is on the amendment of the gentleman from Tennessee [Mr. Pettibone] to the amendment of the gentleman from Iowa, the amendment of the gentleman from Tennessee being for a recess till 8 o'clock to-morrow.

The question being taken, there were—aves 28, noes 45.

The question being taken, there were—ayes 28, noes 45.

Several MEMBERS. No quorum.

Tellers were ordered; and Mr. Springer and Mr. Hepburn were

appointed.

Mr. O'NEILL, of Missouri. I desire to know whether it requires a quorum to vote down a motion for a recess.

The SPEAKER. It requires a quorum to decide it either way.

Mr. O'NEILL, of Missouri. Another tribute to our rules.

The House again divided; and the tellers reported 1 in the affirmative 26 in the continuous security.

The House again divided; and the tellers reported 1 in the amirmative, 36 in the negative—no quorum voting.

During the count by tellers the following proceedings took place:

Mr. WELLER. Mr. Speaker, would it be in order for me to ask unanimous consent for the consideration of joint resolution 252?

The SPEAKER. The House is taking a vote.

Mr. KEAN. I ask unanimous consent that the House take up the

joint resolution to print the annual report of the Smithsonian Institu-

The SPEAKER. A vote of the House is being taken.

Mr. GIBSON. I am led to believe there will be no objection to putting upon its passage the bill which I hold in my hand. I am assured by some gentlemen who have been objecting to general business that they think this bill ought to pass.

The SPEAKER. But the House is taking a vote.

The result of the vote was announced as above stated.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate further insisted on its amendments numbered 1 and 29 to the bill making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, agreed to the further conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. Allison, Mr. DAWES, and Mr. COCKRELL.

PUBLIC BUILDING AT SAN FRANCISCO.

Mr. BUDD. I ask unanimous consent for the consideration of Senate

bill 147. I do not think any one will object.

A MEMBER. What is it about?

Mr. BUDD. It is for the erection of a post-office building in San Francisco.

Several members objected.

Mr. BUDD. We never have had a post-office building there. Our postal business is done away down on the old water-front, in a little cubby-hole. San Francisco has 300,000 inhabitants.

Mr. WELLER. I rise to a point of order. Is it proper for the gentleman to proceed after objection has been made?

The SPEAKER. Not without unanimous consent.

A MEMBER. There was no objection to the gentleman proceeding

The SPEAKER. Objection was made to considering the bill, but no objection was made to the gentleman proceeding with his statement.

Mr. BUDD. As the time is not being occupied with anything else,

Mr. BUDD. As the time is not being occupied with anything else, I hope I may be allowed to conclude my statement.

In 1860 the tonnage of San Francisco was 235,000; in 1882 it had a tonnage of more than 1,000,000 tons. In 1860 its imports amounted to more than \$9,000,000; in 1882 to over \$51,600,000. In 1860 the exports were more than \$2,900,000; in 1882 over \$52,400,000. The postal revenue for 1860 was \$154,872; in 1882 it amounted to \$558,133; and to day \$60,000 to \$ to-day San Francisco, one of the largest and most important cities in the United States, yields a net revenue of some \$400,000.

Mr. KEAN. How much has been spent there on public buildings?

Mr. BUDD. Not a single dollar has been spent on a post-office

Mr. BUDD. Not a single dollar has been spent on a post-office building.

Mr. KEAN. What other public buildings are there?

Mr. BUDD. The Government has built a mint there, of which the Democracy will have control in a few days.

The building in which our post-office business is now transacted is down on the old water-front and is very inconvenient, not sufficient to afford proper facilities to our people. We are using for a post-office the lower floor and basement of the old custom-house. This bill is a Sanate bill and should become a law: hence I ask that it be now taken Senate bill, and should become a law; hence I ask that it be now taken up and passed.

Mr. HEWITT, of Alabama. I suggest that the gentleman have this measure attached to the sundry civil bill in the Senate.

Mr. BUDD. This bill has already passed the Senate; it passed there more than a year ago, and has since been on the Speaker's table. It should pass here. I know this requires unanimous consent on account of the state of present proceedings. Let it pass. [Cry of "Regular and or liver the state of present proceedings.]

order!"]
Mr. WELLER. I rise for the purpose of asking unanimous consent to permit my resolution to be read to the House. I do not think there will be any objection to it.

The SPEAKER. That is not the regular order, and the regular order has been demanded on both sides of the House.

Mr. WELLER. I was trying to get rid of that.

The SPEAKER. The gentleman will get rid of it only by having it withdrawn. [Cries of "Regular order!"]

The question is on the motion of the gentleman from Tennessee to

The question is on the motion of the gentleman from Tennessee to take a recess until 8 o'clock in the morning. [Putting the question.

After a pause.] The noes seem to have it.

Mr. HEPBURN. I demand a division.

The House divided; and there were—ayes 12, noes 31.

Mr. WELLER. No quorum.

Mr. HEWITT, of Alabama. As the House has refused to take a re-

The SPEAKER. The regular order is insisted upon. The point of no quorum has been made, and the Chair will appoint as tellers Mr. PETTIBONE and Mr. WELLER.

The House again divided; and the tellers reported—ayes 4, noes 12.

Mr. BUDD. I move to take up Senate bill 147. The objection made by the gentleman from Alabama will be withdrawn.

The SPEAKER. The gentleman from North Carolina [Mr. SKIN-

The SPEAKER. The gentleman from North Carolina [Mr. SKIN-NER] objected.

Mr. SKINNER, of North Carolina. I do not object.

The SPEAKER. The Chair thought the gentleman did object.

Mr. HEPBURN. I move there be a call of the House.

The House divided; and there were—ayes 18, noes 37.

So the motion was disagreed to.

Mr. JOHN S. WISE (at 1 o'clock and 40 minutes a. m., March 3)

moved that the House adjourn.

The motion was disagreed to.

Mr. PERKINS. I ask this bill be read from the Clerk's desk.

Cries of "Regular order!"]

The SPEAKER. Objection is made.

Mr. PERKINS. I think there will be no objection to it.

Would it be in order to make a statement in which I Mr. LEWIS. am interested?

The SPEAKER. It would be if the demand for the regular order is withdrawn. Is the demand for the regular order withdrawn?
Mr. SHIVELY and others objected.

Mr. SHIVELY and others objected.

Mr. CALDWELL. I ask to have read for information a resolution for the payment of the employés for the month of March. It is the usual resolution. These boys can not get away unless it is passed. [Cries of "Regular order!"] I hope objection will be withdrawn. [Cries of "Regular order!"] This is simply to make available the pay of the employés for the month of March. [Cries of "Regular order!"] It was done at the last session, and ought to be done now. The SPEAKER. Is the regular order insisted upon?

Mr. COOK. I demand the regular order of business.

Mr. COOK. I demand the regular order of business.
Mr. PERKINS. I move to take a recess.
The SPEAKER. All the motions to take a recess that can be made have been made.

Mr. CALDWELL. My motion is to make available the pay of the employés for the month of March.

Mr. ENGLISH. Otherwise they will have to remain here.

Mr. CALDWELL. I hope the gentleman will not insist upon the

egular order.

The SPEAKER. Does the gentleman from Iowa withdraw his de-

mand for the regular order?

Mr. COOK. The regular is called for by the gentleman from Indiana Mr. SHIVELY

The SPEAKER. Does the gentleman from Indiana insist upon it?

Mr. SHIVELY. I do.
Mr. WELLER. I feel I have not been fairly treated. Other matters of less importance than mine have been considered. [Cries of "Regular order!"] The distinguished gentleman from Kentucky [Mr. BLACKBURN] says he has no objection to it.
Mr. ROGERS, of New York. I ask to submit a report from the Com-

mittee on Printing.
The SPEAKER. It is not now in order; the division of the House

discloses the want of a quorum.

Mr. CALDWELL. I hope there will be no objection to the passage of the resolution for our worthy and courteous employés. [Cries of "Regular order!"] I understand there is no objection.

The SPEAKER. There are demands for the regular order on both sides of the House, and they are in the nature of objections.

Mr. HEWITT, of Alabama. I have a bill here that I know nobody will object to [cries of "Oh, no; of course rot"], and I send it up with

the report, and ask that the report and the bill may be read for the information of the House. [Cries of "Regular order!"]

The SPEAKER. The demand for the regular order of course stands

until it is withdrawn by gentlemen who make it.

Mr. BURNES. I think I can make a statement that will interest the House—a patriotic suggestion—— [Cries of "Regular order!"]

The SPEAKER. The regular order is the motion of the gentleman

from Tenne

Mr. BURNES. I believe unanimous consent is given me to make a brief statement of one minute and a half.

Mr. HUTCHINS. Regular order.
Mr. WELLER. I now ask unanimous consent that the joint resolution of the House No. 252 may be read for the information of the

The SPEAKER. The regular order is demanded.

Mr. WELLER. I understand that, Mr. Speaker, but I am going to importune gentlemen to permit me to have this read because I know

it will be agreed to. [Laughter.]

The SPEAKER. If gentlemen will withdraw their demands for the regular order, of course the Chair will recognize the gentleman.

Mr. JOHN S. WISE. Regular order.

Mr. KEAN. I move a call of the House.

The question was taken; and on a division there were-ayes 29, noes

So the call of the House was not ordered.

Mr. WELLER. No quorum. I think we ought to have members present to transact the public business.

The SPEAKER. A quorum is not necessary on this motion.

Mr. WELLER. Can I now ask unanimous consent to call up this resolution? I ask to have it read.

The SPEAKER. The Chair can not entertain the request pending

the demand for the regular order.

Mr. JOHN S. WISE. I move that the House do now adjourn.

The question being taken; there were on a division—ayes 28, noes 42.

So the motion was not agreed to.

Mr. GUENTHER. Mr. Speaker, I ask unanimous consent of the
House to take from the Speaker's table Senate bill 636, providing for the
erection of a public building at Oshkosh, Wis., and put it upon its pasge. [Cries of "Regular order!"]
The SPEAKER. The demand for the regular order cuts off such

Mr. GUENTHER. I sincerely hope that no gentleman will insist upon the demand for the regular order as against this bill, which is a very meritorious and important measure.

The SPEAKER. The Chair must recognize the demand for the regu-

lar order.

Mr. JOHN S. WISE. I move that the House take a recess for thirty

The SPEAKER. That, of course, could only be done by unanimous consent, for the reason that all motions in reference to a recess that are

permissible under the rule are already pending.

Mr. JOHN S. WISE. I make this motion, Mr. Speaker, in all seriousness, and ask the unanimous consent of the House to that effect. I understand that the sundry civil bill will be here within that time, and I am serious in making the motion, because we are merely exhausting the Speaker and doing nothing.

Mr. WELLER. If the gentleman would not submit so many motions he would not exhaust the Speaker so much.

The SPEAKER. The Chair repeats that the motion could only be entertained by unanimous consent. [Cries of "Regular order!"]

Mr. BRECKINRIDGE. We ought to take a recess to give the re-

porters and other officers of the House some opportunity to rest.

The SPEAKER. The regular order is the motion of the gentleman from Tennessee to take a recess

Mr. McADOO. I move a call of the House. I wish to preserve the order and dignity of the House and the decorum of our proceedings, and

therefore submit that motion.

Mr. BRECKINRIDGE. I demand the yeas and nays on the mo-

Mr. MILLS and others. Let us have the yeas and nays.

Mr. BRECKINRIDGE. I think it is only proper that we should give the reporters some rest; and I hope that we will at least put a stop to unnecessary talking if we can not proceed with the public business.

The question was taken; and on a division there were—ayes 25, noes 29

So the yeas and nays were ordered. The SPEAKER. The Clerk will call the roll. Mr. LACEY. I rise to a parliamentary question. The SPEAKER. The gentleman will state it.

Mr. LACEY. If this vote discloses the absence of a quorum can we proceed to the consideration of any business whatever until a quorum

shall appear?

Mr. REED, of Maine. I move to reconsider the vote by which the yeas and nays were ordered.

Mr. HUTCHINS. How did you vote?

Mr. REED, of Maine. It does not make any difference how I voted.

voted the right way, of course.

Mr. MILLS. I called for the yeas and nays on the motion so as to

give the reporters a little rest.

Mr. HUTCHINS. Has the gentleman the right to make the motion to reconsider?

The SPEAKER. Any gentleman has the right to move a reconsideration when there is no record of the vote, the presumption being that

all voted on the prevailing side.

Mr. REED, of Maine. We do not want to wear out our clerks in this way. It is not right, and there is no necessity for calling the roll

on this motion.

The question being taken on the motion to reconsider the vote order-

ing the yeas and nays, it was agreed to—ayes 45, noes 21.

Mr. WARNER, of Ohio. Now, Mr. Speaker, out of consideration for the Speaker himself, for the reporters, and the clerks, while we are waiting for the sundry civil bill to come from the Senate, I suggest

that by unanimous consent we take a recess for thirty minutes.

Mr. RANDALL. I can state, if the House will permit me, that I have information of the passage of the sundry civil bill by the Senate,

and I think it will be here within half an hour.

Mr. HOLMAN. It is very proper that we should take a recess for half an hour while waiting for that bill.

Mr. WARNER, of Ohio. I ask by unanimous consent that the House may now take a recess for thirty minutes.

Mr. MILLS. That is right; give all a rest for that length of time.

Mr. BLOUNT. I desire to make a parliamentary inquiry. Suppose we should have a yea-and-nay vote and it should disclose the fact that no quorum is present, would not the Chair be compelled to take official notice of that fact, and would we not be placed in the position of being unable to transact any other business whatever until a quorum had appeared?

The SPEAKER. The Chair thinks when the record shows on a call of the yeas and nays there is not a quorum present business must cease

until a quorum appears.

Mr. WARNER, of Ohio. I ask that by unanimous consent a recess be taken for thirty minutes.

Mr. BROWN, of Pennsylvania. I hope not. If the House will allow me I should like to entertain it for a few moments with the consideration of a bill for the erection of a public building at Williams-

The SPEAKER. There is a matter pending. Is there objection to the request of the gentleman from Ohio [Mr. WARNER] that the House take a recess for thirty minutes?

Mr. SPRINGER. All other motions for a recess being withdrawn?

Mr. WARNER, of Ohio. Nothing is withdrawn.

The SPEAKER. The gentleman from Illinois can object if he desires to do se

Mr. SPRINGER. I desire, if this request for a recess be agreed to, that all other motions be withdrawn.

Mr. HEPBURN. You know we will not do that.

Mr. MILLS. Let us take a recess and rest the clerks.

The SPEAKER. Is there objection to the request made by the gentleman from Ohio?

There was no objection; and accordingly (at 2 o'clock a. m. Tuesday, March 3) the House took a recess for thirty minutes.

AFTER RECESS.

The recess having expired, the House reassembled at 2 o'clock and 30 minutes a. m. Tuesday, March 3.

PAYMENT OF CONGRESSIONAL EMPLOYES FOR MARCH.

Mr. CALDWELL. I ask unanimous consent to introduce a joint resolution for the immediate payment of the officers and employes of the Senate and of the House for the month of March.

Mr. BROWN, of Pennsylvania. I believe I had the floor at the time the House took the recess.

Mr. CALDWELL. I am satisfied if this joint resolution be understood there will be no objection to it. It is simply to pay in advance the employes of the Senate and of the House for the month of March. It is not extra pay. They are on the annual roll. It is simply a matter of accommodation to gentlemen who have constantly accommodation. dated us.

The SPEAKER. Is there objection?

Mr. HOLMAN. Let the resolution be reported.

The joint resolution was read, as follows:

A joint resolution authorizing the immediate payment of the officers and employés of the Senate and of the House for the month of March.

Resolved, &c., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and directed to pay to the officers and employés of the Senate and of the House borne upon the annual roll their respective compensation, including the Capitol police, for the month of March, 1885, as soon as practicable after the adjournment of this session of Congresses.

Mr. HOLMAN. I would suggest that that is hardly broad enough. It applies only to the employes on the annual roll. There is a very considerable class who are not on the annual roll, but who are paid for

the long session for eight months and for the short session for four months. This would not apply to them. I suggest this course: that the joint resolution shall be passed when, after consultation with the Clerk, it is ascertained exactly what class of persons are entitled to receive the compensation for the month of March. I am satisfied that they are a much larger class than those named in the joint resolution. Quite a large number of persons are employed for the session, which means four months, and yet they would not get the pay for that additional month under this resolution. I suggest that after consultation has been had with the Clerk as to what the terms of the joint resolution exactly should be, it should then be submitted to the House and passed.

Mr. RANDALL. I am inclined to think the session clerks will get their salaries independent of this resolution.

their salaries independent of this resolution.

Mr. CALDWELL. They will.

Mr. HOLMAN. If the gentleman from Pennsylvania [Mr. Randall] is certain that this is right I have no objection.

Mr. CALDWELL. This is in the exact terms of the resolution which has been passed heretofore session after session.

The SPEAKER. Is there objection to the present consideration of

the resolution?

There was no objection.

The joint resolution (H. Res. 346) was read three times, and passed. Mr. CALDWELL moved to reconsider the vote by which the resolution was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. McMILLIN. I ask unanimous consent to call up the bill H. R. 8102. I wish to state this bill makes no appropriation. The facts

Mr. BROWN, of Pennsylvania. I understand that I am entitled to

Mr. BROWN, of Pennsylvania. I understand that I am entitled to the floor; but I will yield for a few moments to the gentleman from Tennessee [Mr. McMillin].

The SPEAKER. The Chair does not know that the gentleman from Pennsylvania is entitled to the floor.

Mr. McMillin. I will state to my friend from Pennsylvania [Mr. Brown] a fact that I think will be sufficient to justify the indulgence he has kindly yielded me. A railroad is organized to be built to some coal mines in my State. A fellow-citizen of the gentleman from Pennsylvania is interested therein. It is an immense enterprise and they sylvania is interested therein. It is an immense enterprise, and they can not proceed without the right to cross the Cumberland River. It can not proceed without the right to cross the Cumberland River. It is a bill for the purpose of giving the assent of Congress to the construction of a bridge. I hope there will be no objection.

The SPEAKER. Is there objection?

Mr. KEAN and Mr. VALENTINE. Let the bill be read.

The SPEAKER. The Clerk will report the bill.

The bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad

Company over the Cumberland and Caney Fork Rivers was read at

Mr. VALENTINE. The House seems now to be in a state of good

feeling. I ask unanimous consent—
The SPEAKER. One matter is now pending.
Mr. VALENTINE. Unanimous consent was not given for its consideration. I said, "Read the bill first." I ask this of the House. We have to wait until the sundry civil bill comes from the Senate. I ask that while we are waiting its arrival the Speaker proceed to recognize gentleman to call up bills for consideration under the morning-hour rule, which allows ten minutes for debate—five minutes in favor of the bill and five minutes against it.

Mr. COOK. I object.

Mr. VALENTINE. Then I give notice that nothing shall be passed here to-night with my consent.

Mr. WILKINS. Did not the objection to the consideration of the bill called up by the gentleman from Tennessee [Mr. McMILLIN] come too late? The Speaker asked if there were objections, and there were

none.

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] said, "Let the bill be read."

Mr. McMILLIN. The gentleman withdraws his objection.

Mr. VALENTINE. I do, if the objection is withdrawn to my request for the consideration of bills under the ten-minute rule. Does the gentleman from Iowa [Mr. Cook] withdraw his objection?

Mr. BROWN, of Pennsylvania. I understand the objection is withdrawn on both sides.

The SPEAKER. It is not withdrawn.

Mr. COOK. I want to say that, believing the Constitution imposes on the House the duty of judging of the election of one of its members whose case is now before the House, nothing shall be transacted until this case is disposed of. this case is disposed of.

Mr. BOUTELLE. Mr. Speaker, as the gentleman from North Carolina [Mr. Bennett] seems to have withdrawn, probably to take a nap or for some such purpose, I suggest that we lay aside the election case. [Laughter.]

Mr. VALENTINE. Mr. Speaker, I am requested by a number of members that I repeat the proposition I made a while ago asking unanimous consent that until the sundry civil bill reaches the House the Speaker now entertain motions under the special rule for the consideration of such bills as members may call up, leaving the general status exactly as it is at present.

The SPEAKER, The gentleman from Nebraska [Mr. VALENTINE]

asks unanimous consent to proceed under the special rule of the Hous recently adopted until the sundry civil appropriation bill is received

from the Senate.

Mr. RANDALL. I object.

Several MEMBERS. Regular order!
Mr. CALDWELL. Mr. Speaker, I hope it will be in order for me to state one thing: The gentleman from Pennsylvania [Mr. Brown] yielded the floor to me a while ago, and as an act of courtesy and as an act of justice to him I ask that he be permitted to resume it now.

Mr. WELLER. Mr. Speaker, I understand there has been a ruling on that point,

The SPEAKER. The regular order has been demanded. Is the de-

mand for the regular order withdrawn?

Mr. CALDWELL. As I understand it, the gentleman from Pennsylvania [Mr. Brown] had the floor without objection.

The SPEAKER. Before the recess the gentleman from Pennsylvania [Mr. Brown] rose and stated, according to the recollection of the Chair, that he had a matter with which he proposed to "entertain" the House, but somebody objected, and immediately the recess was taken. The gentleman did not submit any motion. The gentleman from Pennsylvania [Mr. Brown] now asks unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of a bill in relation to a public building at Williamsport, Pa.

Mr. VALENTINE. Regular order.

Mr. McMFLLIN. Mr. Speaker, I do not understand that the objection to my bill is insisted upon, and I hope it will not be.

The SPEAKER. The Chair does not understand that the objection

has been withdrawn.

Mr. GIBSON. Mr. Speaker, we may just as well understand this matter. This stream to which that bill relates is a navigable one, which is being improved by this Government at great expense, and I object to building any bridge across it unless after a thorough investigation.

Mr. McMILLIN. It has been investigated. The report of the Secretary of War is here. He submitted the question to the local engineers and the matter was delayed until their reports came, and they are

embodied in the report of the Secretary.

Mr. GIBSON. I just want to go further, Mr. Speaker, and say that no drawbridge across a running stream—

The SPEAKER. There is nothing before the House. The regular order is insisted upon on both sides of the House.

Mr. VALENTINE. Mr. Speaker, we shall need a quorum here in a few minutes, and I think we had better send for one. There will be nothing further done here to night without a quorum. The gentleman from Pennsylvania [Mr. RANDALL] wants a quorum, and I think we had better have a call of the House. I make that motion.

The question was taken on ordering a call of the House; and there

were-ayes 26, noes 41.

So the motion was not agreed to.

Mr. HEWITT, of Alabama. Mr. Speaker, I move that the House now take a reces

Mr. BISBEE. Mr. Speaker, is it in order to ask unanimous consent to move to suspend the rules to pass the bill for the relief of General Grant?

The SPEAKER. Not while the regular order is insisted upon. The gentleman from Pennsylvania [Mr. Brown] states that the objection to the request made by him to take up a public-building bill is with-

Mr. RANDALL. I object. Mr. VALENTINE. There is no quorum here, so we can not do any business. The gentleman from Pennsylvania [Mr. RANDALL] wants a quorum.

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table-

The SPEAKER. Objection is made and the regular order is demanded by gentlemen on both sides of the House, so that the Chaircan

not entertain a request for unanimous consent.

Mr. TUCKER. I will ask the House, if I can get attention for a mo-

The SPEAKER. Objection is made.

Mr. TUCKER. Who makes the objection?

The SPEAKER. Several gentleman are demanding the regular order and insisting that no business shall be done except the regular business before the House.

Mr. McADOO. Mr. Speaker, I move that the House take a recess.

The SPEAKER. That motion can be entertained only by unanimous consent, because, as the Chair has stated several times, all the motions that can be made with reference to a recess, under the rules of the House. are now pending.

Mr. TUCKER. The objection is withdrawn.

The SPEAKER. Is the demand for the regular order withdrawn?

Several Members. Regular order.

The SPEAKER. The Chair does not understand that it is withdrawn. The regular order is demanded. The regular order is the amendment offered by the gentleman from Tennessee [Mr. Pettibone] to the amendment of the gentleman from Iowa [Mr. Hepburn] to the motion made by the gentleman from Nebraska [Mr. VALENTINE].

The House divided; and there were-ayes 24, noes 32.

Mr. HOUK. No quorum.

Tellers were ordered; and Mr. Cook and Mr. Houk were appointed.
The House proceeded to divide; but before the tellers announced the result of the count the following proceedings took place:
Mr. VALENTINE. I move that the House adjourn.
The SPEAKER pro tempore (Mr. HATCH, of Missouri). That motion

is not in order. The House is dividing.

Mr. ADAMS, of New York. I rise to a parliamentary inquiry. Is it in order to move to suspend the rules in order to take up and put on its passage Senate bill 1372, to establish a uniform system of bank-

ruptcy throughout the United States?
The SPEAKER pro tempore. The House is dividing, and the motion

is not in order.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, a gentleman who has just returned from the other end of the Capitol states that the Senate has taken a recess until 9 o'clock to-morrow morning. If that be true, I

do not see any necessity of our remaining here longer.

Mr. BURNES. Mr. Speaker, will this House hear the story of two
men who entered the Army at the beginning of the war as private soldiers and after serving bravely for four years under the flag that hangs so gracefully over your head, sir, met with a misfortune which a bill now pending in this House is designed to remedy? For four years as private soldiers they marched to "the music of the Union."

A MEMBER. Do they want an appropriation?

Mr. BURNES. They ask no appropriation; they ask a simple act of

justice. Entering the Army as poor boys, and serving through the war, they earned the rank respectively of colonel and lieutenant-colonel. Commissions were sent to them from the War Department, but unfortunately these commissions arrived a day or two after these soldiers were mustered out.

They ask no pay, no emoluments. They simply ask at the hands of the country the honor of these titles of colonel and lieutenant-colonel, which they won. The bill has passed the Senate of the United States, and has been reported favorably by a committee of this House, the re port being made by the gentleman from Indiana [Mr. Steele]. The bill asks no appropriation of money; it proposes nothing but to do an act of simple justice to these plain men who fairly earned this distinction.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BURNES] asks unanimous consent to call up for immediate consideration the Senate bill to which he has referred. Is there objection?

Mr. VALENTINE. I object.
Mr. VALENTINE. I object.
Mr. VALENTINE. I object.
Mr. VALENTINE. I object.
Mr. McCOMAS. Let the report be read.

Mr. VALENTINE. There must be a quorum here before any further business is done.

Mr. BURNES. I believe it is the right of a member desiring to call up a bill to have it read before objections are made.

The SPEAKER pro tempore. The House is dividing. The proposition of the gentleman from Missouri requires unanimous consent, and objection has been made.

Mr. HATCH, of Michigan. I move that the House adjourn.
The SPEAKER pro tempore. The tellers have not reported the result of their count, and the motion of the gentleman from Michigan is

not in order.

Mr. HATCH, of Michigan. Are the tellers going to stand there all night?

The SPEAKER protempore. The Chair hopes gentlemen will vote.

No quorum has voted. Mr. BELFORD. I ask unanimous consent to take from the Speaker's table for present consideration Senate bill 1504. Let it be read, subject to objection.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent

Mr. HATCH, of Michigan. How can that motion be entertained if the motion to adjourn is not in order?

The SPEAKER pro tempore. The gentleman from Colorado [Mr.

BELFORD] asked for unanimous consent.

The title of the bill was read, as follows:

A bill (S. 1504) for the erection of a public building at Pueblo, Colo.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. WARNER, of Ohio. That is provided for in the sundry civil appropriation bill.

Mr. BELFORD. It is not.

The SPEAKER pro tempore. Is there objection?
Mr. VALENTINE. I object to any business proceeding until there is a quorum.

Mr. BELFORD. Is it possible for me to say that a man from a Western State objects to a Western measure?

The SPEAKER pro tempore. The gentleman from Colorado is not

in order.

Mr. VALENTINE. I am very sorry— Mr. BELFORD. You are the only one in this House that objects, and I want the RECORD to show it.

Mr. ADAMS, of New York. I ask unanimous consent to offer the following resolution— Mr. WELLER. I object.

Mr. ADAMS, of New York. Let it be read for information.
Mr. WELLER. No, sir. I have been trying to get my joint resolution read for information. I will withdraw my objection if I can have my joint resolution read for the information of the House.

The SPEAKER pro tempore. The gentleman from Iowa is not in

Mr. CASSIDY. I ask the House to allow me to have considered a bill to pay a postmaster in my State \$171 on account of vouchers which were burned. The claim is duly authenticated by the Post-Office Department. It is a small matter and I ask that it be considered. It is a Senate bill, which has the recommendation of the Department and has been unanimously reported by the committee that have examined it.

The SPEAKER pro tempore. Is there objection?
Mr. VALENTINE. I object.
Mr. ADAMS, of New York. I understand that the gentleman from Iowa [Mr. Weller] withdrew his objection to my resolution and there was no other objection that I heard.

The SPEAKER pro tempore. The gentleman from Nebraska has objected to the consideration of any measure.

Mr. ADAMS, of New York. The gentleman from Nebraska states to me that he did not make any objection.

Mr. VALENTINE. I did not object to the reading of that resolution.

Mr. VALENTINE. I did not object to the reading of that resolution. If I understand its purport I think it is in the line of our duty to-night. I have heard of it but have not heard it read.

Mr. ADAMS, of New York. I call for the reading of my resolution.

Mr. WELLER. I have not withdrawn my objection.

Mr. HEWITT, of Alabama. Shortly after the close of the late war— [Laughter and applause and cries of "Regular order!"]

The SPEAKER pro tempore. The tellers will announce the result.

Mr. COOK. Eleven avers and 25 noes.

Mr. COOK. Eleven ayes and 25 noes.

Mr. HEWITT, of Alabama, rose. [Cries of "Regular order!"]

Mr. JOHN S. WISE. I ask to take up the Blair educational bill.

I believe we are agreed on that. I hope there will be no objection.

Mr. KEAN. I object.
Mr. JORDAN. I ask to take up a bill. [Cries of "Regular order!"]
The SPEAKER. The regular order has been called and gentlemen

Mr. WELLER, I withdraw my objection to the reading of the proposition of the gentleman from New York [Mr. ADAMS]. [Cries of "Regular order!"]

The SPEAKER. It is entirely useless to ask unanimous consent so

long as there are calls for the regular order. It makes a great deal of labor for the Official Reporters of the House, and amounts to nothing. Whenever the demand for the regular order is withdrawn the Chair will take pleasure in recognizing gentlemen.

Mr. ADAMS, of New York. I understood the gentleman from Iowa

withdrew his objection.

Mr. VALENTINE. I understand the gentleman's resolution is in reference to the subject we are acting on. If so, I should like to hear

Mr. HATCH, of Missouri. I demand the regular order of business. Mr. KEAN. Would it be in order to take a recess for fifteen min-

The SPEAKER. It will not, as all the motions for a recess that can be entertained have been made. The tellers report 11 ayes and 27

Mr. VALENTINE. No quorum (3 o'clock and 40 minutes a. m. March 3). I move that the House do now adjourn.

The House divided; and there were—ayes 26, noes 34.
Mr. VALENTINE. I demand the yeas and nays.
The yeas and nays were ordered.
The question was taken; and it was decided in the negative—yeas 34, nays 52, not voting 238; as follows:

Adams, J. J.
Barr,
Bisbee,
Boutelle,
Breitung,
Brown, W. W.
Brumm,
Cannon,
Chamidan

	YEAS-34.	
Dixon,	Kean	
Everhart,	Lacey	
Goff,	Lewis	
Hanback,	McCo	
Hart,	O'Ha	
Hatch, H. H.	Parke	
Haynes,	Perki	
Hepburn,	Peter	
Houk,	Rowe	

Smalls, Stephenson, Thomas, Tillman, Valentine, Weaver, Wise, J. S.

	N.	AYS-52.	
Arnot, Bagley, Bagley, Belford, Blount, Bratton, Budd, Burnes, Cabell, Caldwell, Carleton, Clay, Cook, Davis, G. R.	Dibble, English, Ferrell, Funston, Gibson, Halsell, Hatch, W. H. Hewitt, G. W. Hill, Hutchins, Jordan, Kleiner, Long,	Lore, Lowry, Mills, Murphy, Mutchler, O'Ferrall, O'Neill, J. J. Patton, Post, Randall, Ranney, Reece, Hockwell,	Rogers, W. F. Shiveley, Snyder, Snyder, Springer, Swope, Taylor, J. M. Van Eaton, Wallace, Warner, A. J. Warner, Richar Weller, Wolford, Woodward.
	NOT	VOTING-238.	

Dunn, Eaton, Eldredge, Elliott, Ellis, Ellwood, Adams, G. E. Lamb, Lanham, Lawrence, Le Fevre, Libbey, Lovering, Ryan, Seney, Seymour, Shaw, Singleton, Skinner, C. R. Skinner, T. G. Aiken, Alexander, Anderson, Atkinson, Lovering,
Lyman,
McAdoo,
McCoid,
McCormick,
McMillin,
Matson,
Maybury,
Miller, J. F.
Miller, S. H.
Milliken,
Mitchell,
Morrison,
Morrison,
Morrison,
Morse,
Moulton,
Muldrow,
Muller, Ballentine. Erwood, Ermentrout, Evans, Fiedler, Findlay, Finerty, Follett, Barbour, Barksdale, Slocum, Smith, A. Herr Smith, H. Y. Bayne, Beach, Belmont, Spooner, Spriggs, Steele, Bennett, Bingham, Blackburn, Blanchard, Bland, Bowen, Boyle, Brainerd, Breckinridge, Brewer, F. B. Brewer, J. H. Broadhead, Browne, T. M. Buchanan, Buckner. Bennett, Foran, Forney, Fyan, Garrison, Geddes, George, Glascock, Stevens, Stewart, Charles Stewart, J. W. Stockslager, Stone, Storm,
Strait,
Strait,
Struble,
Sumner, C. A.
Sumner, D. H.
Talbott,
Taylor, E. B.
Taylor, J. D.
Thompson,
Throckmorton,
Townshend,
Tucker,
Tully,
Turner, H. G.
Turner, Oscar
Van Alstyne,
Vance,
Wadsworth,
Wait,
Wakefield,
Ward. Storm. Graves, Green, Greenleaf, Guenther, Hammond, Hancock, Hardeman, Hardy, Harmer, Hemphill, Henderson, D. B. Henderson, T. J. Buchanan, Buckner, Burleigh, Campbell, Felix Campbell, J. E. Campbell, J. M. Candler, Muller. Murray. Neece, Nelson, Nicholls, Nutting, Nutting,
Oates,
Ochiltree,
O'Neill, Charles
Paige,
Payne,
Payson,
Peel,
Pettibone,
Phelps,
Pierce,
Poland,
Potter,
Price,
Pryor,
Pusey,
Rankin,
Ray, G. W.
Ray, Ossian
Reagan,
Reed, T. B
Reid, J. W.
Rice, Henley, Herbert, Hewitt, A.S. Hiscock, Hitt, Hoblitzell, Holman, Chalmers. Chaimers, Clardy, Clements, Cobb, Collins, Connolly, Convers Converse, Cosgrove, Covington, Cox, S. S. Cox, W. R. Craig, Crisp, Culberson, D. B. Culbertson, W. W. Wakeneld, Ward, Washburn, Wellborn, Wemple, White, J. D. White, Milo Whiting, Wilkins. Holmes, Holton, Hoper, Hopkins, Horr, Houseman, Howey,
Hunt,
Hurd,
James,
Jeffords,
Johnson,
Jones, J. H.
Jones, J. H.
Jones, J. T.
Keifer,
Kelley
Kellogg,
Ketcham,
King,
Laird, Howey, Wilkins, Calbertson, W Cullen, Curtin, Cutcheon, Dargan, Davidson, Davis, L. H. Davis, R. T. Deuster, Dibrell, Dingley, Dockery, Dorsheimer, Dowd. Williams,
Wilson, James
Wilson, W.L.
Winans, E.B.
Winans, John
Wise, G.D.
Wood.
Worthington,
Yaple,
York,
Young. Williams. Reid, J. W.
Rice,
Riggs,
Robertson,
Robinson, J. S.
Robinson, W. E.
Rogers, J. H.
Rosecrans,
Russell,

Dunham, So the House refused to adjourn.

The following additional pairs were announced: Mr. PRYOE with Mr. BAYNE, till morning.

Mr. VANCE with Mr. ANDERSON, for the day.

Mr. LE FEVRE with Mr. WILSON, of Iowa, until morning.

Mr. PAIGE with Mr. LAIRD.

Mr. Pierce with Mr. Dingley. Mr. Wilson, of West Virginia, with Mr. Spooner. Mr. Dunham with Mr. Cox, of North Carolina, until 10 o'clock to-

Mr. Pusey with Mr. Holmes, until 9 o'clock March 3.

Mr. MORGAN with Mr. MORRILL.

Mr. DEUSTER with Mr. HENDERSON, of Illinois.
Mr. JONES, of Wisconsin, with Mr. McCormick, for the day.
Mr. Ermentrout with Mr. Brainerd, for the rest of the day.
Mr. Rosecrans with Mr. Wadsworth, for the rest of the day.
Mr. Talbott with Mr. Ranney, for the rest of the day.

Mr. DOWD with Mr. WHITE, of Kentucky, for the rest of the day. Mr. MILLARD with Mr. ARNOT.

Mr. BISBEE with Mr. DAVIDSON.

Mr. MILLS with Mr. PAYSON.
Mr. STOCKSLAGER with Mr. LIBBEY, for the rest of the day.
Mr. WOOD with Mr. RAY, of New Hampshire.
Mr. TOWNSHEND with Mr. Brewer, of New York.

Mr. PEEL with Mr. NELSON.

The vote was then announced as above recorded.

The SPEAKER pro tempore. The quest the gentleman from Tennessee for a recess. The question recurs on the motion of

Mr. RANDALL. I desire to say that my information from the Senate is that the sundry civil bill can not be here until 5 o'clock, and I make the motion that the House take a recess until 9 o'clock.

Mr. JOHN S. WISE. I move that the House do now adjourn. [Cries of "Regular order!"]
Mr. HUNT. I object.
Mr. VALENTINE. I make the point of order that there are amendments pending now in the second degree.
Mr. RANDALL. I ask unanimous consent.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that the House take a recess until 9 o'clock this

morning.
Mr. McCOMAS. Say 10 o'clock.
Mr. RANDALL. No; 9 o'clock. That is as late as we ought to make it.

The SPEAKER pro tempore. Is there objection? The Chair hears none, and it is so ordered. And accordingly (at 3 o'clock and 50 minutes a. m. Tuesday) the House took a recess until 9 o'clock a. m.

AFTER RECESS.

The recess having expired the House (at 9 o'clock a. m., Tuesday, March 3, 1885) resumed its session.

Mr. VALENTINE. I move that the House take a further recess until

Mr. RANDALL. I object to a recess, and hope the motion will not prevail.

Mr. PETTIBONE. I move to amend the motion by taking a recess

until 10.50 o'clock. Mr. RANDALL. I wish to state to gentlemen that the sundry civil bill will be here in a few moments.

Mr. HEPBURN. I move to amend the amendment by taking a re-

cess until 10.45 o'clock. Mr. SPRINGER. Gentlemen on the other side are making a sad mis-

take in filibustering this way. Mr. VALENTINE. Gentlemen will judge for themselves on that

BRIDGE OVER THE CUMBERLAND AND CANEY FORK RIVERS.

Mr. McMILLIN. Mr. Speaker, I now ask unanimous consent to take up the bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers, and put it upon its passage. I think there can be no objection to this bill, which has been already read.

The SPEAKER. Is there objection to the present consideration of

The bill is as follows:

There was no objection.

The bill is as follows:

Be it enacted, &c., That the East and Middle Tennessee Railroad Company be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Cumberland River at the most accessible point in or near the corporate limits of Carthage, county of Smith, and State of Tennessee. Said bridge shall be constructed to provide for the passage of railroad trains and wagons and travelers across said river.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route; and it shall enjoy the rights and privileges of other post-roads in the United States: Provided, That the United States may construct a postal telegraph over said bridge without charge therefor.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than one hundred and sixty-four feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least thirty-four feet above extreme high-water mark, as understood at the point of location, and the bridge shall be at right angles to and its piers parallel with the current of the river: Provided, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be over the main channel at an accessible point, and the spans shall not be less than one hundred and sixty feet in the clear, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: Provided also, That the said draw shall be opened promptly by said corporation, upon reasonable signal, for the passage of boats; and said corporation shall maintain, at its own expense, from sunset till surrise,

nation and approval, a design and drawings of the bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure, or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

SEC. 6. That the East and Middle Tennessee Railroad Company is hereby also authorized to construct a railroad bridge over the Cancy Fork River at such point between the mouth of said river and the Buffalo Valley as may be necessary in the building of their road, subject to the provisions and limitations contained in the preceding sections.

The bill was ordered to be engrossed and read a third time; and be-

The bill was ordered to be engrossed and read a third time; and be-

ing engrossed, it was accordingly read the third time, and passed.

Mr. McMILLIN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. VALENTINE. I ask unanimous consent to take up the following Senate bill

Mr. SPRINGER. I object.

Mr. VALENTINE. That is the usual magnanimity of the gentle-

Mr. SPRINGER. I object to any unanimous consent for gentlemen who obstruct the public business.

Mr. McMILLIN. I hope the gentleman from Illinois will not insist on his objection.

Mr. SPRINGER. Gentlemen have seen fit to filibuster away the time of the House. Now I do not propose that they shall pass bills through by consent. One thing certain, they can not filibuster away the inauguration of Mr. Cleveland, which will take place to-morrow in spite of them.

Mr. VALENTINE. I supposed the gentleman would object. It is

not unexpected. It is his usual courtesy to this side.

Mr. BROWN, of Pennsylvania. I ask unanimous consent to dis-charge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 2686) to amend an act entitled "An act to provide a building for the use of the United States circuit and district courts of the United States, the post-office, and other Government offices at Williamsport, Pa.," and making an additional appropriation therefor.

Mr. SPRINGER. I object.
Mr. BROWN, of Pennsylvania. Very well.

Mr. ROGERS, of Arkansas. I ask unanimous consent to call up from the Speaker's table for present consideration a Senate bill.

Mr. RANDALL. Is that the jail bill?

Mr. ROGERS, of Arkansas. Yes, sir.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment bills and joint resolu-

tion of the following titles, namely:
A bill (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of and provide for the payment of Out-

erbridge Horsey, assignee;
A bill (H. R. 612) for the relief of Brannin, Summers & Co.;
A bill (H. R. 449) to provide for the appraisement and sale of lands

in the town of Peru, Dubuque County, Iowa; and
Joint resolution (H. Res. 341) to authorize the printing of 50,000
copies of the second annual report of the Bureau of Animal Industry for the year 1885.

It further announced that the Senate had passed a resolution providing for the printing the report of the Director of the Mint on the production of precious metals in the United States for the year 1885; and further that the Senate had passed with amendments the bill (H. R. 8256) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, in which the concurrence of the House was requested.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. In compliance with the unanimous wish of the members of the Committee on Appropriations I ask unanimous consent to take from the Speaker's table the sundry civil appropriation bill, and to move that the House non-concur in the Senate amendments, that they be printed, and that a conference be asked with the Senate.

The SPEAKER. The gentleman from Pennsylvania [Mr. RAN-DALL] asks unanimous consent to take from the Speaker's table the sundry civil appropriation bill with Senate amendments, for the purpose of non-concurring in the Senate amendments and asking a committee of conference

Mr. BROWN, of Pennsylvania. I object.

Mr. ROGERS, of Arkansas. I believe there is no objection to the bill which I desire to call up. I should like very much to make a state-

ment in explanation of it.

Mr. RANDALL. I shall object to anything of that kind until the public business can be attended to.

Mr. O'NEILL, of Pennsylvania. I would suggest that we should proceed to pass the Senate pension bills which have not yet been acted on.

Mr. RANDALL. I shall object to everything until the public business is attended to. I move to suspend the rules and that the House non-concur in the Senate amendments to the sundry civil appropriation

and ask for a committee of conference.

The question being taken on Mr. RANDALL's motion, the Speaker stated that in the judgment of the Chair the "ayes" had it.

Mr. HEPBURN. I call for a division.

The House divided; and there were—ayes 16, noes 4.

Mr. HEPBURN. No quorum.

Mr. RANDALL. I move a call of the House.

The question being taken on Mr. RANDALL's motion, the Speaker stated that the "ayes" seemed to have it.

Mr. BRUMM. I call for a division.

The House divided; and there were—ayes 14, noes 6.

So the motion was agreed to.

The Clerk proceeded to call the roll, when the following members Rockwell, Rogers, W. F. Rosecrans, Rowell, Russell,

ailed to answer:		
dams, J. J.	Dixon,	Lacey,
iken,	Dorsheimer,	Laird,
lexander,	Dowd,	Lamb,
nderson,	Dunn,	Lanham,
rnot,	Eaton,	Lawrence,
tkinson,	Elliott,	Le Fevre,
agley,	Ellis,	Libbey,
allentine,	Ellwood,	Long,
arbour,	English,	Lovering,
arksdale,		Lowering,
	Ermentrout,	Lowry,
arr,	Evans,	Lyman,
ayne,	Everhart,	McAdoo,
each,	Ferrell,	McCoid,
elford,	Fiedler,	McComas,
elmont,	Findlay,	McCormick,
ennett,	Finerty,	Maybury,
ingham,	Foran,	Maybury, Miller, J. F.
isbee,	Forney,	miner, S. H.
lanchard,	Funston,	Milliken,
land,	Fyan,	Mills,
lount,	Garrison,	Mitchell,
outelle,	Geddes,	Money,
oyle,	George,	Morgan,
rainerd,	Gibson,	Morrill,
ratton,	Glascock,	Morrison,
reitung,	Graves,	Morse,
rewer, F. B.	Green,	Moulton,
rewer, J. H.	Greenleaf,	Muldrow,
rowne, T. M.	Guenther,	Muller,
uchanan,	Halsell,	Murphy,
uckner,	Hammond,	Murray.
urleigh,	Hancock,	Murray, Mutchler,
urnes,	Hardeman,	Neece,
abell.	Harmer.	Nelson,
aldwell, ampbell, Felix	Harmer, Hatch, H. H.	Nicholls,
amphell, Felix	Hatch, W. H.	Nutting,
ampbell, J. E.	Hemphill,	Oates,
ampbell, J. M.	Henley,	Ochiltree,
andler,	Herbert,	O'Ferrall,
annon.	Hewitt, A.S.	O'Hara,
arleton,	Hill,	O'Neill, J. J.
assidy,	Hitt,	Dalors
halmers,	Hoblitzell.	Paige,
ardy,		Parker,
aruy,	Holman,	Payne,
ay,	Holmes,	Peel,
ements,	Holton,	Perkins,
obb,	Hooper, Hopkins,	Peters,
ollins,	Hopkins,	Phelps,
onnolly,	Houk,	Pierce,
onverse,	Houseman,	Poland,
osgrove,	Howey,	Post,
ovington,	Hunt,	Potter,
ox, S.S. ox, W. R.	Hurd,	Price,
ox, W. R.	Hutchins,	Pusey,
raig,	James,	Rankin,
risp,	Jeffords,	Ranney, Ray, G. W.
alberson, D. B.	Johnson, Jones, B. W.	Ray, G. W.
ulbertson, W. W.	Jones, B. W.	Ray Ossian
ullen,	Jones, J. H.	Reagan,
urtin,	Jones, J. K.	Reed, T. B.
utcheon,	Jones, J. H. Jones, J. K. Jones, J. T.	Reagan, Reed, T. B. Reid, J. W.
argan,	Jordan,	Aveese,
argan, avis, G. R.	Keifer,	Rice,
avis, R. T.	Kelley,	Riggs,
euster,	Kellogg,	Robertson, Robinson, J. S. Robinson, W. E.
ibble,	Ketcham,	Robinson, J. S.
ingley,	Kleiner,	Robinson, W. E.
The second secon	The same of the sa	

Kussen, Seney, Seymour, Shaw, Shively, Singleton, Skinner, T. G. Slocum, Smalls, Smith, A. Herr Smith, H. Y. Snyder, Spooner, spooner, Spriggs, Steele, Stephenson, Stevens, Stewart, Charles Stewart, J. W. Stockslager, Stone Stone,
Storm,
Struble,
Sumner, C. A.
Sumner, D. H.
Talbott,
Taylor, J. D.
Taylor, J. M.
Thomas.
Thompson,
Throckmorton,
Tucker, Stone. Tucker, Tucker,
Tully,
Turner, H. G.
Turner, Oscar
Van Alstyne,
Van Eaton,
Wadsworth,
Wait,
Wakefield, Wakefield,
Warner, A. G.
Warner, Richard
Weaver,
Wellborn,
Weller,
Wemple,
White, J. D.
Whiting,
Williams,
Williams,
Willis,
Winans, John
Wise, G. D.
Wise, J. S.
Wolford,
Wood, Wood, Woodward, Worthington, York, Young.

Mr. KING. I move to dispense with further proceedings under the call of the House.

The question being taken on Mr. KING's motion, it was agreed toayes 24, noes 0.

So further proceedings under the call were dispensed with.

Mr. RANDALL. I now ask action on the pending motion.

The SPEAKER pro tempore (Mr. BLACKBURN). The pending motion is that offered by the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules and take from the Speaker's table the sundry civil appropriation bill for the purpose of non-concurring in the Senate amendments and asking a committee of conference.

Mr. RANDALL. And printing the Senate amendments.

The question being taken on Mr. RANDALL's motion, the Speaker pro tempore stated that the "ayes" seemed to have it.

Mr. HANBACK. I call for a division.

The House divided; and there were—ayes 33, noes 3.

So (further count not being called for and two-thirds having voted in favor thereof) the motion was agreed to.

The SPEAKER pro tempore appointed as conferees on the part of the House Mr. RANDALL, Mr. FORNEY, and Mr. RYAN.

ORDER OF BUSINESS.

Mr. HISCOCK (at 9.30 a. m., Tuesday, March 3). I move that the House do now adjourn.

The question being taken on the motion to adjourn, there were—ayes

Dunham, Eldredge, Ermentrout,

Lewis, Long,

Mr. HEWITT, of Alabama. I call for the yeas and nays.

The yeas and nays were ordered, 19 members voting therefor.

The question was taken; and there were—yeas 25, nays 63, not voting 236; as follows:

YEAS-25.

	1.12	A5-20.	
Adams, G. E. Bisbee, Bowen, Brewer, F. B. Cox, S. S. Goff, Hanback,	Hart, Henderson, D. B. Henderson, T. J. Hepburn, Hiscock, Horr, Howey,	Millard, Morrill, O'Hara, Parker, Peters, Pettibone, Price,	Rowell, Skinner, C. R. Thomas, Valentine.
	NA	YS-63.	
Blackburn, Breckinridge, Brewer, J. H. Broadhead, Brown, W. W. Budd, Caldwell, Candler, Cook, Cox, W. R.	Everhart, Ferrell, Follett, Forney, Halsell, Hammond, Hardy, Harmer, Haynes, Hewitt, G.W.	Lore, McMillin, Matson, Moulton, Murphy, Mutchler, Necce, O'Neill, Charles Patton, Payson,	Swope, Taylor, J. M. Tillman, Townshend, Vance, Wallace, Ward, Warner, A. J. Washburn, Weller,
Davidson,	Jones, B. W.	Pryor,	White, Milo
Davis, L. H.	Kean,	Randall,	Wilson, James
Dibrell, Dunham.	King, Lanham,	Rogers, J. H. Rosecrans,	Wilson, W. L. Winans, E. B.
TOTA	Y	Owntream	371-

Rosecrans, Springer, Strait,

Yaple.

NOT VOTING-236.					
Adams, J. J.	Dibble,	Ketcham,	Rogers, W. F.		
Aiken,	Dingley,	Kleiner,	Russell,		
Alexander,	Dixon,	Lacey,	Ryan,		
Anderson,	Dockery,	Laird,	Seney,		
Arnot,	Dorsheimer,	Lamb,	Seymour,		
Atkinson,	Dowd,	Lawrence,	Shaw,		
Bagley,	Dunn,	Le Fevre,	Shively,		
Ballentine,	Eaton,	Libbey,	Singleton,		
Barbour,	Elliott,	Lovering,	Skinner, T. G.		
Barksdale.	Ellis,	Lowry,	Sloeum,		
Barr,	Ellwood,	Lyman,	Smalls,		
Bayne,	English,	McAdoo,	Smith, A. Herr		
Beach,	Evans,	McCoid,	Smith, H. Y.		
Belford,	Fiedler.	McComas,	Snyder,		
Belmont,	Findlay,	McCormick,	Spooner,		
Bennett,	Finerty,	Maybury,	Spriggs,		
Bingham,	Foran,	Miller, J. F.	Steele,		
Blanchard,	Funston,	Miller, S. H.	Stephenson,		
Bland,	Fyan,	Milliken,	Stevens,		
Blount,	Garrison,	Mills,	Stewart, Charles		
Boutelle,	Geddes,	Mitchell,	Stewart, J. W.		
Boyle,	George,	Money,	Stockslager,		
Brainerd,	Gibson,	Morgan,	Stone,		
Bratton,	Glascock.	Morrison,	Storm.		
Breitung,	Graves,	Morse,	Struble,		
Browne, T. M.	Green,	Muldrow,	Sumner, C. A.		
Brumm,	Greenleaf,	Muller,	Sumner, D. H.		
Buchanan,	Guenther,	Murray,	Talbott,		
Buckner,	Hancock,	Nelson,	Taylor, E. B.		
Burleigh,	Hardeman.	Nicholls,	Taylor, J. D.		
Burnes,	Hatch, H. H.	Nutting,	Thompson,		
Cabell,	Hatch, W. H.	Oates.	Throckmorton,		
Campbell, Felix	Hemphill,	Ochiltree,	Tucker,		
Campbell, J. E.	Henley,	O'Ferrall,	Tully,		
Campbell, J. M.	Herbert,	O'Neill, J. J.	Turner, H. G.		
Cannon,	Hewitt, A.S.	Paige,	Turner, Oscar		
Carleton,	Hill,	Payne,	Van Alstyne,		
Cassidy,	Hitt.	Peel,	Van Eaton,		
Chalmers,	Hoblitzell,	Perkins.	Wadsworth,		
Clardy,	Holman,	Phelps,	Wait,		
Clay,	Holmes,	Pierce,	Wakefield,		
Clements,	Holton,	Poland,	Warner, Richard		
Cobb,	Hooper,	Post,	Weaver,		
Collins,	Hopkins,	Potter,	Wellborn,		
Connolly,	Houk,	Pusey,	Wemple,		
Converse,	Houseman,	Rankin,	White, J. D.		
Cosgrove,	Hunt,		Whiting,		
Covington,	Hurd,	Ranney, Ray, G. W.	Wilkins.		
Craig,	Hutchins,	Ray, Ossian	Williams,		
Crisp,	James,	Reagan.	Willis,		
Culberson, D. B.	Jeffords,	Reed, T. B. Reid, J. W.	Winans, John		
Culbertson, W. W.	Johnson.	Reid, J. W.	Wise, G. D.		
Cullen,	Jones, J. H.	Reese,	Wise, J. S.		
Curtin,	Jones, J. K.	Rice,	Wolford,		
Cutcheon,	Jones, J.T.	Riggs.	Wood,		
Dargan,	Jordan,	Robertson,	Woodward,		
Davis, G. R.	Keifer.	Robinson, J. S.			
Davis, R. T.	Kelley,	Robinson, W. E.	Worthington, York,		
Deuster,	Kellogg.	Rockwell	Young.		
THE RESERVE OF THE PARTY OF THE	**********		. oung.		

So the motion was not agreed to.

On motion of Mr. HARDY, the reading of the names of members voting was dispensed with.

Mr. STOCKSLAGER. Mr. Speaker, I call up the bill (S. 1040) to provide for the erection of a public building at New Albany, Ind., and move to suspend the rules and put it upon its passage.

The SPEAKER pro tempore. That is not in order except by unani-

mous consent.

Mr. STOCKSLAGER. I ask unanimous consent.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. STOCKSLAGER] asks unanimous consent to take up the bill the title of

STOCKSLAGER] asks unanimous consent to take up the bill the title of which he has indicated. Is there objection?

Mr. VALENTINE. Oh, there is no use in talking about it.

Mr. ROWELL. I object.

Mr. HENDERSON, of Iowa. Mr. Speaker, I ask unanimous consent to take up and pass Senate bill 2449—

Mr. VALENTINE. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. HENDERSON] asks unanimous consent to call up the bill which he has indicated, but objection is made.

Mr. WELLER. I object.

The SPEAKER pro tempore. Objection has already been made.

Mr. WELLER. I object.

The SPEAKER pro tempore. Objection has already been made.

Mr. WELLER. Mr. Speaker, I ask unanimous consent to call up
for present consideration joint resolution (H. R. 252) authorizing the
Secretary of the Treasury to use all the unappropriated money in the
Treasury for the redemption of United States bonds, and for other purposes. [Laughter.]

Several members objected.

LEAVE OF ABSENCE.

Mr. Henderson, of Illinois, by unanimous consent, was granted leave of absence until 11 o'clock to-day, on account of important busi-

ORDER OF BUSINESS.

Mr. VANCE. Mr. Speaker, I ask unanimous consent that members on the right and on the left of the Chair be recognized alternately to call up bills by unanimous consent. I think an arrangement of that kind can be made which will be satisfactory to gentlemen on both

Mr. HEWITT, of Alabama. Mr. Speaker, I ask unanimous consent that we proceed for one hour under the special rule of the House for the consideration of bills which are not objected to by as many as ten members; leaving the election case and all other pending matters in

Mr. STRAIT. Mr. Speaker, I ask unanimous consent— The SPEAKER. The gentleman from Alabama has a request for

unanimous consent pending.
Mr. SPRINGER. Mr. Speaker, I move that the House do now ad-

The House divided; and there were—ayes 42, noes 21.

Mr. BUDD. I call for the yeas and nays.

The question was taken on ordering the yeas and nays, and 12 members only voted in the affirmative—not a sufficient number.

So the yeas and nays were not ordered.

The motion to adjourn was agreed to; and accordingly (at 10 o'clock a. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ANDERSON: Resolution of the Legislature of Kansas, asking that unpensioned ex-soldiers of the Union be pensioned—to the Committee on Invalid Pensions.

Committee on invalid Pensions.

Also, petition of 50 citizens of Washington, Kans., for early action on the Mormon question—to the Committee on the Judiciary.

By Mr. ARNOT: Petition of citizens of New York, asking for the repeal of the revenue tax on tobacco, &c.—to the Committee on Ways and Means.

By Mr. BAGLEY: Memorial of Charles Stoughton, a citizen of the United States, relative to the Harlem River and other public improve-ments—to the Committee on Commerce.

By Mr. BEACH: Resolutions of the Legislature of the State of New York, in reference to a national board of health—to the Select Committee on the Public Health.

By Mr. BLACKBURN: Petition of Mrs. E. E. Riley, of Henry County,

Kentucky—to the Committee on Invalid Pensions.

By Mr. DEUSTER: Joint resolution of the Legislature of Wisconsin, against the importation of foreign labor under contract-to the

Committee on Labor.

By Mr. EVANS: Joint resolution of the Legislature of Pennsylvania, requesting members of that State to oppose any effort by Congress to abolish the National Board of Health—to the Select Committee on the Public Health.

Also, resolution of the Legislature of Pennsylvania, urging the passage of the bill to put General U. S. Grant on the retired-list—to the Committee on Military Affairs.

By Mr. EVERHART: Resolution of the Legislature of Pennsylvania,

opposing the abolition of the National Board of Health-to the Select Committee on the Public Health.

Also, resolution of the Legislature of Pennsylvania, urging the passage of the bill to relieve General Grant—to the Committee on Military

By Mr. FORAN: Petition of John A. Seymour and 30 others, citizens of Parma, Cuyahoga County, Ohio, praying for the immediate enactment of suitable legislation to prevent the evils of Mormonism—to the Committee on the Judiciary.

By Mr. FUNSTON: Petition of 148 citizens of Iola, Kans., asking for

action on the Mormon question—to the same committee.

Mr. GUENTHER: Memorial of the Legislature of the State of Wisconsin, asking for an appropriation of \$50,000 for experiments relating

to the making of sorghum sugar—to the Committee on Agriculture.

Also, resolution of the Legislature of the State of Wisconsin, asking for the passage of the bill relating to the prohibition of foreign contract labor—to the Committee on Labor.

By Mr. HILL: Petition of S. S. Bacon and others, of Putnam County, Ohio, asking for an increase of widows' pensions-to the Committee on

By Mr. HOUSEMAN: Resolution of the Legislature of Michigan, for the passage of Government telegraph bill—to the Committee on the Post-Office and Post-Roads.

By Mr. B. W. JONES: Memorial of the Wisconsin Legislature, on imported contract labor—to the Committee on Labor.

By Mr. PARKER: Resolutions of the Legislature of the State of New York, in relation to the National Board of Health-to the Select Committee on the Public Health.

By Mr. OSSIAN RAY: Papers relating to the claim of John Reeves

to the Committee on Claims.

By Mr. THOMPSON: Petition of Richard T. Yeatman, first lieutenant Fourteenth United States Infantry, to amend military record—to

Also, petition of Capt. James B. Sinclair, United States Army, retired, to have construed the act approved July 15, 1870, to ascertain amount of arrears due him under said act—to the same committee.

By Mr. VAN ALSTYNE: Joint resolution of the Legislature of New York, recommending the passage of an act to authorize the construc-tion of bridges, &c., for public improvement—to the Committee on Com-

Also joint resolutions of the Legislature of New York, recommending an appropriation for the National Board of Health-to the Committee

on Appropriations.

By Mr. A. J. WARNER: Petition of C. H. Grosvenor and others,

citizens of Athens County, Ohio, asking legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. MILO WHITE: Joint resolution of the Legislature of the State of Minnesota, urging the enlargement of the Sault Saint Mary's

Canal-to the Committee on Rivers and Harbors. By Mr. WHITING: Petition of citizens of Worcester County, Massachusetts, for an increase of widows' pensions-to the Committee on

By Mr. JOHN WINANS: Joint resolution of Legislature of the State of Wisconsin, to prevent importation of foreign labor under contract—to the Committee on Labor.

By Mr. YAPLE: Concurrent resolution of the Legislature of Wisconsin, relative to the Sumner postal telegraph bill—to the Committee on the Post-Office and Post-Roads.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. CUTCHEON: Of citizens of Luther, Mich.

By Mr. EVANS: Resolutions of the Legislature of Pennsylvania. By Mr. KEIFER: Of W. M. Abbott and 63 others, of Belle Centre; of James A. Mayer and 61 others, of Cardington; of Lewis W. Hebenthal and 122 others, of Dunkirk; and of Erastus Wilcox and 16 others,

of Pharisburg, Ohio.

By Mr. MORRILL: Memorial of the Legislature of Kansas.

By Mr. STEVENS: Of Mrs. Maria Turner, of Lockport, N. Y By Mr. WHITING: Of citizens of Orange, Amherst, Northfield, &c.,

SENATE.

TUESDAY, March 3, 1885.

The Senate met at 1 o'clock p. m.

Prayer by the Chaplain, Rev. E. D. Huntley, D. D.

The PRESIDENT pro tempore. The Journal of the proceedings of yesterday will be read.

Mr. COCKRELL. I ask unanimous consent that the reading of the Journal of yesterday's proceedings be for the present dispensed with.

Mr. INGALLS. I ask for the regular order.

The PRESIDENT pro tempore. The regular order is called for. The reading of the Journal will be proceeded with.

The Secretary proceeded to read the Journal of the proceedings of Monday, March 2.

Mr. MITCHELL (at 1 o'clock and 10 minutes p. m.). I move to dispense with the further reading of the Journal, with a view to ask the Senate to take up House pension bills favorably reported from the Com-

mittee on Pensions, and put them on their passage at this time.

The PRESIDING OFFICER (Mr. HARRISON in the chair). Senator from Pennsylvania asks unanimous consent that the further reading of the Journal be dispensed with. Is there objection?

Mr. INGALLS. I ask for the regular order.

The PRESIDING OFFICER. Objection is made. The reading of the Journal will proceed.

Mr. DAWES (at 1 o'clock and 15 minutes p. m.). I ask unanimous consent to call up the fortifications appropriation bill for consideration at this time.

The PRESIDING OFFICER. The Chair thinks the objection of the Senator from Kansas to the request that the reading of the Journal be dispensed with still stands, and that the request of the Senator from Massachusetts is not in order. The reading of the Journal will pro-

Mr. PLUMB. It is always in order to ask unanimous consent.

Mr. DAWES. I did not hear any objection.
Mr. HARRIS. It is certainly in order for the Senator from Massachusetts to ask unanimous consent of the Senate to dispense with the further reading of the Journal.

The PRESIDING OFFICER. That was not the request that the Senator from Massachusetts made. Pending the reading of the Journal the Senator from Massachusetts asked that the Senate proceed to the consideration of the fortifications bill.

Mr. DAWES. I ask unanimous consent to proceed to the consideration of the fortifications bill.

The PRESIDING OFFICER. Does the Senator from Massachusetts ask unanimous consent that the further reading of the Journal be dispensed with?

Mr. DAWES.

Mr. DAWES. Certainly.
The PRESIDING OFFICER. The Chair will submit the question

to the Senate. Is there objection?

Mr. INGALLS. I ask for the regular order.

The PRESIDING OFFICER. The Senator from Kansas objects.

The Secretary will proceed with the reading of the Journal.

The Secretary proceeded with the reading of the Journal.

Mr. DAWES (at 1 o'clock and 25 minutes p. m.). May I renew my request for unanimous consent to dispense with the further reading of

The PRESIDING OFFICER. The Chair thinks that the objection made by the Senator from Kansas must be considered as still operating.

Mr. DAWES. There is always a locus panitentiae.

The PRESIDING OFFICER. The Senator from Kansas has not

withdrawn his objection. The Chair thinks it must be treated as pending.

Mr. DAWES. I have no doubt the Senator from Kansas has already

Mr. HALE. It is a very interesting article that is being read. The PRESIDING OFFICER. The reading will proceed. Mr. HALE.

The Secretary continued and concluded the reading of the Journal.
The PRESIDING OFFICER. The Journal will be approved unless there is objection.

CREDENTIALS.

Mr. MILLER, of California, presented the credentials of Leland Stanford, chosen by the Legislature of California a Senator from that State for the term beginning March 4, 1885; which were read, and ordered to

EXECUTIVE COMMUNICATIONS.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of February 20, 1885, a report of the Commissioner of Railroads upon the subject of the transmission of telegraphic messages by corporations affected by the act of July 1, 1862; which was referred to the Committee on Railroads, and ordered to be printed.

The PRESIDING OFFICER laid before the Senate a letter from the

commissioners of the District of Columbia, submitting as a partial reply to Senate resolution of June 24, 1884, sundry statements showing tax collections, receipts, and disbursements on account of the water department and expenditures for streets and roads from 1875 to 1884, &c., and asking to be relieved from further action under the resolution; which was referred to the Committee on the District of Columbia, and

ordered to be printed.

The PRESIDING OFFICER laid before the Senate a letter from the Secretary of the Interior, transmitting a letter of the Commissioner of the General Land Office in which it is stated that the information called for by Senate resolution of the 26th ultimo regarding illegal timber-land entries, &c., in the Humboldt land district, California, can no be furnished during the present session of Congress; which, with the ac-companying papers, was referred to the Committee on Public Lands, and ordered to be printed. Mr. INGALLS. Is not that in connection with a response previously made to a resolution offered by the Senator from Colorado [Mr. HILL]? The PRESIDING OFFICER. The Chair understands that it is another matter.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 346) authorizing the immediate payment of the officers and employés of the Senate and of the House for the month of March, 1885, was read twice by its title and referred to the Committee on Appropriations.

PETITIONS.

The PRESIDING OFFICER presented a memorial of the Temperance Alliance of the District of Columbia, remonstrating against the passage of the bill (H. R. 7556) to regulate the manufacture and sale of spirituous and malt liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2462) giving a military record to James King, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the petition of John H. Stewart, praying an amendment of the act of Congress approved July 28, 1866, relating to bounties, submitted an adverse report thereon, which was agreed to; and the committee were discharged from the further consideration of the petition. Mr. MITCHELL, from the Committee on Pensions, to whom was re-

ferred the bill (H. R. 7990) granting a pension to Joseph Sansom, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the fol-He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (H. R. 5922) for the relief of George D. Guthrey; and A bill (H. R. 5953) granting a pension to Zenas Hamilton.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, submitted the following report; which was ordered to be filed:

The Committee on Claims, to whom was referred the petition of F. Barnard and others, of Texas, have carefully considered the same, and, in accordance with the resolution of the Senate of February 7, 1884, report as follows:

That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

Mr. PIKE, from the Committee on Claims, to whom was referred the bill (S. 199) for the relief of the heirs of Richard W. Meade, sub-

the bill (S. 199) for the relief of the heirs of Richard W. Meade, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MANDERSON, from the Committee on Printing, to whom were recommitted the following joint resolutions, reported them adversely and moved their indefinite postponement; which was agreed to.

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

of the Geological Survey.

LAND TITLES IN NEW MEXICO.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the letter of the Secretary of the Interior in response to a resolution of the Senate calling for copies of all the papers relating to alleged fraudulent land entries in New Mexico, and to move that the usual number of this report, with the accompanying papers, be printed as a Senate document.

The motion was agreed to.

INDIAN EDUCATION.

Mr. MANDERSON. I am directed by the same committee to report back the letter of the Secretary of the Interior transmitting, in answer to a Senate resolution of the 23d instant, a report of the Commissioner of Education regarding the progress of Indian education and civilization, and to move that the usual number of that document be printed. The motion was agreed to.

COMMITTEE ON TRANSPORTATION ROUTES.

Mr. ALDRICH, from the Committee on Transportation Routes to the Seaboard, who were by resolution of the Senate of July 6, 1884, "authorized to sit at any place within the United States during the recess of Congress, by subcommittee or otherwise, to take testimony for the purpose of preparing statistical data relative to freights, commodities, and prices, for the period from 1873 to the present time, the committee to report by bill or otherwise, and that the necessary expense thereof, including the services of a clerk, be paid out of the expenses for special and select committees, &c., of the contingent fund of the Senate," submitted a report; which was ordered to be printed.

BILL INTRODUCED.

Mr. MILLER, of New York (by request), introduced a bill (S. 2671) to extend the patent of Royal E. House for the improvements in elec-

tro-phonetic telegraphs; which was read twice by its title, and referred to the Committee on Patents.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennesse Railroad Company over the Cumberland and Caney Fork Rivers; in which it requested the concurrence of the Sen-

COMMITTEE ON STEEL-PRODUCING WORKS.

Mr. HAWLEY. Last July the Senate appointed a select committee of five to make a series of inquiries prescribed in the resolution concerning the production of steel, the manufacture of ordnance, the building of ships, the building of guns, &c. Every one remembers how busy last autumn was, how many of our committee were occupied in the Presidential campaign; nevertheless the committee met and visited the ship-yards and foundries at Boston, the harbor at Newport, establishments in New York, Philadelphia, Chester, Johnstown, Pittsburgh, and a subcommittee went to California and examined a new mine and new products there. We have collected for our report and have in type that which will make a very valuable appendix of five or six hundred pages; but with the hurry and interruptions I have spoken of, the committee could not complete, as it desired to do, its report this winter. I make, therefore, this report of progress, and leave it for the Senate to say what we shall do hereafter. I will say individually that I should like to go on with this work. It is not expensive, as we have managed it economically, and the material before us is rich. We think we have a very valuable appendix so far, but we can do very much better if we can go on through the coming recess.

The PRESIDING OFFICER. The Senator from Connecticut does

not ask any order.

Mr. MORGAN. From the same committee I report the following resolution, and ask for its present consideration:

Resolved by the Senate. That the select committee "to inquire as to the capacity of steel-producing works in the United States" be continued, with leave to complete the duties assigned to them by the resolutions of the Senate, and with the powers conferred upon them heretofore by the Senate, and that they report to the Senate at the session in December, 1885.

The PRESIDING OFFICER. Is there objection to the present consideration of this resolution? The Chair hears none.

The resolution was considered and agreed to.

W. H. MURDOUGH.

Mr. RIDDLEBERGER. I am free to confess that I do not know whether I am in order or not.

The PRESIDING OFFICER. The Chair will be unable to inform the Senator until he knows what his purpose is.

Mr. RIDDLEBERGER. I want to ask unanimous consent to take up the bill (H. R. 8183) to remove the political disabilities of W. H.

Murdaugh, of Virginia.

Mr. MANDERSON. I certainly do not desire to interpose any objection to that, but I hope the Senator from Virginia will allow us to

get through routine business.

The PRESIDING OFFICER. The Chair would suggest to the Senator from Virginia that the morning business has not yet been concluded, while it is in order at any time to ask unanimous consent.

Mr. RIDDLEBERGER. Then I withdraw the request. I want to make it during the day. I trust I shall be pardoned for being mistaken are here tree dear to present the labeling in the day.

taken as we have two days here in one and I can not tell which day it is.

RAILROAD BRIDGE IN TENNESSEE.

Mr. MANDERSON. I desire to submit a resolution and ask that it

may be read and now considered. The PRESIDING OFFICER. The Senator from Nebraska offers a resolution which will be read.

Mr. HARRIS. Will the Senator from Nebraska yield to me for a moment that I may ask the Chair to lay before the Senate a House bill?

Mr. MANDERSON. Certainly.
The PRESIDING OFFICER. The Chair lays before the Senate a

bill from the House of Representatives.

The bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers was read twice by its title, and referred to the Committee on Commerce.

COMMITTEE TO VISIT ALASKA.

Mr. MANDERSON submitted the following resolution:

Mr. MANDERSON submitted the following resolution:

Resolved, That a select committee of five Senators be appointed by the Chair, to proceed to Alaska during the recess of Congress, and inquire into and investigate the operation of the act of May 17, 1884, "providing a civil government for Alaska;" whether the system of government established by said act is adequate for the maintenance of order and the protection of the rights of persons and property; whether the said act is being properly executed by the officers appointed under the same; the condition of the natives or Indians of said Territory; their relations to the Government of the United States, and what legislation is required for their proper management; the condition and halmacter of mines, mining claims, and mining titles; the character of land tenures, or possessory or other titles to lands; the present condition and value of the public buildings belonging to the United States in said Territory; the manner in which the laws relating to customs and other laws and regulations have been and are

now being executed. Also to inquire into and investigate the past and present condition of the seal fisheries of the Pribolov Islands; whether the Alaska Commercial Company has heretofore compiled, and is now complying, with the terms of its lease from, and its agreement with, the United States, and the laws relating to said seal fisheries, or whether the said company has heretofore violated or is now violating the same in any manner; whether the officers of the Government appointed to see that said laws and the conditions of said lease are executed have been and are faithfully performing their duties; and whether the system in operation is adequate and proper for guarding and protecting the interests of the Government and the rights of said company in relation to said seal fisheries. Also, to inquire into the natural resources of said Territory, the character and value of its present and probable products; whether the general land laws, or laws relating to timber or mining lands, should be extended over said Territory; and to examine generally into all matters relating to the development of the said Territory and to the prosperity and welfare of its people. Said committee shall have power to sit in the vacation of the Senate at any place in the United States, to send for persons and papers, to examine witnesses, to appoint a clerk and a stenographer, and shall make report, with their recommendations in respect to future legislation to the Senate at the next regular session of Congress. The expenses of said committee, of the clerk, stenographer, witnesses, &c., shall be paid out of the contingent fund of the Senate, to be certified by the chairman of the committee and audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. COCKRELL. I think that had better be printed so that we can

Mr. COCKRELL. I think that had better be printed so that we can

The PRESIDING OFFICER. The resolution will be printed and lie over.

ORDER OF BUSINESS.

Mr. HALE. The first hour of the morning business having expired I move that the Senate proceed to the consideration of the deficiency appropriation bill.

Mr. BLAIR. I hope the unfinished business will first be laid before the Senate.

Mr. MILLER, of New York. Mr. President—
The PRESIDING OFFICER. The motion of the Senator from Maine is not subject to debate. The Senator from New Hampshire simply requests that the unfinished business be first laid before the Senate. The Chair is of the opinion that under the unanimous consent given, the pending order would now be the consideration of House pension business reported favorably on the Calendar; but if the motion of the Senator from Maine is agreed to, the pension bills will of course be displaced.

Mr. BLAIR. I hope the Senator will ask that the regular order be

informally laid aside.

Mr. HALE. I have no objection.

Mr. ALDRICH. I rise to a parliamentary inquiry. I did not understand whether the Senator from Maine or the Chair stated that the morning hour had expired. I was about to present a report from a committee

The PRESIDING OFFICER. The Chair is of opinion that the morning hour by analogy, if not by the rules, expired at 2 o'clock, and in that sense the motion made by the Senator from Maine is in order.

Mr. ALDRICH. I was not aware of any rule of analogy that applied in the Senate, and I should be very glad if the Chair would cause

any such rule or practice to be read.

The PRESIDING OFFICER. The Chair confesses that he is unable to find a rule that is adapted by the express mention of hours to the

circumstances of this day.

Mr. HALE. If my motion carries I shall have no objection to yield-

ing for reports to be presented and some light, formal business that will not occupy time.

Mr. BLAIR. I supposed it to be the duty of the Chair irrespective

of a motion to lay the unfinished business before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which is the bill (H. R. 7718) restoring John Snyder to the pension-roll. Does the Chair understand the Senator from Maine to move to proceed to the consideration of the bill named by him

or to ask that the pending order be informally laid aside?

Mr. HALE. Let it be informally laid aside.

The PRESIDING OFFICER. The Senator from Maine asks that the pending order be laid aside informally and that the Senate proceed to the consideration of the deficiency bill. Is there objection? The Chair

Mr. RIDDLEBERGER. I do not want to object, but I want to ask the Senator from Maine if he will not allow me to call up a bill that will not require debate, and not require one minute to pass it.

Mr. HALE. I should like to do that. I should like to oblige the Senator from Virginia, but there are a dozen Senators who proffer the same request. I am under some burden of responsibility about pushing this appropriation bill. ["Go ahead!"]

The PRESIDING OFFICER. Debate is not in order. The defi-

ciency appropriation bill is before the Senate.

Mr. RIDDLEBERGER. I object, Mr. President.
The PRESIDING OFFICER. The Chair understood that unanimous consent had been given, and the order was executed by laying the bill before the Senate

Mr. RIDDLEBERGER. I had not yielded the floor, and I object only because I want to pass my bill, and I think the Senator from Maine will allow me to do it.

The PRESIDING OFFICER. The Chair is of the opinion that the condition of business is this: The Chair called for unanimous consent

on the request of the Senator from Maine. No objection was made. The Chair then declared that unanimous consent was given and the Senate has proceeded to execute its order, and the deficiency appropriation bill has been laid before the Senate.

Mr. RIDDLEBERGER. The Chair had recognized me and I still

held the floor.

The PRESIDING OFFICER. The Senator from Virginia is mistaken. The Chair had some time before recognized the Senator, but after that time several Senators were recognized by the Chair.

Mr. HALE. I can solve this trouble very easily. I am willing that the appropriation bill be informally laid aside that the Senator from

Virginia may make his report.

W. H. MURDAUGH.

Mr. RIDDLEBERGER. I want to pass a bill. I move to take up House bill 8183, and I desire to state that the only reason I have been so persistent about it grows out of the fact that this man was an Army officer and did happen to owe what he did not know he did owe the United States. The committee declined to remove his disabilities on that account. The fact never having been communicated to him until last week he has come have and account. last week, he has come here and squared his accounts, and I think he ought to have his political disabilities removed.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8183) to remove the political disabilities of W. H. Murdaugh, of Virginia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed (two-thirds of the Senate without amendment). ators present voting in favor thereof.)

COMMITTEE ON TRANSPORTATION.

Mr. CULLOM. In connection with report made by the Senator from Rhode Island [Mr. ALDRICH] I ask leave to submit the following reso-

Resolved, That the Committee on Transportation Routes to the Seaboard be authorized to sit during the recess of Congress by a subcommittee or otherwise, to employ a stenographer, and with the same authority given the committee under the resolution of July 6, 1884.

The PRESIDING OFFICER. Is there objection to the present reception of this resolution? The Chair hears none, and the resolution before the Senate.

Mr. MILLER, of New York. I ask that it lie over.
The PRESIDING OFFICER. The Senator from New York objects
to its consideration, and the resolution will lie over.
Mr. CULLOM. I hope the Senator will not do that.

RAILEOAD BRIDGE IN TENNESSEE.

Mr. VEST. I desire to make a report from the Committee on Com-

The PRESIDING OFFICER. The report will be received if there

be no objection.

Mr. VEST. I am instructed by the Committee on Commerce to report favorably without amendment the bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers.

Mr. CONGER. I ask that that bill be considered at this time. The PRESIDING OFFICER. Is there objection to the present con-

sideration of the bill?

Mr. SHERMAN. It seems to me we ought to go on with the appropriation bill.

The PRESIDING OFFICER. Objection is made to the request of the Senator from Michigan.

CLAIMS FOR HORSES AND OTHER PROPERTY.

Mr. COCKRELL. I ask unanimous consent to have the Committee on Claims discharged from Executive Document No. 101, being a letter from the Secretary of the Treasury transmitting a supplemental list of claims allowed by that Department under the act of March 3, 1883, for horses and other property lost in the military service, which was referred by mistake to the Committee on Claims and ought to have gone to the Committee on Appropriations for insertion in the deficiency bill. I move that the Committee on Claims be discharged from the further consideration of the document and that it be referred to the Committee on Appropriations.

The motion was agreed to.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

Mr. HALE. I ask that the first or formal reading of the bill be dis-

pensed with, and that it be read for consideration, the amendments of the Committee on Appropriations being first passed upon as they are

reached in the reading.

The PRESIDING OFFICER. The Senate has heard the request of the Senator from Maine. Is there objection? The Chair hears none, and that order will be taken.

The Secretary proceeded to read the bill. The first amendment re-

ported by the Committee on Appropriations was, under the head of "Department of State," after line 11 of section 1, to insert:

For salary of stenographer to the Secretary of State from March 15 to June 30, 1885, \$594.74.

The amendment was agreed to.

The next amendment was, after line 15, to insert:

The next amendment was, after line 15, to insert:

To enable the Department of State to ascertain what records or other documents are in existence either in France or Spain or the French colonies affecting the rights or claims of American citizens under the act of Congress approved January 20, 1885, entitled "An' act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st of July, 1801," and to procure said records and documents, or certified copies thereof, the sum of \$5,000, in addition to the sum already appropriated for that purpose, this amount to be expended under the direction of the Secretary of State and to be immediately available.

The amendment was agreed to.

The next amendment was, after line 28, to insert:

For payment of a draft of T. MeF. Patton, United States consul at Osaka and Hiogo, Japan, drawn in payment of salary of the interpreter at said consulate for the third quarter of 1884, \$82.88.

The amendment was agreed to.

The next amendment was, after line 33, to insert:

To pay to Louise R. S. Wing, the widow of E. Rumsey Wing, late minister of the United States to Ecuador, a sum equal to the salary of said minister for six months, in addition to all legal allowances.

The amendment was agreed to.

The next amendment was, after line 37, to insert:

To pay to Louise F. Hunt, the widow of William H. Hunt, late envoy extraordinary and minister plenipotentiary of the United States to Russia, a sum equal to the salary of said minister for six months, in addition to all legal allowances.

The amendment was agreed to.

The nextamendment was, under the head of "Foreign intercourse," after line 43, to insert:

For payment of the annual rental of legation buildings in Tokio, Japan, up to March 15, 1885, \$3,400.

The amendment was agreed to.

The next amendment was, after line 74, to insert:

To enable the accounting officers, without the payment of any money from the Treasury, to allow from the unexpended balance of said appropriation for the fiscal year 1883 the amount disbursed by G. H. Heap, secretary of legation at Constantinople, during the fiscal year 1884, in excess of the appropriation for that year, being a deficiency for the fiscal year 1884, \$550.

The amendment was agreed to.

The next amendment was, after line 98, to insert:

The next amendment was, after line 98, to insert:

To enable the accounting officers to pay to George P. Pomeroy, late agent and consul-general of the United States at Cairo, Egypt, the amount allowed under section 1740 of the Revised Statutes for his transit from his late post (at Cairo) to his residence in the United States, namely, from July 6, 1884, to August 9, 1884, no appropriation for the salary of the agent and consul-general at Cairo having been provided in the act making appropriations for the consular and diplomatic expenses of the Government for the fiscal year ending June 30, 1885, approved July 7, 1884, being a deficiency for the fiscal year 1885, \$475.54.

The amendment was agreed to.

The next amendment was, to strike out the clause from line 114 to line 117, inclusive, as follows:

To reimburse Thomas B. Van Buren for expenses incurred by him in the fis-cal year 1876 for the relief and transmission to the United States of three dis-charged naval seamen, \$47.

The amendment was agreed to.
The next amendment was, after line 117, to insert:

To enable the Secretary of State to pay the bills of expenses incurred from May 4, 1883, to September 6, 1883, inclusive, by F. W. Rice, then consul of the United States at Colon, in earing for an American vessel, the Mary C. Comery, abandoned by her master and crew in the harbor at that place, \$534.50.

The amendment was agreed to.

The next amendment was under the head of "Treasury Department," in the appropriations for "independent Treasury," after line 201, to

For depositary, in addition to his pay as postmaster, being for the service of the fiscal year ending June 30, 1879, \$1,500.

The amendment was agreed to.

The next amendment was, after line 205, to insert:

For depositary, in addition to his pay as postmaster, \$700, being the difference between the amount of salary per annum of this officer, \$1,500, as fixed by the act of May 8, 1872, and the amount appropriated for the fiscal year ending June 30, 1880.

The amendment was agreed to.

The next amendment was, under the head of "Territories," to strike out the clause from line 237 to line 253, inclusive, as follows:

out the clause from line 237 to line 253, inclusive, as follows:

And all suits or proceedings pending in the district courts of Dakota and Washington Territories at the time of the passage of said act, and which would, if instituted after the passage of said act, be required to be brought in the new districts created and provided for in said act, may be transferred by consent of parties to said new district courts, and there disposed of in like manner and with like effect as if the same had been there instituted; and all writs and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the courts of the said new districts respectively in the same manner and with like effect as if they had issued or had been taken in reference thereto originally; and the counties of Skamania and Spokane, in said Washington Territory, shall constitute part of the fourth judicial district thereof until the Legislature shall meet and otherwise provide.

Mr. McMILLAN. I ask unanimous consent that that amendment may be passed over without action at present. The Senator from Massachusetts [Mr. HOAR] is interested in it.

Mr. VOORHEES. I rose for the purpose of asking an explanation of why the clause is stricken out. I concur with the Senator from Minnesota that it should be allowed to pass over.

The PRESIDING OFFICER. The Senator from Minnesota asks

unanimous consent that this amendment proposed by the Committee

on Appropriations be passed over for the present.

Mr. McMILLAN. There is a report from the Committee on the Judiciary of the Senate affecting the question involved in this clause, and the Senator from Massachusetts is absent from the Chamber at present.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and the amendment will be passed over for the

present.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Engraving and printing," to strike out lines 286 and 287, as follows:

For paper, express charges, and printing of national-bank notes, \$40,000.

The amendment was agreed to.

The next amendment was, after line 287, to insert:

For engraving, printing, and finishing United States notes, gold and silver certificates, registered bonds for transfers, and other securities, \$30,000.

The amendment was agreed to.

The next amendment was, after line 290, to insert:

For engraving (except face-plates), printing, and finishing circulating notes for national banking associations, \$40,000.

The amendment was agreed to.

The next amendment was, under the head of "United States Fish Commission," after line 299, to insert:

For propagation of food-fishes, \$12,000

Mr. MORGAN. I desire to ask the Senator from Maine how this

Mr. MORGAN. I desire to ask the Senator from Maine how this money is to be expended—under whose charge and direction?

Mr. HALE. Perhaps the Senator knows that this is all under the charge of the Fish Commission, of which Professor Baird is the head. It is simply the continuation of the great work which is being done under that commission of propagating the different kinds of food-fish and distributing them throughout the country.

Mr. MORGAN. Under the direction of Professor Baird?

Mr. HALE. Yes.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the clause making appropriations "for repairs to the vessels of the United States Fish Commission," after the word "cents," in line 310, to strike out:

And the assistant to the United States Fish Commissioner authorized by the act of March 3, 1883 (Statutes at Large, volume 22, page 628), shall hereafter be designated as assistant commissioner.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous, Treasury," after line 330, to insert:

For payments of judgments and awards against the United States, \$70,000, or so much thereof as may be necessary, to pay the judgments and awards made in pursuance of an act of Congress entitled "An act to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin," approved March 3, 1875, and on which judgments and awards no appeal is pending, or on which the time for an appeal has expired, and on which the liability of the Government is established: Provided, however, That no part of the money hereby appropriated shall be available except on the certificate of the Attorney-General to the Secretary of the Treasury that the liability of the United States is established, and then only in an amount to be by him fixed, not exceeding the amount of the judgment or award.

The amendment was agreed to.

The next amendment was, after line 376, to insert:

To pay A. W. Bash, on account of expenses of collecting the revenue from customs prior to July 1, 1882, \$746.

The amendment was agreed to.

The next amendment was, after line 380, to insert:

To pay Phelps, Stokes & Co., on account of refunding taxes illegally collected prior to July 1, 1882 (internal revenue), \$4,020.36.

The amendment was agreed to.

The next amendment was, after line 394, to insert:

Fuel, light, water, and miscellaneous items required by the janitors and firemen in the proper care of the buildings, furniture, and heating apparatus, exclusive of personal service, for all public buildings under control of the Treasury, Department, being a deficiency for the fiscal year 1885, \$75,000.

The amendment was agreed to.

The next amendment was, after line 410, to insert:

For payment to the credit of the Union Pacific Railway Company (Kansas division) for transportation furnished January 10, 1876, on account of the ethnological exhibit of the Smithsonian Institution at the international exhibition, Philadelphia, 1876, \$33.40.

The amendment was agreed to.

The next amendment was, after line 434, to insert:

For payment of the expenses of the committee of the National Academy of Sciences incurred in preparing answers to inquiries of the joint commission considering the Government surveys, \$239.90.

The amendment was agreed to.

The next amendment was, under the head of "National Board of Health," after line 450, to insert:

To pay Michael Coulan for services as messenger in the National Board of Health from July 24, 1879.

Mr. HALE. Let that amendment be passed over informally, The PRESIDING OFFICER (Mr. HARRIS in the chair). If there be no objection the amendment will be passed over informally. The next amendment reported from the Committee on Appropriations will be announced:

The next amendment was to strike out the clause from line 454 to line 456, inclusive, as follows:

That all laws and parts of laws authorizing the establishment of the National Board of Health be, and the same are hereby, repealed.

The amendment was agreed to.

The next amendment was, in the appropriations "for payment of the judgments of the Court of Claims," in line 542, to reduce the appropriations for the claim of Austin Messinger from \$5,826 to \$2,040.

The amendment was agreed to.

The next amendment was, in the same clause, line 544, to increase the appropriation for the claim of "William Roeber" from \$2,040 to

The amendment was agreed to.

The next amendment was, in line 552, before the name "Bendel," to strike out "R." and insert "B.;" so as to read:

The amendment was agreed to.

The next amendment was, in line 555, to insert "the initial R." before the name "Rootes;" so as to read:

Thomas R. Rootes, \$375.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 575.

Mr. HOAR. I ask the attention of the Senator from Maine for a moment. I ask unanimous consent to insert in this paragraph:

Edward Bradbury, \$1,950.

He has obtained, I am informed, a judgment of the Court of Claims for that sum, and the certificate of the court was sent to the committee, but it was overlooked, I suppose.

Mr. HALE. Will the Senator inform me whether the time in which

an appeal may be taken has expired?

Mr. HOAR. That is covered by the proviso beginning in line 573: Provided, That none of the aforesaid judgments shall be paid until the right of appeal shall have expired.

He will have to wait fifteen months.

Mr. HALE. There are a great many claims where judgments have been rendered. The rule of the committee is to insert only those where the right of appeal has expired. The proviso was put in as a matter of extra precaution, but the rule is not to pay any judgment until the time for taking an appeal has expired.

Mr. HOAR Lives not informed on that point Lichall withdraw.

I was not informed on that point. I shall withdraw

the request for the present.

The reading of the bill was resumed. The next amendment of the

Committee on Appropriations was, after line 575, to insert:

To pay Albert Grant for interest at 5 per cent. per annum on judgment of Court of Claims for \$14,016.29, from Jenuary 17, 1870, the date the original transcript was filed with the Secretary of the Treasury, until paid, a sufficient sum to pay the same, the principal of the judgment having been appropriated for at the last session of Congress.

Mr. JACKSON. Is that amendment open to a question of order? If so, I raise the question of order on it.

Mr. BAYARD. It is a private claim.
Mr. JACKSON. It is a private claim, and never has been consid-

ered by any committee.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. Jackson] raises a question of order on the amendment on the ground that it is a private claim.

Mr. JACKSON. It was never considered by any committee, and there is no recommendation from any department to pay it.

The PRESIDING OFFICER. If it be a private claim, the Chair

does not hesitate to rule the amendment out of order.

Mr. JACKSON. It certainly is.
Mr. HALE. The Senate Committee on Appropriations does not propose to put any private claims upon the bill. This item was put upon it, being regularly sent by the Secretary of the Treasury in a letter accompanying the documents with the decision of the court, and considerations touching the case, and upon that the committee inserted the

The PRESIDING OFFICER. Is it to pay a judgment of the Court of Claims?

Mr. HALE. It is to pay a judgment of the Court of Claims.
The PRESIDING OFFICER. It being to pay a judgment of the Court of Claims, the Chair would hold the amendment to be in order.
Mr. JACKSON. I will explain in what way it is to pay a judgment

of the Court of Claims.

Mr. HALE. It is not like the other judgments, of course.
Mr. JACKSON. No; it is not like the other judgments. The judgment was rendered for the principal in June, 1883. The claimant declined to take the principal unless he was allowed interest, and he is here claiming interest for thirteen years prior to the rendition of the judgment. The question of interest is the only question in the case.

No adjudication has ever been made as to that; there has been no report of any committee made upon it, and there has been no recommenda-tion of any department upon it. I think the amendment is clearly out of order.

Mr. BAYARD. Independent of that, would it not be an entire violation of the rule of the Government in respect to interest? Every other man with a judgment in the Court of Claims loses his interest. That forms a part of the hardship of all appeals from the judgment of the Court of Claims. I have known men whose whole fortunes were hung up in a judgment found in the Court of Claims, and who were kept without interest until an appeal to the Supreme Court could be had, and then, when the judgment was affirmed, not a dollar of interest went with the money

The PRESIDING OFFICER. As there is no agreement as to the precise state of facts upon which the opinion of the present occupant of the chair on the question of order would depend, the Chair will sub-

mit the question of order to the Senate.

Mr. BLAIR. I wish to state the facts in regard to this case as I understand them. In 1867 Albert Grant, the claimant, constructed a public building in Philadelphia by contract with the Government. Certain extra work was required, alterations were made as the construction went along, for which the contractor was to be compensated by extra pay. After the building was completed a controversy arose as to the amount which should be paid the contractor for the extra work and it was adjudicated in the Court of Claims. The contractor claimed

\$48,000 as extra pay.

The question arose whether he was to be paid \$48,000 or \$34,000.

Testimony was taken and the court adjudicated the claim, and by its minutes rendered a judgment for the amount of \$48,000. judgment came to be entered on the record, the judge who extended it, by an accident took the wrong bill of items, the wrong aggregate, which amounted to \$34,000 instead of that which amounted to \$48,000, so that the record by mistake gave the claimant only the smaller sum, and thus the judgment was extended. Thereupon the claimant, finding the judgment thus erroneously entered, and needing the money that was evidenced by the judgment, filed according to law his transcript of the record as it then stood in the Treasury Department before the Comptroller and obtained his \$34,000.

As to the law bearing upon the question of interest, I ask the attention of the Senator from Delaware, for this is a very important matter tion of the Senator from Delaware, for this is a very important matter to a man who is not likely to live a great while, and who has had a fifteen years' controversy to get his just dues adjudicated to him. I understand the state of the law to be that where a judgment has been obtained in the Court of Claims in favor of a party, he thereupon filing a transcript of that judgment before the Treasury Department becomes entitled from that date to interest upon the judgment. On January 17, 1870, Mr. Grant filed a transcript of the judgment of the Court of Claims, and received the amount of \$34,000. Thereupon he applied to Congress for permission to go to the Court of Claims to re-examine its minutes and records, showing what its decision was intended to be, what its record should have been made. After being bandied about from one House of Congress to another, year after year, with a great from one House of Congress to another, year after year, with a great many favorable reports, and sometimes the bill passing in one House and not in the other, in the year 1883 an act was finally passed author-

izing the Court of Claims to reopen its judgment, and to make it as they originally designed to make it, \$48,000.

In accordance with the provisions of that act, early in 1884, I think, the court proceeded to re-examine the case, found all the allegations of Mr. Grant to be as I have stated, and rendered a judgment nunc pro tunc for the balance, \$14,000, rendering a judgment as of the date of the original judgment and as verging in and being a part of the origi-

nal judgment.

Mr. JACKSON. Will the Senator yield to me in that connection?
Mr. BLAIR. Certainly.
Mr. JACKSON. The Senator is mistaken about the judgment have ing been rendered nune pro tune. I have it before me. was rendered just for the \$14,000 in June, 1883. The judgment Mr. BLAIR. I do not understand that to be the way, but suppos-

Mr. BLAIR. I do not understant that to be starting it ing it to have been the way of it—

Mr. JACKSON. It is the way.

Mr. BLAIR. The judgment was rendered. All the items are in the report and in the papers as they were before the committees of both report and in the papers as they were before the committees of both control of the committees of both report and in the papers as they were before the committees of both reports and the papers was a starting to the papers was a st Houses of Congress, from year to year, showing that the balance was precisely the sum for which the second judgment was rendered. Thereupon the Attorney-General made his appeal to the Supreme Court of the United States. I have here the decision of the Supreme Court, and that I understand to be substantially to the effect that this sum of \$14,016.29 was a part, and should have been made a part, of the original judgment, and should have been so recorded. That can not be controverted at all. So the judgment of \$14,016.29 is really and truly a part of the original amount adjudicated to be due in the year 1869, and on which Albert Grant was rightfully entitled to interest from the time when he fold his transition of the original amount adjudicated to be due in the year 1869. time when he filed his transcript of the original record, which, erroneously made, did not happen to include it, but which should have included it upon the minutes of the court itself.

The PRESIDING OFFICER. Does the Chair understand the Scuator from New Hampshire as stating that the jugdment of \$14,000 was

Mr. BLAIR. I have not stated that as yet. I am coming to that

point.

The PRESIDING OFFICER. Will the Senator allow the Chair— Mr. BLAIR. I am stating the nature of the \$14,000 judgment, that it was to correct an error, a mistake of the court, the agent of the United States, in making up the record of its original finding. By an accident, by a mistake, the court took a list of items, amounting to \$34,000, when its own judgment and its own minutes, its own decision, showed that it designed to render a judgment of \$48,000. After years of effort in both Houses of Congress, Mr. Grant finally succeeded in getting an act through Congress authorizing the court to correct that mistake, and when the mistake was corrected it was designed to be corrected in such a way as to give him the benefit of his original judgment at the time of the close of the original controversy; that is,

Now, to proceed: At the last session, I think, but I am not quite sure, an appropriation to satisfy this judgment was asked for, and it was

made.

The PRESIDING OFFICER. Will the Senator allow the Chair to inquire as to the precise facts which would control the decision of the Chair upon the question of order? Was the judgment rendered by the court for the \$14,000 a balance paid to the claimant, and is this a claim for interest supposed to have accrued before that payment was made?

Mr. BLAIR. The appropriation for the principal was made, but the claimant applying at the Treasury for his money, expecting the interest as a matter of course upon the judgment as from January, 1870, was told by the Treasury officials that it would be unsafe for him to take the principal until the interest itself was in form appropriated for. Therefore he has allowed the principal to remain in the hands of the Treasury Department, and comes here asking for this formal apthe Treasury Department, and comes here asking for this formal appropriation for the amount of interest; so that no money whatever under the appropriation for the payment of this judgment, either prin-

cipal or interest, has ever been received by the claimant.

That is the precise fact upon the point in regard to which the Chair asked. The claimant now asks an appropriation covering in direct terms the interest, and expects with the appropriation of the last session and this appropriation for the interest, to get the entire amount due by reason of the mistake made by the court in 1870.

The PRESIDING OFFICER. Does the Chair understand the Senator to state that the appropriation contained in the amendment is to constitute that the senator of the property of the proper

cover interest that is supposed to have accrued upon the principal of the debt?

Mr. BLAIR. Yes, sir; upon this balance.

The PRESIDING OFFICER. Then the Chair does not hesitate to rule the amendment to be out of order.

Mr. BLAIR. I desire to ask the Chair to state the ground of his decision, because undoubtedly the ruling may be right.

The PRESIDING OFFICER. The Chair holds that the claim is a

private claim, and being so it is out of order on this appropriation bill.

Mr. BLAIR. I do not myself understand how that can be the case.

The interest is a part of the judgment.

The PRESIDING OFFICER. Does the Senator from New Hamp-

shire appeal from the decision of the Chair? Mr. BLAIR. I do not take an appeal from the decision of the Chair,

but it results in a very great injustice.

The PRESIDING OFFICER. The reading of the bill will proceed. The next amendment of the Committee on Appropriations was, under the head of "District of Columbia," after line 584, to insert:

Metropolitan police, contingent expenses: To pay Washington Gas-Light Company, gas for police headquarters, May and June, 1879, \$50.85.

Executive office, contingent expenses: To pay the Public Printer for printing and binding three hundred copies of Report of Commissioners for 1881, \$341.71.

The amendment was agreed to.

The next amendment was, after line 607, to insert:

Assessor's office: To pay G. A. Hall the difference between salary as messenger, at \$50 per month, and salary as clerk, at \$1,200 per annum, from July 1, 1882, to June 1, 1883, eleven months, he having performed the duties of clerk during that time, being for the service of the fiscal year 1883, \$550.

The amendment was agreed to.

The next amendment was, after line 615, to insert:
Furniture for new school buildings: To pay J. W. Boteler & Son for furniture for Analostan school, being a deficiency for the fiscal year 1883, \$6.50.

The amendment was agreed to.

The next amendment was, after line 619, to insert:

Miscellaneous expenses: To pay H. Cowling for use of carriage for Senate Committee on the District of Columbia in visiting charitable and reformatory institutions, being for the service of the fiscal year 1883, \$19.50.

The amendment was agreed to.

The next amendment was, after line 649, to insert:

To pay F. H. Bates for services as military instructor at the High School, \$300.

The amendment was agreed to.

The next amendment was, in line 653, to reduce the appropriation

"for repairs to school buildings, being a deficiency for the fiscal year

1884," from \$364.17 to \$64.17.

The amendment was agreed to.

The next amendment was, after line 672, to insert:

And any balances of appropriations for the District of Columbia under the head of improvements and repairs for the fiscal year 1885 that remain unexpended June 30, 1885, may be applied to meeting deficiences in any item of appropriations for the improvement or repair of streets and county roads for the ame year.

The amendment was agreed to.

GEORGE E. SPENCER.

Mr. JONES, of Nevada. I ask that the pending order may be laid aside informally in order that I may call up a resolution on the Calendar which was reported from the Committee on the Contingent Expenses of the Senate.

Mr. PLUMB. I do not know to what the Senator refers; but would it not be better for us to take up such things after the passage of the appropriation bill rather than to do it now?

Mr. JONES, of Nevada. This will only take a moment.

The PRESIDING OFFICER. Does the Chair understand the Sen-

ator from Kansas to interpose an objection?

Mr. PLUMB. I do not want to object, but I have a number of bills here that I should be glad to have taken up.

Mr. HALE. The resolution now called for will involve no debate, I

understand.

Mr. JONES, of Nevada. It will lead to no debate.

The PRESIDING OFFICER. The Senator from Nevada asks the manimous consent of the Senate that the appropriation bill may be informally laid aside in order that the Senate may proceed to the consideration of a resolution reported from the Committee to Audit and Control the Contingent Expenses of the Senate. The resolution will be read for information.

The resolution was read, as follows:

Resolved, That there be allowed and paid from the contingent fund of the Senate to George E. Spencer, formerly a Senator from the State of Alabama, the sum of \$7,132, being the amount actually and necessarily expended by him in maintaining his title to his seat.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada to lay aside informally the appropriation bill and consider the resolution just read? The Chair hears no objection. The resolution is before the Senate, and the question is on agreeing

Mr. COCKRELL. I simply desire to say that I am opposed to the principle involved in the resolution. It is vicious. In my opinion there is no justice or equity in it. I do not desire now to consume any of the time of the Senate in stating further my opinion in regard to it. The resolution was agreed to.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and

for prior years, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "War Department," to strike out the clause from line 741 to line 751, inclusive, as

For payment of taxes upon lots numbered 6 and 7 in square numbered 169, Washington, D. C., assessed prior to July, 1874, including interest and cost of advertising, being for the service of the fiscal year 1855 and prior years, \$543.30; and the Attorney-General of the United States is hereby directed to proceed against the warrantors upon the covenants in the conveyance to recover back said sum, in the name of the United States.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Quarter-master's Department," to strike out the clause from line 760 to 763, inclusive, as follows:

To pay to Mrs. M. L. Eddins, holder of claim of Meader and Morris for amount found due for Army transportation, 1881 and prior years, \$42.90.

The amendment was agreed to.

The next amendment was, to strike out the clause from line 764 to line 769, inclusive, as follows:

To pay William H. Farrell amount of claim allowed under incidental expenses Quartermaster's Department, and reported to Congress in House Executive Document No. 153, page 36, Forty-eighth Congress, second session, \$88.90.

The amendment was agreed to.

The next amendment was, in line 799, to increase the total amount of the appropriation for the various expenses of the Quartermaster-General's Department from \$15,000 to \$50,000.

The amendment was agreed to.

The next amendment was, after line 804, to insert:

To John Finn, \$2,800, being the purchase-price for mules bought from him in November, 1864, and payable from the appropriations for "Transportation of the Army and its supplies, 1882 and prior years" (fiscal year 1865), which is exhausted.

The amendment was agreed to.

The next amendment was, to strike out the following clause from line 812 to line 814, inclusive:

For necessary improvements and construction of quarters for the non-commissioned staff of the Army, \$18,079.

The amendment was agreed to.

The next amendment was, in the appropriations for "buildings and grounds in and around Washington," after line 821, to insert:

Increasing the water supply of Washington, D. C.: For completing payment for land taken for a reservoir under the act to increase the water supply of the city of Washington, and for other purposes, approved July 15, 1882, in addition to a like amount appropriated for the same purpose by act of July 7, 1884, \$87,500: Provided, That this appropriation shall be subject to the same provisions and restrictions named in said act of July 15, 1882.

The amendment was agreed to.

The next amendment was, in the appropriations for the Signal Service, after line 867, to insert:

Means of transportation, namely: For one horse, to replace one rendered unservicable since appropriation for present fiscal year was passed, \$200.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous objects," after line 912, to insert:

Pay of two and three year volunteers: For payment of arrears of pay, &c., to officers and men who served in the war of the rebellion, which may be certified to be due by the accounting officers of the Treasury Department, being for the service of the fiscal year 1871 and prior years, \$50,000.

The amendment was agreed to.

The next amendment was, after line 919, to insert:

Bounty to volunteers and their widows and legal heirs: For payment of amounts of bounty to volunteer soldiers who served in the war of the rebellion, and their widows and legal heirs, which may be certified to be due by the accounting officers of the Treasury Department, being for the service of the fiscal year 1871 and prior years, \$60,000.

The amendment was agreed to.

The next amendment was, after line 926, to insert:

Bounty under act of July 28, 1866; For payment of amounts of additional bounty under the act of July 28, 1866, which may be certified to be due by the accounting officers of the Treasury Department, being for the service of the fiscal year 1880 and prior years, \$50,000.

The amendment was agreed to.

The next amendment was, after line 933, to insert:

Commutation of rations to prisoners of war and soldiers on furlough: For payment of amounts which may be certified to be due by the accounting officers of the Treasury Department for commutation of rations to prisoners of war in robel States and soldiers on furlough, being for the service of the fiscal year 1871 and prior years, \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," after line 949, to insert:

To pay the Harlan and Hollingsworth Company for the use and occupation of their ship-yard by the ironclad Amphitrite, and the care of said vessel, and expenses to which they were subject for watching and storage of turrets, pilothouses, guns, &c., from July 8, 1876, to December 29, 1882, \$67,987.

Mr. McPHERSON. Before that amendment is voted on I should like to ask the Senator from Maine who has charge of the bill if there was an agreement between the Navy Department and the gentlemen whose names appear in these amendments as to the amount to be paid for the service rendered. It seems to me to be a most extraordinary thing that the United States must pay for three of the iron-clad monitors a sum equivalent to almost \$200,000 for the care of those ships in ship-yards. I was not aware that any agreement had been reached between the Navy Department and these gentlemen; and certainly I was not aware that so large a sum had been allowed them. Can the Senator give me

that so large a sum had been anowed them. Can the centure give me the information?

Mr. HALE. The Senator undoubtedly knows that these ironclads remained in the yards of the ship-builders for several years, no appropriations having been made by Congress for continuing the work upon them. They occupied conspicuous places in the yards, and of course were in the way of other business. The contractors had no power to remove them. Finding that Congress did nothing, attention was called to the subject, and the Secretary of the Navy was directed by a resoluto the subject, and the Secretary of the Navy was directed by a resolution, or a clause in an appropriation act, to appoint a commission to consider the whole subject and report what amounts were fairly due the owners of these ship-yards for the use of their property during those years by the Government.

The amounts inserted here by the committee are the amounts reported by that commission, not varying at all in any particular. They are the same amounts which were inserted last year and passed by the Senate, but thrown off in a conference between the two Houses. That

is why they are put on this year.

Mr. McPHERSON. Do I understand the Senator to say that a board of naval officers was appointed by the Secretary of the Navy to adjust this claim between the Navy Department and the three different firms

Mr. HALE. Not to adjust, because that depends upon Congress giv-

ing the money.

Mr. McPHERSON. To recommend?

Mr. HALE. Yes, to fix the amount. In one case at least one of the owners of the yards feltso aggrieved that he declined to take the amount reported and refused in any way to submit his claim to the Navy Department. It was only after much controversy and after the recommendation had been made that the others should be appropriated for, that he came in and agreed to take the amount fixed upon in full pro-

vided it should be appropriated.

Mr. McPHERSON. This is a matter with which I suppose I ought to be as familiar as the Senator from Maine, serving on the Committee

on Naval Affairs with him, but it has entirely slipped from my recollection. I understand this action to have been taken under the authority of a resolution of Congress directing the Secretary of the Navy to adjust the claims of these gentlemen. Will the Senator inform me to adjust the claims of these gentlemen. Will the Senator inform me still further, because his recollection of the matter is certainly better than my own, what other directions were given to the Secretary of the Navy touching these ships? Were they to be removed from these dif-ferent navy-yards and stored somewhere, or are they there still subject to the same expense each year that has been laid upon them between the years 1877 and 1882?

Mr. HALE. It is not a very easy matter to remove them. One of

them is in California. One of them has been launched and taken around to the navy-yard at Washington for her armor and armament.

The others are in yards on the Atlantic coast.

Mr. McPHERSON. This bill only speaks of three, the Amphitrite, the Terror, and the Puritan. As to the one in California the resolution, I believe, did not touch that ship, because it is in the navy-yard in California. As to the Monadnock it was held in possession of the Government and was in the Government yard at the time when the resolution was passed directing the Secretary of the Navy to make the adjustment. But as to the three ships named here, are they still in the yards of Mr. Roach, Mr. Cramp, and the Harlan & Hollingsworth Com-

Mr. HALE. As I have said, two of them are in those yards. The Monadnock has been removed from the private yard where she was to the navy-yard at Mare Island in California. The other two remain, and work has since been done upon them by the contractors under the appropriation of three years ago. If Congress appropriates as is covappropriation of three years ago. If Congress appropriates as is covered in the naval appropriation bill this year as reported by the Senate Committee, it is expected that work will go on and they will be completed. Of course while they are being worked upon and the contractors are spending money upon them, completing them, no charge is made for rent. No charge would have been made undoubtedly had the work gone on from the beginning, but the long delay of years was so burdensome that the owners of the yards felt that they had a claim for rent.

The whole matter was submitted to this commission. I will say to the Senator that I never heard any fault found with the amounts re-

ported except by the owners of the yards. They did complain.

I do not think it is strange that the Senator does not have this item in his mind. I did not get it precisely in the Naval Committee, but more because of my familiarity with the appropriations here and in the other branch years ago. Otherwise I should not have had it in my

Mr. McPHERSON. If the Senator will bear with me a moment longer, it seems to me as though there was no intention on the part of Congress to complete these ships, and therefore I did expect that when the committee proposed any legislation touching them they would certainly provide in some way that the Government should take possession of them and take them from these different ship-yard establishments, and place them in their own navy-yards, where, at least, we should not be subject to the annual expense of care and storage. That was the reason why I made the inquiry.

Mr. CAMERON, of Wisconsin. I wish to ask the Senator from

Maine whether in his opinion these amendments are or are not for the purpose of paying private claims, and if so, whether they are in order under Rule XVI.

Mr. HALE. They are based upon a resolution of Congress directing an investigation to be made, and the items have been regularly sent in by the Department. That has been done for years. Mr. CAMERON, of Wisconsin. There is another amendment pro-

posed by the committee on page 52. I desire to make the same inquiry in regard to that amendment.

Mr. HALE. When we get to that I shall look it up.
Mr. CAMERON, of Wisconsin. If the Senator will turn to that page he will find it beginning in line 1263. My reason for making the inquiry is because I have an amendment myself which I desire to propose, and it seems to me that it stands on the same basis substantially with that amendment.

Mr. HALE. The committee has endeavored not to put any claims upon the bill. If the Senator makes a point of order upon that amend-

ment when we reach it, and the Chair rules it out, of course it is not a thing that I can in any way object to, and I shall not.

Mr. CAMERON, of Wisconsin. I do not propose to make a point of order upon it, but if it be in order I do not see why the amendment insisted upon by the Senator from New Hampshire [Mr. Blair] was not

in order.
Mr. VAN WYCK. Will the Senator from Maine give a little more information in regard to the three vessels which are named that have been watched and looked after in the three separate yards? Were

these vessels in the course of construction? Were they being built?

Mr. HALE. They had been begun by the Government under contract. When the controversy arose in the year 1877 the Secretary of the Navy gave directions that work should cease. After that they hung there, an interrupted work, nothing being done upon them; there was no expenditure of money upon them by the contractors, but they were using up quite a portion of the yards.

Mr. VAN WYCK. Had the Government commenced to build the

Mr. HALE. Certainly.
Mr. VAN WYCK. In its own yards?
Mr. HALE. No; the Senator does not understand. The Government commenced them by contract in the yards of the ship-yard owners and then suspended work and left the vessels in the yards on the stocks, where they could not be removed, and were so occupied, using stocks, where they could not be removed, and were so occupied, using up large portions of the yards of the ship-yard owners and contractors without any fault on their part. They were continually beseeching the Government to go on and finish them and get them out of the way.

Mr. MOPHERSON. I believe we are acting upon the amendments of the committee at present, and that they will be open to amendment after we get through with the list.

Mr. HALE. Undoubtedly.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The question is on agreeing to the amendment of the Committee on Appropria-

tion is on agreeing to the amendment of the Committee on Appropria-

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 957, to insert:

To pay William Cramp & Sons for the use and occupation of their ship-yard by the ironclad Terror, and for care and storage of the turrets, guns, &c., from July 8, 1876, to December 30, 1882, \$75,790.

The amendment was agreed to.

The next amendment was, after line 963, to insert:

To pay John Roach for the use and occupation of his ship-yard by the iron-elad Puritan, and for the care of said vessel and storage of her turrets, guns, &c., from July 8, 1876, to December 29, 1882, 269, 201: Provided, That no moneys hereby appropriated for the above three mentioned ships shall be paid except upon full receipt and discharge of all claims of the parties to whom the same may be paid for care and storage of said vessels, turrets, guns, &c., for use and occupa-tion of these several yards.

The amendment was agreed to.

The next amendment was, in the appropriations for "naval establishment," after line 996, to insert:

For payment to the following newspapers for advertising proposals for new steel cruisers for the United States Navy, in May, 1883, namely; Sunday Chronicle, Washington, \$99.45; Sunday Herald, Washington, \$128.25; National Republican, Washington, \$184.50; in all, \$412.20.

The amendment was agreed to.

The next amendment was, after line 1021, to insert:
To pay amounts found due by the accounting officers on account of actual excess, being for the service of the fiscal year 1883, \$1,680.

The amendment was agreed to.

The next amendment was, after line 1096, to insert:

For payment to Lieut. W. H. Jaques, United States Navy, for actual and necessary expenses incurred in obtaining information while performing the duties as secretary to the gun-foundry board organized by the President in accordance with the act of Congress approved March 3, 1833, \$180.

The amendment was agreed to.

The next amendment was, under the head of "Interior Department," after line 1104, to insert:

For reconstructing Interior Department (heating apparatus), \$18,849.

The amendment was agreed to.

The next amendment was, after line 1107, to insert:

To pay amount found due by the accounting officers to the Central Pacific Railroad Company on account of contingent expenses General Land Office, being a deficiency on account of the fiscal year 1883, \$43.80.

The amendment was agreed to.

The next amendment was, in the appropriations for "public lands service," in line 1124, to increase the appropriations "for incidental expenses of the several land offices" from \$25,000 to \$40,000.

The amendment was agreed to.

The next amendment was, after line 1124, to insert:

To pay amounts found due by the accounting officers on account of contingent xpenses of land offices, being a deficiency for the fiscal year 1883, \$62.28.

The amendment was agreed to.

The next amendment was, after line 1128, to insert:

To pay amounts found due by the accounting officers on account of depredations on public timber, being a deficiency for the fiscal year 1883, \$1,641.87.

The amendment was agreed to.

Mr. HOAR. The Senate passed over in consequence of my momentary absence an amendment proposed by the committee to strike out certain language on page 11. I should like to ask the Senator from Maine to consent to go back to that amendment now, because the Senator from Oregon [Mr. SLATER] who knows something about it is un-

well and desires to leave the Chamber. He does not wish to stay very long. Therefore I should like to go back to it now.

The PRESIDING OFFICER. Is there objection to going back on the request of the Senator from Massachusetts to page 11? The Chair understands that that amendment was passed over informally. If there be no objection the Senate will consider the proposed amendment now.

The amendment will be read.

The Secretary. The committee report to strike out from line 237 to line 253 in the following words:

And all suits or proceedings pending in the district courts of Dakota and Washington Territories at the time of the passage of said act, and which would, if instituted after the passage of said act, be required to be brought in the new dis-

tricts created and provided for in said act, may be transferred by consent of parties to said new district courts, and there disposed of in like manner and with like effect as if the same had been there instituted; and all writs and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the courts of the said new districts respectively in the same manner and with like effect as if they had issued or had been taken in reference thereto originally; and the counties of Skamania and Spokane, in said Washington Territory, shall constitute part of the fourth judicial district thereof until the Legislature shall meet and otherwise provide.

The PRESIDING OFFICER. The question is on agreeing to the amendment recommended by the committee.

amendment recommended by the committee.

Mr. HOAR. My knowledge of this subject comes very largely from a communication made to me by the chief-justice of Washington Territory, who is a very able and excellent lawyer, and who is a relative of mine, for whose statements I am quite willing to vouch. Technically this clause comes within the principle which the Committee on Appropriations have applied, with the assent of the Senate; it is certainly barely over that line; but I think if the Senator from Maine will hear the statement which I will take but half a minute to make he will be willing to retain the provision for the present.

be willing to retain the provision for the present.

We passed last year an act for the redistricting of Washington Territory, and by a mistake which was made in the House, not in the Senate, two of the counties, the county of Spokane and the county of Skamania, were left not in any jurisdiction of any court, and the inhabitants of those counties are without judicial protection unless this para-

itants of those counties are without judicial protection unless this paragraph can be enacted. As we are providing generally for the expenses of the justices and for the judicial expenses of the Territories, there would seem to be no harm under the circumstances in letting this go in.

That relates to the last clause in the paragraph. In regard to the other part of it I will state that these Territories, by the rapid growth of population and the filling up in certain counties, have got into a condition where for ordinary purposes of justice the inhabitants in some counties were obliged to travel more than two hundred miles to get instice and that was corrected by a new judicial distribution. The justice, and that was corrected by a new judicial distribution. new judicial distribution has created courts which have very small business at first. The old courts are crowded, and the inhabitants of some of those counties have to travel a long distance to the courts, which are overcrowded with work in places, instead of being able to go with their neighbors and with all the persons whose cases arise at present to courts in their own neighborhood.

In their own neighborhood.

This paragraph merely provides that where both parties agree they may transfer a case from the court under the old arrangement to the court under the new. Both the Oregon Senators are generally familiar with the condition of this matter so far as it relates to Washington Territory, and the Delegates of both these Territories are very earnest to have this done. I hope, therefore, that the honorable Senator from Maine will allow the paragraph to stand in the bill without a contest.

Mr. HALE. The Senator from Massachusetts knows "a hawk from a handsaw" as any man in the Senator. He must see elsevier.

Mr. HALE. The Senator from Massachusetts knows "a hawk from a handsaw" as plainly as any man in the Senate. He must see clearly that this is a pure piece of legislation. It is an elaborate and well-devised plan relating to the judiciary of Dakota and Washington Territories. It has no more to do with a deficiency appropriation bill providing for defects in appropriations for the current fiscal year than it would have to do with an appropriation for furniture in the Senate Chamber. It is a clear exercise on the part of the House of their undoubted right, under their rules, to put legislation on an appropriation bill. I do not raise any question as to its being good legislation.

Mr. HOAR. If the Senator will pardon me, it is a good deal less than what he states in one particular. It is not a well-devised scheme of new legislation. It is merely the correction in the first particular of a slight error, a slight imperfection, which works great injustice in some localities in general legislation, which passed both Houses last year.

Mr. HALE. It is a pure piece of legislation which should have been considered either by the Committee on Territories or the Committee on

Mr. HOAR. Mr. HALE. Mr. HOAR. It has been so considered.

Mr. HOAR. It has been so considered.

Mr. HALE. Quite likely it is wise legislation. I am bound to accept what the Senator from Massachusetts has said; I believe I fully concur with him as to the need of it; but I repeat it has nothing whatever to do with a deficiency appropriation bill. It is for the Senate to settle the question, and if the Senate desires to keep this piece of legislation upon the deficiency appropriation bill I shall lose no sleep about it. A vote can be very readily taken and settle it at once. I do not care to say anything more about it.

Mr. SLATER. I will say just a word in regard to this clause. In the act referred to in the paragraph preceding that which is proposed

the act referred to in the paragraph preceding that which is proposed to be stricken out by the committee, a mistake crept in by which two new counties in Washington Territory were left out. The people of those counties are entirely without judicial process. They are not able to go into court in civil matters or in criminal matters. This paragraph to go into court in civil matters or in criminal matters. In sparagraph which the committee report to strike out is the only hope they have of being relieved from that condition. That being the case, although it is a pure piece of general legislation, I trust that the Senate will refuse to spire piece of general registation, I trust that the Cenate will refuse to strike out the clause. It is very important to those people. Many crimes are being committed there for which there is no remedy and no means of prosecuting them.

The PRESIDING OFFICER. The question is on agreeing to the

amendment of the Committee on Appropriations to strike out the paragraph in question.

The amendment was rejected.
The PRESIDING OFFICER. The Senate will return to line 1134. The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was to strike out the clause from line 1171 to line 1175, inclusive, as follows:

For payment of amount found due to McBroome and Taylor for surveying private land claims in New Mexico, being a deficiency for 1831 and prior years, \$208.53.

\$208.53.

The amendment was agreed to.
The PRESIDING OFFICER. The clerks are uncertain. The bill has pencil marks striking out what follows line 1175.

Mr. HALE. I called the attention of the Secretary to that. The next paragraph is to be stricken out.
The PRESIDING OFFICER. The matter proposed to be stricken

The SECRETARY. It is proposed to strike out from line 1176 to line 1210, inclusive, in the following words:

1210, inclusive, in the following words:

Tenth Census:

Tenth Census:

That the office of the Tenth Census is hereby abolished, and the terms of office of the Superintendent and of all employes appointed under the provisions of the act of March 3, 1879, entitled "An act to provide for the taking of the tenth and subsequent censuses," or of any subsequent act relating to the Tenth Census, shall cease and terminate from the date of the passage of this act; and no further expenditures, whether for salaries or expenses, shall be made on account of the Tenth Census except as hereinafter provided. The unfinished work of the Tenth Census shall be completed in the office of the Secretary of the Interior, to whom the records and other property of the Census Office shall be transferred; and the Secretary of the Interior is authorized to appoint, from the date of the passage of this act, and for the term of one year from date of such appointments, a clerical force for duty in said division, which force shall consist of one clerk of class 3; who shall also be a practical printer; one clerk of class 1; and one copyist, at \$900 per annum; and for payment of the salaries of such force the sum of \$6,900, or so much thereof as may be necessary, is hereby appropriated; and any balances of appropriations for the Tenth Census heretofore made which shall remain unexpended at the date of the passage of this act shall be applied to the liquidation of any liabilities for the work of the Tenth Census which have been incurred heretofore and remain unpaid at such date; but this provision shall not apply to any unexpended balance of the appropriation for printing the report of the Tenth Census made by act of August 7, 1882, but such balance shall be applied as provided in that act.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, after line 1214, to insert:

To pay Miss Emma Dowell for clerical services rendered in the Interior Department in July, 1882, \$29.35.

The amendment was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes; that it had concurred in the amendments of the Senate numbered 3, 4, 5, and 6 to the said bill, and that it further insisted on its disagreement to the amendments of the Senate to the said bill numbered 16, 17, 18, 19, and 20; that it asked a further conference on the disagreeing votes of the two Houses thereon, and that it had appointed Mr. R. W. TOWNSHEND of Illinois, Mr. WILLIAM S. HOLMAN of Indiana, and Mr. R. G. HORR of Michigan managers at the further conference on its part.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Indian affairs,"

after line 1262, to insert:

For amount due to Isaac G. Baker for one hundred and sixty-two head of beef-cattle taken by Fort Peck Indians October 14, 1878, while in process of delivery under his contract dated June 21, 1878, \$5,820.20.

Mr. DOLPH. I should like to inquire of the Senator from Maine having charge of this bill how this amendment comes into the bill? It appears on the face of the amendment to be provision for payment for an Indian depredation. At the last session of Congress I introduced a bill to provide for a commission to audit such claims of citizens of Oregon and the adjacent Territories, and I understand that the committees have uniformly reported against the payment of such claims. I should like to ask if the amount of this claim has been ascertained by the judgment of any court, or audited by any officer of the Government under

ment of any court, or audited by any omcer of the Government under any authority of Congress?

Mr. HALE. Insome of these cases it is pretty difficult to tell whether the transmission to Congress by the Secretary of the Treasury or the heads of Departments makes them technically estimates. In some cases the Secretary sends in terms just as much an estimate as there is in the Book of Estimates, recommends the appropriation, and it is referred to the Committee on Appropriations and is considered by the committee as an estimate under the rules, and therefore not subject to the point of order is insisted upon.

The PRESIDING OFFICER. Does the Senator from Maine object to the amendment will not be objected to. I understand very well that it can not go on if the point of order is insisted upon.

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order. In other cases the Secretary will transmit the papers with a favorable recommendation, and there are variations and shades and degrees about that. The committee thought that in its spirit this came under the head of a matter that was considered and determined upon favorably by the head of a Department, and so recommended it and put it in; but if the Senator makes a point of order and the amendment is ruled out, the Committee on Appropriations would consider hereafter

that it would not be authorized to put in such a provision.

Mr. DOLPH. I will state to the Senator that I offered and had printed and referred to the Committee on Appropriations an amendment to provide one appropriation for the payment of the claims which had been audited and settled under the act of August 7, 1882, which

the committee did not see fit to adopt.

Mr. HALE. Was it transmitted by the Secretary of the Treasury? Mr. DOLPH. The estimate was transmitted by the Secretary of the Treasury, with an estimate, and I proposed to offer it in the proper place, but I can not find that this claim for Indian depredations was audited at all. I ask unanimous consent that this may be passed over until after the reading of the bill is concluded; and I will offer my amendment in connection with this to come in on this page, and meanwhile I will see if there is any estimate for it.

Mr. HALE. To that I have no objection, or the Senate may strike out the item if it pleases.

Mr. DOLPH. I do not make any point of order, but ask that the

amendment may be passed over to be considered in connection with one I shall offer

The PRESIDING OFFICER. The amendment will be passed over

there be no objection.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1269, to insert:

For amount due to the Globe Printing Company, of Saint Louis, Mo., for advertising for proposals for Indian supplies and stock-cattle in March and April, 1884, as per certificate of Second Comptroller, December 22, 1884, being for the service of the fiscal year 1884, \$197.34.

The amendment was agreed to.

The next amendment was, after line 1277, to insert:

To reimburse the Creek Nation for liabilities incurred in defraying the expenses of its delegation while engaged in negotiating the treaty of 1862, so much of their funds erroneously used to pay expenses of taking a census in 1888, not exceeding the sum of \$1,482, is hereby reappropriated from the amount of \$1,941.61 of the appropriation provided for taking said census carried to the surplus fund.

The amendment was agreed to.

The next amendment was, after line 1287, to insert:

To enable the accounting officers to adjust certain appropriations on the books of the Department, the sum of \$728.77 is hereby reappropriated; \$623.77 thereof to be carried to the credit of the appropriation "fulfilling treaties with Creeks, proceeds of lands." and \$100 to "payment to certain Creek Indians for individual reserves sold, and so forth," being amounts found due these appropriations in the adjustment of the accounts of W. H. Garrett, late Indian agent.

The amendment was agreed to.

The next amendment was, after line 1298, to insert:

The Secretary of the Interior is hereby authorized and directed to pay to the heirs of certain-Osage Indians, killed while on a hunt on Medicine Lodge Creek, in 1873, the balance on hand of the sum of \$5,000 appropriated by act approved March 3, 1877, "to reimburse the Osages for losses sustained, and in accordance with pledges by their agent," amounting to \$2,451.50, which is hereby reappropriated for this purpose.

The amendment was agreed to.

Mr. MILLER, of New York. Before proceeding further with the bill I desire to ask unanimous consent to offer an amendment at this point, as I am called away for an hour or more, and can not be present perhaps when the committee amendments are concluded. The amendment can now be offered by unanimous consent, I understand.

Let us hear what it is? Mr. HALE.

The PRESIDING OFFICER. The amendment will be read for in

The SECRETARY. After line 1349 it is proposed to add:

For the completion of the pedestal for the statue of Liberty Enlightening the World, to be erected on Bedloe's Island, in New York Harbor, \$100,000, to be expended under the direction of the officers of the organization which has charge of the erection of said pedestal and statue.

The PRESIDING OFFICER. Is there objection to the Senator from New York offering this amendment at this stage of the proceeding?

Mr. HALE. I do not object to its being offered now, but I must

raise the point of order on it.

The PRESIDING OFFICER. The Chair hears no objection to the

Senator from New York proposing his amendment at this time.

Mr. MILLER, of New York. It is entirely useless for me to offer the amendment if the point of order is raised. I have talked with all the members of the committee and a large number of Senators, and I think that after a two or three minutes' statement the amendment will not be objected to. I understand very well that it can not go on if the point of order is insisted upon.

tirely to New York or the citizens of the State of New York. This is tirely to New York or the citizens of the State of New York. This is a mistaken view of the situation. The people of France as a whole have made the gift of the statue, here described as the statue of Liberty Enlightening the World, to the people of the United States as a memorial of one hundred years of our history as a Government. That has been accepted by the people of the United States through an act of Congress. Nothing has ever been done by the State of New York or by the people of the city of New York officially in connection with this thing.

All the proceedings heretofore have been through the Congress of the United States. For this purpose an act of Congress was passed naming the place where this statue should be erected. Congress might have brought it here to Washington or have sent it to Philadelphia or to San Francisco or to any other point; but by an act of Congress it was decided that it should be erected upon a Government island in the harbor of New York. I will read the resolution of Congress:

whereas the President has communicated to Congress the information that citizens of the French Republic propose to commemorate the one hundredth anniversary of our independence by erecting, at their own cost, a colossal statue of Liberty Enlightening the World, upon a pedestal of suitable proportions, to be built by private subscription, upon one of the islands belonging to the United States in the harbor of New York; and

Whereas it is proper to provide for the care and preservation of this grand monument of art, and of the abiding friendship of our ancient ally: Therefore, Be it resolved by the Senate and House of Representatives of the United States be, and he is hereby, authorized and directed to accept the colossal statue of Liberty Enlightening the World, when presented by citizens of the French Republic, and to designate and set apart for the erection thereof a suitable site upon either Governor's or Bedloe's Island, in the harbor of New York; and upon the completion thereof shall cause the same to be inaugurated with such ceremonies as will serve to testify the gratitude of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister republic; and he is hereby authorized to cause suitable regulations to be made for its future maintenance as a beacon, and for the permanent care and preservation thereof as a monument of art and of the continued good-will of the great nation which aided us in our struggle for freedom.

In pursuance of this joint resolution of the two Houses of Congress General Sherman was designated by the President to make a selection, and he made the selection of Bedloe's Island in the harbor of New York, and upon that island, by voluntary subscriptions, there has been expended up to the present time \$160,000 in laying the foundation for this pedestal. This amount of money has now been expended, and the work has been brought to a point where the pedestal is but begun. It is estimated that it will cost \$130,000 to erect the pedestal upon this foundation. It is impossible by voluntary contributions or subscriptions to raise the necessary amount for the completion of this great work, but it is believed by citizens of the city of New York that if the Government will appropriate \$100,000 the additional \$30,000 necessary can be raised, and that the work can go on. A number of leading citizens of the State of New York have formed an organization for this purpose, and they have been diligently at work for several years in raising money for this purpose, and, as I have already stated, they have raised and expended \$160,000.

This work was entirely voluntary. We had a perfect right in New York, and the whole country had, to call upon the Government of the United States to pay the entire expense. It is a governmental affair. The Congress of the United States has accepted this gift from the Republic of France, and it has already ordered a ship of war to go to France and bring out this statue. It is to be brought out in May next. When it arrives here, unless this money shall be granted, it will of necessity go into store somewhere and remain there for years unless the Government shall appropriate this money. The people of New York city feel that they have done their full share and more than their full share in thus raising \$160,000. I might go on and read the report which has been made by the Committee on the Library of the House, but it is not necessary to do so. This matter has been fully considered by the Committee on the Library both in the House and in the Senate, and they have reported a joint resolution, and they have hoped to secure a hearing for it in the House of Representatives and secure its passage, but the condition of business for the past few days has been such as to prevent any possibility of reaching the resolution in the House.

There is no other parliamentary way left, with which I am at all cognizant, by which it may be reached except, by unanimous consent, cognizant, by which it may be reached except, by unanimous consent, putting it on this bill. I appeal to the entire Senate to withhold all objection and to allow this to go upon the bill. Certainly the demand of the people of New York that this shall be done is proper and just, and I think that with the law on its side it has still higher claims upon us than the New Orleans Exposition had for calling for another appropriation of \$400,000; but for one I believe that it was just and proper that Congress should carry that out. Now, shall we appeal to the Government to give \$100,000 to complete this great statue? Certainly it will be nothing less than a national disgrace if it shall so happen that after Congress has passed a law accepting this statue from the Government and people of France it shall fail to provide any just and proper place for its erection. One hundred and sixty thousand dollars has already been expended. The association in New York undertakes to raise \$30,000 more, and with the \$100,000 asked for here the work can be completed, and when completed it will be one of the greatest works of art in the world. The entire height, base, pedestal, and statue, will be over three hundred feet.

I feel that nothing more is necessary to be said on my part. The chairman of the Library Committee, the Senator from Ohio [Mr. Sherman], is present and can state, if it should be necessary, still further reasons in this direction. I believe that this appeals to the proper feelings of all Senators and that there certainly can be no objection to the proposition. If there is any objection in the House, that will arise in the conference committee, and it can there be cared for. There is no

other possible way of reaching it.

Mr. HALE. It is not a pleasant thing to object to the appropriation of money for an object of this kind that appeals to good taste and to the imagination, and, as the Senator from Ohio [Mr. SHERMAN] suggests, to patriotism perhaps; but there is a duty that rests upon any one in charge of an appropriation bill, to keep from it, if possible, by one in charge of an appropriation bill, to keep from it, it possible, by invoking points of order, appropriations that have not been fully considered by the Committee on Appropriations for subjects-matter that are not properly considered on appropriation bills and which ought to be considered by other committees.

We are now in the last twenty-four hours of this session of Congress, of this entire Congress, and all the time up to now for two years has been at the disposal of the Committee on the Library or any other committee on the representation of this explicit to report a bill give

mittee properly having jurisdiction of this subject to report a bill givmake a gift of this large amount of money for the purpose indicated by the Senator from New York; but it is not a proper thing for a deficiency appropriation bill to be put on in these last waning hours. However good it may be, it is a clear case of an enterprise begun without any expectation of calling upon the Government, and when at last it drags and lags refuge is taken in a call upon the Treasury.

Mr. MILLER, of New York. I appeal to the Senator to allow me

to interrupt him at that point. Mr. HALE. Certainly.

Mr. MILLER, of New York. I am very certain the Senator could not seriously make the statement which he now makes if he had at all considered this measure. It was never a matter of private enterprise. It was never undertaken or projected in any way by the people of the State of New York. Congress, acting independently and by itself and without any consultation or communication with any official in New York, in the city or in the State, decided to accept this statue from the people of France, and by an act of Congress, which I have read, it decided to locate it upon Bedloe's Island in the harbor of New York. A number of patriotic citizens there undertook to raise by voluntary subscription sufficient money to build a proper pedestal for it. They have been laboring earnestly in that direction for two years.

The Committee on the Library have not acted upon it at all this session, because it was still hoped that some large-minded philanthropist would come forward and pay the whole sum that was necessary to do this work; but thus far it has not been done. But this committee of citizens in New York has by voluntary subscriptions raised \$160,000. There was no necessity, in my judgment, there was never any duty or obligation upon any committee in New York, to raise a single dollar. The Government of the United States having accepted this statue from the people of France should have provided a proper base or pedestal for it out of the public Treasury, but the people of New York undertook to do it. They have gone thus far; and now it is in such a condition that if this money is not granted, and if the pedestal should not be completed by the time the statue will arrive from France, it must necsarily go into some storehouse and lie there until the Government shall provide for it.

As to putting the amendment upon this bill, I understand full well that it is out of order; but if my attention had been called to it three or four days ago I should have taken the proper means to have made it in order.

The committee in New York were operating with the committee of the House of Representatives. They thought they could there succeed and get it through. It has been reported favorably in the House. I have no doubt that it will pass there almost unanimously, if it can be reached. I have no doubt also that if the question could be brought up separately in this body it would receive almost a unanimous vote here. But my attention was only called to-day to it, and to its condition. There is no possible way of reaching it except the way now proposed; that is, by unanimous consent; and certainly if it is not done now, the demand will come again at the next session, and again and again until the Government will finally do it. Shall the people of the State of New York say to the people of France, "We have accepted from you the most wonderful statue ever erected by the hand of man," and when the most wonderful statue ever erected by the hand of man," and when it arrives in our country, after a notice of two or three years that it is coming, then will Congress say, "We will not even grant the paltry sum of money necessary to erect a pedestal on which to place it?"

This is to be when erected one of the wonders of the world. The bronze statue of the Goddess of Liberty Enlightening the World placed on the pedestal on Bedloe's Island will be over three hundred feet high.

I trust the Chairman of the Committee on the Library will feel called upon to say a few words in regard to this, because he has had this matter before him; it is no new matter to him. The amendment ought to have been reported here in a proper way so as to have made it in order; and if it had been so reported and had been in order, I have no doubt that more than three-fourths of the Senators would have gladly voted for it. I appeal to the Senator from Maine who has this bill in charge to listen to the Chairman of the Library Committee, and then to finally withhold his objection and permit the Senate to vote upon the amendment.

Mr. SHERMAN. I supposed myself that this had been provided for, and I am surprised to find the condition in which this proposed appropriation now is. The only point of order that can be made against it is that one day's notice has not been given to the Committee on Approximations but the Chair Investment of the Chair propriations; but the Chair knows very well that this bill really is now being acted on by unanimous consent. It is only by unanimous consent that it can be read the third time to-day. It can not be read twice on the same day except by unanimous consent, and the gentleman having charge of this bill must know that the only objection that can be made against this amendment is the fact that one day's notice of it has not been given to the Committee on Appropriations. But this subject is matter of public notoriety. It has been acted on by a committee; it is reported by a committee; it is pending in the House on the report of a committee. It seems to me, therefore, that it is pretty hard to have this item ruled out upon an objection that can be taken to the whole We went through the form of an adjournment a few hours ago merely to get this bill up in order to give it a chance to be passed to-day. I think the Senator from Maine would not be violating his duty if he would allow this to pass sub silentio, if the Senator is willing. If a majority of the Senate is not clearly in favor of it, I would not be for putting it on the bill. I do not see why it has not been put on before in the House, as there is a general sentiment in favor of it.

As to the propriety of the Government of the United States paying this sum there is not the slightest doubt in my mind. This is a great

work of art, not for the city of New York, but it is an act of patriotsim, an act of friendly feeling for a great and powerful Republic. The French and American Republics are akin to each other and have many ties binding them together, and this kindly feeling has been expressly emphasized and very properly emphasized by the gift of the people of France of this beautiful work of art, and all that is requested of us is that we find a suitable location for it. The Government of the United States did that United States did that. They accepted this gift by a formal act of Congress. They designated the chief military officer of the country to go and select a site for it. That officer did, with the approval of Congress, select a site in the harbor of New York, a little island that there stands in the midst of that great harbor. And the citizens of New York have contributed more than one-half the expense of the foundation; and

shall we not complete it?

I supposed myself that this had already been provided for. There was no doubt about it in the Committee on the Library. We believed that it was the duty of the Government to do something-after having accepted the gift to at least receive it and give it a place. Therefore I hope the Senator from Maine will allow the vote to be taken by the Senate; and if the Senate does not by two-thirds or more vote to put it on, I would not ask to put it on, but it ought to be put on now.

The PRESIDING OFFICER. Does the Chair understand that the point of order is made against the amendment?

Mr. HALE. After these appeals and invocations I give it up. I will withdraw the point of order and let the Senate vote on the amend-

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Post-Office Department," after line 1369, to insert:

Railway post-office-car service: To supply a deficiency in the appropriation for railway post-office-car service, \$100,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1397 to line 1401, inclusive, as follows:

To enable the accounting officers of the Treasury to settle the accounts of Seymour W. Tullock, late acting postmaster at Washington, D. C., on account of stationery for the fiscal year 1833, \$302.31.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1418 to line 1421, inclusive, as follows:

For allowance for clerk-hire to postmaster at Richmond, Va., on account of the fiscal year 1883, \$225.50.

The amendment was agreed to.
The next amendment was, after line 1421, to insert:

For balance of expenses incurred by E. B. Dawson, late postmaster, Boonton, N. J., in connection with pursuit of parties who robbed the post-office in Boonton, N. J., in April, 1883, \$28.82.

The amendment was agreed to.

tice," after line 1468, to insert:

for writing up back records of the United States district court at Springfield, Ill., between October 1, 1883, and December 20, 1883.

The amendment was agreed to.

The next amendment was, in line 1478, to increase the appropriation "for fees and expenses of marshals, United States courts," from \$75,000 to \$100,000.

The amendment was agreed to,
The next amendment was, in line 1491, to increase the appropriation "for payment of district attorneys and their assistants" from \$35,000 to \$40,000.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1495 to line 1499, inclusive, as follows:

For payment of Andrews and Thornburg on account of fees of district attorneys and their assistants, being a deficiency for the fiscal year 1882, \$2,367.05.

The amendment was agreed to.

The next amendment was, after line 1499, to insert:

For payment of the following claims on account of fees of district attorneys, being a deficiency for the fiscal year 1882, to wit: To William A. Cook, \$1,000; to E. B. Smith, \$2,000; to Andrews and Thornburg, \$2,367.05; to J. K. Porter, \$5,000; to W. D. Davidge, \$5,000; in all, \$15,367.05.

The amendment was agreed to.

The next amendment was, in line 1518, to increase the appropriation "for fees of commissioners and justices of the peace acting as commissioners" from \$10,000 to \$20,000.

The amendment was agreed to.

The next amendment was, after line 1531, to insert:

For rent of United States court-rooms, \$3,616.40.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1542 to line 1545, inclusive, as follows:

To pay to Charles Pinckney, on account of support of prisoners United States courts, 1882 and prior years, §281.

Mr. BROWN. That is a just claim, but I understand it is included in

another item where several other claims of like character are grouped together. That being the case, I have no objection to its being stricken out here

Mr. COCKRELL. That claim is included in the provision in section 2, from lines 115 to 117:

For support of prisoners, United States courts, 1882 and prior years, \$3,674.50 The PRESIDENT pro tempore. The question is on the amendment to strike out the clause.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1545, to insert:

To pay W. W. Kerr the balance due him for services as special assistant United States attorney rendered in May and June, 1883, \$1,612.55.

The amendment was agreed to.

The next amendment was, in line 1559, after the words "sum of," to strike out "two thousand six hundred and fifty" and insert "five thousand;" so as to make the clause read:

To pay John G. Thompson the sum of \$5,000, being the amount allowed to him for expenses, labor, and attention in respect to the said case.

The amendment was agreed to.

The next amendment was, after line 1566, to insert:

PUBLIC PRINTING AND BINDING.

For printing and binding as follows: For the Interior Department, \$50,000; for the State Department, \$5,000; and for the Court of Claims, \$4,000; in all, \$59,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 1581.

Mr. PLUMB. I say to the Senator from Maine having this bill in charge that the sundry civil bill contains a provision for the expenditure of a sum of money out of the money charged to the Patent Of-fice, and I think an exception ought to be made in this paragraph about the New Orleans Exposition in favor of that appropriation.

Mr. HALE. I have on my desk an amendment covering the point raised by the Senator from Kansas, which I propose to offer after the first reading of the bill has been finished. It will settle what the Senator from Kansas desires.

Mr. PLUMB. Very well.

The reading of the bill was resumed. The next amendment of the

Committe on Appropriations was, after line 1581, to insert:

For salaries of officers and employés for the fiscal year 1885, \$7,304.

For horses and wagons, \$500.

For folding documents, \$1,000.

For furniture and repairs, \$7,000.

For expenses of inquiries and investigations ordered by the Senate, fiscal year 1884, \$444.

The next amendment was, after line 1426, to insert:

To pay E. A. Grant, late postmaster, Fargo, Dak., for clerk-hire, being for the ervice of the fiscal year 1882 and prior years, \$6,950.

The amendment was agreed to.

The next amendment was, under the head of "Department of Jus-ice," after line 1468, to insert:

To pay John F. Cadwallader the sum of \$462.75, being the amount due him

For pay Thomas W. Manchester for services as messenger from 15th day of April to 31st of July, 1884, \$425,90.

For Beverly Hudnell for services as laborer from 15th day of May to 31st of July, 1885, \$415.

For W. P. Brownlow for extra services in folding-room up to May 25, 1885, \$240.

For Ross Broadhead for extra services as elerk in folding-room from July 1, 1884, to January 1, 1885, \$200.

For W. H. May for services as messenger from 1st of August, 1884, to 30th of November, 1884, \$477.40.

For A. A. Johnson for extra services as skilled laborer and acting messenger from January 22, 1884, to March 4, 1885, \$574.56.

For W. B. Clark for extra services as laborer up to March 4, 1885, \$180.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, under the head of "House of Representa-tives," in line 1650, in the clause making appropriations for allowance for expenses incurred in contested-election cases, to change the name "I. H. McLean" to "J. H. McLean."

The amendment was agreed to.

The next amendment was, after line 1709, to insert:

To pay Rider Henry and John J. Coughlin for services rendered in the Clerk's document-room, \$242.50 each; in all, \$485.

The amendment was agreed to.

The next amendment was, in line 1717, after the words "enable the," to insert "Secretary of the Senate and the;" and in line 1719, before the words "House of Representatives," to insert "Senate and;" so as to make the clause read:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employés of the Senate and House of Representatives borne on the annual and session rolls on the 3d day of March, 1885, one month's extra pay at the compensation then paid them by law, which sums shall be immediately available.

The amendment was agreed to.

Mr. PLUMB. I move to strike out of line 1720 the words "annual and "where they occur, so that the month's pay will only apply to the session employés and not to the annual employés.

Mr. HALE. I ask the Senator to let this go until we get through

with the reading of the bill, as I have an amendment to offer to the clause that will bring up this question.

Mr. PLUMB. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after line 1740, to insert:

To pay Willis H. Allen, assistant clerk of the Committee on Ways and Means, for additional compensation, \$400.

The amendment was agreed to.

The next amendment was, in section 2, in line 13, after the word "session," to insert "and for other items;" so as to read:

SEC. 2. That for the payment of a portion of the claims certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1884 and prior years, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in House Executive Document No. 183, Forty-eighth Congress, second session, and for other items, there is appropriated as follows, &c.

The amendment was agreed to.

The next amendment was, in section 2, under the head of "claims allowed by the First Comptroller," in the appropriations for "State Department," in line 17, after the word "years," to strike out:

Except the claims numbered 104374 and 100910 in said Executive Document No. 153, \$103.98.

And insert:

One thousand four hundred and forty-seven dollars and twenty cents.

So as to make the clause read:

For salaries, consular service, 1882 and prior years, \$1,447.20.

The amendment was agreed to.

The next amendment was, in section 2, after line 22, to insert: For contingent expenses of United States consulates, 1882 and prior years, \$70.02.

The amendment was agreed to.

The next amendment was, in section 2, after line 28, to insert: TREASURY DEPARTMENT.

Internal revenue:
For redemption of stamps, prior to July 1, 1882, \$487.27.
For refunding taxes illegally collected, prior to July 1, 1882, \$8,216.83.
For refunding taxes illegally collected under the direct-tax laws, prior to July 1, 1882, \$24.02.

For expenses of assessing and collecting internal revenue, 1875 and prior years.

\$102.48
For salaries and expenses of collectors of internal revenue, 1882 and prior years, \$44.51.
For salaries and expenses of supervisors and subordinate officers of internal revenue, 1877 and prior years, \$12.50.
For salaries and expenses of agents and subordinate officers of internal revenue, 1882 and prior years, \$444.
For punishment for violation of internal-revenue laws, 1882 and prior years, \$5.

The amendment was agreed to.

The next amendment was, in section 2, after line 54, to insert:

Miscellaneous objects:
For labor and expenses of engraving and printing, 1882 and prior years For refunding to national banking associations excess of duty, prior to July 1, 1832, \$1,009.05.

The amendment was agreed to.

The next amendment was, in section 2, after line 61, to insert:

Interior Department: For contingent expenses, General Land Office, 1882 and prior years, \$19.50.

The amendment was agreed to.

The next amendment was, in section 2, after line 65, to insert:

Public-land service:

Public-land service:
For contingent expenses of land offices, 1882 and prior years, \$35.32.
For salaries and commissions of registers and receivers, 1882 and prior years, \$495.31.
For depredations on public timber, 1882 and prior years, \$253.15.
For examinations of the public surveys, 1882 and prior years, \$131.
For contingent expenses, office of surveyer-general of Louisiana, 1882 and prior years, \$1.
For contingent expenses, office of surveyor-general of Utsh, 1882 and prior years, \$12.30.
For surveying the public lands, 1882 and prior years, \$2,437.57.
For surveying public and private lands, 1879 and prior years, \$98.
For 5, 3, and 2 per cent. fund to States, prior to July 1, 1882, except the claim numbered 35251, \$12,376.08.

The amendment was agreed to.
The next amendment was, in section 2, after line 102, to insert: For fees of district attorneys, United States courts, 1882 and prior years, \$700.

The amendment was agreed to.

The next amendment was, after line 105 of section 2, to insert: For fees of clerks, United States courts, 1882 and prior years, \$65.49.

The amendment was agreed to.

The next amendment was, after line 108 of section 2, to insert: For fees of jurors, United States courts, 1882 and prior years, \$62.20.

The amendment was agreed to.

The next amendment was, after line 111 of section 2, to insert: For fees of witnesses, United States courts, 1882 and prior years, \$247.55.

The amendment was agreed to.

The next amendment was, after line 114 of section 2, to insert: For support of prisoners, United States courts, 1882 and prior years, \$3,674.50.

The amendment was agreed to. The next amendment was, after line 117 of section 2, to insert: For rent of court-rooms, United States courts, 1882 and prior years, \$750.

The amendment was agreed to.

The next amendment was, after line 120 of section 2, to insert: For miscellaneous expenses United States courts, 1882 and prior years, \$1,418.90. The amendment was agreed to.

The next amendment was, after line 123 of section 2, to insert: For expenses of Territorial courts in Utah, 1882 and prior years, \$54.50.

The amendment was agreed to. The next amendment was, after line 126 of section 2, to insert:

For fees of supervisors of elections prior to July 1, 1882, \$35.

The amendment was agreed to.

The next amendment was, after line 128 of section 2, to insert: Claims allowed by the First Auditor and Commissioner of Customs: For life-saving service, 1882 and prior years, \$31.15. For salaries of light-house keepers, 1882 and prior years, \$139.56.

The amendment was agreed to.

The next amendment was, after line 136 of section 2, to insert: For expenses of collecting the revenue from customs, prior to July 1, 1882, \$25,028.04.

The amendment was agreed to.

The next amendment was, in section 2, after line 175, to insert:

Interior Department:
For buildings at agencies, and repairs, 1882 and prior years, \$201.57.
For contingencies of the Indian Department, 1882 and prior years, \$2,626.66.
For incidental expenses, Indian service in Arizona, 1882 and prior years, \$3,-156.50.

For incidental expenses, Indian service in California, 1882 and prior years, \$13.93. For incidental expenses, Indian service in Nevada, 1882 and prior years,

\$953.06. For incidental expenses, Indian service in Oregon, 1882 and prior years, \$1.483.35.

For pay of Indian agents, 1882 and prior years, \$931.30.
For pay of interpreters, 1882 and prior years, \$109.51.
For support of Apaches of Arizona and New Mexico, 1882 and prior years, \$13,905.72.

\$13,905.72.

For support of Indians of Fort Peck agency, 1882 and prior years, \$211.41.

For support of Sioux of different tribes, including Santee Sioux of Nebraska, 1882 and prior years, \$157.05.

For telegraphing and purchase of Indian supplies, 1882 and prior years, \$1,910.40

For transportation of Indian supplies, 1882 and prior years, \$1,062.90.

The amendment was agreed to.

The next amendment was, under the head of "Claims allowed by the Third Auditor and Second Comptroller," in section 2, after line 225, to

To pay the tenth installment of the war claim of the State of Massachusetts, \$30,770.39.

The amendment was agreed to.

The next amendment was, after line 228 of section 2, to insert: For payment of the twenty-fifth installment of the war claim of the State of Ohio, \$2,152.06.

The amendment was agreed to.

The next amendment was, after line 231 of section 2, to insert: For payment of the twelfth installment of the war claim of the State of Pennsylvania, \$4,378.30. The amendment was agreed to.

The next amendment was, after line 265 of section 2, to insert: For incidental expenses, Quartermaster's Department, 1882 and prior years, \$2,852.11.

The amendment was agreed to.

The next amendment was, after line 269 of section 2, to insert:

For transportation of the Army and its supplies, 1882 and prior years, \$71,590.08.

The amendment was agreed to.

The next amendment was, under the head of "Claims allowed by the Fourth Auditor and Second Comptroller," in section 2, after line 351,

For the payment of claims for difference between actual expenses and mileage, allowed under the decision of the United States Supreme Court in the case of the United States vs. Graham, \$209,538.36.

The amendment was agreed to.

The next amendment was, under the head of "Claims allowed by the Sixth Auditor," to strike out the clause from line 358 to line 363, inclusive, of section 2, as follows:

For this amount deposited by Charles Barrett with bid, under advertisement of February 10, 1881, and covered into the Treasury, remitted by authority of the Postmaster-General dated September 30, 1884, \$4,000.

The amendment was agreed to.

The next amendment was, after line 363 of section 2, to insert:

For deficiency in the postal revenues, 1882 and prior years, except the claims numbered 1203, 137, 74, 77, and 138, \$20,994.60.

The amendment was agreed to.

The next amendment was, in section 2, line 375, after the word "cents," to insert the following proviso:

Provided, That the said sums herein provided for and allowed under said act approved March 3, 1883, shall be paid directly to the parties named, respectively, in said Executive Document No. 153.

So as to make the clause read:

For compensation of postmasters readjusted under act of March 3, 1883, payable from deficiency in postal revenues, 1882 and prior years, \$140,498.79: Provided, That the said sums herein provided for and allowed under said act approved March 3, 1883, shall be paid directly to the parties named, respectively, in said Executive Document No. 153.

The amendment was agreed to.

The next amendment was, in section 3, after line 3, to insert:

CLAIMS ALLOWED BY THE FIRST COMPTROLLER.

Treasury Department: For yaults, safes, and locks for public buildings, 1881 and prior years, \$1,276.92.

The amendment was agreed to.

The next amendment was, after line 9 of section 3, to insert:

Interior Department:
For contingent expenses, office of Secretary of the Interior, 1881 and prior years, \$12.98.

The amendment was agreed to.

The next amendment was, after line 13 of section 3, to insert:

Public-land service:
For Geological Survey, 1881 and prior years, \$46.17.
For surveying private land claims in New Mexico, 1881 and prior years, \$208.53.
For contingent expenses, office of surveyor-general of Nebraska and Iowa, 1881 and prior years, 577.80.
For contingent expenses, office of surveyor-general of Florida, 1881 and prior years, 35 cents.
For contingent expenses, office of surveyor-general of Colorado, 1881 and prior years, \$476.31.

The amendment was agreed to.

The next amendment was, after line 29 of section 3, to insert:

Department of Justice: For support of prisoners, United States courts, 1881 and prior years, \$130.

The amendment was agreed to.

The next amendment was, in section 3, in the appropriations for "War Department claims allowed by the Third Auditor and the Second Comptroller," after line 59, to insert:

For Army transportation, 1881 and prior years, \$148,536.37.

The amendment was agreed to.

The next amendment was, in section 3, in the appropriations for "Navy Department claims allowed by the Fourth Auditor and the Second Comptroller," in line 93, after "1881," to strike out:

Except the claims set forth in said Executive Document No. 55, on pages 26 and 27, beginning with the claim No. 6071, and extending down to the claim No. 6108, inclusive, \$6,110.95.

So as to make the clause read:

For pay of the Navy, prior to July 1, 1881, \$21,833.68.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill is concluded, and the printed amendments of the Committee on Appropriations are disposed of.

Mr. COCKRELL. On page 84, at the end of line 289 of section 2, is an estimate of deficiencies sent in by the Treasury Department. There is a supplemental document to House Executive Document No. 153, which has been put in, but the committee did not have it until this morning. It was first sent to the Committee on Claims by mistake.

It is Senate Executive Document No. 101, Forty-eighth Congress, second session, being a letter from the Secretary transmitting a supplemental bill of claims allowed by the accounting officers of the Treas-

úry under the act of March 3, 1849, for horses lost in the service. I move the following amendment to cover that estimate, to come in on page 84 after line 289 of section 2:

To enable the Secretary of the Treasury to pay the claims allowed by the Third Auditor and Second Comptroller under the act of March 3, 1849, for horses and other property lost in the military service, as reported in Senate Executive Document No. 101, Forty-eighth Congress, second session, by the Secretary of the Treasury, \$10,486.35.

The amendment was agreed to.

Mr. HALE. There are one or two matters that I wish to propose. On page 64, line 1564 of section 1; after the word "law," I move to insert "for professional services in the above case."

The amendment was agreed to.

Mr. HALE. On the next page, 65, in line 1581, at the end of the line—I call the attention of the Senator from Kansas, as this amendment is to meet a suggestion made by him-I move, after the word "Department," to insert:

Subject to the provisions affecting the same in the sundry civil appropriation bill passed at this session.

The amendment was agreed to.
Mr. HALE. On page 39, at the end of line 940, I move to insert:
The salaries and traveling expenses of the Mississippi River Commission, and for salaries and traveling expenses of assistant engineers under them, and for office expenses and contingencies, \$50,000.

Mr. McMILLAN. For what year is that? Is that a deficiency?

Mr. HALE. No.
Mr. McMILLAN. What is the item for?
Mr. HALE. For the next fiscal year. They are cared for, under the appropriation now operating for the present year, until July.
Mr. McMILLAN. There is some legislation about to take place in the river and harbor bill, if passed, that may affect them.
Mr. HALE. If the Senator thinks the river and harbor bill is likely

to go through—
Mr. McMILLAN. I think certainly it will, of course.

Mr. HALE. Then I withdraw the amendment. The PRESIDING OFFICER (Mr. HAWLEY in the chair). The amendment is withdrawn.

Mr. HALE. Now on page 71, line 1721, after the words "1885," I move to insert, "including the Capitol police." That will make the item conform to the bill of last year.

Mr. PLUMB. I wish to object to the application of this principle of a month's extra pay to the annual employes of this body; and I think perhaps we ought to settle that question before the amendment of the Senator from Maine is voted upon, because if the motion I make shall prevail his amendment will require to be stricken out. I agree that if we pay the annual employes a month's extra pay we ought to include the Capitol police; but I think we ought not to pay any of them an extra month's pay. If I can have the attention of the Senator from Maine tra month's pay. If I can have the attention of the Senator from Maine for a moment I will suggest to him that he withhold his amendment until the vote is taken on the amendment I propose in line 1720, for the reason that if my motion prevails his will then have to be stricken out as being against the sense of the Senater propose?

out as being against the sense of the Senate.

Mr. HALE. What does the Senator propose?

Mr. PLUMB. I propose to strike out the words "annual and" before the word "session," in line 1720. If the Senate strikes those words out, then the insertion of the words the Senator proposes will be unnecessary. If they are not stricken out the Capitol police ought to be included.

Mr. HALE.

Mr. HALE. I think the Capitol police are on the annual roll.
Mr. PLUMB. They are.
Mr. HALE. Then the Senator's amendment should come first, and will withdraw mine for the present.

Mr. PLUMB. I move to strike out in line 1720 the words "annual and."

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. In line 1720, before the word "session," it is proposed to strike out "annual and;" so as to read:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employés of the Senate and House of Representatives borne on the session rolls on the 3d day of March, 1885, one month's extra pay at the compensation then paid them by law, which sums shall be immediately available.

Mr. PLUMB. The facts are that many of these employés render about four or five or six months' service in a year. They are already paid a very large sum for the service they render as compared with any persons not in Government employment. They render good service unquestionably; but it seems to me to be wrong to take these people who are paid annual salaries of large sums and give them a month's extra pay. There is some reason for giving it to a Government employé who comes here from a distant part of the country for three months at a short session and five or six at a long session, who has to months at a short session and have or six at a long session, who has to go back in the interregnum and have no pay during the time he is absent; but to give it to people whose pay goes on all the time, to the Secretary of the Senate whom we pay about \$5,000 a year, and the Sergeant-at-Arms and all the officials to whom we pay large sums, seems to me to be a wrong application of the public money.

I think we might as well draw the line here as anywhere. We are

of course under certain obligations to these people around us all the time who render valuable services and whose relations are agreeable, and we may feel called upon to do this as a gracious thing; but we should remember that we are not taking the money out of our own pockets. We ought to have some consideration for the public Treasury, which ought not to be raided in this way.

Mr. HALE. I think the Senator from Kansas is right. The com

mittee took the provision as the House had prepared it, and also following the bill of last year, which covered both the session and the annual employés; but I think the considerations that are presented by the Senator from Kansas have great force, and I do not oppose his amend-

Mr. FRYE. Is not there a little difficulty even with that amend-

ment if it should be adopted?

Mr. PLUMB. We can perfect the section further whenever the Senate adopts the principle.

Mr. FRYE. Let me call the Senator's attention to the fact that there are some six or eight committee clerks who are not annual, and yet, by reason of the committees having been allowed by resolution to continue, they practically become annual.

Mr. PLUMB. I understand that, and I think there might be some

other modification of the section; but the principle I am striving for is embodied in the amendment which I have proposed. If the Senate will adopt that we can adjust the provision to the facts of the case, I think. Mr. HARRISON. The proposition of the Senator from Kansas is very plainly right. Where a clerk is paid by the year for twelve full months when he is certainly not engaged in general about his committee weather than the months when he is certainly not engaged in general about his committee-work more than ten months in two years, or not half the time, the proposition to put him on the same level with the session clerks and employés who come here from distant homes, perhaps to serve three months, is not just. They have the expense of coming here and the expense of returning home at the end of three months. There seems to be a very plausible reason why that class of clerks should have some extra compensation, especially at the short session; but the reason does not apply at all to those who are on the annual roll of the Senate. is no reason why clerks who are not employed more than half the time about their official duties should have thir teen months' pay in the year given to them. The suggestion of the Senator from Kansas is eminently right. Last night, through the Committee on Contingent Expenses, three of the clerks of committees who were proposed to be made annual but were not made so, were, by order of the Senate constituting those committees to continue during the vacation, practically made annual. So the clerks of those committees will be drawing \$6 a day for every day of the vacation. I think that also ought to be guarded against.

The PRESIDING OFFICER. The question is on the amendment

proposed by the Senator from Kansas. The amendment was agreed to.

Mr. PLUMB. I move to amend by inserting after line 1743-Mr. McMILLAN. Is the amendment from the committee?

The PRESIDING OFFICER. The Chair supposed it was.

Mr. PLUMB. No; not from the committee.

The PRESIDING OFFICER. The Senator from Kansas offers an amendment, which will be read.

The CHIEF CLERK. On page 72, after line 1743, it is proposed to in-

To pay Fred C. Peck additional compensation for services rendered the Committee on Invalid Pensions of the House of Representatives during the present session of Congress, \$200.

Mr. PLUMB. I will state that I offer the amendment at the request of the Committee on Invalid Pensions of the House, who say that their clerk is only a session employé and by reason of the condition of the work he has been obliged to do a larger amount than usual, and they have unanimously asked that this be inserted in this bill.

Mr. CAMERON, of Wisconsin. Why did not the House provide

for it?

Mr. PLUMB. They state in regard to that that the manner of passing the bill over there was so mysterious that they did not succeed either in getting a sight at the bill nor at the Committee on Appropri-ations in considering it.

The amendment was agreed to.

Mr. CAMERON, of Wisconsin. I offer the following amendment to come in after line 758 on page 32:

To pay Albert H. Emery, of the city and State of New York, in full settlement of all claims, legal or equitable, which he has in any way against the United States on account of the cost of, and the time spent by him, and use of all patents and inventions in designing and constructing the testing-machine built and erected by him for the United States, or otherwise in any way on account of said machine, the sum of \$200,000, out of any money in the Treasury not otherwise appropriated, which sum is hereby appropriated and made immediately available therefor. Said machine, together with the full right to the use therein of all patents and inventions used in its design and construction, shall belong to the United States.

Mr. HALE. I must make the point of order, of course. The PRESIDING OFFICER. The Senator from Maine objects and

raises the point of order.

Mr. CAMERON, of Wisconsin. Under what provision of Rule XVI is the point of order made?

Mr. SHERMAN and others. It is a private claim.

Mr. HALE. The committee examined this matter and, while they had a great deal of sympathy with this case, were clearly of opinion that it was a private claim. I do not suppose the Senator himself will claim that it is otherwise.

Mr. CAMERON, of Wisconsin. I observe that other private claims have been put on this bill, and some have been put on by the committee. I called the attention of the Senator from Maine to one private

Mr. HALE. I am glad the Senator speaks of that, for I looked afterward to the papers and found that, instead of being a claim, it was a regular estimate sent in by the Secretary of the Treasury asking for an appropriation as a part of the regular estimates.

Now, I do not know of a single private claim that the committee has put upon this bill; but, as I said a little while ago, it is pretty difficult at times to draw the line exactly as to where communications from Departments make a case come under what is called an estimate, and, therefore, bring it within our rules; and the committee may err at times and places in that regard, because it is hard to find just the point where this rule applies.

This case was looked upon as a clear and undoubted claim. These ressures come every year upon the committee to put meritorious claims, if they are meritorious, upon the bill, and the committee strives to keep them off and strives in one direction. It certainly has not any partiality. If it has any in this case it is in favor of the claim.

ity. If it has any in this case it is in layor of the claim.

Mr. HOAR. I hope if the objection can be waived in this case, or if it be a question of doubt with the Senator from Maine, the doubt will be resolved in favor of the claim.

Mr. HALE. I did not mean to intimate that there was any doubt.

think it is a clear case.

Mr. HOAR. I am not sure about that. Here is one of the great debts and obligations of the Government to a great public benefactor, who has done one of the most important public services that in a civil way could be rendered to the country and to the age. His invention is of great importance.

Mr. VOORHEES. May I inquire of the Senator from Maine whether it is not true that there are a number of individual payments provided for in this bill, as much so as this would be? Unless I am mistaken there are payments provided for claimants, or whatever you please to call them, those who have claims against the Government.

Mr. HALE. There are hundreds of individual matters upon this

bill, but they are sent in by the Departments after the accounts have been considered and audited by the proper auditing officers, and have become therefore established as a debt againt the Government, and are transmitted by the Secretary of the Treasury under estimates for appropriations. This is nothing of that kind.

propriations. This is nothing of that kind.

Mr. VOORHEES. I beg pardon. This has been estimated for heretofore. It has been sent here from a Department; it has been reported upon by a committee of this body and referred to the Committee on Appropriations from the Committee on Claims. I never knew a claim to have a higher standing so far as its sources are concerned.

Mr. HOAR. Here is an item which catches my eye now, put on by

the committee of their own motion:

To pay Rider Henry and John J. Coughlin for services rendered in the Clerk's document-room, \$242.50 each; in all, \$485.

If that should be put on for a service rendered at the request of one of the branches of Congress, why should not compensation be made to a man who, at the urgent request of one of the Departments of this Government, invented a machine which has produced such wonderful re-

Mr. HALE. Matters touching employés about the two Houses of course do not come under the rule about estimates from the Departments; they are never considered as coming under that rule.

There is not an estimate in this case. Mr. HOAR.

Mr. HALE. But it is not submitted as an estimate for an appro-

Mr. PLATT. I should like to inquire of the Chairman of the Committee on Claims whether this claim has ever passed the Senate, and,

if so, how many times?

Mr. CAMERON, of Wisconsin. It has passed the Senate twice at least; I think three times.

Mr. COCKRELL. No; twice.
Mr. CAMERON, of Wisconsin. It has been favorably reported twice in the House, but has never been reached in that body.
Mr. PLATT. I saw the Senator having charge of this bill yield to the manifest desire of the Senate a little while ago to appropriate \$130,000 for the purpose of erecting a pedestal for a statue of Liberty Enlightening the World in the harbor of New York; and I think if he

did that, he might yield for this very just claim to be paid.

Mr. CAMERON, of Wisconsin. I called the attention of the Senator from Maine to an amendment put into the bill by the Committee on Appropriations on page 52. The provision of Rule XVI under which the amendment I offer is claimed to be subject to a point of order is paragraph 4:

No amendment, the object of which is to provide for a private claim, shall be eccived to any general appropriation bill, unless it be to carry out the provis-

ions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

Now, whether or not the amendment on page 52 is, in the language of the rule, made "to carry out the provisions of an existing law or a treaty stipulation" we do not know. If it be, then it is subject to a point of order, because it does not appear upon the face of the amendment that it is made to carry out an existing law or a treaty stipula-tion. Now, what, if anything, has the Senator from Maine to say to that?

The PRESIDING OFFICER. The Chair would rather leave the question to the Senate, whether this amendment is in order or not, finding differing opinions upon it.

Mr. SHERMAN. I have been listening to hear some Senator say

that this was in order, that it was not a private claim.

Mr. HALE. Nobody has claimed that it is in order. Nobody doubts

that it is a private claim, except perhaps the Chair.

The PRESIDING OFFICER. This is certainly a private claim, and the Chair supposes under that provision of the rule it is out of order.

Mr. CULLOM. I offer an amendment to the bill, coming in after the end of the one hundred and sixty-seventh line, on the eighth page. Mr. ALLISON. I move that the Senate take a recess from 6 to 8

, as we shall undoubtedly be up all night.

Mr. HALE. Let me suggest to the Senator from Iowa not to make an iron rule about a recess, because if we were within five or ten min-utes of finishing this bill it would be of great importance to gain the two hours of the recess. I think we shall finish the bill before 6 o'clock, and I hope the Senator will withdraw the motion.

Mr. ALLISON. I withdraw the motion at present.

The PRESIDING OFFICER. The amendment of the Senator from

Illinois [Mr. Cullom] will be read.

The CHIEF CLERK. The proposed amendment is to add after line 167:

For old custom-house, Saint Louis, Mo., paving Third street front, \$1,041.74.

For paving Olive street front, \$946.49.

For paving and curbing street on north front of the court-house and post-office at Springfield, Ill., \$270.85.

For paving Halstead street adjacent to marine hospital in Lakeview, Ill., \$264.

The amendment was agreed to.

Mr. McMILLAN. I desire to offer an amendment to be inserted after line 1633. It was submitted and referred to the Committee on Appropriations, but in the hurry of the discharge of their duties it was overlooked. It is recommended by the Sergeant-at-Arms, just as in the case of the other employés similarly situated.

The PRESIDING OFFICER. The amendment proposed by the Sen-ator from Minnesota will be read.

The CHIEF CLERK. After line 1633 of section 1 it is proposed to

To pay George F. Potter, an employé of the Senate post-office, \$520, being the difference between the pay of a laborer and that of a clerk from February 6, 1884, to March 4, 1885.

Mr. PLATT. I feel bound to say, as a member of the Committee on Contingent Expenses, that there are many claims of that same nature which the committee has been very much importuned to report favor-

ably upon, and we have declined to do it.

Mr. McMILLAN. This claim is in the same situation as the other claims of Senate employés inserted in the bill. I do not know that the amendment was referred to the Committee on Contingent Expenses of the Senate. It was referred to the Committee on Appropriations, and it has the approval and indorsement of the Sergeant-at-Arms, just

as the items embraced in the bill on pages 66 and 67 have.

The amendment proposes to pay the amount named to one of the employés of the Senate who received the wages of a laborer while performing the duties of a clerk, and very important duties. He is detailed at the city post-office and superintends the distribution of all the mail for the Senate post-office. He is an expert in that matter, and performs very faithful and efficient service.

The amendment has taken the course that all the amendments inserted in the bill have taken; and the Committee on Appropriations

merely overlooked it in the hurry of the discharge of their duties.

Mr. PLATT. This claim I understand to be one of a number that seem in some way or other to have been laid before the Committee on Appropriations, while others of like character have been laid before the Committee on Contingent Expenses. There are a variety of cases where for one reason or another a person has been put upon the laborers' roll here, and was glad to be put upon it, but has been assigned to the performance of the duty of a messenger, or person receiving higher pay, and he was very glad to do that work. The practice is that after a while they come in and ask for the difference between a laborer's pay and a messenger's pay or the pay of a person of higher salary.

A good many of those cases have been brought to the attention of the Committee on Contingent Expenses, and I feel bound to say, in the absence of the chairman of that committee, that we have felt th a person ought to receive the salary of the office which he accepted and not of the office the duties of which he performed when he was undoubt-

edly very glad to perform them.

Mr. McMILLAN. I have not heard of any such objection made by the Senator from Connecticut in regard to similar items which are in

this bill, although they were adopted in his presence. The services performed in this case are of a highly meritorious character. The person who discharges these services is an expert in regard to post-office matters. He superintends the distribution of the entire mail for the Senate from the city post-office. He is there constantly laboring, and is very diligent. This is certainly a very meritorious case, and as similar amendments in other instances have been passed this one should receive the same consideration.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Minnesota.

Mr. BROWN. I ask for a division.

There were, on a division—ayes 6, noes 25; no quorum voting.
Mr. SHERMAN. There is a quorum present.
The PRESIDING OFFICER. The Chair thinks there is a quorum present.

Mr. McMILLAN. I hope the Senator from Connecticut will with-draw his objection unless there is something very important about it upon which he must insist. Here are claims of this character which the Senate has voted in favor of on this bill, and in this case there has been an omission merely through an inadvertence and an oversight. The amendment has received the same indorsement and the same at-

tention which the other claims inserted in the bill have received.

The PRESIDING OFFICER. No quorum has voted. The Chair must ascertain the presence of a quorum first before entertaining any

Mr. HARRIS. I demand the yeas and nays as the shortest way of developing the presence of a quorum.

The PRESIDING OFFICER. The Chair begs leave to suggest that

there is a quorum in the Chamber, if Senators will oblige the Chair by voting. If there be no objection, the Chair will again put the question.

Mr. SABIN. I trust that the objection to the amendment will be withdrawn. I know something of this case. I have been informed by the postmaster and by several members of the Department that this is one of the most worthy objects which could be presented; that this gentleman is doing clerical work in the Department, and is working at least an average of fourteen or fifteen hours a day. He is a very efficient and experienced clerk, and has been transferred there from the laborers' roll.

I believe there has not been a more meritorious amendment offered to the bill than the one which has been offered by my colleague. I certainly hope that in this case this small pittance will not be denied by

a discrimination against this gentleman.

Mr. BROWN. My objection is—

The PRESIDING OFFICER. The Chair thinks the debate ought not to be entertained without the consent of the Senate. The Chair will hear the Senator from Georgia, if there be no objection.

Mr. BROWN. I ask unanimous consent to say a word in reply to the Senator from Minnesota, as he was heard on the other side. I object to the amendment as a precedent and think it is a dangerous one. I do not care to enter into a discussion of the question at this stage of the proceedings, but I do not think I ought to withdraw the call for a division, because it is very evident that a large majority of the Senate is opposed to this claim. I will ask the Senator from Minnesota whether it would not be more appropriate that he should withdraw the amendment?

Mr. McMILLAN. If Senators insist upon taking the yeas and navs and opposing this claim I suppose it will follow that when we come into the Senate with the bill those Senators will move to strike out all claims of a similar character.

Mr. BROWN. I have not heard of any other claim of a similar char-

Mr. PLATT. Mr. President—
The PRESIDING OFFICER. The Chair must put an end to this condition of uncertainty. The debate is proceeding by unanimous con-The last vote disclosed that no quorum was present.

Mr. PLATT. I ask unanimous consent to say a word.
The PRESIDING OFFICER. Is there objection? The Chair hears

none, and unanimous consent is given.

Mr. PLATT. If claims have been already put in the bill of the nature of the one proposed by the Senator from Minnesota, which I did not suppose had been done, and if they have received the sanction of the Committee on Appropriations, I do not propose to make a point against

a single claim which has been overlooked.

Mr. HALE. The Committee on Appropriations in considering all these subjects touching the Senate employes had of course very little information, and sent for the Secretary of the Senate and the Sergeantat Arms. The matters which they presented, upon their statement that they had been investigated and were known to be right and just, the committee put in. The case now presented by the Senator from Minnesota was not brought before the committee by the Sergeant-at-Arms, but he stated to meafter the bill had been reported that he would have done with that claim as he did with the others if his attention had been called to the case; that he was in favor of it. So I did not make any point against it for the reason which now animates the Senator from Connecticut.

Mr. PLATT. I withdraw my objection to the amendment.

Mr. HALE. Then let us take a vote on the amendment. The PRESIDING OFFICER. If there be no objection the Chair will take another division.

The amendment was agreed to; there being on a division-ayes 23,

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Depropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes; that the House concurred in the ninth, twelfth, thirteenth, fourteenth, twenty-sixth, thirty-fifth, forty-first, forty-second, seventy-fifth, and seventy-sixth amendments of the Senate to the said bill; that it further insisted on its disagreement to the twenty-seventh, twenty-eighth, one hundred and tenth, one hundred and eleventh, one hundred and twelfth, and one hundred and thirteenth amendments of the Senate to the said bill, and agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. E. John Ellis of Louisiana, Mr. William S. Holman of Indiana, and Mr. Thomas Ryan of Kansas managers of the further conference on the part of the House.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and

for prior years, and for other purposes.

Mr. HARRIS. I wish to present an amendment which I reported from the Committee on Epidemic Diseases, which was referred to the Committee on Appropriations, and was omitted, I think, as a mere oversight by the Committee on Appropriations. But before asking action upon the amendment I call the attention of the Senator from Maine to the fact that the paragraph embraced in lines 451, 452, and 453 is an amendment reported by the Committee on Appropriations and was not acted upon when the bill was being regularly read for action upon the amendments of the committee.

The PRESIDING OFFICER. The present occupant of the chair was

not here at the time.

Mr. SHERMAN. In order to expedite business I make the suggestion for the unanimous consent of the Senate that as soon as this bill is disposed of we shall proceed to the consideration only of pension cases reported favorably, and none others, or probably that a recess be taken until 8 o'clock.

Mr. HARRIS. I suggest to the Senator from Ohio that we conclude the appropriation bill before we try our hand as to what we shall do

Mr. SHERMAN. I am afraid we shall be in a few minutes without a quorum, and then we shall have tied ourselves here, and may waste two or three hours.

Mr. HALE. I hope we may finish the bill in fifteen minutes, and

then take a recess for two hours.

Mr. COCKRELL. It is exceedingly important that we should disose of the fortification bill this evening, and I think it can be done in

fifteen minutes when we get through with this bill.

Mr. HALE. Let us get through with this bill first.

The PRESIDING OFFICER. The Senator from Tennessee has called the attention of the Senate to an amendment which was informally passed over.

The Chief Clerk will report the amendment recommended by the

Committee on Appropriations.

The CHIEF CLERK. After line 450, the committee reported to insert: To pay Michael Conlan for services as messenger in the National Board of Health from July 24, 1879, to—

The PRESIDING OFFICER. The question is on agreeing to the

Mr. HARRIS. This man was employed as a messenger in the National Board of Health. Every dollar of salary that was due him for the time he served was paid him, but I find in the sundry civil appropriation act of 1883 that there was an appropriation to pay him for the same services over again to the extent of two hundred and forty-eight dollars and some cents. I think this amendment ought to be rejected. That is all I have to say about it. I am indifferent as to what is done

The amendment was rejected.

Mr. HARRIS. Now I ask action upon the amendment which I sent to the desk.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. Beginning at line 441, it is moved to strike out all down to and including the word "dollars," in line 450, in the following words:

For salary of the secretary of the board from April 1,1884, to March 1,1885, 3,130.

For pay of messenger from July 1, 1884, to March 31, 1885, \$300. For rent of building from July 1, 1884, to March 31, 1885, \$900.

And to insert:

For per diem and expenses of members of the board, including the salary of the secretary, from April 21, 1884, to June 30, 1885, \$5,550; for rent, light, fuel, stationery, telegrams, and postage, \$1,400; for salaries of employes, \$800; for incidental expenses, \$150; in all, \$7,900.

Mr. HALE. As I understand the amendment, from listening to it,

it is meant to carry the appropriations through the remainder of the fiscal year, instead of stopping in March.

Mr. HARRIS. That is the precise point. The House appropriation covers the deficiency to the 31st day of March, but does not extend it to the end of the fiscal year.

Mr. HALE. I do not object to that amendment.

The amendment was agreed to.
Mr. HAMPTON. In section 2, after line 61, I move to insert:

Ten thousand five hundred dollars, to refund to persons money collected from them without warrant of law as in payment of dues under the direct-tax laws, in accordance with the recent decision of the Court of Claims in the case of Joseph W. Harrison vs. the United States.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from South Carolina,
Mr. HAMPTON. Before the amendment is acted on I beg to say that there was a typographical error in the print in the name of this man, which I have corrected. The printed copy reads "James W. Harrison." The name is "Joseph W. Harrison." I offer the amendment in accordance with a letter of the Secretary of the Treasury, recommending that—

Ten thousand five hundred dollars should be appropriated to refund to persons money collected from them without warrant of law as in payment of dues under the direct tax-laws, in accordance with the recent decision of the Court of Claims in the case of Joseph W. Harrison s. the United States.

It is accompanied by a recommendation for its favorable consideration by Congress and signed "H. McCulloch, Secretary."

Mr. HALE. I do not understand that this is a judgment of the Court

of Claims, but it is a claim based upon some principle enunciated or established in a decision of that court. While that might entitle it to the consideration of the proper committee, I am very clear that it should go to some other committee than the Committee on Appropriations, and therefore I must make the point of order.

The PRESIDING OFFICER. The Chair sustains the point of

order.

Mr. HAMPTON. I suggest to my friend from Maine that this amend-ment was by the decision of the Chair referred to the Committee on Appropriations, and I thought it was simply an accident that it had been omitted.

Mr. DOLPH. After line 1489 I move to insert:

To enable the Secretary of the Treasury to settle and pay the accounts of Edward S. Kearny, late United States marshal for the district of Oregon, from March 3, 1884, to August 4, 1884, \$2,820.46, or so much thereof as shall be neces-

Mr. HALE. Let me ask the Senator from Oregon if there is a regular estimate from the Secretary of the Treasury with a recommenda-

tion of the appropriation.

Mr. DOLPH. It comes with a recommendation from the Committee on the Judiciary. It was introduced by the Senator from Vermont [Mr. EDMUNDS]. It was referred to the Senate Committee on the Judiciary and reported favorably from that committee. I take that to be the judgment of the committee that it is a proper amendment to the bill.

The facts are simply that the term of Mr. Kearny, the United States marshal for Oregon, expired on the 3d of March, 1884. He held over because his successor was not appointed until the 1st of August, 1884. He earned his fees and paid money for the expenses of the courts. When he came to the Treasury Department to settle his accounts the officers there held that because the court did not make an order on the 3d of March appointing him there and the part of the set of th 3d of March appointing him they could not pay the expenses out of the regular appropriation. This is simply an appropriation to enable the Secretary to settle for his fees during the interim.

As I said, we have the judgment of the Committee on the Judiciary

As I said, we have the judgment of the Committee on the Judiciary that it is a proper amendment; and more than that, I offer it under a clause precisely similar in the bill authorizing the Secretary of the Treasury to settle the accounts of Paul Strobach, late United States marshal for the southern district of Alabama, almost in identical language, which is already in the bill. It involves no appropriation. It simply authorizes the adjustment of the accounts and makes the appropriation to pay them when they are adjusted. It authorizes the settlement of accounts which accrued in the ordinary business, in the performance of the official duties of the marshal for the district, and the only reason why he was not paid without an appropriation by Congress. only reason why he was not paid without an appropriation by Congress was that there had been a neglect of the court to enter an order on the 3d of March that he should act as marshal. But he did hold over as he supposed under the original appointment with his bondsmen, and performed the services

Mr. HALE. Did the Committee on the Judiciary report this as an amendment to the appropriation bill, sending it to the Committee on

Appropriations?

Mr. DOLPH. They did, and it went to the Committee on Appropriations in connection with another amendment. Both were submitted at the same time. One of the amendments submitted by me

was adopted by the committee, and this amendment, I suppose, was accidentally omitted.

The amendment was agreed to.

Mr. GORMAN. After line 379 I move to insert:

To reimburse Grafton Munroe, postmaster at Annapolis, Md., for losses by burglary February 4, 1884, as follows, namely: For postage-stamps, \$3,655.52; for postal funds. \$2,430; and for money-order funds, \$659.61.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. GORMAN. There can be no question about this amendment. I offered it in the Senate, and it was referred to the Committee on Appropriations, accompanied with a letter from the Postmaster-General, in which he states the fact of the burglary and loss at the Annapolis postoffice and that the whole matter had been investigated by the Department.

The act of 1882 provides for the adjustment of these claims except for postal funds. The amount of those funds lost was \$2,430.

Annapolis, the capital of Maryland, is, I believe, the only State cap-

ital in the Union where provision has not been made for a post-office building. A temporary affair is rented, which is far from being burglar-proof. The young gentleman who is now postmaster at Annapolis met with this loss, and it has left him absolutely bankrupt.

I hold in my hand a letter from the Postmaster-General, in which he says he has had the affair investigated, and that the amounts other than that for postal funds the Post-Office Department would allow, but under the act of 1882 he can not allow for postal funds without further legislation. It is a perfectly just and meritorious claim, and all the provisions of the rule have been complied with.

Mr. HALE. That is the kind of claim which is continually being reported by the Committee on Post-Offices and Post-Roads.

make the point of order against it.

The PRESIDING OFFICER. The Senator from Maine makes the

point of order. The Chair holds that the point is well taken.

Mr. MORGAN. At the last session of Congress a committee was raised in the Senate and another committee was raised in the House for the purpose of investigating the capacity of this country for producing iron, steel, &c. The two committees, having precisely the same duties, during the recess of Congress acted jointly on several occasions. They procured, as was mentioned by the chairman of the committee to-day, a good deal of information of a valuable character. The House expiring to-morrow at 12 o'clock, it can not by resolution appoint a committee. That can only be done by an act of Congress.

It has been brought to the attention of the Senate committee by members of the House that it is very desirable that these two committees should be maintained in some way, so that they may continue their joint action during the coming recess. The Senate this morning authorized its committee to sit in the vacation and to proceed to complete

this very important work.

The committee of the Senate to inquire into the capacity of steel-producing works in the United States have instructed me under the circumstances to present an amendment and to ask that it may be placed upon this bill. I wish to remark before the amendment is read that it must be in its nature until the 1st of June a deficiency, because there is no money remaining appropriated now, so far as I am advised at least, out of which the House committee could be supplied. I ask the attention of the Senate to the amendment. After line 1743 I move to insert:

To defray the necessary expenses of the select committee of the House of Representatives, raised under a resolution of the House adopted July 6, 1884, to inquire as to the capacity of steel-producing works in the United States, and for other purposes, \$3,000. And said committee, with its present membership, is continued as a commission until January 1, 1886. Said sum shall be immediately available.

Mr. HARRISON. Do I understand this item to relate to a House

Mr. MORGAN. Yes; it is to enable the House to continue its com-

mittee. Otherwise it could not do so.

Mr. HARRISON. Have these committees been ordered separately, and are they acting together?

Mr. MORGAN. They have been appointed separately and are acting together, and without this amendment the House portion of the committee falls entirely, and we shall lose the benefit of their services

and of the experience they have gained.

I wish to make one further remark. This very important matter, as I conceive it to be and as every Senator here will admit it is, will depend for its success, and more particularly for its speedy success, upon the concurrence of the committees of the two Houses.

Mr. MILLER, of New York. Will the Senator from Alabama allow me to ask him a question?

Mr. MORGAN. Yes, sir.
Mr. MILLER, of New York. As I understand, the amendment prooses to provide for the House portion of the Joint Committee on the

Distance of the Committee on Rules.

Mr. MORGAN. It is neither. It is to inquire into the steel-producing capacity of the United States.

Mr. MILLER, of New York. But the present House of Representatives dies to-morrow at 12 o'clock. Perhaps the gentlemen who now language.

compose the committee have not been re-elected. I do not see how we can create such a committee.

Mr. MORGAN. All the members who were appointed on that committee have been re-elected to the next House. ceeds to constitute the House part of the committee a commission.

Mr. MILLER, of New York. I have no objection at all to the amend-

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SABIN. After line 1430, I move to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Clement A. Lounsberry, postmaster at Bismarck, Dak., the sum of \$750, that being the amount expended by said Lounsberry in the payment of clerks necessarily employed in said office from April 1,1881, to June 30, 1882, and which amount was disallowed in the settlement of his accounts.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Minnesota [Mr. Sabin].

Mr. Sabin. The substance of the amendment is a bill reported

from the Committee on Post-Offices and Post-Roads, which is on the Calendar. It is a shortage due the Department by the postmaster at Bismarck, which was occasioned by extra clerk-hire during the three or four years when the Northern Pacific Railroad was being constructed and when a large and unexpected mass of post-office business accumulated in his office. The Department are insisting, of course properly, upon a settlement of the accounts, and are threatening unless the same

Mr. Lounsberry is one of the best citizens in that Territory. He is one of the pioneers. He was a gallant soldier, and he settled at Bismarck during its early days. He is entirely financially incapacitated to meet this demand upon him. It is a thoroughly worthy and meritorious allowance, and I trust there will be no question about the Sen-

ate allowing the claim.

Mr. HALE. I must pursue the same course in this case that I have pursued in others, and make the point of order upon the amendment.

The PRESIDING OFFICER. The Chair must decide that the amendment is out of order.

Mr. CONGER. Before the Chair decides the amendment to be out of order I wish to call the attention of the Chair to the question. This amount is recommended by the Postmaster-General. It was estimated for and recommended to Congress to be passed. It has all the indicia of a regular estimate for an appropriation to be made in this bill.

Mr. HALE. I suggest to the Senator that it is not the Postmaster-General who has the authority by law to submit estimates, but it is the Secretary of the Treasury. The heads of other Departments do not submit estimates to Congress. All their estimates are revised by the Secretary of the Treasury, who then submits them to Congress.

Mr. CONGER. That may be a very good statement of fact, but it

has nothing to do with our rule.

Mr. WILSON. I will state that this case was referred to the Committee on Post-Offices and Post-Roads and that committee unanimously reported the bill which has been used for the purpose of presenting this amendment. The amendment is in the precise language of the bill reported by the Committee on Post-Offices and Post-Roads. In his communication to the House committee the Postmaster-General used thir language:

On account of the large registry business, and the large amount of free business originating in the several Government offices located at Bismarck, there is no doubt that the clerical force employed by the postmaster was needed to conduct the business of the office.

He paid his money, his vouchers were presented, and, as I said, the Committee on Post-Offices and Post-Roads reported unanimously in

favor of the passage of a bill for his relief.

Mr. CONGER. One of the provisions of the first paragraph of Rule
XVI is that such an amendment shall not be in order "unless the same be moved by direction of a standing or select committee of the Senate," which has been done in this case, "or proposed in pursuance of an estimate of the head of some one of the Departments." What is a Postmaster-General but the head of some one of the Departments?

Mr. HALE. But the Postmaster-General does not submit estimates to Congress. The Senator, I presume, is aware that all the estimates come from the Secretary of the Treasury. He is the revising power. The propositions which are sent to Congress, and come before the Committee on Appropriations, are some of them from the Postmaster-General through the Secretary of the Treasury, thereby making it an estimate, or from the Secretary of the Navy through the Secretary of the Treasury, thereby making it an estimate, but it is never considered an estimate regularly made unless transmitted by the final scrutinizing

Mr. CONGER. I should like to have the decision of the Chair whether the rule is to be construed to read:

Or proposed in pursuance of an estimate of the head of some one of the Departments through the Secretary of the Treasury.

I supposed we had rules that were intelligible to a common understanding, and I claim to have at least the ordinary understanding of

Mr. HALE. Has this ever been estimated for by the Postmaster-General?

Mr. CONGER. Mr. CONGER. Yes, sir; and recommended to Congress for passage.
Mr. HALE. Where?
Mr. CONGER. In a printed document sent to the House, which is

to be found in Senate report No. 1024.

Mr. HALE. I have not looked at that document, but I am informed by members of the committee who have considered the question that

this item has never been estimated for.

Mr. CONGER. I have read, I think, the proposition of the Postmaster-General.

There may be a letter from him. Mr. HALE.

Mr. HALE. There may be a feeter from finit.

Mr. CONGER. It is an estimate.

Mr. HALE. Hardly.

Mr. CONGER. The Senator undoubtedly withdraws the point he made about an estimate coming from the Secretary of the Treasury to be effective.

Mr. HALE. No; I do not withdraw it. I do not know what the course has been in the Senate, but I know the law requires that all estimates shall be submitted by the Secretary of the Treasury, and that everything in relation to estimates comes through that channel.

Mr. HOAR. If the Senator will pardon me for making a statement from memory, I think I am not mistaken in saying that a letter from the head of a Department coming in while an appropriation bill is on its passage, long after the regular estimates are made at the beginning of a session of Congress, applies; and items of proposed expenditure have been repeatedly sent in by every Department.

Mr. HALE. The Senator is much older in Senatorial life than I am,

but I know that in looking at estimates one of the questions which the committee considers is that the estimate must go through the re-vising power. The Secretary of the Treasury frequently cuts down the estimates of other Departments.

Mr. CONGER. In that way, according to the rule, there would be no such thing as "an estimate of the head of some one of the Depart-

no such thing as "an estimate of the head of some one of the Departments" unless the Secretary of the Treasury consented.

The PRESIDING OFFICER. It is the opinion of the Chair that under the existing law this is not an estimate of the head of a Department unless it comes in accordance with law through the Secretary of the Treasury. The Secretary of the Treasury revises and submits these estimates. It is a good foundation.

Mr. CONGER. I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from Michigan will wait until the Chair has concluded his regressly. The Chair is of opinion that

until the Chair has concluded his remark. The Chair is of opinion that it would be an excellent basis of a bill to pay the claim, but if a technical objection is made that it is not an estimate in the sense of the law, the Chair is of opinion that the point is well taken.

Mr. CONGER. Unless the estimate comes through the Secretary of

the Treasury?
The PRESIDING OFFICER. Yes.

Mr. CONGER. From that I appeal. I appeal from that construction of the last part of the first clause of Rule XVI, which reads "or proposed in pursuance of an estimate of the head of some one of the Departments."

The PRESIDING OFFICER. The Senator from Michigan appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question I have been appeared to have it. The page appear to have it. The page the page it.

tion.] The noes appear to have it. The noes have it. The Senate decides that an estimate of the head of some one of the Departments is an estimate in the sense of the sixteenth rule.

Mr. CONGER. I suppose the amendment is now regularly before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HALE. Now let us see whether the Postmaster-General has ever estimated for this item. I make that point of order, and I should like to have the Chair rule upon it.

Mr. CONGER. I will read the letter of the Postmaster-General:

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
SALARY AND ALLOWANCE DIVISION,
Washington, D. C., April 5, 1884.

SIR: Your letter of the 24th ultimo to the Postmaster-General, inclosing seate bill 1684, for the relief of Clement A. Lounsberry, postmaster at Bismarck, Dake, has been referred to this office.

In reply you are informed that the claim of Mr. Lounsberry appears to be for the sum of \$750 alleged to have been expended by him for clerk-hire, from April 1,1881, to June 30, 1882, in excess of the authorized allowances made by this office; and from a letter addressed to this office by Mr. Lounsberry, the amount claimed is itemized as follows:

is itemized as ione as	
Paid to Frank D. Bolles: Second quarter, 1881	\$150
Third quarter, 1881	150
Fourth quarter, 1881	150
First quarter, 1882.	150
Paid to C. M. Lounsberry:	
Second quarter, 1882	150
Total	750

It also appears from his statement that during the year 1881 his total expenditure for clerk-hire was \$1,150, or \$450 in excess of the amount allowed by the De-

partment; and in 1883 he paid \$1,300 for clerk-hire, or \$475 more than his allowance for clerks. During the year 1883 \$2,009.83 was expended for clerk-hire, or an excess of \$609.83 more than the regular allowance for clerks; but out of the surplus fund for clerks in post-offices at the close of the fiscal year ending June 30, 1883, the sum of \$404.13 was approved and allowed by this office.

The gross receipts which accrued at the Bismarck post-office during the years in question were as follows:

1881	\$6,573 6	1
1882	7,316 9	
1883	10,472 2	20

On account of the large registry business, and the large amount of free business originating in the several Government offices located at Bismarck, there is no doubt that the clerical force employed by the postmaster was needed to conduct the business of the office.

Very respectfully,

FRANK HATTON, First Assistant Postmaster-General.

Hon. James F. Wilson, Chairman Subcommittee on Post-Offices and Post-Roads, United States Senate, Washington, D. C.

Mr. HALE. What I asked for was the estimate of the head of the Department. There has been nothing thus far that even under such a construction of the rule as the Senate has just placed upon it would let this claim in. The paper that has just been read is nothing but a communication from one of the subordinates of the Post-Office Department.

Mr. COCKRELL. Will the Senator from Michigan allow me to read

the law on this point?

The PRESIDING OFFICER, Does the Senator from Michigan yield?

Mr. CONGER.

Mr. CONGER. Yes, sir. Mr. COCKRELL. I read from the deficiency act of last session, which is now the law, page 254:

And hereafter all estimates of appropriations and estimates of deficiencies in appropriations intended for the consideration and seeking the action of any of the committees of Congress shall be transmitted to Congress through the Secretary of the Treasury, and in no other manner; and the said Secretary shall first cause the same to be properly classified, compiled, indexed, and printed under the supervision of the chief of the division of warrants, estimates, and appropriations of his Department.

Mr. CONGER. That does not change the question of the construction of the rule at all.

The PRESIDING OFFICER. It fortifies the opinion of the Chair,

Mr. CONGER. It adds to the opinion perhaps.

The PRESIDING OFFICER. The opinion of the Chair remains as it stood.

Mr. HALE. I make the point of order that there is not even the estimate of the head of a Department for the amendment. If the Chair will look at the communication which the Senator from Michigan has just read he will see very clearly that it is not such an estimate. Does the Senator from Michigan claim that what he has read is the estimate of the head of a Department?

Mr. CONGER. I claim that it is from the Post-Office Department, and that it is from the proper officer who has charge of this branch of the service

Mr. HALE. But the rule of the Senate which has been invoked and which the Senate sustained says "the head" of a Department. There is no subordinate in the Department who can fill that bill. The amendment is clearly out of order even upon the Senator's interpretation.

Mr. CONGER. Mr. Hatton is the Postmaster-General.

Mr. HALE. He was not at the time he wrote the letter. I do not

think we had better have much more of this discussion, Mr. President.

The PRESIDING OFFICER. The Senator from Maine raises the point that the amendment is not the estimate of the head of a Department. The Chair did not ascertain the fact from the communication which was read. Was that from the head of a Department?

Mr. CONGER. It was from the then Assistant Postmaster-General,

Mr. CONGER. It was from the beautiful who is now the head of the Department.

The Chair decides that the point of the Department of the beautiful of the beauti order is well taken. The estimate was not made by the head of a De-

Mr. CALL. After line 1633 I move to insert:

For compensation to T.B. Kelcher from December 1, 1882, to February, 1883, s a skilled laborer and acting messenger, \$250.

That is a similar case to the other items which have been adopted in the bill. It is a case which is well known to myself and to the Senator from Connecticut [Mr. Plastr] on the Committee on Patents. It has been recommended by the Sergeant-at-Arms.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Florida [Mr. Call].

The amendment was agreed to.

Mr. HALE. I offer an amendment which was offered once before, which the committee inadvertently left out. At the end of line 907 I move to insert:

For salaries and traveling expenses of the Mississippi River Commission, and for salaries and traveling expenses of assistant engineers under them, and for office expenses and contingencies, \$50,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maine.

Mr. CONGER. Is there any law for it?

Mr. HALE. It is simply continuing the Mississippi River Commis-

Mr. CONGER. Why in this bill? I make the point of order that

the amendment is not estimated for.

Mr. HARRISON. It has been estimated for. These are regular officers of the United States upon regular salaries. They are officers of the Mississippi River Commission.

Mr. MILLER, of New York (in his seat). Their offices ought to be

abolished.

Mr. HARRISON. The Senator from New York remarks sotto voce that the offices ought to be abolished, but until they are abolished I take it that their salaries ought to be paid. There can be no question, as the Senator from Maine will verify, that the estimates are in the Book of Estimates to pay the salaries of these officers.

The PRESIDING OFFICER. Does the Senator from Michigan

make a point of order upon the amendment?

Mr. CONGER. It may be in the Book of Estimates, but I do not find it.

The PRESIDING OFFICER. The Chair can not speak of his own knowledge. The Senator from Maine will inform the Chair whether these items are in the Book of Estimates.

Mr. HALE. I can not put my hand on the place, but I have no doubt they are. It is a regular established branch of the Government

that is appropriated for every year.

Mr. HARRISON. What has that to do with the question when the amendment is reported from the Committee on Appropriations?

The PRESIDING OFFICER. The Chair overrules the point of

order.

Mr. CONGER. I did not hear it stated that the amendment was reported by the Committee on Appropriations. I thought it was offered by the Senator in charge of the bill. I will ask whether it was

reported from the committee.

Mr. HALE. It was reported by the committee.

The PRESIDING OFFICER put the question on agreeing to the amendment and declared that the "noes" appeared to prevail.

Mr. HARRISON. I wish to say just one word. I can not understand what Congress could mean, while the law remains constituting certain officers with a certain fixed annual salary, if the Congress of the United States shall refuse to pay their salaries. It does seem to me that the Senate of the United States is not ready to take that action. Here are these gentlemen constituting the commission—Major Harrod of Louisiana, Judge Taylor, and others. They have their offices and the expenses of rent incurred in pursuance of law; and yet the Congress of the United States proposes to say to that body of gentlemen, "We shall not pay you one cent."

Mr. HOAR. They could recover in the Court of Claims.

Mr. HARRISON. Undoubtedly they could. They could recover their salaries. It is an obligation which can not be affected by rejecting this proposition. It strikes me that Sanatons certainly have not

ing this proposition. It strikes me that Senators certainly have not realized this proposition, or they would not be voting here to refuse to pay an officer who is just as much entitled to his salary as any Senator who sits in his seat here. It would be just as fair a proposition to strike out this appropriation as to leave out of an appropriation bill the provision for the pay of Senators.

Mr. DOLPH. I should like to ask the Senator from Indiana if it is

customary to make an appropriation in a deficiency bill for the salaries of regular officers of the Government?

of regular officers of the Government?

Mr. HARRISON. This appropriation should not have been here; it should have been in the legislative, executive, and judicial appropriation bill, or in the sundry civil appropriation bill. It has been put in one of those bills from year to year. This amendment is copied exactly from those acts, except that the annual amount appropriated heretofore has been \$75,000 and the Committee on Appropriations have reduced it to \$50,000. It is copied literally from the sundry civil appropriation act as it has passed the Senate year after year since the commission has been in force, except that the amount has been reduced by \$25,000. This is not the appropriate bill, but on account of that omission it is This is not the appropriate bill, but on account of that omission it is entirely proper to have it inserted here, and the committee reported to place it here.

Is it to be supposed that those gentlemen could be removed by a failure to make the necessary appropriation, without any notification of dismissal, without a repeal of the law, having established, in pursuance of law, an office in Saint Louis, having incurred obligations for rent, having civil clerks and employés, having a large amount of Government property in their charge which must be cared for and stored and put out of the way if it is not to be used? Is it to be supposed that Conput out of the way if it is not to be used? Is it to be supposed that Congress has suddenly determined that it will pay them nothing, that it will not pay the rent of the offices they occupy, that it will pay them no salaries, that it will not give them a dime to travel to places where their implements of work are, in order to see that they are not put out of the way? I am sure Senators are not in favor of such a proposition.

Mr. HALE. Let us have a vote.

The PRESIDING OFFICER. The question is on agreeing to the appropriate proposed by the Senator from Maine.

amendment proposed by the Senator from Maine.

The amendment was agreed to.

Mr. VANCE. In section 2, line 373, I move to increase the appro-

priation for compensation of postmasters, readjusted under the act of March 3, 1883, from \$140,498.79 to \$240,498.79. The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from North Carolina.

Mr. WILSON. I am very glad to know that that amendment has at last been able to get before the Senate. For the last hour, representing the action of the Committee on Post-Offices and Post-Roads, I have been trying to get such an amendment before the body, and I congratu-

late the Senator from North Carolina upon his success.

Mr. VANCE. Mr. President, I wish to submit a brief word of ex-

planation.

Under the law authorizing the salaries and payments to postmasters to be readjusted the Auditor has been readjusting them by States, and there has been heretofore a refusal to pay any until the whole were readjusted. The appropriation in the bill is intended to enable the postmasters to be paid as fast as their claims are audited and readjusted. The Auditor reported that on the 1st of January there were one hundred and forty-odd thousand dollars due; that by the 4th of March there would be \$200,000 readjusted and ready for payment, and a still greater amount before Congress assembled again in December. In order to prevent those postmosters whose accounts may be properly readjusted un-

der the law from having to wait for another appropriation I propose to make this appropriation \$240,498.79 instead of \$140,498.79.

Mr. WILSON. The amendment should be, I think, in several divisions, and in order to present it in accordance with the statement made by the acting Postmaster-General, I move to amend the amendment offered by the Senator from North Carolina, in lines 373, 374, and 375, by striking out "40,498.79" and inserting "78,481.23;" so as to

For compensation of postmasters readjusted under act of March 3, 1883, payable from deficiency in postal revenues, 1882 and prior years, \$278,481.23.

Mr. HALE. That makes the exact amount which has been reported as readjusted to this time?

Mr. WILSON. It does. In a letter addressed to the President of the Senate, the acting Postmaster-General says, with reference to this very estimate:

The total amount found due to the postmasters by adjustments completed to date is \$178,481.23.

Mr. HALE. That is right. That should go in of course. The House did not report an amount large enough.

Mr. WILSON. That is the first amendment I desire to offer.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa to the amendment proposed by the Senator from North Carolina.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WILSON. In line 375, after the word "cents," I move to in-

For compensation of postmasters to be readjusted under said act during the remainder of the present fiscal year, \$200,000.

Mr. HALE. I make the point of order upon that amendment. Mr. WILSON. I wish to state that in the letter of the acting Postmaster-General from which I have read he makes this statement:

The probable approximate amount that will be found due in the adjustments made within the present fiscal year, with the present elerical force, may be stated at \$255,436.

Inasmuch as this is an approximate statement, I have reduced the amount from \$255,436 to \$200,000, which will furnish an amount possibly large enough to meet the accounts that will be adjusted during

the remainder of the present fiscal year.

The Senator from Maine who has charge of the bill raises the point of order against the amendment. I wish to state, in the first place, that this is in a certain sense an estimate of the head of a Department, although it does not come in the form prescribed by the law read by the Senator from Missouri a short time since. It does not seem to me the senator from sissour a short time since. It does not seem to me that it is obnoxious to the point of order, notwithstanding it does not conform in that respect. This is in every proper sense connected with the business of the office for this year a deficiency. There has been no appropriation made for it, although under the general law these accounts should have been paid out of the current appropriations for the salaries of postmasters, and then the item would have come before Congress in the form of an estimate for a deficiency in connection with the appro-

Mr. HARRIS. I dislike to raise a question of order, but in view of the late hour of the day, it being the last day of Congress, I beg to state to the Senator from Iowa that a question of order is not debatable

under the rule.

Mr. WILSON. The Senator from Iowa begs to state to the Senator from Tennessee that he is well advised of that, but he desired to explain the amendment.

Mr. HARRIS. Then I rise to a question of order, and my point of order is that the Senator from Iowa is out of order.

The PRESIDING OFFICER. A point of order is not debatable. Mr. WILSON. I am entirely aware of that, but I was proceeding, as I supposed, by unanimous consent.

The PRESIDING OFFICER. The Chair desired information upon

the amendment to decide the point of order. He is not now aware of the precise nature of the amendment proposed. The amendment will be again read.

The CHIEF CLERK. In section 2, line 375, after the word "cents," it is proposed to insert:

For compensation of postmasters to be readjusted under said act during the remainder of the present fiscal year, \$200,000.

Mr. HALE. There is no estimate for it here.

The PRESIDING OFFICER. The Chair is of the opinion that the

amendment is not in order.

Mr. WILSON. Of course I do not desire at this time, and with a Senate which would probably disclose the want of a quorum, to take an appeal from the decision of the Chair, although I believe that on a presentation of the question the amendment would be found to be in order.

Mr. BROWN. We had hoped to get through with the bill before this hour. As there is no telling how long we shall be detained in discussion here

Mr. HALE. We are almost through. I think we can finish the bill in five minutes

Mr. BROWN. If we can get through with it soon, all right; but I was going to make a motion to take a recess.

Mr. MILLER, of California. I move to add to the bill the following paragraph:

For payment of laborers and others for services rendered, &c., in the construction of the light-house at Point Concepcion, California, as follows: Employés, Point Concepcion light, \$3,784.70; Miguel Ortego, \$480.14; Charles Ashton, \$270; Pigeon Point light-station, \$980.99; sundry small bills, \$1,200.95; Martin and P. B. Murphy, \$10,000; O. B. Shaw, \$1,748.87; in all, \$18,465.65, in accordance with the recommendation of the Secretary of the Treasury of February 21,188 (House of Representatives Executive Document No. 87, Forty-seventh Congress, second

Mr. HALE. I raise the point of order on the amendment.

Mr. MILLER, of California. I wish to debate the point of order so far as to say that this is a deficiency because of the sums due for labor and material furnished in the construction of the light-house. The appropriations were made and the money was stolen by the Government officers having it in charge, and these people were never paid. The amount was estimated for by the Secretary of the Treasury, February 21, 1882. The whole case is explained in Executive Document No. 87, Forty-seventh Congress, second session.

Forty-seventh Congress, second session.

Mr. HALE. There is no estimate for this appropriation.

Mr. MILLER, of California. This is the estimate.

Mr. HALE. That is an old letter to the last Congress. There is no estimate for this Congress.

The PRESIDING OFFICER. The Chair holds that the point of

order is well taken, there being no estimate.

order is well taken, there being no estimate.

Mr. HALE. Now I hope we shall have a vote on the bill. I know other Senators feel as I do.

Mr. HARRIS. I wish to take not a second in order to put the conferees of the Senate on the same footing with the House conferees in reference to the little extra allowance made to their employés by the bill. In line 1717, after the word "Senate," I move to strike out "and the Clerk of the House of Representatives;" and in line 1719, after the word "Senate," I move to strike out the words "and House of Representatives." That will put the conferees of the two Houses upon exactly the same ground in respect to this little petty appropriaupon exactly the same ground in respect to this little petty appropriation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER subsequently said: The Chair is in-The PRESIDING OFFICER subsequently said: The Chair is informed by a message from the Senator from Oregon [Mr. Dolph] that in the deficiency bill there is a paragraph on page 52 which was temporarily laid aside and not finally acted upon.

Mr. HALE. That is well enough. There is no harm done.

Mr. DAWES. If it is in the text, it is all right.

The PRESIDING OFFICER. It is reported to the Chair that the

amendment on that page was informally laid aside and no action was

Mr. COCKRELL. It has not been adopted and is not in the bill, and the bill is passed without it.

Mr. HARRIS. I move to reconsider the vote by which the bill was

passed, so as to agree or disagree to the amendment. We relieve ourselves of all questions by acting on that motion. I ask unanimous consent that the votes by which the bill was passed and ordered to a third

reading be reconsidered for the purpose of acting on this amendment.

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent that the votes passing the deficiency bill and ordering it to a third reading be reconsidered. Is there objection? The Chair hears none. The deficiency appropriation bill is still in the Senate and open to amendment, and the amendment proposed by the Committee on Appropriations will be read.

The CHIEF CLERK. On page 52, after line 1262 of section 1, the Committee on Appropriations propose to insert:

For amount due to Isaac G. Baker for one hundred and sixty-two head of beefcattle taken by Fort Peck Indians October 14, 1878, while in process of delivery under his contract dated June 21, 1878, \$5,820.20.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FORTIFICATIONS APPROPRIATION BILL.

Mr. DAWES. I ask that the pending order be informally laid

I ask that the regular order be laid before the Senate. ING OFFICER. The regular order will be laid before The PRESIDING OFFICER. The regular order will be laid before the Senate. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 7718) restoring John Snyder to

the pension-roll."

Mr. DAWES. I ask that that may be informally laid aside to take

up the fortification bill.

The PRESIDING OFFICER. The Senator from Massachusetts asks that the regular order be laid aside informally that the Senate may take up the fortification bill. Is there objection?

Mr. CONGER. I object.

Mr. DAWES. I move to take up the fortification bill.

The PRESIDING OFFICER. The Senator from Massachusetts moves to take up the fortification bill. The question is on that motion. [Putting the question.] The ayes appear to have it.

Mr. CONGER. Mr. President—

The PRESIDING OFFICER. A motion to lay aside one bill to take up another is not debatable.

Mr. CONGER. Is it amendable? If it is, I move to take up the

river and harbor appropriation bill instead.

The PRESIDING OFFICER. The Chair will put the question again. The question is on the motion of the Senator from Massachusetts to lay aside the pending order and take up the fortification bill. The motion was agreed to.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania. Mr. President—
Mr. DAWES. I suggest that we can pass this bill in ten minutes.
Mr. CAMERON, of Pennsylvania. If the Senator will permit me
to have five minutes in executive session I will consent. I move that
the Senate proceed to the consideration of executive business.

Mr. COCKRELL. We can pass the fortification bill in five minutes.
There are only three pages of it.

The PRESIDING OFFICER. The Senator from Pennsylvania moves
that the Senator proceed to the expecideration of executive business.

that the Senate proceed to the consideration of executive business. The motion was not agreed to.

Mr. DAWES. Now I hope we shall proceed with the fortification bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year end. ing June 30, 1886, and for other purposes.

Mr. DAWES. I ask unanimous consent that the bill be read for

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will be read for amendment.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, in line 14, after the words "Ordnance Corps," to strike out "two of the artillery corps of the Army," and after the word "Navy," in line 15, to insert "and two civilians;" so as to read:

And the President of the United States shall appoint a board, of which the Secretary of War shall be a member and president, to be composed of two officers of the Engineer Corps, two from the Ordnance Corps, two officers of the line of the Navy, and two civilians, which board shall examine and report at what ports fortifications or other defenses are most urgently required, the character and kind of defenses best adapted for each, with reference to armament, the utilization of torpedoes, mines, or other defensive appliances.

The amendment was agreed to.

The next amendment was, after the word "appliances," in line 20,

And for the necessary and proper expenses of said board in the discharge of said duty the sum of \$25,000, to be immediately available, is hereby appropriated; and the report of said board shall be transmitted to Congress by the Secretary of War.

The amendment was agreed to.

The next amendment was to strike out the clause from line 26 to line 33, inclusive, in the following words:

For the expenses of said board, and for such plans, tests, and experiments as may be required to enable said board to determine upon the best methods of protecting batteries for defensive works, and for the purchase and erection of iron, steel, and composite armor in the form of sections of turrets, gun shields, and iron embrasures, for actual competitive tests, or any other question connected with their duties, \$300,000, the same to be immediately available.

The amendment was agreed to.

The next amendment was to strike out the clause from line 46 to line 51, inclusive, as follows:

For the purchase and competitive test of specimens of the various kinds of

machine-guns now in use, and of any others which may be presented and deemed worthy of consideration, but no type of machine-gun shall be purchased until tested and approved by the board herein provided for; for constructing and testing experimental gun-carriages.

Mr. HAWLEY. I desire to object to that amendment of the committee, because I wish to leave the War Department open to the right to purchase machine-guns. They are wholly constructed out of the appropriations in the fortification bill. They are in the estimates of the Treasury Department, in the recommendations of the Board of Ordnance, sanctioned by the Secretary of War, desired by all men who study fortifications or study the subject in any way. Now, I should like to ask the Senator in charge of this bill how he proposes to have the money here appropriated, \$450,000, spent; at what shops, on what kinds of guns? Mr. DAWES.

Mr. DAWES. That is set forth in what remains of this provision.
Mr. HAWLEY. No guns are described.
Mr. DAWES. The reason the committee proposed to strike out the "machine-guns" was because they thought that "machine-guns" are generally understood to be the Gatling gun, which is no part of the armament of a fortification; and therefore, inasmuch as this bill is confined simply to the preservation of the fortifications and the expenditure of this small sum of \$450,000, we would not connect that with the manufacture of the Gatling gun. The committee have no hostility to the Gatling gun. Even if there had been in this bill a specified sum for Gatling gun. Even if there had been in this bill a specified sum for Gatling guns it would have presented a different question from what it did; but under this provision as it came to us \$450,000 is to be expended, the entire sum for the Gatling guns. We have purchased Gatling guns every year, and I think we ought to keep up the purchase of Gatling guns. I do not know of any other.

Gatling guns. I do not know of any other.

Mr. MILLER, of California. But yet there are others.

Mr. HAWLEY. He is ignorant; I will educate him.

Mr. DAWES. I do not know that it is worth while for me to talk any further about that.

Mr. HAWLEY. I quite agree. The PRESIDING OFFICER (Mr. HARRISON in the chair). The Senator from Massachusetts is entitled to the floor.

Mr. DAWES. I will call the attention of the Senator to this provision in the fortification bill:

For the purchase and competitive test of specimens of the various kinds of machine-guns now in use, and of any others which may be presented and deemed worthy of consideration, but no type of machine-gun shall be purchased until tested and approved by the board herein provided for.

Without saying how much, how many guns, or what kind of guns, but any that the board may suggest, even to the extent of the entire

appropriation, which is \$450,000.

I do not know anything about guns, I am informed by the Senator from Connecticut, and that is true. It was unkind in him, however, to tell the Senate of it; but I do know this, that we have been from year to year appropriating a certain sum for Gatling guns. They cost about \$1,500 apiece, and we have appropriated something like \$25,000 each year for the purchase of Gatling guns. There is no disposition that I know of anywhere to take the whole range of invention and experiment upon Gatling guns and appropriate \$450,000 for the purchase of as many as may be approved by this board.

I venture, without having any special knowledge of machine-guns, to state these considerations as the reasons which influenced the com-

mittee

Mr. HAWLEY. Now, Mr. President, I wish to observe to the Senator from Massachusetts that when he said he was not aware of any other kind of machine-gun than the Gatling gun he displayed a very lamentable lack of common information on the subject.

Mr. DAWES rose.
Mr. HAWLEY. I have the floor.
The PRESIDING OFFICER. The Senator from Connecticut is en-

Mr. HAWLEY. The first man touchy was the distinguished Senator from Massachusetts.

Mr. DAWES. I never discovered that I was touchy.
Mr. HAWLEY. I wish to call attention to the Book of Estimates, on page 159.

Armament of seacoast fortifications, including the manufacture and conversion of heavy guns and carriages.

When I asked the Senator kindly what was to be done with the when I asked the Senator kindly what was to be done with the \$450,000, I had not in view that "conversion of heavy guns and carriages." I do not believe that it is of much practical use to take the old cast-iron gun and enlarge the bore, say half an inch or so, and put an iron or steel tube into it, and then put into it an elongated projectile two and a half times heavier than the original round-shot for which the gun was intended, to make the world believe you have a good rifled cannon. You have not; the metals are not homogeneous. The gun is really virtually weakened by taking out that cast-iron which is bored out from it. The shock of the explosion of the powder goes through that fine tube of steel. The gun is really, in my judgment, a weaker gun than it was before; and you do not deceive the military world into the belief that you have got good rifled cannon along your shores. The estimate here is frank about it.

That is from gentlemen supposed to be learned in their profession. They know very well that machine-guns are of the highest possible use in fortifications; that they cover and protect the curtains and the ditches; that modern engineers delight to put them in their fortifications all about Europe, and not only there but they put from two to ten of them upon their ships, various kinds of machine-guns, not alone the Gatling gun, made in my own town, to which the Senator from Massachusetts endeavored to add a little significance of sarcasm by saying, eight or ten times over, "the Gatling guns"—not the Gatling guns of Hartford alone, but the Nordenfeldt gun of Great Britain and the Gardner guns of Hartford, and the Hotchkiss gun made by another Connecticut Yankee in Paris, in Berlin, and in London.

There is a great range of them from the cause hell up to the 6 penns.

There is a great range of them, from the ounce ball up to the 6-pound ball, and we have on this committee fired a 6-pound cannon from our shoulders, traversing the gun from right to left and elevating and depressing it, and firing a 6-pound steel shot that will go two, or three, or four miles with considerable accuracy.

The Senator speaks alone of the Gatling guns. I am very proud of the Gatling guns, but they are only a small part of those necessary. The Hotchkiss gun has its place as a most admirable and most wonder-

ful and useful weapon.

I do not ask to say in the bill "Gatling guns." I say "machineguns," and let the Ordnance Department take its choice for the different uses, whether a Gardner or a Gatling or a Hotchkiss, for the Hotchkiss differs from the others in certain military uses and possibilities.

The bill as it stands propose

For the armament of seacoast fortifications, including the manufacture of heavy guns and carriages—

It has omitted the conversion. I do not object to that-

projectiles, gun-loaders, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun construction while employed in the Ordnance Bureau, \$450,000.

That devotes the whole of it to the armament of seacoast fortifications, including the manufacture of heavy guns and carriages, except

the incidentals referred to below.

I wanted to know from the Committee on Appropriations, for it is an important committee, and sounds well, whether they had in view at all the manufacture of a single cannon of modern style and power, a single steel-rifled gun of six or eight or twelve or sixteen inches caliber, such as we have got to have, and guns that will cost from \$25,000 to \$100,000 apiece.

I wish this appropriation were \$5,000,000 and directed the establishment of a Government gun-foundry which should be complementary to a dozen manufacturing establishments which would furnish the pieces of the steel gun to the gun-foundry of the Government, there to be assembled and put in the form of a magnificent weapon, a modern magnificent rifled cannon. But this is paltering with the condition of the country, which is virtually defenseless on the seaboard. We have not a gun that will penetrate the better armored ships, not one along the whole coast. Those ten and fifteen inch guns will crush vessels that can come in our horbors; but if you wish to arm harbors where eighteen to twenty foot ships can come you are helpless, and they are our great harbors. You are helpless along the entire coast. Four hundred and fifty thousand dollars will not make the steam-hammer that is necessary to build the cannon we ought to have now, and it will take you two years to build your steam-hammer—at least that.

I think it is quite competent in this view of the condition of this country and its coast and the condition of modern ships for me to ask, country and its coast and the condition of modern ships for me to ask, independent of this question of machine-guns, what we mean when for this defenseless country of 57,000,000 people and abundant revenue \$450,000 is appropriated for the manufacture of guns, and heavy guns at that. I would have left there a discretion, as in previous bills, limited, if you choose, by a separate paragraph, to apply \$20,000 for the purchase of machine-guns; but I would have adopted very nearly the paragraph recommended by the Ordnance Department. I will move to amend these few lines before striking them, out or before taking the question. these few lines before striking them out or before taking the question on striking out.

For the purchase of machine-guns now in use and of any other which may be presented and deemed worthy of consideration.

Then strike out the reference to the board, because the paragraph providing for the board has been stricken out. I move to amend by striking out first, in line 46, after the word "purchase," all down to and including the first word "of," in the next line, as follows:

And competitive test of specimens of the various kinds.

My object will be to follow it by striking out the words in the forty-ninth line, beginning with "but" and running down to "carriages," in line 51; so that the paragraph would read:

For the purchase of machine-guns now in use, and of any others which may be presented and deemed worthy of consideration.

Then-

For the armanent of seacoast fortifications, including the manufacture of heavy uns and carriages, &c.

Which would it is true lump up the whole expenditure of \$450,000. I will intrust the War Department not to spend \$450,000 on machineguns. I am willing to trust them with the discretion to buy a few or whatever they think it is better to buy. My first amendment is in line 46, after the word "purchase," to strike out down to and including the word "guns," in the next line. The PRESIDING OFFICER. The amendment of the Senator from

Connecticut will be reported.

The CHIEF CLERK. After the word "purchase," in line 46, it is proposed to strike out-

And competitive test of specimens of the various guns.

So as to read:

For the purchase of machine-guns now in use, and of any others which may be presented and deemed worthy of consideration.

The PRESIDING OFFICER. The question is on the amendment

proposed by the Senator from Connecticut.

Mr. DAWES. Mr. President, I can not quite understand what occasion there has been for the Senator's indulgence in the tone of remark which has seemed to please him at this time. I wish to say that if in any remark I made upon his inquiry of me what we proposed to do with these \$450,000 when I remarked that we proposed to do what was specified in what remained of the paragraph there was anything that either was calculated to pain the Senator from Connecticut or to justify his retort, I am very sorry for it and withdraw it. I have to say, how-ever, that the remarks of the Senator do not seem to me to be called

ever, that the remarks of the Senator do not seem to me to be called for or to be such as any gentleman ought to tolerate from another.

The Senator is quite right in saying that this is a meager bill, and I would say myself a contemptible bill. The War Department has estimated for this purpose seven or eight million dollars, and I myself would be glad to vote for an appropriation of four or five millions in accordance with an amendment that was proposed to this bill elsewhere. I think it is a shame that the Government of the United States appropriate sale this sittled. propriates only this pitiful sum for this purpose, and I quite agree with the Senator from Connecticut in his description of the state and condition of the fortifications in this country. But we are within a few hours of the last moment of this session. We have this bill here before us. We know that elsewhere the temper of another body is such that it is impossible to go beyond this. The test has been made elsewhere whether we would, as becomes the nation and its necessities and its exigencies, make appropriations for fortifications; and that test has failed, and there has come simply enough to take care and preserve the property on hand with the addition of this \$450,000.

Under these circumstances the Committee on Appropriations thought it was best to get as much of this concentrated in the latter part of this it was best to get as much of this concentrated in the latter part of this section as possible. They did not think there was that need of any particular machine-gun in force as there was for other material and other expenditures provided for here. If I hurt the feelings of any one because I used the words "Gatling guns," I got it from the Senator's colleague upon my inquiry of him. I know there are other guns, the Hotchkiss gun and all manner of guns—so many of them that if I could have the pride of manufacturing them in the locality where I reside I would be glad to see any amount of money appropriated for the manufacture of them all and the purchase of them all. But so long as we can appropriate only \$450,000, I do not propose for one to give unlimited authority to the Ordnance Department to expend the whole of it, if they pleased, in purchasing all kinds of machine-guns, wherever manufactured.

wherever manufactured.

We last year appropriated \$25,000 for the purchase of machine-guns

of the latest improvement.

We had before us Gatling himself and his latest improvement, and it was for the purchase of \$25,000 worth, about ten or twelve of these guns, that we made that appropriation last year. If it had been in that form, and if the Senator should make his amendment in that form, not specifying any particular gun, but the latest improvement of guns,

I would not object to it.

If the Senate desire to put it in the power of the department without specification of how much of this meager sum of \$450,000 shall be expended for one thing and how much for another, the Senate will do it. But in my opinion, when the estimate was made for the expenditure in all these ways, it was upon a scale at the Ordnance Department which called for an expenditure of \$6,000,000 or \$7,000,000; but when the appropriation is scaled down to this which may be properly called a very small and miserable bill, it is better, in my opinion, that it be not put in the power of the Ordnance Department to expend it all upon

machine-guns or fuses or anything of the kind.

Last year we appropriated in these words, and we have adopted this

year as nearly as we can the precise words:

For the purchase of machine-guns of the latest improvement, \$20,000. For the armament of seacoast fortifications, including heavy guns and howitzers for flank defense, carriages, projectiles, fuses, powder, and implements,
their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun-construction while employed in Ordnance
Bureau, \$400,000; and not exceeding \$15,000 thereof may be used for the expenses of experiments in the use of dynamite or other high explosive projectiles.

That is the phraseology substantially which is left in this bill at this

Mr. HAWLEY. Excepting—
Mr. DAWES. Excepting \$25,000 for machine-guns. I do not object to putting that in that shape.
Mr. HAWLEY. I will not say another word if the Senator will as-

sent to that.

Mr. DAWES. Most certainly.

Mr. HAWLEY. I will say nothing about the striking out of this, it being understood that I will offer in place of it the little paragraph that was in last year's appropriation bill.

Mr. DAWES. I will not object to that myself.

The PRESIDING OFFICER. Does the Senator from Connecticut withdraw the amendment proposed by him?

Mr. HAWLEY. I withdraw the amendment.

The PRESIDING OFFICER. The question recurs on the amendment of the Committee on Appropriations, to strike out from line 46 to line 51, inclusive.

The amendment was agreed to.

Mr. HAWLEY. Now, if I am permitted to do so, I will move to insert just before this the words of last year's appropriation:

For the purchase of machine-guns of the latest improvement, \$20,000.

In place of what has just been struck out.

Mr. DAWES. That is satisfactory to me.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 53, after the word "carriages," to strike out:

For the purchase or manufacture of multicharge guns, and testing the same.

The amendment was agreed to.

The reading of the bill was concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHRISTOPHER PHILLIPS.

Mr. MORGAN submitted the following resolution; which was ordered to lie on the table:

Resolved, That the sum of \$41 be paid to Christopher Phillips out of the contingent fund of the Senate for labor performed for the Senate under employment of the Sergeant-at-Arms from November 10 to December 1, 1884.

RAILROAD BRIDGE IN TENNESSEE.

On motion of Mr. CONGER, and by unanimous consent, the bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers was considered as in Committee

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CAMERON, of Pennsylvania. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-one minutes spent in executive session the doors were reopened.

RECESS.

Mr. HAWLEY (at 7 o'clock and 40 minutes p. m.). I move that

the Senate take a recess till 9 o'clock p. m.

The motion was agreed to; and the Senate took a recess until 9 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 9 o'clock p. m. and resumed its session. MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United

States for the fiscal year ending June 30, 1886, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution of the Senate for the printing of 9,500 additional copies of the treaties and conventions transmitted to the Senate by the President in his message of January 23, 1885.

PEOPLE'S NATIONAL BANK, LAWRENCEBURG, IND.

Mr. SHERMAN. I ask consent that the Senate proceed to the consideration of Order of Business 1466, being a bill to authorize the issue of a duplicate certificate.

The PRESIDENT pro tempore. The Senator from Ohio moves that the Senate now proceed to the consideration of Order of Business 1466, being the bill (S. 2669) to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind. The question is on agreeing to the motion of the Senator from Ohio.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. SHERMAN. I will say that this is like the ordinary case of

lost bonds where the proof is clear and the Secretary of the Treasury

recommends it, the amount being beyond the authority of the Department to grant relief.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN H. DUNPHE.

Mr. HOAR. I move to proceed to the consideration of Order of Business 1047, House bill 754.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of Order of Business 1047, being the bill (H. R. 754) for the relief of Nathan H. Dunphe,

of Bridgewater, in the State of Massachusetts.

Mr. CONGER. I feel it my duty to ask the Senate to consider the river and harbor bill, as I am instructed by the Committee on Commerce to do.

Mr. HOAR. This will take but a moment. Mr. CONGER. If the Chair recognizes-

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts that the bill named by him be now considered.

Mr. BLAIR. I ask unanimous consent to be allowed to say a word to the Senate.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent to be heard on this question. Is there objec-The Chair hears none.

Mr. BLAIR. I rose with the design of asking unanimous consent that the Senate now proceed to consider all unobjected House bills favorably reported and upon the Calendar. That, I think, would be in accord with the general sentiment of the Senate, and it is very evident that unless some understanding of that kind is arrived at we shall have

nothing but a maelstrom of confusion and very little accomplished. Mr. McMILLAN. You had better confine your request to pension

Mr. BLAIR. I would be glad to do so, but I can not without meet-

ing objection.
Mr. MORGAN. I ask the Senator from New Hampshire what is the

meaning of "unobjected?" Mr. BLAIR. Bills that are unobjected will be those that on being

presented to the Senate will not be objected to.

Mr. MORGAN. What becomes of the bills that are objected to?
Mr. HOAR. I hope my little motion will now be put.
The PRESIDENT pro tempore. Debate is proceeding by unanimous

Mr. HOAR. I ask the Chair to put the question. Mr. MORGAN. With that understanding-

The PRESIDENT pro tempore. Debate is proceeding by unanimous onsent. The Chair hears no objection.

onsent. The Chair hears no objection.

Mr. MORGAN. I wish to say that with the understanding that the objection may be made at any time, I shall not object to the suggestion of the Senator from New Hampshire. What I wish to understand is whether if an objection is made it will be treated as under Rule VIII, so that the Senate can proceed notwithstanding an objection to consider a bill.

Mr. BLAIR. There is no such understanding as that.

Mr. BLAIR. There is no such understanding as that.
Mr. MORGAN. Then I will object.
Mr. BLAIR. But an objection would carry a bill over.
Mr. HOAR. I call for the regular order.
The PRESIDENT protempore. The regular order is called for. The Senator from Alabama objects to the proposition of the Senator from New Hampshire. The question is on the motion of the Senator from Massachusetts that the Senate proceed to the consideration of the bill named by him named by him.

The motion was agreed to; and the bill (H. R. 754) for the relief of Nathan H. Dunphe, of Bridgewater, in the State of Massachusetts, was considered as in Committee of the Whole. It provides for the payment to Nathan H. Dunphe of \$2,400, in full compensation for twenty-five hogsheads of sugar which were seized in the State of Louisiana, in the year 1863, by the military authorities of the United States, turned over to the Quartermaster's Department, and properly accounted for by that department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. DAVIS

Mr. WILLIAMS. I desire to call up a bill that is on the Calendar improperly marked as a Senate bill on the Calendar, Order of Business It is marked Senate bill 568.

The PRESIDENT pro tempore. The Senator from Kentucky moves that the Senate now proceed to the consideration of Order of Business 1043, the title of which will be read.

The Secretary A bill (S. 568) for the relief of John B. Davis.

Mr. WILLIAMS. I ask the chairman of the committee—
The PRESIDENT pro tempore. Debate is not in order.

Mr. WILLIAMS. The chairman of the Committee on Claims re-

The PRESIDENT pro tempore. Debate is not in order except by unanimous consent.

Mr. WILLIAMS. I want to substitute the House bill.
Mr. CAMERON, of Wisconsin. First get this bill up.
Mr. WILLIAMS. I thought it was up.
Mr. CAMERON, of Wisconsin. No; the Senator from Kentucky desires to substitute a House bill for the Senate bill 568.

The PRESIDENT pro tempore. The bill has not been taken up. The motion of the Senator from Kentucky applies to the bill the title of which has been read. The question is on agreeing to the motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 568) for the relief of John B.

Davis.

It provides for paying to John B. Davis, late contractor on mailroute No. 7506, Arkansas, \$10,943.16, in full payment for transporting the United States mails between Memphis, Tenn., and the mouth of White River, Arkansas, and from thence to Devall's Bluff, in Arkansas, in the years 1863, 1869, and 1870.

Mr. WILLIAMS. Now I ask to take up the House bill and substitute it for the Senate bill. The chairman of the Committee on Claims knows all about the case. I know it passed the House.

The PRESIDENT pro tempore. The House bill is not in possession of the Chair or the Secretary. It is supposed to be in possession of the committee to which it has been referred.

Mr. WILLIAMS. I ask that the committee be discharged.

The PRESIDENT pro tempore. Does the Senator know whether the bill has been reported?

Mr. WILLIAMS. I move that the Committee on Claims be discharged from the further consideration of the House bill and that it be

charged from the further consideration of the House bill and that it be substituted for the Senate bill.

The PRESIDENT pro tempore. Will the Senator from Kentucky send to the Chair a copy of the bill from which he desires the Committee on Claims to be discharged?

Mr. ALDRICH. While that bill is being looked for I ask leave to

call up a joint resolution.

The PRESIDENT protempore. The Senator from Kentucky is enti-

tled to the floor. Mr. ALDRICH. The Senator from Kentucky yields to me for the

purpose of asking consent to take up Senate joint resolution 135. It is on the table now.

Mr. CONGER. I object to giving place to any one else if the Sena-er from Kentucky is not to go on. If not, I desire to make a motion tor from Kentucky is not to go on. to take up the river and harbor bill.

The PRESIDENT pro tempore. The Senator from Michigan objects to the bill now before the Senate being laid aside informally to proceed

to the bill now before the Senate being laid aside informally to proceed to the matter mentioned by the Senator from Rhode Island. Senate bill 568 is now before the Senate.

Mr. WILLIAMS. While the clerks are hunting for that bill, I ask the Senate to take up House bill 1198, Order of Business 762.

The PRESIDENT pro tempore. The Chair will state to the Senator from Kentucky that a copy of the House bill to which he refers is now here, but the bill itself is in possession of the Committee on Claims, having been referred to that committee by order of the Senate.

Mr. WILLIAMS. I move that the committee be discharged from its consideration and that the bill be taken up by the Senate.

Mr. WILLIAMS. I move that the committee be discharged from its consideration and that the bill be taken up by the Senate.

The PRESIDENT pro tempore. The Senator from Kentucky asks unanimous consent that the Committee on Claims, to whom was referred the bill (H. R. 653) for the relief of John B. Davis, be discharged from its further consideration. Is there objection? The Chair hears The committee is discharged from the further consideration of the bill. It is now before the Senate. Is there objection to its present consideration?

Mr. PLATT.

Mr. PLATT. Let it be read for information.

The PRESIDENT pro tempore. The bill will be read for information.

The Chief Clerk read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to consider it.

Mr. PLATT. Is there a report?

January 21, 1885:

The PRESIDENT pro tempore. There is a report on the Senate bill.
Mr. PIATT. I ask that it may be read.
The PRESIDENT pro tempore. The Senator from Connecticut demands that the report of the committee be read. It will be read. The Secretary read the following report, submitted by Mr. Jackson

The Committee on Claims, to whom was referred the bill (8,568) for the relief of John B. Davis, having examined the same, make the following report:

That this claim has been repeatedly examined and favorably reported upon by committees of the Senate and House. At the third session of the Forty-fifth Congress it was considered and favorably reported by the Senate Committee on Post-Offices and Post-Roads, At the second session of the Forty-sixth Congress it was again favorably reported by the same committee. At the third session of the Forty-sixth Congress it was favorably reported by the House Committee on the Post-Office and Post-Roads. At the first session of the Forty-seventh Congress it was favorably reported by the Senate Committee on Claims (Report No. 222). And at the first session of the Forty-eighth Congress the House Committee on Claims reported upon it favorably.

The facts of the case are clearly and correctly set forth in Senate Report No. 737, third session of Forty-fifth Congress, which your committee adopt, as follows:

1737, thru session of FeVenthows:

"The Committee on Post-Offices and Post-Roads, to whom was referred the bill
(S. 1837) for the relief of John B. Davis, having had the same under consideration, ask leave to report:

"That in the year of 1867 John B. Davis was a contractor with the Post-Office

Department for the transportation of the mails by steamers from the mouth of White River to Jacksonport, in Arkansas.

"The mail matter for the central and western portion of the State of Arkansas, and for the northern part of Texas, was chiefly collected and concentrated at Memphis, in the State of Tennessee, carried by a line of steamers to the month of the White River, and from that point by petitioner's steam vessels to Devall's Bluff, on the White River, and thence by rail to Little Rock and other points west.

Memphis, in the State of Tennessee, carried by a line of steamers to the mouth of the White River, and from that point by petitioner's steam vessels to Devall's Bluff, on the White River, and thence by rail to Little Rock and other points west.

"The schedules for arrivals and departures of the vessels were so arranged, and by contract with the Post-Office Department, that the mails from Memphis and the West reached the mouth of White River ten or twelve hours after the petitioner's boats left that point, thus causing three or four days' delay in the entire mail service of all points west of Devall's Bluff.

"Great complaint was made by the press and people of Arkansas and Texas on account of these delays. In this state of affairs a special agent of the Post-Office Department directed Mr. Davis to extend hisservice and carry all the Arkansas mails through from Memphis to the mouth of White River. This service was performed once each week from the 1st July, 1857, until the Bist March, 1865, wice each week, the petitioner having purchased another steamer to enable him to do this work. "The Post-Office Department recognized this service, and in the month of May, 1868, paid Mr. Davis for the weekly service at the rate of \$5,000 per annum, and for the semi-weekly at the rate of \$10,000 per annum.

"Mr. Davis continued to carry these mails semi-weekly until the 21st March, 1868, the has never been paid therefor.

"In reply to a communication addressed by the committee to the Postmaster-General, asking information as to the nature of the service rendered, and the authority under which Mr. Davis acted, the Second Assistant Postmaster-General, asking information as to the nature of the service rendered, and the authority made which Mr. Davis acted, the Second Assistant Postmaster-General, asking information as to the nature of the service members and the authority made with the service was embrashed to the 31st March, 1863, as no satisfactory evidence of proper authority for the performance of the same was presented to

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House requested the return of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other pur-

The PRESIDENT pro tempore laid before the Senate the following message from the House of Representatives; which was read:

IN THE HOUSE OF REPRESENTATIVES, March 3, 1885. Ordered. That the Clerk be directed to request the Schate to return to the House the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

The PRESIDENT pro tempore. Does the Senator from Kansas make

any motion?

Mr. PLUMB. It is proper that the bill should go back to correct an error which was made in the last message accompanying the bill.

The PRESIDENT pro tempore. The bill can not be returned except

by an order of the Senate.

Mr. PLUMB. I move then that the bill be returned on the request

of the House of Representatives.

The PRESIDENT protempore. The question is on the motion of the

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the announced that the House had concurred in the amendments of the Senate numbered 3, 4, 5, and 6 to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes; that it further insisted on its disagreement to the amendments of the Senate to the said bill numbered 16, 17, 18, 19, and 20; that it agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that it had appointed Mr. R. W. TOWNSHEND of Illinois, Mr. WILLIAM S. HOLMAN of Indiana, and Mr. R. G. HORR of Michigan managers at the further conference on its part. Michigan managers at the further conference on its part.

The message also announced that the House had passed a concurrent resolution for the printing of 5,000 copies of the report of Capt. M. A. Healy, United States Revenue Marine, upon the cruise of the revenue

steamer Corwin in the Arctic Ocean in the year 1884, and its accompanying documents and illustrations.

CRUISE OF THE CORWIN.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing.

IN THE HOUSE OF REPRESENTATIVES, March 3, 1885.

Resolved by the House of Representatives (the Senate concurring), That there be printed at the Government Printing Office 5,000 copies of the report of Capt. M. A. Healy, United States revenue marine, upon the cruise of the revenue steamer Corwin in the Arctic Ocean in the year 1884, and its accompanying documents and illustrations, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 2,000 copies for the use of the Treasury Department.

RIVER AND HARBOR BILL.

Mr. CONGER. I move that the Senate take up the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate now proceed to the consideration of House bill 8280.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CONGER. I ask unanimous consent that the bill be read by

Mr. CONGER. I ask unanimous consent that the bill be read by paragraphs for amendment.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent that the bill be read by paragraphs for amendment, and that the amendments of the Committee on Commerce be considered as the reading proceeds. Is there objection? The Chair hears none.

Mr. BLAIR. I ask that the bill may be laid aside informally in order that the Senate may proceed to the consideration of House bill 7718, Calendar number 1357, restoring John Snyder to the pension-roll.

The PRESIDENT pro tempore. The Senator from New Hampshire asks——

Several Senators objected.

Mr. BLAIR. I desire to modify my request. I ask unanimous consent that this bill be laid aside informally temporarily, and that the Senate proceed to consider the unobjected House pension bills favorably reported and upon the Calendar.

Mr. MORGAN. I object.

The PRESIDENT pro tempore. Objection is made.

The Secretary proceeded to read the bill (H. R. 8280) making appro-

The Secretary proceeded to read the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes.

The first amendment of the Committee on Commerce was, in line 5, after the word "direction," to strike out "and with the approval;" in line 6, after the words "for the," to strike out "preservation and continuation of such" and insert "construction, continuation, repair, and preservation;" in line 8, before the word "public," to strike out "uncompleted;" and in the same line, after the word "designated," to strike out "for improvement;" so as to read:

That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, continuation, repair, and preservation of the public works mentioned and designated in an act entitled, &c.

The amendment was agreed to.

Mr. HARRISON. I want to ask the Senator from Michigan whether the amendment which has just been agreed to, striking out the words "for improvement," would not include, by its reference to the act mak-"for improvement," would not include, by its reference to the act making appropriations approved July 5, 1884, rivers and harbors that were designated by that act simply for survey. I think the language used in the House bill would discriminate between objects named in the river and harbor bill to which reference is made for improvement and other rivers and harbors designated for survey, and that by the amendment which the committee have recommended, and which the Senate has now agreed to, these appropriations would be extended to objects named in the river and harbor bill referred to simply for survey.

Mr. CONGER. I think not, and by the terms of this bill the appropriation made in this bill is to be distributed proportionately to the amounts appropriated in the last bill. There was no appropriation in

priation made in this bill is to be distributed proportionately to the amounts appropriated in the last bill. There was no appropriation in the last bill for any of the works which came under the head of surveys and examinations. The appropriations for surveys are made in a round sum, to be expended by the Secretary of War for various purposes, and that appropriation remains; but when you turn to this bill none of the money appropriated here would go to the objects there designated for

money appropriated here would go to the objects there designated for surveys and examinations, because no appropriation was made for them. The PRESIDENT pro tempore. The reading will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in line 13, before the word "millions," tostrike out "five" and insert "ten;" and in the same line, before the word "millions," to strike out "five" and insert "ten;" so as to read:

The sum of \$10,000,000, which sum of \$10,000,000 shall be applied by the Secretary of War to each of said public works, respectively, in proportion to the sums appropriated for such works in and by the said act.

Mr. MORRILL. I ask for the yeas and nays on the amendment. The yeas and nays were ordered.

Mr. CONGER. In reporting this bill we increased the amount of the appropriation. The committee considered that the appropriation of five millions to carry on works for which almost fourteen millions

were appropriated last year—
Mr. MAXEY. We are all very anxious to hear the Senator from Michigan explain the bill, but we can not hear a word, there is such a

The PRESIDENT pro tempore. Senators will please cease conversation and be seated. Senators and others in the rear of the seats will cease coversation. There must be absolute silence in the galleries. There are a great number of persons present and a very slight conversation among them makes a loud noise in the Chamber. The Sen-

versation among them makes a loud noise in the Chamber. The Senator from Michigan will proceed.

Mr. CONGER. I remarked that in the appropriation bill for rivers and harbors last year there were thirteen million and in the neighborhood of nine hundred thousand dollars appropriated; in round numbers about \$14,000,000. I think I may say with the approval of all who carefully examined that bill during the last year that both in the House and in the Senate as far as the results go the examination of the several objects of appropriation was very full and unusually complete. On the re-examination of the bill in the Senate there exist least than the usual number of appropriations made for unworthy

at least than the usual number of appropriations made for unworthy objects in the usual sense of the word.

In the examination of the bill last year by the Senate Committee on Commerce it was the opinion I think of all the members of that committee that the examination of the several items of appropriation was very thorough, and that the appropriations were properly made. Liable to some objections as all appropriation bills frequently are for some inconsiderate appropriation, the Committee on Commerce are of opinion, and I join in that opinion myself, that the appropriation made in last year's river and harbor bill on the whole, saying nothing of the amount but the distribution of the sum total, was as judiciously and carefully made as in any bill that had ever passed Congress.

Now there comes to us from the House of Representatives not an item-

ized appropriation bill—and I regret very much that a proper itemized bill should not have come to the Senate—but an amount in gross by the terms of the bill to be apportioned to all the uncompleted works mentioned for appropriation in the last bill in the same proportion that mentioned for appropriation in the last bill in the same proportion that appropriations were made for the several works in that bill except in the case of Galveston Harbor, Tex., where by the request of the Senators from that State and the Representatives in the House of Representatives no appropriation was put in the bill, the gentlemen from that State hoping to pass a separate bill for Galveston Harbor, and therefore in this bill there is a proviso that the appropriation for Galveston shall be as though \$250,000 had been appropriated in last year's bill, and another provision is that where works have been completed with the money appropriated during the last year sufficient to complete the the money appropriated during the last year sufficient to complete the work, the money appropriated last year for them shall remain in the general account to be apportioned among the remaining works.

If it be true that the \$14,000,000 appropriated last year was appropriated with reasonable care and prudence in proportion to the necessi-

priated with reasonable care and prudence in proportion to the necessities and merits of the different works, then the appropriation made this year when apportioned pro rata to the several remaining works will also be properly and fairly distributed. At any rate that is the only alternative. The bill has come to us with this appropriation of \$5,000,000. It came here on Friday night last, was laid over until Saturday under the rules, was referred to the Committee on Commerce on Saturday last, and vectorlay the Committee on Commerce deveted all the time they and yesterday the Committee on Commerce devoted all the time they could spare from their duties in the Senate in the examination of the bill. The result of the conclusion to which the committee came, although I think the regret was universal in the committee that a specific appropriation for each work had not been made in the bill sent from the House, was that no bill could now be prepared with an itemized statement, and that the only way to secure any appropriation whatever to carry on these great public works in all parts of the country during the ensuing year depended upon taking the House bill, amending it as the committee might think best, and reporting it to the Senate for its consideration.

The appropriation of \$5,000,000 would give a trifle over one-third of the appropriation of \$5,000,000 would give a trine over one-third of the appropriations of last year to the several works named in last year's bill. In the smaller appropriations there would hardly be appropriation enough to warrant the continuation of work upon the improvement, and in all other cases, large or small, the preparations for work, the plant required, the distribution of the officials of the Engineer Department through the several works and their care would seem to absorb so much of it as to make it hardly worth while to stop there. the appropriation of \$5,000,000 was proper and correct in principle, or as near correct as any bill could be prepared, the appropriation of enough more to make the appropriations that were made available for the large and small improvements throughout the country was thought to be

more desirable.

I may say, Mr. President, that in the appropriations of last year the rule of the committee was to give from one-quarter to one-third in the general run of the estimates of the engineers. So in round numbers one-third of the estimates of the engineers for the necessary work on all the great improvements throughout the country was contributed by the bill of last year. By the House bill about one-third of the amount appromisted last year is appropriated, or a little more than one-third. Last

year we appropriated \$14,000,000, and this year by the House bill \$5,000,000 is appropriated. The committee thought, and I think, that if the appropriations were reasonably right and proper in the bill of last year, and if the uncompleted works are apportioned in the same proportion of those appropriations, extending the total amount to \$10,000,000, there would be a sufficient sum to carry on with economy and with real benefit to the country as to each of these improvements the work

for the ensuing year.

It is proper that I should say to the Senate that upon inquiry at the Engineer Department it has been found that owing to the lateness of the season when the last river and harbor bill was passed there remains on hand for the several works for which the expenditure was authorized somewhere in the neighborhood of \$9,000,000, which is as yet unexpended. I think the 5th of July was the time when the last bill was passed, but before the bill had become a law and before the appropriations could be arranged for distribution and the work commenced upon them, especially in the North, the cold weather and stormy season had commenced, and in many cases but little work was done. With some or the southern appropriations, where work could be done longer in the season, more has been done; but there will be a great balance of appropriation; and with this appropriation, whether it be \$5,000,000 or \$10,000,000, there will be money in the hands of the Secretary of War to prosecute vigorously, economically, and successfully the work on those great improvements for which the commerce of the country is so desirous. of the Southern appropriations, where work could be done longer in the

Another inducement with me-I do not speak in behalf of the committee—is that if no appropriation bill should be passed this year except for the expenditure of the amount remaining on hand, there will be no further work upon these several improvements. Perhaps there has been no year for the last decade where the necessities of making these improvements for the benefit of commerce, for cheapening transportation, for giving safety and security in harbors to the vessels which carry the freight of the country, were more apparent than this year. In addition to that there has been no time when such works could

be carried on more economically in my opinion than during the coming season. All over this land, throughout all the regions where these appropriations are expended, business languishes, labor for the laboring man is scarce. There is no time when it would be more of a Godsend to the workingmen in every part of the country where these appropriations will be expended, and they will gladly work for less wages in these hard and troublesome times than they would demand at other times. And I confess that I am influenced convented in my desire to And I confess that I am influenced somewhat in my desire to have this bill passed from the consideration that it will give at least \$10,000,000 of work scattered through every part of the country to those who are lacking employment and lacking bread.

Mr. LAPHAM rose

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Michigan yield to the Senator from New York?

Mr. CONGER. Yes, sir.

Mr. LAPHAM. I desire to know if the Senator is informed as to what amount of the appropriation of last year is unexpended?

Mr. CONGER. I have just made a statement of that; the Senator did not hear me. As we learn at a late date, within a few days, February 23, from the Secretary of War or the Engineer Department, the amount unexpended and ready to be expended on all the public works of the country is about \$9,000,000.

Mr. LAPHAM. Then with this ten millions there will be nineteen

millions appropriated.

Mr. CONGER. That would extend until another river and harbor bill shall take effect, which will be probably in the usual way at the long session some time late in the summer of next year, giving for the two seasons about \$19,000,000.

Almost from the necessity of the case the appropriations for making these improvements throughout the great extent of our country in view of the great number of them carried on at the same time have been small. small. They have been too small for economic work by the Government on these improvements; and the people of the country have waited year after year for such improvements in the navigable rivers, for such harbors of refuge as should bring safety to its commerce, for the deepening of channels, for all the improvements embraced in this bill. They have been waiting year after year for the completion of these works, so that the produce of the farmer and the mechanic may be cheapened in its transportation and that the monopoly of the railroads may be met and counteracted by these great highways of the people in the transportation of their produce.

I feel an assurance that, with the increased appropriation which the Senate Committee on Commerce have recommended and with the amount now on hand, the work of carrying on these improvements by the Secnow on hand, the work of carrying on these improvements by the secretary of War and the Engineer Department will be commenced with vigor, will be pushed forward with success, and that the people scattered as they are all through this land who desire work and desire labor will receive the benefit from this expenditure which results so directly in the improvement of the water courses and harbors of the United States. Now, sir, each Senator will judge for himself whether the reasons which I have suggested should have any weight, and will judge whether this be a good year, a proper time in which a liberal appropriation

should be made for these works, both for the finishing of the works themselves and for furnishing in that act the means of living to labor and the wages of labor to so many thousands of people not in one locality but scattered through every State and every Territory of the land.

I submit, sir, these suggestions for the consideration of the Senate. I have said already that this bill does not come to the Senate in the form I could have desired. I have said already that for myself I would much rather, if we could have had the time to have it prepared, have a bill as a substitute for this looking over all the reports of the engineers, studying them as carefully as we are wont to do in other years, with which we could come to the Senate with every single appropriation fortified by the reports of the engineers and sanctioned by the judgment of the committee and of the House. That can not be. Either this bill must, in some form, amended or otherwise, receive the sanction of the Senate, or we shall have no additional appropriations to carry on these great works, which I believe are so desirable and so necessary for the growth and welfare of the commerce of the United

Mr. FRYE. Mr. President, I disagreed with the majority of the Committee on Commerce and was opposed to the report of any river and harbor bill as such at this session. I was not opposed to it because I am opposed to improving our rivers and harbors. I was born a Whig, I am opposed to it because I am opposed to it because I am opposed to improving our rivers and harbors. I was born a Whig, and that was one of the early doctrines of the Whig party, and I adhere to-day to that early doctrine, the importance of improving our rivers and harbors. But, sir, I regard this bill as bad legislation, unintelligent, and unintelligible; and there is no excuse in the world for it in my indement. There have been three menths for the respection of my judgment. There have been three months for the preparation of a river and harbor bill by a committee elsewhere, whose only business was to prepare a river and harbor bill, an intelligent river and harbor bill, and send that to the Senate. No such bill has come to the United States Senate; but as the distinguished Senator from Michigan well says, within the last three days of the session a proposition comes here to appropriate \$5,000,000 to be expended according to a river and harbor

bill passed one year ago.
Suppose only \$5,000,000 are appropriated. There are from seventy-Suppose only \$5,000,000 are appropriated. There are from seventy-five to one hundred items in the river and harbor bill referred to below \$10,000 each; there are a dozen or twenty down to \$1,000, \$2,000, and \$2,500; and if the Secretary of War is obliged to follow out the behest of this bill, then he is to put on these rivers and harbors from two hundred to six hundred dollars each. What important rivers they must be if such an amount of money can be of any commercial use!

There are, I say, from seventy-five to one hundred items less than \$10,000. The proposition to appropriate \$10,000,000 does away in part with that argument; but after a consideration of two months the river and harbor bill reported to the House of Representatives at this session left out from forty-eight to fifty of the items contained in the old river and harbor bill. Then if the Secretary of War is obliged to follow the law of Congress he will be compelled to appropriate of the \$10,000,000 a portion to from forty-eight to fifty rivers that the River and Harbor Committee after two months' consideration decided were not entitled

I say you may look at it as you please, and there is no excuse to be offered to this country for making a lump sum appropriation by a river and harbor bill. The Senator says there are nearly \$10,000,000 left of the old bill to-day. If so, nothing will suffer. It may be said that this money is necessary to keep improvements in repair. That is not true, because in the river and harbor bill passed at the last session we put in a provision as section 4 which says:

And for the purpose of preserving and continuing the use and navigation of said canals, rivers, and other public works without interruption, the Secretary of War, upon the application of the chief engineer in charge of said works is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury to pay the actual expenses of operating and keeping said works in repair, which warrants or requisitions shall be paid by the Secretary of the Treasury.

So, Mr. President, if there are works to-day that are suffering or that will suffer next year for want of repair and proper attention, there is a provision which authorizes the engineer in charge to make his demand upon the Secretary of the Treasury, and the Secretary of the Treasury to pay without limit any sums of money that may be necessary to preserve the Government works and keep them in repair. So there is not that excuse for this haste.

I am not going to weary the Senate with discussion; I am going to conclude with simply this proposition: It seems to me that the United States Senate owes to itself a duty in these premises, and it owes to this great country another duty in the premises, and that is to see to it when five or ten millions of dollars are appropriated that every item of appropriation shall have received proper, judicious, careful consideration by some committee of the Congress of the United States. It seems to me that the Senate owes a duty to itself, and that duty certainly can be me that the Senate owes a duty to itself, and that duty certainly can be performed without stopping the functions of this great Government. Where no Department is to suffer, where you do not take the Army or the Navy or the Judiciary by the throat and tell them to stop their lives, where nothing can suffer, surely the Senate owes to itself the duty not to make into law that which has received not one single hour's consideration by either the Committee on Commerce or the Committee

on Rivers and Harbors in either branch of Congress, and can not re-ceive in this branch over two hours' consideration, and did not receive in the House of Representatives thirty minutes of consideration.

For these reasons, sir, I oppose any appropriation whatever.

THANKS TO PRESIDENT PRO TEMPORE.

Mr. PENDLETON. I desire unanimous consent at this time to offer a resolution, and I ask its immediate consideration.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The resolution will be read for information, when the Chair will ask for objection.

The Chief Clerk read the resolution, as follows:

Resolved. That the thanks of the Senate are due, and are hereby tendered, to the Hon. George F. Edmund, a Senator from the State of Vermont, for the courteous, impartial, and able manner in which he has presided over its deliberations and fulfilled the duties of its President pro tempore.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution? The Chair hears none. It is before the

Senate.

The resolution was agreed to unanimously.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for

The PRESIDING OFFICER. The question is on the amendment of the Committee on Commerce, in line 13, striking out "five" and

inserting "ten."

Mr. COKE. Mr. President, the bill reported from the Committee on Commerce is not such a bill as I would have preferred. I am not at all enamored of it, but I do believe it is better than no bill at all. It is not the fault of the Committee on Commerce of the Senaet that a better bill is not before this body, that we have not here an itemized and specific bill. That committee has had no time to perfect such a bill. It is presented here as it came from the House, with amendments in accord with the theory of the bill, as the best the committee was able

to do under the circumstances.

The last river and harbor bill passed amounted, I will say, in round numbers, to \$14,000,000. The pending bill, as reported from the Senate committee, appropriates ten million of dollars, to be apportioned among the different public works in proportion to the amounts given to them in the last river and harbor bill. That something is necessary to them in the last river and harbor bill. That something is necessary to be done, that some appropriation ought to be made, no Senator here, no member of either House questions. We have a system of public works embracing all the rivers and harbors in the country, works progressing to-day and dependent upon the appropriation to be made at this session of Congress for their continuance. Not only that, but the Government has at all these points property or plant which it is necessary shall be protected and preserved from waste and destruction which will ensue from non-use. An appropriation for this purpose is absolutely necessary lutely necessary.

The House has failed to send us a specific bill making an appropria-

tion severally for each one of these public works. The Senate Committee had not the time and the Senate has not the time to make specific appropriations for each one of them, and there is no other alternative left us than to accept the bill before us or have nothing. We can do nothing else but make an appropriation as this bill makes it, in solido, trusting to the discretion of the Secretary of War and the Engineer Department to expend the money judiciously for the conservation of the

great interests for which it is appropriated.

The honorable Senator from Maine says that he opposes any river and harbor bill constructed in the lump as this is. Mr. President, can we afford to throw away the large percentage of the work already done, we anord to throw away the large percentage of the work already done, to be lost from the failure of an appropriation? Can we afford to devote to destruction and waste the Government plant and property employed in every river and in every harbor of the United States in carrying on these public works? We can not. If we can not, then we must appropriate; and as we can not make specific appropriations, we must appropriate in the lump, as is done in this bill.

Shall we cease to improve our rivers and harbors? We can not afford

to do this. Let it be remembered that cheap transportation is the one thing needful in this country, and that how to break down railroad monopoly and secure reasonable freight rates for our products is the great question of the day.

The recent debates in this and the other House of Congress, and especially before the Commerce Committee of the House, participated in by the ablest men in the country in and out of Congress, and especially by the most distinguished experts in railroad and other transportation, while showing great variety and difference of opinion in every other respect, all concur in ascribing to the navigable waters of the country a greater influence as competing factors in bringing down freight charges on railroads than all other agencies combined.

Water competition is universally admitted to be the best, most reliable, and most certain regulator of railroad charges of any other, and where it exists the most desirable. This is a great fact which can not be controverted or ignored. The producers of this country, the people

who create its wealth, are suffering from being compelled to give too large a proportion of their products as consideration for carrying the remaining part to market. The people of Kansas, of Nebraska, and other States are giving one bushel of corn for carrying another bushel to market. This instance is only an illustration of what is being done in a greater or less degree in respect to all the products of this country. a greater or less degree in respect to all the products of this country, and the wisdom of Congress is loudly invoked for relief. The cost of transportation to market is burdening the producers and taxing the consumers almost beyond their powers of endurance. We have endeavored during this session to legislate in the interest of these people in the regulation of interstate commerce, but have failed to accomplish anything. All concur in the opinion that a large measure of relief will come from opening up and clearing out our navigable waters. Is not this great object a worthy one, and ought we not to pursue it and reap for our people the benefits of its accomplishment? If there are those who doubt, are not the opinions of enlightened men who entertain no doubt such as impose the duty upon Congress to make the effort—to try the experiment if they choose to so term it? There can be no question about this.

It is true, Mr. President, that the House of Representatives has sent us a bill that we do not prefer, that we do not like, yet it is better than no bill at all. It has been amended—"five million" stricken out and "ten" inserted. Why can we not pass that bill? We can intrust the matter to the Secretary of War, to the Chief of Engineers. We abide by their discretion in all the river and harbor bills we pass to a considerable extent. erable extent. Why can we not trust them on this bill as we have done on others when we have so great a stake at issue?

There is no reason in the world why we should not pass this bill. If it was a specific bill making specific appropriations for each public work, I should prefer it as you would, sir; but we can not have that. There is no time to perfect such a bill.

Mr. KENNA. Will my friend from Texas allow me to ask him a question?

question?

Mr. COKE.

Mr. COKE. Certainly.

Mr. KENNA. I do not understand the position occupied by my friend from Texas in his statement that this is not a bill specific in its application to every work provided for by the last river and harbor bill passed by this Congress. My understanding of the provisions of the present bill is that it appropriates \$10,000,000, to be expended in proportion for the prosecution of every work provided for in the last bill.

Mr. COKE. Certainly.

Mr. KENNA. The only difference, therefore, as I understand the situation, is that this bill appropriates ten millions and the last bill appropriated \$14,000,000 for the prosecution of identically the same general works on rivers and harbors; and I deny that this bill vests any discretion whatever in any officer in any Department of this Government which was not vested in that same officer, in that same Department, by the provisions of the last river and harbor bill. The only difference on earth is the difference in amount. By the last bill we appropriated an aggregate sum of \$14,000,000, the bill describing in detail the particular works to be prosecuted under it and the expenditure of the money provided for. By this bill in a lump we appropriate \$10,000,000 to be expended in proportion for the several works throughout the country provided for in the last bill.

Mr. COKE. There is no difference of opinion between the Senator

from West Virginia and myself. I supposed that the Senate understood that this bill appropriated in the lump, as I stated in the comstood that this bill appropriated in the lump, as I stated in the commencement of my remarks, for apportionment among the several works specifically appropriated for in the last river and harbor bill, and I stated in the last observation I made before the Senator from West Virginia rose, that we reposed, in every river and harbor bill yet passed, to a certain extent, in the judgment and discretion of the engineers and of the Secretary of War, and no more in this than in the others, but the same in this as in the others.

Mr. KENNA. I did not exactly understand my friend before as I understand him now. We are not exactly on the same line in the discussion of this bill, and my object in interposing was not so much to interrupt my friend the Senator from Texas as to make understood the fact that this bill does not invest the Secretary of War or any officer of this Government with any discretion whatever in the expenditure of any dollar appropriated by it.

Mr. COKE. I take issue with the Senator from West Virginia.

read from the bill the following provision:

That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War—

If my friend will allow me to c utinue the reading Mr. KENNA. of the same section-

Mr. COKE. I will continue the reading. Mr. KENNA. If you please.

Mr. COKE. It continues:

For the construction, continuation, repair, and preservation of the public works mentioned and designated in an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. KENNA. And now will my friend allow me to continue the reading? The same section of the same bill continues:

In proportion to the sums appropriated for such works in and by the said act.

So that there is no discretion whatever vested in the Secretary of War, except to expend the \$10,000,000 appropriated by this act upon the same works whose improvement is provided for by the last act in proportion to the sums appropriated by the last act for the said works.

Mr. COKE. The Senator from West Virginia has stated simply what I had stated before, but now I call attention to a fact to show that the

Secretary of War has discretion and that he exercises discretion. the very bill to which the honorable Senator refers by which \$14,000,000 was appropriated at the last session of Congress, which the Secretary of War was directed to expend, there is of that appropriation now on hand nearly \$10,000,000 unexpended, because in his discretion the Secretary of War has chosen not to expend it.

Mr. KENNA. Oh, Mr. President, if the Senator will pardon me—I

do not want to interrupt my friend-

The PRESIDING OFFICER. The Senator from West Virginia will not interrupt until the Chair has an opportunity of learning whether the Senator from Texas yields.

Mr. COKE. I do.
Mr. KENNA. I certainly do not wish to interrupt my friend from
Texas, but the statement which he submits to the Senate now of the amount of money on hand for the prosecution of these various works is a statement based upon the report of the Secretary of War of the 1st of July last. We all know that, and we all know that since that time the demands of the current fiscal year have come into requisition, and none of us know to-day what amount is still on hand.

Mr. FRYE. The report was made February 23, and covered up to

that date

Mr. COKE. Yes, sir; February.

Mr. KENNA. But pardon me one moment further. If the Senator refers to the recent special report, then he omits from the calculation of that report the amount engaged by contracts entered into prior to and up to last July, and, therefore, the same application applies. The contracts for all the great works that are being prosecuted by contract were entered into prior to the 1st of July last, and every dollar that applies to the consummation of those works and the satisfaction of those contracts up to that time, not actually paid, is still on hand even to this very moment.

Mr. COKE. Now I hope, Mr. President, that I shall not be inter-

rupted further.

I repeat my assertion that the Secretary of War and the Chief of Engineers have under this bill the same discretion that they have under all other river and harbor bills, and that under all river and harbor bills they have discretion to expend or not to expend the money, because it is a notorious fact that they do absolutely refuse to expend money under appropriations made under directions like those contained in this bill when in their judgment the expenditure of the money would result in no public good. Nothing is more common than this, and a volume of the Engineer's reports can not be found which does

not show repeated instances of it.

I know that in my own State under a bill like this there are appropriations which have lapsed repeatedly because the engineers have decided that the money ought not to be expended, that the appropriation was not large enough for instance to justify the expenditure of the money, and in that fact is found the reply to the argument of the hon-orable Senator from Maine against this bill, where he says there are so many of these appropriations which will be whittled down so under this bill that it will be useless to attempt to expend them. In reply to that I have to say that this very discretion exercised by the Engineer Department and by the Secretary of War will prevent an expenditure of a dollar of those appropriations which are believed to be insufficient to accomplish any real good. So that so much of the argument of the honorable Senator from Maine as is directed against this bill on account of the smallness of some of the appropriations which will be brought down so low that no good can be accomplished with them fails.

I repeat I would have preferred that each one of the public works appropriated for had been named in the bill, but they could not be named. There was no time for it; there was no time for amendment. We could do nothing else but bring in a bill in the lump, in solido, and we have got to take that sort of a bill or have no appropriation for the improvement of rivers and harbors at all; and I do contend, Mr. President, that the object for which this Government first commenced the great work of improving the rivers and harbors of this country is too great, too far-reaching in importance, and affects too large a proportion of the people of this country, to be abandoned or deferred for any light or transient cause, and that if we can not get the best bill that can be made for the purpose we ought to be willing to accept the best that under the circumstances can be brought before the Senate at this time, and such a one is the bill which has been reported from the Committee on Commerce.

DEFICIENCY APPROPRIATION BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had non-concurred in the amendments of the Senate to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon,

and had appointed Mr. SAMUEL J. RANDALL of Pennsylvania, Mr. JAMES N. BURNES of Missouri, and Mr. JOHN D. LONG of Massachusetts managers at the conference on its part.

Mr. COCKRELL. I ask the Chair to lay before the Senate the ac-tion of the House of Representatives on the deficiency appropriation

bill.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. COCKRELL. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Represent-

The motion was agreed to.

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate, and Mr. HALE, Mr. ALLISON, and Mr. Cockrell were appointed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1886, and for other purposes; and it was thereupon signed by the President pro tempore.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for

Mr. President, I am always glad to support any river and harbor bill, but I think this bill is perhaps one of the mos preposterous that was ever presented. It is true we have sometimes had bills proposed in bulk to pay a lump sum and leave it in the discretion of the Secretary of War. I believe that would be much better than the bill now presented, for this bill is hampered by the river and harbor act of last year. If Senators will look at the act we passed last year, ten pages long in close print, and then look at the estimates this year, they will find that in many instances there has been a less own asked. will find that in many instances there has been a less sum asked for this year than was appropriated last year. Of course it follows that works which are progressing and which have arrived at any near degree of completion do not require as much money in the succeeding year as in the past. It will be noticed also that a considerable number of the ports and harbors that were appropriated for last year are omitted this year in the estimates.

Mr. HOAR. I should like to ask the Senator from Vermont whether the point which he makes, that it might take a small sum to complete works which are near completion, is not provided for in the proviso, beginning in the sixteenth line of section 1 of the bill:

Provided. That no more shall be thus allotted than is sufficient for the completion of said works under the present estimates.

Mr. MORRILL. The Senator from Massachusetts knows that none of these works are ever completed. There is always room for the expenditure of a little more money. Who is to decide whether they are completed or not? The bill now before us provides that the money shall be expended in exact proportion to what was appropriated for each work in the former bill.

There is another difficulty about the bill. Throughout the whole act of last year there were various provisos and conditions upon which the appropriations were made. In the present bill there are no conditions whatever. If the port or place has been barely mentioned, then the money may be expended there.

Under these circumstances it seems to me that the bill is a bill that will work badly. Some of the places which require very little money may get enough and perhaps too much; while others which require more will hardly get a pittance. In the estimates of this year there are many points where appropriations are asked for which are not even named in the bill of last year, and it ought to be supposed that the expenditure of last year would diminish largely the amount required to be appropriated this year.

Again, the bill as now proposed to be amended appropriates a larger sum than the Department have estimated would be requisite. They have only asked for \$8,000,000, and now it is proposed by the Committee on Commerce to increase the sum to \$10,000,000, although by the statement of the Senator from Maine no longer ago than the 23d of February there was not less than \$9,000,000 on hand. Last year the appropriation was for \$14,800,000, and now, with the amount on hand and what is proposed there will be \$19,000,000 to expend—a larger sum

by \$4,000,000 and over than was appropriated last year.

Under these circumstances I do not feel at liberty to vote for the bill. I think the committee should have distributed the appropriation where it was most needed; but under the conditions of the bill, without any discretion left to the Secretary of War, it must be distributed exactly according to the act of last year.

Mr. HOAR. The Senator from Vermont has made two objections to the bill.

Mr. MORRILL. I make three.

Mr. HOAR. One is that there are many works mentioned in the act of last year which a small sum only will be required to complete, and that the allotment made under the bill may be considerably more than those works need. I am surprised, knowing the usual candor of my honorable friend, at the answer he made when I called his attention to the proviso in the bill which reads:

Provided, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimates.

How could the honorable Senator think of his answer to that proposition when he says we all know that these works are never completed? Who is to determine the matter? The Secretary of War will not spend more than he thinks is necessary to complete the work, and he can not spend as much as he thinks is necessary to complete it unless it is a sum

within the limit of the appropriation for the present year.

Mr. MORRILL. I should like to have the Senator refer me to some document which will show the exact amount necessary to complete any

one of these works.

Mr. HOAR. The present Book of Estimates is the document.

Mr. MORRILL. The estimates are not for completion, but for con-

Mr. HOAR. Yes, they are, largely. The original estimate of a work is always an estimate which gives the amount necessary to its comple-

tion. Then it goes on from year to year giving the amount that could wisely and profitably be expended in a particular year.

The Senator says that there are conditions and provisos in the last act and they are not repeated here. I think any lawyer would say that the legal effect of the bill is to leave the appropriation under existing

conditions.

Mr. MORRILL. It does not say so.
Mr. HOAR. That is the legal effect. The sums being appropriated for such works conditionally, the condition would attach. I suppose the Senator would have no sort of objection to adding after the words "in proportion," in the fifteenth line of section 1, the words "and upon the condition therein expressed," or words the effect of which would carry over the condition of the appropriation.

Mr. MILLER, of New York. Mr. President, it is a matter of personal regret to myself that I feel compelled to oppose the passage of the

present river and harbor bill. It is well known to my associates on this floor that I have hitherto favored such bills which have been brought before this body, and that I have given much labor and study to the improvement of the rivers and harbors of our country. I have held, and still hold, that all proper appropriations for the improvement of our rivers, our harbors, and the canals which are under the control of the General Government are the wisest expenditures of public money that can possibly be made. Outside of the Post-Office Department no appropriations which we make bring back so sure and so quick a return to the people in actual profit as proper appropriations for our rivers and

But with my sense of public duty as a legislator I can never consent to give my vote or my voice for a measure which has received no consideration at the hands of the appropriate committee of this body. That is the condition of this bill. I do not stand here to charge dereliction of duty upon the co-ordinate branch of the Legislature, but for one I should be glad to see the rules of the Senate so amended that this body would never give a moment's consideration to any general appropria-tion bill which did not come to this body from the other House at least

thirty days before the day of final adjournment.

thirty days before the day of final adjournment.

If the Senate of the United States is to be charged with the duty of legislation, if we as the representatives of our several States are to be held responsible for public legislation, and particularly for the appropriations of money out of the Treasury, then certainly we should exercise our constitutional right of originating appropriation bills and passing them through this body; or if we are to follow the custom which has hitherto prevailed and permit the other House to originate all general appropriation bills, we should insist now and at all times that the coordinate branch of this Legislature should send us those bills in time, so that we may give them careful consideration.

so that we may give them careful consideration.

No appropriation bill that comes before this body requires so much time, so much consideration, so much examination by committees and experts, so much study, thought, and work on the part of the committee having it in charge as does the river and harbor bill. It requires an accurate knowledge of every harbor, of every important river, and of all the canals which are under the control of the Government before

the committee can act intelligently.

It does not follow that we can this year take the bill of last year and appropriate money in accordance with the provisions of that act. The engineers who have the work in charge are continually learning from month to month and from year to year that many of the appropriations and much of the work hitherto done have been experimental, and that a change is required in plan, or that the work should be entirely abandoned. By no possibility, in my judgment, could any general appropriation bill be so illy taken as the criterion for a coming year as the ordinary river and harbor bill. It is an open secret that the committee in the other branch of this Legislature which considered this question from the opening of the sesthe greatest this question from the opening of the session in December down to last week, instead of adopting and following the act of last year, failed to make any appropriations for nearly—

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair must remind the Senator from New York that it is not in order to refer

to the action of the other Honse.

Mr. MILLER, of New York. It has already been referred to here by every speaker who has spoken. I am not referring to the action of the House, but I am referring to what is known and what every one knows to have been the action of a certain committee having this matter in charge. I think I may say within the parliamentary rule that certain persons attempting to make up a river and harbor bill left out of it nearly fifty distinct appropriations which were contained in the bill of last year, showing most conclusively that by their investigations and by the light which had come to them during the past year it was found that we did not need any bill like the bill of last year, but that we needed a new bill, with new provisions, with a large number of new appropriations in it, and with a large number of the old appropriations left out of it.

I gave my support to the bill of last year. As a member of the Committee on Commerce I took great interest in its consideration in that committee on Commerce I took great interest in its consideration in that committee, and labored long and heartily upon it. The Committee on Commerce of this body made many radical changes in it. The committee struck out very much of what was generally believed to be unwise appropriations, but I regret to say that in the final consideration of that bill by the conference committee of the two Houses very much of the legislation which the Committee on Commerce had stricken out of it was put back, and that in that shape it finally passed this body and

But it needs no particulars in my judgment to condemn this bill. We are coming in my opinion to a condition in legislation upon rivers and harbors which calls for a halt. The people of this country are demanding not that the appropriations for rivers and harbors shall be limited to \$5,000,000 or \$10,000,000 or \$15,000,000 per annum, but they are demanding that the appropriations shall be made for the great public works according to the necessities of the country.

A great change has come about in our merchant marine within the past fifteen or twenty years. In short within the past fire years the draught

fifteen or twenty years. In short, within the past five years the draught of nearly all sea-going vessels has increased from sixteen or eighteen feet to twenty, twenty-two, twenty-six, twenty-eight, or even thirty feet of draught of water. The result is that nearly all of our great harbors, or what were known as great harbors a few years ago, upon the Atlantic coast are now not able to admit into them the great ships of the merchant marine which come to them. At the port of New York, through which three-quarters of all the foreign commerce of this country pas a large number of the foreign steamers running to and from that port a targe number of the foreign steamers running to and from that port to-day are not able to pass over its bar with more than three-quarters of a load. If that obstruction should be removed it would reduce the cost of transporting every bushel of wheat and corn which is sent abroad. To do the work there the appropriation carried in a river and harbor bill should be not less than \$1,000,000 per annum. To give it a paltry \$150,000, as it would have under this bill, would amount to nothing the result of the research. ing. It would be a waste of the money.

I appeal to the Senator from Texas in regard to his own great port

of Galveston, to say to this body of what value will be the \$200,000 which would go to that port under the provisions of this measure as it now stands if it should pass. If the Senator were to answer that question he could only say that it would be of no avail whatever. The works contemplated at Galveston require an expenditure of several million dollars. We have spent there a large sum already. It seems to be the opinion to-day and the growing opinion of civil engineers that the work at Galveston Harbor has thus far been largely a mistake a mistake either in plan or in construction, it matters not which. If anything is to be done for the great State of Texas, which is an empire in itself—and certainly it should have a harbor into which the greatest ships floating from the sea could come at all times—the appropriation for Galveston Harbor should not be \$150,000 or \$200,000, but it should

for Galveston Harbor should not be \$150,000 or \$200,000, but it should be all the money which the engineers can wisely expend in a fiscal year. Less than that is folly; less than that is wastefulness. It is a waste to spend only \$200,000 a year upon Galveston Harbor. It would scarcely keep the work moving; it would scarcely keep it in proper repair. Shall we go on in this way from year to year scattering our appropriations upon little rivers, many of which may be of value to their localities, many of which undoubtedly are, if not all of them, but certainly many of them are simply of local importance? They are streams which can be used for rafting lumber. Surely that is an industry demanding our consideration perhaps, but notwithstanding the people manding our consideration perhaps, but notwithstanding, the people of this country claim and will demand at our hands that in the distribution of the public moneys upon our rivers and harbors the great ports of this country shall be opened, and shall be opened in such a way that the ships of the present day can find easy ingress and egress.

What I have said of Galveston is true of the great works which are

going on at the mouth of the Saint John's River. The Saint John's River is the artery of the State of Florida. The mouth of that river ought to be opened so that all the large steamers which desire to go

there can get in. The appropriation which would come to that river by this bill would be of little or no avail. The appropriation for that river should be such that the work can be pushed to speedy completion, and then the great State of Florida will be developed. But we give it a paltry \$150,000 or \$200,000 under this bill—I do not know the exact amount-which will scarcely keep the dredges and the machines of the Government going. In other words, the money will be squandered, and this appropriation will be unwisely expended.

What is true of the mouth of the Saint John's River is true of Charles-

ton Harbor. There we have undertaken large works, to deepen the water over the bar and to admit large ships to come into that port so as to carry the cotton grown in the adjacent country to England. The appropriation made under this bill, if it shall become a law, will do

little or no good there.

Thus I might go on and specify item after item. I believe also that the large sum given in this bill to the Mississippi River and to the Missouri River will be largely wasted. I believe that the present condition of the improvements of both those rivers calls for a halt; that it calls for a full consideration as to whether the money heretofore ex-

pended has been wisely expended.

I want to say for myself that I am for the improvement of the Mississippi River and its navigation; I have always voted for it; but I believe that no bill should pass until that matter is fully considered by the Committee on Commerce, and until we have fully satisfied ourselves in regard to the criticisms which are now being made throughout the length and breadth of the country upon the improve-ment of the Mississippi River. Statements are made which require our careful consideration, going to show that very much of the work which has been done under these large appropriations has proved a failure; that it has shown that the work laid out by the commission and the engineers is to-day largely experimental. If it is experimental it can do no harm to make it wait for another year, until the money has been expended which is now in the hands of the Secretary of War for it, and that then we may carefully and considerately determine whether we shall continue the improvement of the Mississippi River upon the present plan. It is well known to every member of the Senate that the great engineering authorities of this country and of the world are not in harmony upon this question; that there is a great disoute going on as to the wisdom of the present system of improving the Mississippi River.

Mississippi River.

Now as to the Missouri River. Last year in the river and harbor bill we created a commission for the Missouri River, thus to a certain extent taking it out of the hands of the engineers of the Army and out of the control of the Secretary of War. I am satisfied that that was unwise. I am satisfied that in the very near future we shall substantially be also all income the control of the Secretary of War. tially abandon all improvements upon the Missouri River. stand that at the present day—I am so told by a Senator who knows—there is not running upon the Missouri River a single through steamer, that what is called through trade or traffic upon it has been substantially abandoned, and that the traffic upon the river now in steamboats is carried on only in stretches between some important places. boats is carried on only in stretches between some important places. If this be true, then certainly we ought to go slowly in appropriating large sums for that river. It is undoubtedly true that in the development of that country to the present time the river has been of much value, but it seems now that it is largely supplanted by the great number of railroads which have been built throughout that country, and which have shortened the distance of transportation over that hitherto ween the river.

Be that as it may, I hold it to be the duty of the Senate to see to it that no important legislation, certainly no bill carrying \$10,000,000, shall pass this body without having proper time for consideration in the Committee on Commerce to which it was committed. The bill came the committee of to this body on Friday last. It did not fully reach the committee, printed and by reference, until Monday of this week. As the Senator from Texas said, there was no alternative left us save to take the bill with a few general amendments upon it, or to abandon it for this ses-

But certainly the blame does not lie at our doors. The Committee on Commerce have been waiting for this bill for weeks and weeks, asking in our own way when it would come to us, until finally one Senator not a member of the committee took the liberty of introducing a complete river and harbor bill and sending it to the committee. But as this body has, I believe, in nearly all its past history waited for these bills to come to it from the co-ordinate branch of the Legislature, so we waited for this bill. It comes to us in the closing hours of this

Two years ago when a bill came to us not in this shape, when a bill came to us from the House of Representatives in complete and full detail, item for item, if I remember correctly, it reached us some three or four days earlier in the session than this bill reached us. That bill went to the Committee on Commerce, and what was the result? The Committee on Commerce reported back to this body that it had not sufficient time to consider that bill, and that it would make no report upon it, and the bill failed. However, no great evil effects came to the country from the failure of that bill. That bill, like this, contained petty appropriations by the hundred. It did not contain proper and sufficient appropriations for the great works of this country and I do not know that its failure occasioned great loss to the works. I have seen no report tending to show that any great loss came to the public works of this country by the failure of that bill.

Certainly the House of Representatives should have taken warning by that action of this body and should have sent us this bill two months ago. It could easily have done so. It could have sent us this only two months ago. It could have considered fully and definitely; but now it comes to this, that another body, sitting in another portion of this Capitol, can take into its own hands all the appropriations for the management of this great Government, including every department, the Army, the Navy, the Post-Office, the legislative, executive, and judicial departments, and it can hold the bills until within twenty-four or forty-eight hours of the adjournment under the Constitution, and it can then bring in those bills here and say to us: "Take them; pass them as we have made them, or there shall be no bills, or you take the responsibility of forcing an extra session."

We are not sent here to legislate in any given number of days. We do not hold our offices for months; we hold them for years. If the public business of the country demands that this national Legislature should remain in continuous session for three hundred and sixty-five days in the year in order to complete properly the public business, then I hold it to be our duty to stay here and to give to the public business all our time. It is for that purpose that the States which have sent us here have given us our commissions. We can not excuse ourselves in the manner suggested by the Senator from Texas. It is no reason whatever in my judgment to say that this bill must pass as it is or there will be no appropriation for rivers and harbors and that the great works

of this country will go to ruin and destruction.

I believe that it is in the interest of all the public works of this I believe that it is in the interest of all the public works of this country, I believe it to be in the interest of Galveston Harbor, in the interest of the Saint John's River, in the interest of the Mississippi River, of Charleston, of Baltimore, of Philadelphia, of New York, of Boston, of Portland, and of all the great lakes that this bill should fail here and now. If it does fail here, if the Senate says to the other branch we shall not consider a bill sent to us in this manner, then the House will hereafter give us time for pause and consideration, and when another Congress shall meet, whether it shall be in December or within thirty days, then I think any committee of either House having this matter in charge will take it up in entirely a different temper and spirit from that which they have exercised in preparing this measure, and they will come to view these great works in their proper

light, and they will come to view these great works in their proper light, and when they make appropriations they will be made properly.

Mr. President, can we not adopt the plan followed by our near neighbors across the border in Canada? When any great public work there is devised and money is appropriated for it, there is appropriated at one time sufficient to furnish and complete the work. If it should be discovered that it required \$20,000,000 to complete any harbor in that country and the engineers could use but \$5,000,000 per annum, the appropriation would be for \$20,000,000 to be used at the rate of \$5,000,-000 per annum. Then the work could go with speed and with proper consideration for economy, and such appropriations as that would be in my judgment wise and economical.

It is not the amount of money carried in this bill which forms the objection to it. The amount of money carried in this bill is not one-third of what it should be for the great harbors and rivers of this country. The waste, the absolute waste of this measure is that it gives out the money in driblets to great works. It gives it out in such driblets

that it barely maintains the work

We have been working at Galveston Harbor now for a number of years, I do not know just how many. We have increased the depth of water over the bar I think three inches by the last measurement. If we shall go on with the appropriations here to be made in this way, the successor of the Senator from Texas, ay his successor in the third or fourth generation, will be in his seat before a steamship drawing thirty feet of water can cross the bar at Galveston Harbor. Nothing can be

feet of water can cross the ball done in this way.

The Republic of France appropriates in round numbers \$20,000,000 for her rivers and harbors, but when she wants to make a great improvement she puts down the money in an appropriation bill for the whole thing and orders it to be done in the shortest time possible. That is economy; that is wisdom; that is business. If any business man wanted to improve his plant, if any great railroad corporation wanted to improve its plant in order that it might do its business more

wanted to improve its plant in order that it might do its business more profitably and cheaply, it would make its improvements at once. It would not make them as we are making these appropriations.

I say then the time has come to call a halt in appropriations for rivers and harbors, and to set ourselves to work in this body and in the other branch of the Legislature to see if we can not revolutionize the entire system of making these appropriations. Let us take up the great public works, many of which I have mentioned and many others quite as important which I have not mentioned, and see to it if we can not devise means by which they shall be pushed to rapid completion. For instance, if the depth of water over the bar at New York could be increased from twenty-four feet to thirty feet, it would save to the farmers of the West more in one year than all the money which has been ap-

propriated for rivers and harbors in the past four or five years. So with the other great ports of our country.

I am not making any attack upon the smaller ports or upon the less important points. They are undoubtedly necessary to their people. No bill probably will pass which does not carry wise and just appropriations for smaller rivers and for smaller harbors; but in making this distribution I hold it to be necessary for the good of the whole country that these appropriations should be made in such a way and in such a manner as to enable these great works to be prosecuted rapidly to completion. Otherwise we are constantly losing the interest upon the money put into them. We get no benefit from the moneys thus expended until

put into them. We get no benefit from the moneys thus expended until
the work is substantially completed.

Mr. President, I shall detain the Senate but a few moments longer
upon this question. I hold that if this bill should fail here by the action of the Senate, the Senate can in no way be held responsible to the
country for the failure of a proper river and harbor bill. I believe
there is not a Senator upon this floor who has not had from his constituents numerous applications by commercial bodies to be heard upon
this measure, and to be heard upon new appropriations proposed to it. For one I have had a large number of communications from the people of my State asking to be heard upon the river and harbor bill, suggesting amendments and improvements over the action of last year. I have said to them all, when the river and harbor bill is properly before the committee the committee will hear you and will decide upon the claim which you may propose. What is to be the answer now that I shall give to my constituents? That the river and harbor bill came into our hands forty-eight hours before the final adjournment of Congress, and that this body, equal in power in the legislation of this country, yielded all its rights of amendment, all its rights of consideration in the committee, that it denied its doors and its committee-room to the people of this country who desired to be heard upon it, and that we took this bill ready-made to our hands.

It can not be argued that if this bill shall fail the great public works

upon our rivers and harbors will suffer for repairs or by damage by the storms or elements. The river and harbor act of last year in section 4, as read to this body a short time ago by the Senator from Maine, shows that the Secretary of War has absolute power to maintain all the present works in their entirety and to repair any and all damage which may be done to them by the elements. Therefore the argument that if we fail to pass this bill the public works will greatly suffer by damage, by decay, falls to the ground; there is absolutely nothing in it.

I repeat that I believe it to be in the interest of the improvement of I repeat that I believe it to be in the interest of the improvement of our great public works that this bill should fail. If I did not so believe I should be compelled to give it my assent, for I hold that no one of the great States of this Union is so much interested in the improvements of rivers and harbors as my own State, the State of New York. There is not a dollar of all the money carried in these bills to be properly and wisely expended upon any river throughout the entire length and breadth of this country which does not bring an immediate profit to the State of New York. We send our ships to every port upon the Atlantic count upon the Gulf and upon the Pacific, we send our compared. and breath of this country which does not ship an inhierance profit to the State of New York. We send our ships to every port upon the Atlantic coast, upon the Gulf, and upon the Pacific; we send our commerce and our produce to every port upon the great lakes, and whatever is done by Congress to improve these great water ways and these great harbors brings profit to the commercial interests of the State of New

The advancement of the interests of commerce has made the Eric Canal absolutely free. It has demanded, however, and has asked through its Legislature this winter, that Congress shall provide for the building of the Hennepin Canal. I believe that to be a wise recommendation to I believe that that work should be done by the Federal Government. Certainly the State of New York, after having expended more than \$60,000,000 on the Eric Canal and having made it free to the commerce of the country, has a right to ask that other great works which shall be a benefit to the whole people shall be prosecuted by the Federal Government. It has done this. It has asked through its Legislature for many other important works.

Resolutions have come to me as one of the representatives of that State. Shall my answer be that, as Senator from the State of New York, I consented to the passage of a river and harbor bill without giving it thirty minutes' consideration in the committee, without being able to add any item of appropriation to it, without hearing any of the delegates of the great commercial bodies of the city of New York upon the necessity of deepening the water over the bar at the entrance of

New York Harbor?

Shall I give that answer to my constituents? Mr. President, I can not. I stand here, though I say it with great regret, opposed to this bill; for hitherto I have supported these bills. I have labored for a proper river and harbor bill at all times, and I regret that this bill did not come to us in time at this session of Congress in order that the Committee on Commerce might give it careful consideration, and that every section and portion of our country might be heard, and properly heard and properly cared for.

I believe, then, that this bill should fail for the best interests of the whole country. I believe it should fail for the interests of this body, if hereafter we are to exercise our just right and control in the public legislation of this country.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had non-concurred in the amendments of the Senate to the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JOHN HANCOCK of Texas, Mr. WILL-IAM H. FORNEY of Alabama, and Mr. WILLIAM D. WASHBURN of Minnesota managers at the conference on its part.

The message also announced that the House had passed the joint resolution (S. R. 114) to provide for printing the annual reports of the

Smithsonian Institution.

The message further announced that the House had passed a joint resolution (H. Res. 347) to provide for the printing of additional copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Volunteer Soldiers; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 754) for the relief of Nathan H. Dunphe, of Bridgewater, in the State of Massachusetts; and it was thereupon signed by the President pro tempore.

FORTIFICATION APPROPRIATION BILL.

Mr. DAWES. I ask that the message from the House in reference to the fortification bill be now laid before the Senate.

The PRESIDING OFFICER (Mr. HARRIS in the chair) laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DAWES. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. Dawis,

and Mr. COCKBELL were appointed.

The PRESIDING OFFICER subsequently said: The Chair substitutes the Senator from Kansas, Mr. Plumb, for the Senator from Iowa [Mr. Allison] as a conferee upon the part of the Senate upon the disagreeing votes of the two Houses on the fortification appropriation bill.

INDIAN APPROPRIATION BILL.

Mr. DAWES submitted the following report:

Mr. DAWES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House (7970) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1858, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27, 28, 74.

That the House recede from its disagreement to the amendments of the Senate numbered 110, 111, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: Strike out section II of the bill of the House and insert the following in lieu thereof, to wit:

"That immediately upon and after the date of the passage of this act all Indians committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny, within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the same courts and in the same manner, and shall be subject to the same penalties, as are all other persons charged with the commission of said crimes respectively. And the sad courts are hereby given jurisdiction in all such cases. And all such Indians committing any of the above crimes against the person or property of another Indian, or other person, within the boundaries of any State of the United States, and within the limits of any Indian reservation, shall be subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States."

And the Senate agree to the same.

And the Senate agree to the same.

H. L. DAWES,
P. B. PLUMB,
M. W. RANSOM,
Managers on the part of the Senate.

E. JOHN ELLIS, WM. S. HOLMAN, THOMAS RYAN, Managers on the part of the House.

As I understand the report-Mr. VEST.

Mr. DAWES. The Senator does not want to make his motion until

after the report is concurred in.

Mr. VEST. No, I do not want to make my motion now, but I want to understand the report. As I understand it the House recedes from all its amendments except what is known as the Oklahoma amendment. Is that correct?

That is correct. Mr. DAWES.

Mr. VEST. There was so much talking I could not hear the reading of the report.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

Mr. DAWES. I will state the condition of the bill at this time. On this last conference report the Senate recede from its amendments numbered 27 and 28 in reference to the Otoe and Omaha Indians, and also the North Carolina appropriation. The House recedes from its disa-greement with the Senate in all of the legislative matter except the one called the crimes act. In that they agree with the Senate with an amendment which has been read and concurred in. There is nothing now open except the amendment of the Senate striking out the provis ion called the Oklahoma matter, and upon that the two committees

propose to take again the judgment of their respective bodies.

Mr. VEST. I move that the Senate recede from that amendment.

The PRESIDING OFFICER. The Senator from Missouri moves that the Senate recede from its amendment numbered 112.

Mr. SHERMAN. I should like to have the amendment read. The PRESIDING OFFICER. The Secretary will read the amend-

The SECRETARY. Amendment No. 112 is to strike out section 10, as follows:

SEC. 10. That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August II, 1886, March 21, 1866, and July 19, 1866; and for that purpose the sum of \$5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress.

Mr. DAWES. I do not wish to consume the time of the Senate a nigle moment except merely to state this case. The proposition in the single moment except merely to state this case. bill is to open negotiations with the Indians in the Indian Territory for the cession of this land.

Mr. SHERMAN. That is the House proposition.
Mr. DAWES. That is the House proposition. The Senate have stricken out that proposition. The conferees on the part of the Senate have been from the beginning willing to take that proposition if there would be annexed to it a provision to keep people off from that land until the negotiation is consummated. To that the House conferees refused to agree, and the question is whether we shall open negotiations for that Territory under circumstances such as were described here this afternoon, that will invite thousands of people down there in advance to take possession of that land, so that when the title become ours there will not be left a foot of it for an honest homesteader.

All that the conferees on the part of the Senate ask is that a provision shall go along with the negotiation which shall keep trespassers and marauders and lawbreakers from the land. If the negotiation has an honest purpose, a purpose in an honest way to extinguish the Indian title and open up to homesteaders that land, I can not understand why any one objects to keeping trespassers off it until the honest homesteader can go and take his land. I do not understand why it is that people insist upon the negotiation but refuse to keep the land from the trespasser while the negotiation is going on. If the House provision remains in the bill, when the negotiation shall have been consummated there will be five men already there for every one hundred and sixty acres of land.

Mr. BROWN. Is the provision just read the House proposition? The provision just read is the House proposition and Mr. DAWES. the Senate struck it out. The Senate conferees offered to take it provided there was added to it the provision which has passed the Senate twice, making trespass upon the Indian lands a misdemeanor, declaring that until these men can lawfully go upon this land it shall be a misdemeanor for them unlawfully to enter upon it and take possession of it.

The whole trouble has arisen from the fact that the existing law has

only imposed a fine upon trespassers upon the Indian land, and this man Payne and this man Couch have gone on there with their followers, making their followers believe that they could obtain homsteads there, and when the United States has taken them to Fort Smith and imposed the fine upon Payne and upon Couch they would take the poor debtor's oath the next day, and turn around and go to Kansas and in a week have another body of deluded men ready to go down there. They have gone through with that ceremony week after week and month after month, and the President in his messages has asked Congress to make it a misdemeanor. The Senate has twice passed that proposed law, and all that the conferees on the part of the Senate ask is that that shall be a part of the negotiation. Yet those who claim that their only desire is to fairly negotiate to open this land to the honest settler refuse to give the honest settler a chance, and I cannot understand how it is.

Mr. VEST. Suppose the conferees on the part of the Senate succeed in striking out the provision which was placed in the bill by the House of Representatives, what is the condition then of this Oklahoma question? It is exactly in the condition it has been in for the last five years, subjected annually to these raids on the part of these lawless and desperate men. What do we propose ourselves if we strike out the provision of the House and force this legislation, as the Senator from Massachusetts would have it? Do we make this thing any better? Does he give us any remedy? Does he stop these lawless raids?

Mr. DAWES. I will state to the Senator that we propose the remedy, but those who want this provision of the House refuse to take the

remedy along with it. Mr. VEST. I have I have never from the beginning of this discussion six years ago failed to declare that those people had no right to go into that territory. I offered the first resolution which was offered in the Senate which is now embodied in the bill reported by the Senator from Massachusetts and for which I voted, declaring that these raids were unlawful, in violation of the statutes and in violation of the treaties made with the Indians.

Mr. DAWES. I understand the Senator to take that position. I have no complaint to make of the Senator's position, but I do not understand why those who insist upon the negotiation without the remedy say that all they want is to give the honest homesteader a chance.

He would have no chance.

Mr. VEST. I hold that it is wise statesmanship to take the best you We can not force the House of Representatives, and I am not here to argue that question. We can not force them, it seems, to give up this provision. They adhere to it; and now the alternative is presented to us to let this thing stay as it is or to attempt a partial remedy when we can not achieve a complete one. Couch and his men, who now lead this desperate invasion into that Territory, assert that there is no Indian title to the land. We assert upon the contrary that there is one. The provision of the House of Representatives says that there is an Indian title, and says we shall treat these Indians fairly and purchase whatever right they may have. Is there nothing in that? For the life of me I can not understand how the provision of the House invites

life of me I can not understand how the provision of the House invites them to go into that Territory.

The Senator from Kansas [Mr. Ingalls] stood here to-day and told us that 20,000 armed men were hovering upon the border of Oklahoma ready to go in upon the 5th of March, and yet we are to do nothing. When we say to those people there is an Indian title, when the Congress of the United States says by the House provision you must wait until we have negotiated with the Indians and purchased their title, how is it pessible that we invite immigration? Does anybody suppose that if we do nothing those men will stay out of that Territory? Do we not know, did not not seed the provision of the House these people are floor that unless we passed the provision of the House these people are floor that unless we passed the provision of the House, those people are ready and are claiming that the new administration would protect them

ready and are claiming that the new administration would protect them in this lawless invasion of the territory of Oklahoma?

Mr. President, if we recede from the amendment we simply assert what is the law, and if those people then go in they go in over the United States Army. After all, it is not the law of Congress, it is the armed force of the country that must keep them out. They propose to go. They propose to resist this Army. They were ready during the past winter to resist it and nothing drove them out except famine. If General Hatch had risked an engagement he would have found that If General Hatch had risked an engagement he would have found that those men would have willingly gone into battle with his troops, but the unusual inclemency and rigor of the winter, unparalleled before in that latitude, and the want of provisions drove those people out. Now we are told, as we have been told for six years, "Let this thing alone; let these people go; can not we still keep the Army there; can not we fully rely on the Army?"

All I propose is to start in the right direction by extinguishing the Indian title. I am in favor of using as much force as any Senator on

this floor in order to preserve the peace and see that the laws of the United States are respected and enforced; but I say if you can not get the full remedy, take all that is possible; and unless we take the rem-

edy the House proposes we get nothing.

Mr. MAXEY. I can not see why it is that the chairman of the Committee on Indian Affairs, who is the Senator in charge of the Indian appropriation bill, should object so strenuously to the action of the House proposed to be stricken out by the Senate. It is conceded by him, it is conceded by all, that this country, which formerly belonged to the Charles and Senator and which is sectioned and to the Creeks, the Cherokees, and Seminoles, and which is assigned and specified in the clause inserted in the bill by the House, is unnecessary for the Indians and ought to be used for homestead purposes. The Senator in charge of the bill states that; the Senator from Missouri states that.

Now, why should this provision be stricken out? Whatever title, if there be any left in the Cherokees, the Creeks, and the Seminoles, the provision proposes that the United States shall acquire by a fair and lawful treaty. The Senator from Massachusetts does not object to that, he says, but he thinks the provision should go further and embrace a clause laying a heavy penalty upon those who enter into that country. That is his objection to it. If the Senate does not recede and this paragraph is stricken out what becomes of his proposed amendment? As the Senator from Missouri has well said, you leave things in the exact condition they have been in for the last six years, and which has caused such great disturbance.

has not the Government of the United States the power now to get those people out? It has been proven conclusively during the present session of Congress that this Territory is not subject at public or private sale to entry for homestead or any other purpose. It is conceded that it is unlawful for any one to enter upon or attempt to occupy that country. That is conceded everywhere. If it be unlawful now

for that to be done, it is the duty of the President, in the faithful execution of the laws, to keep all persons out. That he has done, and the strong arm of this Government properly exercised can continue to do that. In the mean time here is a lawful measure not to derive the Indians, if they have any right, of that right by a lawless method, but a fair and honorable proposition to invest the President of the United States with the lawful power to enter into negotiation to acquire whatever title those Indians may have.

In my judgment the provision of the House is a proposition in the interest of peace; it is a proposition in the interest of the Indians. It is a proposition which, carried into operation, will produce the very effect which the Senator from Massachusetts says he desires to produce; it will open up this vast country to settlement by honest, upright,

hard-working people who seek homes.

It is idle for any man to close his eyes and say that that great country unoccupied by a human being should be kept for all time to come in that situation when there are so many laboring, toiling, poor men anxious to secure a home for themselves, their wives, and their children. It should be done, and it is in the book of fate that it shall be done. and if done let it be done lawfully. The House have so provided. The pro-

vision of the House is a wise provision.

vision of the House is a wise provision.

But the Senator from Massachusetts has changed front on this Indian bill since the other day. When some of us wanted to have depredations committed by these Indians paid for he insisted that it should not be done. He said that was legislation on an appropriation bill and a violation of the rule of the Senate. Now he comes forward and proposes legislation upon this same appropriation bill, just as in the same bill he proposed legislation pointing out a new mode and method for settling for those depredations, still insisting when the other side wanted legislation that that was a violation of the rules of the Senate.

Mr. President, it would be a wise thing to do as proposed by the House, and for one, detesting lawlessness in every shape and form, having no sympathy with these boomers in any sense of the word, having no sympathy with lawlessness in any sense of the word, I say here is a lawful method pointed out for a peaceable settlement of this difficulty, and in the mean time the power of the Government is ample to protect that country. The Senator from Kansas himself stated that there was not a single head of stock in all that Oklahoma country belonging to a white man, and the charge that this country was sought to be held up and kept for the Western cattle-men is untrue in fact, for there are

no cattle there and no cattle-men there.

The Secretary of the Interior states that no contract has ever been made for that country. That is a matter of official note. So these stories designed and intended; o enable men by the strong arm to go in there and unlawfully hold that country are not true. The Government has had the power to keep them out. The Government has exercised has had the power to keep them out. The Government has exercised that power and exercised it wisely. Take your 20,000 men in buckram—at least I presume those to be so who are talking about going in there on a raid in forty-eight hours—and I venture to say that the President of the United States will keep off those men. If this measure is passed as it was designed to be passed a peaceful and lawful acquisition of the entire title of those Indians will be obtained by the President of the United States. Then the country will be opened out for homeof the United States. Then the country will be opened out for homestead purposes and be in a thriving, a prosperous, and a habitable condition, occupied by men who have acquired their homes by honest and lawful obedience to the law and by the exercise of honest industry.

Mr. President, I hope the Senate will recede from that. We have

heard a great deal said about the course of the House, and many criticisms have been made upon it here. What is this? Here is a proposition, a lawful proposition, and the attempt is to drive the House of Representatives into doing that which they tell you they will not do. Can you drive them any more than they can drive you? No. You ought to put something more in the provision, it is said; that is all. You want to increase, in other words, the penalty which now exists by law. There is a penalty now. The act forbidden is unlawful now. You There is a penalty now. The act forbidden is unlawful now. You want to increase the penalty, because you assume that which is not true, that the Government has not both the will and the power to protect that country. It has both the will and the power. It has done it hitherto successfully, and it will do it again. Adopt this, and the title of the Indians is extinguished honestly and lawfully for a sufficient conthe Indians is extinguished honestly and lawfully for a sumclent consideration paid them from the Government, and then the country will be opened to homesteads, and the great object, which the Senator from Massachusetts says he desires, that these lands shall be secured to citizens for homestead purposes, is accomplished.

The PRESIDING OFFICER. The question is, Will the Senate agree to the motion of the Senator from Missouri [Mr. VEST] that the

ate recede from its amendment?

Mr. DAWES. On that I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HARRISON. Will the Chair state the question again?

The PRESIDING OFFICER. The question is on the motion of the

Senator from Missouri [Mr. VEST] that the Senate recede from its amendment to the Indian appropriation bill.

The Secretary proceeded to call the roll.
Mr. SEWELL (when his name was called).
paired with my colleague [Mr. McPherson]. On this question I am

Mr. SAWYER (when his name was called). I am paired on this vote with the Senator from Delaware [Mr. SAULSBURY]. If he were here, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 33, nays 27; as follows:

Estimate 1887/0108	YE	AS-33.	
Bayard, Brown, Butler, Call, Camden, Cameron of Pa., Cockrell, Coke, Colquitt,	Cullom, Fair, Garland, George, Gibson, Gorman, Hampton, Hill, Jackson,	Jonas, Jones of Nevada, Kenna, Lamar, Mahone, Manderson, Maxey, Miller of Cal., Plumb,	Pugh, Vance, Van Wyck, Vest, Walker, Williams.
	NA	YS-27.	
Aldrich, Allison, Blair, Cameron of Wis., Chace, Conger, Dawes,	Dolph, Frye, Harris, Harrison, Hawley, Hoar, Lapham,	McMillan, Miller of N. Y., Mitchell, Morgan, Morrill, Palmer, Pike,	Platt, Ransom, Riddleberger, Sabin, Sherman, Wilson.
	ABSI	ENT-16.	
Beck, Bowen, Edmunds, Farley, So the motion	Groome, Hale, Ingalls, Jones of Florida, was agreed to.	Logan, McPherson, Pendleton, Saulsbury,	Sawyer, Sewell, Slater, Voorhees,

HOUSE BILL REFERRED.

The joint resolution (H. Res. 347) to provide for the printing of 'additional copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Volunteer Soldiers was read twice by its title, and referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its

Clerk, announced that the House had passed the joint resolution (S. R. 100) authorizing the printing of certain naval and military reports.

The message also announced that the House had concurred in the amendments of the Senate to the joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

THE RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for

Mr. CONGER. I have but one or two remarks to make in reply to the statements which were made first by the Senator from Vermont—

Mr. ALLISON. I ask the Senator from Michigan to yield. Mr. CONGER. I should have been through with my few remarks if other Senators would stop talking, and when I say a few words I shall

The PRESIDING OFFICER. The Senator will suspend until gentlemen resume their seats in the rear of the bar of the Senate and Sen-

ators resume their proper seats and cease loud conversation.

Mr. CONGER. Mr. President, I should like very well, if time would permit and the patience of the Senate would allow it, to discuss still further some of the propositions which have been made by the Senator from Vermont and the Senator from New York; but the Senator from New York did so happily put his opposition to this bill into an argument in its favor, in every sentence he uttered showing the necessity of an increase of the amount of the appropriation in this bill, that I was thankful to him with humble reverence for having done better and made a more forcible and effective speech in favor of my bill in the desperate energy with which he opposed it than I could do it. So much for the Senator from New York.

With the Senator from Vermont I have another question to settle. The father of the Senate, the man to whom I look with upturned eyes, when he is standing, and to whom I bow with reverence when he is sitting, the embodiment of truth, the perfection of all comity and fair-dealing, tells the Senate that the estimates for river and harbor appropriations this year are only \$8,000,000. He is not here, or else I should say some pleasant things in regard to him. I have in my hand the Book of Estimates submitted to Congress on the 1st of December, and here are the items of the river and harbor bill that were then estimated for, the amount estimated as necessary and proper to carry on the works for this year, and the footing is \$34,507,630 instead of \$8,000,000. Added to those are over five millions of estimates sent in as special

Added to those are over five millions of estimates sent in as special estimates from the Engineer Department by the Secretary of War, making the total estimates for these very works, rivers and harbors, for this year's bill, over \$40,000,000 instead of \$8,000,000.

I enter into no controversy with the Senator from Vermont. I know he must have inadvertently and unadvisedly made this statement, that in his zeal to attack this bill and to belittle it he found somewhere in the Book of Estimates, at the end of some calculation, the figures \$8,000,000, and he thought they applied to rivers and harbors. I do not believe he would misrepresent by one cent's worth the amount of any

estimate or of any appropriation. I believe it would be impossible for him knowingly or willfully to do anything of that kind, but it is none the less due that I should say to the Senate that here [exhibiting] is the Book of Estimates, and if they will look on the one hundred and sixty-ninth page they will find the footing of the estimates for river and harbor appropriations necessary for this year, and they amount to over \$34,000,000.

Now, sir, I shall not detain the Senate by further remarks. I should like to have an expression of the sentiment of the Senate. I should like to know it as early as possible, that I, too, may take my rest as the others do. If the Senate decline to take further consideration of this bill, if they are ready to tell the country that all these great improvements shall languish, shall die, I want to know it. If the Senate are ready to-night or at any other time to say that these works which have done more to extend population and immigration and improve-ment and to build up our country clear through from the Atlantic to the Rocky Mountains than all other means put together, I want to Beginning with our Atlantic harbors and threading up the streams and the rivers and the lakes far up even to the Yellowstone and to the foot-hills of the Rocky Mountains this system has proceeded; and on the other side there are the improvements of the Columbia and the Snake which make the means of communication between the Pacific and the interior portions of the Atlantic slope, thus becoming for a year or for ten years or for fifty years the means of unheard progress and comfort and growth and prosperity to the people and of cheapnes of transportation and the means of immigration into the vast unsettled regions which yet demand assistance.

The Senate of course can do it if they choose. I have no other interest in it than the rest of the Senate. I thank God that around the State in which I live are the deep waters of the great lakes. From the center outward of the two peninsulas of Michigan there are distances to be traversed by land of but one hundred miles, or forty miles, or twenty miles, or ten miles, or five miles to reach the borders of these lakes, and we have communication by short railroads and by great lakes by which we can go out from our beautiful State into all the surrounding world with our products cheaper than similar products can be brought from the interior States of the West. And yet we need constant im-provement, and we have the expense of the transportation of our products reduced one-half by the very bills which have been passed from year to year, and the prosperity which we have received is beginning to be felt in all the Southern States in the regions where there are no railroads. Such rivers as the Tennessee and the Cumberland and the Warrior and all those streams that glide through the interior parts of those States, as well as the great water courses, are gradually being opened up, until produce and coal and iron, which are found in abundance in Georgia and Alabama and on these minor streams, the Tennessee and the Cumberland and other rivers, can now be transported to market and have a value where ten years ago the coal-mines them-selves were utterly worthless, because the black diamonds slept in the hills and there was no way of transporting them to market.

But, sir, I do not design to dwell upon this subject. I say now, once for all, all that I desire to say. By the order of the Committee on Com-merce I have reported the bill to the Senate. By their action, whether wise or unwise, such amendments have been proposed to the bill as that committee thought proper; and every member of the committee has been for years conversant with every single appropriation that has been heretofore made, and has read the great text-books of the engineers page by page, report by report, not only of the principal engineers in charge, but of every one of their assistants. Members of the committee know all these and have read them as a child would read his hornbook. They are not ignorant of these works.

The Senator from New York could draw with his pencil on paper, so often has he looked over these reports and so often has he studied them, a plan of all these improvements, and, if his memory served him, he could put down the amounts appropriated each year and the improvements made each year. He talks about little streams. Sir, the Mississippi River in its grand, magnificent flow is the result of the million little rills and creeks and rivers and streams that flow from all that great empire of the Mississippi Valley. They unite and form the magnificent Father of Waters. So with commerce: commencing in the little rills, flowing into larger streams of commerce, it swells and grows in its progress to the markets of the world until it becomes the grand, magnificent commerce of the United States of America, unequaled in all the broad world; for there is no internal and coastwise commerce of any nation on the globe, fed as it is by the little streams from the counties and the States of this Union, that compares in grandeur and mag-nificence and benefit to the people at large with the commerce of our country.

We can smother it, but we can not dam up the big streams; we can we can smother it, but we can not dain up the big streams; we can not by words, even by the speeches of the Senator from New York, powerful as his speeches are and gigantic as his lungs are, split off the rocks. To make Hell Gate navigable takes time; it takes blasting of rocks; it takes penetrating into the cavernous recesses of Hallet's Point to blow away those obstructions; and the Senator is impatient that we can not remove these rocks in a year; he is impatient that we can not make appropriations enough to deepen the bar at the lower entrance of New

York Harbor to thirty or thirty-two feet in a year. We commenced it for him; we gave him liberal appropriations for it.

I do not like to say that it was mean in him to talk as he has spoken about this bill. I would say of myself, without fear of contradiction. that because Hallet's Point has not appropriation enough in this bill and because the outer harbor and the bar at Sandy Hook do not have appropriation enough in this bill, I oppose it, if I opposed it as he does; but I will not say it of the Senator from New York. I believe he is moved by higher motives than I dare ascribe to myself. It is the good of the whole country, the grandeur of the great streams of commerce and great rivers to be improved, that are the cause of the unconcern with which he looks on the humble, feeble things in this way which contribute to the great whole. It is that which makes him oppose this

Now, Mr. President—
Mr. ALLISON rose.
The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Iowa?

Mr. ALLISON. I have not asked the Senator to yield.
Mr. CONGER. The Senator from Iowa is one of those men to whom I am compelled to yield, because he is chairman of the Committee on Appropriations, and I want a thing or two in the appropriation bills sometimes. [Laughter.]

Mr. ALLISON. I am very much obliged to the Senator. I wish to make a report from the Senate conferees on House bill 8256, being

the sundry civil appropriation bill.

SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDING OFFICER. Does the Senator submit a report from a conference committee?

Mr. ALLISON. Yes, sir. I submit the report of the committee of conference on the sundry civil bill, House bill 8256.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report, as follows:

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the House on the amendments of the Senate to the bill of the House 8256, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 21, 45, 46, 70, 71, 73, 78, 84, 92, 102, 103, 104, 105, 106, 118, 126, 128, 137, 138, 143, 148, 154, 159, 160, 167, 168, 170, 172, 175, 182, 185, 186, 199, 201, 204.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 9, 10, 15, 28, 29, 30, 31, 32, 44, 65, 67, 68, 69, 72, 76, 77, 79, 80, 81, 83, 85, 86, 87, 89, 94, 95, 96, 97, 98, 99, 111, 112, 113, 114, 116, 117, 121, 122, 123, 127, 133, 134, 135, 139, 144, 145, 147, 149, 151, 152, 153, 155, 161, 163, 164, 169, 171, 174, 177, 178, 181, 183, 184, 187, 188, 189, 190, 191, 200, 202, 203, 205, 206, 207, 208, 209, 210, 211, 213, 214, and 231, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "830,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "85,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate in lines 10 and 11, page 32 of the bill, the word "annually;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "82,000;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same wit

ments for preceding quarters may be considered as the same. That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: Add at the end of the amendment the following: "Provided, That the building now occupied for storage purposes shall be surrendered as soon as the building provided for in this act is ready for occupancy;" and the Senate agree to the same. On amendments numbered 4, 6, 12, 13, 14, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 61, 62, 64, 66, 120, 124, 131, 132, 136, 140, 141, 142, 166, 173, 193, 194, 195, 196, 197, and 198 the committee have been unable to agree.

W. B. ALLISON,

W. B. ALLISON, EUGENE HALE, JAMES B. BECK, Managers on the part of the Senate. SAM. J. RANDALL, WILLIAM H. FORNEY, THOMAS RYAN, Managers on the part of the House.

Mr. ALLISON. As this is an important bill perhaps I should state briefly the amendments disagreed to.

It will be observed by looking at the bill that all the amendments of the Senate relating to public buildings have been disagreed to with three or four minor exceptions, those being the buildings in Alaska, and one or two merely verbal amendments with reference to other public buildings.

There is also a disagreement with reference to the survey of the Mexican boundary, and a disagreement with reference to the several propositions in the bill looking to the sale of property belonging to the Gov-

Mr. MORRILL. May I ask the Senator from Iowa whether the conferees on the part of the Senate disagreed to the provisions of the House bill in relation to public buildings?

Mr. ALLISON. Unfortunately the bill is in such shape by the votes

of the Senate that all the House provisions are beyond the control and direction of a committee of conference. Every provision I believe with reference to public buildings inserted in the bill originally by the House of Representatives was agreed to by the Senate; and I might add by way of suggestion to the Senator from Vermont that most of the amendments on this subject were put on in the Senate over the judgment of

the Committee on Appropriations as originally reported in the bill.

With the exception of public buildings most of the other matters in dispute have been either compromised or adjusted. I could go into detail on several amendments, but I will not occupy the time of the Senate in doing so, though I shall be glad to answer any question that may be suggested by any Senator in reference to any amendment to the

The PRESIDING-OFFICER (Mr. INGALLS). Will the Senate agree to the report of the committee of conference?

The report was concurred in.
Mr. ALLISON. I move that the Senate further insist on the amendments left undisposed of by the conference report and ask a further conference with the House.

The motion was agreed to.

By unanimous consent the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. Hale, and Mr. BECK were appointed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tem-

A bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers;

A bill (H. R. 8183) to remove the political disabilities of W. H. Mur-

daugh, of Virginia; and A bill (H. R. 653) for the relief of John B. Davis.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for

Mr. CULLOM. I do not know whether the Senator from Michigan

has concluded his remarks or not

Mr. CONGER. I said, sir, that the estimates were \$34,000,000 instead of \$8,000,000. I have the record to show it. I mean the estimates of the engineers who by the law of Congress are required to remates of the engineers who by the law of Congress are required to report to Congress the estimates of the amount that, in the language of the law, can be profitably expended in each fiscal year on each of the uncompleted works mentioned. When these go to the Secretary of the Treasury, who is not supposed to know anything of these bills, he gives a lump estimate for rivers and harbors. His lump estimate is \$5,000,000. The Secretary of War and the board of engineers, on whom we rely in regard to the river and harbor bill, say \$34,000,000. I presume that is the explanation of the mistake of the Senator from Vermont. That is all I have to say.

Mr. CULLOM. Mr. President, I shall not undertake to detain the Senate by a general discussion of this subject at any great length, but I desire to say that I have been unable to see any substantial reason

I desire to say that I have been unable to see any substantial reason why this bill ought to pass. And it does seem to me that appropriating millions of dollars and spreading the money over places which have been surveyed and examined years ago is not the proper manner of legislation in disposing of such large sums of money collected from the people by taxtion. I have been impressed since I have been in the Senate with the fact that every year the Congress of the United States is becoming less and less careful in the manner of appropriating There seems to me to be less disposition to deliberate, to consider and discriminate carefully in the consideration of such bills than there used to be years ago in the Congress of the United States. I believe it is true that this is the first time, for many years at least, that the Senate of the United States has been willing to come forward, or has shown any disposition to come forward, and pass a river and harbor bill appropriating five or ten million dollars in the lump, to be distributed on the basis of a pro rata distribution based upon a bill previously passed.

So far as I am concerned, while I am for rivers and harbors, while I believe and have always believed that it was important to the commerce and business interests of this country that the rivers and the lakes and the canals and the harbors surrounding and distributed through this country should all be cared for and improved, yet I do not believe that we ought to adopt the plan which has been suggested

by this bill.

Then, sir, there is another thing. Even though the last river and harbor bill did not appropriate a sufficient amount of money to care for and keep in a state of repair all the rivers and harbors and canals, yet if Senators will refer to the law that we passed a year ago they will observe that there is a provision in that law which gives the Secretary of War absolute authority to any extent that may be nece

to expend whatever may be required in keeping in repair the rivers and harbors and canals that are mentioned in the law then passed. I am of the opinion that the Senate has not had its attention called to the fourth section of the law that we passed one year ago, and I desire to read it for the information of the Senate:

SEC. 4. That no tells or operating charges whatsoever shall be levied or collected upon any vessel or vessels, dredges, or other passing water-craft through any canal or other work for the improvement of navigation belonging to the United States; and for the purpose of preserving and continuing the use and navigation of said canals, rivers, and other public works without interruption, the Secretary of War, upon the application of the chief engineer in charge of said works, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury to pay the actual expenses of operating and keeping said works in repair.

That provision of law gives the Secretary of War absolute power without stint, without limit as to amount, with nothing upon which to base his action under this section except the report of the engineer. I say that for every single piece of work that is mentioned in the law of 1884 the Secretary of War can draw upon the Treasury of the United States for whatever amount of money is needed for the purpose of keeping the rivers, canals, and harbors, the public works mentioned in that law, in absolute and perfect repair. If that is true and that is the letter of the law, I submit to the honorable Senator from Michigan and to every other Senator on this floor whether so far as relates to the question of keeping in repair these works, which have been the burden of the argument of gentlemen in favor of this bill, there is any occasion for its passage at all, because I say under section 4 of the law we passed last year the Secretary of War has a right to draw from the Treasury millions of dollars, if he chooses to do so, where the engineers say the money is needed, in order to keep those public works in repair.

Then I insist that so far as that argument goes there is no necessity for this new bill which has been brought in here, passed by the House of Representatives, appropriating \$5,000,000, and doubled by the committee of the Senate, making it \$10,000,000, placing it in the hands of the Secretary of War to be distributed pro rata under the law of last year. So far as concerns the repair and preservation of the works, there is no occasion for the bill at all, not one single iota of need for it, as I

Mr. CONGER. Will the Senator yield to me to answer?

Mr. CULLOM. I have no objection to the Senator answering now.

Mr. CONGER. Section 4 of last year's act provides:

That no tolls or operating charges whatsoever shall be levied or collected upon any vessel or vessels, dredges, or other passing water-craft through any canal or other work for the improvement of navigation belonging to the United States—

No toll collected-

and for the purpose of preserving and continuing the use and navigation of said canals, rivers, and other public works without interruption, the Secretary of War, upon the application of the chief engineer in charge of said works, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury to pay—

What?-

the actual expenses of operating and keeping said works in repair.

Who operates a lake, who operates a river? Canals are operated by locks. It is only such kind of works as are operated by laborers employed on them that this provision applies to.

Mr. CULLOM. This provision of the law provides that all the public works shall be kept in preservation by the Secretary of War, or he has the right to do it under this law.

Mr. CONGER. "Said works," not all works.

Mr. CULLOM. The law says

"Said public works." That is, canals-Mr. CONGER.

Mr. CULLOM.

And for the purpose of preserving and continuing the use and navigation of said canals, rivers, and other public works.

What does that mean? That means any other public works that are mentioned in the law of 1884.

Mr. CONGER. Works that are operated.

Mr. CULLOM. I do not care whether a public work is upon the ast or upon Lake Michigan, whether it is a canal or the Mississippi River improvement, if it is a public work mentioned in the law of 1884, and if it needs preservation, if it needs repair, the Secretary of War has a right to draw his warrant upon the Treasury, and the Secretary of the Treasury is authorized and directed by law to pay it; and the Secretary of War is authorized under that statute to spend twice as much as is proposed by the liberal Committee on Commerce of the Senate when they come into the Senate, after a half-hour's consideration of the bill, and report a measure doubling up what the other branch sends over to us to be appropriated.

Sir, I insist that there is no occasion for any bill being passed at all this year so far as the preservation of the public works is concerned, and the burden of the speech of the Senator from Michigan who brings this bill in here is that unless we appropriate \$10,000,000—not five, but ten millions—the public works of this country are going to wreck

Now, sir, while I am in favor of harbors and their improvement and enlargement where necessary, while I desire to see the Mississippi River improved and cleared out so far as its navigation is concerned, so that steamboats upon that river can run with safety, while I am in favor of the improvement of whatever harbors there may be upon the lakes or the coast, yet I am not willing as one Senator, however much my own State may be interested in the subject, to come in here and support this sort of omnibus bill appropriating \$10,000,000 without any consideration whatever from the Senate committee or from anybody else so far as the Senate knows.

I say, sir, it is an unheard of thing for a Senate committee to bring in a bill of this kind with scarcely a moment's consideration of it, and then double up the amount the other branch of Congress has sent to us. Not only that; but other Senators have referred to another feature in connection with this subject. This bill, as I have said, and as every other member who has talked about it has said, appropriates money based upon the law of 1884. In other words, the harbors, the canals, the rivers on which money was to be spent by the law of 1884, where the works are not completed, are to get their pro rata share of the \$10,000,000 proposed to be appropriated by this bill. Another committee of this Congress which has sat and investigated this subject for three months we are told—or at least I find that statement in the RECORD—after deliberate investigation, after months of investigation, after reading and rereading perhaps the reports of the engineers and of the Secretary of War upon this question, concluded that there was no propriety in appropriating for a portion of the places that are specified in the law of 1884. I find a list in the Congressional Record upon this subject of a river and harbor bill, and it is to be read in connection with the remarks made by a distinguished member of Congress of the United States, who said:

I submit to the House a list of the forty-three public works to which I refer.

These public works are works which a committee of the Congress of the United States has determined after investigation ought not to have any more moneys spent upon them at all; and yet under this bill, if we pass it, those different places as well as others get their pro rata of the \$10,000,000 we are sending out to them to be expended. This is the list:

Portland, Me.	\$30,000
Scituate, Mass	10,000
Block Island, R. I.	15,000
Black Rock, Conn	20,000
Oak Orchard, N. Y.	5,000
Description Dis	55,000
Pensacola, Fla.	
Cedar Keys, Fla.	5,000
Neches River, Texas.	7,000
Harbor of refuge, near Cincinnati	17,000
Ice-harbor, at Belle River, Mich	2,000
Pensaukee, Wis. Stockholm, Lake Pepin, Wisconsin	5,000
Stockholm, Lake Pepin, Wisconsin	15,000
Harbor, Redwood, Cal. Coos Bay, Oregon. Cocheco River, New Hampshire. Merrimac River, at Rock's Bridge, Massachusetts. Taunton River, Massachusetts. Gedney's Channel, through Sandy Hook Bar, New York. Corsica Creek, Maryland. Harbor at entrance Saint Jerome's Creek, Maryland.	3,000
Coos Bay, Oregon	30,000
Cocheco River, New Hampshire	28,000
Merrimac River, at Rock's Bridge, Massachusetts	3,500
Taunton River, Massachusetts	26,500
Gedney's Channel, through Sandy Hook Bar, New York	200,000
Corsica Creek, Maryland	5,000
Harbor at entrance Saint Jerome's Creek, Maryland	15,000
Discourse beautiful N. C	20,000
Edenton Bay, North Carolina	10,000
Trent River, North Carolina	10,000
Contentnes or Mossasin Piver North Carolina	5,000
New River, North Carolina	5,000
Scuppernong River, North Carolina	2,000
Saint Jones River, Delaware	10,000
Escambia River, Florida	3,000
Black Warrior River, Alabama	50,000
Horn Island Pass, Mississippi	5,000
David Diagra I oniciona	8,000
Bayou Pierre, Louisiana	
Loggy Bayou, &c., Louisiana.	5,000
Tangipahoa River, Louisiana.	2,000
Survey of Arkansas River from Little Rock.	19,000
Arkansas River at Pine Bluff	55,000
Saline River, Arkansas	5,000
Grand River, below Grand Rapids, Mich	25,000
Mouth and harbor, Cedar River, Michigan	15,000
Mokelumne River, California	8,500
Colorado River	25,000
Colorado River. Mouth of Columbia River, Oregon and Washington Territory Lake City, Minn	100,000
Lake City, Minn	15,000
Falls of Saint Anthony, Minnesota	10,000
	-
Total.	910,000

Here are forty-three works where, under the law of 1884, we are to go on making expenditures of money after a committee of Congress have investigated the subject until they have become thoroughly satisfied, and they say that in all those places there should be no more money spent; and yet in our liberality we come in here with a bill of \$10,000,000 and we propose to give them the money, to place the money in the hands of the Secretary of War, as one Senator has stated, without qualification and making it obligatory upon him to spend the money in these places, and yet after thorough investigation it is decided by an honorable committee that has the subject in charge in the Congress of the United States that no one of them ought to have a single dollar this year.

Is that the way to legislate the people's money out of their pockets? Ought we not to take our stand and say and declare to the country that we will not make these great appropriations of five or ten million dollars without knowing for what the money is to be spent, and whether in the interest of the public it ought to be spent at the places where it is to be spent?

I repeat again that I am in favor of appropriations for rivers and harbors and canals, and all the water-way improvements of the country where the National Government rightfully under the Constitution ought to take hold of them and make the improvements necessary. I believe for one, as the honorable Senator from Texas [Mr. Coke], I think, stated to-night, that it was one of the most potent means of controlling the question of transportation in this country, cheapening transportation in the interest of the great mass of the people of the country who are to be fed, and who have to buy the goods and products of the producers of the land.

Mr. WILLIAMS. Will the Senator from Illinois allow me to draw his attention to the proviso at the end of the clause?

Provided, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimates.

I want to know of him if he understands that by this provision any of these works can get any more money than is necessary to complete them. None of these old works that are not embraced in the present

estimates can get a dollar.

Mr. CULLOM. I understand that if a work is completed according to the original estimates and the original design, the Secretary of War can not spend any more money there; but if a committee or the Congress of the United States should determine that the enterprise was not one that ought to be prosecuted further and the people's money spent in improving it further, the Secretary of War has no discretion in the premises, but he must go on and complete the work whether it ought to be done or not—even though in the judgment of the standing committee of the Congress of the United States it should stop—unless we succeed in passing a law to stop it. That is the trouble about this bill. We start in here upon the idea that the law we passed last year was perfect, that it was right in all its provisions and particulars, and that we ought to follow it up and make whatever appropriations are necessary to carry out the original design in connection with each one of the places named, while the fact is that it is the duty of the Congress of the United States to examine actually every one of these places, these harbors or canals or rivers or whatever they may be, and see whether it is the duty of Congress to make any further appropriation or not. We do not do it for the sake of getting rid of work. I do not say that with any reference to our honorable committee in the Senate, because they have had no opportunity of considering this bill, I know very well, as the bill only came to them yesterday or the day before, and they could do but one of two things: one was to report the bill as they have done, perhaps without adding to it another \$5,000,000, and the other was to report what I think they ought to have done, that they had not had time to consider such a bill as ought to be passed and therefore report against any river and harbor bill during the present session of Congress. That would be my idea of it; but the honorable committee have done what they thought was best, I have no doubt, and I have no

But I say, Mr. President, that it seems to me the time has come, and I know of no better time than this very year 1885, at the close of this short session of Congress, for the Senate of the United States to say, and say unqualifiedly, that we will not pass a river and harbor bill appropriating \$10,000,000 unless we are given time to investigate every item of it and see whether what we are doing is right or wrong; but if it goes over, and if that provision that I read were not in the law and the works had to stand still, if you please, for six or eight or ten months, until the next session of Congress, we would still be acting wisely, and the people would see the fact that we were not in a condition to determine this great question in the twenty-four hours left us, and that we insisted upon what every man in this nation, in my opinion, should insist upon, that no such bill as this ought to pass appropriating this much money unless we had more knowledge of what we were doing in reference to it.

The Senator from Michigan insists that there are \$34,000,000 estimated for appropriations for rivers and harbors and canals, &c. The Senator from Vermont insists as I understand it—and I think he is correct about it—that while the estimates of the engineers scattered over these places, including little rivers and rivulets and harbors and lakes and canals, figure up \$34,000,000, yet the Secretary of War, as I understand, only comes in here with estimates for \$8,000,000. Is that so or not?

figure up \$34,000,000, yet the Secretary of War, as I understand, only comes in here with estimates for \$8,000,000. Is that so or not?

Mr. MORRILL. Let me read to the Senator the estimate. It seems that sometimes gentlemen who undertake to explain the estimates have not read the book. I understand the statement was made that the estimates for this year were \$34,000,000. If the Senator who said that had looked at the heading and the notes he would have found this:

The following statement is not furnished as a part of the "annual estimates for the public service" required by the act of March 3,1875 (18 Statutes, page 370), to be furnished by the Secretary of War to the Secretary of the Treasury, but is inserted as a convenient and customary summary of items taken from the annual report of the Chief of Engineers for the year 1884, showing, under the provisions of the act of Congress approved March 2, 1867 (14 Statutes, page 421), "the amount that can be profitably expended in the next fiscal year" on each of the uncompleted works mentioned.

For the amount that can be profitably expended in the next fiscal year the Secretary only submits as his estimate for this year \$8,000,000.

Mr. CULLOM. Now what is the situation? In the face of the estimate of the Secretary of the Treasury we come in here and propose to

give \$10,000,000 in a lump without investigation, when the Secretary only recommends \$8,000,000, and in the face of the fact, too, as has been stated, and I suppose correctly, that we have nearly \$10,000,000 of the old appropriation under the law of 1884 on hand. That is the

I submit whether, under this state of facts, we should rush headlong and make an appropriation of this sort without the investigation or consideration which I think it demands. I should like to see every dollar appropriated, I repeat, for every river, harbor, and canal, either inland, or on the lakes, or on the seashore, that is necessary to the public interest. I repeat that I am in favor of improving the rivers and I am in favor of improving the harbors on the lakes and on the seacoast, and I am in favor of digging canals wherever they may be necessary in the

I am in lavor of digging canals wherever they may be necessary in the interest of the commerce of this country. I assert that the water ways of the country are, after all, the main reliance upon which the people of this country must depend in regulating the commerce of the country. The Senate has had something to do this winter upon the question of regulating inland commerce. It was my privilege to bring in a bill here from the Committee on Railroads for that purpose. That bill went through the Senate of the United States after amendment, and I had hoped up to this hour almost that we might secure some legislation upon that subject which would secure some sort of control of the railroad transportation of the country. I suppose, however, that any bill upon that subject is going to fail for the present session. While that kind of legislation is, in my judgment, important in the interest of the people of the country, yet it is of as much importance that the water ways, the rivers, lakes, and canals of the country should be improved as well, because after all they are the regulators of the railroad companies of the country. The statistics show that during the period when we have lake transportation for instance from the West to the East, the rate of freights is very much cheaper than during the winter season when the lakes are closed with ice. I wish to give a brief statement upon that

The gentleman who has been referred to frequently this winter in the discussions upon the subject of interstate commerce—I refer to Albert Fink, who is the great railroad man of the country; I do not mean as the owner, but who perhaps knows as much about the control and management of railroads as any other man in the nation—testifies that water transportation after all is the great regulator of the price of freights upon railroads. Let us see what the statistics show. The Committee on Transportation Routes to the Seaboard has been at work during the past vacation a part of the time and during the present session of Congress collecting statistics upon this subject, a portion of which was submitted by the chairman of that committee this afternoon. In looking over those statistics I find that the average rate charged for wheat per bushel by the water routes from Chicago to New York for wheat per bushel by the water routes from Chicago to New York for the period from May to December during the year 1883 was 9 cents; the average all-rail charge for the same period was 15 cents. The aver-age all-rail charge for the period from January to April, which is dur-ing the winter months, and November and December, 1883, was 18 cents. The rate was 9 cents by water and 15 by all rail during the open season and 18 cents by all rail during the winter season of the year. In 1876 the averages were, respectively, 15.6 by water, while they were 25.8 by rail from January to April, and 18 cents from April to December.

These statistics show the importance to our people of improving the water ways of the country as a means of regulating commerce, or, in other words, regulating between the East and the West on the railroads the freight rates of our corn and wheat, our products and manufactures coming this way, and the goods and other articles which are manufactured in the East and transported to the West. So, no man can say that as a matter of fact the improvement of the water ways of the country is of no importance to the people of this country.

I insist that we ought to do everything that can be done in the direc-

tion of the improvement of the water ways and the harbors of the countion of the improvement of the water ways and the harbors of the country, but I am not willing to fold my arms and vote for a bill appropriating \$10,000,000 when, by the very testimony before the Senate, a portion of the money will be spent where it is not needed, and when, under the law which we passed last year, the Secretary of War has absolute power already to preserve the public works of the country from now on for all time so far as I know, or until that law is repealed.

Mr. President, I shall not detain the Senate any longer.
Mr. FRYE. I move to lay the pending amendment on the table. The motion was not agreed to.

PENSION BILLS.

Mr. MITCHELL. Mr. President, within eleven hours the Fortyeighth Congress will terminate. There are upon the Calendar of the Senate a little over one hundred private pension bills.

favorably—139 Senate bills, 439 House bills, and 9 petitions. There were reported adversely 410 cases—267 Senate bills, 104 House bills, and 39 petitions. The total number of reports amounts to 997—on Senate bills, 406; on House bills, 543; and on petitions, 48. During the Forty-sixth Congress the whole number of reports was 674, as compared with 997 during this Congress. In the Forty-seventh Congress the whole number of reports was 479. There are still undisposed of pending in the Committee on Pensions 165 Senate bills, 68 House bills,

and 64 petitions—in all, 297. Of these 927 pending claims, there is evidence before that committee in only 50 of them.

I should state that since these figures were made, five or six additional reports have been submitted to the Senate, so that there have been more than 1,000 reports made from that committee. Of the 1,000 cases reported a little over one hundred remain undisposed of, and I think it due to the claimants, it is due to the Senate, it is due to the House of Representatives, where these bills were considered, for every one of them is a House bill, that we now proceed to the consideration of those bills. Therefore, I move that the Senate now proceed to the consideration of the bill (H. R. 7718) restoring John Snyder to the pension-

Do I understand the Senator to ask to-proceed to the consideration of favorably reported House bills?

Mr. MITCHELL. I move to proceed to the consideration of this one particular bill; but if the Senate will consent I shall be very glad to go on with the favorably reported House bills in their order.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The Senator from Pennsylvania moves that the Senate proceed to the consider-

ation of the bill indicated by him.

Mr. CONGER. If that motion is carried will it set aside the consideration of the river and harbor bill?

The PRESIDING OFFICER. It will.

Mr. CONGER. Then I desire to say—
The PRESIDING OFFICER. The motion is not open to debate.
Mr. CONGER. I ask permission to make a remark.
The PRESIDING OFFICER. The Senator from Michigan asks permission to make an observation on the pending question, which is not

debatable: Is there objection?

Mr. MITCHELL. If I may have an opportunity to reply, I shall have no objection; otherwise I must object.

The PRESIDING OFFICER. The Chair can not make any bargains.

Does the Senator from Pennsylvania object?

Mr. MITCHELL. I am not disposed to object under the circum-

The PRESIDING OFFICER. The Senator from Michigan will pro-

Mr. CONGER. I have been anxious, and am still as anxious as any one can be, for the passage of the pension bills. I have offered repeatedly, if consent could be given, that the river and harbor bill should be set aside informally in order to take up the pension bills. The Senate has declined to do that. I have since learned from one of the clerks at the desk that all the House pension bills favorably reported have been enrolled on the supposition that they would not be amended; so that the hurry there was to pass those bills that they might be enrolled is removed, and I think we can go on with the river and harbor bill and dispose of it one way or the other.

Mr. FRYE. But at the present rate of speed we shall not get through with the bill until next March.

Mr. CONGER. We can vote on the bill, I suppose, one way or the other.

I do not know about that.

Mr. CONGER. In order that these pension bills may be disposed of I will agree to do what I have offered to do heretofore at any time. If the Senate will consent to set aside the river and harbor bill informally and take up House pension bills favorably reported and proceed with their consideration, I shall make no objection. I myself have offered that the bill be laid aside informally and that the House pension bills be taken up.

Mr. MITCHELL. In view of the statement made by the Senator

from Michigan, I will now ask unanimous consent that the Senate proceed to the consideration of House pension bills reported favorably, laying aside the pending bill informally.

SIGNAL REGULATIONS AT SEA.

Mr. VEST. I ask unanimous consent to make a statement. I believe it is the first time I have ever asked to make a statement out of

The PRESIDING OFFICER. If there is no objection, the Senator

from Missouri will proceed.

Mr. VEST. I deem it a public duty to ask the Senate, without refer-I desire in this connection, while not strictly pertaining to the subject under consideration by the Senate, but with a view to making a motion, to give a report of the condition of the pension business of the Senate during this Congress.

The whole number of pension cases introduced during the Fortyeighth Congress was 1,294. Of these 571 were Senate bills, 611 were House bills, and 112 were petitions. There were 587 cases reported It is in the interest of property and life. The bill has been standing back this entire session and part of the last session; I have never been

able to get it up.

Mr. MITCHELL. I shall have no objection to the consideration of Mr. MITCHELL. I shall have no objection to the consideration of the bill to which the Senator refers, but after that is disposed of, I think if we can go on with the pension bills, all of us can get some favors of that kind and do everything that ought to be done. Mr. VEST. I ask the Senate to consider the bill to which I have

referred

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent that the Senate may now consider the bill (H. R. 5692) to adopt the Revised International Regulations for Preventing Collis-

Mr. CONGER. Setting aside the river and harbor bill informally.
Mr. FRYE. Unanimous consent does that

Unanimous consent does that.

Mr. CONGER. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. SEWELL. I call the attention of the Senator from Missouri to the fact that I have an important amendment to offer to the bill, one which I submitted to the Senator from Missouri some time ago. The bill leaves out an important provision which I desire to correct by offering a substitute for the second section. The amendment requires that sailing vessels shall give notice of their approach to a steamer or other vessel at night by the flash of a torch. That is a very important provision, owing to the fact that sailing vessels can not very well signal at night under international regulations. The regulations are made more with a view practically to steam service. I will read for the in-formation of the Senate the syllabus of an important case decided by the Supreme Court lately, where a Norwegian bark was run down by the steamer Belgenland:

the steamer Belgenland:

This reasoning, however, will not apply to the bark; those on board that vessel knew that their side lights were invisible to the steamer, because those of the steamer were invisible to them. They knew also that the steamer had not the knowledge of the vicinity of the bark, because the bark carried no masthead light.

The appearance of the steamer's masthead light alone was notice to them of the necessity of giving some warning by rocket, fog-horn, or flare-up light of the approach of the two vessels, and no attempt was made to notify the steamer. (The Milanese, 43 Law Times, N. S., page 107, a case which will be presently referred to.) This necessity created the statute which makes the exhibition of a torchlight obligatory, on American vessels, to steamers approaching at night. Under these circumstances the courts of this nation to which the owners of the Norwegian bark have applied for redress recognize, as a rule of reasonable precaution for safety at sea, that some action should be taken by the sailing vessel to notify an approaching steamer.

The statutes of this nation enforce by fine and penalty on their own vessels the precaution which safely requires. But the American statute did not create a new and an artificial rule like some adopted by common consent, which requires one or another of the vessels to give way or hold its course; but it enforces a precaution which experience has shown to be requisite to avoid collision at night.

The fine imposed by the American statute is not enforceable upon foreign

a precaution which experience has shown to be requisite to avoid considering the approximate the fine imposed by the American statute is not enforceable upon foreign vessels; but although its penalties can not be enforced against them, yet a foreigner who seeks redress in the courts of the United States submits that his conduct and that of the party impleaded shall be construed by those rules which that forum applies to the case.

I submit that as a decision of the Supreme Court, showing the absolute necessity to navigation on the high seas of retaining the provision. Therefore I offer as a substitute for the second section the following:

Receiore 1 oner as a substitute for the second section the following:

SEC. 2. That nothing in this act shall be construed to repeal any of the provisions of section 4234 of the Revised Statutes requiring all sail-vessels on the approach of any steam-vessel during the night-time to show a lighted torch upon the point or quarter to which such steam-vessel shall be approaching, and that all other laws or parts of laws inconsistent with the foregoing Revised International Rules and Regulations for the navigation of all public and private vessels of the United States upon the high seas and in all coast waters of the United States are hereby repealed, except as to the navigation of such vessels within the harbors, lakes, and inland waters of the United States; and that this act shall take effect and be in force from and after the 1st day of September, A. D. 1884.

The PRESIDING OFFICER. The question is on agreeing to the

amendment proposed by the Senator from New Jersey [Mr. Sewell].

Mr. VEST. The object of the bill reported by the Committee on Commerce is to do away with the very evil—for it is an evil—which is embodied in that amendment. At present we have a signal service upon the ocean which is confined to the United States alone. If the amendment should be adopted, it simply preserves a section of the Revised Statutes which provides for a signal which no other nation has. What the bill seeks to bring about is uniformity, and I can not better explain that than by reading a very brief communication from the Secretary of State:

retary of State:

On the 3d of October last a note was received by this Department from Hon. L. S. Sackville West, Her Britannic Majesty's minister at this capital, announcing that the international regulations for preventing collisions at sea, which have been adopted by all the leading maritime powers of the world except this country, came into force on the 1st day of September last.

As the statutes of the United States regulating the sailing of American vessels conflict in important particulars with the international regulations now observed by all other civilized nations, there is constant danger of the occurrence of collisions involving serious loss of like and property, owing to the fact that American ships are required by our statutes to conform to rules in conflict with those observed by the ships of all other maritime powers.

As it is understood that the international regulations in question are entirely acceptable to American ship-owners, it is highly important that Congress should with as little delay as possible bring the provisions of our statute into conformity with the international regulations for preventing collisions at sea.

A copy of the note from the British minister is annexed.

A copy of the note from the British minister is annexed.

Mr. SEWELL. I will say to the Senator from Missouri that that

does not apply in any way to the torchlight signal.

Mr. VEST. No, it does not; it is not intended to apply to it.

Mr. SEWELL. I have some knowledge of the torchlight signal,

having spent several years at sea, and I know what it is.

Mr. VEST. The very object is that the vessels of the United States shall not have signal-lights different from those of other nations. I do not pretend to have any maritime knowledge such as the Senator from New Jersey has, but suppose that an American vessel has its torchlight, and a Norwegian or a French ship is approaching, they will not know the meaning of the torchlight.

Mr. SEWELL. They will know that a torchlight is there, and that it indicates that there is something on the ocean.

Mr. VEST. They will know by the international signal code which we are attempting to adopt in this country. Here we are running under signals peculiar to ourselves. The very object which the State Department has in view is to have a system of signals known to the whole maritime world. Now the Senator from New Jersey wants to put in a provision for a torchlight which is found in a section of the Revised Statutes and is found nowhere else. The result would be that an American ship would have a torchlight; a foreign pilot does not know what that means; he does not know any such signal.

Mr. SEWELL. The torchlight certainly does not indicate anything except that there is an obstruction on the water; that there is a vessel

approaching. It does not indicate what the other regulations are provided for. There can be no objection to the amendment. It will not vided for.

hurt the bill. Mr. VEST.

here now Mr. SEWELL. There is no reason why the Senator from Missouri could not ask for a committee of conference with the other House.

We can not pass the bill into a law if it is amended

Mr. VEST. That would be equivalent to the loss of the bill. I shall abandon it if it is amended. The provisions of the bill specify the lights which are to be carried both by steamships and by sailingvessels. This article covers any case:

ART. 6. A sailing ship under way or being towed shall carry the same lights as are provided by article 3 for a steamship under way, with the exception of the white light, which she shall never carry.

These lights are known to the whole maritime world. recommended by the State Department after conference with the Brit-ish minister and the authorities of other maritime nations. The only question presented to Congress is whether we shall have a system of siginals peculiar to ourselves, or whether we shall have the signal-lights which are known to all other nations, the meaning of which is evident to them. If the bill is amended now, that is the end of the bill; it can not become a law at this Congress.

The PRESIDING OFFICER. The question is on agreeing to the

amendment offered by the Senator from New Jersey.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORTIFICATION APPROPRIATION BILL.

Mr. DAWES submitted the following report:

Mr. DAWES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House \$279, making appropriations for fortifications and other works of defense and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the said amendment insert the following: "And for the necessary and proper expenses of the said board and for the compensation of two civilians at \$10 per day while so employed in the discharge of said duties the sum of \$40,000, to be immediately available, is hereby appropriated; and the report of said board shall be transmitted to Congress by the Secretary of War;" and the Senate agree to the same.

shall be transmitted to Congress by the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "For the construction of testing experimental wagon-carriages, for the purchase or manufacture of a multicharge gun and testing the same for;" and the Senate agree to the same.

H. D. NWFS

H. L. DAWES,
F. M. COCKRELL,
F. B. PLUMB,
Managers on the part of the Senate,
JOHN HANCOCK,
WILLIAM H. FORNEY,
W. D. WASHBURN,
Managers on the part of the House,

The report was concurred in.

ORDER OF BUSINESS.

Mr. HAWLEY. I wish to move, or I shall ask unanimous consent, if there is a pending order, to take up a bill. I shall not be able to be here after 9 o'clock, and my chances are getting very bad. I have been

waiting for a long time.

The PRESIDING OFFICER. The Chair will state that the condition of business is somewhat complicated. The river and harbor bill having been laid aside, the Senator from Pennsylvania [Mr. MITCHELL] moved to proceed to the consideration of a pension bill. That was

laid aside informally, at the request of the Senator from Missouri [Mr. Vist], to take up the bill which has just been passed.

Mr. HAWLEY. I now stand where the Senator from Missouri stood.

Mr. MITCHELL. I should be very glad to yield to the Senator from Connecticut, but I fear if that is done other Senators will desire to have the floor and there was a sort of understanding that we should go on with pension bills, get through with them, and then be liberal to each other. So far as I am concerned, I should be glad, after the pension business is disposed of, that the names of Senators should be called in alphabetical order, and that each Senator should have the right to ask unanimous consent for the consideration of a bill, and in that way we can clear the Calendar very rapidly of those measures which ought to pass.

The PRESIDING OFFICER. This debate can only proceed by

unanimous consent.

Mr. MITCHELL. I ask unanimous consent that the Senate proceed

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to the consideration of the pension bills.

The PRESIDING OFFICER. That is not necessary. The Senator has already moved to proceed to the consideration of the first pension bill on the Calendar. Does the Senator desire an agreement to take up all the pension bills?

Mr. MITCHELL. Yes; I ask that the Senate proceed now to the consideration of all House pension bills favorably reported.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent that the Senate now proceed to the consideration of rension bills from the House favorably reported by the Senate Commit-

pension bills from the House favorably reported by the Senate Committee on Pensions.

Mr. MITCHELL. Laying aside the pending measure informally.

Mr. MAXEY. Am I in order in saying a word on that request? The PRESIDING OFFICER. If there is no objection, the Senator

from Texas will proceed.

Mr. MAXEY. I only wish to say that I belong to two committees which have very important bills pending. I am very willing that the request of the Senator from Pennsylvania shall be carried into effect if it is understood then that other Senators will have more of a fair show than we have had on account of pension bills during the present session. All I want is to secure the consideration of other House bills

which are important and ought to be passed.

Mr. HARRIS. If the Senate will indulge me for a single moment—
The PRESIDING OFFICER. The Chair hears no objection.

Mr. HARRIS. I am quite satisfied that if we get the pension bills favorably reported out of the way we shall accomplish a good deal more than by scrambling along in an attempt to get other measures up while the pension bills have not been considered.

Mr. MAXEY. I agree with that, and I have so stated.

Mr. HARRIS. I hope the Senate will proceed to the consideration of pension bills favorably reported.

Mr. MITCHELL. I trust so; I think we can get through with them

in an hour.

Mr. HAMPTON. The Senator from Pennsylvania was kind enough to say that he would waive his request for a moment until I called up a bill, but I think the plan he suggests is so much the best that I shall not avail myself of his kindness, hoping that when we get through with the pension bills we may dispose of some of the other House bills which are on the Calendar.

Mr. MITCHELL. I am very much obliged to the Senator. I hope that we shall now proceed to the consideration of the first pension bill

on the Calendar.

Mr. JACKSON. Has it been agreed that the pension cases shall be

taken up?

The PRESIDING OFFICER. The Chair understands that unanimous consent has been asked and given by the Senate that the House pension bills favorably reported and now upon the Calendar shall be con-

Mr. CONGER. The river and harbor bill being informally laid

aside.

The PRESIDING OFFICER. That is the understanding, that the river and harbor bill be informally laid aside.

Mr. JACKSON. I will ask then to take up House bill 2100.
Mr. HARRIS. Let them be taken up in their regular order.
Mr. JACKSON. But this is a bill which will be passed over under the order to consider bills favorably reported, and I wish to make an

explanation in reference to it.

Mr. MITCHELL. Very well. Let that bill be taken up first.

Mr. JACKSON. The bill stands upon the Calendar as adversely reported. Since the adverse report was made it has been called to my attention by one of the Senators from Kansas, and he has shown me evidence of the fact which removes the ground on which it was adversely reported. That ground was that the militia regiment of which the husband of the claimant was a member was not called out and in the service of the United States at the time the disability was contracted; but it is evident that that was a mistake; and instead of re-

committing the bill I ask that it be taken up and passed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chief Clerk will report the bill referred to.

The Chief Clerk read the bill (H. R. 2100) granting a pension to Mary Allen, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Mary Allen, widow of John Allen, late a private in Company H, Seventy-second Regiment Missouri Enrolled Militia.

The PRESIDING OFFICER. Did the Chair understand the Sena-tor from Tennessee to say that the bill had passed and stood on a mo-

Mr. JACKSON. No, sir; it stands on an adverse report; but facts which have since come to my knowledge show that the report ought not to have been adverse and that the bill should be passed.

The bill was reported to the Senate without amendment; ordered to

a third reading, read the third time, and passed.

JOHN SNYDER.

The PRESIDING OFFICER. The pension bills on the Calendar favorably reported will now be considered in their order, under the unanimous agreement of the Senate.

The bill (H. R. 7718) restoring John Snyder to the pension-roll was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of John Snyder, formerly of Company I, One hundred and twenty-ninth Regiment of Indiana Infantry.

The bill was reported to the Senate without amendment, ordered to

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MARION D. EGBERT.

The bill (H. R. 2975) granting a pension to Marion D. Egbert was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Marion D. Egbert, late of Company K, Eightysixth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CALVIN L. KNICK.

The bill (H. R. 1866) granting a pension to Calvin L. Knick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Calvin L. Knick, late a private in Company E, One hundred and forty-fifth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to third transfers and the third time and record

a third reading, read the third time, and passed.

CHRISTIAN BAUMAN.

The bill (H. R. 6357) granting a pension to Christian Bauman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Christian Bauman, late a private in Company A, Fifty-eighth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. F. M. NORTON.

The bill (H. R. 8189) granting a pension to Mrs. F. M. Norton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. F. M. Norton, widow of James H. Norton, deceased, late a private in Company G, Eighty-sixth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES STOCKTON.

Mr. COCKRELL. I ask consent to make a short statement, and then to ask action on a bill which is on the Calendar.

The PRESIDING OFFICER. If there be no objection, the Senator

from Missouri will proceed.

from Missouri will proceed.

Mr. COCKRELL. I call the attention of the Senate to the bill (H. R. 2377) granting a pension to James Stockton, which was some time ago reported adversely by the Senator from Tennessee [Mr. Jackson] on the ground that Mr. Stockton was not acting under orders of United States officers. There is no question on earth about the disability and his being entitled to a pension. He was pursuing a bushwhacker when his horse was shot, and his arm which was hurt has since been amputated. There is no question about that. We have since discovered evidence showing that the force under which he was acting was acting under the authority of United States officers. I ask that the bill be taken up and passed.

taken up and passed.

Mr. JACKSON. That evidence has been shown since the adverse report was made, and it stands as does the Mary Allen case.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2377) granting a pension to James Stockton. It proposes to place the name of James Stockton, formerly of Comments D. Thirtte first Persiment Misseyri State Militia complete. of Company D, Thirty-first Regiment Missouri State Militia, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER WEIDE.

The bill (H. R. 7485) granting a pension to Alexander Weide was considered as in Committee of the Whole. It proposes to place on the

pension-roll the name of Alexander Weide, late captain of Company C, Third West Virginia Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS JEFFRIES.

The bill (H. R. 200) granting a pension to Thomas Jeffries was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas Jeffries, late a private in Company C, of the One hundred and twenty-sixth Regiment of Illinois Volunteers. The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CHARLES MILK.

The bill (H. R. 5309) for the relief of Charles Milk was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles Milk, late a member of Company B, One hundred and fifty-second Regiment of Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LINA J. STEARNS.

The bill (H. R. 8082) granting a pension to Lina J. Stearns was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lina J. Stearns, widow of Oliver F. Stearns, late a private in Company F, Sixteenth Regiment New Hampshire Volun-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY MILKEY.

The bill (H. R. 5378) granting a pension to Henry Milkey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry Milkey, late a private in Company I, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FERDINAND HERCHER.

The bill (H. R. 8048) to increase the pension of Ferdinand Hercher was considered as in Committee of the Whole. It proposes to increase the pension of Ferdinand Hercher, late a hospital steward in the United States Army, to \$24 per month, in lieu of the pension now allowed him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OCTAVIA A. NEWHALL

The bill (H. R. 5330) granting a pension to Octavia A. Newhall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Octavia A. Newhall, widow of Everett Newhall, late a private in the Fifth Regiment of Massachusetts Volunteers, Company F.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

The bill (H. R. 7810) granting a pension to Rosanna Riley was considered as in Committee of the Whole. It proposes to place the name of Rosanna Riley on the pension-roll at \$18 a month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MARGARET FLAHERTY.

The bill (H. R. 7853) granting a pension to Margaret Flaherty was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of \$8 per month, the name of Margaret Flaherty, dependent stepmother of Bartlett Flaherty, late a private in Company F, Third Maine Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

GEORGE W. BEAN.

The bill (H. R. 1710) granting a pension to George W. Bean was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Bean, late a private in Capt. P. W. Connover's company of Utah militia.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM W. THOMAS.

Mr. HALE. I ask the indulgence of the Senate, as I can be absent only a few minutes from a conference committee, to take up two bills which I may not have any other opportunity to ask to have taken up. If they give rise to any debate I shall not press their consideration. The first is House bill 691, which has been reported favorably by the Finance Committee.

Mr. JACKSON. Is that a favorable report?

Mr. HALE. Yes; it is a unanimous report in favor of the passage of the bill.

By unanimous consent, the bill (H. R. 691) for the relief of William W. Thomas was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to William W. Thomas, of Portland, Me., \$309, being the amount of coupons of United States bonds lost by him, and now unpaid.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CLERK OF COURT OF ALABAMA CLAIMS.

Mr. HALE. I ask unanimous consent that the Senate proceed to the onsideration of the bill (H. R. 7034) to increase the salary of the clerk of the Court of Alabama Claims. I wish to say that while the bill appears to be adversely reported, it has been reconsidered, and it now stands on the Calendar as a favorable report, I understand.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the salary of the clerk of the Court of Commissioners of Alabama Claims shall hereafter be at

the rate of \$4,300 per annum.

Mr. JACKSON. I should like to inquire what salary the clerk is

now receiving.

Mr. FRYE. Two thousand five hundred dollars; but the court is to last only about nine months more, and for four months it only had two judges, and there is an enormous amount of work to do. The claimants pay the salary themselves, and nine-tenths of them ask that the salary of the clerk shall be increased as proposed.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CAPT. VINCENT PHELPS.

Mr. PLUMB. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 7805) granting a pension to Capt. Vincent Phelps

Mr. MITCHELL. How many more members of the Committee on Appropriations will come in with special requests?

Mr. PLUMB. This is the pension bill about which I spoke to the Senator. He will not object.

Mr. MITCHELL. Is it not one of those to be reached?

Mr. PLUMB. No; it will not be reached under the order in which

the Senate is proceeding.

The PRESIDING OFFICER. The question is not debatable except by unanimous consent. Is there objection to the consideration of the bill indicated by the Senator from Kansas [Mr. Plumb]?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name Vincent Phelps, late a captain and assistant quartermaster in

the United States Army.

Mr. PLUMB. I will state that, while the bill appears on the Calwith state that, while the bill appears on the Carendar as having been reported adversely, the Senator from Iowa [Mr. WILSON] who reported it assures me that since it was reported testimony has been laid before him which removes the objection there was to it, and that if that testimony had been before the committee at the time the report was made the bill would have been reported favorably.

Mr. WILSON. The statement of the Senator from Kansas is correct. If the testimony which has come to my notice since the report was prepared and presented to the Senate had been before us at that time I should have reported the bill favorably.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF A. J. GUTHRIE.

Mr. BECK. I ask unanimous consent for the consideration of two little bills which have been reported favorably by the Committee on Claims. There is less than \$500 in each of them, and I am afraid I shall not have much chance to be in the Senate again before final adjournment. The first is the bill (H. R. 2154) for the benefit of the legal representatives of A. J. Guthrie, deceased.

The PRESIDING OFFICER. Is there objection?

Mr. MITCHELL. We have proceeded now only ten minutes under the order of the Senate, and I do not think we can get through with the pension bills if we go on in this way.

The PRESIDING OFFICER. Is there objection to the request of

the Senator from Kentucky?

the Senator from Kentucky?

Mr. MITCHELL. I am not disposed to object to the application of the Senator, because he is on the Committee on Appropriations.

Mr. BECK. It will not take five minutes, and I am obliged to be out on the business of the Committee on Appropriations.

Mr. MITCHELL. Very well.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to the legal representatives of A. J. Guthrie, deceased, of Louisville, Ky., \$302.20, for services rendered and money advanced in taking care of property of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN TAYLOR & SON.

Mr. BECK. I ask unanimous consent for the consideration of another little bill, which appropriates only a little over \$100, House bill 1198.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1198) for the relief of John Taylor & Son. It directs the Secretary of the Treasury to pay to John Taylor & Son \$149.50, as full compensation for lumber used by the United States Army, as appears from evidence on file in the Third Auditor's Office, Treasury Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. H. HAMMOND.

Mr. MAXEY. The Senator from Pennsylvania [Mr. CAMERON] feels an interest in a bill unanimously reported from the Military Committee, not a dozen lines long, and on account of his sickness he has re-

quested me to ask unanimous consent for its consideration. It is a Penusylvania case. I ask unanimous consent to consider the bill (H. R. 1327) for the relief of J. H. Hammond.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to J. H. Hammond, of Philadelphia, \$2,000, in full for the loss of the barge William T. Anderson while in the military service of the United States by charter as fully appears by represent on the light in the United States by charter, as fully appears by papers now on file in the office of the Third Auditor of the Treasury.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN C. HARRISON.

Mr. MITCHELL. I hope that the Senate will now proceed to dispose of the remaining pension bills on the Calendar.

The PRESIDING OFFICER. That is the order of the Senate. The House pension bills will be laid before the Senate in their order on the

The bill (H. R. 5998) granting an increase of pension to Jonathan C. Harrison was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of \$30 per month, the name of Jonathan C. Harrison, late a private in Company B, Fifty-second Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH PARRY.

The bill (H. R. 5554) granting a pension to Sarah Parry was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Parry, widow of Thomas Parry, late a private in Company F, Thirtieth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to third regiment of the content of the senate without amendment, ordered to

a third reading, read the third time, and passed.

CHINESE INDEMNITY FUND.

Mr. PENDLETON. I ask unanimous consent to proceed to the consideration of House bill No. 1004.

Mr. MITCHELL. There is not a Senator here whom I should like more to oblige than the Senator from Ohio if it were possible for me to

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. MITCHELL. I must object.
Mr. PENDLETON. I hope the Senator will not insist on his objection. The bill will not lead to much discussion, I am certain. It

Mr. MITCHELL. I will yield with the understanding that we shall then proceed with the pension bills.

Mr. PENDLETON. If the Senator has only a certain number of pension bills that he wishes to have passed at this time, I shall not press

Mr. MITCHELL. I do not desire to object.

The PRESIDING OFFICER. The Chief Clerk will report the bill by title, and the Chair will then ask if there is objection to its consideration.

The CHIEF CLERK. "A bill (H. R. 1004) relative to the Chinese in-

demnity fund."
The PRESIDING OFFICER. Is there objection to the present con-

sideration of the bill?

Mr. BLAIR. That bill must lead to discussion, it seems to me. If it does not lead to discussion I shall not object; but I must reserve the right to object.

The PRESIDING OFFICER. Is there objection to proceeding to the consideration of the bill? The Chair hears none.

Mr. BLAIR. Can I not reserve the right to object if the bill leads

to discussion, and then call for the regular order?
Mr. FRYE. It will not lead to discussion.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the President to cause the residue of the indemnity received from China, which is now in the custody of the Secretary of State and known and designated in the accounts and reports of the Department of State as the Chinese indemnity fund, to be converted into coin, and provides that \$583,400.90 shall be returned to the Chinese Government, and the balance of the fund, if any, be covered into the Treasury of the United States, and the Secretary of

State is to pay from the fund to the executors of Charles E. Hill \$130,000 upon receipt of a release in full for all claims upon China for the use and loss of the steamer Keorgeor in or about the year 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE E. BAILEY.

Several Senators addressed the Chair.

Mr. MITCHELL. Regular order.
The PRESIDING OFFICER. The Chief Clerk will report the next

House pension bill.

The bill (H. R. 1235) granting a pension to Annie E. Bailey was announced as next in order, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension-roll the name of Annie E. Bailey, widow of First Lieut. William C. Bailey, of Company B, Fourth Regiment West Virginia Infantry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

The bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher was considered as in Committee of the Whole. It proposes to place the name of Ida P. Belcher, widow of the late Capt. Edwin Belcher, of Company E, Seventy-third Pennsylvania Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JACOB LAFFERTY.

The bill (H. R. 5148) granting a pension to Jacob Lafferty was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Lafferty, a private soldier in the late war of the States.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

DAVENPORT AND ROCK ISLAND STREET RAILWAY COMPANY.

Mr. ALLISON. I ask the Senator from Pennsylvania to yield to me for one moment that I may ask the Senate to pass a bill which has passed the House unanimously and has received a unanimous report from the Senate Committee on Military Affairs. I think it will take but a moment. It is House bill 445, Order of Business 1257.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 445) to empower the Secretary of War to permit the establishment, under certain conditions, of a horse-railway upon and over the island of Rock Island, and the bridges erected by the United States connecting the cities of Davenport and Rock Island therewith.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

TERRIFORIAL SUPREME COURT APPEALS.

Mr. EDMUNDS. I ask that the Senate take up for consideration House bill 6220, reported favorably from the Committee on the Judiciary.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6220) regulating appeals from the supreme court of the District of Columbia and the supreme courts of the several Territories. It provides that no appeal or writ of error shall hereafter be allowed from any judgment or decree in any suit at law or in equity in the supreme court of the District of Columbia, or in the supreme court of any of the Territories of the United States, unless the matter in dispute, exclusive of costs, shall exceed the sum of \$5,000. But this shall not apply to any case wherein is involved the validity of any patent or copyright, or in which is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States; but in all such cases an appeal or writ of error may be brought without regard to the sum or value in dispute.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEIRS OF LANGLEY B. CULLEY.

Mr. GROOME. Mr. President—
Mr. CONGER. I now ask in behalf of the poor soldiers that they may have a chance. We have gone around once. I will not make the request though until the Senator from Maryland [Mr. GROOME], who is sick, has a chance.

Mr. GROOME. I ask the Senate at this time to proceed to consider the bill (H. R. 1615) for the relief of the heirs of the late Langley B.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to the heirs of the late Langley B. Culley, a naval constructor in the Navy, \$2,300, in payment for all services now due the heirs of Culley from the United States.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

AMOS M'DOWELL.

Mr. CONGER. Now I hope we shall go on with the pension bills. Mr. MITCHELL and Mr. HAWLEY. Regular order. The PRESIDING OFFICER. The next House pension bill will be

The bill (H. R. 7572) granting a pension to Amos McDowell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Amos McDowell, late a member of the Forty-sixth Iowa Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to this desired that the senate without amendment, ordered to

a third reading, read the third time, and passed.

MRS. LUCRETIA G. RIPLEY.

The bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lucretia G. Ripley, widow of Edward F. Ripley, deceased, who enlisted as a private in Company H, Eighteenth

Regiment of Connecticut Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. LYDIA S. HUGGINS.

The bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins was considered as in Committee of the Whole. It proposes to place the name of Mrs. Lydia S. Huggins, mother of Rufus A. Huggins, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (H. R. 4605) granting a pension to Ellen Edmiston was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen Edmiston, widow of Elias Edmiston, late of Company A, Fifty-fifth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID SEARS

The bill (H. R. 8091) granting a pension to David Sears was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of David Sears, late a private in Company D, Eightyfirst New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES DYE.

The bill (H. R. 8229) to grant a pension to James Dye was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Dye, late an assistant surgeon in the service of the United States, of the Twenty-first Regiment of Missouri Vol-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH KALER.

The bill (H. R. 7169) granting a pension to Elizabeth Kaler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Kaler, foster-mother of George W. Kaler, late a private in Company E, Eighty-seventh Regiment Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CREET H. DOUGHERTY.

The bill (H. R. 383) granting a pension to Creet H. Dougherty was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Creet H. Dougherty, late of Company E, Tenth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INCREASE OF PENSIONS.

The bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint was considered as in Committee of the Whole. It proposes to increase the pensions of all soldiers and sailors of the United States who have had an arm taken off at the shoulder-joint, caused by injuries received in the service of their country while in the line of duty, and who are now receiving pensions, to the same amount that the law now gives to soldiers and sailors who have lost a

leg at the hip-joint.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE HELTON.

The bill (H. R. 8069) granting a pension to Catharine Helton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Helton, dependent mother of Calvin Helton, late of Company I, Twenty-fourth Kentucky Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SYLVESTER GREENOUGH.

The bill (H. R. 7434) granting a pension to Sylvester Greenough was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sylvester Greenough, a soldier of the Mexican war, Black Hawk war, and Florida war, and late a private in Company E, Thirty-seventh Regiment Iowa Volunteer Infantry (Gray Beard Regiment), at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time and passed.

CLARK G. MAINE

a third reading, read the third time, and passed.

The bill (H. R. 7000) for the relief of Clark G. Maine was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Clark G. Maine, late a private in Battery E, First New York Light Artillery.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

AMANDA ALLEN.

The bill (H. R. 7938) granting a pension to Amanda Allen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Amanda Allen, mother of Charles F. Allen, late of Company B, One hundred and fifty-fourth Regiment New York Volunteers

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD W. BARNES.

The bill (H. R. 7502) granting a pension to Richard W. Barnes was considered as in Committee of the Whole. It proposes to place the name of Richard W. Barnes, late a private in Company A, Eighth Regiment Iowa Volunteer Cavalry, on the pension-roll, at \$30 per month in lieu of the pension now paid him.

The bill was reported to the Senate without amendment, ordered to this desired the chiral time and the chiral time and proceed.

a third reading, read the third time, and passed.

L. W. PITTS.

The bill (H. R. 7803) granting a pension to L. W. Pitts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of L. W. Pitts, late of Company B, Third Regiment Kentucky Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID N. BRYAN.

The bill (H. R. 4216) granting a pension to David N. Bryan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of David N. Bryan, late a private in Company D, Seventy-eighth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HARRISON MITCHELL.

The bill (H. R. 1901) for the relief of Harrison Mitchell, late of Company K, Forty-eighth Indiana Volunteers, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT HARPER

The bill (H. R. 8090) granting a pension to Albert Harper was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Albert Harper, late of Company G, Ninth New York Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JOHN BOYLE.

The bill (H. R. 389) granting a pension to John Boyle was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Boyle, late a private in the Tenth Battery Indiana State Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

W. H. H. COLEMAN.

The bill (H. R. 6982) granting a pension to W. H. H. Coleman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of W. H. H. Coleman, late a private of Company B, Eleventh Regiment Pennsylvania Reserve Corps.

The bill was reported to the Senate without amendment, ordered to third reading and the third time and according to the contract of the contract

a third reading, read the third time, and passed.

SARAH TYLER.

The bill (H. R. 4055) granting a pension to Sarah Tyler was considered as in Committee of the Whole. It proposes to place the name of Sarah Tyler, dependent mother of William Tyler, deceased, late of Company B, Fifty-second Indiana Volunteer Infantry, on the pension-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTHER HUDSON.

The bill (H. R. 2645) granting a pension to Esther Hudson, mother of William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and ninety-first Regiment Pennsylvania Volunteers, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS JONES.

The bill (H. R. 5191) granting an increase of pension to Augustus Jones was considered as in Committee of the Whole. It proposes to increase the pension now allowed to Augustus Jones, a soldier of the war of 1812, from \$8 to \$20 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HENRY BIEDERBICK.

The bill (H. R. 7933) granting a pension to Henry Biederbick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry Biederbick, late a hospital steward in the United States Army, and one of the survivors of the late Greely expedition to Lady Franklin Bay.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed. JOSEPH RAIBLE.

The bill (H. R. 3947) granting a pension to Joseph Raible was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Raible, of Indiana, who lost an arm above the elbow, during the war, while firing a salute, at the city of Indianapolis, under the direction of the quartermaster-general of Indiana, and to pay him \$30 per month, in lieu of all other pensions now paid

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL JOHNSON COFFIN.

The bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin was considered as in Committee of the Whole. It proposes to increase the pension now granted to Nathaniel Johnson Coffin, late first lieutenant of Company K, Thirteenth New Hampshire Volunteer Infantry, in the late war of the rebellion, to \$20 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM H. KINMAN. The bill (H. R. 7177) granting a pension to William H. Kinman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Kinman, formerly of Company F, Thirty-fourth Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN O. GARDNER.

The bill (H. R. 7178) granting an increase of pension to John O. Gardner was considered as in Committee of the Whole. It proposes to increase the pension of John O. Gardner, formerly of Company A, Ninth Maine Volunteers, to \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL M'ALPIN. The bill (H. R. 7503) for the relief of Daniel McAlpin was considered as in Committee of the Whole. It proposes to remove the charge of desertion against Daniel McAlpin, Sixteenth United States Infantry, war of 1812, and directs the Secretary of the Interior to place his name on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH M'INTOSH.

The bill (H. R. 2085) granting a pension to Joseph McIntosh was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph McIntosh, late of the Thirty-ninth Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHANCEY G. DARRAH.

The bill (H. R. 8187) granting a pension to Chancey G. Darrah was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Chancey G. Darrah, late of Company E, Six-

teenth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SPARR.

The bill (H. R. 7340) granting a pension to John Sparr was considered as in Committee of the Whole. It proposes to place on the pen-

sion-roll the name of John Sparr, of Batavia, N. Y., late of Company C, Third Regiment New York Cavalry.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

HARLAN JACKSON.

The bill (H. R. 4458) granting a pension to Harlan Jackson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Harlan Jackson, late of Company L, Sixth Regiment Kansas Militia.

The bill was reported to the Senate without amendment, ordered to

ADDISON M. COPEN.

third reading, read the third time, and passed.

The bill (H. R. 8136) for the relief of Addison M. Copen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Addison M. Copen, late of Company I, Third United States Dragoons, in the Mexican war.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time and record.

third reading, read the third time, and passed.

EMMA O. ZEIGLER.

The bill (H. R. 4878) granting a pension to Emma O. Zeigler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Emma O. Zeigler, widow of W. A. Zeigler, late captain of Company —, First Regiment West Virginia Infantry Veteran Volunteers.

The bill was reported to the Senate without amendment, ordered to

third reading, read the third time, and passed.

GRIGSBY FOSTER.

The bill (H. R. 5740) for the relief of Grigsby Foster was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Grigsby Foster, late a private in Company E, Seventh Regiment West Virginia Volunteer Cavalry, now a resident of Lucas, Lucas County, Iowa.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ELIZABETH CONNOR.

The bill (H. R. 411) granting a pension to Elizabeth Connor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Connor, widow of William Connor, deceased, late a private in Capt. Paterson Bain's company in the war of

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NELLY ROBERTS.

The bill (H. R. 1142) granting a pension to Nelly Roberts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nelly Roberts, dependent mother of Fred Sawyer, alias Bond, late a private in Company G, First United States Colored

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ROSE DOUGHERTY.

The bill (H. R. 6173) for the relief of Rose Dougherty was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rose Dougherty, widow of John Dougherty, late of Company B, Thirty-seventh Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to

third reading, read the third time, and passed.

ELIZABETH W. CREIGHTON.

The bill (H. R. 5086) for the relief of Elizabeth W. Creighton was considered as in Committee of the Whole. It proposes to place the name of Elizabeth W. Creighton, widow of J. Blakeley Creighton, late a rear-admiral, on the pension-roll at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

EDWARD WILCOX

The bill (H. R. 6775) granting a pension to Edward Wilcox was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edward Wilcox, an imbecile son of Leonard Wilcox, late of Company A, Twenty-first Regiment Connecticut Volunteer Infantry, and to pay his legally appointed conservator, for his use and benefit, a pension of \$18 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA F. JUSTICE.

The bill (H. R. 5103) granting a pension to Joshua F. Justice was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joshua F. Justice, late a private in Company H, Second North Carolina Mounted Infantry.

The bill was reported to the Senate without amendment, ordered to

NATHANIEL POND, JR.

The bill (H. R. 4668) for the relief of Nathaniel Pond, jr., was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nathaniel Pond, jr., now of Faribault, Minn., formerly a private soldier in Capt. James Gray's company of Vermont militia in the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ELIZABETH A. RANDALL.

The bill (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall, widow of Capt. Fernando Randall, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Elizabeth A. Randall, widow of Capt. Fernando Randall, late captain of Company G, Seventh Regiment of Vermont Veteran Volun-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD DILLON.

The bill (H. R. 2457) granting a pension to Richard Dillon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Richard Dillon, late a private in Company B of the One hundred and first Regiment of New York Volunteers.

The bill was reported to the Senate without amendment, ordered to

third reading, read the third time, and passed.

JAMES M. PIKE.

The bill (H. R. 3340) granting a pension to James M. Pike was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James M. Pike, late second corporal of Company C, Fifth Regiment Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

THOMAS M. M'CHESNEY.

The bill (H. R. 7863) granting a pension to Thomas M. McChesney was considered as in Committee of the Whole. It directs that the name was considered as in Committee of the Whole. It directs that the name of Thomas M. McChesney, of the township of Cranbury, in the county of Middlesex, New Jersey, shall be placed upon the list of invalid pensioners, as though he had been regularly mustered into the service as an enlisted man in Company M, Ninth New Jersey Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. CHASE.

The bill (H. R. 6904) for the relief of John F. Chase was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John F. Chase, formerly a member of Company B, Eighteenth Regiment New York State Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading read the third time and record.

a third reading, read the third time, and passed.

JESSE C. BUCK.

The bill (H. R. 5146) granting a pension to Jesse C. Buck was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jesse C. Buck, late a private in the Third Pennsylvania Heavy Artillery, One hundred and fifty-second Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM D. FARNSWORTH.

The bill (H. R. 8152) for the relief of William D. Farnsworth was considered as in Committee of the Whole. It proposes to place the name of William D. Farnsworth, dependent father of Edward Farnsworth, late of Company E, Twentieth Indiana Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM STANSBERRY.

The bill (H. R. 7993) for the relief of William Stansberry was considered as in Committee of the Whole. It proposes to place the name of William Stansberry, late of Company A, Third West Virginia Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTIAN ARNOT. The bill (H. R. 7992) for the relief of Christian Arndt was considered as in Committee of the Whole. It proposes to place the name of Christian Arndt, late of Company H, Ninth Minnesota Infantry, on the pen-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES L. ALDEN.

The bill (H. R. 6960) for the relief of Charles L. Alden was considered as in Committee of the Whole. It proposes to place the name of

Charles L. Alden, of Company C, Second Minnesota Infantry, on the pension-roll, at the rate of \$30 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

SEBERT TONEY.

The bill (H. R. 7447) granting a pension to Sebert Toney was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sebert Toney, late a private in Company B, Thirty-seventh Iowa Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MRS. LUCY PARR.

The bill (H. R. 8142) granting a pension to Mrs. Lucy Parr was considered as in Committee of the Whole. It proposes to place the name of Lucy Parr, widow of Samuel B. Parr, late of Company I, Fourth Regiment Iowa Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MARY ROYAL.

The bill (H. R. 5304) for the relief of Mary Royal was considered as in Committee of the Whole. It proposes to place the name of Mary Royal, widow of William Royal, deceased, late a private in Company I, Fifty-ninth Regiment of Indiana Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK HUTTEN.

The bill (H. R. 7170) for the relief of Frederick Hutten was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frederick Hutten, formerly of Company K, Thir-

teenth Regiment Indiana State Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

JUDSON BOSTWICK.

The bill (H. R. 7334) granting a pension to Judson Bostwick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Judson Bostwick, of Arcade, N. Y., late of Company F, Fifth Regiment New York Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

PATRICK MURPHY.

The bill (H. R. 7047) granting a pension to Patrick Murphy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Patrick Murphy, late a private in the Second Independent Battery, Ohio Light Artillery.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

PARDON H. MOREY.

The bill (H. R. 7728) for the relief of Pardon H. Morey was considered as in Committee of the Whole. It proposes to allow to Pardon H. Morey, of Chautauqua, Chautauqua County, New York, late a private in the Seventh Company, First Battalion New York Sharpshooters, a pension for single inguinal hernia, in addition to that now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEMUEL J. BENNETT.

The bill (H. R. 552) granting a pension to Lemuel J. Bennett was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lemuel J. Bennett, late of Company ——, First Illinois Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

RACHAEL A. QUEEN.

The bill (H. R. 8132) to restore to the pension-roll the name of Rachael A. Queen, was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Rachael A. Queen, dependent sister of Jonathan Queen, late of Company F, Fifth California Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

ABRAHAM COVER.

The bill (H. R. 4021) granting a pension to Abraham Cover was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Abraham Cover, late first lieutenant of Company M, Sixth Regiment Illinois Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to third and the child thing without amendment.

a third reading, read the third time, and passed.

ANNA BECK.

The bill (H. R. 5728) granting a pension to Anna Beck was consid-

ered as in Committee of the Whole. It proposes to place the name of Anna Beck, widow of August Beck, late of Company F, Seventh New

York Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JANE D. BRENT.

The bill (H. R. 7248) to increase the pension of Jane D. Brent was considered as in Committee of the Whole. It proposes to increase the pension of Jane D. Brent, widow of Thomas L. Brent, late captain of Company—, Fourth Regiment Artillery of the regular Army of the United States, to a rating of \$50 per month.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

EDWARD KRAEMER.

The bill (H. R. 1873) for the relief of Edward Kraemer was considered as in Committee of the Whole. It proposes to increase the pension of Edward Kraemer, formerly a member of Company F, Twelfth Regiment Illinois State Volunteers, to \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. MILTON.

The bill (S. 2668) granting a pension to John M. Milton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John M. Milton, dependent father of Charles A. Milton, late a private in Company B, Second Regiment New Hampshire Volunteers, and at the time of his death a medical cadet.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. GRENNON.

The bill (H. R. 3735) granting a pension to Mary A. Grennon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. Grennon, widow of William H. Grennon, late of Company M, Fourteenth New York Heavy Artillery, at the

rate of \$16 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHILDREN OF F. F. KISLINGBURY.

The bill (H. R. 7618) granting a pension to Harry H. G. Kislingbury, Walter F. Kislingbury, Wheeler Schofield Kislingbury, and Douglas E. L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States Infantry, was considered as in Committee of the Whole. It proposes to place on the pension-roll the names of the minor children of the late Lieut. Frederick F. Kislingbury, Eleventh United States Infantry, and to pay to each of them a pension at the rate of \$10 per month, and until they severally attain the age of 21 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB FUNKHOUSER.

The bill (H. R. 2872) granting a pension to Jacob Funkhouser was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jacob Funkhouser, of the county of Preston, West Virginia, a private soldier of the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RACHEL NICKELL.

The bill (H. R. 603) granting a pension to Rachel Nickell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rachel Nickell, widow of Asbury Nickell, late of Company I, Forty-seventh Regiment Kentucky Mounted Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and reseat

a third reading, read the third time, and passed.

The bill (H. R. 7907) granting a pension to Matilda Cody was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Matilda Cody, widow of John Cody.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

MARY J. DICKSON.

The bill (H. R. 8237) granting a pension to Mary J. Dickson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary J. Dickson, dependent sister of Sylvester R. Dickson, late a private in Company A, Eighty-third Regiment Illinois

late a private in Company E, Seventy-fourth Regiment Illinois Volun-

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH SANSOM.

The bill (H. R. 7990) granting a pension to Joseph Sansom was considered as in Committee of the Whole. It proposes to place the name of Joseph Sansom, late of Company F, Twenty-sixth Regiment Kentucky Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

COL. HENRY J. HUNT.

Mr. HAWLEY. I ask unanimous consent for the consideration of the bill (H. R. 78) to provide for the retirement of Col. Henry J. Hunt.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint and place Col. and Byt. Maj. Gen. Henry J. Hunt on the retired-list as a major-general, with the rank, pay, and emoluments of a major-general of the United States Army on the retired-list, to date from Sentember 14, 1883 September 14, 1883.

The bill was reported to the Senate without amendment, ordered to

third reading, read the third time, and passed.

The PRESIDING OFFICER (Mr. HOAR in the chair). The ques-

tion is on agreeing to the preamble.

Mr. HAWLEY. I do not care about the preamble except that a change would send the bill back to the House. The preamble is true, though verbose.

The preamble was agreed to.

Mr. INGALLS. I ask unanimous consent that House bill 8236, Order of Business 1435, which was under debate last evening, may be now considered.

The PRESIDING OFFICER. Will the Senate consent to the present consideration of the bill?

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8236) relating to sales for

taxes in the District of Columbia.

The PRESIDING OFFICER. The bill has been read, and the question is on agreeing to the amendments proposed by the Committee on the District of Columbia. Several amendments proposed in the Senate,

the Chair understands, have been agreed to.

Mr. INGALLS. I move in accordance with a suggestion made by the Senator from Alabama [Mr. Morgan] who objected last night, to strike out in line 5, before the word "levied," the words "or assessments;" so as to read:

That hereafter sales of real estate, after advertisement as required by law, by the collector of taxes for the District of Columbia, for taxes levied by the commissioners of said District, or by other lawful authority, shall entitle the purchaser.

The amendment was agreed to.

Mr. CONGER. Is there any other place where the words "or assessments" occur?

Mr. INGALLS. No, there is no other place.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read third time.

The bill was read the third time, and passed.

Mr. INGALLS. I move that the Senate insist on its amendments and ask for a committee of conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. HARRIS, Mr. ALD-RICH, and Mr. INGALLS were appointed.

APPEALS IN HABEAS CORPUS CASES.

Mr. McMILLAN. I ask unanimous consent to take up the bill (H. R. 5691) amending section 754 of the Revised Statutes. The bill allows an appeal in habeas corpus cases to the Supreme Court.

The PRESIDING OFFICER. The Senator from Minnesota asks

unanimous consent for the consideration of the bill named by him. Is

Mr. CONGER. I desire to say that I see almost every Senator

The PRESIDING OFFICER. The Senator from Michigan may pro-

sion-roll the name of Mary J. Dickson, dependent sister of Sylvester R. Dickson, late a private in Company A, Eighty-third Regiment Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADDIE L. MOORE.

The bill (H. R. 8155) granting a pension to Addie L. Moore was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Addie L. Moore, widow of Camillus A. Moore,

of the Committee on Commerce with a bill which should be disposed of one way or the other, and I am not responsible for the manner. wish to make a proposition, and if the Senate will accede to it, very well. If it can be agreed that at a quarter past 3 the consideration of the river and harbor bill shall be resumed without further interruption until the Senate disposes of it in some way, I shall yield to any Senators who want to pass their little bills, subject to conference reports; and I will agree also that the time occupied by conference reports may be taken out

The PRESIDING OFFICER. The Chair will ask unanimous con-

Mr. CONGER. I will say half past 3.
Mr. PLUMB. I think the Senator from Michigan makes the request a little more sweeping than he intends. He does not mean to propose that the river and harbor bill shall remain before the Senate and displace all other business, appropriation bills and reports of committees of conference and things of that kind, but he simply desires that the consideration of the bill shall be resumed or continued at that time, subject to the necessary interruptions.

Mr. CONGER. I do not claim that the Senate shall make any particular disposition of the bill, but that it shall be resumed and not be

displaced again by these appeals for unanimous consent, subject to reports of conference committees always.

The PRESIDING OFFICER. Is there unanimous consent to the request of the Senator from Minnesota [Mr. McMillan] to take up the

Mr. CONGER. Is the understanding which I proposed one which the Senate adopts?

Mr. MILLER, of New York. I do not see how the Senate can make any agreement of that kind. The Senator from Michigan can call up his bill at any time he sees fit. All the business being done is being done by unanimous consent. The Senator can call up his bill at any time he sees fit. Why not wait until he decides to call it up?

Mr. CONGER. We may as well have an understanding now, and

Mr. CONCER. We may as well have an understanding now, and then I should feel better satisfied.

Mr. MILLER, of New York. Some measure we desire to pass may be pending at that time. There is no object in giving unanimous con-

The PRESIDING OFFICER. The Chair will ask unanimous consent for the request of the Senator from Minnesota to take up the bill named by him, after which the Chair will recognize the Senator from Michigan.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5691) amending section 764 of the Revised Statutes. It proposes to amend section 764 of the Revised Statutes so as to read:

From the final decision of such circuit court an appeal may be taken to the Supreme Court in the cases described in the preceding section.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. McMILLAN. The other bill to which I referred was House bill 6760, in which the chairman of the Committee on Appropriations is in-

The PRESIDING OFFICER. The Chair promised to recognize the

Senator from Michigan [Mr. CONGER].

Mr. CONGER. I will yield on the supposition that the Senate will

Mr. CONGER. I will yield on the supposition that the Schate will accede to my request.

Mr. McMILLAN. This House bill will take but a short time.

Mr. CONGER. I yield once more to the Senator from Minnesota.

Mr. ALDRICH. I object to this manner of farming out the floor.

The PRESIDING OFFICER. There has been no farming out of the floor. The Chair recognized the Senator from Michigan, who was in

charge of the matter which was before the Senate and which has been laid aside by these formal applications.

Mr. McMILLAN. The Senator from New York has had several

opportunities

The PRESIDING OFFICER. The question is not debatable. The Senator from Minnesota asks unanimous consent that the Senate proceed to the consideration of Order of Business 1329, being the bill (H. R. 6760) to authorize the construction of a bridge across the Mississippi River at Rock Island, Ill., and Davenport, Iowa, and to establish it as a post-route.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER. There is an amendment proposed by the Committee on Commerce inserting an additional section.

Mr. McMILLAN. I shall ask the Senate to non-concur in that, as the provisions contained in the proposed section I find are embraced in section 8 of the last river and harbor act.

The PRESIDING OFFICER. If there be no objection the reading of the amendment will be dispensed with. The committee withdraw

the amendment, the Chair understands.

The bill was reported to the Senate without amendment.

Mr. SEWELL. I ask the Senator from Minnesota whether that is a bill for a bridge across a Government reservation?

Mr. McMILLAN. No, sir; it is across the Mississippi River at Rock Island-a railroad bridge.

Mr. CULLOM. It is entirely separate from the Government reser-

The bill was ordered to a third reading, read the third time, and

STATE NATIONAL BANK OF BOSTON.

Mr. JACKSON. I ask the Senate to take up House bill 2263, Order of Business 1068.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2263) for the relief of the State National Bank of Boston, Mass. It refers to the Court of Claims the claim of the State National Bank of Boston for the sum of \$100,000, in gold, deposited by the bank in the subtreasury of the United States at Boston, February 28, 1867.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

DR. THOMAS J. JONES.

Mr. MAXEY. I ask unanimous consent to call up House bill 6533, order of Business 1425, unanimously reported by the Committee on Military Affairs without amendment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6533) for the relief of Dr. Thomas J. Jones. It directs the Secretary of the Treasury to pay to Dr. Thomas J. Jones, of Warren County, Kentucky, \$300, for medical services rendered the Eleventh Regiment Kentucky Infantry Volunteers during the months of October, November, and December, 1861.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

DR. JOHN B. READ.

Mr. PUGH. I ask the Senate to take up House joint resolution 170, Order of Business 542.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent to call up a joint resolution the title of which will be

The CHIEF CLERK. "A joint resolution (H. Res. 170) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrange-ment made between him and the War Department, and for which no

compensation has been made." Mr. CAMERON, of Wisconsin. Let the joint resolution be read for

information

Mr. PUGH. The facts are stated in the report. The joint resolution commits the Government to nothing. It was unanimously reported by the Committee on Military Affairs.

The PRESIDING OFFICER. The joint resolution will be read for

The Chief Clerk read the joint resolution, as follows:

The Chief Clerk read the joint resolution, as follows:

Resolved, &c., That the Secretary of War be, and he is hereby, authorized and directed to organize a board of officers, of not less than three in number, selecting the same from the ordnance and artillery arms of the United States service, who shall examine all the facts relative to the said claim of Dr. J. B. Read, and ascertain whether the United States have made any use of any invention of the said Read in projectiles; whether the same, if so used, were used under any contract, express or implied; whether he consented to the use of said projectiles by the confederate government against the United States, and whether his invention was used by the United States; to what extent, if any, his invention was so used, and whether such use was valuable to the United States and if so, what sum, if any, under the circumstances of the use, the United States ought in justice to pay for the same; and that such board do make their report thereon with all convenient speed to the Secretary of War, to be by him transmitted to Congress, for its action in the premises; and that such report be accompanied by a statement of all the proofs submitted to and considered by them.

The PRESIDING OFFICER. Is there objection to the present con-

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the

Mr. CONGER. I have objected on two or three occasions against the consideration of this measure. Since that time I have examined the papers in regard to it, and as I find it is proposed to refer the claim to a board for examination and for report to Congress, I have no further a board for examination and for report to Congress, I have no further objection to the passage of the resolution.

Mr. HARRISON. There is an amendment proposed by the Committee on Military Affairs, I think.

Mr. PUGH. There is no amendment.

Mr. HARRISON. Is this a House resolution?

The PRESIDING OFFICER. It is a House resolution.

Mr. HAMPTON. The amendment referred to is embodied in the control of the resolution.

text of the resolution.

Mr. HARRISON. I move then to amend after the words "United States"-I have not the House resolution before me-

Mr. HAMPTON. At line 12.
The PRESIDING OFFICER. The Chair is informed by the Secretary that the amendment which was proposed to the Senate print of the

resolution is incorporated in the House resolution now before the Senate.

Mr. HARRISON. So I understand, but I desire to move an amendment. Not having the Senate print of the resolution before me I am

not able to indicate the place except by reading the clause. I see here

Whether he consented to the use of said projectiles by the confederate government against the United States.

The Secretary will notice that clause. After the words "United States," I move to insert:

Or otherwise gave aid and comfort to the rebellion.

The PRESIDING OFFICER. The Senator from Indiana moves an amendment, which will be read:

The CHIEF CLERK. On page 2, line 12, after the word "States," it is proposed to insert:

Or otherwise gave aid and comfort to the rebellion,

So as to read:

Whether he consented to the use of said projectiles by the confederate government against the United States, or otherwise gave aid and comfort to the rebellion, &c.

Mr. HAMPTON. I was about to say to my friend from Indiana that if an amendment is put upon this resolution now it will insure its defeat. We, after full discussion in the Military Committee, and I think on the suggestion of the Senator from Illinois [Mr. Logan], the chairman of the committee, put in these words:

Whether he consented to the use of said projectiles against the United States.

After this amendment in committee, and after this resolution has come to us having passed the other branch of Congress with this amendment, I submit to the Senator from Indiana that an amendment now will defeat the whole measure. I think that it is so guarded that when the report is made to Congress there is no possibility of the Government being implicated in any improper expense. I trust he will not press the amendment.

Mr. HARRISON.

Mr. HARRISON. Mr. President— Mr. PUGH. Will the Senator allow me to make a statement?

Mr. PUGH. Will the Senator abow me to make a statement.

Mr. HARRISON. Certainly.

Mr. PUGH. Dr. Read was over 60 years of age when the war commenced. During the war he was surgeon in the University of Alabama of the cadets. This claim of his had its origin in a patent that was granted by this Government in 1856, and it grows out of a contract with the Government of the United States by which he surrendered his patent for experiment by the Government of the United States until it became satisfied that it would be of value. It was left to an Army board which was created by the Secretary of War to ascertain whether the invention was a success and what its value would be to the Government. It is the first instance in history where an inventor has surrendered to the Government a patent to experiment with until it became satisfied of its use and the value of the use. This claim is founded on a contract with the Government where there has been no compensation. The Read shell was used by the confederate government during the war. He never has received one dollar's compensation from this Government or the confederate government. It is a great discovery, and all the projectiles now in use by the Government of the United States are founded upon the discovery of Dr. Read.

This resolution creates a board of Army officers in pursuance of the

terms of the contract, and that is the reason this resolution authorizes the creation of the board. It is required by the contract he made with the Government, and the only power this board has is to ascertain the facts, report them to Congress, and let Congress act upon the facts. It commits the Government to nothing on earth. It is harmless at any rate. I know this old gentleman well. He is a man of high character, a man of science and education. He is now over 75 years of age, and if this resolution fails to pass now the feeling of disappointment

will go with him to the grave.

Mr. HARRISON. It seems to me that as this was to be submitted to a board, and Congress was to act on the report of the board, the scope of the inquiry should be enlarged and that we should know not only whether this gentleman consented to the use of his projectile by the confederate government against the United States, but what his attitude was toward the Government of the United States during the war. As this question is yet to come before Congress, and as that point can be discussed at that time and investigated by the committee if necessary, I withdraw the amendment at the solicitation of the Senator from California [Mr. Miller].

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PUGH. There is a Senate resolution which has become the House resolution, and I simply ask for the indefinite postponement of the Senate resolution.

The PRESIDING OFFICER. The House resolution has not yet

Mr. PUGH. It is Senate resolution No. 67.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PUGH. Now, I move that the joint resolution (S. R. 67) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made, be postponed indefinitely.

The motion was agreed to.

JOHN P. PETERSON.

Mr. PIKE. I desire to call up and have disposed of House bill No. 6270, Order of Business 1290.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate proceed to the consideration of the bill (H. R. 6270) for the relief of John P. Peterson.

6270) for the relief of John P. Peterson.

The motion was agreed to; and the bill was considered as in Committee of the Whole. It provides for the payment to John P. Peterson, late a private of the Capitol police, of \$237.60, being the 20 per cent. additional compensation allowed him under joint resolution giving additional compensation to certain employés in the civil service of the Government at Washington, approved February 28, 1867.

The bill was reported to the Senate, ordered to a third reading, read

the third time, and passed.

WILLIAM H. DAVIS.

Mr. PIKE. I offer the following order:

ordered, That the vote of the Senate of January 7, 1885, transmitting the claim of William H. Davis, together with all papers, vouchers, and proofs connected therewith, to the Court of Claims under the provision of article 1, section 1059 of the Revised Statutes of the United States, for consideration and final adjudication, be rescinded and annulled; and that the said court be requested to return to the files of the Senate all papers, vouchers, and proofs which have been transmitted to them under said vote.

The order was agreed to.

PAY OF PASSED ASSISTANT ENGINEERS, UNITED STATES NAVY.

Mr. MAHONE. I ask that the Senate proceed now to the consideration of House bill No. 1401, Order of Business 766.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1401) to amend section 1556 of the Revised Statutes, giving longevity-pay to certain officers of the Navy. It provides that passed assistant engineers of the Navy shall receive during the third five years after the date from which they take rank as passed (first) assistants, when at sea, \$2,450; on shore duty, \$2,250; on leave or waiting orders, \$1,900; during and after the fourth five years from such date, when at sea, \$2,700; on shore duty, \$2,350; on leave or waiting orders, \$1,950.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CITIZENS OF MARION COUNTY, TENNESSEE.

Mr. HARRIS. I ask unanimous consent of the Senate to proceed at this time to the consideration of House bill No. 4684, Calendar No. 1423.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4684) for the relief of certain citizens of Marion County, Tennessee. By its terms the claims of certain citizens of Marion County, Tennessee, for quartermaster's stores and commissary supplies alleged to have been taken from them by United States troops during the late war, and known as claims filed before the "Jasper board," so called, are referred to the Quartermaster-General of the Army, who is to have full jurisdiction to examine and consider the claims, and make report thereon to Congress as in cases provided for its claims, and make report thereon to Congress as in cases provided for in the second and third sections of the act to restrict the jurisdiction of the Court of Claims, &c., approved July 4, 1864.

The bill was reported from the Committee on Military Affairs with

an amendment.

Mr. HARRIS. I ask that the Senate disagree to the amendment. It is not material.

Mr. CONGER. Let it be read.
Mr. HARRIS. It will be read, of course.

The CHIEF CLERK. In line 7, after the word "referred," it is proposed to insert "to;" so as to read:

And they are hereby referred to the Quartermaster-General, &c.

The amendment was rejected,
Mr. HAWLEY. What committee is this from? I'do not recall it.
Mr. HARRIS. The Committee on Military Affairs.
Mr. HAWLEY. I did not recall the bill.
The bill was reported to the Senate without amendment.
Mr. DOLPH. I should like to have the Senator in charge of the

bill make a statement in regard to it.

Mr. HARRIS. The Senator from South Carolina [Mr. HAMPTON]
reported the bill from the Committee on Military Affairs. If the Senator from Oregon will look to the bill he will see that it simply refers the claim to the Quartermaster-General, and he is only authorized to report to Congress whatever he may find to be the merit or want of merit in the claim.

Mr. DOLPH. I do not know what this is. We do not have these bills in hand when they are jumped upon us in this way before we know what the order of business is. We do not always hear it. I ask

to have the bill read again.

The PRESIDING OFFICER. The bill will be read.

The bill was read.

Mr. DOLPH. I should like to know who these "certain citizens" of Tennessee are and what the "Jasper board" is. Not having been on the committee or seen the report, I do not know anything about

Mr. HARRIS. The report of the committee is No. 1519. I have it

in my hand. The "Jasper board" is evidently a military board organized by the general commanding for the purpose of investigating these claims, which did investigate them and report upon them. The only effect of this bill is to remove the statute of limitations and allow the Quartermaster-General to investigate them, and when he has investigated them to report to Congress the result of the investigation.

Mr. DOLPH. I should like to have the report read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. HAMPTON February 27, 1885:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4684)
"for the relief of certain citizens of Marion County, Tennessee," have considered the same, and beg leave to report the bill back to the Senate, recommending its passage.

In the seventh line of the printed bill the word " to" has been accidentally omitted, and the proper correction is made by the committee.

Accompanying the bill is the report from the Committee on War Claims of the House of Representatives, which is made a part of this report, as explanatory of this case.

[House Report No. 230, Forty-eighth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 1492) for the payment of certain awards in favor of parties therein named, submit the following report:

It appears from the records and evidence in reference to the subject-matter of this bill, obtained from the War Department and filed in this case, that Maj. Gen. George H. Thomas, commanding the Department of the Cumberland, on the 8th day of February, 1884, issued the following order, viz:

[Special Field Orders No. 299.—Februart]

[Special Field Orders No. 329—Extract.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND. Chattanooga, December 8,

A board of commissioners, consisting of the following-named officers and citizens, is hereby appointed for the purpose of adjusting the claims of the citizens of Marion County, Tennessee, against the United States Government for damages done their property in the occupation of said county by the United States troops.

Delai for the board.—Brig. Gen. James B. Steedman, U.S. V.; Colonel Post, Fifty-ninth Illinois Volunteers; Lieut. Col. I. P. Kerr, Seventh Illinois Volunteers; William Pryor, esq.; A. Kelly, esq.

The assistant adjutant-general of Brigadier-General Steedman will act as recorder.

corder.

The board will commence at Jasper, Tenn., December 10, at 9 a.m., or as soon

thereafter as practicable, By command of Major-General Thomas,

WM. M. MICHAEL, A. A. G.

This order was issued in pursuance of the policy of the Government recognizing individuals who were public enemies by laws of war by reason of their residence as friendly to the Government, for the purpose of encouraging a sentiment of loyalty to the Federal Government within the insurrectionary territorial services of the second second services of the second second services of the second second

tory.

Liefore any proceedings were had under the order, except the receipt of claims for adjudication, a supplementary order was issued, as follows:

[Special Field Orders No. 81.—Extract.]

(Special Field Orders No. 81.—Extract.)

Headquarters Department of the Cumberland,
Chattanooga, March 21, 1864.

XI. The following-named officers and citizens are relieved from further duty as members of the board of claims instituted by Par. XVI, S. F. O. No. 39 (C. S.), from these headquarters: Capt. J. W. Moore, Twenty-third Missouri Infantry; Lieut. H. A. Ford, Nineteenth Michigan Infantry; Mr. J. P. Thompson.

XII. The following-named officers and citizens are detailed as members of the board of claims instituted by Par. XVI, S. F. O. No. 39 (C. S.), from these headquarters: Maj. E. A. Griffin, Nineteenth Michigan Infantry; Lieut. Leroy Cahill, Nineteenth Michigan Infantry; Dr. John B. Armstrong.

By command of Major-General Thomas,

W. D. WHIPPLE.

W. D. WHIPPLE, Assistant Adjutant-General.

W. D. WHIPPLE, Assistant Adjutant-General.

The docket of cases heard by and before this board, and the awards made therein, now on file in the War Department, shows that there was filed with such board for hearing four hundred and seventy-three claims.

The hearing before the board commenced March 28, 1864, and seems to have been concluded April 18, 1864; and there was awarded for quartermaster's stores and commissary supplies to the several persons who could prove their loyalty and the taking and use of the stores.

The committee do not regard the payment of these awards as a question submitted to their decision upon the original facts on which the awards are based. They have been determined and allowed by a military board, called under the apparent sanction of the Government, and whose action seems to have been approved not only by the major-general commanding, but by the War Department, and they have not all been paid. The committee use the term 'seems to have been approved,' because the papers and record remaining in that Department show no disapproval, which may be said to be a negative pregnant, almost as strong as affirmative proof.

This board was composed of officers in actual service. It held its sessions in the vicinage of the claimants, and its facilities for proof were better than any civil tribunal that has been constituted to hear such claims; and your committee think its findings are entitled to credit.

It may be said, in addition, the Government afterward furnished tribunals to hear this class of claims. These claimants, presumably relying on the awards made by this board, have not prosecuted their claims elsewhere, and statutes of limitations have run against tirem. But the committee prefer to stand upon the awards made, as an adjudication of a court created by authority of the Government to hear and adjudicate claims of individuals against it, and to hold such adjudications not formally disapproved by the authority convening the court as final.

A small number of these claimants have been p

final.

A small number of these claimants have been paid by special acts of Congress, the exact number the committee are unable to say. The proceedings of the "Jasper board" are now in the hands of the Quartermaster-General, and it seems to your committee that an investigation by the Quartermaster-General is a matter of necessity before intelligent action can be had upon these claims. The committee therefore report a substitute for the bill, conferring authority upon the Quartermaster-General to investigate these claims and to report the result, with his recommendation thereon, to Congress for its action in the premises.

We annex hereto a letter from General W. S. ROSECRANS, addressed to the committee, in reference to these claims.

APRIL 7, 1882.

Respectfully referred to the Committee on War Claims,
When the campaign of Chattanooga was planned the vital question of subsisting the army until the Tennessee River and the railroad could be opened

was fully considered, and it was decreed necessary to look to Sequatchie Valley for such supplies as it could furnish—beef in small quantities and corn and grain were expected, to furnish the trains hauling supplies of provisions.

In fact, the movement of these trains was a supreme exigency, and added that Wheeler's and Forrest's raid across the country to Shelbyville to destroy our railway communication in October, made it necessary to send our cavalry up the Sequatchie Valley to follow the enemy across to McMinnville. They, of course, subsisted on the country, and had no time to make accounts of much that they took.

The commission ordered by General Thomas to make account and report on claims for supplies so taken is what I should have ordered had I remained in command. I should have made it as soon as the railway and river were opened. My reasons for it would have been those above mentioned, and the fact that the Marion County people were by me considered as Unionists in sentiment.

W. S. ROSECRANS.

The bill was ordered to a third reading.

Mr. DOLPH. I do not like to vote for a bill of this magnitude, containing so many claims and involving so large an amount, at so late a day in the session, without an opportunity to examine it as it ought to be examined, and without discussion. I fear we are opening a door that will prove troublesome hereafter, making a precedent that we shall not want to abide by.

Mr. HARRIS. I beg to say to the Senator from Oregon that he need have no apprehension of a precedent like this, for I repeat and I undertake to say that no Senator on this floor can read this bill and doubt the fact that all that it does is to authorize the Quartermaster-General to investigate and report to Congress, and when his report comes the Senator from Oregon and every other Senator can determine for himself whether there be merit or want of merit in the facts so reported.

Mr. DOLPH. That may be, but that is all we did under the act of July 4, 1864, and if this is a class of claims excluded by that act we ought not now at this late day to enlarge the scope of it to let in four hundred claims from the State of Tennessee.

Mr. HARRIS. The Senator from Oregon relies on the statute of

limitations alone. I am willing to abide the vote of the Senace.

The bill was read the third time, and passed.

JOSEPH F. WILSON.

Mr. PLUMB. I ask unanimous consent that the Senate proceed to the consideration of the House bill 7522. It is a bill that passed both Houses of Congress at the last session, but was not signed by the President simply through mistake. It has passed the House unanimously

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the bill (H. R. 7522) for the relief of Joseph F.

Wilson be now considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for the issue to Joseph F. Wilson, of Peoria, Ill., or his legal representatives or assigns, of a number of warrants equal to eighty acres, in tracts not less than the subdivisions provided for in the United States land laws, to be located by Wilson, or his legal representatives or assigns, on any of the unoccupied and unappropriated public lands of the United States subject to preemption or homestead settlement, in lieu of the west half of the northeast quarter of section 19, in township 35 north, of range 5 west, situate east quarter of section 13, in township 35 north, of range 5 west, situate in Porter County, Indiana, which tract was entered by and patented to Josiah Smith, of Macon County, Missouri, under and by virtue of the provisions of the acts of Congress approved June 8, 1872, and March 3, 1873, relating to additional homesteads, and by Josiah Smith, after his entry, sold and conveyed to Wilson, and of the title to and possession of which Wilson was divested and dispossessed by the judgment and decree of the circuit court of the United States for the district of Indiana, at the November term, 1880, by reason of a prior disposal of or a prior equitable title in and to the tract, as the court held and decided, to or in persons other than Josiah Smith.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

SILVER COINAGE NEGOTIATIONS.

Mr. ALDRICH. I ask the Senator to take up the joint resolution (S. R. 135) requesting the President to enter into negotiations with

foreign powers to secure an agreement for the free coinage of silver.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. CONGER. Will the Senator tell us what the object is?

Mr. ALDRICH. The resolution itself states better than I can. It

is very short. Mr. CONGER.

Mr. CONGER. Let it be read.

The PRESIDING OFFICER. The resolution will be again read.

The joint resolution was read, as follows:

Resolved, &c., That the President of the United States is hereby requested to enter into negotiations with the states of the Latin Union, and such other foreign powers as he shall deem advisable, with the purpose of securing such treaties with them as shall bind the nations agreeing thereto to open their respective mints to the free coinage of silver with full legal-tender power, at such uniform ratio to gold as shall be agreed upon.

The joint resolution was reported to the Senate without amendment ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its

Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Depart-

ment, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1886, and for other purposes.

The message also announced that the House had passed the joint resolution (S. R. 122) authorizing the Secretary of War to loan twelve hospital tents and outfits to the American Society of the Red Cross for

use in New Orleans.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolutions; and they were thereupon signed by the President pro tempore:

^b A bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1886, and for other purposes

Joint resolution (H. Res. 342) to authorize the printing of 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885;

Joint resolution (S. R. 100) authorizing the printing of certain naval

and military reports; and
Joint resolution (S. R. 114) to provide for printing the annual reports of the Smithsonian Institution.

JOSEPH W. PARISH.

Mr. CULLOM. I ask leave to call up Order of Business 1275, being the bill (S. 2366) for the relief of Joseph W. Parish.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for the payment to Joseph W. Parish, late of Peoria, Ill., of \$58,341.85, being the balance of money laid out and expended by him in the purchase of 17,232 tons of ice for the use and at the request of the Government of the United States, which were not afterward called for or taken by the Govern-

ment, but were wholly lost to Parish.

Mr. HARRISON. From what committee does that bill come?

Mr. CULLOM. From the Committee on Claims, reported by the honorable Senator now in the chair [Mr. HOAR].

Mr. PLATT. Is there a report?
Mr. CULLOM. There is a written report.
Mr. HAWLEY. The Senator offered to yield to me. I should like to pass a resolution for printing-a matter of current business.

Mr. CULLOM. This bill will be disposed of in a moment. state to the Senator from Connecticut that the Senator from Massachusetts, who is a member of the Committee on Claims, made a written report, which is on file.

Mr. HARRISON. Is it a House bill?
Mr. CULLOM. No.
Mr. HARRISON. What then is the object of passing it here now? Mr. PLATT. I understood that the order was to take up House

I think this is a House bill.

Mr. CULLOM. I hope there will be no objection to this bill. This man has been absolutely on the point of starvation trying to get the little sum that is due him.

little sum that is due him.

Mr. HARRISON. Is this a Senate bill?

Mr. CULLOM. I think it is.

Mr. HARRISON. Then if it is, I object, because certainly there is no use at 3 o'clock in the morning of taking up a Senate bill here.

Mr. CONGER. I must insist on the river and harbor bill.

Mr. HOAR. I am quite confident this is a House bill.

The PRESIDENT pro tempore. The bill at the desk and on the files is a Senate bill, and the report shows it to be a Senate bill.

Mr. CULLOM. That was my understanding.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. HOAR. I have charge of the bill. I hope the Senator from

Mr. HOAR. I have charge of the bill. I hope the Senator from Illinois will withdraw it.

Mr. CULLOM. If the Senator who reported the bill asks me to

withdraw it, I shall do so.

Mr. HOAR. It is a very plain case, and two minutes' statement would satisfy the Senate, but I do not see why we should take two minutes for a Senate bill now.

Mr. CULLOM. I do not know nearly as much about the case as the Senator from Massachusetts does, but I have been informed by the chairman of the Committee on Claims of the House that if we would take it up and pass it here, he thought he could get it through the House, and I feel that it is my duty to do everything I can to secure that end, because of my actual knowledge of the condition of the man and his family who is trying to get this little money. I hope the bill will be passed now.

Mr. HARRISON. If it is subject to objection I enter an objection, because it certainly is past belief that this bill can be got through the House in the condition of business there.

Mr. CONGER. Now I demand the regular order.

Mr. HOAR. I hope the Senator from Illinois will not persist in urg-

ing this bill.

Mr. CULLOM. I withdraw it with the understanding that if a corresponding bill should come over from the House I may be allowed to call it up for action.

Mr. HARRISON and others. Of course there will be no objection

to that.

Mr. CULLOM. Now will the Senator from Michigan allow me to

introduce a resolution?

Mr. CONGER. I do feel that I have yielded fifteen minutes more than was asked of me, and I must insist on the consideration of the river and harbor bill. I had agreed to yield to the Senator from Connecticut about a matter of printing which ought to be passed.

Mr. CULLOM. But I wish to offer a resolution.
Mr. MILLER, of New York. I ask to take up Order of Business
No. 1337, being the bill (H. R. 4679) for the relief of Sarah E. Webster administratrix.

The PRESIDENT pro tempore. There is one bill now before the

Senate.

Mr. MILLER, of New York. I understood that was withdrawn.
Mr. CULLOM. I withdraw the Parish bill.
The PRESIDENT pro tempore. But the bill has been taken up and is before the Senate. The Senator can move to lay it on the table or to postpone it until to-morrow.

Mr. HOAR. I suggest that the bill be laid aside.

The PRESIDENT pro tempore. It can be restored to the Calendar.

Mr. CULLOM. That will do.

The PRESIDENT pro tempore. The bill will be restored to the Cal-

ISAAC A. VERPLANK, DECEASED.

Mr. MILLER, of New York. Mr. President—
Mr. CONGER. The bill of which I have charge was informally laid aside for the passage of pension bills only. All these other bills have come in by a kind of understanding that at half past 3 we should resume the consideration of the river and harbor bill. If there is any faith in agreements, I want to go on with that bill now.

The PRESIDENT pro tempore. The Senator has a right to call for

the regular order.

Mr. HOAR. I should like to appeal to the Senator from Michigan in regard to one matter of justice. The Senator from New York I think rose about the first, when I was in the chair, of the gentlemen who were recognized, but other gentlemen applied one after the other. I hope the Senator will allow him to make his motion. If he does, I shall feel relieved. It will not take two minutes, I understand, to dispose of his bill.

Mr. MILLER, of New York. I want House bill 4679 acted on. Mr. MILLER, of New York. I want House bill 4679 acted on.
The PRESIDENT pro tempore. The Senator from New York asks
unanimous consent that the Senate proceed to the consideration of the
bill (H. R. 4679) for the relief of Sarah E. Webster, administratrix.

Is there objection to the present consideration of this bill?

There being no objection, the bill (H. R. 4679) for the relief of Sarah
E. Webster, administratrix, was considered as in Committee of the
Whole. It provides for the payment to Sarah E. Webster, of Buffalo,

N. Y., administratrix of Isaac A. Verplank, deceased, late a judge of the superior court of Buffalo, of the sum of money which was assessed as the income tax and was collected from and paid by Isaac A. Verplank to the Government of the United States, upon his salary as a judge of the superior court of Buffalo, N. Y., such tax having been declared unconstitutional by the Supreme Court.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

C. A. CILLEY.

Mr. VANCE. I ask the consent of the Senate to call up— Mr. CONGER. Now I claim the right to go on with the river and

harbor bill.

The PRESIDENT pro tempore. The Senator from North Carolina has the floor to state his proposition.

Mr. VANCE. I ask unanimous consent to call up House bill No. 4856, Order of Business 1084.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that Order of Business 1084, being the bill (H. The Senator from North Carolina R. 4856) granting a pension to Bvt. Col. C. A. Cilley, of North Carolina, be now considered. Is there objection?

Mr. CONGER. Is it an adverse report?

Mr. CONGER. Is it an adverse report?

The PRESIDENT pro tempore. An adverse report.

Mr. VANCE. Yes, sir; there is an adverse report.

Mr. CONGER. Then I object to taking up the bill.

Mr. FRYE. It was an adverse report, because in the opinion of the committee the Commissioner of Pensions could grant the pension, but afterward on going down to see whether that could be done he persisted in advance to grant it. There is no sort of question about the propriety in refusing to grant it. There is no sort of question about the propriety

of the pension.

Mr. VANCE. The committee expressly say that they report adversely without prejudice to the bill, because they think relief ought to be granted at the Department.

Mr. FRYE. The committee thought he ought to have arrears.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill? The Chair hears none.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the bill. It proposes to place the name of C. A. Cilley, of North Carolina, late a major and assistant adjutant-general of United States volunteers and brevet colonel of United States volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

INVESTIGATION OF SOLDIERS' HOME.

Mr. HAWLEY. The Committee on Printing—
The PRESIDENT pro tempore. If the Senator from Michigan wishes to call for the regular order, the Chair will recognize him.
Mr. CONGER. I promised to let the Senator from Connecticut make his report, and then I shall call for the regular order.
Mr. HOAR. Let us have until 4 o'clock for general business.
Mr. CONGER. Oh, no; I can not.
Mr. HAWLEY. The Committee on Printing instruct me to recommend concurrence with the House in the passage of House joint recommend concurrence with the House in the passage of House joint recommend.

mend concurrence with the House in the passage of House joint resolution No. 367.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 367) providing for the printing of additional copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Soldiers

Mr. HAWLEY. The allotment of copies is quite disproportionate, but it is hardly worth while to send the resolution back with an amend-

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. B. CORNELL AND OTHERS.

Mr. MILLER, of California. The Committee on Naval Affairs, to whom was referred the bill (S. 1172) for the relief of J. B. Cornell and others, have instructed me to report, in accordance with the resolution of the Senate of February 7, 1884, that they have referred this bill to the Court of Claims under the provisions of the act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

The report was ordered to be filed.

RIVER AND HARBOR BILL.

Mr. CONGER. Now, I call for the consideration of the bill which was laid aside informally.

was laid aside informally.

The PRESIDENT pro tempore. The Senator from Michigan calls for the consideration of the regular order, the title of which will be read. The CHIEF CLERK. "A bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes."

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

of the bill

The PRESIDENT pro tempore. The question is on the amendment The PRESIDENT pro tempore. The question is on the amendment of the Committee on Commerce, in section 1, line 13, before the word "million," to strike out "five" and insert "ten," increasing the total appropriation from \$5,000,000 to \$10,000,000. The Chair understands that the Senator from Maine [Mr. FRYE] has moved to lay the amendment on the table. The question is on the motion to lay on the table.

Mr. CONGER. I thought there was a motion to lay the bill on the

table, which motion was lost.

Mr. FRYE. I moved to lay the amendment on the table. was taken and I did not question the vote. I made the motion for the purpose of stopping further discussion at that time. The question is now on the amendment.

The PRESIDENT pro tempore. The question, then, after the explanation, is on agreeing to the amendment of the Committee on Commerce to strike out "five" and insert "ten;" so as to read "\$10,000,000."

A division was called for.

Mr. CONGER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PENDLETON (when his name was called). I am paired with the Senator from Florida [Mr. Jones]; otherwise I should vote "nay." Mr. PLATT (when his name was called). On this amendment and on this bill I am paired with the Senator from West Virginia [Mr. Cam-DEN]

The roll-call having been concluded, the result was announced-yeas 27, nays 18; as follows:

	the state of the state of		
Beck,	Dolph,	Jones of Nevada,	Pugh,
Blair,	Gibson,	Kenna,	Sabin,
Butler,	Hampton,	Lamar,	Sawyer,
Call.	Hawley,	Mahone,	Vance,
Chace,	Hoar,	Miller of Cal.,	Vest,
Coke,	Jackson,	Morgan,	Walker.
Conger,	Jonas,	Palmer,	Alguarate)

		NAYS-18.	
Bayard, Cameron of Wis., Colquitt, Cullom, Edmunds,	Frye, Harris, Harrison, Ingalls, Lapham,	Manderson, Miller of N. Y., Mitchell, Morrill, Plumb, ABSENT-31.	Sewell, Van Wyck, Wilson.
Aldrich, Allison, Bowen, Brown, Camden, Cameron of Pa., Cockrell,	Fair, Farley, Garland, George, Gorman, Groome, Hale,	Jones of Florida, Logan, McMillan, McPherson, Maxey, Pendleton, Pike,	Ransom, Riddleberger, Saulsbury, Sherman, Slater, Vorhees, Williams.

So the amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was to insert as section 2:

Committee on Commerce was to insert as section 2:

SEC. 2. That the Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, and estimates of cost of improvements proper to be made at the following points, namely:

Harbor at Portland, Me.: To ascertain and report what further work, if any, is necessary at that locality.

Harbor at Camden, Me.

Big Rapids of Saint John's River, Maine.

Harbor at Wellfleet, Mass.

Taunton River, Massachusetts.

Vineyard Haven, Mass.

North River, in Salem, between Essex and North Bridges, Mass.

Duck Island Harbor, with a view to a harbor of refuge, Connecticut.

Susquehanna River between Owego and Binghamton, N.Y.

Channel between Jamaica Bay and Rockaway Inlet, Queens County, New York.

York.

Harbor at Waddington, N. Y.

Mouth of the Patchogue River, New York.

Pond River, Kentucky.

The Secretary of War is directed to report to the next Congress whether or not the Government dry-dock at the Louisville and Portland Canal, Kentucky, is adequate for the purposes of commerce, and what alterations, if any, are necessary, and the cost of making the same.

Farm Creek, Illinois, with a view to changing its course.

The west channel of the Saginaw River opposite West Bay City, Mich., from the point where it intersects with the channel of said river heretofore excavated by the Government, and extending southerly on the west side of the middle ground.

ground. Little River, Louisiana.

Little River, Louisiana.

Bayou Rouge, Louisiana.

Harbor at Sandusky, Ohio, with a view to a straight channel from the north end of Cedar Point to the east end of the existing channel in front of the city.

Punta Rasa Harbor, Florida.

Kennebee River, from Augusta to Richmond, Me.

Biddle Point, at Mackinac Harbor, Michigan, with a view to a breakwater.

Pigeon River, Michigan.

Osage River, Missouri, from its mouth to Osceola.

Kaskaskia River, Illinois, from New Athens to mouth.

Islias Creck, California, off San Francisco Bay. A survey is directed to be made regardless of the fact of existing obstruction by the construction and maintenance of a bridge across the channel of said creek by the Protrero and Bay View Railroad Company.

Harbor of San Luis Obispo, Cal.

During the reading of the amendment.

During the reading of the amendment,
Mr. VAN WYCK. Where is the item about Binghamton, N. Y.
The SECRETARY. In section 2, line 16.
Mr. VAN WYCK. I see.

Susquehanna River between Owego and Binghamton, N. Y.

The PRESIDENT pro tempore. The reading of the amendment is not yet completed. After it is read debate will be in order.

The reading of the amendment was concluded.

Mr. CONGER. In line 39 the word "Rasa" should be "Rassoe;"

so as to read:

Punta Rassoe Harbor, Florida.

The PRESIDENT pro temporc. That correction will be made. Mr. HOAR. I move to amend the amendment by inserting between the eighth and ninth lines the words:

Harbor at Duxbury, Mass.

Mr. FRYE. I understood the Senator in charge of the bill to ask that the committee amendments should first be acted on.

Mr. HOAR. This is an amendment to a committee amendment. Mr. FRYE. So it is.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Massachusetts to the amendment of the Committee on Commerce.

Mr. HOAR. This is assented to by the chairman of the committee, who was going to move it himself.

The amendment to the amendment was agreed to.

Mr. FRYE. I desire to offer an amendment in line 7 of this section, after the word "Maine," to insert:

Harbor at Bath, Me.

Mr. CONGER. There is no objection to that.

The amendment to the amendment was agreed to.

Mr. DOLPH. I desire to offer an amendment also. After line 51 of the proposed section 2, I move to insert:

Vancouver Harbor, Washington Territory.

The amendment to the amendment was agreed to.

Mr. SAWYER. I offer an amendment to add at the end of the proposed section 2:

Chippewa Harbor, in the State of Wisconsin, at and below Eau Claire, with a

view of ascertaining if the channel is changing, or the banks giving way to the injury of navigation, and, if so, what is necessary to remedy the same.

Mr. ALLISON. I ask the Senator from Wisconsin what he proposes to accomplish by this plan of a survey?

Mr. SAWYER. It is reported that the channel is changing there to

the great injury of navigation. We want to ascertain that. That is

Mr. ALLISON. I think the engineer in that district could ascertain that very easily, without making special provision here.

Mr. SAWYER. They say they want a permission of law in order

to do that.

Mr. ALLISON. Very well; I do not object to it. The amendment to the amendment was agreed to.

Mr. BLAIR. I move to amend by inserting, after the word "Maine," at the end of line 8 of the proposed section 2:

Harbor at Portsmouth, N. H., from the sea to the wharves. Little Harbor at Portsmouth, N. H., with a view to its improvement as a haror of refuge.
Winnipiscogee Lake at the point called The Wiers, N. H.

The amendment to the amendment was agreed to.

Mr. SEWELL. I move, as an amendment to the proposed section 2, for surveys, to add after line 51:

For survey to determine cost of connecting Barnegat and Tuckerton Bays, New Jersey, by a channel six feet in depth.

The amendment to the amendment was agreed to. Mr. MAHONE. After line 22 I move to insert: Nansemond River, Virginia.

The amendment to the amendment was agreed to.

Mr. VAN WYCK. I am directed by the Committee on the Improve-ment of the Mississippi River and its tributaries to propose a few amend-ments to this bill, but I presume it is only section 2 which we are now considering. One is-

Mr. CONGER. Does it relate to a survey?
Mr. VAN WYCK. No; to actual business.

Mr. CONGER. That would come under section 3.

Mr. VAN WYCK. It is no survey; it has been established a long while.

Mr. CONGER. If it is not for a survey it ought not to be in this

Mr. VAN WYCK. It has got beyond that point.

The PRESIDENT pro tempore. The Senator from Nebraska proposes an amendment, which will be read.

The CHIEF CLERK. It is proposed to insert:

That the sum of \$50,000 be, and is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the improvement of the Mississippi River at or near Eastport, opposite Nebraska City, which sum shall be expended under the direction of the Secretary of War.

Mr. CONGER. That is not proper in this section.
Mr. VAN WYCK. Is not this section 2?
Mr. CONGER. This section is for surveys entirely.
Mr. VAN WYCK. I beg pardon. I will present it wherever the Senator suggests. It comes from the Committee on the Mississippi River Improvement, and is therefore not subject to any point of order.
Mr. CONGER. It ought not to come in this section.
Mr. VAN WYCK. I withdraw it for the present.
Mr. CONGER. This section is only directing the Secretary of War to cause examinations and surveys to be made.
The PRESIDENT pro tempore. Does the Senator from Nebraska

The PRESIDENT pro tempore. Does the Senator from Nebraska withdraw his amendment?
Mr. VAN WYCK. I withdraw it.

Mr. CONGER. I offer an amendment to come in between lines 43 and 44 of section 2:

For a channel connecting Traverse Bay and Torch Lake, near Eastport, Mich.

The amendment to the amendment was agreed to.

Mr. CONGER. I ask for a vote now on the section as amended.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Commerce as amended.

Mr. CULLOM. What is the state of the bill?

Mr. CULLOM. What is the state of the bill?

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole, and section 2 is under consideration.

Mr. CULLOM. Has the reading of the bill been completed?

The PRESIDENT pro tempore. Not yet.

Mr. VAN WYCK. I do not like to call for a separate vote on all these propositions, but the Chief Clerk read one of the amendments of the committee about the Susquehanna River, I think, somewhere near the neighborhood of Binghamton, N. Y., and I felt curious to know what the point was for a survey of the Susquehanna River between Owego and Binghamton. It would seem to be idle. In high water you might raft logs up there. I hardly know what the object is.

Mr. CONGER. Section 2 and section 3 are amendments taken from

the House river and harbor bill which was laid aside, but which the

House had agreed upon for surveys and examination.

Mr. VAN WYCK. Then this committee know nothing about it except what the other committee told them?

Mr. CONGER. I do not know the object of making such an inquiry as that

Mr. VAN WYCK. I was seeking to find out what the committee did know. I trust now the Senator will consent that that item be stricken out

Mr. CONGER. I have no interest in it in the world. The New

York members wish it in.

Mr. VAN WYCK. I suggest—the Senator may not know it—that the New York members must have intended that as a dry joke. [Laughter.] No, I do not want to press for a separate vote on a little matter of that kind.

Mr. CONGER. If the Senator moves to strike out that item I shall

make no objection.

Mr. VAN WYCK. I move to strike it out. There is no reason for it, as the Senator when he comes to examine the matter will certainly

The PRESIDENT pro tempore. The Senator from Nebraska moves to amend the amendment by striking out in lines 16 and 17 of section 2 the words:

Susquehanna River between Owego and Binghamton, N. Y.

A division was called for on the amendment, and the ayes were 2.

Mr. CONGER. I withdraw the call for a division.

The PRESIDENT pro tempore. Did the Senator from Michigan demand the division?

Mr. CONGER. I simply wish no further count,

The PRESIDENT pro tempore. Did the Senator from Michigan demand the division?

Mr. CONGER. The Senator from Michigan did not.

The PRESIDENT pro tempore. Then the Chair can not allow the Senator from Michigan to withdraw the call.

Mr. CONGER. I suppose it was a little irregular, but I expressed

my own opinion that there was no necessity for a further count. Mr. HOAR. I withdraw the call for a division.

The PRESIDENT pro tempore. Did the Senator from Massachusetts call for the division?

Mr. HOAR. He did.

The PRESIDENT protempore. The call is withdrawn. The "noes" have it, and the amendment to the amendment is disagreed to. The question recurs on the amendment of the Committee on Commerce as amended, being section 2.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was to insert as section 3 the following:

Committee on Commerce was to insert as section 3 the following:

SEC. 3. That for examinations, surveys, and contingencies, and for incidental repairs, for which there is no special appropriation, for rivers and harbors, \$100,000: Provided, That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose; and such local or detailed engineer shall report to said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made.

Mr. VAN WYCK. If it be in order now I would move my amendment.

Mr. FRYE. No; your amendment ought to go on the first section. The PRESIDENT pro tempore. The amendment of the Senator from Nebraska to the amendment will be read.

The CHIEF CLERK. The proposed amendment to the amendment is

That the sum of \$50,000 be, and is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the improvement of the Missouri River at or near Eastport, opposite Nebraska City, which said sum shall be expended under the direction of the Secretary of War.

Mr. CONGER. There is an appropriation in this bill and there was a large appropriation in the last bill for the different points on the Mis-River where the river commission desired that improvements should be made. They have the full power, as the Senator will see by looking at the river and harbor bill of last year, to direct at what points the improvements shall be made, and if I remember aright Eastport is one of the places in the last bill; and therefore as the appropriation in this bill is \$10,000,000, to be apportioned to the same places as were named in last year's bill, I think he will find that the provision in the last law covers the case. If that is so, there is no necessity for the amendment

Mr. VAN WYCK. I think the Senate will understand one thing right there in connection with that. It will illustrate a point which was made some time ago in the discussion of this matter, that there is was made some time ago in the discussion of this matter, that there is a great deal of ingenuity about this bill. It is true, as the Senator says, that the last river and harbor bill appropriated \$800,000 to be expended on the Missouri River from it mouth to Sioux City, a distance of a little over eight hundred miles. That bill provided for the creation

of a river commission for the Missouri River, and under the authority of the law the commission have met, and they have determined how this money shall be expended, and the commission, I will say to the Senator from Michigan, have provided that all moneys subject to their control and disposition shall be expended commencing at Kansas City and going toward the mouth of the river. Kansas City is about three hundred and eighty miles from the mouth of the river, while from the mouth of the river to Sioux City is a distance of eight hundred miles. So the river commission have resolved that whatever money they have to expend shall be expended commencing three hundred and eighty miles from the mouth and proceeding toward the mouth, leaving over four hundred miles, a wide river, a dangerous river, that has always required attention from the Government, with no sort of care and protection on the part of the Government.

This bill provides a pro rata amount of last year's appropriation, it is true, but suppose this bill gives \$700,000 for the Missouri River, which would be the pro rata, it goes into the hands of the river commission, and they spend this money from Kansas City toward the mouth of the river; and I ask my friend if there will be a dollar for four hundred miles of the river between Sioux City and Kansas City. This illustrates the argument made a little while ago that there are places absolutely neglected by this bill and forty-three places provided for that do not need any further protection. There may be other places that ought to be brought forward in this connection, but my attention is called to this because I am interested in it.

Mr. CONGER. I think I am not mistaken. In the last river and harbor bill is this provision:

Improving Missouri River from its mouth to Sioux City, Iowa, including such harbors on said river as in the judgment of the board of engineers herein created will benefit commerce and navigation, \$500,000.

Then it provides for the commission, a board of engineers to be created to consist of five members, three to be appointed from the Corps of Engineers of the Army and two from civil life; and it then continues:

That the said commission shall, under the direction and with the approval of the Secretary of War, superintend, control, and expend for the purposes of this act all appropriations or unexpended balances heretofore made for the improvement of said river, and which may be reafter be made for said river, or so much thereof as may be necessary, and shall prepare and submit, through the Chief of the Engineer Corps to the Secretary of War, to be by him transmitted to Congress at the beginning of the regular session in December of each year, a full and detailed report of all their proceedings and actions, and of all such plans and systems of work as may now be devised and in progress and carried out by them, and of all such additional plans and systems of works as may be devised and matured by them, with full and detailed estimates of the cost thereof, and statements of all expenditures made by them.

The commission have charge of the river far above Eastport, and the commission have full power to expend the money on harbors or for improvements of the river at any point they deem necessary. I should dislike very much to take away a part of the power of the commission. It will have about \$900,000 for that river if the bill passes as proposed. The bill under which the commission were created provides that they shall expend the money not only for the improvement of the river but for such harbors upon it as require improvement. I think it is very full upon that point. I hope the Senator will withdraw his amend-

Mr. VAN WYCK. The Senator will see how full it is when I read to him what the commission created by the act has done. It has the whole power of expending money on the river and saying how the work shall be done. The Senator will see my point if he will give me his attention for a moment. I read from the report of the Missouri River Commission under date of December 9, 1884. After explaining how this money is to be expended and how the work shall be done, the commission say:

Holding these views, the commission have determined to concentrate their means and to apply them where there is the best promise of obtaining substantial benefits to the general commerce of the United States, at the earliest practicable date, and before the entire completion of the improvement. Evidently useful results can be most quickly obtained by improving the lower end of the river, providing an outlet to the Mississippi. Engineering necessities require that the work should progress down stream. The initial point must, therefore, be at some distance above the mouth. The commission have selected Kansas City, three hundred and eighty-six miles above the mouth because it is the first important commercial center to be met with in proceeding upstream. They would have preferred an initial point at a less distance from the mouth than three hundred and eighty-six miles, but believing that no very great benefit would be conferred upon the commerce of the United States before the improvement shall extend from the mouth to Kansas City, they have allowed the following considerations to control, namely, that it was desirable to begin the work near a good base of supplies, and that some detached work had already been done here under previous appropriations which could be utilized as part of a general scheme of improvement.

My friend will see that while they have control of this river and the

My friend will see that while they have control of this river and the control of the money, they have actually resolved to commence work upon the river at a point three hundred and eighty-six miles from its

mouth and then work toward its mouth.

Mr. CONGER. The bill allows them outside of the work generally

on the river to improve particular harbors like this at Eastport.

Mr. VAN WYCK. They have this money for improving the river between the mouth and Sioux City; that is the appropriation, and they have a right to use that appropriation for improving the river and the harbors upon it. There is another appropriation for the rocks at Sioux

City. Between Kansas City and Sioux City, four hundred miles, there no provision available.

Mr. CONGER. The law gives them \$500,000 to expend on the river and improving such harbors as require improvement on the whole length

Mr. VAN WYCK. Precisely; but they say that their purpose is, and they have so resolved, that they will expend that money by commencing three hundred and eighty-six miles from the mouth of the Missouri. That is the difficulty about the matter; and here we are to-day. These That is the difficulty about the matter; and here we are to-day. These harbors may be washed away and commerce ruined. We use the term "commerce" in a Pickwickian sense principally in connection with this bill. It is not like the Susquehanna, that the Senator insisted upon. It is the other extreme. The Susquehanna is too dry and the Missouri is too wet; that is the trouble; and yet they must all be provided for in the same way. It seems the Missouri is a wet stream. That is the trouble. There is too much water there. We do not complain much of that about Washington, it is true, but on the Missouri they do complain of too much water.

Mr. CULLOM. Will the Senator from Nebraska allow me? Mr. CONGER. I object to anybody being allowed to come in and

interfere with this bill at present. I am tired of watching.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Scuator from Nebraska has the floor.

Mr. VAN WYCK. I desire to show further from this report that what I say is correct.

Mr. CONGER. I will admit it all; I will admit everything you say. Mr. VAN WYCK. Well, then, I will explain. They propose to ex pend the whole sum appropriated between Kansas City and the mouth of the river. It is true, as the Senator says, that the act of last year provided for improving Missouri River from its mouth to Sioux City, Iowa, including such harbors on said river as in the judgment of the board of engineers herein created will benefit commerce and navigation, \$500,000.

I read the argument of the commission and their action in establishing the commencement of the work at Kansas City. They say:

The larger portion of the appropriation for the portion of the river below Sioux City has been allotted to the works to be executed at and below Kansas City. The programme which the commission have adopted is to make the improvement continuous, working downstream from Kansas City to the mouth of the river, applying all the means placed at their disposal, as far as possible, to this purpose, protecting land and building up new banks as this becomes necessary for the preservation of the channel.

Now I want to call the attention of the Senator from Michigan to the fact that there is only one exception between Kansas City and Sioux City. They intend to spend money on the portion from Kansas City to Sioux City, and they make only one exception.

The report continues:

It was found, however, that at Saint Joseph, Mo., a cut-off was threatened, which, if made, would have a far-reaching and injurious effect upon the stream, and that moreover there was a considerable amount of work there in place, exceuted under former appropriations, which, if left to itself, would be lost. These two circumstances combined seemed to justify making an exception in this case.

Now mark, they have examined the whole river, and they conclude to spend the money from Kansas City to the mouth of the river, and then they make an exception at Saint Jo.

These two circumstances combined seemed to justify making an exception in this case to the general rules established, and it was accordingly determined to complete the revetment of the banks in this vicinity. One or the other circumstance alone occurs elsewhere, but does not, in the judgment of the commission, justify a departure from the systematic plan proposed.

There is the plan. They have charge undoubtedly of this river, as the House and the Senate have so said, but they have in advance proclaimed how they will expend the money, and there is no provision anywhere for improving this river at Eastport where the Government has been protecting the harbor for years; there is no provision for protecting the river at Omaha where the Government has been protecting it for years; and instead of using the money appropriated for the eight hundred miles of river, this entire amount is to be used at the point I have designated.

What more need be said? If I have satisfied the brethren and they see the importance of this amendment, I am satisfied. Now I will say, to my friend that the commerce of some of the rivers named in these bills is a myth. There are logs that float down the Susquehanna in high water. We have logs that float down the Missouri in high water and we float other things besides logs; but I would say to my friends from the Susquehanna region that this matter of commerce on the rivers named in these bills is a myth.

I say to the Senator from Michigan that I think not a single steamboat has dared invade the waters of the Missouri during the last year. Look! a river like that, a little larger than the Mississippi, and yet its commerce is so shamefully neglected that not a single steamer pad-dles its way up and down that stream in a year! Look at the position we are left in. Beyond the Missouri River this Committee on Commerce can give no heed. The river needs aid; but it will not receive it at the hands of this commission, and the effect, I say to the Senator, will be the same upon the Mississippi River. After the Mississippi River Commission spend a few million dollars more, you will hear nothing of a steamboat coming up the Mississippi River; they will manage to impede the commerce.

Mr. HAWLEY. Will the Senator from Nebraska yield to me a moment?

Mr. VAN WYCK. For a moment.

Mr. HAWLEY. I would not in the slightest degree depreciate the value of his speech, but I beg leave to suggest that this Hall is to be put thoroughly in order, swept, many chairs brought in, the gallery swept, and various arrangements that I need not discuss made, before 9 o'clock. The attendants tell me they will need two hours or two hours and a half to put the place in order for a becoming appearance.

Mr. VAN WYCK. I do not propose to interfere with them.

Mr. HARRISON. I do not suppose the Senator from Nebraska in-

tends to speak until 7 o'clock.

Mr. HAWLEY. I do not know what the arrangements might be about his speech. It is merely my duty as a member of the committee on arrangements for the inauguration ceremonies to make the suggestion. That is all.

POST-OFFICE APPROPRIATION BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the sixteenth amendment of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, further insisted upon its disagreement to the amendments of the Senate numbered 17, 18, 19, and 20, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. R. W. TOWNSHEND of Illinois, Mr. WILLIAMS. HOLMAN of Indiana, and Mr. R. G. HORBof Michigan managers at the further conference on its part.

Mr. VAN WYCK rose.

The PRESIDING OFFICER. Does the Senator from Nebraska de-

sire to proceed?

Mr. VAN WYCK. If the Senator from Michigan can suggest to me a way in which we can get some relief on the Upper Missouri beyond the point fixed by the river commission, I shall be content, but I have

reports here from the engineers of the Army—
The PRESIDING OFFICER. If the Senator from Nebraska will suspend for a moment the Chair will lay before the Senate a message from the House of Representatives. The Chair lays before the Senate the action of the House of Representatives agreeing to the sixteenth amendment of the Senate, and disagreeing to the amendments numbered 17, 18, 19, and 20, to the Post-Office appropriation bill, and asking for a

further conference.

Mr. PLUMB. The only remaining ground of disagreement between the two Houses on the Post-Office appropriation bill is upon the provision inserted by the House in the bill providing for a special stamp for the immediate delivery of letters in cities of a certain size. This was rejected by the Senate Committee on Appropriations, in the first instance, on account of its being legislation, and also on account of some doubt as to the propriety of it as an original proposition.

The House has insisted on it somewhat strenuously, and by a vote

just taken has still declined to agree to the Senate amendment striking it out. There is some necessity, I am told, for cleaning out this chamber before 7 o'clock, which will interrupt legislative proceedings somewhat, and after consultation with the conferees on this bill I feel constrained to make a motion that the Senate recede from its amendments striking out these provisions in the Post-Office bill.

The PRESIDING OFFICER. The Senator from Kansas moves that the Senate recede from its amendments numbered 17, 18, 19, and 20.

Mr. MORRILL. May I inquire of the Senator from Kansas whether the House has accepted what has been sometimes called the subsidy provision of the bill?

Mr. PLUMB. The House has accepted that amendment at last by

a vote a few moments ago.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas to recede from the amendments 17, 18, 19, and 20, disagreed to by the House. The motion was agreed to.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the considera-tion of the bill (H. R. 8280) making appropriations for the preserva-tion and continuation of certain public works on rivers and harbors,

and for other purposes.

Mr. CAMERON, of Wisconsin. I have an amendment I desire to propose to this bill, and I will ask my friend from Nebraska to withdraw his amendment so as to enable me to propose my amendment in

Mr. VAN WYCK. I suppose my amendment is in order. The PRESIDING OFFICER. Does the Senator from Nebraska

withdraw his amendment?

Mr. VAN WICK. No, sir. I very much dislike that we should be left entirely to the mercy of the elements on the Missouri River when it is the duty of the Government to protect us there certainly as much as from Kansas City to the mouth of the river. What may be the result of the labor of this commission is extremely doubtful. It is becoming very doubtful as to any good results from the Mississippi River

Commission except the expenditure of millions of dollars without very

much to show for it

I fear very much that while these Army engineers are experimenting with theories on a small reach of the river the rest of that river and the inhabitants along its banks and their property will be subject to devas-tation by its ravages. Commerce, as I say, is being injured by the fact that there is no protection to the river except at a certain locality, and these men are possessed of the idea that by artificial banks built upon the margin of these streams they will restrain them within certain That is the theory these men have, and we are paying millions of dollars to experiment, and these gentlemen are expending the money within a small limit that they may test their theory. They even propose to-day to test the effect of their experiment after they have for years been spending millions of dollars, and now, forsooth, they desire to take every dollar of the appropriation and put it within a few miles on the river to test an experiment.

Mr. GEORGE. Will the Senator from Nebraska allow me to inter-

rupt him?

Mr. VAN WYCK. Certainly.

Mr. GEORGE. It is very late at night, or rather early in the morning, and I can not speak in a very loud voice, but I will try to make the Senator from Nebraska and the Senate understand me. The statethe Senator from Nebraska and the Senate understand me. ment I desire to make to the Senator from Nebraska is that I think he is mistaken in supposing that the Mississippi River Commission is building or has built any very considerable amount of levees on the Mississippi River of late years. The few levees that are there were built in the main by the people who live in the delta.

Mr. VAN WYCK. Will the Senator tell us where they have been

spending the large amount of money we have appropriated for the Mis-

Mr. GEORGE. I believe if the Senator would see--and he has plenty of time now to do it-the reports of the Mississippi River Commission,

he would find out all about that.

Mr. VAN WYCK. I ask the Senator if it is not the fact that the Mississippi River Commission are insisting upon spending the money within small spaces for the purpose of testing the effect of their experi-Is that not the fact?

Mr. GEORGE. I do not know about that. This bill requires them to spend all the money granted under it at two points, Plum Point and Lake Providence reaches. I do not know whether that is important

Mr. VAN WYCK. They are asking now to test this experiment.
Mr. DAWES. Will the Senator allow me to get a resolution passed?
Mr. CONGER. I object to the introduction of a resolution?
Mr. DAWES. I am sure the Senator will not object to it after a

statement. Mr. CONGER. There will be time enough for that after we dispose I presume after the Senator from Nebraska has done, the of this bill. of this bill. I presume after the Senator from Neprassa has the Senate will dispose of the bill by a vote one way or the other. I have yielded all night long, and now I throw the responsibility upon the Senate. I intend to perform my duty by insisting that no other business shall be done until the Senate by a vote throw overboard this bill

or adopt it.

Mr. DAWES. I have been necessarily absent from the Senate all the evening

Mr. CONGER. The Senator can wait a few minutes. I have waited seven hours continuously

The PRESIDING OFFICER. The Senator from Nebraska will pro-

Mr. VAN WYCK. The commission say in their report:

Mr. VAN WYCK. The commission say in their report:

The duties prescribed to the commission by the same act were—
To superintend and direct such improvement of said river, and to carry into
execution such plans for the improvement of the navigation of said river from
its mouth to its headwaters as may now be devised and in progress, and to
continue and complete such surveys as may now be in progress, and to make
such additional surveys, examinations, and investigations, topographical, hydrographical, and hydrometrical, and to consider, devise, and mature such additional plan or plans, and all such estimates as may be deemed necessary and
best, to obtain and maintain a channel and depth of water in said river sufficient
for the purposes of commerce and navigation [and], under the direction and
with the approval of the Secretary of War, superintend, control, and expend for
the purpose of this act all appropriations or unexpended balances heretofore
made for the improvement of said river, and which may hereafter be made for
said river, or so much thereof as may be necessary.

There is no question as to what these commissions are endeavoring

There is no question as to what these commissions are endeavoring to do upon the Missouri River and upon the Mississippi River. I ask is that a great portion of the Missouri River shall not be left powerless. These men are claiming the right and are exercising it to spend this money for the purpose of testing an experiment. That experiment is by levees, by banks to hold the river in check, and that they have never been able to do.

Now I will ask the Senator from Mississippi a question. He says that many levees have not been built by the Mississippi River Commis-

Mr. GEORGE. I said recently.
Mr. VAN WYCK. I was speaking about what the Mississippi
River Commission had done. I did not say "recently."
Mr. GEORGE. I did.
Mr. VAN WYCK. The gentleman is very careful to speak that word

in a whisper. It was not understood. If they have not done it, it is because their money gave out; it was only then that the word "recently" applies. When they had the money to spend they spent it in the way I have stated.

the way I have stated.

Mr. GEORGE. There was very little money granted to the Mississippi River last year, only about \$1,300,000.

Mr. VAN WYCK. Certainly not; we were reforming last year.

Last year was the year of reform. Before that they had abundance.

Mr. GEORGE. I have never seen the abundance.

Mr. VAN WYCK. My friend evidently knows what the Mississippi River Commission have spent. He knows that for many years the people in that section have spent money in building levees, their own people, the communities have spent it. I will ask the Senator roughly how much has probably been expended for the purpose of building how much has probably been expended for the purpose of building levees on the Mississippi River?

Mr. GEORGE. By whom?

Mr. VAN WYCK. Everybody outside of the Mississippi River Com-

mission.

Mr. GEORGE I do not know.

Mr. VAN WYCK. Millions?
Mr. GEORGE. Yes; several.
Mr. VAN WYCK. The people have spent several millions and the Government has spent several millions. Do the levees protect that country or the river?

Mr. GEORGE. But sometimes they break.

Mr. VAN WYCK. Precisely; they break. ask my friend how often do they break? That is the point. Now

Mr. GEORGE. They break whenever the water gets strong enough.
Mr. VAN WYCK. Justas I say, the trouble with the Western rivers
is that they have too much water, and when the water comes it gets
over that country and floods the Mississippi, and from the earliest days

over that country and floods the Mississippi, and from the earliest days you have been trying to dam it out.

Mr. GEORGE. Is there much damming done down that way?

Mr. VAN WYCK. I think likely. The Senator from Wisconsin [Mr. SAWYER] was engaged in the lumber business. He knows. I will accept his amendment which he makes to me sotto vocc. He says we have been trying to dam it in for years.

Mr. GEORGE. At this hour I do not regard it as exactly fair for the Senator from Nebraska to attack the levee system of the Mississippi River.

sippi River.

Mr. VAN WYCK. I only attack the levee system because I am speaking of the system of this commission. That is their system, the

speaking of the system of this commission. That is their system, the levee system. I ask my friend if that is not what they are proposing to do to-day, to apply the levee system? Is not that the proposition of this Mississippi River Commission?

Mr. GEORGE. The bill, as I understand it, proposes to take the work on the Mississippi River out of the hands of the commission and give it to the Secretary of War. That is the way I look at this bill. The commission are to have no duties, as I understand, after this bill is passed, except to draw their salaries. That is the plain meaning of this bill as I understand it. I call the attention of the Senator from Nebraska to the reading of the bill on that subject. Nebraska to the reading of the bill on that subject.

Mr. VAN WYCK. I have not time to read the bill just now. I will

accept the gentleman's statement, if he says it is true.

Mr. GEORGE. I say it is true.

Mr. VAN WYCK. I do not so understand it. The commissions are continued in full force, both the Missouri River and the Mississippi River Commissions. We have been getting on the Missouri what they have been enjoying on the Mississippi for some years—spending money and doing no good.

Mr. GEORGE. Will the Senator let me read him part of this bill, so as to inform him on that very point?

Mr. VAN WYCK. Certainly. Mr. GEORGE. On page 2 of the bill I call the Senator's attention to the second provision, which reads:

And provided further. That any money which shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as it shall be necessary to expend in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river now in progress of improvement, as established by the commission—

Mr. VAN WYCK. Precisely; "as established by the commission." Mr. GEORGE. Let me read further. It continues:

To the end that the proposed improvement of said two reaches of the river on which works are in progress shall be completed at an early day, and the plan of said commission for the improvement of the navigation of the river fully tested; and the money thus allotted by this act for the improvement of the Mississippi River shall be expended by the Secretary of War and in accordance with plans approved by him.

Mr. VAN WYCK. Certainly. That does not establish what my

friend says.

Mr. GEORGE. I should like to know what the Mississippi River Commission is to do in reference to spending the money granted by this bill?

Mr. VAN WYCK. It leaves the commission in full blast.
Mr. GEORGE. To draw their salaries?
Mz. VAN WYCK. No; the Secretary of War has what he always

had, control over them. He has had control of them always. Their

plans have been subject to his approval always.

Mr. GEORGE. I want to ask the Senator one question. What is left for the commission to do when the work has to be done under the direction of the Secretary of War and according to plans formed by

Mr. VAN WYCK. Under plans "approved" by him. My friend certainly understands the use of the language which is set forth so plainly. This Mississippi River Commission has always been subject to the control of the Secretary of War, as the Missouri River Commis-

Mr. VEST. We have had that same provision in the river and harbor bill

Mr. VAN WYCK. Yes; and yet my friend from Mississippi says the Mississippi River Commission is substantially abolished.

Mr. BUTLER. Except to draw their salaries.

Mr. VAN WYCK. Except to draw their salaries. I am surprised that the Senator, with his usual sagacity and acumen, should have made the mistake to suppose that the improvement of the river was to be taken from this commission when it is placed there more firmly than before. There is where I find the word "tested." Mr. GEORGE. One of the remarkable virtues and beauties of this

bill is that it undertakes to test the plans of the Mississippi River Commission by having the work done not by them, but by the Secretary of War, and not according to their plans, but according to the plans of

the Secretary of War.

Mr. VAN WYCK. The gentleman will see, if he will examine, that

Mr. VAN WYCK. The gentleman will see, if he will examine, that this bill is drawn precisely as all other river and harbor bills. They are all under the control of the Secretary of War, to be expended by him, the money to be drawn through him and the plans to be approved by him.

Mr. GEORGE. Now, let us see about that. Mr. VAN WYCK. This bill shows clearly; it provides as my friend

And provided further, That any money which shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as it shall be necessary to expend in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river—

Confining the expenditure of money to these points-

now in progress of improvement, as established by the commission, to the end that the proposed improvement of said two reaches of the river on which works are in progress shall be completed at an early day, and the plan of said commission for the improvement of the navigation of the river fully tested.

That is all. That is where I started some time ago, and I would have been further on it if the gentleman had not interrupted me by endeavoring to show that the commission were substantially wiped out, when they are in greater force and power. All this money is to be expended at those two points in order to test the correctness of the plan of improvement of the Mississippi River Commission.

Mr. GEORGE. Will the Senator from Nebraska allow me to correct an error into which he fell in supposing this bill is a copy of previous

bills on that subject ?

Mr. VAN WYCK. It may not be a copy, but it is in the same spirit.
Mr. GEORGE. I call the Senator's attention to the paragraph on page 146, section 1, chapter 229 of the acts of the last session of Congress, in which he will find these words:

gress, in which he will find these words:

Improving Mississippi River from the head of the passes to Cairo, including the improvement and preservation of the harbors of New Orleans, Natchez, Vicksburg, Greenville, Memphis, Hickman, and Columbus, the deflection of the waters of Red River from the Atchafalaya, and keeping open a navigable channel through the mouth of the Red River into the Mississippi River: Continuing improvement, \$1,350,000; which sum, together with the sums herein appropriated for the Mississippi River from the Des Moines Rapids to the mouth of the Ohio, shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, estimates, and recommendations of the Mississippi River Commission.

That is the way the last bill read. This bill provides that this expenditure shall be made according to the plans of the Secretary of War. By the last bill it was obligatory that the work should be done "in By the last bill it was obligatory that the work should be done "in accordance with the plans, specifications, and estimates of the Mississippi River Commission." By the present bill the work is to be done according to plans approved by the Secretary of War. He is not obliged to follow the plans of the Mississippi River Commission. He may adopt the plans of any other person, provided only he approves them. The Mississippi River Commission having no power to do the work, and their plans not being obligatory on the Secretary of War, there is nothing left for them to do under this bill but to draw their salaries.

Mr. VAN WYCK. Not the plans of the Secretary of War, but it expressly provides that it shall be according to the plans of the commission. That is the point I was making, that the Mississippi River Commission have been expending money and producing practically no re-

mission have been expending money and producing practically no re-

Mr. CONGER. May I ask the Senator from Nebraska whether he is willing to have a vote on the amendment and let the bill either be passed or rejected?
Mr. VAN WYCK.

In a few moments.

Mr. CONGER. Will he not now? He has spoken an hour. I wish

the country to know that every Senator here desires to vote, and the Senator from Nebraska, without talking to his amendment at all, occupies the time until it is too late to pass the bill.

Mr. VAN WYCK. Oh, no.

Mr. CONGER. I am ready to move to lay the bill on the table or to do anything to stop the waste of time which might be occupied with some useful legislation. The whole Senate is anxious for a vote, and the Senator from Nebraska comes in here just at the last end and by talking-without talking even to his own amendment, talking against time, which he has a right to do to defeat this bill—consumes time. All I desire is that the Senate and the country, from the remarks I

make, shall see why I have not been able to press this bill to a vote.

Mr. VAN WYCK. What shall I do now? I should like the people to know also that there are four hundred miles of the Missouri River left out in the cold, and, at certain seasons of the year, out in the wet; four hundred miles that do not receive the fatherly care of this Government or of this Committee on Commerce; and I have a right to show that. This Government has neglected the river bank at Eastport until farms have been carried into the river-that is of no moment, I suppose-until hundreds of people like my friends in Mississippi have been driven from their homes; all they had on earth has been swept away by the ravages of that stream, and by the aid of their neighbors and friends they have received support, although they were not looked after so carefully as they would if an application had been made to the Government of the United States to furnish them with rations. That has never been done, although they suffered to an alarming extent, and that river has been left until its channel is ruined, and at this time, by reason of its having been left so, its course has changed and it has shot across a point of the country in a bend so that it devastates that country.

I do not put my amendment on the ground of the necessity of the people on the banks of the river, though I might properly do so. Evidently the channel of that portion of the river is to be ruined, and here are reports after reports establishing that fact. Year after year from 1877 to 1884 the Government has been making these improvements by appropriations meager it is true, but they have helped protect the channel of the river and keep it there, and protect the people living along its banks. I desire that the country should know that here money is to be expended in great sums, and when it is expended it goes to forty-three points where it is not called for, and many other points are left

without receiving a dollar.

I only speak of what the Mississippi River Commission has been doing incidentally. I wanted to tell the Senate and the country that on the Missouri we desire not to be left to the tender mercies of a commis sion that wants to spend a million of dollars to test experiments and find out the correctness of theories, for that is all that has been done. My friend from Michigan will never live long enough, his children never will be old enough to see the Mississippi River protected in its channels by the scheme and project of the Mississippi River Commission. You will spend millions of dollars unless they are checked, enough to build a railroad on either bank of the Missouri and Mississippi Rivers from Sioux City to New Orleans, and you will have nothing then except the levees erected on the banks. You can build from Sioux City to New Orleans a railroad, you can build from Sioux City to the Atlantic a railroad, and you will then not have spent as much as the Mississippi River Commission will spend if they are allowed to go on testing their experiments and drawing million upon million from the Treasury of the United States.

I want the country to understand that men are not to be put down in this way by mere matter of trifling. Give, the House says, \$5,000,000 in a gross sum without any regard to where it shall go, make surveys on the Susquehanna River between Owego and Binghamton, and then without any particular explanation as to where the money is to go, or what the necessity, \$5,000,000 more is added by the Senate. We are asked to appropriate \$10,000,000 without knowing where it is to go, to put it into the hands of men to experiment and carry out their theories when nine-tenths of the people living in the Mississippi Valley know that the commerce of that river and its waters never can be held within

My friend from Michigan will see the significance of these last remarks. I think I have established the facts sufficiently, and I am willing to take a vote on the amendment.

Mr. GEORGE. Before the Senator takes his seat I should like to

make a correction of an error into which the Senator has fallen.

It is very well understood down there by all persons who study and give thought to this question that the levee system can be made very perfect and protect the country.

Mr. VAN WYCK. Why have you not done it in the last fifty

years?

Mr. GEORGE. We have not had the money.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Chair must remind Senators that they should address the Chair and not each

Mr. GEORGE. That is the reason we have not done it.
Mr. VAN WYCK. Have not had the money! I think I have heard
the gentleman and others from those States stand up in the Senate and say that those people in their municipalities, in their counties, and in the roll.

their States had extraordinary advantages in raising money to build levees on the banks of the Mississippi.

Mr. GEORGE. I never heard that statement made.

Mr. VAN WYCK. Yes, sir; that statement has been made in this Chamber, that they had done all they could and more than they should have done; and that now the only thing left was after they had exhausted their resources and built levees that did not stand till the next raying tide come. to make another levy on the great Trecenry of the spring tide came, to make another levy on the great Treasury of the United States. That is the kind of levy designed. I say to my friend that I want the people of this country to understand that is the kind of levies that are sought upon the Treasury. Five million in gross, says the House, and the Senate adds five million more—a small matter; and yet you can not hear about paying an honest claim of \$100 to some poor fellow.

If you proposed to make reservoirs at the head of the Missouri River and the Mississippi, I could understand it; I think there would be something practical in that case. The trouble now is from too much water, and the reservoirs are to hold it, and damming it there would be a good deal better than damming it in the channel when you really have no channel. There will be a deeper damnation if this committee goes on expending \$10,000,000, not seeming to know, and apparently not caring, where it is to be expended; and Isay to my friend he will not live long enough, nor I, to see the result, but you let us proceed in the same course which has been going on since the creation of the Mississippi River Commission, and generations to come after us will rise up and

not call us blessed.

No, sir; I prefer, as far as I may be able, to remove just a little of these curses in advance, and I desire the people to know just what is being done with these eight millions of dollars. You want certainly to keep open the water ways. We are in favor of that; we desire to do that, and that is the only possible excuse for the expenditure of this large amount of money, that it keeps open the water ways, and they are there as a standing menace to the aggressions, to the greed, to the extortion of railway corporations. If those waters are open it is a warning to the corporations that are sapping what little of the substance and prosperity of the people is left after the ravages of the rivers have overcome them. But if we only had nerve and courage we could get rid of this extortion a good deal easier than by spending these millions of dollars. We could build a railroad from Sioux City to New Orleans, as I have said, or could build a railroad from Sioux City to the Atlantic and have something to show for the money. You have not for what you bury in the Mississippi River; you have not to-day except as you protected the poor dwellers along the banks down there, and that you do not propose to do any more. That is the principal benefit that has

Now, Mr. President, I think I have said enough even to satisfy the Senator from Michigan, and I should like to have a vote on my amendment. It is important. I do not want the gentleman to say that there is no report from the Engineer Department. Here it is:

Mr. CONGER. Read it.

Mr. VAN WYCK. I am afraid I shall not have time to read it all on this amendment, but I have another amendment. I have satisfied the Senator that this measure has been recommended from 1877 to 1884, recommended by every engineer officer who has been there spending money. I have the maps here. The Senate may be willing to see the maps. The maps show the course of this river and the necessity of this expenditure. Here they are, and if this does not satisfy the Senate then I may be under the necessity of reading these reports on another amendment, but I trust not.

I now ask for a vote on this amendment.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The pending question is on the amendment offered by the Senator from Nebraska [Mr. VAN WYCK].

Mr. GEORGE. Of course at this hour, now about 5 o'clock in the morning, and after the Senate has been in session about ten hours, I can

not go into a defense of the levee system which has been so vigorously attacked by the Senator from Nebraska. Besides, it would be wholly unnecessary to do so.

I merely rose for the purpose of saying that according to my reading of the history of the Mississippi River it has been demonstrated to the reasonable satisfaction of every man who has given the subject attention that the levee system has proved a success, and that the water of that river can be easily kept within its banks if they are properly leveed.

In addition to that, the history of the river has shown that where the levees are on both sides the effect has been universally to deepen

the channel of the river and to lower the flood-line, thereby improving greatly the navigation of the river and giving security from overflow to the adjacent country. That is all I will say now.

Mr. JONES, of Nevada. It seems to me apparent that any further discussion of this bill would be a mere waste of time, and I move to lay the bill on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada to lay the bill on the table.

Mr. CONGER. Upon that motion I call for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call

Mr. PLATT (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were here, I should vote "yea" and he would vote "nay."

The roll-call was concluded.

Mr. WALKER. My colleague [Mr. GARLAND], I understand, is paired with the Senator from Vermont [Mr. EDMUNDS]. If my colleague were here, he would vote "nay."

The roll-call was concluded.

The roll-call was concluded.

Mr. EDMUNDS (after having voted in the affirmative). The Senator from Arkansas [Mr. WALKER] has reminded me of a pair with his colleague [Mr. GARLAND] which I had forgotten. Our pair allows me to vote if it is necessary to make a quorum, but for the present I withdraw my vote, as I understand the Senator's colleague would vote differently from what I would vote. I beg to withdraw my vote.

Mr. KENNA. My colleague [Mr. CAMDEN] is paired with the Senator from Connecticut [Mr. PLATT]. If my colleague were here, he

ator from Connecticut [Mr. Platt]. If my colleague were here, he would vote "nay."

Mr. COCKRELL. I am paired with the Senator from Ohio [Mr. SHERMAN]. I believe the Senator from Ohio would vote "yea." I ask the Senator from Indiana [Mr. Harrison].

Mr. Harrison. I think the Senator from Missouri may be free to vote. The Senator from Ohio would vote against the bill, I think.

Mr. COCKRELL. The Senator from Ohio would vote "yea" and I should vote "nay" upon this question.

Mr. CALL. My colleague [Mr. Jones] is detained from the Senate by illness, but is paired. If he were here, he would vote "nay."

The result was announced—yeas 17, nays 31; as follows:

VEAS-17

Allison, Cameron of Wis., Cullom, Frye, Hale,	Harris, Harrison, Hawley, Jones of Nevada, Lapham,	Miller of N. Y., Mitchell, Morrill, Plumb, Sewell,	Van Wyek, Wilson.
	NA	YS-31.	
Aldrich, Bayard, Beck,	Conger, Dawes, Dolph,	Jonas, Kenna, Lamar,	Pike, Pugh, Sabin,

Blair, Call, Chace, Coke, Colquitt, George, Gibson, Hampton, Hoar, Jackson,

McMillan, Mahone, Manderson, Morgan, Palmer, Sawyer, Vance, Vest, Walker. ABSENT-28.

Fair, Farley, Garland, Gorman, Bowen, Brown, Butler, Camden, Cameron of Pa., Groome, lugalls, Edmunds.

Jones of Florida, Logan, McPherson, Maxey, Miller of Cal., Pendleton, Platt.

Ransom, Riddieberger, Saulsbury, Sherman, Slater, Voorhees, Williams.

So the motion was not agreed to.

SIOUX INDIAN LANDS IN DAKOTA.

Mr. DAWES. The Senator from Michigan consents to the offering of a resolution, which I send to the desk.

Mr. CONGER. I do not object to the offering of a resolution of in-

Mr. DAWES. I ask that it may be acted upon at this time. The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved. That the Secretary of the Interior be directed to inform the Senate what, if any, changes have been made in the boundary lines of the reservation heretofore occupied by the Sioux Indians at the Crow Creek agency in Dakota, and how much thereof, if any, has been opened for occupancy as public lands, how much remains in the occupation of said Indians, and the history of the title by which said reservation has been and still is occupied by Indians, and whether said Indians have been consulted in respect to, or have consented to, any change in such boundaries, together with copies of all orders and other papers in said Department concerning the same.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8280) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Nebraska [Mr. VAN WYCK].

Mr. VAN WYCK. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARRIS. What is the amendment? Let it be read.

The PRESIDING OFFICER. The amendment will be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. At the end of section 3 it is proposed to add:

That the sum of \$50,000 be, and is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the improvement of the Missouri River at or near Eastport, opposite Nebraska City, which said sum shall be expended under the direction of the Secretary of War.

The question being taken by yeas and nays, resulted-yeas 8, nays 34; as follows:

YEAS-8.

Cameron of Wis., Lapham, Cullom, Manderson,

Miller of N. Y., Mitchell,

Plumb, Van Wyck.

- untilizadi in - cla	NA.	YS-34.	
Aldrich, Bayard, Beck, Butler, Call, Chace, Coke, Colquitt, Conger,	Dawes, Dolph, Frye, George, Gibson, Hampton, Harris, Harrison,	Jackson, Jonas, Jones of Nevada, Kenna, McMillan, Morgan, Palmer, Pike, Pugh,	Sabin, Sawyer, Sewell, Vance, Vest, Walker, Wilson.
	ABSI	ENT-34.	
Allison, Blair, Bowen, Brown, Camden, Cameron of Pa., Cockrell, Edmunds, Fair,	Farley, Garland, Gorman, Groome, Hale, Hill, Hoar, Ingalls, Jones of Florida,	Lamar, Logan, McPherson, Mahone, Maxey, Miller of Cal., Morrill, Pendleton, Platt,	Ransom, Riddleberger, Saulsbury, Sherman, Slater, Voorhees, Williams.

So the amendment to the amendment was rejected.

COMMITTEE ON TRANSPORTATION ROUTES.

Mr. CULLOM. I ask the Senator from Michigan to yield for the in-

troduction of a resolution.

The PRESIDING OFFICER. Is there objection?
Mr. CONGER. Let the resolution be read.

The PRESIDING OFFICER. The resolution will be read for in-

The resolution of Mr. Cullom was read, as follows:

Resolved, That the Committee on Transportation Routes to the Seaboard be authorized to sit during the recess of Congress, by a subcommittee or otherwise, to employ a stenographer, and with the same authority given the committee under resolution of July 5, 1884.

The PRESIDING OFFICER. Is there objection to the consideration

Mr. PLUMB. I do not know that I object, but I should like to have

the Senator from Illinois state what the purpose of the expedition is.

Mr. CULLOM. I will state it. The Senator may remember that
during the last session of Congress the Committee on Transportation
Routes to the Seaboard was given liberty to sit during the vacation and to make investigation so as to bring the report known as the Windom report from 1873 down to the present time. As every Senator knows, last year, after Congress adjourned, was not a period in which men could do very much work outside of the campaign. Hence, there was not a very considerable time spent in making the investigation, although the chairman of the committee, the honorable Senator from Rhode Island [Mr. Aldrich], to-day made a considerable preliminary report, which, I think, when it is printed, will be found to contain a very great amount of useful information. There has been very little money indeed spent so far in making the investigation, and I hope there will not be very much spent, but still, for the purpose of completing the report, the committee ask that this liberty be given.

Mr. PLUMB. The Windom report was and is a very good document, but I had no idea it was a serial. I judge from the statement of the Senator from Illinois that it is to run in numbers through coming time. Of course, if it is to be continued for this year, next year we shall have another number added and so on.

I do not question that perhaps some investigation might properly be undertaken in regard to the very interesting subject which has been mentioned, but there is a confusion of jurisdiction, it seems to me. This whole subject was debated in the Senate somewhat exhaustively by the Senator from Illinois in a speech which he made on the interstate-commerce bill which bears his name, of which he need not be ashamed at all, and which passed the Senate. That bill came from the Committee on Railroads. If the Committee on Railroads had sufficient jurisdiction of this subject to report the bill which after ample discussion passed the Senate, it seems to me that we do not want to get another

ommittee into that pasture.

Mr. CULLOM. I think if the Senator should examine the bulk of information, testimony, and statistics we have already gathered, he would find that they are very valuable, and if we had had that during this session of Congress we should have been much more enlightened on the subject of interstate commerce or its regulation than we were. I do not apprehend that there will be any conflict of jurisdiction of committees or anything of that sort; but when completed this will be

a work which every Senator and the people of this country will be very glad to receive, I think.

Mr. PLUMB. That still does not meet the objection I make, which is that this subject has been committed by the recent action of the Senate to another committee. I do not know what is going to become of the Committee on Railroads in this matter. Is that committee to be laid on the shelf, or are they to carry on a similar investigation in the same field, with the power to report, &c.? If I may be permitted to do so, I suggest that if the committee of which the Senator from Illinois is a member have this useful information they might endow the Committee on Railroads with it, and we might therefore get all this very important

subject together under one head.

The interstate-commerce bill which we passed, or a similar one, undoubtedly will be before us at the next Congress. Apparently that bill

can not now become a law. At once the question will arise in the Committee on Railroads, which has given this subject investigation and has made its report and submitted it on the floor of the Senate, shall that committee be ignored, and is the Committee on Transportation Routes to the Seaboard to take up that subject at the next session? It seems to me that this subject, as interesting as it is, as far-reaching as it is, and as proper for investigation as it is, ought to be committed to one committee, and that the committee once having had jurisdiction of it should retain it.

Mr. CULLOM. It has.
Mr. PLUMB. I do not see the force of having one committee to inestigate the subject and another committee to consider and report a bill upon it.

Mr. ALDRICH. I have no doubt that the Senator from Kansas inds this a very interesting theme for discussion on the river and har-bor bill, and I think his speech will apply about as well to the one as the other. The Windom report, to which he has alluded, contains cer-tain very valuable statistics in regard to prices and rates of freight down to the year 1873. A great many things have happened since 1873, and in considering the question of interstate commerce it is very important, in my opinion, that all those statistics should be continued down to the present time. The space between 1873 and 1885 should be covered by the statistics in regard to the rates of freight and prices and receipts and shipments, so as to show the growth of the internal commerce of the country and to show the decrease or increase, whichever it may be, of the rates of freight from all the principal and from all the internal points.

The investigation so far continued has been entirely in regard to cereals, in which the State the Senator from Kansas represents has as large an interest as any State in the Union. If I had time to have the preliminary report read, which I presented to the Senate this morning, the Senator would find, I have no doubt, many very interesting facts in reference to the receipts and shipments of grain at various points in his own State, and the local and through rates of freight to other points

contained in that report.

This matter has never been committed to the Committee on Railroads. It has never been under the jurisdiction of the Committee on Railroads. The investigation has been continued under the order of the Senate by the Committee on Transportation Routes to the Seaboard. It has never been in the charge or care of any other commit-tee. There is no intention, I am sure the chairman of the Committee on Railroads knows, to trespass upon any of the rights or prerogatives of that committee.

It is a very interesting and important investigation, and if the Senate sees fit to put it in charge of the Committee on Railroads I am sure no member of the Committee on Transportation Routes to the Seaboard would find fault; but it is an investigation which should be continued and concluded by some one.

Mr. CULLOM. I have the honor of being a member of the Commit-tee on Railroads, and I am sure that committee is not feeling at all jealous of the work of the Committee on Transportation Routes to the Seaboard. I hope the committee which now has charge of the subject will continue its investigation to the end.

Mr. PLUMB. Since I made the suggestion it has occurred to me that we might at least pacify the Committee on Railroads by giving

them a similar junket.

Mr. CULLOM. They are not asking it.

Mr. PLUMB. A plaster of that kind goes a good ways. I presume some of the other committees, the Committee on Commerce, which deals with this question in part, as well as the Committee on Railroads and the Committee on Transportation Routes to the Seaboard, could partake of the same medicine.

Mr. CULLOM. There is no junketing in it.
Mr. PLUMB. I do not mean that offensively; but it all amounts to a certain degree of traveling.

Mr. CULLOM. Possibly not.

Mr. VAN WYCK. I will ask the Senator from Rhode Island whether

all the information he desires is not to be found in the census reports?

Mr. ALDRICH. Not by any means. If it were there it would not be asked to have the investigation ordered. I am very sorry to say that no part of it is in the census reports.

The PRESIDING OFFICER. The question is on agreeing to the

resolution proposed by the Senator from Illinois.

The resolution was agreed to.

RIVER AND HARBOR BILL.

The PRESIDING OFFICER. The Senate resumes the consideration of the river and harbor bill.

Mr. BLAIR. I trust that the Senator having charge of the pending bill, having due regard to all the circumstances which are so evident, will permit me to bring forward a few remaining pension bills for action by the Senate at this time. I wish to say that about two-thirds of the contested cases of widows of officers of high rank which have been considered by the committee at this session have already been passed by the Senate, and that all which have been brought to the attention of the Senate have been passed. Those which remain being of the same char-

aeter, it seems to me just that they should be disposed of by the Senate. Some of them have been pending for nearly two years. These ladies have of course felt a very great anxiety in regard to the fate of their bills, and since the others have passed into law by the action of the Senate, of course they must feel a sense of injustice unless their cases are

disposed of in like manner.

Mr. CONGER. I must insist on the regular order.

Mr. BLAIR. I hope the Senator will not insist on the regular order, for it is very evident the time consumed will be wasted, and this is really a very important matter. I have taken pains to see those members of the committee who have opposed the passage of these bills, or at least some of them, and they say that they must take the action of the Senate as equivalent to an instruction to the committee, and there is no danger of any opposition in the way of discussion. Nothing is necessary to be done but to call up the bills and take the action of the Senate upon them.

The PRESIDING OFFICER. The Senator from Michigan insists

on the regular order.

Mr. BLAIR. I ask the Senator from Michigan to give me ten min-

Mr. CONGER. I have yielded to the Senator all this night long. Mr. BLAIR. I beg the Senator's pardon. The PRESIDING OFFICER. The Senator from Michigan insists

upon the regular order. Does the Senator from New Hampshire ask for unanimous consent?

Mr. BLAIR. I move to lay the pending bill with its amendments on the table.

Mr. CONGER. That was the last motion.

Mr. CONGER. There has been action since then.

The PRESIDING OFFICER. A question has been taken since that motion was made on the amendment offered by the Senator from Nebraska. The motion is in order. [Putting the question.] The "noes" appear to have it.

Mr. DOLPH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand seconded?

Mr. BLAIR. It is not worth while, I suppose, to have a wrangle over the matter.

Mr. DOLPH. I withdraw the demand for the yeas and nays. The PRESIDING OFFICER. The call for the yeas and nays is

withdrawn. The motion to lay the bill on the table is lost.

Mr. BLAIR. The Senator from Michigan must know that time is going to waste, and that by objecting to my proposition to do a little act of justice, which would not take ten minutes, he does not hurry his bill any. I ask him once more to allow the pending order to be laid aside informally until these few pension matters can be acted upon by the Senate.

Mr. CONGER. I can not yield to that. The Senate has refused time and again to lay the bill on the table. A majority of the Senate has shown a disposition to act upon the bill in some way or other, and I should be unfaithful to the trust which is committed to me if I allow the time to pass on so, in case I can prevent it. I can prevent these things, and I must insist on the regular order.

Mr. BLAIR. The Senator should be consistent then. He permitted

a resolution to come in which occupied more time than it would have taken to pass the bills which I am pressing upon the attention of the

Senate.

Mr. CONGER. The Senator from Illinois said the resolution he desired to offer would take but one moment and would pass without op-

Mr. BLAIR. Precisely; and I say these bills will pass without op-

position.

The PRESIDING OFFICER. The Senator from Michigan insists on

the regular order.

Mr. BLAIR. I see that he does.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. MORRILL. I have an amendment to offer. In section 1, line 16, after the word "act," I move to insert the words "and subject to any conditions therein contained;" so as to read:

Shall be applied by the Secretary of War to each of said public works respectively, in proportion to the sums appropriated for such works in and by the said act, and subject to any conditions therein contained.

Mr. CONGER. I have no objection to that amendment.

The PRESIDING OFFICER. That appears to be an amendment to the text of the bill. The Senate has not yet acted upon the amendments offered by the committee.

Mr. MORRILL. The Senator in charge of the bill does not object

to it. I think it is obviously needed.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator in charge of the bill accepts the amendment. The question recurs on the adoption of the third section proposed as part of the amendments offered by the Committee on Commerce.

Mr. HOAR. I rise to ask a question for the convenience of the Senate, whether any reason exists why we should not now take a recess

until 9 o'clock

Mr. PLUMB. I think it will be safer to wait for a few moments

until something is learned from the other House about the disposition of business there. That information has been sent for. It is manifest that a recess must be taken at some time before 12 o'clock, when the inauguration which is supposed to be impending is to occur, but the precise time is one of those things which ought to be pretty carefully considered.

Mr. HOAR. I suppose the engrossing and enrolling clerks can understand what is going to happen as well as any one else.

Mr. PLUMB. That information has been sent for, and will be here

in a few minutes.

The PRESIDING OFFICER. The Chair thinks the chairman of the Committee on Appropriations will give the earliest possible information on that point. He has been conversed with several times. The question is on agreeing to the amendment of the Committee on Commerce to insert section 3.

The amendment was agreed to.
The PRESIDING OFFICER. This concludes the amendments of

The FRESIDING OFFICER. This conductes the amendments of the Committee on Commerce.

Mr. VAN WYCK. I am instructed by the Committee on the Mississippi River Improvement to report another amendment to the bill providing for an appropriation of \$50,000 at Omaha. Omaha is on the Missouri River, I will state for the benefit of Senators who do not seem to know very much about the geography of that part of the country.

The PRESIDING OFFICER. Will the Senator from Nebraska put

his amendment in form?

Mr. VAN WYCK. It is in the same form precisely as my former amendment reported from the same committee, except that I insert Omaha. While the clerks are preparing the amendment I will say that I was just a little surprised at the vote of gentlemen on the other side of the Chamber. I remember a few years ago our friends had a great deal of horror of water in the Mississippi River.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (H. R. 445) to empower the Secretary of War to permit the establishment, under certain conditions, of a horse-railway upon and over the island of Rock Island, and the bridges erected by the United

States connecting the cities of Davenport and Rock Island therewith;

A bill (H. R. 1198) for the relief of John Taylor & Son;

A bill (H. R. 1235) granting a pension to Annie E. Bailey;

A bill (H. R. 1327) for the relief of John H. Hammond;

A bill (H. R. 1901) for the relief of Harrison Mitchell, late of Com-

pany K, Forty-eighth Indiana Volunteers;

A bill (H. R. 2085) granting a pension to Joseph McIntosh;
A bill (H. R. 4055) granting a pension to Sarah Tyler;
A bill (H. R. 5148) granting a pension to Jacob Lafferty;
A bill (H. R. 5554) granting a pension to Sarah Parry;
A bill (H. R. 5998) granting an increase of pension to Jonathan C.

A bill (H. R. 7803) granting a pension to L. W. Pitts; A bill (H. R. 7805) granting a pension to Capt. Vincent Phelps; A bill (H. R. 7938) granting a pension to Amanda Allen; and A bill (H. R. 8090) granting a pension to Albert Harper.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments numbered 1 and 29 of the Senate to the bill (H. R. 8179) "making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes," having met, after full and free conference have been unable to agree.

W. B. ALLISON,
H. L. DAWES,
F. M. COCKRELL,
Managers on the part of the Senate.

W. S. HOLMAN.

W. S. HOLMAN, J. G. CANNON, Managers on the part of the House.

Mr. ALLISON. I move that the Senate further insist upon its amendments and ask for a further conference with the House,
Mr. PLUMB. Will the Senator from Iowa please state what the

difference is about?

Mr. ALLISON. There are two amendments, I will state to the Senate, one only being material, the other being a summing up of the total of several items of appropriations. The amendment relates to the compensation of the clerks of Senators.

Mr. HARRIS. All of the other amendments have been agreed to

in the bill?

Mr. ALLISON. Every other amendment has been agreed upon in

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa moves that the Senate further insist upon its amendments 1 and 29, and ask for a further conference with the House on the disagreeing votes thereon.

The motion was agreed to,

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate, and Mr. Allison, Mr. DAWES, and Mr. COCKRELL were appointed.

PROPOSED RECESS.

Mr. HARRIS. I should like to inquire of the Senator from Iowa what he thinks of the propriety of the Senate taking a recess, and if a

recess, from when to when?

Mr. ALLISON. I will state that the legislative appropriation bill is of course undecided; the sundry civil bill is now pending in the House of Representatives and under consideration there with reference to the disagreeing votes between the two Houses. The naval appropriation bill is pending in the House of Representatives on the disagreeing votes of the two Houses. It will be absolutely necessary for the naval bill and the sundry civil bill to be put in conference again before a recess is possible, unless both bills are to fail.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8280) making appropriations for the preserva-tion and continuation of certain public works on rivers and harbors, and

for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Nebraska [Mr. VAN WYCK], which

will be read.

The CHIEF CLERK. It is proposed to add to section 1:

That the sum of \$50,000 be, and is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the improvement of the Missouri River at or near Omaha, Nebr., which said sum shall be expended under the direction of the Secretary of War.

Mr. VAN WYCK. I do not desire to repeat the argument I made a little while ago in regard to my former amendment, but Omaha is decidedly as important as the other point named. Omala is on the Missouri River. It is one of the termini of the Union Pacific Railroad. Opposite to Omaha is Council Bluffs, and between is the Missouri River. The channel and the current of the river at that point have for years needed protection from the General Government. At no time has the Government in its beneficence and liberality given sufficient to accomplish what ought to be done at that point, and the citizens of Omaha, like the citizens of Mississippi, have been under the necessity of contributing out of their surplus large sums of money for the purpose of keeping the river in check and control.

It follows as a necessary consequence if the bill is passed in its present

form that Omaha will receive neither care nor attention from the General Government. I do not believe that even in the haste of passing this bill Senators desire to leave a strip of country four hundred miles in length along the Missouri River without any sort of care or protection on the part of the General Government. It does not seem possible. If that is to be the result, then this bill is wrong, and every Senble. If that is to be the result, then this bill is wrong, and every Senator ought to admit it to be wrong, to reach the points sought to be reached by the bill in this blind way, the money to be divided pro rata among points provided for heretofore, when some of the points provided for heretofore are necessarily cut off by the action of the Missouri River Commission, which controls this matter. It is an injustice to that part of the channel; and I trust that the Senator having charge of the bill will excuse me if I feel it my duty to resist the appropriation of \$10,000,-000 when I know that four hundred miles of this river which has here tofore been protected by the Government will be left without any sort

of protection or expenditure of money.

Whatever may be the distribution under any river and harbor bill there ought at least to be protection given at the points which need protection. That should be done. There is enough money expended in places where there is no necessity for an expenditure, but where there is actual necessity, as there has been for years at both of these points, they should not be left unprotected under the operation of the

bill and the action of the Missouri River Commission.

My friend will see the point as to why I should resist the measure as it stands. It affects the State of Iowa as much as it affects the State of Nebraska. The point at Eastport, where the ravages were made, was in the State of Iowa, I understand, and Omaha is the place now suggested as the point which needs protection, and which it will not get under the bill unless my amendment is adopted. With \$10,000,000 appropriated under the bill the people living at those two points will have to protect themselves in order to preserve the channel of the river. I can not for a moment conceive why the Senator in charge of the bill should object to my proposition. If he will look at the reports on this matter he will see the necessity of the proposed expenditure, and he will see that it can not be reached except by the adoption of the amend-

will see that it can not be reached except by the adoption of the amendment which I have proposed.

It certainly seems a little strange that our brethren living along the Mississippi River, who are always ready and willing and anxious and persistent to get appropriations for their river, should deny justice by their votes, or that they should deny this necessary aid to four hundred miles of river frontrunning from Kansas City to Sioux City. That may be all right. It is according to the view generally taken of the appropriation of money by a river and harbor bill. Certain points are selected to be benefited. Had not the Government been carrying on this

work for ten or a dozen years the question might be different; but it is

I have made these suggestions to Senators because I supposed they did not exactly understand the locality there and the necessity of this work. That it is necessary can not be disputed by the Government itself, and when \$10,000,000 is appropriated certainly a small sum should be distributed to points where there is an absolute necessity for the ex-

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. VAN WYCK. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call

Mr. PLUMB (when his name was called). I am paired on all questions relating to this bill with the Senator from Missouri [Mr. VEST]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. EDMUNDS. I am authorized by my friend from Arkansas [Mr. GARLAND] to vote whenever it is necessary to make a quorum, and I feel that it is necessary now. I vote "nay."

The result was any necessary near 10 near 201, as follows:

The result was announced-yeas 10, nays 29; as follows:

YEAS-	

Butler, Call, Cameron of Wis.,	George, Manderson, Miller of N. Y.,	Mitchell, Morrill, Sabin,	Van Wyck.
	NA	YS-29.	
Aldrich, Bayard, Beek, Blair, Chace, Coke, Colquitt, Conger,	Dolph, Edmunds, Frye, Gibson, Hampton, Harris, Harrison, Hawley,	Hoar, Jackson, Jones of Nevada, Kenna, Lamar, McMillau, Miller of Cal., Morgan,	Pike, Pugh, Sawyer, Vance, Walker.
	ABSI	ENT-37.	
Allison, Bowen, Brown, Camden, Camden, Cockrell, Cullom, Dawes, Fair, Farley,	Garland, Gorman, Groome, Hale, Hill, Ingalls, Jonas, Jones of Florida, Lapham, Logan,	McPherson, Mahone, Maxey, Palmer, Pendleton, Platt, Plumb, Ransom, Riddleberger, Saulsbury,	Sewell, Sherman, Slater, Vest, Voorhees, Williams, Wilson.

So the amendment was rejected.

Mr. PLUMB. I suppose the Senator from Michigan who has the bill Mr. PLUMB. I suppose the Senator from Michigan who has the bill in charge has some very good reason for pressing it upon the Senate at this quite inconvenient hour, and that he must have undoubtedly the impression that it will become a law. While I should regard that as a calamity of no mean proportions, I have no purpose of detaining the Senate for any great length of time, and do not do so at all with any view of impeding the passage of the bill, because there is plenty of time yet I observe by the movement of the clock, and there is not much of anything to do in order to get through with the bysiness in time to anything to do in order to get through with the business in time to avoid an extra session.

But it is just possible that, in the effort to pass this bill, that which we are now seeking to avoid and for which we are subjecting ourselves to a great deal of discomfort may come about. A little discussion now will not I think contribute either to that event or in any manner to the defeat of the bill, because I think a majority of the Senate are determined upon its passage; but the proportions of the bill and its terms are of that striking character which I think ought to have some com-

Ever since I have had any familiarity with the river and harbor bills which have annually passed Congress, with the knowledge I have had of the manner in which the money has been spent, or rather misspent, and of the very meager results which have been obtained from that expenditure, I have felt that if there were any portion of the public moneys that were any worse in their expenditure and in the results obtained than another, it was in this matter of moneys that we appropriate for the rivers and harbors of the country. This is because there are certainly some very vital errors in the entire system.

In the first place, the money is spent by persons who are not civil engineers. We educate at West Point military engineers, and when a young man has graduated from the academy, for all the purposes for which an engineer is required, for the expenditure of large sums of money annually appropriated, he is called an engineer ready-made, and is assigned to duty upon some work of improvement of rivers or harbors, or both. It must be apparent to even the casual observer that for all practical purposes a large number of the young men who graduate at West Point as engineers can not be so except in name. Hundreds and thousands of men graduate from the law schools of this country and thousands of men graduate from the law schools of this country who are not lawyers and never become such; and a man would be a rather poor client who would select any one as an attorney for the simple reason that that person had been graduated from a law school. Yet the United States Government commits from day to day and from month to month and year to year, as it has done for many years past, the erection of the public improvements of the character which are

provided for in the river and harbor bills, and the improvements of rivers and harbors, and the consequent expenditure of large sums of money, to these men upon the theory that they are not only engineers but civil engineers, when in the majority of cases they are neither for

any practical purpose

In addition to that they lack the incentive to effort which always more or less characterizes men upon whose effort must depend their livelihood, because these are men who have before them that statutory promotion which is independent of any merit on their part, and therefore that inducement which leads to great human effort, which is the foundation of genius as applied to all the affairs of life, is absolutely and unqualifiedly lacking. I am not denying that there are very many eminent men among these engineers, and that they are up to the ordinary average of men as to morals, as to character generally, and as to what may be ordinarily termed capacity; but I am speaking of them as a class, and of the fact that we commit to them as a class this great responsibility, practically without any kind of consideration as to their special qualification for the work which they are to do.

In the next place, the system of appropriation has always been victious. Instead of appropriating for important works sufficient money to

carry them on as fast as they can be economically constructed or the improvements made, a small sum of money is given. In fact, in the large majority of the cases in which appropriations are made the very meagerness of the appropriation constitutes the argument for making the appropriation, because when you come to consider a bill which appropriates from \$10,000,000 to \$20,000,000, any one proposing to take so small a sum, so few ounces of the loaf as \$10,000 or even \$20,000, is rarely refused. It is almost impossible to say "nay," while so much is going, to one who is willing to take so small a share and keep his

The result is that these bills are what are termed log-rolling bills. Conscientiously or unconscientiously, they embrace among their supporters the men and only the men whose immediate section of the country receive some alleged or supposed benefit on account of the expenditure. Therefore the bill ceases to be a national bill or a national appropriation in any sense or to be viewed from a national standpoint, but is considered chiefly with reference to the local advantage to be derived from it.

I have in mind a harbor on Lake Erie which needs improvement, and which has needed improvement for the past twenty-five years. Some fifteen years ago an estimate was made by the engineer officer in charge that \$100,000 would construct jetties or parallel walls, extending outward into the lake from the shore to an extent which would enable the small creek which comes down from the hills to plow out a channel and keep that channel open. Considerable commerce has grown up at that point. It is a meritorious place so far as the necessities of the situation are concerned and the business to be done there. For the last ten years or more an appropriation varying from \$10,000 to \$20,000 annually has been made and spent at that particular place, and still \$100,000 is yet required in order to complete the original improvement.

Substantially nothing has resulted from all the expenditure of that money, and why? That harbor is on the south shore of Lake Erie. In the winter-time the storms from the north cast into the mouth of the creek which forms the opening of the harbor sand and débris, generally filling it up in such a way as to make it almost if not quite impassable to the schooners which bring there during the summer iron ore from the Lake Superior country, and carry back the coal from Pennsylvania. So in the spring, when the weather will permit of the commencement of work, the first duty of the engineer is to dredge out the sand, gravel, mud, drift-wood, and so on, which has been cast into the har-bor during the winter-time. That work takes up from one-third to one-half of the appropriation. It is a work which has to be done early in the season in comparatively inclement weather, because it must precede the doing of any business at that harbor.

In addition to that, as the walls have been advanced very slowly into the lake by reason of the insufficiency of the appropriations, they are left in a ragged and unprotected condition each fall. The storms which bring the debris into the harbor of which I have spoken also break down the walls and destroy a large portion of the work done the pre-ceding year. So there must be undertaken a very considerable system of repair in order to put the whole even in the condition in which it was left the fall before, and by the time those two things have been done the major portion of the money has been expended, the season is gone, and the next year sees a repetition of the same thing, and the next year, and so on. That could be made a very interesting sketch by one who had an eye to the comic side of that sort of performance, but to me it looks like a criminal waste of money. That I am assured and believe to be true, not only of one improvement, but of hundreds of improvements for which we annually vote money

I wish that were all, or that even it were the chief objection to apropriations for rivers and harbors as we make them; but unfortunately it is not. Last year we witnessed the extraordinary spectacle of the city of Galveston, in the State of Texas, deliberately petitioning Congress not to make any appropriation in the river and harbor bill for the continuation of the improvement at that great harbor. I say great harbor. I do not speak of it as great because of its size, or the depth

of water, or the shelter which naturally exists there for shipping, but I speak of it as a great harbor because it is the nearest point upon tide water for the products of four great and important States. It is the point at which the products of those great States would encounter the world's commerce, and in which those products would be loaded into the bottoms that were to carry them to the foreign market which they are constantly seeking, if that harbor were properly improved, and if it did give facilities equal to the capital which is engaged in commerce upon its banks, and which is there actively, industriously, energetically, and wisely engaged in seeking to extend into that great interior portion of the country the instrumentalities which will enable the grain of that great section to be brought there for foreign shipment and for

That, as I said, was an extraordinary spectacle. The cry "Give!" "Give!" had at last found a surfeit. Galveston wanted no more of it, and why? Because Galveston had realized that every year, notwith-standing ample and large appropriations had been made for every year for a quarter of the century, the harbor of Galveston had not been improved, and that if anything it had grown worse under the manipulation of the Army engineers. So Galveston was constrained to cry out for a halt, and to ask and beseech Congress to make no more appropriations to be expended as the former ones had been, and to humbly petition Congress to adopt some other method of improvement if that harbor was to be preserved to the commerce of the Gulf of Mexico and the

States which lie back of it.

It has been stated in a most cogent report made by the Committee on Commerce of this body at the last session, the Senator from Texas [Mr. Coke] being the organ of the committee for the purpose of making the report, that all the millions of dollars which have been spent at Galveston might just as well have been dumped into the sand of the Gulf of Mexico and covered up or otherwise destroyed as to have been

spent there as we have been doing.

It is more than insinuated that the condition of things existing at Galveston exist at more than one port upon the Atlantic, and that appropriations are sought for by those who represent these localities not with any very abiding faith that they will result in anything good, but because, the system having been adopted, they are afraid to let go, and are living along and seeking after appropriations in the hope that some time something better will come of it than has yet resulted from the expenditure which has been made.

Now, these things being true, not being denied, being apparent and patent to every one, it seems to me that it is time that we call a halt in regard to this class of expenditures. We ought to be able to adopt some plan whereby the money will not only be well spent but improvements and repairs at harbors be made final, or at all events that the improvements sought, the depth of water to be gained, the essential thing to be obtained as the result of the expenditure, shall be had, leaving nothing but the ordinary current work of repairs to be appropriated It is more than insinuated that the condition of things existing at

ing nothing but the ordinary current work of repairs to be appropriated

for in the annual appropriation bill.

So far we have not reached anything that is desirable. So far we have practically nothing to show for all the millions of money which we have spent. There is not a harbor on all our 6,000 miles of coast which is sensibly improved to-day as the result of all the expenditure that has been made. There is not one at which there is not the same urgent cry and demand for more money coming from the reports of the engineers having the work in charge, the cry being just as loud and just as deep and just as urgent as it has been year after year for the past ten or fifteen years, or ever since the particular improvement was undertaken

This work is carried on substantially without system. Each engineer is a law unto himself. He buys such machinery, such appliances, such buildings as he thinks are necessary, and there is nowhere lodged in the Engineer Department of the Government or elsewhere any authentic knowledge of the amount of property of that kind which the Government to-day owns as the result of the appropriations thus made

for the improvement of rivers and harbors.

It was not long since the chief engineer of a work was called on for a report as to the amount of property and the kind of property pertaining to these improvements in the possession of the Government, and he replied that he was totally unable to tell. As I said before, the engineer revolves in his own sphere; he is practically subject to no control. He lets his own contracts; he determines as to whether contracts shall be let to the advantage of the Government or whether the work shall be done by the day. Under the operation of this system there has grown up a network of contractors extending from Alaska to Nova Scotia, having influence in politics, having influence in every direction, and who are found to be powerful enough to constrain the Congress to do that which the Congress knows to be unwise in the way of the expenditure of public money

Mr. President, I do not object to the amount of money contained in this bill. I have never objected to any river and harbor bill because it contained ten, fifteen, or twenty millions, more or less. Given the necessity for the money; given the ability and the willingness to expend it properly for the purpose of securing the results which are sought, and I am willing to make this bill \$50,000,000 each year; but I would rather vote \$50,000,000 to obtain results than I would vote provement.

\$5,000,000 or \$10,000,000 to be cast away, the larger portion of it, as

the result, I believe, of the present system of expenditure.
Why should we not select ten, twenty, fifty, or one hundred even, of the more important objects of expenditure, of the more important harbors upon our extended coast, of the more important rivers that traverse the country, and limit the expenditure to those until the improvements are completed, and spend as much money every single year as could be spent with economy in the direction of the completion of the particular improvements?

Mr. President, then, instead of having, as it is said now, millions and millions of dollars' worth of boats, derricks, and machinery of different kinds, and all the variegated plans that the ingenuity of these men with money without judgment has enabled them to get together, rotting and rusting upon more than 10,000 miles, yea, 20,000 miles, of ocean and lake coast and river border, we should have a compact plant, that could be moved from place to place as circumstances required, and the annual loss of which would not go up into the millions as it does

I think it is a confession of legislative incompetency to grapple with a subject of this kind, that Congress goes on year after year doing the idle, the vain, and the wicked thing that it does do.

But if the ordinary river and harbor bill is a confession of incompetency, what shall I say about this bill, a bill that contains no items of expenditure, that ignores everything which has been done heretofore, that proceeds upon the hypothesis that everything that was done last year was done illy and badly and so as to bring no results; and there-

fore that there is absolutely a sum required for each one of the items of expenditures of last year the present year.

We all know how this bantling came to be begotten. We know that after a struggle to satisfy the rapacious and hungry maws of all who clamored for some of the pork the banquet was found too small; there was not enough to go round. It was not within the sum of hu-man ingenuity with all the millions in the Treasury to so adjust it as to satisfy the inordinate and extortionate demands of those who cried "give" and who wanted this money not be satisfied. "give" and who wanted this money, not because of the public character of the work to be done, but because there was in it the element of local benefit; and thus in an effort to compromise among these contending factions, after giving away all pretense of any public concern or of any public object to be obtained in the bill, in this vain effort to satisfy everybody all being put upon one platform, the original bill had to be abandoned; and this monstrosity was sent to us with the state-ment accompanying it that it was expected the Senate would raise it. And then to avoid that same contention and scramble which had characterized the consideration of the original bill this was to be thrust upon the country by means of a committee of conference in the last hours of this session of Congress.

I had strong hopes that the Senate would not consent to such a piece of legislation. I felt as though I might from this vantage-ground properly characterize the action of other people elsewhere, but I do believe that I shall not do so without also characterizing this body, which seems to have given itself up to this same scramble, to this determination that

there shall be a perpetuation of the old abuses, and that there shall be no reform in this method of expenditure of the public money.

I had it in mind to move some amendment, thinking possibly that in doing that I could make the bill better; but there are some expenditures in the West of a kind that can hardly wait that ought to be made, and yet I do not care to commit myself to anything, either to this bill as a work of art or to its plan or to any plan of any kind heretofore in use for this purpose. On the public grounds of the Fort Leavenworth military reservation there has been going on for years a great destruction of most valuable property by the ravages of the Missouri River. No attention has been paid to them. There have been found enough who would band themselves together to pass bills of this sort without giving any attention to a needed public improvement or to any sensible method of treating a great emergency.

Not only that, but at any near the second city of the State of Mis-

Not only that, but at and near the second city of the State of Missouri, which unfortunately is also the commercial entrepôt for the State of Kansas, private property amounting to millions is daily threatened with destruction because of the fact that the men who have had charge of the improvement of that river, the money voted, as money has been voted for other places in these river and harbor bills, have loitered and lingered and magnified their office and dallied, as is their wont, year

after year, doing nothing.

Three years ago when we made an appropriation for the Missouri River the engineer to whom that money was committed proceeded to purchase with it plant, and absolutely absorbed nearly every dollar of the \$100,000 appropriated for that river in the purchase of plant. One would have supposed that with the millions which had already gone into that turbid stream there would have been somewhere some adequate plant; but no, the first opportunity was availed of to buy more, more boats, more machinery, more of the appliances supposed to be useful, and when they were purchased there was no money left for the improvement of the river, and for two years that plant thus purchased rotted and rusted away. It was the old story of a dollar for the dress and \$10 for the trimming; millions for plant and not a cent for im-

That, I am satisfied, is not a solitary case; and while that he een going on this great river has been carrying away from its banks reperty to the amount of millions in value, and the people have been waiting and hoping and expecting that some time this circumlocution system would bring them a relief that has been often promised only to have the promise broken.

Mr. President, it would be a wise thing if Congress should refuse to ass this bill or any other such bill at this session, that it should then determine upon some plan whereby we may know what we need to do, and adapt the appliances necessary for the performance of the work; but so long as we go on appropriating money upon the basis on which we do appropriate it, giving every year millions of dollars to be thus sunk, thus wasted, we shall continue to do it, and nothing but a halt, nothing but a thorough investigation and overturning of the present system (which can only come when there is a halt) will ever bring us any nearer either to harbors or a fair, an honest, a decent administration of the public money.

I know I am talking to minds that are made up, and that this bill is ordained to go through and, I fear, become a law, and thus next year, and probably the succeeding year, we shall be confronted with the same condition of things; and yet, Mr. President, I do not feel as though I could discharge the duty that devolves upon me as one of those persons to whom is committed the responsibility of that portion of legislation which attaches to the Senate unless I did express my judgment, honest and as I believe not at all mistaken, in regard to the vice that inheres in this bill and all similar bills for the alleged improvement of rivers and harbors

Mr. CONGER. Mr. President, I apologize to the Senator from Kansas for the wonderful effect he has been able to produce.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The

Senator from Michigan will do better. [Laughter.]

Mr. CONGER. To most of us it was only a tiresome and nettling kind of a speech, but I suppose very likely to those who sympathize with his effort to talk against time and kill this bill by loud voice and loud talk it was soothing. It did not entice me to respond because I did not agree with the Senator.

Mr. President, the Senator has reported several appropriation bills, more or less, and some, I think, at this session, and has come in with conference reports here toward the latter end of the time, proposed them as conference reports in the discharge of his duty upon the order of the Senate, and pressed them to a vote and to a conclusion one way or the other in the regular order of business so that Senators might say whether they desired the passage of a bill by concurrence in a conference report. I want to know if I had stood here last night and yesterday when he was presenting those reports and had talked and talked and talked till God was ashamed of me and the Senate scorned me, and had thus prevented the passage of appropriation bills necessary to carry on this Government, what would the Senator have thought of me?

Senators here desire to vote on this bill one way or the other, I do not know how. They have refused on three several occasions by a yea-and-nay vote to lay this bill upon the table and dispose of it in that way. They wanted a vote. Just as fast as we approach a vote the Sen-ator from Nebraska, himself a power, himself able to resist the whole Senate, ay, the whole universe, in his talk, must needs be backed up by the Senator from Kansas to talk against time.

I noticed that the Senator from Nebraska was compelled to leave the Chamber just at the moment the Senator from Kansas took the floor and talked until his return. Now I do not complain of that. The rules of the Senate permit this talking. I know of no rule that can prevent me talking until 12 o'clock to-day and defeating the passage of every conference report and every bill, even if the Senator from Kansas reported them himself. But does that give me and does that give the other Senators who desire to vote upon a bill, to vote one way or the other senators who desire to vote upon a bill, to vote one way or the other, some in favor of its passage and some opposed to it-does that give us any fair chance as Senators, an equal chance in legislation, or any opportunity to satisfy our constituents that we have tried to do ac-

ording to our judgment what we think they desire.

If there is any one thing that in my judgment is not bold and is not courageous, it is to take advantage of the absence of law and of power to compel forward the business of the Senate, to defeat brother Senators and deprive them of the opportunity of expressing their will, and

by talking against time to prevent a vote for or against a measure. But the Senator has the right to do it. We have no rule that will compel the immediate consideration and vote upon any proposition.

But I pass that subject. The Senator from Kansas talks modestly, as if he supposed this bill could be passed. He knows that it can not be passed. He knows that he has the power to stand here and prevent Contact from the passed of the country this hill and it is a market and prevent. Senators from voting upon this bill, and it is a mockery to tell us that we can pass the bill. I do not complain of this. It is the method and the manner that I complain of.

Mr. President, I am not surprised at this result. I have been told by those who pretend to know that the great improvement in transportation by deepening the water courses and improving the harbors of our lakes and of our rivers that permit a vessel carrying coal or iron or lumber to be loaded down to fifteen and sixteen feet where a few years ago it could only carry eight or ten or twelve feet draught at the most is interfering with railroads so much that they are alarmed at the com-

petition which this great and grand system of improvements of water courses and river and lake navigation makes successful against railroads.

I do not know how they exert their influence; I do not know what measures they are taking to stop these grand improvements for the common people of the country; I do not know who their agents are—I have not been told; I do not know what kind of influences are thrown out and around to prevent the grand system of internal improvements from going forward and blessing the country as they have, but I was warned not only last year but this year that a combined effort would be made

by some of the railroad monopolies to break down this system of competing water-line improvements. I think the work is going on.

A little bird whispers in my ear that the powers are moving—how, by what means, through whose energies I am utterly unable to say or even to conjecture. But the time has come now when this system of improvements for the people of the country against the monopolies of the country is having its effect in the Senate and in Congress. How long it will last, whether another year we can have an appropriation, whether these improvements shall continue to bless the people and cheapen transportation I can not tell. In my humble judgment the great conflict has commenced and is being carried on between the tre-mendous monopolies of the United States and the people's right of way

over the water courses, God's highway on the land.

Somebody influences the opposition to these bills, somebody is to be hurt by the passage of these bills, somebody under one pretense or another urges the influence throughout the country, which you see in the newspapers and which you hear in conversation, urging that the im-provement of rivers and harbors is a failure in this land, that it is all so badly managed, all so inefficient, there is so much waste, that the system had better be abandoned.

I had hoped we might come to a vote upon this bill; I had hoped even the bare chance of sending it back to the House for concurrence in the amendment might have been given to its friends, who are a majority of the Senate; but that seems not to be possible. I desire, however, the friends of this measure, as far as they feel disposed to do so, to stand by the bill in the interest not of monopolies but of the great improvements of the people of the United States, until it shall become evident who seeks to destroy it, so that the people in their own boats and on their own highways, free from toll to the capital of the nation, may discern who it is refuses to improve their highways and refuses to give them additional means of cheap transportation.

Why, sir, every eye is looking day by day to see what Congress will do, and whether all the legislation of this land is to be for the powerful and the wealthy and the corporations, or whether the rivers and the bays and the lakes and the harbors that give refuge to the poor sailor in the storm shall be improved and give greater facility of transporta-tion, and give greater security in the tempest and in the storm.

But we are not to be permitted to have a vote. The great majority of the Senate are desirous to vote upon this question. I tell these Senators you are not to be permitted to have a vote. The debate is not for information, not to make amendments, not to improve the bill, but you are not to be permitted to vote upon it, and talking is the easiest way

to prevent a vote.

Mr. PLUMB obtained the floor.

Mr. HALE. Will the Senator allow me to make a report?

Mr. PLUMB. Yes, sir.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I present the conference report on the deficiency appropriation bill.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 825) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

as follows: That the Senate recede from its amendments numbered 8, 9, 15, 16, 21, 28, 38, 39, 42, 45, 50, 63, 67, 69, 74, 76, 77, 79, 80, 84, 85, 87, 89, 180, 198, and 199. That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 17, 19, 20, 23, 24, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 40, 44, 43, 44, 46, 47, 48, 49, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 70, 71, 72, 73, 75, 78, 18, 28, 38, 88, 89, 90, 99, 99, 99, 99, 99, 50, 00, 101, 102, 103, 104, 105, 61, 07, 108, 109, 110, 111, 112, 113, 114, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 51, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, and 200; and agree to the same.

188, 189, 180, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, and 200; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, insert the words "At Tucson, Arizona;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The Attorney-General of the United States is required to investigate the judgments and awards against the United States arising under an act of Congress entitled 'An act to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin,' approved March 3, 1875, and to report to Congress at its next session whether the liability of the United States therefor is established, and what amount is justly due thereon."

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum named insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Insert after the word "certified" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Insert after the word "certified" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: Insert after the word "certified" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate agree to the same.

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That the House recede from its disagreement to the amendments of the Senate numbered from 115 to 119 inclusive, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employés of their respective Houses borne on the annual and session rolls on the 3d day of March, 1825, including the Capitol police, one month's extra pay at the compensation then paid them by law, which sums shall be immediately available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment

Mr. HALE. I move that the report be concurred in. The motion was agreed to.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8280) making appropriations for the construc-tion, repair, and preservation of certain public works on rivers and har-

bors, and for other purposes.

Mr. PLUMB. At the close of nearly two days' consideration of the river and harbor bill, without having said a word or made a motion or done anything at all except to vote upon the various motions on which the yeas and nays were taken, I made a speech of thirty minutes. The Senator from Michigan, who was so anxious to pass this bill, started in with a speech, I think, of about two hours in length, and he replied to me, in what I can not but consider as complimentary to the effort I made in a speech of about the same length as mine. made, in a speech of about the same length as mine.

I would be willing to leave, on that mere statement, the facts to the I would be willing to leave, on that mere statement, the facts to the judgment of the Senate as to which had been the best friend of the river and harbor bill. But I desire to go further and say that when, in commencing my remarks, I disclaimed any intention of doing anything that should unnecessarily detain the Senate from the consideration of this bill I said exactly the truth. I had no intention of talking against it to consume time, and I did not know but that the Senator from Michigan was expecting that it would pass and become a law, because I could

not attribute to any other feeling than that his effort to have it passed.

I shall not now, or at any other time, I hope, bandy epithets with
the Senator from Michigan or any other Senator. I did not think he
would do himself the injustice—because he would not be unjust to any one else-to repeat in this Chamber the idle and unfounded rumors that from time to time have been uttered about influences which affect the action of men on this floor. I think as he reflects on that he will be less and less satisfied with what he has said, either as a matter of courtesy to a brother Senator or as a matter of what is due to a body of which he is a very important and prominent member.

EXECUTIVE SESSION

Mr. HAWLEY. There is some executive business that ought to be transacted, as I am advised. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to.

The PRESIDENT pro tempore. The doors will be closed; and, pursuant to the order of the Senate, the Sergeant-at-Λrms will clear the Senate wing of the Capitol of all persons not entitled to admission

The Senate proceeded to the consideration of executive business; and after thirty-two minutes spent in executive session, the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Samuel J. Randall of Pennsylvania, Mr. Waldo Hutchins of New York, and Mr. J. D. Long of Massachusetts managers at the further conference on its part. agers at the further conference on its part.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 200) granting a pension to Thomas Jeffries;
A bill (H. R. 389) granting a pension to John Boyle;
A bill (H. R. 691) for the relief of William W. Thomas;

A bill (H. R. 691) for the relief of William W. Thomas;
A bill (H. R. 1004) relative to the Chinese indemnity fund;
A bill (H. R. 1615) for the relief of the heirs of Langley B. Culley;
A bill (H. R. 1710) granting a pension to George W. Bean;
A bill (H. R. 1866) granting a pension to Calvin L. Knick;
A bill (H. R. 2100) granting a pension to Mary Allen;
A bill (H. R. 2154) for the benefit of the legal representatives of A.

J. Guthrie;

J. Guthrie;
A bill (H. R. 2377) granting a pension to James Stockton;
A bill (H. R. 2645) granting a pension to Esther Hudson, mother of
William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and
ninety-first Regiment Pennsylvania Volunteers;
A bill (H. R. 2975) granting a pension to Marion D. Egbert;
A bill (H. R. 3947) granting a pension to Joseph Raible;
A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
A bill (H. R. 4605) granting a pension to Ellen Edmister.

A bill (H. R. 4605) granting a pension to Ellen Edmiston; A bill (H. R. 5086) for the relief of Elizabeth W. Creighton; A bill (H. R. 5191) granting an increase of pension to Augustus

A bill (H. R. 5309) for the relief of Charles Milk;

A bill (H. R. 5309) for the relief of Charles Milk;
A bill (H. R. 5378) granting a pension to Octavia A. Newhall;
A bill (H. R. 5378) granting a pension to Henry Milkey;
A bill (H. R. 5692) to adopt the Revised International Regulations for preventing Collisions at Sea;
A bill (H. R. 6173) for the relief of Rose Dougherty;
A bill (H. R. 6220) regulating appeals from the supreme court of the

District of Columbia and the supreme courts of the several Territories;

District of Columbia and the supreme courts of the several Territories;

A bill (H. R. 6357) granting a pension to Christian Bauman;

A bill (H. R. 6982) granting a pension to W. H. H. Coleman;

A bill (H. R. 7000) for the relief of Clark G. Maine;

A bill (H. R. 7034) to increase the salary of the clerk of the Court of Alabama Claims;

A bill (H. R. 7169) granting a pension to Elizabeth Kaler;

A bill (H. R. 7434) granting a pension to Sylvester Greenough;

A bill (H. R. 7447) granting a pension to Sebert Toney;

A bill (H. R. 7485) granting a pension to Alexander Weide:

granting a pension to Sebert Toney; granting a pension to Alexander Weide; A bill (H. R. 7487) granting a pension to Sebert Toney;
A bill (H. R. 7485) granting a pension to Alexander Weide;
A bill (H. R. 7502) granting a pension to Richard W. Barnes;
A bill (H. R. 7503) for the relief of Daniel McAlpin;
A bill (H. R. 7572) granting a pension to Amos McDowell;
A bill (H. R. 7718) restoring John Snyder to the pension-roll;
A bill (H. R. 7810) granting a pension to Rosanna Riley;
A bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher;

A bill (H. R. 7853) granting a pension to Margaret Flaherty;

A bill (H. R. 7933) granting a pension to Henry Biederbick; A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;

A bill (H. R. 8082) granting a pension to Lina J. Stearns; A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton;

A bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending

June 30, 1886, and for other purposes; and
Joint resolution (S. R. 122) authorizing the Secretary of War to loan
twelve hospital tents and outfits to the American Society of the Red Cross for use in New Orleans.

ERNEST H. WARDWELL.

Mr. HAMPTON. I ask the Senate to take up House bill 3236.
Mr. DOLPH. I object. I call for the regular order.
Mr. VAN WYCK. The Senator from South Carolina [Mr. HAMPTON] was very earnest in his appeal at one time this evening to have a little bill passed which is not a pension bill but in the nature of one, being for the benefit of a Federal soldier. It will take only a moment

to pass it, and I wish the Senate would consent to let the bill pass.

Mr. DOLPH. I have been here all night. I should like to have made a speech upon the bill that is regularly under consideration, but I have not opened my mouth, hoping to get a vote. If the Senator from South Carolina has a bill that he desires to call up and it will not interfere with the bill under consideration, I shall be glad to give way; but if the Senator from Nebraska has any interest in it, after what has transpired to-night, I shall not consent.

Mr. VAN WYCK. I would not either if I were you.

Mr. HARRISON. I do not want to say anything myself on this bill,
but as it is known to the Senator from South Carolina the Senator from Missouri [Mr. Cockrell] desires to be heard on it when it is taken up, I have sent to the committee-room to see if he is there, as I promised to do

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). Is there objection to the request of the Senator from South Car-The Chair hears no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3236) for the relief of Ernest H. Wardwell.

Mr. HARRISON. I ask that the report in that case made by the

Senator from South Carolina [Mr. HAMPTON] may be read.

Mr. HAMPTON. I ask for the reading of the House report.

Mr. HARRISON. If the Senator is willing to wait until the Sen-

ator from Missouri [Mr. COCKRELL] comes in, I shall not take any

Mr. HAMPTON. The Senator from Missouri is coming in now.

Mr. COCKRELL. I ask for the reading of the report.

The PRESIDING OFFICER. Has the Senator from South Carolina

the House report? Mr. HAMPTON.

Yes, sir.

The PRESIDINGOFFICER. Will he send it to the desk?

Mr. COCKRELL. I would prefer that the Senator's own report be

The PRESIDING OFFICER. The Chair is informed by the Chief

Clerk that there is no Senate report.

Mr. COCKRELL. If the Chair has not got it, I can send it to him.

The PRESIDING OFFICER. The report will be read.

Mr. COCKRELL. I ask the Senate now, in view of the attempt to pass this bill, to pay attention to the report made by the Senator from South Carolina, which states the facts and the record in this case. The

report is not very long.

The Chief Clerk proceeded to read the report submitted by Mr. HAMP-TON, from the Committee on Military Affairs, April 16, 1884.

Mr. HAMPTON. I ask that the reading of that report may be dispensed with, for I find the bill will lead to opposition and I am not disposed to take up the time of the Senate in a discussion which I suppose will cause the defeat of the bill. But before doingso I wish to say that the report which was being read was made in April last, at the last session, an adverse report, before papers were referred to the committee which changed my mind, and when they were recommitted changed the opinion of the committee who authorized and directed me to make favorable report. This man while technically retentiable to pay I believe able report. This man, while technically not entitled to pay, I believe by all the rules of justice and right is entitled to it; and I think if the function of the Senate is to sit as a court of equity to do justice in such matters, the bill ought to pass. I withdraw the bill.

The PRESIDENT pro tempore. The bill will be returned to the Calendar if there be no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

ORDER OF BUSINESS.

Mr. ALLISON. I desire to state that information from the House indicates that it will be impossible for perhaps an hour and a half, or at least an hour, to have returned to the Senate the sundry civil appropriation bill, which is the only appropriation bill now in conference, except the navy bill, which will probably be disposed of shortly. I there-

fore ask unanimous consent—

Mr. COCKRELL. What about the legislative bill?

Mr. ALLISON. The legislative bill will take no further time. I ask unanimous consent now that the Senate may be considered in session only for the purpose of appointing committees of conference.

Mr. CONGER. I object to unanimous consent being granted, and

demand the regular order.

The PRESIDENT protempore. The Senator from Michigan demands the regular order, which is the river and harbor bill.

Mr. BLAIR. Mr. President, we came to the understanding before we went into executive session that three or four pension bills about which we had arrived at a substantial agreement should be passed, in analogy to the action of the Senate on other like bills. There are but four of them which should be taken up and disposed of. I ask that that may be done now. I have watched and waited a long time, and I think it is perhaps due to me that these bills should now be disposed of. They are very short. It will not take over five minutes to dis-

pose of them.

The PRESIDENT pro tempore. The Chair begs leave to state to Senators that the doors of the Senate will be open, and of course the Senators that the doors of the Senate will be open, and of course the Senators ate will have to go on with business; but the only time to put the Senate Chamber in order for the inauguration of the President of the

again its regular session, within an hourand a half. The Chair thinks it is his duty to call the attention of Senators to that fact. The Senate Chamber must of course be put in order; but having said that the Chair of course will make no motion or order.

Mr. BLAIR. Allow me until 8 o'clock and I will trouble the Sen-

ate no more with these bills. I only ask five minutes.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that pension bills be considered for five min-

Mr. CONGER. I desire one more effort to have a vote on the pending bill. It has been said by gentlemen who oppose it that as far as they are concerned they will make dilatory talk no longer, and I desire

a vote.

The Chair will appreciate how I feel about this. For ten or twelve long hours I have stood at my post seeking to perform my duty, having reported this bill from a respectable committee of this House, however poor a service they may have done in that business, yielding continually for all pension bills, so there is not a single unobjected pension bill on the Calendar, and I have yielded from time to time to every demand on the assurance of my friends, at least, that we would come to a vote before giving this up.

I ask a vote. I do not think there will be a division on this bill.

Mr. ALLISON. I think that if we undertake to vote on this bill

or any other bill that is controverted it will be disclosed by the vote that there is no quorum. If the Senator will yield to me I will venture to make a motion that the Senate take a recess until half past 9.

Mr. CONGER. I will consent to lay the bill temporarily aside not to lose its regular order, for two purposes, one to allow the Senator from Iowa to make the motion he wishes to make, and another to allow the Senator from New Hampshire to get through his pension bills.

The PRESIDENT pro tempore. If there be no objection the river

The PRESIDENT pro tempore. If there be no objection the river and harbor bill will be temporarily laid aside, to be the regular order

FRANCES M'NEIL POTTER.

Mr. BLAIR. I ask to take up Calendar number 1016, being House

Mr. COCKRELL. I should like to hear what the case is before we

The PRESIDENT pro tempore. The title of the bill will be reported. The CHIEF CLERK. "A bill (H. R. 4822) for the relief of Frances McNeil Potter.'

Mr. BLAIR. It is an increase of pension from \$20 to \$30 a month. It is the case of a lady now old. She has been pensioned at the rate of \$20. She lost her son in the late war, and was the daughter of a very distinguished officer in the war of 1812. She is quite old and feeble, and this is an increase of \$10 per month.

Mr. COCKRELL. The bill is reported adversely, and I hope the Senator will not insist on taking up these adverse reports.

Mr. BLAIR. It is one of the cases which were controverted by some members; but the Senate committee have substantially agreed to make no further contest, but take the action of the Senate as an instruction on this and three other like cases.

Mr. COCKRELL. The action of the Senate when there is no quorum

means nothing, and I do hope the Senator will not press this bill with so much pertinacity. If he does I am compelled to stop the transaction of any business until there is a quorum. The Senate is not competent to do business unless there is a quorum, and if the Senator insists upon taking up these adverse cases I shall ask for a call of the Senate.

The PRESIDENT pro tempore. It is now 8 o'clock, and the Chair begs again to appeal to Senators to consent that business be suspended, except for the purpose of appointing conferees, in order that the Chamber may be put in order for the ceremonies the Senate has ordered to take place here. It is advisable, if it is to be done, that it should be done now.

DISCOVERY OF THE HUDSON RIVER.

Mr. HAWLEY. On the 28th day of February the Senator from Delaware [Mr. BAYARD] presented the petition of Gideon J. Tucker, an honorable citizen of New York, calling attention to certain alleged inaccurate statements in a book with which the Senate is very familiar: "The Public Domain: its history, with statistics. Public Land Commission; Committee on Codification. Prepared by Thomas Donaldson, of the commission and committee. * * * Prepared in pursuance Prepared in pursuance ugust 7, 1882. Washingof a joint resolution of Congress approved August 7, 1882. ton: Government Printing Office, 1884."

The letter from Mr. Tucker was read in the Senate and referred to the Committee on the Library. Some of his remarks and criticisms were exceedingly severe. The gentleman, Mr. Donaldson, who prepared that book under the direction of the Secretary of the Interior, sends to me for presentation to the Senate and the Library Committee, with Mr. Tucker's letter, his brief and courteous response. I will not ask that it be read; I vouch for its being courteous and proper ate will have to go on with business; but the only time to put the Senate Chamber in order for the inauguration of the President of the United States is between now and the time when the Senate will begin then referred to the Committee on the Library.

The PRESIDENT pro tempore. If there be no objection it will be so ordered.

The letter is as follows:

WASHINGTON, D. C., March 3, 1885.

The letter is as follows:

Washingron, D. C., March 3, 1885.

Dear Sir: Answering the petition of correction of Mr. Gideon J. Tucker, a citizen of New York, referred to your committee by the Senate February 28, 1885, in relation to alleged errors in the work known as the Public Domain, compiled by myself, I have the honor to say that corrections of error in this work are a pleasure. My attention has before been called to errors, which have been promptly corrected, and I expect that more will be detected in the future.

The two clauses on page 30 which have stirred Mr. Tucker to become the tuneful muse of history and to be the vindicator of her truth will also be corrected. The summary of colonization on page 30 (part of two clauses of which are objected to) is merely illustrative of the rapidity of immigration to the New World and the rage to colonize, and was inserted to show in part why so many overlapping and duplicate grants were made. It relates to colonization by Dutch as well as English.

On page 42 will be found under title "New York—colonization," in detail, the main facts of her colonization. This and other similar statements were inserted to show how title was obtained to the lands of the Colonies (subsequently States) some of which transferred their western possessions to the United States, which possessions now form a large portion of the Public Domain.

The historical data it was intended should be correctly stated.

The authorities cited on page 55, with the addition of O'Callahghan's History of New York, the publications of the New York Historical Society, and several others, were used for reference, and the alleged erroneous matter obtained from some of them. The limits of this paper prevent discussion of historical matters, neither would it be profitable or of interest to the integrity of the publication. The corrections shall be made in the next edition on page 30, so as to conform to the data on page 42 to the end that it be shown that Mr. Tucker and his 200,000 friends, descendants of the H

Hon. John Sherman.
United States Senate, Chairman Committee on the Library

Mr. HAWLEY. I may add in passing just a word. Part of the controversy referred, if I recollect aright, to the alleged discovery of the Hudson River by Hendrick Hudson. A late history of Albany, by Mr. Weise, discloses the fact, I believe not fully announced before, that one Weise, discloses the fact, I believe not fully announced before, that one Giovanni Verazzano, an Italian, under the patronage of the Dutch government, discovered the Hudson River some time before the famous Hendrick Hudson, in the year 1524. I wish to say that this letter is presented by me after consultation with the Senator from Delaware.

The PRESIDENT pro tempore. The paper will be printed in the RECORD and referred to the Committee on the Library.

SUSPENSION OF BUSINESS.

Mr. ALLISON (at 8 o'clock a. m., on Wednesday, March 4). I ask unanimous consent that no further business be done until half past 9 o'clock, but that the Senate in the mean time be considered in session for the purpose of appointing conferees only.

Mr. BLAIR. I object. There may be a quorum between now and half past 9. ["Oh, no!"]
Mr. COCKRELL. There will be no business done by the Senate

even if there is a quorum.

The PRESIDENT pro tempore. If there be no objection it will be understood that there will be no other business done but receiving reports of conference committees until half past 9 o'clock, and that the Senate is to be considered in session for that purpose and for no other.

Mr. BLAIR. I withdraw the objection.
The PRESIDENT pro tempore. It is ordered accordingly.

SUNDRY CIVIL APPROPRIATION BILL.

At 8 o'clock and 45 minutes a. m. a message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill votes of the two Houses on the amendments of the Senate to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, insisted on its disagreement to the Senate amendments undisposed of by the former conference, and agreed to certain amendments, accompanying the bill, to the sixty-sixth amendment of the Senate to said bill, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SAMUEL J. RANDALL of Pennsylvania, Mr. WILIIAM H. FORNEY of Alabama, and Mr. THOMAS RYAN of Kansas managers at the further conference on the part of the House.

conference on the part of the House.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the sundry civil appropriation bill;

which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, March 3, 1885.

Resolved. That the House insist upon its disagreement to the Senate amendments undisposed of by the former conference, and agrees to certain amendments, accompanying the bill, to the sixty-sixth amendment of the Senate to said bill, and also agrees to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. RANDALL, Mr. FORNEY, and Mr. RYAN be the managers on the part of the House.

Mr. ALLISON. I move that the Senate disagree to the amendments proposed by the House of Representatives to the sixty-sixth amendment of the Senate to the bill, and agree to the conference asked by the House of Representatives thereon.

The PRESIDENT pro tempore. Will the Senate agree to the motion

of the Senator from Iowa? [Putting the question.] The "ayes"

have it, and the motion is agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. HALE, and Mr. BECK were appointed.

NAVAL APPROPRIATION BILL.

Mr. HALE submitted the report of the conferees on the naval appropriation bill, which was read.

The PRESIDENT pro tempore. The Chair thinks that action on this

report does not come under the agreement of the Senate. It will lie on the table for the present, to be called up bereafter.

LEGISLATIVE, ETC., APPROPRIATION BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the twenty-ninth amendment of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and that it had concurred in the first amendment of the Senate to said bill with an amendment, in which it requested the concurrence of the Senate.

Senate.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the first amendment of the Senate to the bill (H. R. S138) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; which was, in lieu of the sum proposed by the Senate, to insert "\$344,113.10."

Mr. COCKRELL. I move that the Senate concur in the amendment of the House.

ment of the House

The PRESIDENT pro tempore. The Senator from Missouri moves that the Senate concur in the amendment proposed by the House of Representatives as stated in the message. The question is on agreeing to the motion.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

At 9 o'clock and 10 minutes a. m. a message from the House of Rep-At 9 o'clock and 10 minutes a. m. a message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8236) relating to sales for taxes in the District of Columbia, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. John F. Follett of Ohio, Mr. William L. Wilson of West Virginia, and Mr. Louis E. McComas of Maryland managers at the conference on its part.

The message also announced that the House had passed the bill (S. 2668) granting a pension to John M. Milton.

2668) granting a pension to John M. Milton.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by

A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;
A bill (H. R. 8572) granting a pension to Jacob Funkhouser;
A bill (H. R. 4856) granting a pension to Bvt. Col. C. A. Cilley, of

North Carolina;
A bill (H. R. 7907) granting a pension to Matilda Cody; and
A bill (H. R. 8237) granting a pension to Mary J. Dickson.

NAVAL APPROPRIATION BILL.

Mr. HALE (at 10 o'clock and 5 minutes a. m.). I call up the conference report on the naval appropriation bill and ask that it be read. The PRESIDENT pro tempore. The report of the conference committee will be laid before the Senate.

The Chief Clerk read the report, as follows:

The chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill of the House 8239, making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the Senate numbered 4, 7, 9, 11, 16, 21, 22, 23, 24, 27, 29, 31, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment of the Senate numbered 28, and agree to the same with an amendment as follows: At the end of said amendment insert the following:

"Provided, That nothing herein contained shall be construed to continue the existence of the naval advisory board or to prevent the Secretary of the Navy from constituting such other advisory board as he may deem necessary to aid in determining the plans and structure of such cruisers."

And the Senate agree to the same,

EUGENE HALE,

EUGENE HALE,
P. B. BLUMB,
J. B. BECK,
Managers on the part of the Senate. WALDO HUTCHINS, SAML. J. RANDALL, JNO. D. LONG, Managers on the part of the House.

Mr. HALE. I move that the report be concurred in. The motion was agreed to.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its

Clerk, announced that the Speaker of the House had signed the follow-ing enrolled bills and joint resolution; and they were thereupon signed

ing enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 78) to provive for the retirement of Col. Henry J. Hunt as a major-general in the United States Army;

A bill (H. R. 383) granting a pension to Creet H. Dougherty;

A bill (H. R. 411) granting a pension to Elizabeth Conner;

A bill (H. R. 552) granting a pension to Lemuel J. Bennett;

A bill (H. R. 603) granting a pension to Nachel Nickell;

A bill (H. R. 142) granting a pension to Nelly Roberts;

A bill (H. R. 1401) to amend section 1556 of the Revised Statutes, giving longevity-pay to certain officers of the Navy;

A bill (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall, widow of Capt. Fernando Randall;

A bill (H. R. 1873) for the relief of Edward Kraemer;

A bill (H. R. 2263) for the relief of the State National Bank of Boston, Mass;

A bill (H. R. 2457) granting a pension to Richard Dillon;

A bill (H. R. 2457) granting a pension to Richard Dillon;
A bill (H. R. 3340) granting a pension to James M. Pike;
A bill (H. R. 3556) granting a pension to Mrs, Lucretia G. Ripley;
A bill (H. R. 3735) granting a pension to Mary A. Grennon;
A bill (H. R. 4021) granting a pension to Abraham Cover;

A bill (H. R. 4216) granting a pension to David N. Bryan;

A bill (H. R. 4458) granting a pension to Harlan Jackson; A bill (H. R. 4668) for the relief of Nathaniel Pond, jr.; A bill (H. R. 4679) for the relief of Sarah E. Webster, administra-

A bill (H. R. 4878) granting a pension to Emma O. Zeigler;
A bill (H. R. 5103) granting a pension to Joshua F. Justice;
A bill (H. R. 5146) granting a pension to Jesse C. Buck;
A bill (H. R. 5304) for the relief of Mary Royal;
A bill (H. R. 5509) for the benefit of soldiers and sailors who have

A bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder joint;

A bill (H. R. 5691) amending section 764 of the Revised Statutes;

A bill (H. R. 5728) granting a pension to Anna Beck;

A bill (H. R. 5740) for the relief of Grigsby Foster;

A bill (H. R. 6270) for the relief of John P. Peterson;

A bill (H. R. 6533) for the relief of Dr. Thomas J. Jones;

A bill (H. R. 6775) granting a pension to Edward Wilcox;

A bill (H. R. 6904) for the relief of John F. Chase;

A bill (H. R. 6960) for the relief of Charles L. Alden;

A bill (H. R. 7047) granting a pension to Patrick Murphy;

A bill (H. R. 7170) for the relief of Frederick Hutton;

A bill (H. R. 7177) granting a pension to William H. Kinman;

A bill (H. R. 7178) granting an increase of pension to John O. Gardner;

ner;
A bill (H. R. 7248) to increase the pension of James D. Brent;
A bill (H. R. 7334) granting a pension to Judson Bostwick;
A bill (H. R. 7340) granting a pension to John Sparr;
A bill (H. R. 7522) for the relief of Joseph F. Wilson;
A bill (H. R. 7618) granting a pension to Harry H.G. Kislingbury, Walter F. Kislingbury, Wheeler Schofield Kislingbury, and Douglas E. L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States Infantry;
A bill (H. R. 7728) for the relief Pardon H. Morey;
A bill (H. R. 7863) granting a pension to Thomas M. McChesney:

A bill (H. R. 7863) granting a pension to Thomas M. McChesney; A bill (H. R. 7938) granting a pension to Amanda Allen; A bill (H. R. 7990) granting a pension to Joseph Sansom; A bill (H. R. 7992) for the relief of Christian Arndt;

A bill (H. R. 7992) for the relief of William Stansberry;
A bill (H. R. 8069) granting a pension to Catherine Helton;
A bill (H. R. 8091) granting a pension to David Sears;
A bill (H. R. 8136) for the relief of Addison M. Copen;

A bill (H. R. 8132) to restore to the pension-roll the name of Rachael

A bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other

purposes;
A bill (H. R. 8142) granting a pension to Mrs. Lucy Parr;
A bill (H. R. 8152) for the relief of William D. Farnsworth;
A bill (H. R. 8155) granting a pension to Addie L. Moore;
A bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes;
A bill (H. R. 8187) granting a pension to Chancey G. Darrah;
A bill (H. R. 8229) granting a pension to James Dye; and
Joint resolution (H. Res. 170) in relation to the claim made by Dr.
Indr. R. Read against the United States for the alleged use of projec-

John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made.

RIVER AND HARBOR BILL.

Mr. CONGER. What is the regular order of business?

Mr. FRYE. The river and harbor bill.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The regular order of business?

The year of the roll.

ular order is the bill (H. R. 8280) making appropriations for the preserva-tion and continuation of certain public works on rivers and harbors,

and for other purposes.

Mr. CONGER. I ask unanimous consent that the bill be consid-

ered, read the third time, and passed.

The PRESIDING OFFICER. The Senator from Michigan asks the unanimous consent of the Senate that the bill the title of which has

been named be taken up and passed.

Mr. CONGER. I ask unanimous consent that the bill just read by its title be taken up and by unanimous consent considered as read the third time and passed.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent that the bill the title of which has just been read shall be taken up and considered as read the third time and passed.

Mr. PLATT. I raise the point of order that the bill can not be passed in that way

assed in that way.

The PRESIDING OFFICER. The point of order is sustained.

Mr. CONGER. I have not heard the point of order stated.

Mr. PLATT. The bill can not be passed in that way.

Mr. CONGER. I heard the Senator make a point of order, but I could not hear what it was so as to answer.

CHRISTOPHER PHILLIPS.

Mr. MORGAN. Mr. President, I move to take up the resolution I offered yesterday recommending the payment of a sum of money to Christopher Phillips for services.

The PRESIDING OFFICER. The Senator from Alabama asks unan-

imous consent that a resolution, which will be read for information, be

taken from the table and considered.

The Chief Clerk read the following resolution, heretofore submitted by Mr. MORGAN:

Resolved. That the sum of \$41 be paid to Christopher Phillips out of the contingent fund of the Senate for labor performed for the Senate under employment of the Sergeant-at-Arms from November 10 to December 1, 1884.

The PRESIDING OFFICER. Is there objection to the present con-

Mr. CONGER. Let the river and harbor bill be informally laid aside that this may be considered, not to lose its place in the order of business.

The PRESIDING OFFICER. Unanimous consent is asked. Is there objection to the present consideration of this resolution? The Chair

hears none.

The resolution was agreed to.

RIVER AND HARBOR BILL.

The PRESIDENT pro tempore. The Chair lays before the Senate the business pending when the active business of the Senate was suspended by unanimous consent. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 8280) making appropriations for

the preservation and continuation of certain public works on rivers and

the preservation and commutation of certain public works on rivers and harbors, and for other purposes."

The PRESIDENT pro tempore. The bill is still in Committee of the Whole and open to amendment.

Mr. CONGER. Now I ask for a vote on the bill.

The PRESIDENT pro tempore. If no further amendment be proposed the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. PLUMB. I move that the bill do lie on the table. Mr. CONGER. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. I ask consent that the bill be informally laid aside.

The PRESIDENT protempore The Senator from Massachusetts asks unanimous consent that the bill be informally laid aside subject to call. Is there objection?

Mr. CONGER. Not with this motion pending.
Mr. PLUMB. I withdraw the motion.
The PRESIDENT pro tempore. The Senator from Kansas asks leave to withdraw his motion to lay on the table. Is there objection? The Chair hears none. The Senator from Massachusetts asks unanimous consent that the bill be informally laid aside.

Mr. CONGER. For what purpose?
Mr. HOAR. Because there is an obvious impropriety in attempting

Mr. CONGER. One Senator is responsible.

The PRESIDENT pro tempore. Is there objection to the bill being informally laid aside?

Mr. CONGER. I know of no other business to occupy the attention the Senate, and I should like a vote on the bill. The Senate has of the Senate, and I should like a vote on the bill. The Senate has been waiting during the whole of the last twenty-four hours for an opportunity to have a vote.

The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. PLUMB. I renew the motion that the bill do lie on the table. The PRESIDENT pro tempore. The Senator from Kansas moves that the bill lie on the table.

Mr. CONGER. On that motion I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call

Mr. COLQUITT (when his name was called). I am paired with the Senator from Alabama [Mr. Pugh].

Mr. COCKRELL (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN]. Not knowing how he would vote if he were present, I shall not vote.

The roll-call having been concluded, the result was announced—yeas 28, navs 21; as follows:

	YEAS-28.		
Allison, Bayard, Blair, Brown, Cameron of Pa. Cameron of Wis., Cullom,	Dawes, Edmunds, Fair, Frye, Hale, Harrison, Hill,	Hoar, Ingalls, McPherson, Manderson, Miller of N. Y., Mitchell, Morrill,	Pike, Platt, Plumb, Saulsbury, Sewell, Varf Wyck, Wilson.
	1	NAYS-21.	

Beck, Butler, Camden, Chace, Coke, Conger, Dolph, Garland, George, Gorman, Jackson, Jonas, Maxey, Miller of Cal., Palmer, Sabin, Slater, Vance, Vest, Walker, Williams.

ABSENT-27. Lamar, Lapham,

Aldrich, Bowen, Call, Cockrell, Colquitt, Farley, Gibson, Groome, Hampton, Harris, Hawley, Jones of Florida, Jones of Nevada, Pugh, Ransom, Riddleberger, Logan, McMillan, Sawyer, Sherman, Voorhees Mahone, Morgan, Pendleton,

So the motion to lay the bill on the table was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes; and A bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The message also announced that the House had passed the bill (S. 723) for the relief of Eugene B. Rail and others.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 2668) granting a pension to John M. Milton;

A bill (H. R. 4684) for the relief of certain citizens of Marion.

County, Tennessee;
A bill (H. R. 7938) granting a pension to Amanda Allen; and
Joint resolution (H. Res. 347) to provide for printing additional
copies of the report of the Committee on Military Affairs on investigation of national homes for disabled volunteer soldiers

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. From the conference committee on the sundry civil appropriation bill I make a report.
The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 49, 59, 136, 142, 195, and 198

That the Senate recede from its disagreement to the amendments of the Senate numbered 12, 49, 59, 135, 142, 195, and 198.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 13, 14, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 61, 62, 63, 64, 124, 132, 140, 166, 173, 193, 194, 196, 197, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the House to the amendment numbered 66, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: Strike out of said amendment the words "to be used for an advance course of instruction for naval officers," and in lieu of the sum proposed insert "\$5,000;" and strike out also, after the word "dollars," the following: "For pay of one clerk to officer in charge of building, \$1,000; in all, \$12,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000;" and the Senate agree to the same.

W. B. ALLISON,
EUGENE HALE,
JAMES B. BECK,
Managers on the part of the Senate,

SAM. J. RANDALL, W. H. FORNEY, THOMAS RYAN, Managers on the part of the House.

Mr ALLISON. I move that the Senate agree to the report.

Mr. CONGER. I desire the Senator to state what amendments the

Senate yield in regard to public buildings.

Mr. ALLISON. None whatever. All the public buildings inserted by the Senate, I will say to the Senator, except the Washington city post-office, are retained in the bill.

Mr. CONGER. And as they were?

Mr. ALLISON. As they were inserted by the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8236) relating to sales for taxes in the District of Columbia.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes; and it was thereupon signed by the President pro tempore.

DISTRICT TAX SALES.

Mr. ALDRICH. I present the conference report on House bill 8236. The Chief Clerk read the report, as follows:

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8236) entitled "An act relating to sales for taxes in the District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, substituting for the words stricken out by the Senate the words "and the affidavit hereinafter required," and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

Strike out the following words:

"Provided further. That where the commissioners are satisfied that any lot is the actual homestead of the owner and that it comprises the principal portion of his estate, they may accept a sum in full payment of the same, not less than one-balf of the assessed value of the lot."

And insert the following:

"Provided, That nothing contained in this act shall be construed to affect pending suits." And the Senate agree to the same.

NELSON W. ALDRICH,

JOHN J. INGALLS,

Managers on the part of the Benate.

LOUIS E. MCCOMAS,

JOHN F. FOLLETT,

W. L. WILSON,

Managers on the part of the House.

Mr. MORGAN. I call for the reading of amendment No. 1, to which

Mr. MORGAN. I call for the reading of amendment No. 1, to which

the House has disagreed.

The PRESIDING OFFICER (Mr. GARLAND in the chair). Senator from Alabama calls for the reading of amendment No. 1. Secretary will read the amendment.

The CHIEF CLERK. In line 3, after the word "taxes," the Senate struck out the words "or assessments;" so as to read:

That hereafter sales of real estate, after advertisement as required by law, by the collector of taxes for the District of Columbia, for taxes levied by the commissioners of said District, or by other lawful authority, shall entitle the purchaser, his heirs or assigns, if the property be not redeemed within two years from the date of such sale, as provided by law, to a deed from the commissioners of the District, é.c.

The PRESIDING OFFICER. The motion of the Senator from Rhode Island is that the Senate concur in the report of the conference committee

Mr. MORGAN. Mr. President, if I understand that, the agreement between the conferees of the House and the Senate keeps in the words between the conferees of the House and the Senate Keeps in the words in respect of special assessments. I object to the concurrence of the Senate in the amendment proposed by the conference committee.

Mr. ALDRICH. I am not able to hear what the Senator says.

The PRESIDING OFFICER. Will the Senate please be in order and cease conversation? The Senator from Alabama can not be heard.

Mr. MODCAN. The point I make is this. The Senate struck out.

Mr. MORGAN. The point I make is this: The Senate struck out so much of the bill as included "special assessments," and I understand that the report of the committee of conference restores those words to the bill. If that be the fact, I am opposed to concurring in the report. I do not know that I need to amplify the reasons; the Senate understand the restored to the senate understand the restored to the senate understand the senate under stands the reasons. It was somewhat discussed last night and I supposed it was thoroughly understood. I hope that the Senate will not

concur in restoring the words stricken out by the Senate from the bill.

The PRESIDING OFFICER. The amendment will be read again

for a better understanding of the point.

The CHIEF CLERK. In line 3, after the word "takes," the Senate struck out the words "or assessments."

Mr. MORGAN. Do I understand that the House refuses to strike out those words?

Mr. ALDRICH. Yes, sir.
Mr. MORGAN. The words are retained in the bill?
Mr. ALDRICH. Yes, sir.

Mr. MORGAN. Then I hope the Senate will not adopt the report, but that we shall further insist upon that amendment.

The PRESIDING OFFICER. The question is, Will the Senate con-

cur in the report of the committee of conference?

Mr. MORGAN. I ask for a separate vote on the first amendment.

The PRESIDING OFFICER. The Chair understands that that vote can not be taken, but it must be taken on the motion to concur.

Mr. MORGAN. Then I hope the Senate will not concur in the re-

port.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALDRICH. The amendment is more important than any other

part of the bill.

Mr. CONGER. That bill was passed this morning by the Senate with the express understanding that the words "or assessments" should be stricken out, and they were stricken out in the Senate, and then a conference was ordered on the part of the Senate, and the conference committee left the Senate and went into conference and agreed to restore the very words without the striking out of which the bill could not have passed the Senate to-day. It could not have been called up. It was only by consent and agreement that those words should be stricken out that the bill was enabled to be called up and acted upon. Now I ask the Senate to refuse to concur in the report, for I say it is contrary to the understanding and agreement and instruction to the conference

Mr. ALDRICH. I was not present in the Senate at the time this bill was taken up and passed, and know nothing of any understanding in regard to this amendment. I was placed upon the conference com-In regard to this amendment. I was placed upon the conference committee, and found that the House would not agree to this amendment, and the Senate conferees were obliged to yield. The chairman of the Committee on the District of Columbia called the bill up, and if there was any such understanding in appointing the conferees he probably is aware of it. I know of no such understanding. I will say further, in reply to the Senator from Michigan, that the bill is right, and that it is worth nothing without those words. The bill might as well fail as to pass with those words left out.

to pass with those words left out.

Mr. BAYARD. I think it much better that the bill should fail than that it should pass without a very full understanding of its provisions. It affects the property of a great number of very poor people, and how-ever desirable it may be to collect taxes it is not well to collect them at the cost of injustice. I hope the report will not be concurred in. Mr. ALDRICH. All the amendments offered by the Senator from

Delaware [Mr. BAYARD] are retained in the bill; all the amendments offered by the Senator from Tennessee [Mr. HARRIS], the Senator from Alabama [Mr. MOBGAN], and all the other amendments affording ad-

ditional protection and guards to tax-payers are retained in the bill.

Mr. MORGAN. The bill in the shape in which it is now presented to the Senate is simply a decree of forfeiture of the lands of some poor people in the city of Washington for the purpose of speculators. When this bill was called by the Senate last night objection was made to its being taken up. Thereupon Senators concerned on both sides agreed to take it up on the express understanding that these words were to be stricken out of the bill.

This bill has been pending in the Senate for several days. Amendments were offered and adopted by the Senate of an important character. When the bill was called up again for its final passage I had the honor of objecting to its being taken up out of its order for consideration. So the chairman of the Committee on the District of Columbia, in charge of the bill, had a conference with other Senators on this subject, and we agreed that these words should be stricken out of the bill; and under that condition this bill was taken up and put on its passage without further objection, and a committee of conference was immediately asked by the Senator who moved the bill. That is a somewhat novel proceeding; at the same time I think it is entirely legitimate; but the action of the Senate on the motion of the chairman of the Committee on the District of Columbia in striking out these words should have been considered and received by this committee of conference as an instruction that they should insist that these words should go out. This bill would never have passed the Senate with those words in it. The body of the Senate, I am quite satisfied, would have resisted the passage of a measure which would have taken from these people their homes.

Mr. VOORHEES. Will the Senator from Alabama allow me?

Mr. GEORGE. We can not hear a word the Senator from Alabama is

saying. It is a very important question, and I should like to hear him.

Mr. MORGAN. I yield to the Senator from Indiana.

Mr. VOORHEES. I ask that the matter under consideration be laid aside informally for the purpose of taking up a bill which has just reached here from the House on a subject that the Senator has also reached here from the House on a subject that the senator has a sonpassed a bill upon; but this is the only way in which to reach a conclusion. It is in regard to a lost certificate of deposit for one of the banks in Indiana, and is a matter in which the Finance Committee has been consulted and on which the House has acted. It is a bill to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind.

Mr. ALDRICH. In view of the evident intention to prolong the discussion upon the conference report, I will consent that it shall lay aside

Mr. MORRILL. Mr. President, I offer the following resolution and ask for its present consideration:

Resolved, That a committee of two members of the Senate be appointed to join such committee as may be appointed by the House of Representatives to wait

and will not ask any action, disclaiming at the same time any understanding or agreement, so far as I was concerned and which came within my knowledge, that this amendment was to be yielded to in committee or elsewhere.

The PRESIDING OFFICER. Is the suggestion of the Senator from Rhode Island agreed to that the conference report submitted by him lie on the table? The Chair hears no objection, and such will be the order.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; and it was thereupon signed by the President pro tempore.

PEOPLE'S NATIONAL BANK OF LAWRENCEBURG, IND.

Mr. VOORHEES. I now ask-

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 7706) to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind.

Mr. VOORHEES. I renew my request for the consideration of the

bill just received.

The PRESIDENT pro tempore. The Senator from Indiana [Mr. VOORHEES] asks the Senate to take up a bill on the table, the title of which will be read.

The CHIEF CLERK. "A bill (H. R. 7706) to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind."

By unanimous consent, the bill was read twice, and considered as in Committee of the Whole.

Mr. CONGER. I can not hear a word of the bill. Will the Senator state briefly what the bill is?

Mr. VOORHEES. It is a bill to authorize the Secretary of the Treasury to issue a duplicate for a lost certificate of deposit to one of the banks in Indiana.

Mr. CONGER. All right.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President

A bill (H. R. 6760) to authorize the construction of a bridge across the Mississippi River at Rock Island, Ills., and Davenport, Iowa, and

to establish it as a post-route; and
A bill (H. R. 8255) making appropriations to supply deficiencies in
the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

WITHDRAWAL OF PAPERS.

On motion of Mr. GROOME, it was

Ordered, That J. H. Kelley have leave to withdraw from the files of the Senate the papers in support of the bill to incorporate the North Capitol and Glenwood Cemetery Horse Railroad Company, subject to the rules of the Senate.

RETIRED GENERAL OF THE ARMY.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. INGALLS. I ask that the bill just received from the House of

Representatives may be read at length.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The Senator from Kansas asks that the bill just received from the House of Representatives be read at length. If there be no objection, the Secretary will read the bill at length.
The Secretary read as follows:

Be it enacted, &c., That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to appoint on the retired-list of the Army of the United States, from among those who have been Generals commanding the Army of the United States or Generals in-Chief of said Army, one person with the rank and full pay of such General or General-in-Chief, as the case may be; and the total number now allowed by law to compose said retired-list shall be, on such appointment, increased accordingly.

[Applause on the floor and in the galleries.]
Mr. INGALLS. Mr. President, the nation knows who that "one person" means. I ask unanimous consent that the reference of this bill to a committee be waived and that it now be considered by the

Several SENATORS. It is a Senate bill.

The PRESIDING OFFICER. It is a Senate bill, and the House has passed it without amendment. No further action, in the opinion of the Chair, is necessary. [Applause in the galleries.]

NOTIFICATION TO PRESIDENT.

upon the President of the United States and inform him that Congress, having finished its business, is now ready to close its session by adjournment.

The resolution was considered by unanimous consent, and agreed to. By unanimous consent, the President pro tempore was authorized to appoint the committee on the part of the Senate; and Mr. MORRILL and Mr. HARRIS were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed a resolution "that a committee of three members be appointed on the part of the House, to join such committee as may be appointed by the Senate, to wait upon the President of the United States and inform him that Congress, having finished its business, is now ready to close its session by adjournment," and that Mr. WILLIAM M. SPRINGER of Illinois, Mr. S. S. Cox of New York, and Mr. T. B. REED of Maine were appointed the committee on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 2530) to authorize an additional appointment on the retired-list; and it was thereupon signed by the President

[The announcement of the signature of the President pro tempore was received with great applause on the floor and in the galleries.]

JOINT COMMISSION ON SIGNAL SERVICE, ETC.

The PRESIDENT pro tempore. The Chair will announce, in pursuance of the authority conferred by the sundry civil appropriation act in one of its clauses, that he appoints Senator Morgan, of Alabama, to fill a vacancy in the joint commission, consisting of three Senators and three Representatives, to consider the present organization of the Signal Service, Geological Survey, Coast and Geodetic Survey, and the Hydrographic Office of the Navy Department.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 723) for the relief of Eugene B. Rail and others; and it was thereupon signed by the President pro tempore.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the following acts and joint resolutions:

An act (S. 66) providing for allotment of lands in severalty to the In-dians residing upon the Umatilla reservation, in the State of Oregon,

and granting patents therefor, and for other purposes;

An act (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the

payment thereof;
An act (S. 544) granting increase of pension to Elijah W. Penny;
An act (S. 723) for the relief of Eugene B. Rail and others;

An act (S. 1113) granting a pension to Anne E. Manchester; An act (S. 1612) granting a pension to Bryson R. McCartney; An act (S. 1633) granting a pension to James Bond; An act (S. 1739) granting a pension to the widow and children of the late Byram Pitney;

An act (S. 1811) granting a pension to Anne T. Dicks;

An act (S. 1836) granting an increase of pension to Sarah Hague;

An act (S. 1877) granting increase of pension to John Hall; An act (S. 1911) for the relief of Duncan L. Clinch, of the State of

Georgia;
An act (S. 2125) granting a pension to Sarah Jane Prince;
An act (S. 2153) granting a pension to Benjamin F. Brockett;
An act (S. 2245) granting a pension to William N. Morris;

An act (S. 2262) granting a pension to Sedate P. Martin; An act (S. 2268) for the relief of Robert J. Ballort;

An act (S. 2279) granting a pension to Lewis L. Canady;

An act (S. 2302) granting a pension to John Lowe

An act (S. 2302) granting a pension to John Lowe;
An act (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;
An act (S. 2367) granting a pension to Sarah A. White;
An act (S. 2437) granting a pension to Mrs. Mary Gordon;
An act (S. 2443) granting an increase of pension to Polly Young;
An act (S. 2527) granting a pension to Robert Sheridan;
An act (S. 2530) to authorize an additional appointment on the retired-list of the Army;

tired-list of the Army;
An act (S. 2546) granting a pension to Charlotte C. B. Hatch;
An act (S. 2607) granting a pension to Mary B. Holmes;
An act (S. 2619) granting an increase of pension to Martha Hughes;
An act (S. 2620) granting a pension to Thomas H. Boaz;
An act (S. 2577) to authorize the printing of the eulogies delivered in Congress upon the late Henry B. Anthony;
An act (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument;

A bill (S. 2668) granting a pension to John M. Milton; Joint resolution (S. R. 100) authorizing the printing of certain naval

and military reports;

Joint resolution (S. R. 114) to provide for printing the annual reports of the Smithsonian Institution; and

Joint resolution (S. R. 122) authorizing the Secretary of War to loan twelve hospital tents and outfits to the American Society of the Red Cross for use in New Orleans.

GENERAL ULYSSES S. GRANT.

A message in writing was received from the President of the United

States, by Mr. O. L. PRUDEN, one of his secretaries.

The PRESIDENT pro tempore. The Chair lays before the message in writing from the President, which will be read: The Chair lays before the Senate a

The Chief Clerk read as follows:

To the honorable George F. Edmunds,

President pro tempore of the Senate of the United States:

Siz: The accompanying communication, although an executive message, may be read in open session. CHESTER A. ARTHUR.

WASHINGTON, March 3, 1885.

The PRESIDENT pro tempore. The accompanying communication will be read.

The Chief Clerk read as follows:

To the Senate of the United States:

I nominate Ulysses S. Grant, formerly commanding the armies of the United States, to be General on the retired-list of the Army, with the full pay of such

CHESTER A. ARTHUR.

EXECUTIVE MANSION, Washington, March 3, 1885.

[Great applause on the floor and in the galleries.]
The PRESIDENT pro tempore. Manifestations of applause are entirely irregular. The Chair asks unanimous consent that this nomination be now considered with open doors. Is there objection? The Chair hears none. The question is: Will the Senate advise and consent to this appointment? The Senators in the affirmative will say "ay."

The response was unanimously in the affirmative.

The PRESIDENT pro tempore. The "ayes" have it unanimously.

[Great applause on the floor and in the galleries.]

Mr. CONGER. I move that the President be notified of the action of the Senate on that last nomination.

The PRESIDENT pro tempore. That order will be entered if there be no objection.

NOTIFICATION TO THE PRESIDENT.

Mr. MORRILL and Mr. HARRIS, of the joint committee who were appointed to wait upon the President of the United States and inform him that Congress was ready to adjourn, appeared at the bar of the

Senate, and,
Mr. MORRILL said: Mr. President, the joint committee appointed
to notify the President of the United States that the Senate and House of Representatives were about to close their business by a final adjournment have performed that duty, and have been informed by the President that he has no further communication to make.

SWEARING IN OF VICE-PRESIDENT.

The Vice-President-elect (Hon. Thomas A. Hendricks, of Indiana) entered the Chamber, accompanied by Mr. Sherman, Mr. Ransom, and Mr. Hawley, members of the committee of arrangements for the inauguration.

The PRESIDENT pro tempore. Senators, the Chair has the pleasure to announce that the Vice-President of the United States elect is in the Senate Chamber, and, if agreeable to him, the Chair will administer to him the oath of office.

Thereupon Mr. HENDRICKS took and subscribed the oath prescribed by law, and was conducted to a seat at the right of the President pro

tempore.

The PRESIDENT protempore. Senators, we now close another epoch in the course of the Republic under the Constitution. The brief period of our national existence has, by the exertion of the co-ordinated forces of national and State systems, brought the experiment of free social and political government to an established and secure triumph.

I think I may safely say for us all that we believe that the long years to come in the future of the Republic will more and more increase the peace, liberty, order, and security of all the people of our country.

But perhaps it may not be improper for me to say that, in view of

our recent experience, it may be doubted whether Congress can congratulate itself on being the best example of a legislative body conducting its business with that deliberate and timely diligence which is the inseparable handmaid of wisdom and justice, as well in the making as in the administration of laws. It is I think an evil of large and growing proportions that measures of the greatest importance, requiring much time for proper examination and discussion in detail, are brought to our consideration so late that it is not possible to deal with them intelligently, and which we are tempted (overtempted I fear) to enact into laws in the hope that fortune rather than time, study, and reflection will take care that the Republic suffer no detriment.

The Chair has heard with deep sensibility of the resolution you have

kindly adopted concerning the administration of his duties, and he begs to express sincerely his gratitude for it. If, in the course of the execution of his duties, he has (as he sometimes may have done) wounded the feelings of any Senator or officer of the Senate, he can truly say that he has not intentionally given offense to any one; and in closing this session of the Senate he assures every Senator, whether retiring or continuing in public duty, that he wishes for him every friendly good wish, and hopes that he may long enjoy all the happiness that can be realized by citizen or Senator.

He now declares the Senate adjourned without day.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 3, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

ORDER OF BUSINESS.

Mr. VALENTINE. Mr. Speaker, is it in order at this time, before the Journal is read, to move to take a recess? If so, I desire to make a motion to take a recess until 10 o'clock to-night.

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] moves that the House take a recess until 10 o'clock to-night. The Chair desires to state that, owing to the fact that the House was in almost continuous session from 11 o'clock yesterday until 4 o'clock

this morning, the Journal is not completed.

A MEMBER. How soon will it be completed?

The SPEAKER. In about two hours, the Chair is informed.

Mr. RANDALL. Mr. Speaker, I move that the reading of the Journal be dispensed with for the present.

The SPEAKER. If there be no objection, the reading of the Journal will be dispensed with until it is prepared.

There was no objection.

There was no objection.

Mr. SPRINGER. I move to suspend the rules and adopt an amendment to the rules of the House, which I send to the Clerk's desk to be

Mr. VALENTINE. I ask that my motion be put to the House.
Mr. SPRINGER. Pending a motion to suspend the rules there is but one motion—to adjourn—in order.
The SPEAKER. But the motion to suspend the rules is objected to because the gentleman from Nebraska insists on the regular order,

which is the motion to take a recess.

Mr. VALENTINE. I insist upon that motion, Mr. Speaker.
Mr. SPRINGER. Mr. Speaker, as soon as the reading of the Journal is dispensed with is not a motion to suspend the rules in order?
Mr. VALENTINE. Mr. Speaker, the gentleman from Illinois [Mr.

SPRINGER] is out of order. The SPEAKER. It is not in order. In the first place, a contested-

election case is pending.

Mr. SPRINGER. Then the Chair holds that this is the pending

question?

The SPEAKER. The Chair so holds. The House decided on yesterday to consider the case, and the question was stated to the House in the form provided by the rules, that is by the reading aloud at the Clerk's desk of the resolution reported from the Committee on Elections. Pending that question the gentleman from Nebraska [Mr. VAL-ENTINE] moves that the House take a recess. Now, even if the motion to take a recess were not pending, a motion to suspend the rules could not be entertained at this time if the regular order were insisted upon.

Mr. SPRINGER. The regular order being the contested-election

Mr. VALENTINE. Regular order.

The SPEAKER. The regular order is before the House; but pending that, a motion to take a recess and a motion to adjourn are in order

under the rules. Mr. LEWIS. But can there not be a motion to suspend the rules? The SPEAKER. The difficulty is that there is a motion pending before the House; and pending that, a motion to suspend the rules can not be made if objected to. It can be done by unanimous consent, and the Chair has, upon two or three occasions, recognized gentlemen con-nected with appropriation bills to ask for unanimous consent to suspend the rules and the unanimous consent has been granted. [Cries "Regular order !"

Mr. HEWITT, of Alabama. Mr. Speaker, I rise to a parliamentary

inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEWITT, of Alabama. I desire to inquire whether, under the new rule assigning an hour each day immediately after the reading of the Journal for the consideration of bills to which there are not ten or more objections, that hour does not take precedence over the unfinished

The SPEAKER. The Chair thinks a contested-election case, being a matter of the highest privilege under the Constitution, is in order at all times, unless by unanimous consent, after the House has once de-

termined to proceed with its consideration and after the question has been stated to the House, as was done in this case yesterday.

Mr. STOCKSLAGER. Does the Chair place that decision upon the

ground that the election case is unfinished business?

The SPEAKER. Unfinished business, and also a privileged matter of the highest character, except reports from committees of conference.

Mr. STOCKSLAGER. Does either of these take precedence of the positive rule of the House that immediately after the reading of the Journal there shall be an hour set apart for the consideration of bills to which not more than ten members object?

The SPEAKER. The Chair thinks that it is a matter of the highest privilege, and, if insisted upon, it must be regarded as entitled to the floor. That has been the universal practice of the House. When the House has once engaged in the consideration of the contested-election case, it has gone on with it day after day immediately after the

reading of the Journal.

Mr. STOCKSLAGER. Is that the case as against the morning hour? The SPEAKER. Against everything except reports from conference committees, which under another rule of the House are in order at all times except when the Journal is being read, when the roll is being called, and when the House is dividing. The regular order is insisted

Mr. PETERS. I desire to inquire whether by unanimous consent a resolution could be introduced for reference to the Committee on Ac-

The SPEAKER. By unanimous consent anything can be done, Mr. PETERS. I ask unanimous consent—
Mr. O'FERRALL. I object.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 449) to provide for the appraisement and sale of lots in Peru, Dubuque County, Iowa;
A bill (H. R. 652) for the relief of Brannin, Summers & Co.;
A bill (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of and providing for the payment of Outerbridge Horsey, assignee;
A bill (S. 2577) to authorize the printing of the eulogies delivered in Congress upon the late Henry B. Anthony; and
A bill (S. 2666) to provide for the printing of the report and proceed-

ings of the commission to provide suitable ceremonies. for the dedication of the Washington Monument.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. Allison, Mr. Hale, and Mr. Beck.

LEAVE TO PRINT.

The SPEAKER. The Chair submits a personal request on behalf of gentleman who is absent from the House on account of sickness. The Clerk read as follows:

Mr. Throckmorton asks leave to print in the Record remarks on his educa-

There being no objection, leave was granted.

ORDER OF BUSINESS.

The SPEAKER. The question is upon the motion of the gentleman from Nebraska [Mr. VALENTINE] that the House take a recess until 10

o'clock this evening.

Mr. HEPBURN. I move to amend that motion by striking out "10" and inserting "9."

Mr. CONVERSE. I rise to a point of order. My point is that after the motion was made last evening to take a recess until 9 o'clock the House adjourned, and therefore that motion is not the pending ques-

The SPEAKER. It is not.

Mr. CONVERSE. But the question is on the demand for the previous question, as made by the gentleman from North Carolina [Mr. BENNETT

The SPEAKER. The gentleman from North Carolina has not de-

manded the previous question.

Mr. CONVERSE. I so understood him.

Mr. VALENTINE. He never did make that motion. My motion

Mr. VALEATIVE. He have due to the serious is pending.

The SPEAKER. The Chair will state the situation; there is no difficulty about it under the rules. When the House took a recess until 9 o'clock this morning all other motions for a recess of course fell; and certainly when the House adjourned this morning all motions then pending for a recess fell. But as soon as the House reassembled, and immediately after the reading of the Journal was for the present dis-

pensed with, the gentleman from Nebraska [Mr. VALENTINE] made a motion that the House take a recess until 10 o'clock this evening.

That motion is now pending.

Mr. CONVERSE. I understood the gentleman to claim that it was unfinished business

Mr. VALENTINE. Oh, no.

Mr. VALENTINE. Oh, no.

The SPEAKER. No; the Chair decided that the contested-election case was unfinished business. The gentleman from Iowa [Mr. HEPBURN] moves to amend the motion of the gentleman from Nebraska by striking out "10" and inserting "9."

Mr. PETTIBONE. I move to amend the amendment by striking out "9" and inserting "8."

The question being taken on Mr. PETTIBONE's amendment to the amendment there were—aves 4 noes 41

amendment there were—ayes 4, noes 41.
Mr. VALENTINE. No quorum.

Tellers were ordered; and Mr. VALENTINE and Mr. Springer were appointed.

The House again divided; and the tellers reported none in the af-

firmative, 75 in the negative.

Mr. VALENTINE. No quorum.

Mr. BELFORD. I rise to a question of personal privilege. I demand that the rules of this House for which we have such a profound reverence shall be enforced; and I ask for the reading of the seventh paragraph of the fourteenth commandment of the House of Representa-

tives. [Laughter.] I can not sit here and have gentlemen smoke all the time in the area in the rear of the seats.

The SPEAKER. The Clerk will read the clause of the rule indicated by the gentleman; and the Chair will call the special attention of members and officers of the House to this rule, because the matter to which the gentleman from Colorado has referred is one about which

frequent complaints are made to the Chair.

The Clerk read as follows:

While the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

Mr. BELFORD. Now I ask that the Speaker, who is the organ of this House, shall direct the Sergeant-at-Arms under that rule to enforce its requirement. The general place of smoking is right in the rear of where I sit; and I say we should be exempt from this nuisance at least until to-morrow at 12 o'clock.

at least until to-morrow at 12 o'clock.

The SPEAKER. The gentleman has a right to insist upon the enforcement of the rule. It is the duty of the officers of the House named in the rule to see that it is enforced; and the Chair has only a day or two ago directed those officers to see that it is rigidly executed, because there is very great complaint to the Chair almost every day of the session in regard to the violation of this rule. The Chair hopes that members will respect the rule of the House, and if they desire to smoke will leave the floor for that purpose. will leave the floor for that purpose.

Mr. BROWN, of Pennsylvania. I ask by unanimous consent, Mr.

Speaker, that the House now proceed to the consideration of bills under

the new rule for one hour to-day.

Mr. BUDD. I have been seeking the floor for the purpose of making that motion in order that I might call up for consideration the San Francisco post-office bill. Mr. WELLER. I object.

POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. I rise, Mr. Speaker, for the purpose of submitting a privileged report, which I send up to the Clerk's desk to be read.

The Clerk read as follows:

The Clerk read as 10110Ws:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill of the House (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 13 and 15, and agree to the same.

On the amendments of the Senate numbered 3, 4, 5, 6, 16, 17, 18, 19, and 20 they have been unable to agree.

R. W. TOWNSHEND,

R. W. TOWNSHEND,
WM. S. HOLMAN,
R. G. HORR,
Managers on the part of the House,
P. B. PLUMB,
WM. B. ALLISON,
JAS. B. BECK,
Managers on the part of the Senate.

The SPEAKER. The Clerk will now read the statement accompanying the conference report under the rule of the House.
The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8138) making appropriations for the postal service for the fiscal year 1886 submit the following written statement in explanation of the conference report:

The conference committee have agreed upon only three amendments of the Senate, and the action recommended thereon fixes the amount for railroad transportation at \$14,010,000; strikes out of the bill the provision to require bids from

the Bureau of Engraving and Printing for furnishing stamps, envelopes, and postal cards, and makes a verbal correction in the text of the bill.

The amendments disagreed upon relate to the rent of third-class post-offices, the question of foreign mail transportation, and the special stamp-delivery service.

R. W. TOWNSHEND, WM. S. HOLMAN, R. G. HORR, agers on the part of the House. Manac

Mr. TOWNSHEND. Mr. Speaker, it will be seen from the reading of the report that the conferees on the part of the House and Senate have reached an agreement on all amendments to the Post-Office appropriation bill except three. The first of those amendments is the one inserted by the Senate, extending the authority of the Postmaster-General to make contracts for lease of premises at the expense of the Government for third-class offices as well as first and second class offices. The second is the disagreement with that amendment of the Senate making appropriations for the ocean mail service. The third relates to the other sections of the bill, providing for the issuance of 10-cent special delivery stamps.

The conferees have declined to yield on the first of the amendments I have mentioned relating to leases for third-class offices for the reason we believe it opens the door to a much larger expenditure than at this time ought to be permitted. The number of post-offices in the United States reaches nearly 50,000. The number already where the Postmaster-General is authorized to make leases of buildings does not exceed four hundred, and they are of the first and second classe

The number of offices of the third class amount to nearly 1,900, and by next year no doubt will reach 2,000. If this amendment is adopted, by next year no doubt will reach 2,000. If this amendment is adopted, in my judgment it will render necessary we shall increase the appropriation necessary for leasing buildings for the purpose indicated nearly four times as much as is now provided for in the bill as it left the House. In other words it is believed, Mr. Speaker, by those who understood it properly, it will require an increase not less than \$600,000, and may reach a million more than is provided by the amount named by the Senate.

It is claimed by those who advocate this extension of the power of the Postmaster-General for leasing buildings for post-offices of the third class that it is not proper that a postmaster who receives \$1,900 salary should be deprived of the privilege of having a post-office leased at the expense of the Government for his use and be compelled to pay rent out of his salary for the premises occupied by him as a post-office, whereas a postmaster receiving \$2,100 under the law is entitled to re-

whereas a postmaster receiving \$2,100 under the law is entitled to receive additional compensation for rent as well as fuel and light.

In answer I would say it makes no difference where you draw the line, there will be some apparent hardship. If the Postmaster-General is authorized to make leases for second and third class offices, then those occupying fourth-class offices will come to Congress and demand, inasmuch as they receive salaries less than postmasters of the third class, that the Postmaster-General should have the right to lease buildings for rost offices for them at the Government expense. It has been for post-offices for them at the Government expense. It has been thought in the past to be wise the line should be drawn at \$2,000 salaried

Mr. Cosgrove rose.

Mr. TOWNSHEND. I ask the gentleman from Missouri not to interrupt me now. When I have concluded my statement I will be glad

terrupt me now. When I have concluded my statement I will be glade to yield to gentlemen who desire to ask me any questions.

I wish, Mr. Speaker, the House fairly to understand the character of the legislation they are entering upon, for if you adopt this amendment of the Senate you should increase the appropriation three or four times as much as you have provided in this bill, and include four times as many offices as are now furnished at the Government. or five times as many offices as are now furnished at the Government

I warn you now if you allow this number of post-offices to be provided at the Government expense for third-class offices it will not be long until the occupants of fourth-class offices in the United States will be clamoring for the same privilege. Then, of course, you will have to make provision, as I have already indicated, for nearly 50,000 post-offices. I will not dwell further on that point, as I wish to be brief in the remarks I make on this report, being conscious of the short time left us for the consideration of the great money bills, of which this is the largest in amount.

The next and most vital point of difference between the two Houses is that relating to the ocean mail service. The ground upon which the majority of the House conferees have declined to accede to the amendment of the Senate is that the legislation proposed is in the nature of a subsidy.

I am aware that many good and wise members upon this floor and in the Senate deny that this is in the nature of a subsidy. There is a difference of opinion upon that point; but I think reflection will convince fair minds that it is so. It is insisted that in the exercise of a wise and sound discretion on the part of the Postmaster-General he will not go to the full limit of 50 cents per mile, which the proposition authorizes, unless the amount of service to be rendered will fairly justify him in doing so; that he will necessarily take into consideration in awarding contracts for such service the character and actual value thereof. But, Mr. Speaker, that question is to be left in the hands of some one who is entirely unknown to us at present. We do not know what may be his views on this question. We are groping in the dark in the adoption of such an amendment. We intrust to him an unwise and a dangerous power which will enable him to subsidize American lines if he shall be disposed to do so.

) But, sir, we are met by the argument by gentlemen that as we have put the domestic mail service upon the basis of compensation for service rendered, and have intrusted to the Postmaster-General the discretionary power of making such contracts as he may in his judgment deem necessary for the interest of the public, that we could also with equal safety intrust to him the power to make contracts for mail service to foreign countries.

They insist that it requires no less ability and integrity for making contracts with the inland steamboat, the coastwise, and railway mail service than for making contracts to extend our foreign mail service on American vessels. One of the most forcible illustrations used for this argument was that of a gentleman, the other day, who asserted that if we can safely empower the Postmaster-General at his discretion to enter into contracts for the transportation of the mails from New York to Gal-

into contracts for the transportation of the mails from New York to Galveston upon an American steamer, we can with equal safety intrust to him the discretionary power of making contracts for the extension of that service across the Gulf of Mexico to Vera Cruz.

I admit that it is a very difficult question to answer, when gentlemen put the inquiry squarely: Why if you allow the Postmaster-General to exercise discretion in making contracts for the coastwise and inland steamboat service should there be any great apprehension of abuse of power in allowing him to exercise equal discretion in making contracts for conveying our mail to foreign countries? About the only answer I can make to that argument is that this amendment of the Senate is I can make to that argument is that this amendment of the Senate is

not of that nature exactly.

The proposition now under consideration raises the limit of the power of the Postmaster-General to contract, or rather puts it in his power to increase the compensation for mail service on American steamers to foreign countries from an aggregate of about \$55,000 to an amount not exceeding \$400,000. In other words, it repeals the present law fixing their pay at not exceeding the sea-going and inland postage for this service, and authorizes him to contract at a rate not exceeding 50 cents per mile.

It is contended, however, that the Government is paying some foreign lines of steamers carrying the mails from New York to Europe a higher rate per mile than that provided in this amendment—giving them more than 50 cents a mile. That is true in regard to one line the North German Lloyd's; it was paid more than 50 cents per mile in 1883, and perhaps last year that line received nearly 70 cents per mile.

But gentlemen should remember that there is no comparison be-

tween the amount of mail carried on American mail steamers to the Southern and Pacific countries, to South America, Mexico, and Central America, to that carried on the North German Lloyd's line to Europe. Some gentlemen have not hesitated to advocate this proposition on the ground that even if there is a subsidy in this proposed increase of this ocean mail service it should be done for the encouragement and building up of the American merchant marine. They are willing to subsidize American steamers in order to secure for our flag a larger share of the commerce of the seas.

In answer to such suggestions, I want to say that I have full sympathy with every wise and just movement likely to increase our foreign commerce and the extension of our markets in the Southern and Pacific countries. It is well known that for more than a year I have been persistent in pressing upon the attention of Congress a proposition to form a commercial league of the nations on this continent, in character similar to the German Zollverein.

) That scheme if carried into effect would far more effectually than That scheme if carried into effect would far more effectually than subsidies rebuild and make prosperous our shipping interest, for it would provide that the maritime commerce between the United States and these countries should be carried on vessels owned by citizens of the countries embraced in the Zollverein. This would transfer to our flag nearly all the commerce among those countries which is carried on European vessels. If that proposition should be adopted there would be no possible need for subsidy.

If that is adopted the American merchant marine can not only successfully compate with the subsidized lines of Europe, but would encountries.

cessfully compete with the subsidized lines of Europe, but would enable us to rival if not outstrip any nation in the world in the commerce of the seas. For the purpose of showing the interest I have manifested in this subject before this amendment was offered, and to remove any impression that I am indifferent to the prosperity of our shipping interest, I will quote from my speech of January 10 last on the formation of an American customs union, as follows:

Perhaps there is no public question of paramount importance to that of rebuilding the American merchant marine and navy. I will not dwell here upon the causes which have produced the sad condition of our ocean commerce and the humiliating position of our flag on the seas. All recognize the insignificance of our shipping interest aside from our coastwise service. It has fallen from the proud position of rivalry with the greatest maritime powers under President Van Baren to the foot of the list under President Arthur. Then over 84 per cent. of our imports and exports were carried on American bottoms, now it has fallen to 16 per cent.

Imports and exports were carried to the Argentine Republic, but per cent.

Twelve lines of steamers run to Europe from the Argentine Republic, but none to the United States.

It is stated in the daily press that last year only two American vessels sailed from New York to Europe, neither of which were steamers.

We are paying now over one hundred millions annually to foreign ships for carrying our commerce. Nothing can be done, in my judgment, which will more effectually and permanently rebuild our mercantile merine than the establishment of the American customs-unions.

One of the prime questions to be considered by members of the American customs-union would be the means of transit and intercourse, as between the United States and all those countries except Mexico the connection will be by water. Articles should be adopted by the Zollverein assembly which would apply the benefits of the freedom of commerce and exchange only to goods carried on vessels owned by the countries forming the union.

But by the establishment of an American Zollverein all countries outside of the verein would be excluded from the benefits and privileges I have indicated. This would give us control of the carrying trade of this hemisphere. It would revive our languishing shipping interest, and lift it from the foot of the list to the highest degree. We would eventually dethrone England's sovereignty of the seas and become the great maritime power of the world. For the great increase which that trade would give to our shipping would enable our ship-owners to compete for a fair share of trade in all the seas. It would send our flag to ports where it is now a stranger, and transport American products under an American flag on American bottoms to the markets of the world.

But, sir, anxious as I am to accomplish that result, I am opposed to The plan I have suggested can not, however, obtain favorable action during this session.

Now we must return to the point practically before us: What is the compensation paid? As is well known, the law to-day provides that the Postmaster-General may compensate our foreign ships by paying them 2 cents as sea-going postage upon each letter carried.

The law does permit the Postmaster-General to pay the American steamers engaged in the carrying our foreign mails both the inland and the sea-going postage. The officials of that Department have not, as I understand, however, ever exercised that power; and the reason assigned by them is that the appropriations made by Congress will only permit by them is that the appropriations made by Congress will only permit them to pay American steamers the same amount as is paid to European steamers, or 2 cents per letter. What is the result? By referring to the report of the Postmaster-General of last year you will find there is some truth in the statement that some of the American lines running to the southern countries are inadequately compensated. And the same report shows us there is an extravagant allowance for carrying of our mails by some foreign lines to European countries.

There are two classes of vessels engaged in carrying our foreign mails. One is a classowned by Europeans almost exclusively engaged in carrying the mails from our Eastern ports to European ports. No American steamer crosses the Atlantic with an American mail upon it. The other class are vessels built in America and owned by citizens of the United States. American steamers are almost exclusively engaged in

transporting our mails to Mexico, Central and South America, the West Indies, China and Japan, Australia, and the Sandwich Islands.

The North German Lloyd's, a foreign line from New York to Bremen, received last year an average of over \$1,600 a trip for carrying the mail; whereas on American lines running to the southern and Pacific countries the compensation ran as low as \$30 a trip. The lines from San Francisco to Japan and China received on an average about \$125 a trip. The line running from New York to Aspinwall received about \$131 per average trip. The vessels from San Francisco to China, travel a distance of about 7,000 miles, while from New York to Bremen the distance is only some 3,000 miles. From this it will be seen as claimed by the advocates of this amendment that the American line to China received only about one-thirteenth as much as the foreign line to Bremen, although

Now, why is this? It is because the basis upon which you make the compensation for the carrying of foreign mails is uniformly 2 cents per letter, and produces that result. I do not believe the basis is right. For whereas 2 cents as a basis does give to the European lines an excessive and extravagant compensation, the basis of 2 cents for these lines running south and southwest furnishes in most instances inadequate compensation. But so long as this basis stands this unequal and unfair result will follow.

As I have heretofore said, the immense amount of mails carried to European ports results in giving the large compensation to the lines to Europea which I have mentioned, while the smallness of the quantity of mail carried to southern ports results in the small pay received for carrying those mails under the present law. This basis allows no more pay for carrying a letter 3,000 miles than for carrying it 7,000 miles. This is wrong. In all our domestic service we take into consideration the distance, weight, and character of service performed in fiving mail-nay, and should do so in our foreign service. in fixing mail-pay, and should do so in our foreign service.

My colleagues on the committee and myself have seen the inequality

and injustice of this basis of compensation and have endeavored to find the way by which a just and fair basis can be established. My friend from Indiana [Mr. Holman] and myself earnestly desire to find some plan whereby honest, just, and fair compensation may be made for the amount of service rendered by American steamers. While I admit that we ought to take into consideration the distance carried, we should

also take into consideration the weight of the mails and the amount of service the vessels perform for the Government.

My colleague on the committee, Judge Holman, suggests as some remedy for the injustice of this basis to American vessels that we direct the Postmaster-General to pay the American steamers both the inland and foreign postage; but, sir, we find great difficulty in formulating a plan which will do justice both to the Government and the carrier.

I am opposed to subsidies as undemocratic and unrepublican, as unsound governmental policy. I shall not vote for a subsidy for any purpose. I am told that England has built her up her merchant marine by means of subsidies in the nature of large mail-pay. Her main object, however, has been to keep open her communications with her colonies. I am told also that as soon as the Canadian-Pacific road is built she intends to subsidize a line running from Victoria to China and Japan, which will compete with the American line running from San Francisco. And we are told that she has now ships running from San Francisco to Australia, and that she is running a subsidized mail line to Brazil.

We are told that France has subsidized not only her foreign mail lines but also the commerce of her merchant marine by allowing 30 cents per ton for every mile of steam navigation by vessels built in her ship-yards carrying her flag, and 15 per cent. in addition thereto when the designs for the ships are submitted to and approved by the Navy Department. We are told the Brazilian Government subsidizes not only its own mail lines but English lines to the extent of over \$1,000,000 per annum, and that it has even subsidized one of the American lines to the extent of \$100,000 per annum.

But, sir, our institutions, our policy, and principles of government are antagonistic to the policies and the principles adopted and necessary in monarchies, which are founded largely on the idea of privileges to in monarchies, which are founded largely on the idea of privileges to
the few, and which lead to the building up of strong monopolies. I
do not believe it wise that we should adopt such a policy. If we do
not grant subsidies as inducements for carrying our mail in American
steamers, what system should we adopt?

There is another plan suggested. It is that we shall empower the
Postmaster-General to exercise the same discretion in compensating for

our foreign mail service that he does in fixing compensation for our domestic mail service; that we shall give him power to make contracts for the service rendered on similar terms of our coastwise and inland service. That is a suggestion which, in my judgment, appeals much more forcibly to the sense of justice of those who wish to do their duty to the Government and the carriers of our mails on the ocean than does the idea of granting subsidies; but when you come to the consideration of this suggestion you find that as construed the statute limits the power of the Postmaster-General to making contracts for carrying the

mails only to the extent of 2 cents and 5 cents per letter.

No such proposition, however, is before the House, and it is unnecessary for me to discuss it unless it is offered; but before I take my seat I want to call attention to another question regarding our foreign mail service. The Postmaster-General, in his report, and the superintendent of the foreign mail service both dwell with emphasis upon the act of last session repealing what is known as the compulsory law. The compulsory law that was in force until the last session of this Congress put it in the power of the Postmaster-General to force American steamers to carry our mails for the sea-going postage. He had the power to coerce them and he did coerce them at times when they insisted the compensation was inadequate.

It was claimed by the American steamship companies that this power of the Postmaster-General was exerted to an extent which caused actual loss upon some of the lines. I see that the report of the commission sent lately to Central and South America, just published, states that some of the lines to Central and South America and the West Indies have actually suffered loss on the mails they have handled. If this is true, no fair-minded person would deny that their compensation should be increased. I believe that is true of some of the lines, but not of all. The compensation for the line running to Brazil is perhaps Sufficient; it gets over \$800 per trip.

The Postmaster-General and the superintendent of the foreign mail

service warn us if no change is made in the law as it stands, and those steamers refuse to carry the mails, serious interruption will be produced in our commercial relations and correspondence with those countries. The superintendent of the foreign mail service states that threats have been already made that the mails will be thrown off some of the lines running from San Francisco.

But, on the other hand, it is insisted that those lines will never throw off the mails, that the carriage of the mails is almost a necessity to them in the conduct of their business, that they can not well conduct their general business unless they carry the mails which enable the merchants of the countries between which they ply to communicate easily with each other, and that therefore no such danger will arise as the Post-master-General and the superintendent of the foreign mail service seem to anticipate.

But, be that as it may, we ought not to force any body or company to perform service for the Government without just and fair compensation perform service for the Government without just and fair compensation for the service performed. Let me say again that the gentleman from Indiana [Mr. Holman], as well as myself, desires that something shall be done which will give these steamship lines fair, just, honest compensation for carrying our mails on the ocean. We do not desire to force the carriage of the mails at a loss. I wish to give full compensation for the amount of service performed; but I think this empowers the Postmaster-General in many instances to go beyond what may be properly regarded as reasonable and fair compensation for the service. In the absence of an agreement for a satisfactory plan we reported to the general

committee the bill with provision for payment on the basis of the seagoing postage. And that action has been sustained by the House on a vote taken by yeas and nays.

The gentleman from Indiana [Mr. HOLMAN], as I have stated, at one time suggested that we might direct the Postmaster-General to give the

American lines both the inland and the sea-going postage. I would be willing to accept such a proposition. If that were done, it would more than double the amount of their compensation. They are receiving now about \$55,000 for carrying the American mails, and that proposition would give them over \$130,000, nearly \$140,000.

I know that when gentlemen here call attention to the inequality be-

tween the compensation of American steamers and that received by foreign steamers for mail service they bring to bear an argument which works upon the sympathies of many gentlemen in this House who would feel a pride in building up the merchant marine of this country. The figures do show, as they have asserted, that last year foreign steamers received \$273,000 for carrying our mails to Europe, whereas the American ships received only about \$55,000.

If the proposition I mentioned a moment ago be adopted the Ameri-

can steamers would receive somewhere in the neighborhood of \$130,000 or \$140,000. If they were given the sea-going and the inland postage, it would be a step in the direction of giving them fair and just compensation—much fairer than they receive under the present law. But unless something of that kind be done the House conferees, in order to be consistent with their principles and to obey the vote which has been taken upon a proposition substantially the same as this, must stand upon the position they have heretofore taken. We went into conference, backed by a vote of some 15 or 20 majority, refusing to accept a proposition similar to the one that the Senate has placed upon this bill.

Mr. Speaker, I have endeavored dispassionately, calmly, impartially to put before the House the arguments used on both sides of this questo put before the House the arguments used on both sides of this question in order that the situation may be fully understood. Unless this House reverses the action it has heretofore taken by a pronounced vote I shall, if I go back into conference, stand in opposition to the amendment of the Senate. At the same time, if some proposition giving American steamers fair and just compensation for the amount of service performed can be agreed upon I should be glad to see it done, in order that the Government may be religiously from the dillement that the order that the Government may be relieved from the dilemma that the Post-Office officials and others think it will be in after April next when the compulsory law will cease to operate. I wish to avoid any danger of interruption of our correspondence or commerce with foreign coun-

It is said that these lines, if the Department fails to make contracts with them, will at once advertise that they are willing to carry letters for merchants and other correspondents, and will fix such scale of charges as they may determine. If that were done it would still be a very inconvenient mode of conducting correspondence with foreign countries, because no matter what amount of stamps may be put upon a letter destined, for instance, for China, it is necessary when it reaches San Francisco that there shall be some authority there to negotiate with the vessel and the Department for carrying the mail.

In such a condition the public would be left entirely in the power of

the steamship companies, who might tax them unjustly and onerously for the service. But I am opposed to this amendment because it partakes of the nature of a subsidy; and I shall stand in opposition to it until this House shall otherwise direct.

Now, in regard to the last point of difference, the 10-cent specialty stamp. The proposition on that subject was put on this bill by a unanimous vote of the Appropriations Committee and by a unanimous vote of the House. The Senate has stricken it out upon the theory that it is general legislation. I find the construction of the Senate in that regard is this: Whenever any general legislation suits their views they have no hesitation in putting it upon an appropriation bill, as they did in regard to authorizing the Postmaster-General to lease premises for third-class offices; but when the Committee on Appropriations of the Senate, or the Senate itself, do not desire general legislation they fall back upon the technical rule and claim that they are not permitted under their rules to place general legislation upon an appropriation

I do not desire to discuss this question further. How much time

The SPEAKER. Twenty-five minutes.

Mr. TOWNSHEND. I propose to yield the remainder of my time to the gentleman from Indiana [Mr. HOLMAN]. Before surrendering the floor I will make a motion to adopt the report. But I do not wish to cut off debate by other gentlemen. Does the gentleman from Mich-

igan [Mr. Horr] desire to go on now?

Mr. HORR. I prefer to wait until I move to concur in the amendment as to mail transportation on American vessels. The first vote should be taken at once on adopting the report.

The SPEAKER. Does the committee of conference report a disgreement as to this amendment?

Mr. TOWNSHEND. As to three amendments.
The SPEAKER. Is this one of them?
Mr. TOWNSHEND. I am now moving to adopt the report.

The SPEAKER. The Chair is inquiring whether this is one of the amendments upon which the committee of conference has disagreed. Mr. TOWNSHEND. It is.

The SPEAKER. Then it can not be disposed of until the report has been either agreed to or disagreed to.

Mr. TOWNSHEND. My motion is to adopt the report. I am not desirous, however, of cutting off debate on it.

Mr. BINGHAM. I desire to inquire whether if the conference report be first adopted we shall have debate distinctly upon this point?

The SPEAKER. The Chair can not state what debate will be allowed, because that is a matter which rests with the House. If the previous question should not be ordered, there will be debate as a mat-

Mr. TOWNSHEND. If it is not the desire to debate the motion, I

will move the previous question.

Mr. BINGHAM. But we do desire to debate it.

Mr. HORR. And we do not wish to be cut off.
Mr. BINGHAM. We want our hour.
The SPEAKER. The Chair has stated that as soon as the House has disposed of the report of the conference committee, the amendments about which the committee disagree will then come up for considera-

Mr. HORR. I will take the floor now, because I do not wish any

question to arise afterward.

The SPEAKER. There can be no question as to the right of the House to consider each one of the amendments after the report has been agreed to.

Mr. HOLMAN. It seems to me, Mr. Speaker, it will be just as well to have the debate before the conference report is adopted as after-

The SPEAKER. That can be done, although it is not the regular order.

Mr. HOLMAN. I hope it will be granted.

The SPEAKER. If there is no objection that course will be pursued. There was no objection, and it was ordered accordingly.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885; when the Speaker signed the same.

RESIGNATION OF A MEMBER.

The SPEAKER also laid before the House the following communication:

House of Representatives, March 3, 1885.

House of Representatives, Forty-eighth Congress, U. S. A.:

I have the honor to inform you that I have resigned the office of Representative in the Forty-eighth Congress from the fourth Congressional district of Alabama, from and after the hour of 12 m. of this the 3d day of March, 1885, and that said resignation has been forwarded to the governor of the State of Alabama, at Montgomery, Ala.

Most respectfully, your obedient servant,

GEORGE H. CRAIG.

GEORGE H. CRAIG.

HOUSE OF REPRESENTATIVES, March 3, 1885.

POST-OFFICE APPROPRIATION BILL.

Mr. HOLMAN. I reserve my time.

Mr. HORR. Mr. Speaker, the amendment ingrafted upon this bill by the Senate in reference to the carrying of our foreign mails upon American steamships is the only one which I propose now to call the attention of the House to, and in doing so I wish to say that I hope the House in the end will agree in that Senate amendment, because I am satisfied it is a wise provision and one that ought to be adopted by the American Congress.

This bill as the Senate have amended it carries \$400,000 for the purse of paying for carrying our foreign mails in American ships; and let me read the provision to show you how wisely it is drawn:

For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

Mr. Speaker, this \$400,000 covers the carriage of the mails in round numbers 1,750,000 miles. Understand me, the whole distance aggregates 1,750,000 miles that these vessels will travel for this \$400,000. How came we to be in the condition we are now in? I wish every

member would give me his attention on this point. Formerly these ships received 40 cents a letter for over one-half of the ports to which they carried our letters; 25 cents a letter to China and Japan, and 30 cents a letter from the United States to Australia. September 15, 1874, a conference of nations met at Berne. There were twenty-one nations represented. They adjourned, and in 1875 reassembled at Paris, and there entered into an arrangement whereby this postage was cut down, and instead of being 25, 30, and 40 cents a letter, after that conference we have paid 2 and 3 cents only a letter.

Immediately after that conference every other nation of any dignity

or magnitude on the face of the earth except ours gave extra compensation to their ships for carrying these mails. We cut down the price

The SPEAKER pro tempore (Mr. HATCH, of Missouri, in the chair). Gentlemen will suspend conversation upon the floor. Public business

will be suspended until order is restored.

Mr. HORR. I was just about saying, Mr. Speaker, that interna-Government refused aid to her ships, England paid last year for this service over \$3,000,000. She has paid as high as \$6,000,000. She paid for her route to Japan and China alone last year \$1,800,000. England paid out last year for her ships to the West Indies \$400,000. The United States, this nation which we all feel so proud of, paid the magnificant of the ships to the West Indies \$400,000. nificent sum of \$3,600, and compelled American vessels to carry the mails for that mere pittance, which the officers of the vessels swear did not cover the expense of transporting the mails on shore and getting them aboard from the post-offices, to say nothing about carrying them. We paid last year for carrying our entire foreign mails \$325,000. Italy paid \$2,000,000. The Republic of France paid about \$4,500,000, and England, as I have already stated, \$3,000,000. You must remember that our American vessels are compelled to compete with ships receiving these large sums for the carrying trade of the world.

Now, mark this: We collected one million and a quarter of dollars last year out of foreign mails more than we paid for their carriage. Let me show the House what we are doing to-day, because I wish to reach this question of subsidy, which is such a bugbear in the minds of so

many members here.

Formerly, as I have said, the ships received 40, 30, and 25 cents for carrying each letter. We cut the prices of a letter down from here to Australia, which is 6,000 miles, and compelled them to carry it that distance for 3 cents, precisely the same amount that they got for carrying a letter from Boston to Halifax, 578 miles. We compelled them to carry the mail to New Zealand, 5,000 miles, for the same price per letter we paid from New York to Havana, 1,280 nautical miles. We compelled them to accept pay for the long haul just as they got for the short haul. [Laughter.] My friend from Texas [Mr. REAGAN] is not here;

that was for his benefit.

Now, gentlemen, what is this proposition? My friend from Illinois [Mr. Townshend] stated it correctly. It is simply to permit the Postmaster-General to let a contract for carrying the mails 6,000 miles and haster-General to let a contract for carrying the mails 6,000 lines and pay for it what the service is worth; just as you do from New York to Havana, 1,280 miles. We adopt this principle all over the United States on land; we do not pretend to carry letters just where they will pay by their postage for their carriage, do we? We carry the letters to points in the West or the South where every letter cost from one to five dollars a letter to deliver it, and we charge 2 cents for that letter and no more. We run our mails on land on the theory that we should deliver all the letters for every state of a cheer that liver all the letters for our entire people at a cheap rate of postage; and by this amendment which the Senate adds to the bill it is intended to adopt in a small way that same principle and apply it to ocean postage. Now I did want to state these facts to the House, but it seems that they are not inclined to allow me to do it. I can not talk while every-

body else is talking.

Mr. REAGAN. Permit me just here to congratulate my friend from Michigan on having at last got right on the question of long and short hauls.

hauls.

Mr. HORR. When you apply it to the mails I am with you, because it is right. Indeed, Judge, I am always apt to be right; that is a peculiarity of mine. [Great laughter.]

Mr. REAGAN. No doubt right sometimes and wrong sometimes on such questions; but the gentleman thinks he is always right.

Mr. HORR. I should dislike to act, when I thought I was wrong, on any question. I am not very particular, Mr. Speaker, as I said, about whether I give the House the facts that I have prepared, or not. [Cries of "Go on!"]

Mr. RANDALL. If there is no desire to debate further, perhaps we can have the previous question.

can have the previous question.

Mr. HORR. We are met right on the threshold of this attempt with the acknowledgment on the part of the gentleman from Illinois that this compensation ought to be allowed, and with the admission on the part of the bulk of the House that these ships are getting now nothing in the shape of adequate compensation for the work they do. But the moment the question is started they all begin to cry out "subsidy!"

My friend from Pennsylvania here [Mr. BAYNE] closed this debate in this House a few days are by a pions moral lecture to the Demo-

in this House a few days ago by a pious, moral lecture to the Democrats in reference to subsidies, and I never heard a man whose bowels yearned so wonderfully over anything as his did over the good that he was disposed to hope for from the Democratic party in this House while warning them of their danger. It was cheering. He went into the whole length and breadth of this subsidy question. He appealed to them not to be entrapped into a subsidy thus early in their accession to power.

Now, in all kindness to my friend from Pennsylvania, I want to call his attention to a fact, and I do so for his speech was a good one. It lacks simply one element so far as I can learn, which was this: It did not state correctly a single fact; that is all. What he stated for facts

were every one of them untrue; and that, I say, was the only element that was lacking to make it complete. The next day after he did the mischief he admitted himself on the floor of the House, in that honest way he always has, that when he stated to the House that the Pacific Mail Steamship Company had made dividends of 20 per cent. a year, that he had made a slight mistake in his figures, and that it should have

that he had made a slight mistake in his figures, and that it should have been 5 per cent. instead of 20.

Mr. BURLEIGH. And that for only one year out of fourteen.

Mr. HORR. I have looked it up, and I call the attention of the gentleman from Pennsylvania to it. For the last year the Pacific Mail Steamship Company has paid three dividends of 1½ per cent. per quarter. That is at the rate of 5 per cent. per year, isn't it? You New York men are all right on percents, and can tell me. Now, what is the result? I say to my friend from Pennsylvania that those are the only dividends that have raid in fourteen years. What have they done the result? I say to my friend from Pennsylvania that those are the only dividends they have paid in fourteen years. What have they done in fourteen long years? I will tell you: They have been to your State of Pennsylvania and they have put \$9,000,000 into iron ships, building nineteen ironclads in the yards of your State, ranging from 2,500 registered tonnage to 5,000 registered tonnage; built nineteen as good ships as float in the merchant marine of the world, paid your manufacturers for them, you have got your manufacturers. for them, you have got your money, and now the gentleman is afraid these ships will get a little something for their work. [Laughter.]

If there is anything a Pennsylvanian is boss at it is in always appreciating every kind of tax that comes into Pennsylvania's pocket.

[Laughter.] I never knew one of them go back on his own State; and I like them for that. All they want is to broaden themselves out a little and do for this whole country what they never fail to advise for

I have been in favor of the tariff on iron and things that have gone into those ships. I believe in it. You gentlemen of the Democratic party do not. But my friend General BAYNE and I agree upon that. Now, why should we compel them to build these ships in your yards and then deny them the right of fair compensation for carrying our

"Oh, but," says my friend General BAYNE, "why Gould—yes, Gould owns some of this stock in that company." Supposing he does. Would the gentleman have the mails carried in American vessels owned by people who have not got anything? [Laughter.] That is what he intimates. How can you do that? He would have a big American

marine built up by people who have not anything to build it with.

But, stop! I did not hear the gentleman make any vigorous speech against carrying the mails over the Union Pacific Railroad. We pay that railroad according to mileage just as I want to pay the ships. The gentleman's voice was silent as to that. But Gould owns, too, an immense extent in the Union Pacific, while Gould, Huntington, and the whole list the gentleman spoke of have not 5,000 shares to-day in the Pacific Mell Strenghia Companyate of the 200 000 shares to-day in the Pacific Mail Steamship Company out of the 200,000 shares. Who is it, Mr. Speaker, that owns the stock of this Pacific Mail Steamship Company?

Mr. KING. May I ask the gentleman from Michigan a question?

Mr. HORR. Certainly.

Mr. KING. I ask the gentleman if his proposition is to pay for the mails on steamships the same as for the mails on railroads?

Mr. HORR. This proposition is to let the Postmaster-General contract by the mile, just as we do with our coastwise vessels, just as we do with our railroad service, just as we do in the star-route service, provided he shall not give over 50 cents a mile; and he is to let it to the lowest bidder. As regards all other mail transactions we let the elements of weight and distance come in—do we not? Why, sir, on the star routes, if you should adopt this plan that you have adopted as to these American vessels, there would not be a letter carried through the West and South of this nation. There is not a Southern State, if I remember, that to-day collects postage enough to pay its share of the service. Suppose it does not, our theory is to deliver these mails to the people all over our country; and I would extend the principle and deliver them to every nation in the world at this low rate; but I would not take the money out of the poor American ships to pay the service with. I would pay it just as we do our railroad and star routes. Now

Mr. HUTCHINS. Will the gentleman from Michigan yield to me for a question?

Mr. HORR. Yes, sir.
Mr. HUTCHINS. What rate is paid the coastwise steamers?
Mr. HORR. The coastwise steamers now get, as I recollect, about 67 cents a mile on an average.

MEMBER. Fifty cents a mile.

Mr. HUTCHINS. Why should there be that difference?

Mr. HORR. There should be no difference, except that coastwise steamers may carry a little more in weight than the vessels that go on

those long routes.

Mr. ELLIS. But are they not protected against competition?

Mr. HORR. The American ships for which we are providing take a mail-bag and are gone twenty-six days with it. You compel them to receive for that work, for carrying a letter twenty-six days, just the same as they get for a day's travel from Key West across to Cuba.

Now what I want is simply this, that we should let the Postmaster-

General pay these American vessels something near what they actually

earn. It is fair; it is honest. They should be paid for the distance they haul our mails.

But I started to refer to what my friend from Pennsylvania [Mr. BAYNE] said, that of the amount proposed to be appropriated by the bill, when it embraced the sum of \$600,000, the Pacific Mail Company would get \$320,000. Where did the gentleman get at that fact? I ask the gentleman from Pennsylvania to say where he got it.

Mr. BAYNE. That is ascertained by the number of miles traveled

by that line.

Mr. HORR. The gentleman's mathematics are wrong.
Mr. BAYNE. Then the gentleman from Maine [Mr. DINGLEY] is rong. I took that statement from the speech of the gentleman from

Mane.

Mr. HORR. That is generally very good authority.

Mr. BAYNE. I find it stated in his speech that there were 634,000 miles run last year by the Pacific Mail Steamship Company.

Mr. HORR. I find this to be the fact with reference to this amount of \$400,000. If in a bidding the Pacific Mail Steamship Company should get the maximum amount, that is, simply get paid for the routes where there is no competition, at the maximum rate, it would get \$46,000. If it gets the entire routes on which the line ran last year at \$46,000. If it gets the entire routes on which the line ran last year at

the maximum price, it would get only \$130,000.

I wish to say to the members of this House, after careful study of this question, that I believe the Senate has done a fair thing on this for eign carrying business. Can not we all of us rise to the dignity of doing a little something for American shipping? Can not we all of us consult and agree that right here and now at the close of this Congress we will commence a system of paying fair rates to the vessels that

we will commence a system of paying fair rates to the vessels that carry the American flag?

Why, gentlemen, this Pacific Mail Steamship Company that we hear so much about is owned by seven hundred different American citizens; it is almost all owned in this country. Now, Mr. Speaker, let me close by repeating what I have already said—that I hope we shall do justice to these vessels that carry the American flag; I do not care who owns them. This Pacific Mail Company that gentlemen talk about so much is the company that has carried our flag over one-third of the globe where it would not have been seen at any time within the last ten years but for that company's work. Should we be stampeded here because that steamship company gets a little pay? It has carried our cause that steamship company gets a little pay? It has carried our mails for almost nothing for nine years—for less than enough compensation to pay the cartage at each end of its route. We have repealed

sation to pay the cartage at each end of its route. We have repealed that law. After the 1st of April next we can no longer compel these steamship lines to carry our mails for nothing. Now, this amendment of the Senate proposes that your Postmaster-General shall have the right to make contracts to pay these vessels what they really earn.

I appeal to this House, now approaching its close, to do this much for the American people and for American enterprise. I know that the gentleman from Pennsylvania [Mr. BAYNE] and all of you bandy the word "subsidy." That is a ghost that has no terrors for me. I would vote for this proposition if it was \$800,000, and I would do it from a sense of fairness. Why, sir, we made a million and a quarter dollars out of this service, taken as a whole, last year. Why then should we not let American ships that carry the American flag get pay for their work, when that entire service earns the money? I do believe that upon reflection this House will do justice to American shipping and upon reflection this House will do justice to American shipping and give it at least what we give to foreign vessels for this mail service— because that is the Senate amendment. It divides the compensation evenly between the two. When we come to this vote I expect men who are always voting here to help England and against this country to vote against this amendment; but the men who believe in American commerce, in American shipping, in American prosperity, and in the American flag, ought to sustain this amendment, and so help to set our flag affoat once more upon the face of the ocean. I now yield ten min-

nag anoat once more upon the face of the ocean. I now yield ten minutes to the gentleman from New York [Mr. POTTER].

The SPEAKER pro tempore. The gentleman from Michigan [Mr. HORR] has thirty minutes of his time remaining.

Mr. DINGLEY. Mr. Speaker, I ask the gentleman from Michigan to yield to me for a moment to correct a misapprehension.

Mr. HORR. I yield to the gentleman for that purpose.

Mr. DINGLEY. In reference to the figures of the mileage of the

Pacific Mail Steamship Company, I wish to state that the discrepancy between the figures presented by the gentleman from Pennsylvania [Mr. BAYNE] and those presented by the gentleman from Michigan [Mr. HORR] arises from the difference in the provisions of the two amendments. When the gentleman from Pennsylvania [Mr. BAYNE] spoke on this subject we had under consideration the amendment reported by the Committee on Appropriations which included American steamship lines running between the Atlantic and Pacific ports, and included only about one-half of the Pacific Mail Steamship Company's mileage; but this amendment as it comes from the committee confines the provision to the lines running to foreign ports, and they cover only the figures stated by the gentleman from Michigan [Mr. HORR]. So that both

sets of figures are correct.

Mr. BRUMM. But the figures of the gentleman from Pennsylvania [Mr. BAYNE] do not apply to this bill, and the figures of the gentleman from Michigan [Mr. HORE] do.

Mr. POTTER. Mr. Speaker, I have listened with great attention to

the progress of this discussion, both when the bill was before the House previous to its passage and since it returned from the committee of conference. I have never for one moment doubted that it was and is the clear interest of this country and the clear duty of Congress to enable the Postmaster-General to make these contracts (originally proposed by this House, and now proposed in this Senate amendment in modified form) for the progress of the commerce and of every interest in this country. Sir, it is by the carrying of our mails and the carrying of our flag into the other nations of the earth and among them—the nations with which we are to build up our trade—that the hope of progress in the trade and commerce of this nation exists. It is by this more than in any other way that even the agriculturists and the producers of this country in every department of industrial activity are to be benefited and blest.

Let not those men who dwell upon the prairies, let not those men who participate in the magnificent and widely extended and growing who participate in the magnificent and wheely extended and growing interests of agriculture, fancy that ill is to come to them by opening the markets of the world, by carrying the American flag and sustaining it in every country and into every field of commerce and to every place where the products of their farms or the manufactures of our country (which are but the secondary and condensed products of their farms) are in demand. Sir, we can do nothing more important than to see to it that from this time forward there shall not be, on this continent at least, a nation or a port or a field of commerce where our flag is not seen, where it is not sustained, and sustained, I hope, upon

American bottoms.

Now, sir, this is not a subsidy; it is not a proposition to bestow benefits upon a mail steamship company or upon any company. It is a proposition to take the initiative in advancing the commerce and the intercourse of this great nation of ours with the welfare and progress of which at this moment this American Congress is charged—it is that and nothing else. Are we to say that because this power may make it profitable for American citizens and American bottoms to carry the flag of our country and to maintain postal communication with the other nations of this continent, therefore we will not give the necessary authority? Why, sir, I hope these profits will be such that there will not be a port upon the continent, there will not be a field of commerce to which we can send our products where our flag will not go and our postal communications extend; and then as a necessary and an inevitable result the commerce of this country will spring up and we shall be repaid ten-thousand-fold. I hope, sir, that we shall concur without hesitation in this amendment of the Senate; and I only regret that it does not place a larger amount at the discretion of the Postmaster-General for the purposes of the amendment.

But, sir, this amendment is enough to start with; and I have no doubt that succeeding Congresses, with the approval and support of the united American people, will carry forward this policy until we shall have achieved what is our right and our duty—the possession and control of the markets and commerce of this continent, under our flag, for us and our children increasingly henceforth.

[Here the hammer fell.]

Mr. HORR. Mr. Speaker, I believe I have twenty-five minutes left. I would like to reserve that time until I hear from the opponents of

the Senate amendment.

The SPEAKER pro tempore (Mr. HATCH, of Missouri). The gentle-

man has twenty-two minutes.

Mr. HORR. Well, I reserve that time.

Mr. BAYNE. Mr. Speaker, the gentleman from Michigan found fault with what I said the other day on the ground that in my remarks I did not correctly state the facts. One error into which he was led, because he had not taken into consideration the separate provision which was under consideration when we were discussing this matter before, has been rectified by the statement of the gentleman from Maine [Mr. Dingley]. Under the provision of this bill as it came from the Com-DINGLEY]. Under the provision of this bill as it came from the committee on Appropriations of the House, the Government was quite likely to pay to the Pacific Mail Steamship Company \$312,000; and it was inevitable that the Government should pay to that company about \$130,000, because the company has no competitor, no rival for the service over about 280,000 miles. Under the amendment adopted by the Senate, the amount which would be received by this steamship company from the Government is very considerably diminished. If the company cats the full 50 cents a mile, the amount in round numbers would be gets the full 50 cents a mile, the amount in round numbers would be \$150,000; because it traveled last year about 300,000 miles outside of what is cut off by the Senate amendment, as shown by the statement published in the speech of my friend from Maine [Mr. DINGLEY]. That matter is therefore out of the way. A matter in which I was mistaken on that occasion was that the steamship company had declared a dividend of 20 per cent. I corrected myself on the floor that very day; I did not postpone the correction until the next day.

Mr. DINGLEY. But the gentleman did not make the correction

until after the vote

Mr. BAYNE. I did not; but if I had known of the error before the vote, I should have corrected myself at once.

I do not regard that, however, as a very influential factor in this section. I do not expected in a proper question for the House to conmatter. I do not consider it a proper question for the House to consider whether this company is paying big dividends or little dividends.

I have never learned that it is a part of the duty of Congress to help a corporation out because it is paying little dividends or to withdraw from a corporation just compensation for services rendered because it is paying big dividends; and therein the gentleman and I differ, and differ very widely, respecting this proposition.

Mr. HORR. Why, then, did the gentleman make use of that statement as an argument?

Mr. BAYNE. I did not propose to use it as an argument at all. The gentleman asked me what the capital stock was, with a view perhapsof showing that the company did not pay hig dividends. I replied

haps of showing that the company did not pay big dividends. I replied to him as best I could and according to the best information I had at the moment. I did not intend to use that statement as an argument, because I regard it as *ultra vires*, without any logical connection with the fair argument of this case, without any connection with the policy which should control in the legislation of this Government.

Whether a corporation pays a big dividend or a little dividend or no dividend is not a question that should decide the votes of members of dividend is not a question that should decide the votes of members of Congress in making contracts on the part of the Government. We are not here to relieve insolvent or weak corporations; we are not here to give stocks in Wall street a "boom." That is none of our business here; at least it is not mine. And it is not my business here, although I am from Pennsylvania, to vote subsidies to corporations because they buy their iron in Pennsylvania. I hope I am influenced by larger motives than that. I should regard it as a bribe if I undertook to be governed by considerations of that kind in my public and official caractive here.

Mr. HUTCHINS. Every time you vote for a tariff you are recogniz-

ing such considerations.

Mr. BAYNE. Therein the gentleman grievously errs. Tariff and subsidy have no more connection than the antipodes. They are not at all alike in principle. They have no connection. One thing that I strennously object to is that you adopt an odious policy and undertake to assimilate it with protection. The policy of protection in this countered the strength of the str try stands on its own feet.

Mr. HUTCHINS. Then why should you not protect the steam-

Mr. BAYNE. Wait a moment.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. BAYNE] must not be interrupted without his consent.

Mr. BAYNE. One of the propositions I was anxious about was to save the tariff from the odium of subsidies. I regard the tariff for protection as identically the same thing applied to a nation which the law of every nation applies to every citizen, namely, that the citizen of the State is protected by the law in the enjoyment of property he may accumulate. The tariff law is nothing more than applying that same principle to this national family of ours. It is to protect our own people in the enjoyment of the property which they accumulate; and the relation of this nation to the other nations of the world is precisely analogous to that relation which exists between one family and another in our own social organism, or in the framework of our own ordinary

But when you levy taxes upon the people and get those taxes into the Treasury of the United States and pay them out in the shape of subsidies, you depart widely from the proposition that the American people should be protected as families are protected by the laws of so-ciety and by the laws of the land in the accumulation of the property each family may have

Mr. HEWITT, of New York. Will my friend allow me to ask him

a question?

Mr. BAYNE. I yield for a question to the gentleman from New

Mr. HEWITT, of New York. Does not the law and did not the law compel the Pacific Mail Steamship Company to buy American-built ships, or not?

Mr. BAYNE. I believe it did.

Mr. BAYNE. I believe it did.

Mr. HEWITT, of New York. Very well; then if that is the fact were they not compelled to pay at least \$2,000,000 out of their \$9,000,000 in extra cost to the people of the State of Pennsylvania?

Mr. BAYNE. I do not think they were required to pay to the peo-

ple of Pennsylvania.

Mr. HEWITT, of New York. No other iron ships—

Mr. BAYNE. My friend has asked me a question, and he will let me

answer.

Mr. HEWITT, of New York. Certainly.

Mr. BAYNE. And, morever, I do not think they were required to pay it to the people of Pennsylvania—

Mr. HEWITT, of New York. Where were they to go?

Mr. BAYNE. My friend must permit me to answer. I can not submit to that sort of interrogation. I say that they were not required to pay it to the people of Pennsylvania, because if we had no manufacturing industries in this country they would have to pay equal prices to Europe.

Mr. HEWITT, of New York. Why?
Mr. BAYNE. One moment. I will not yield if you do not let me answer without constant interruption.

Mr. HEWITT, of New York. Very well.

Mr. BAYNE. Let me say to you if it had not been for the doctrine of protection there would have been no commerce in this country for the Pacific Mail Steamship Company to make it worth while that they

should continue running their ships.

Mr. HEWITT, of New York. Where is it?

Mr. BAYNE. This company is paying a dividend of 5 per cent. quarterly, which makes a handsome showing. And while I am on that point I will call attention to some data which I have gathered from the Commercial Chronicle, as I have not had access to the reports of that company. I find in 1881-'82 the gross earnings of the Pacific Mail Steamship Company were \$4,124,713; in 1882-'83, \$4,102,764; in 1883-'84, \$4,787,899. The expenses for the year first named were \$2,223,036; for the second, \$3,190,507; for the third, \$3,394,419. The net earnings were \$901,677 for the first, \$912,257 for the second, and \$1,393,480 for the third.

Mr. HORR. On a capital stock— Mr. BAYNE. On a capital stock

On a capital stock of \$20,000,000.

Mr. HORR. All paid in.
Mr. BAYNE. I do not know. I understand that the misfortune of the company is that which has attended many other great corporations in this country, that it owes a large debt. "It is paying 7 per cent. interest on a part of that debt, and it absorbs the profits of that corporation to pay the interest on that debt. I do not know how the business has been managed, what losses have been incurred; but if organized on the same principle and upon the same plan that many railroad corporations in this country have been, then the outfit has cost a great deal more money than the actual worth of the plant.

Mr. HEWITT, of New York. Did the Pennsylvania Steamship Com-

pany do any better?
Mr. BAYNE. I do not know.

Mr. HEWITT, of New York. Did it not break-were they not sold out? Mr. BAYNE. I do not know whether they did or not, nor do I care. Nor can I declare whether this is a poor company or not, whether Mr. Jay Gould and Russell Sage and Sidney Dillon and the others have beoay Golid and Russell Sage and Sidney Dillon and the others have become poor or not. It is not the duty or purpose of Congress to relieve them from their embarrassments if that is so.

Mr. HEWITT, of New York. No one asks it.

Mr. BAYNE. I do not propose by any vote of mine to relieve those gentlemen from the misfortunes which may happen to come upon their business.

Mr. HUTCHINS. Will the gentleman permit me to ask him a question?

question?

Mr. BAYNE. Yes, sir.

Mr. HUTCHINS. The gentleman has given a statement of the gross earnings of this Pacific Steamship Company. Now will the gentleman be so kind as to state the proportion of these gross earnings which have some into the Treasury of that steamship company in consequence of the reciprocity treaty with the Hawaiian Islands?

Mr. BAYNE. I do not know.

Mr. HUTCHINS. You should know, then, before you speak about it. The reciprocity with the Hawaiian Islands has done it.

Mr. BAYNE. I have not studied that matter up. It is altogether unnecessary for gentlemen to study up those questions.

Mr. HUTCHINS. Now I want the gentleman from Pennsylvania, if he will state it, to give an answer to this question. I want to know what he means by saying that they are "paying interest on a debt." I

what he means by saying that they are "paying interest on a debt." I want him to be perfectly fair and say whether he intends to convey the idea that this company is in debt.

Mr. BAYNE. I mean to say—
Mr. HUTCHINS. I ask the gentleman the question plainly, if he means to say and reiterate to the House the statement that this company is in debt?

Mr. BAYNE. I did not say that.
Mr. HUTCHINS. Yes, you did. You said that owing to the percentage of interest paid on their debt—7 per cent.—they could not pay

Mr. BAYNE. I will tell the gentleman what I said: The statement that I made was obtained from a report in the Congressional Library, which the gentleman can see for himself if he chooses to look at it, taken from the Commercial and Financial Chronicle, a statement to the effect that this company was in debt and paying 7 per cent. interest on a large indebtedness, which absorbs, according to the statement, about \$240,000 per annum.

Mr. HUTCHINS. But the gentleman-

Mr. HUTCHINS. But the gentleman—
Mr. BAYNE. Now I must decline to yield to the gentleman. I refer him to that statement. I saw that only a few minutes ago in the Commercial and Financial Chronicle, which I have understood to be good authority. It is said to be a reputable, reliable paper in commercial transactions; and the gentleman can find it in the Congressional Library if he chooses to look for it.

Mr. HUTCHINS. And I want to down on matter of fact that the

Mr. HUTCHINS. And I want to deny as a matter of fact that the company is in debt. I do not want the inference to be drawn from the

statement of the gentleman that there is any such indebtedness. The SPEAKER pro tempore. If the gentleman from Pennsylvania
will yield for a moment the Chair desires to lay before the House an executive communication.

Mr. BAYNE. Very well.

ALLEGED FRAUDS IN OFFICIAL ENVELOPES.

The SPEAKER pro tempore, by unanimous consent, laid before the House a schedule of papers accompanying letters from the Postmaster-General, addressed to the Speaker of the House of Representatives, under date of February 26, 1885, in regard to the annulment of certain contracts for furnishing post-office envelopes; which were ordered to be printed, and referred to the Committee on the Post-Office and Post-

POST-OFFICE APPROPRIATION RILL.

Mr. BAYNE. Now, Mr. Speaker, I shall detain the House but a short time

Mr. HORR. Before the gentleman closes I would be glad to have him answer this point concisely: Why should these companies not get a fair pay for their work? Why should they not be paid all that they earn for the service?

earn for the service?

Mr. TILLMAN. Whether they be rich or poor.

Mr. HORR. Yes, no matter what their financial condition may be.

Mr. BAYNE. That is just what I have said. It is identically my
own proposition to give them fair pay for the service they actually render, and to give them this compensation whether they be rich and free
from debt, or whether they be poor with heavy obligations; whether
they pay dividends or do not pay dividends makes no difference whatever to me in determining that question. The fact that Jay Gould and those men associated with him are rich and own the corporation makes

those men associated with him are rich and own the corporation makes no difference to me in the question of paying this corporation a fair compensation for the service it may render to the Government.

Mr. BRUMM... Then why do you oppose this Senate provision?

Mr. BAYNE. I am willing to go further in this direction even than that. I am willing to pay, as suggested by the gentleman from Illinois in charge of this bill, the entire postal receipts of this Government from its foreign mail service to these companies of ship-owners for carrying

Mr. DINGLEY. That would amount to about \$1,700,000 per an-

Mr. BAYNE. And I am willing to pay every dollar of it if you sub-ect it to the condition that as to letting it out the lowest responsible bid shall be accepted.

Mr. DINGLEY. Is not that the proposition here?

Mr. BAYNE. No; the proposition is to give 50 cents a mile for this service, but not to the lowest responsible bidder. It is known that some of these lines have no competitor at all.

Mr. ELLIS. Only one of them.

Mr. BAYNE. And of course there will be but one bid for the service on such lines. It is not therefore open to that character of competition which I favor. It would be bid up to the 50 cents a mile limit at once by the company where there is no competition. It is ridiculous to suppose that it would not.

Now the gentleman from Michigan stated that the trouble with my speech a few days ago was that it lacked facts on which to base it. One correction was made by the distinguished gentleman from Maine [Mr. DINGLEY]. Another proposition of mine was that this steam-ship company received for this entire service last year \$23,000, and that the proposition then before the House would have given that com-pany in all probability \$312,000. These were facts and they have not

pany in all probability \$312,000. These were facts and they have not been denied, nor can they be denied successfully.

Mr. DINGLEY. That was the maximum amount.

Mr. BAYNE. I know that. I said in all probability it would reach that; and, mark you, they get for about 300,000 miles possibly \$150,000, because for that amount of mileage there was no rival to this line, and as a matter of course they would get the 50 cents per mile.

Mr. DINGLEY. But for part of the mail line from San Francisco to China there is competition.

China there is competition.

Mr. BAYNE. Oh, I am aware of that. I am taking the gentleman's own speech. I quoted that in making the statement that there was no competition for about one-half of the distance traveled of 288,-

Mr. DINGLEY. No; 231,000 miles, which includes the line from

Panama to San Francisco.

Mr. BAYNE. Very well; but it is a very simple calculation to show that that amount of mileage would give one-half that amount of money. Now, that was a fact which I stated in the debate and nobody appears to have gainsaid it, the gentleman from Michigan or anybody else.

I made another statement, which was that these transcontinental railroad companies were paying this company a subsidy of \$95,000 per month.

Mr. HORR. Will the gentleman from Pennsylvania permit me to interrupt him?

Mr. BAYNE. I will.

Mr. HORR. I have the figures and facts to show that they have received not a single dollar for anything except paying for the heavy freights that they actually transport—not one dollar for anything else.

I can refer to the Commercial and Financial Chroni-Mr. BAYNE. Mr. BAYNE. I can refer to the Commercial and Financial Chronicle, to be found in the Congressional Library, which makes that statement, and I regard it as authoritative. I do not believe that a journal of that responsibility, acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial journal of that responsibility acknowledged to be the leading financial comparison. in this country, whose quotations are regarded as ex cathedra-I do

not believe that that journal would make a misstatement of fact, or that if it did that misstatement would go over the country and remain unrefuted. And I say there is to be found in that journal the statement that the Pacific railroad companies pay to this steamship company \$95,000 a month as a subsidy. And for what purpose can they pay that.? Why, sir, that the steamship company may keep up its rates and thus not come into competition with the transcontinental

railway companies.

How does my friend from New York [Mr. HEWITT] know that if this company would conduct its business on business principles and not keep up its rates to accommodate these transcontinental railway companies how does he know but it would get in the natural course of business enough of freight to enable it to declare dividends of 6 or 10 or 12 or even 20 per cent? But meanwhile it is kept out of competition in the interest of these railroad corporations across the continent, and these railroad corporations and this steamship company are identical in many respects outside of that contract.

Mr. HEWITT, of New York. Will the gentleman allow me to ask

him a question? Mr. BAYNE.

Mr. BAYNE. Yes, sir.
Mr. HEWITT, of New York. I ask the gentleman whether the cutnail pool of Pittsburgh has succeeded in keeping up rates?

Mr. ANDERSON. Is it not the fact that the Pacific roads pay the

Pacific Mail Company \$90,000 a month to keep up rates?

Mr. HEWITT, of New York. I ask the gentleman from Pennsylvania, does not the cut-nail pool of his district accomplish that result? Mr. BAYNE. What the cut-nail pool has to do with it I do not know. If what the cut-nail pool does is all wrong, it does not justify this wrong. My friend from New York, ordinarily very logical, is illogical on this occasion when he assumes to say because the nail pool of Pittsburgh does something wrong, therefore the steamship company and the transcontinental railroads may also do something wrong.

Mr. HEWITT, of New York. Is the gentleman from Pennsylvania

against cut-nail pools?

Mr. BAYNE. I have nothing to do with that. Nail pools are not before Congress at this time.

Mr. HEWITT, of New York. The gentleman complains there is

likely to be a pool in this matter. I want to know if he is sincere or not by inquiring if he is against pools in his own district.

Mr. BAYNE. My actions speak as to my sincerity. But because there may be pools in one section of country or another that is no reason why this great wrong should be inflicted on the American people. Congress having substantially built those transcontinental railways when the Government ought to have invested the money directly in them and owned them, those very transcontinental railways that we built by the aid of this Government pay out of their treasury to this Pacific Mail Steamship Company \$95,000 a month to keep up rates, and then this steamship company, the beneficiary already of Congressional munificence, comes here and asks for a subsidy. It is certainly remarkable that any gentleman having the best interests of this country at heart should advocate a measure of that sort. I am amazed at it. I confess I am amazed that a corporation which is acting in this way toward the shippers and the business men and the farmers and all interested in transportation in this country should come here and ask for a bounty from the Government, and that anybody in Congress should be willing to confer such a benefit.

There is one thing, Mr. Speaker, the American House of Representatives should never do; and that is, it should never depart from the policy of paying for the services rendered to the Government only a fair equivalent. This is but the entering-wedge; \$400,000 or \$600,000 is a mere bagatelle. That will do nothing to promote American shipping; it will do nothing to encourage commercial relations with other countries. But this is the entering-wedge to get the Government once to adopt the policy of granting subsidies; and then, after we once enter upon this course, there will come to this Capitol from one point or another a lobby of influence and of power, and they will not ask for \$600,-000, nor \$1,000,000, nor \$2,000,000, but they will ask for five, or six, or eight, or ten, or twelve, or fifteen millions of dollars. And the effect will be, if we enter upon that policy, to admit a corrupt and corroding influence into the very halls of legislation.

Gentlemen cite foreign countries as having subsidized their shipping lines and built up a merchant marine. That is true enough. But what is the condition of those countries? Why, sir, England has contributed millions of pounds sterling for the purpose of establishing a merchant marine. She has succeeded in doing it, but what has she for that merchant marine? A part of that debt of over four thousand millions of dollars which rests like an invalue on the Facilian means. millions of dollars which rests like an incubus on the English people is the heritage left by the adoption of this policy to the people of England. France has pursued the same course and has a great debt from which, however, through her marvelous energy and enterprise, she will probably extricate herself. Spain aided her ship lines, and Spain on one or two occasions has repudiated the interest on her national debt, or failed to meet it. Italy also has adopted the policy of building up a marine in this way. It is like the management of a man who sets himself up in business, borrows his capital, goes to work and has the outward evidences of prosperity about him, but when the day of final judg-

ment comes he must surrender his assets, and his liabilities will absorb them all.

Gentlemen talk about England and France and Italy. Why, sir, the exchequers of each of those countries have been depleted just to the extent that they have aided the establishment of these ship lines. This Government could appropriate five millions, or ten millions, or fifteen millions of dollars a year to establish a merchant marine if it chose to do it. We have the enterprise, the ingenuity, the material—everything that would be needed to establish and carry on such lines; but if we should do that, how would it be done? Simply by taking out the Treasury a certain amount of money raised by taxes on the people for other purposes; yet some men are so wise and so statesmanlike that they profess to see wisdom in that kind of policy. I venture to say, sir, that there is not a business man in this country who conducts his business on that principle who will not ultimately find himself in bank-

ruptcy.

I hope the House will sustain its committee.

Mr. Speaker, how much time have I left?
The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr.

BAYNE] has thirty minutes remaining.

Mr. BAYNE. I yield to the gentleman from Indiana [Mr. Hol-

MAN].

Mr. HOLMAN. I propose to close the debate.

Mr. HORR. I do not think that is fair. I submit it to the Speaker and to the sense of fairness of the gentleman from Indiana [Mr. HOLMAN]. I took this debate on the amendment. On the amendment I was to vote to concur, which would have given me the close, and I submit that I should have it now, and I believe the judgment of the gentleman from

Indiana will agree with mine on that point.

Mr. HOLMAN. I trust that the gentleman from Michigan [Mr. HORR] will not insist on that. The debate turns entirely upon the motion now pending, and I would not be treating my colleagues fairly if I did not insist on closing the debate. If the gentleman [Mr. HORR] does not wish to occupy the time I will move the previous question at the close of my repealed.

the close of my remarks.

Mr. DORSHEIMER obtained the floor.

Mr. HORR. The gentleman from New York [Mr. DORSHEIMER]

will occupy his own time.

Mr. HOLMAN. Mr. Chairman, I certainly can not consent to that.

I have just stated to the gentleman from Michigan that if he did not desire to occupy the time, in the interest of the dispatch of the public business I would call the previous question.

Mr. HORR. Mr. Speaker, I never ask anything unfair. I intended to yield to the gentleman from New York [Mr. DORSHEIMER]; but it is insisted that I shall use my remaining time on a proposition of which I have the affirmative, which is that the House shall concur.

Mr. HOLMAN. How much time is the gentleman willing to yield to the gentleman from New York?

Mr. HORR. Eight minutes.

Mr. HOLMAN. Very well; I will follow him.

Mr. DORSHEIMER. Mr. Speaker, the term "subsidy" involves the idea of a gratuity. Now, I entirely agree with those who contend that the Government ought not to grant a gratuity for postal service. Indeed, I will go further, for I suppose that by this time it is well understood in the House that I am opposed to gratuities of any kind, whether given indirectly by tariff taxation or given directly by appropriations out of the Treasury. I would not stand here for a moment to contend in favor of granting gratuities to American steamship lines

for carrying the mails. The only reason which commends itself to my mind for giving to the Postmaster-General the power which is granted by the Senate amendment is that it enables him to pay a reasonable and proper compensation for the service which is rendered to the public. If the Postmaster-General can now, under existing law, pay a reasonable and proper compensation for carrying the mails upon the high seas, then I see no compensation for carrying the mails upon the figh seas, then I see no reason for granting him any enlarged powers whatever. But, as I understand the subject, it is not now within his power to pay a proper compensation for what is not only a desirable but for what, I think, must be regarded as a necessary part of the public service. I understand that the compensation which is paid now for carrying the mails from San Francisco, China, and Japan amounts to \$3,000 a year, and that under the law that is all the Postmaster-General can pay for that service.

Now I ask gentlemen-in particular I ask the gentleman from Pennwho has gentiemed—in particular I ask the gentieman from Femressylvania who has just taken his seat, and who has professed himself willing to pay a proper compensation for the mail service—I ask him whether this is a proper compensation for carrying the mails from San Francisco to China and Japan?

Why, Mr. Speaker, this country now pays \$26,000 a year for carrying the mails by water from Vicksburg to New Orleans, although there are railroads carrying the mails between those two cities. The Government now pays for carrying the mails between New York and New Orleans by sea \$14,000 a year, although it is manifest that all the important part of the mails between those two cities must go by rail. Can any man contend that it is a fair thing to pay \$14,000 a year to steamship lines for carrying the mails between New York and New Orleans,

and only 3,000 a year for doing the mail service between San Francisco and China and Japan?

I say, further inquiry will show gentlemen that the Post-Office Department pays more money for transporting the mails from San Francisco to the Yosemite Valley than it does for sending them from San Francisco to China and Japan.

I would give a Postmaster-General power, as this amendment does, to pay a proper compensation for performing the public service. I would not give him power to expend a dollar in the nature of a subsidy. I have no opinion which would justify me in advocating for a moment a gratuity to the Pacific Mail Steamship Company or to any other company. But it seems to me a monstrous thing to provide this miserable pittance for so great and important a part of the postal service of the United States

What will happen if these steamers leave the mails on the docks at San Francisco, and if intelligence must be communicated either by cable or by sending the mails from New York to Liverpool and thence to China and Japan by the Isthmus of Suez? That must be the result of leaving this matter in its present situation. I ask the House to assent to the amendment of the Senate—not on the ground that I propose in this way to encourage American shipping at all; for I do not believe in governmental encouragement to any form of industry, whether it be American or foreign. All the protection our industries need is the just enforcement of equal laws. I ask that this amendment be assented to in order that the Department may have the means to pay a reasonable and proper compensation for a necessary and valuable part of the public

[Here the hammer fell.]
Mr. HORR. I yield three minutes to the gentleman from New Jer-

sey [Mr. PHELPS].

Mr. PHELPS. Mr. Speaker, I do not propose to use these three minutes by offering any argument; it is too late for that. I shall use them only to state some facts which seem pertinent and from which gentlemen

may draw their own conclusions.

may draw their own conclusions.

The Pacific Mail Steamship Company has for fifteen years been doing the business of this Government for about nothing. During those fifteen years it has paid no dividends to its stockholders, directly or indirectly, to the best of my knowledge and belief, except during the last two years; and in these last two years it has paid a dividend of 5 per cent. for each year. That, certainly, is not excessive profit. The item of \$95,000, which the gentleman from Pennsylvania stated in a manner which should suggest that it was a subsidy, is money paid for heavy freight which was transported by the steamships of this company because it could be in that way more cheaply transported than by the cause it could be in that way more cheaply transported than by the railway companies, who paid the steamship company which did the

During the last year the Pacific Mail Steamship Company has carried the mails of the United States 750,000 miles for \$20,000; and of the serv-ice thus rendered none has been more valuable than that between this country and Australia. This has brought immediate and valuable results to our commerce. The company has been able to do this business (mark, Mr. Speaker) because the colony of Australia paid the line \$400,000 for this service. But the colony of Australia, unwilling to pay exclusively for that which is a benefit to us as well as to it, has withdrawn the subsidy; and hereafter no steamship of the United States will carry our flag to Australia unless we pay for it.

So much for domestic history. Now for two statements connected with foreign commerce. The Peninsular and Oriental Steamship Company of Great Britain has for years received millions of pounds, in return for which it has carried the flag of Great Britain to the East, and brought hundreds of millions to British commerce. Yet nobody has ever objected to continuing the subsidy because the Duke of Westminster was one of its stockholders. Shall the name of Gould—

[Here the hammer fell.]

Mr. HOLMAN. Mr. Speaker, I trust gentlemen will not overlook the fact that there are two Senate amendments pending, and that both of them are of importance. One only has been referred to in the present debate. The other will claim my attention for a moment.

By that Senate amendment authority is given the Postmaster-General to pay the rent of post-offices of the third class. That involves eral to pay the rent of post-offices of the third class. That involves an increased expenditure for the present of a half million of dollars, and in the very early future of a million dollars. And that, too, Mr. Speaker, with the fact known to the House that during the last session of the last Congress a million of dollars was added to the expense of the postal system by a direct increase of the salaries of the postmasters, a greater portion of the benefits of which went to postmasters of the second, third, and fourth classes. Now it is proposed to add indirectly from a half million to a million more to the compensation of rectly from a half million to a million more to the compensation of postmasters of the third class alone—a body of public employés now well paid for their services, and whose salaries greatly exceed the compensation paid for similar services in private employments.

I trust gentlemen will not be unmindful of the fact that, however important and valuable the postal service may be, while the duty rests upon Congress to make liberal appropriations for that branch of the public service, there is imminent danger that by successive increases of salaries of postmasters of the various grades you will make it the most

extravagant and expensive Department of the Government. In fact, that result is already reached. The importance of this Department is seized upon for excessive and lavish expenditure. This fact appeared in the profligate and corrupt expenditure for the star-route service a few years ago, and also appears in the attempt to subsidize the foreignmail service on this very bill. I know of no branch of the public service so exposed to profligate and dishonest legislation as our postal sysice so exposed to profligate and dishonest legislation as our postal system, except that relating to the public land. The special importance of this postal service makes it a shelter for questionable appropriations and dishonest raids on the Treasury.

This valuable branch of the public service is being made use of as an agency by which, to an unwarranted extent, your Treasury is being depleted and the salaries of Government employés increased. The

vast body of the employés in this Department, located in every Congressional district and efficient in public affairs and in influencing public opinion, presents an everlasting motive for increased expenditure and enlarged salaries.

I call the attention of gentlemen to the fact there is a remarkable increase made by this bill in the expenses of this Department involving an enormous deficiency for the coming year. I hope the proposed amendment of the Senate will be defeated by the intelligence and good sense of the House. But can I be hopeful of that result in view of our past experience?

SUBSIDY.

I come to the other proposition, the subsidy provision, which has I come to the other proposition, the subsidy provision, which has been so ably debated—the Senate's proposed increase for the foreignmail service to the extent of \$375,000, making that appropriation in the aggregate, instead of \$425,000, \$800,000. The amount involved does not alarm me. It is a bagatelle. It is the principle upon which that proposed appropriation rests that fills me with alarm. This is in substance the same as the original proposition defeated in the House, except that it reduces the sum appropriated from \$600,000 to \$375,000, but the proposition to pay the ship 50 cents per mile for the round voyage without regard to the mail carried instead of the sea nostage on age without regard to the mail carried, instead of the sea postage on the mail carried, as now and for many years since allowed by law, remains unchanged.

The proposition involves a naked subsidy. It is not compensation, as heretofore, according to the service rendered, but upon the arbitrary basis of a simple subsidy without regard to service, that this proptrary basis of a simple subsidy without regard to service, that this proposition rests. It is an arbitrary compensation of so much for the distance the vessel travels per mile, not the value of the services rendered; that underlies this Senate proposition. It is unimportant whether the vessel carries a mail or not, if it carries one letter, the sea postage on which is 2 cents, or no letter at all, the subsidy of 50 cents per mile of ocean travel will be paid.

It has been argued that this is not a subsidy. What is a subsidy? I do not accept the definition of "subsidy" given by the gentleman from New York. It is in its main feature a naked gift. A subsidy in our Government and in all others is that measure of public policy which imposes a burden upon the whole people for the benefit

policy which imposes a burden upon the whole people for the benefit of a favored citizen or of a particular class. I do not care in what form it makes its appearance, when the Government exercises the power of taxing the labor of the whole people and applies a portion of the means drawn from the labor of all to promote any special or particular form of industry, it is a subsidy. Such is the definition of "subsidy" even in its simplest form.

In the present instance it is proposed to encourage our foreign-ship-carrying trade by a subsidy in the most naked and odious form, not by compensating the owners of ships for services rendered in carryby compensating the owners of snips for services rendered in carrying the mails, but upon the arbitrary principle of 50 cents per mile for the ship's voyage, whether a mail be carried or not, promoting the carrying trade at the expense of every other trade, and often it will be found that the trade promoted involves English and not American capital. It has been said by the gentleman from Michigan [Mr. Horr] that in former years a higher compensation was paid than the 2 cents per letter, being the sea rectore.

But as far back as 1864, twenty-one years ago, in the midst of the war and an inflated currency, I find the Postmaster-General of that day, Postmaster-General Blair, making the following statement in regard to this service:

It is not pretended that the compensation now paid is not sufficient for the service rendered. No private person—

And here I call the attention of the gentleman from Michigan-No private person-

Says the Postmaster-General-

pays them for any kind of transportation at the rate paid by the Government for mail matter; and no persons were so much benefited incidentally as the owners of the ships, for the bulk of the correspondence—

And to this I especially invite the attention of the gentleman from

the bulk of the correspondence relates to the trade carried on by their vessels.

So, sir, with an extent of mails only equal to 1½ per cent. of the whole foreign mails of the United States transported to China and Japan the gentlemen insist on paying for that merely nominal mail matter 50 cents a mile, more than \$3,500 per round trip, and that, too, whether

a single letter is carried or not. And all this in a special degree for the benefit of a corporation which has drawn several million dollars

from your Treasury without consideration.

You confer upon the Postmaster-General the power to enter into contracts for the transportation of the mails with American vessels bound to foreign ports, and pay them 50 cents per mile for the entire distance traveled whether the mails are carried or not. That will not be denied, I presume. In what particular is that not correct? Yes, sir; common fairness ought to compel the admission that the carrying of the mails is a mere cover. It is a naked subsidy to enrich a few men at the expense of all other laboring interests.

But, sir, again are we confronted by the extraordinary information

furnished by the gentleman from New York, who addressed the House so forcibly a few moments since, that the mails would not be carried unless this subsidy is paid. Does he mean that in our service, from our Pacific coast to China and Japan, and between San Francisco and New South Wales and Australia, there is no competition with the single 'American line, and therefore we are at the mercy of that line, whether the mails are carried or not, and must pay it for mail service, however small it may be, whatever that line may exact? Is it meant to compel the Postmaster-General, whatever be his views on the subject, and whether there is or is not a mail to carry, to pay to the Pacific steam-ship line the entire 50 cents per mile for the distance from San Francisco to China and Japan and return, for every trip the vessels of that line may make in its commercial business? Does the gentleman mean that, and that this extortion must be submitted to?

I think we shall not be subject to this extortion; for between San Francisco and China and Japan, as well as between San Francisco and Australia, there are competing lines. I admit there is but one line, the Pacific Mail Steamship Company, in this region of the oceans that carries the American flag, and yet it is only nominally an American line. A part, at least, of the capital of that company is European capital.

But there are competing lines that are carrying the foreign mails from our Pacific ports to-day in common with the Pacific Steamship Company, and have been doing so for years, and they are carrying them upon the basis of our present laws. They are not only carrying them upon that basis, but so far as I know without any complaint, for the com-pensation is now ample for the service rendered. Will the Pacific Steamship Company, the company fostered by your bounty in former years, built up by your bounty—will they refuse to carry your foreign mails at the present reasonable rates after taking millions of dollars from your Treasury on this same false pretense of promoting your commerce?

No gentleman need be apprehensive that a single letter will fail to

be carried to any foreign port, whether in the South Pacific, China, Japan, or any part of the Atlantic or Pacific coast of South America, by reason of your resistance of this extortionate demand of a single corporation and because you refuse this naked subsidy. No, sir, the carrying of the foreign mails is a matter of common interest to all nations, and if vessels claiming to be American will not carry them without

and it vessels claiming to be American will not carry them without subsidy other vessels will, and are glad to do so, at the reasonable rates you have heretofore paid and which other nations pay.

No such apprehension need be felt, for no such disaster as a suspension of your foreign mails will follow. Your foreign mails will be carried as they have been for the last twenty years and upon the same reasonable basis of compensation. You are not at the mercy of the Pacific Steamship Company. I should consider it a great national misfortune if you were, for the national honor is of more moment than even your foreign mails, and, as gentlemen well know, that is involved in the subsidizing of that line.

But, Mr. Speaker, I come to another view of this matter—that presented by the superintendent of the foreign mail service, a gentleman who has been connected with this service for the last eleven or twelve years, and a man of wide experience in the needs of the service. I beg the indulgence of the House while I present his views. In a letter to me, of recent date, he says:

My DEAR SIR: As requested by you, when I met you by appointment in your committee-room, I have looked over the Hunt bill—

He refers to the bill now pending in the House, which is embodied in this Senate amendment, but proposes \$1 instead of 50 cents a mile as the subsidy for carrying the foreign mails—

and beg to hand you herewith some suggestions with regard thereto; and to add, reciting the general theory and tenor of the bill, payment for mail service to foreign parts on the basis of distance alone; first, that the views of this Department since my connection with this office, in 1874, have been adverse to that

And I desire to call the attention of the gentleman from Michigan particularly to this point, for this, as I have said, is from the superintendent of foreign mails-

have been adverse to that principle and in favor of basing compensation upon weight of mails and distance (see Postmaster-General's report for 1883); and that foreign postal administrations, which heretofore have subsidized largely these steamships, are introducing this latter principle—

The principle of compensation according to the service actually rendered, and not the arbitrary proposition of this measure—
Mr. HORR. This is just what it is proposed to do here—to pay what

the steamships earn.

Mr. HOLMAN. Oh, no; the reverse is correct. I continue to read-

are introducing this latter principle in recent contracts in preference to the subsidy plan. Great Britain, for instance, in contracts now in force for mail service to South America, the United States, the West Indies, and the west coast of Africa, pays for transportation on the basis of the amount of commspondence conveyed by the packet.

The postmaster-general of New South Wales, in his report for 1883, alluding to a contract made by his administration with the Oriental Steamship Company for mail conveyance between that colony and England, remarks as follows:
"Another important feature in the contract is that the government pays no fixed subsidy for mail-matter conveyed; a fair payment per pound being made to the company."

Thus showing that the system of paying large subsidies for the conveyance of ocean-going mails will be a thing of the past.

And yet, sir, the policy of Great Britain is invoked in behalf of the subsidy proposed by the pending measure. Even Great Britain abandons this monarchical principle of subsidy. Even she can not afford to tax all of her people for the benefit of the few.

Mr. DINGLEY. Will the gentleman from Indiana allow me a ques-

tion?

Mr. HOLMAN. Yes, sir.
Mr. DINGLEY. Do I understand the gentleman from Indiana to say that the policy of Great Britain to-day is to pay a simple ordinary compensation for carrying its foreign mails?

Mr. HOLMAN. Yes, sir; I have read the statement of our foreign mails superintendent to that effect—so much per pound.

Mr. DINGLEY. How does it happen, then, that in the last report of the postmaster-general of Great Britain I find it stated in a table now before me that the amount paid for mail service to the West Indies and Mexico was \$420,115, and that this amount was in excess of all amounts received from postage to those countries \$265,000? That is

according to the last report of the postmaster-general.

Mr. HOLMAN. I understand the gentleman's question, and my answer is simply this: The superintendent of our foreign mail service has submitted the letter I have just read to a committee of this House; and I certainly rely upon his statement with much greater confidence than upon any statement that comes through an unofficial channel.

Mr. DINGLEY. But here is the statement of the British postmaster-

general.

Mr. HOLMAN. And here is the statement of the superintendent of our own foreign mail service, and he is as likely to be well informed any of us.

Mr. DINGLEY. As the British postmaster-general?

Mr. HOLMAN. I suppose the gentleman does not question the authenticity of this document I have read. I will say to the gentleman from Maine [Mr. DINGLEY], as I have already said, that I have simply presented the language of the superintendent of our foreign mails. Upon his authority I make the statement that the policy of even Great Britain is to pay for the service rendered instead of on the principle of an arbitrary subsidy. But if Great Britain still adhered to the subsidy system it certainly would not modify the views of an American Consystem it certainly would not modify the views of an American Congressman. Great Britain, by giving full effect to the principle of subsidy for centuries, has increased enormously her wealth, but it is the wealth that gives overgrown estates to the few and consigns the body of her people to poverty and wretchedness. Whether she abandons the subsidy system in her ocean postal service or not, the fact remains that her monarchical system of government rests on the principle of subsider. subsidy.

Such are the natural fruits of subsidy. It could always have been taken for granted that Great Britain would give up her subsidy system as the intelligence and power of her people increased. I hear with regret the oft-made appeal to the experience of foreign governments, when dealing with our American policy. Are we to adopt their policy and accept the inevitable results? Show me a single nation of Europe— England, France, Italy, Spain, or Portugal—that has attempted to pro-England, France, Italy, Spain, or Portugal—that has attempted to promote special industries and commercial interests by payments from the public resources that has not produced sooner or later and perpetuated the same results; a class of men of excessive wealth and overgrown fortune, and a great body of wretched and impoverished people. Subsidy, in the nature of things, produces the extremes of wealth and poverty—a result fatal to a republic. Great estates and a people in wretchedness and poverty are the ripened fruits of subsidy in all lands and in every I do not think, sir, that gentlemen are happy in alluding to the and misery of the many in the excessive enrichment of the few.

But, sir, we are told by the gentleman from New York that here in our own country, between New York and New Orleans and on our great

railroad routes, we are paying vast sums of money for the transporta-tion of our mails. Does the gentleman propose to compare the policy of this Government in diffusing intelligence among its own people to the policy it ought to adopt in its commerce with foreign powers?

Why was your Post-Office Department established as one of the great agencies of your Government? Why was it made one of the great Departments of your Government? It was not that it should be a source of revenue; it was not for the promotion of your commerce and your carrying trade, but it was to the end that intelligence should be everywhere diffused. The men who based their government on intelligence where diffused. The men who based their government on intelligence and virtue sought to utilize that agency for the universal diffusion of

intelligence. Therefore to every region of the United States, whatever

the expense may be, the mails must be carried.

Such is not the state of things with reference to our relations with any of the foreign countries of the world. Between us and them it is simply a matter of national and commercial intercourse—nothing more.

A single additional word. I have in a somewhat extended experience in Congress seen almost the rise of the direct subsidy system in this Government. It is a feature of modern times; the last quarter of a century covers almost entirely the period of subsidy in our Government. It acquired its greatest control of Congress when our people were watching with anxiety and alarm the movement of armies in our great civil war

I have watched its workings during a period of more than twenty-five years. I saw the enormous grants carried through this House of lands intended by our fathers for homesteads for our people to the great corporations which now wield such fearful and perilous power in the affairs of this Government. I saw hundreds of millions of acres of the public of this Government. I saw hundreds of millions of acres of the public domain granted away, in the spirit of subsidy, to a few favored citizens building up imperial fortunes and depriving millions of our people at an early period of independent homes. I saw the modest bill pass this House which granted the first subsidy to the line of vessels running between our shores and the Sandwich Islands; and the bill carried through to subsidize on the pretense of promoting the shipcarrying interest between New York and Brazil. I saw the passage of the first bill subsidizing the Pacific Mail Steamship Company; and, six every step that was taken in that warch of subsidy was leading sir, every step that was taken in that march of subsidy was leading steadily toward the inevitably fatal result, and that result came, sir, when that company came into this Hall and demanded its additional subsidy of \$500,000 a year for ten years, and filled the land with astonishment and shame. Do gentlemen wish to re-establish that period of national dishonor?

About twelve years ago, sir, under circumstances not unlike those around us, came the bill granting the additional subsidy of half a million to the Pacific Mail Steamship Company into this Hall. You had granted the first half-million per year for ten years, without its encountering anything but a fair and earnest opposition and with apparently an honorable support. I heard the bill read at that desk which was to grant the additional half a million a year for ten years. I saw the agencies by which it passed this House. I saw the events transpiring here which took \$750,000 from your Treasury for purposes of national dishonor, which closed these doors forever against once honored representatives of the people. I saw those events, sir, and they shall never be repeated while I am here without one voice at least being raised against them. The gentleman from New Jersey [Mr. PHELPS] has spoken of the Pacific Mail Steamship Company as a corporation

has spoken of the Pacine Mail Steamship Company as a corporation which has never received any aid or any adequate compensation for carrying your mails. Sir, you granted that corporation \$10,000,000 by two acts of Congress.

Mr. HORR. When? Not this corporation.

Mr. HOLMAN. You granted the Pacific Mail Steamship Company \$10,000,000 by two acts of Congress. You gave that last subsidy on the condition of the building of ships that were never built. I grant you those great subsidies were but partially paid. Congress in that hour of those great subsidies were but partially paid; Congress in that hour of humiliation repealed the subsidies begot in dishonor. Who has not felt humiliated in recalling the history of that period? Commence with the first subsidy bill of our time, passed in 1862, only twenty-two years ago, and follow the history of that policy down to the time when that last subsidy of half a million was voted for the benefit of the Pacific

Mail Steamship Company, a subsidy so promptly annulled by Congress when the method of its passage was disclosed, and you will find that you are all the time tracing the progress of national humiliation.

I trust, sir, as I have had occasion to say before, that at the very outset of this new epoch, at the beginning of a period of reform, Congress will promptly and with honorable emphasis defeat this measure. Subsidy has no place in a Democratic administration; but if you intend that the very fountains of law shall be stained and polluted, then organize once more the forces and give a new life to the spirit of subsidy; and once more the forces and give a new life to the spirit of subsidy; and once more the forces and give a new life to the spirit of subsidy; and then, sir, a sense of national shame will rest again upon the brows of the American people. How can it be otherwise? I speak, sir, in the interest of honest government. I speak for purity in legislation. I speak for that virtue upon which republicanism must rest, when I protest against measures of policy by which the interests of a few are promoted at the expense of the great body of our people. The rates paid for your foreign mail service is ample; this measure is not an honest provision for carrying the mails.

Mr. HORR. They have reduced it.

Mr. HOLMAN. Not a cent. The compensation is the same to-day that it was then.

that it was then. Mr. HORR. How so?

rate sufficient even when the purchasing power of your money was scarcely 50 per cent. of what it is at the present time. Yet now you revive the idea of encouraging your carrying trade—not your com-

revive the idea of encouraging your carrying trade—not your commerce, for that grows every hour, but your carrying trade—by taxing the whole people to build up the wealth of a few individuals.

I enter my protest against this measure as wholly un-American, and I indulge the confident hope that, with the experience which is yet fresh in the minds of all men, this perfidious and dangerous and corrupt policy will not be re-entered upon. I trust that in the closing hours of this Congress, when we are about to return to our homes to meet our constituents, we will resolve to meet them with the consciousness that we have again condemned as never to be repeated a sciousness that we have again condemned as never to be repeated a measure of policy at war with our system of Government and hostile to the purity of our legislation.

Mr. HORR. Mr. Speaker, I believe I have eleven minutes left.

The SPEAKER pro tempore. The gentleman has eleven minutes re-

maining if he desires to use it.

Mr. HORR. I do. I yield six minutes of that time to the gentleman from South Carolina [Mr. TILLMAN].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1886, and for other purposes.

The message further announced that the Senate further insisted upon the content of the product of the senate further insisted upon the content of the product of the senate further insisted upon the content of the product of the senate further insisted upon the product of the product of the senate further insisted upon the senat

its amendments numbered 9, 12, 13, 14, 26, 27, 28, 35, 41, 42, 74, 75, 76, 110, 111, 112, and 113 to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1886, and for other purposes, disagreed to by the House of Representatives, asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWES, Mr. PLUMB, and Mr. RANSOM as the conferees on the part of the Senate.

The message further announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) making appropriations for the payment of invalid and other pensions for the year ending June 30, 1886, and for other purposes.

POST-OFFICE APPROPRIATION BILL.

Mr. TILLMAN. Mr. Speaker, I purpose in the brief time allowed me to say a few words on the "subsidy" question. I for one shall vote to concur in the amendment of the Senate. The term "subsidy" has no terrors for me in this connection. There is no proposition in this amendment to take money out of the Treasury and donate it to any steamship company. It is simply a proposition by competition among shippers to do for our foreign commerce and intercommunication of our fellow-citizens the same thing that is done by the star-route service on the land. Suppose, sir, that our star service were confined to those routes upon which the revenue derived from 2 cents on each letter carroutes upon which the revenue derived from 2 cents on each letter carried could pay the expense of the route. In that case not many routes could be maintained six months of the year. Why, sir, we pay seven or eight million dollars annually for the star service; and where does three-fourths of the money come from that sustains this service? It comes from New York, Philadelphia, and other large cities or depot towns on the great trunk lines of railroad where the revenue from postage is largely in excess of the expenditure.

I am astonished, sir, that the gentleman from Pennsylvania [Mr. BAYNE], hailing from a State that is almost unanimous for protection, should call the proposition of the Senate to develop our foreign trade and re-establish our merchant marine, which necessarily will re-establish our Navy—I say, sir, I am surprised that he should call this a "subsidy" and complain of it as such. While with one breath he does this, he thinks it only right that every steamship built in this country should be converted to have its great and start from the Pennsylvania. does this, he thinks it only right that every steamship built in this country should be compelled to buy its iron and steel from the Pennsylvania mongers because no others in this country produce the materials that enter into iron-ship building. Sir, in that respect he is like many other gentlemen, many other communities, and even States of this Union—for free trade abroad, but monopoly at home.

Why, sir, it can not possibly take any money out of the Treasury if we concur in this amendment of the Senate. Already there is in the

Treasury a surplus of \$760,000 from foreign ocean postage, when you deduct the interior postage on the foreign mail matter. The Senate's deduct the interior postage on the foreign mail matter. The Senate's amendment provides only that the Postmaster-General, if he thinks fit, may use as much as \$400,000—a fraction more than half of the present surplus ocean postage—to subsidize, if you choose to call it so, our mail steamers to foreign countries with a view to establishing better commu-Mr. HOLMAN. The sea postage then was the same as the sea postage now. Let my friend look at the law; he will see that the rate of 2 cents per letter has stood unchanged for twenty-two years.

Mr. HOLMAN. The act of which the gentleman from Michigan [Mr. HORR] complains was passed years ago. The compulsory act was passed twenty-one years ago. Your Postmaster-General deemed the

Department on land; but for the surplus upon foreign ocean postage that deficiency would be \$760,000 more. The proposition here is simply to let about half the surplus foreign ocean postage be used to develop our communication and commerce abroad just as all the home postage may be said to be used for the development of our star-route service. sparsely settled agricultural and grazing sections of the South and West should be just to the commercial and manufacturing East.

[Here the hammer fell.]
The SPEAKER. The gentleman from Michigan [Mr. Hork] has

five minutes remaining.

Mr. HORR. Mr. Speaker, I have heard nothing yet in this debate replying to the statement I first made that this Senate amendment simply pays these ships for the work they actually do, when you take into account the miles they must travel. Why has not somebody had something to say on this point which is the gist of this debate? My friend from Pennsylvania [Mr. BAYNE] skipped that branch of this question. No man has attempted to point out that this amendment gives excessive pay for the work performed. No one denies that it increases the present pay very largely; but my position was that it ought to be increased. If such is not the case why has not some one made it appear?

appear?

Let me again repeat, this proposition is not a subsidy. It does not pay a penny a mile more to our own vessels than we give to vessels carrying foreign flags. It is a simple proposition to pay what these steamers earn—that is all there is of it—as we do in the case of the coastwise service, or, as was suggested by my friend from South Carolina [Mr. TILLMAN], in the star-route service. If we should compel the contractors on the star routes to carry the mails for the small revenue derived from the few letters put into their bags, you would not have a mile of star service running in the United States in six weeks, because under such an arrangement the contractors could not live. We pay for carrying the mail on the star routes according to what it is worth, taking into account the distance traveled; and that is right. That is all we ask in regard to this ocean mail service. subsidy in any true sense. I would not care if it were. This is not a

I am ready to help build up the commerce on the great seas in behalf of my country, and to let other countries take care of themselves. The gentleman from Pennsylvania is happy when we will do anything to set the forges ablaze and the wheels running in Pennsylvania, but the moment we ask for fair pay for the work done by vessels built in the factories of his State, then he cries, "Subsidy!" Then he begins to use the clap-trap about Gould and somebody else to prejudice the minds of people and frighten them. Now, I do hope, Mr. Speaker, we shall rise above that kind of clap-trap. I use the word in a high literary sense, not intending to offend my friend from Pennsylvania. But it is the merest clap-trap to talk about subsidy and monopolies and corporations in connection with this Senate amendment, which simply makes a square business proposition to pay these steamers which are built in America and owned here what the work is worth for the miles actually traveled-nothing more.

This bill gives to American vessels just the same amount that it gives to the vessels of foreign countries. Is there a man here who to-day is going to vote against his own country and in favor of the rest of the world? If so, he parts company with me at once. I am for the United States of America first, and the rest of the world afterward—a good while afterward, too. If I had my way, I would build up this country and let the rest of the world take care of itself. When a statesman has properly attended to the interests of his own nation, he will have but little time for missionary work; what time he has I am willing he should use in that way. But this amendment of the Senate is in the interest of our own nation, our own people, our own commerce; and I believe this House will stand by this Senate amendment simply because it is just, because it is American, because it is solely in the interest of our own people.

[Here the hammer fell.]
Mr. TOWNSHEND. Mr. Speaker, I desire to know how much time is left to the gentleman from Indiana [Mr. HOLMAN].

The SPEAKER pro tempore. There are thirteen minutes of the time

of the gentleman from Indiana now remaining.

Mr. TOWNSHEND. I would like to know further what disposition the gentleman from Indiana proposes to make of that time.

Mr. HOLMAN. I believe the understanding was that I should yield

to the gentleman from Mississippi for ten minutes, and that then the floor should be yielded to the gentleman from Illinois in order to call the previous question.

The SPEAKER pro tempore. The Chair will then recognize the gen-

tleman from Mississippi for ten minutes.

Mr. MONEY. Mr. Speaker, in the short time allowed me I desire to ask the attention of the House to the first Senate amendment, which

provides for leases of third-class post-offices. There is no distinction which can be made in justice between first, second, and third class offices.

And my friend from Indiana [Mr. HOLMAN] was mistaken when he said the difference only is in degree. The difference is marked in kind. Why should a man whose salary runs from one to two thousand dollars be compelled to pay his own rent, when a man whose salary is above that shall have his rent paid by the Government? There is no reason in it and there is no justice.

But, sir, when we reach the fourth-class postmasters whose salaries run from a thousand dollars down, there is a reason why they should not have a right to have their rent paid by the Government, because the man who holds a fourth-class office in a majority of cases does not hold it for the salary at all, but for the accommodation of his neighbor-

Mr. BINGHAM. Is not that true of the third-class offices?
Mr. MONEY. Not at all. Fourth-class postmasters are men who are in business as merchants and shop-keepers of various kinds, and these men use the building as a post-office in which their proper business is conducted. This is not their vocation but their avocation and ness is conducted. This is not their vocation but their avocation and established place of business in which the post-office is located. There is no reason why the Government should pay them their rent, but when a man reaches a Presidential office, the third class being the lowest of that kind, he then conducts this business alone not connected with any other business whatever. This man must rent a building for special use and service of the post-office and for nothing else. He is unable call use and service of the post-office and for nothing ease. He is unable to attend to the office which pays over a thousand dollars a year and also to attend to any other business. If he does the clerk-hire is entailed upon him for that purpose. Therefore it is reasonable and just in offices of the third class they should have their rent paid by the Government as in the case of second and third class postmasters.

The amount of increase has been fairly stated, I think, by my friend from Indiana [Mr. Holman] to be about one-half million dollars. There are 1,838 post-offices of the third class. All these postmasters to-day pay their own rent. It can be said easily that these gentlemen have the great American privilege of resigning the office if it did not suit their purse and convenience. And so can any of us here resign.

But, Mr. Speaker, it is a question of justice whether we shall properly pay for the expenditures naturally attending the postal service of this country, and I hope this House will not be so niggardly as to refuse an appropriation of half a million dollars, or as much more as will be necessary to conduct its service.

Can any gentleman assign a good reason why a man holding a third-class office, whose pay is \$1,950 a year, shall pay his own office-rent, while the man who gets \$50 more shall have his rent paid by the Gov-

Mr. LACEY. Will the gentleman allow me a question?

Mr. MONEY. Certainly Mr. LACEY. These thi These third-class officers are paid by commissions on the receipts of their offices, and they nearly absorb entirely the amount of postal receipts in those offices.

Mr. MONEY. The gentleman is right to the extent that these sal-

aries are based on the business that is done in these offices. But, Mr. Speaker, it is simply a question of justice to the House. Do you insist this one class of postmasters holding Presidential offices shall pay their own rent, while the second and third class offices have their rent paid by the Government? Not only do the first and second class postmasters have their rent paid for them, but the Government also supplies their lights and fuel and their incidental expenses. The postmasters of the third class have nothing of these things. It is only to extend to them the one single item of rent, and nothing more. They will still have their light and fuel, except in case of separating offices, to be paid out of their salaries as postmasters. There is no justice in this; there is no economy

And suppose it costs not only half a million but a million and a half, is that any reason why it should be denied? Are we to adopt a principle that a citizen is to do as much as possible for as little as possible? Are we not to deal fairly and honestly and justly with our own people and our own Federal employés? Is there any reason why a man should be treated harshly and unjustly and illiberally by Congress because he happens to be an official of the Government? That is a rule of injustice that we do not carry out with regard to ourselves, or to any of the other officials connected with the Government except these third-class postmasters. Their case is a very singular one, without a parallel in any other service of the Government; and it is impossible for this House, in my opinion, to fail to concur in the amendment of the Senate.

I desire to yield the remainder of the time to the gentleman from New York [Mr. SKINNER] with the exception of one minute.

The SPEAKER pro tempore. The gentleman has four minutes re-

maining.

Mr. MONEY. I yield three minutes to the gentleman from New York.

No. Speaker, the Committee on the Mr. SKINNER, of New York. Mr. Speaker, the Committee on the Post-Office and Post-Roads one year ago reported to this House a bill granting an allowance of rent to third-class post-offices. A bill now lies on the Speaker's table from the Senate having the same object in iew. There are in this country to-day 50,000 post-offices.

Our friends upon the other side are beginning to think there must be

a million or more, but I can tell them there are only 50,000. They are trying to stand from under the avalanche of letters and petitions pouring down upon them. But out of the 50,000 post-offices 48,000 of them are fourth-class offices; that is, offices paying an annual salary of from a thousand dollars down to 9 cents. There are only 81 first-class offices in the country; 404 second-class offices where the salary is \$2,000 or upward, and 1,845 third-class offices ranging from \$1,000 upward.

Now, the line is drawn at \$2,000. Why not draw the line at \$1,000?

I will give one single illustration which will show the injustice of the

present law rating the compensation of these offices: Suppose the postmaster at an office receives a salary of \$1,900. Out of this he must pay his own office-rent, his own clerk-hire, and pay for his fuel and all the incidental expenses of the office, all of which must come out of the \$1,900. In the very same county a postmaster may receive a salary of \$2,000, and when it reaches that sum the Government steps in and pays him his rent, his clerk-hire, his fuel, and all. Does anything better illustrate that verse in Scripture, which I will quote: "Unto every one that hath shall be given and he shall here about the the thet." given, and he shall have abundance; but from him that hath not shall be taken away even that which he hath?"

[Here the hammer fell.]

Mr. MONEY. I now yield the remainder of the time to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. The gentleman from Mississippi [Mr. Money] and the gentleman from New York [Mr. SKINNER] have so thoroughly covered the subject of the difference between the two Houses on this vertically question that I think on which the life in the subject of the difference between the two Houses on this particular question, that I think one minute will be ample for what I desire to say. This fact I want to impress upon the House: in the rural sections of the country they will receive the full benefit of this proposed change in the law. Districts such as I represent will receive no benefit whatever. The Senate has sent here to this House from its Committee on the Post-Office and Post-Roads a bill covering this subject. That bill lies upon the Speaker's table. The Committee of the House have recommended a similar bill. That stands on the Calendar of the House. Had a day been given to the Committee on Post-Offices and Post-Roads for the consideration of their business in this Congress we would have carried this legislation through the House. It comes to this to-day

The SPEAKER pro tempore. The time allowed for debate has ex-

Mr. BINGHAM. Why I hardly began, and had not reached my

Mr. TOWNSHEND. I move the previous question on the adoption of the report of the conference committee.

The previous question was ordered.

Mr. BINGHAM. We want to know how we can reach a vote on

these separate amendments.

Mr. TOWNSHEND. After the adoption of the report we will have a vote taken upon each amendment separately, if desired.

The question being taken on the adoption of the report, it was agreed

Mr. TOWNSHEND moved to reconsider the vote by which the re-

port was adopted; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

The first amendment was read, as follows:

Amendment numbered 3, page 2, line 16: Strike out the word "hereafter."

The amendment was concurred in.

The next amendment was read, as follows:

Amendment numbered 4, page 2, line 16: Strike out the word "lease" and insert" in the disbursement of this appropriation apply part thereof to the purpose of leasing."

Mr. TOWNSHEND. I move that the House further insist upon its disagreement to the amendment.

Mr. HOLMAN. I suggest to my friend that the next two amendments be read and coupled with this.

Mr. TOWNSHEND. I am willing to do that. Let them be read. Amendment numbered 5 was read, as follows:

Page 2, line 17, strike out the word "and."

And amendment numbered 6:

Page 2, same line, after the word "second," insert the words "and third."

Mr. TOWNSHEND. I now move that the House further insist upon its disagreement to these three amendments; and upon that motion I call the previous question.

Mr. MONEY. I move that the House recede from its disagreement

to the Senate amendments and agree to the same.

Mr. TOWNSHEND. What becomes of my motion?

The SPEAKER pro tempore. The motion of the gentleman from Mississippi [Mr. Money] has preference.

Mr. TOWNSHEND. I am aware of that; but I wanted to have the

Mr. TOWNSHEND. I am aware of that; but I wanted to have the previous question ordered so as to prevent debate.

The SPEAKER pro tempore. But the motion of the gentleman from Illinois can not be put before the House till the motion of the gentleman from Mississippi [Mr. Money] is disposed of. The question is on the motion of the gentleman from Mississippi, which is that the House recede from its disagreement to the amendments of the Senate which have just been read and arres to the same. have just been read and agree to the same.

The question being taken, there were—ayes 118, noes 18.

Mr. HOLMAN. As this matter involves half a million of dollars of additional salaries, I ask for the yeas and nays.

On the question of ordering the yeas and nays, there were ayes 25not one-fifth of the last vote.

Mr. HOLMAN. Count the other side.

The negative vote being counted, there were noes 131.

So (the affirmative not being one-fifth of the whole vote) the yeas and nays were not ordered; and the motion of Mr. Money was agreed to.
The SPEAKER pro tempore. The Clerk will report the next amend-

ment. The Clerk read amendment of the Senate numbered 16, as follows:

On page 8, lines 179, 180, and 181, strike out the following:
"For transportation of foreign mails including railway transit across the Isthmus of Panama, \$425,000."
And in lieu thereof insert as follows:
"For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

Mr. TOWNSHEND. I move that the House further insist on its disagreement to this amendment; and upon that I call for the previous

Mr. HORR. I move that the House recede from its disagreement, and agree to the amendment of the Senate.

Mr. TOWNSHEND. And upon that motion I call for the yeas and

The yeas and nays were ordered.

Mr. HOLMAN. I desire to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOLMAN. Gentlemen who are opposed to this proposition I presume vote "no," and those in favor of it vote "ay."

The SPEAKER pro tempore. The question is on the motion submitted by the gentleman from Michigan [Mr. HORR] that the House recede from its disagreement to the Senate amendment and agree to the

same. All in favor of that motion will say "ay" when their names are called, and those opposed to it will say "no." The question was taken; and there were-yeas 128, nays 132, not vot-

ing 63; as follows:

	1 102	10-140.	
Adams, G. E. Adams, J. J. Alken, Arnot, Atkinson, Bagley, Barbour, Barr, Bingham, Bisbee,	Davis, G. R. Davis, R. T. Dingley, Dixon, Dorsheimer, Dunham, Elliott, Ellis, Ellwood, Evans,	Howey, Hunt, James, Jeffords, Johnson, Kean, Kellogg, Ketcham, King, Lacey,	Phelps, Poland, Potter, Pusey, Ranney, Ray, G. W. Pay, Ossian Reed, T. B. Rockwell, Rogers, W. F.
Blanchard,	Everbart,	Lawrence,	Rosecrans,
Boutelle,	Findlay,	Lewis,	Russell,
Brainerd,	Funston,	Libbey,	Skinner, C. R.
Breitung,	Garrison,	Lore,	Slocum,
Brewer, F. B.	George,	Lovering,	Smalls,
Brewer, J. H.	Glascock,	Lyman,	Smith, A. Herr
Broadhead,	Greenleaf,	McCormick,	Spooner,
Brown, W. W.	Hanback,	Millard,	Stephenson,
Brumm,	Hancock,	Miller, S. H.	Stevens,
Buckner,	Harmer,	Money,	Stewart, J. W.
Budd,	Hart,	Morgan,	Strait,
Burleigh,	Hatch, H. H.	Morrill,	Struble,
Campbell, J. M.	Haynes,	Moulton,	Taylor, J. D.
Cassidy,	Henderson, D. B.	Muller,	Thomas,
Clardy,	Hewitt, A. S.	Mutchler,	Tillman,
Converse, Cox, S. S. Culbertson, W. W.	Hill, Hiscock,	Nutting, Oates,	Valentine, Wadsworth, Wait,
Cullen, Curtin,	Hoblitzell, Holton,	O'Hara, O'Neill, Charles Payne,	Wakefield, White, J. D.
Cutcheon,	Horr,	Payson,	White, Milo
Dargan,	Houk,	Perkins,	Whiting,

NAYS-132.				
Alexander, Anderson, Ballentine, Barksdale, Bayne, Beach, Belmont, Bennett, Bland, Boyle, Bratton, Breckinridge, Browne, T. M. Buchanan, Cabell, Caldwell, Candwell, Cannon, Canetton, Clay, Cobb, Connolly,	Dowd, Dunn, Eaton, Eaton, Eidredge, English, Fiedler, Follett, Foran, Geddes, Gibson, Graves, Guenther, Halsell, Hammond, Hardy, Hatch, W. H. Hemphill, Henderson, T. J. Hepburn, Hewitt, G. W. Holman, Hopkins,	McMillin, Matson, Maybury, Miller, J. F. Mills, Mitchell, Muldrow, Murphy, Neece, Nelson, Ochiltree, O'Ferrall, O'Neill, J. J. Paige, Patton, Peel, Peters, Pierce, Post, Price, Pryor, Reagan, Reid, J. W.	Spriggs, Springer, Stewart, Charles Stockslager, Storm, Swope, Talbott, Taylor, J. M. Thompson, Townshend, Tueker, Turner, H. G. Turner, Oscar Van Alstyne, Vanee, Van Eaton, Wallace, Ward, Warner, Richard Weaver, Wellborn, Weller, Weller,	
Cosgrove,	Jones, B. W.	Riggs,	Wilkins,	
Cox, W. R.	Jones, J. H.	Robertson,	Willis,	
Crisp,	Jones, J. K.	Rogers, J. H.	Wilson, W. L.	
Culberson, D. B.	Jordan,	Seney,	Winans, E. B.	
Davidson,	Lamb,	Seymour,	Wise, G. D.	
Davis, L. H.	Lanham,	Shively,	Wolford,	
Deuster,	Le Fevre,	Singleton,	Wood,	
Dibble,	Lowry,	Skinner, T. G.	Woodward,	
Dibrell,	McAdoo,	Smith, H. Y.	Worthington,	
Dockery,	McComas,	Snyder,	Yaple.	

NOT VOTING-63

Belford.	Goff.	Milliken,	Steele,
Blackburn,	Green.	Morrison,	Stone,
Blount,	Hardeman.	Morse,	Sumner, C. A.
Bowen,	Henley,	Murray,	Sumner, D. H.
Burnes.	Herbert,	Nicholls,	Taylor, E. B.
Campbell, Felix	Holmes,	Parker,	Throckmorton,
Chalmers,	Hooper,	Pettibone,	Tully,
Clements,	Hurd.	Randall,	Warner, A. J.
Collins.	Hutchins.	Rankin,	Washburn,
Cook,	Jones, J. T.	Reese,	Williams,
Covington,	Keifer,	Rice,	Wilson, James
Ermentrout,	Kelley,	Robinson, J. S.	Winans, John
Ferrell,	Kleiner,	Robinson, W. E.	Wise, J. S.
Finerty,	Laird.	Rowell.	York.
Forney,	Long.	Ryan,	Young.
Fron	MaCoid	Shaw	

So the motion to concur was not agreed to.

Mr. ROBERTSON. I ask unanimous consent to dispense with the reading of the names of members voting.

Mr. ANDERSON. I object.
Mr. WARNER, of Ohio. I would like to have my name recorded.
The SPEAKER. Was the gentleman from Ohio in the Hall when his name was called?

Mr. WARNER, of Ohio. I was not. If permitted to vote, I would vote "no."

The following members were announced as paired on all political questions until further notice:

Mr. Morrison with Mr. John S. Wise,

Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.

Mr. RANKIN with Mr. RICE.

Mr. Long with Mr. Burnes, on the Senate amendments to the Post-Office appropriation bill. Mr. Long would vote "ay" and Mr. Burnes "no."

Mr. RANDALL with Mr. KEIFER, on the Post-Office appropriation ill. On the proposition for a subsidy Mr. RANDALL would vote

no" and Mr. KEIFER "av."

Mr. Morse with Mr. RYAN, on the Post-Office appropriation bill.
Mr. RYAN would vote against the proposition for a subsidy and Mr. MORSE for it.

Mr. FORNEY with Mr. HUTCHINS, on the Post-Office appropriation bill. Mr. FORNEY would vote against the proposition for a subsidy and Mr. HUTCHINS for it.

Mr. BLOUNT with Mr. MURRAY, on the Post-Office appropriation bill. Mr. HERBERT with Mr. WASHBURN, on the Senate amendment to the Post-Office appropriation bill.

Mr. ERMENTROUT with Mr. WILSON, of Iowa, on this vote.

Mr. Young with Mr. Stone, on this vote. Mr. Hardeman with Mr. Holmes, on this vote. Mr. CLEMENTS with Mr. PETTIBONE, for this day

Mr. Jones, of Alabama, with Mr. Kelley, for this day.
Mr. Kleiner with Mr. Finerty, for this day.
Mr. Cook with Mr. Milliken, on this vote. Mr. Cook would vote Mr. Cook with Mr. MILLIKEN, on this vote. A against the amendment and Mr. MILLIKEN for it.

Mr. JOHN S. WISE, who had voted "ay," said: I was announced as paired with Mr. Morrison. I do not know how I became paired, but lest this should be regarded as a political question I withdraw my

The result of the vote was then announced as above stated.

The result of the vote was then announced as above stated.

Mr. HOLMAN moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.
The SPEAKER. The Clerk will read the next amendment.

Mr. TOWNSHEND. Mr. Speaker, my motion now is that the House further insist upon its disagreement to the Senate amendment; and

upon that I demand the previous question.

The SPEAKER. The Chair understood that by an agreement made between the gentleman from Illinois [Mr. Townshend] and the gentleman from Michigan [Mr. HORE] the debate was to be confined to the discussion of the conference report, which included debate upon these amendments as well.

Mr. TOWNSHEND. That is correct.

The SPEAKER. Therefore the previous question is not necessary. Mr. TOWNSHEND. Very well.

The question was taken on the motion of Mr. TOWNSHEND that the House further insist upon its disagreement to the Senate amendments,

and the motion was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk proceeded to read the amendment numbered 17.

Mr. TOWNSHEND. Mr. Speaker, all the sections that follow upon which there is a disagreement relate to the 10-cent stamp. I ask unanimous consent that the reading be omitted, and I move that the House further insist on its disagreement to those amendments.

The motion was agreed to.

Mr. TOWNSHEND. Now, Mr. Speaker, I move that the House ask a further conference with the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. Townshend, Mr. Holman, and Mr. Horr.

ORDER OF BUSINESS.

Mr. STOCKSLAGER. Mr. Speaker, I ask unanimous consent-

Mr. VALENTINE. Regular order!
The SPEAKER. The Chair will state that the Journal of the House

is now completed. Mr. STOCKSLAGER. I will wait until after the reading of the

Journal. The SPEAKER. The regular order is demanded, so that at any rate the gentleman could not have his request granted. By order of the House the reading of the Journal was postponed until it should be completed. It is now ready and the Clerk will read the Journal of yester-

day The Clerk proceeded to read the Journal of yesterday. After he had

made some progress therein,
Mr. ELLIS. Mr. Speaker, I ask unanimous consent to suspend the
reading of the Journal in order that I may present a conference report.
The SPEAKER. The gentleman from Louisiana [Mr. ELLIS] asks
unanimous consent to dispense with the reading of the Journal.

Mr. WELLER. Mr. Speaker, does that mean that it shall be sus-

pended entirely, or only for the time being?

The SPEAKER. It means that the reading of the Journal shall be

dispensed with.
Mr. WELLER. I object.

Mr. ELLIS. I hope the gentleman will not object.
Mr. WELLER. If it was only for the time required for you to introduce your report I should have no objection, but when it is proposed to dispense entirely with the reading of the Journal, I do object.

Mr. ELLIS. Mr. Speaker, I move to suspend the rules and dispense

with the reading of the Journal, and on that motion I call the previous question

The SPEAKER. The previous question can not apply. Under the rules of the House, on a motion to suspend the rules thirty minutes is allowed for debate. The gentleman from Iowa [Mr. Weller] does not object to the postponement of the further reading of the Journal until after the gentleman from Louisiana [Mr. ELLIS] has made his confer-

ence report.

Mr. ELLIS. Very well. I now submit the report and ask to have it read.

INDIAN APPROPRIATION BILL.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House 7970, making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 7, 8, 20, 25, 37, 55, 58, 59, 60, 61, 62, 66, 67, 72, 80, 81, 83, 99, 100, 101, and 104.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, 18, 19, 21, 22, 24, 29, 30, 32, 33, 34, 36, 39, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 63, 64, 65, 71, 73, 79, 85, 86, 87, 88, 89, 90, 91, 92, 96, 97, 98, 102, 103, 105, 107, 108, 109, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, after the word "of," where it first occurs, insert the word "five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lice of the sum proposed insert "\$11,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lice of the sum proposed insert "\$11,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lice of said amendment strike out the name of "Tonacket" and in lice thereof in sert "Tonasket;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: After the word "the," in line 22, on page 2 of the bill, insert the following: "Amount due and unpaid and including the;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lice of the paragraph pr

And said cause shall be tried without delay as hereinbefore provided;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,250,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,507,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the number proposed insert "seven hundred and fifty;" and the Senate agree to the same.

the number proposed lisers seven management to the amendment of the Senate to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the number proposed insert "seventy-five;" and the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$33,409;" and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate

numbered 77, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "That jurisdiction is hereby conferred upon the Court of Claims to hear and determine any claim which may be set upby Belva A. Lockwood against the Eastern Band of Cherokee Indians for alleged professional services rendered to said Eastern Band;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$505,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$505,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "And provided further, That the Secretary of the Interior shall report annually, on or before the first Monday of December of each year, in what manner and for what purposes the general educational fund for the preceding fiscal year has been expended; and said report shall embrace number and kind of schoolhouses erected and their cost, as well as cost of repairs, name of every teacher employed and compensation allowed, the location of each school and the average attendance at each school; and the first said annual report shall give a like full and detailed statement of all such expenditures heretofore made;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$46,500;" and the Senate agree to the same.

On the amendments of the Senate numbered 9, 12, 13, 14, 26, 27, 28,

H. L. DAWES,
P. B. PLUMB.
M. W. RANSOM,
Managers on the part of the Senate

I ask that the statement of the House conferees which accompanies this report be read.

The Clerk read as follows:

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7970) making appropriations for the Indian service for the fiscal year 1886, submit the following written statement in explanation of the accompanying report:

The bill as it is agreed upon appropriates \$5.757,512.70, being \$72,336.90 greater than as it passed the House, \$130,742.90 less than as it passed the Senate, \$101,-590.21 less than the law for the current year, and \$1,570,536.94 less than the estimates submitted for the fiscal year 1886.

The conference committee have been unable to agree upon the following amendments, numbered 9, 12, 13, 14, 26, 35, 41, 42, 75, and 76, which amendments on the part of the Senate strike from the bill as it passed the House provisions to pay claims for damages caused by depredations of certain Indians.

On amendment 27, which strikes out the provision to extend the time of payment of the purchase-money for the reservation of the Omaha tribe of Indians sold under the act of August 7, 1882.

On amendment 28, which strikes out the provision to extend the time of payment of the purchase-money under the sale of the reservation of the confederate tribe of Otoe and Missouria Indians.

On amendment 14, which strikes out the provision to pay the expenses of the delegates of the Eastern Band of Cherokees and for their services in visiting Washington.

On amendments 110, 111, 112, and 113, which strike from the bill sections 8, 9, 10, and 111 thereof.

On amendments 110, 111, 112, and 113, which strike from the bill sections 8, 9, 10, and 11 thereof.

E. JNO. ELLIS, W. S. HOLMAN, THOS. RYAN, Managers on the part of the House,

Mr. ELLIS. I move the adoption of this report. The report was adopted.

Mr. ELLIS moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

Mr. ELLIS. Mr. Speaker, in reference to this bill there are still two principal points of disagreement between the House and the Senate. In the first place the House inserted in the bill a number of items proposing to pay white citizens for depredations committed by the Indians, such payment being in accordance with treaty stipulation with the Indians. The Senate insisted that those items he struck out much the ground that there are already claims of this character to the amount of about \$5,000,000 pending against the Indians, claims which have been

accumulating since 1868, and have now reached this enormous sum.

The Senate, with a good deal of plausibility, thought we should not make "fish of one and flesh of another;" that we should not pay a portion of these claims and leave others unpaid, all of them being of equal dignity and having originated in the same way

In the second place, they say these claims have not been fully examined—have not been examined with that care which should attend their examination. There is also some force in that.

In the third place, they say that numerous amendments were offered by Senators proposing to put a large number of these claims upon the bill; but upon the assurance of the committee that none of these claims were to be allowed the Senators withdrew uniformly such amendments.

This is one of the principal causes of disagreement between the House and the Senate on the bill. The House took the view that while it was impossible to pay all or even approximately all of these claims during this year, yet that some measure should be taken looking to their event-

ual payment; and, further, that a few of them should be placed upon the bill as somewhat in the nature of a warning to the Indians themselves that if they depredated upon the property of the white people their treaty funds should be held responsible for all damages. That is substantially the position of the House and Senate with regard to this particular point. Mr. BLOUNT.

Mr. BLOUNT. I would like to ask the gentleman from Louisiana a question for information with reference to the auditing of these claims.

Mr. ELLIS. Certainly. Mr. BLOUNT. I wish to ask my friend from Louisiana what office audited the claims that are placed in this bill?

Mr. ELLIS. The Indian Office. Mr. BLOUNT. My object is this: as far as my information goes I am not aware that there is any officer who is authorized to audit that class of claims for reference to Congress, in order that appropriations may be applied for the purpose of their liquidation, as in the case of quartermaster's claims and others which are audited under the general

Mr. ELLIS. These claims have been audited by the Secretary of the Interior through the Indian Office, and have likewise been examined

by the Indian Committees of the two Houses.

Mr. BLOUNT. I wish to know if they have been examined by any auditor or comptroller of the Treasury.

Mr. ELLIS. No.

Mr. ELLIS. No.

Mr. BLOUNT. Then they do not come here as audited claims.

Mr. ELLIS. The law does not require it, but only that they shall be examined by the Secretary of the Interior through the Indian Office.

Mr. BLOUNT. This appears to be a new feature, this bringing in of the Indian depredation claims and making provision for their payment

on an appropriation bill.

Mr. ELLIS. I beg the gentleman's pardon, it has been so for years and years. It was done in the appropriation bill of last year, and the year before that, and for many years prior. The Senate has always been putting some of these Indian claims upon the appropriation bills, been putting some of these Indian claims upon the appropriation bills, and permit me to say it has been done in strict pursuance of treaty stipulations. I believe in every treaty which we have made with the Indians they have uniformly agreed that in cases where their people depredate upon the property of the whites an examination into the alleged depredations should be made by the Secretary of the Interior and the tribal fund held responsible for the damage.

Mr. BLOUNT. Will my friend allow me to say that I am quite sure, after six years' service on that committee, that they were carefully excluded from the Indian appropriation bill on the ground that there

excluded from the Indian appropriation bill on the ground that there was no law authorizing it.

Mr. ELLIS. I will not challenge my friend's memory, and can only say that for the four years in which I have served on that committee these claims have been here.

Mr. BLOUNT. It may be that my friend consented. I did not.
Mr. ELLIS. The House proposed and the Senate conferees concurred
that these claims shall undergo full and thorough investigation. The
Senate proposes that an appropriation of \$10,000 shall be made to enable the Secretary of the Interior to make a careful examination of all
these claims and make a list of them as they are examined and approved by that commission, which list shall be presented to Congress
on soon as the examination can be had for such action as Congress may so soon as the examination can be had for such action as Congress may deem wise or necessary to take; a measure in the wisdom of which I fully concur.

The second point of difference was in regard to the allowance due for the payment of a portion of the purchase-money for the Omaha Indian reservation; also in reference to extending the time for the payment of the purchase-money due the confederate bands of Otoes and Missourias. The conference committee did not challenge the equity or wisdom of the provision, but they rested upon the ground that these provisions embodied general legislation and the Senate rules forbid general legislation upon an appropriation bill. That point we did not discuss very far with these gentlemen.

The third and last point of difference was in regard to the appropria-

tion of \$4,000 to pay some Cherokee delegates their traveling and other expenses (an amendment which was offered by my friend from North Carolina [Mr. VANCE] and I hope we will hear from him on that), incurred in representing the interests of their tribe here. These are, Mr. Speaker, in substance, the points of disagreement between the Senate and House conferees.

Mr. BUDD. May I ask the gentleman one or two questions?

Mr. ELLIS.

Certainly.

I do not see the gentleman from Georgia here, but is it Mr. BUDD. not a fact that this is the first time that the House has placed the In-

Mr. ELLIS. That is correct, as I remember.

Mr. ELLIS. That is correct, as I remember.

Mr. ELLIS. That is correct, as I remember.
Mr. BUDD. And has not that been the practice of the Senate for

Mr. ELLIS. To the best of my knowledge, yes.

Mr. BUDD. For several years past?
The SPEAKER. What motion does the gentleman submit?

Mr. ELLIS. I have no motion to submit. I yield to my colleague on the committee [Mr. RYAN].

The SPEAKER. There is nothing before the House unless a motion

Mr. ELLIS. I reserve the remainder of my time.

The SPEAKER. But the Chair desires to state the conference report has been disposed of, and unless some motion is made—

Mr. ELLIS. I will move, then, that the House insist on its dis-

agreement to the Senate amendments.

Mr. RYAN. I was about to make the same motion in regard to Senate amendment numbered 9, with the view of testing the judgment of the House. We are so near the close of the session that for my own part I desire to throw the responsibility upon the House

The difference between the two Houses or between the conferees on the part of the House and those on the part of the Senate relates to two One is the depredation claims that the House put upon this

bill; the other is the legislation that the House put upon this bill. want the House to clearly understand the issue; and then for myself (and I think for the other conferees) I desire to have the intelligent judgment of the House, and we shall act in accordance with such in-

structions as the House may give.

In regard to depredation claims, I have this to say: About \$40,000—
I have not figured it up to ascertain the exact amount—is appropriated out of the annuities due to Indians for the depredations that they have committed upon the property of white persons. This appropriation is made in accordance with treaty stipulations. Every claim put upon this bill has been audited in the manner prescribed by the treaty. First, the question has been submitted to the Indians themselves, and in almost every instance they agreed that the depredations were committed. Next, the agent at the agency investigated the claims. Next, the Commissioner of Indian Affairs investigated the claims and reported them to Congress, declaring that a certain amount was due. were in turn referred by the House to the proper committee, the Committee on Indian Affairs, and in every instance where a depredation claim appears in this bill it was reported favorably by the Committee on Indian Affairs.

The Senate, I want to say in passing, for several years past has put similar claims audited in precisely the same manner upon these Indian appropriation bills, and the House agreed to them. But now the Senate conferees say in regard to these claims, "it is true these claims have been audited in accordance with treaty stipulations. They appear to be all right upon their face; but it is so late in the session that we can not ourselves personally investigate them, and we do not think it wise or prudent to agree to them unless we do investigate them." I think I have stated it fairly. All I care about it is that by a vote of this House it shall declare whether its managers shall insist upon the disagreement, or whether they shall surrender these claims, nothing further to say about them.

The other point of difference relates to legislation upon this bill. In The other point of difference relates to legislation upon this bill. In regard to that its importance is conceded. Some of it is regarded as indispensable to the preservation of the public peace. Disorderly Indians, whose conduct of late created alarm along the border, armed with the modern rifle are daily committing depredations upon every species of property they can reach. We provide in this bill that the President may in his discretion take arms from those Indians and compensate

That is all there is of that provision. That is conceded to be just. With regard to one of these tribes, one of the most turbulent and disorderly, and one of the most savage we have to deal with, we are supplying them with appropriations exceeding \$300,000 annually to feed them, as a gratuity. We are obliged to make contracts to supply them with food. The contractors by the terms of the contract are obliged to keep the cattle in the vicinity of those Indians to supply them week after week, and yet the Indians raid these herds of cattle and destroy What is the result? The result is that hereafter it will be almost impossible for the Government to make contracts to supply these Indians. It will only be able to do so by the contractor taking into consideration the great risk he has to incur, and therefore the Government will be compelled to pay a most extraordinary price for these

These Indians, as I have said, are armed with the modern rifle. It is from them we would take these arms and put them in the pathway

of civilizing influences.

But the reply comes from the conferees on the part of the Senate: "This is legislation; it is late in the session; we do not think there is time sufficient for us to give a subject of this kind that serious and deliberate consideration that we should, and besides that it is a violation of the rules of the Senate and we can not agree to it."

Now, the Senate rule seems to be somewhat peculiar. If there be a Senate rule upon the subject, if I may judge from the action of the Senate upon appropriation bills at this session of Congress, it can have but one construction, and it is this, that that rule prohibits upon an appropriation bill legislation that originates in the House, but allows upon an appropriation bill legislation that originates in the Senate, because I see

here in this very bill that there is legislation inserted by the Senate itself. In the face of that fact, admitting that this legislation is correct, admitting that it is important to the preservation of public peace on the border, they still say it is legislation originating upon an appropriation bill in the House of Representatives, and they therefore can not under their rules consider it. I have presented, I think, the whole subject so far as legislation is concerned in what I have said, because what I have said applies to the rest of the legislation in this bill.

I want to say further that another paragraph of legislation in this bill authorizes the President of the United States to negotiate with certain Indians in regard to opening a certain section of the Indian Territory now in dispute to settlement under the homestead law. That is a matter of great concern. A large number of the people of the country believe that the land in question is public domain. They believe that the Indians have no reserved interest in it, the fact being that the Government has paid for it what it agreed to pay for it, but the further fact being that it bought it from the Indians for a specific

That specific purpose the Indians hold to be a trust-that is, they claim that we hold it in trust for that purpose, and that we have no right to sell it for any other purpose. Now those people, believing it to be a part of the public domain, have been going upon those lands for the purpose of occupying them and making homes for themselves. The Army of the United States has been employed repeatedly to remove those people. It is but a few weeks ago that the saddest thing to every American heart that could possibly occur-a conflict of arms between the Army of the United States and citizens of the United Statesimminent, because those citizens believed, whether right or wrong, that they were entitled to carve out homes for themselves upon that portion of the public domain, as they regarded it. This provision simply authorizes the President to negotiate with those Indians regarding any rights they may have in those lands, in order that they may be lawfully opened to settlement. It is well known by everybody who reads the public prints that large numbers of our citizens are about to enter that Territory under the impression that they have the right to do so.

The Army of the United States is stationed there to prevent them. A conflict is imminent in the near future unless something be done to avert it. All this is admitted by the Senate and by the conferees of the Senate, but they say that legislation upon an appropriation bill is prohibited by the rules of the Senate, and that therefore they can not give this consideration. There are some other provisions to which they objected, and they suggested some amendments which the conferees on the part of the House readily acceded to. Now, we have to confront these facts and to act upon them by our votes, and so far as I am concerned I shall regard the action of the House as an instruction on these propositions, and I shall obey that instruction, whatever it may be.

With regard to legislation upon appropriation bills, I agree that as a rule it is wrong, but, under our system of rules, it seems indispensable occasionally to insert legislation in these appropriation bills. It is the fault of our system. It results from the fact that we have a system of rules relating to appropriations and to the Committee on Appropriations which clothe that committee with a power which I believe ought not to exist with any committee of this body. It is no answer to say that that power has not been exerted to the prejudice of the public interests. It is enough to know that it is possible that it may be. If I had anything to suggest in regard to this matter after four years' experience upon the Committee on Appropriations, it would be such a reform of the rules as would prevent that committee from reporting a bill to this House with any general legislation whatever in t, and I would add a rule to the same effect for the government of the House itself. Further, I would require the Committee on Appropriations to report the appropriation bills to the House within a reasonations to report the appropriation bins to the House within a reasonable time, so that they might receive fair and due consideration here by the Representatives of the people, and might then be sent to the other branch of the law-making power in time to receive fair and due consideration there. This would force the House to make rules to facilitate general legislation in an orderly way, instead of trying, as is

done now, to put all such legislation on appropriation bills.

I want to add another thing before I yield the floor. It is this: Although we have a rule of the House authorizing legislation upon an appropriation bill, the practice has been that where one House puts upon such a bill legislation that is objectionable to the other, the House where such legislation originates surrenders it. Mr. Speaker, having made this statement with no other purpose than to impart to the House the facts so that we may vote intelligently, I now move, unless some-

body else cares to talk-

Mr. BUDD. I would like to be heard on this question.
Mr. PETERS. I would like ten minutes.

Mr. RYAN. Very well; I believe the motion of the gentleman from Louisiana [Mr. ELLIS] was general.

Mr. ELLIS. It was general.

Mr. RYAN. Suppose you withdraw it and let us have a specific mo-

Mr. ELLIS. I withdraw it for that purpose. It was merely formal,

at any rate.

Mr. RYAN. Now, Mr. Speaker, in order to test the judgment of the

House in regard to these claims, I move that the House insist upon its disagreement to amendment numbered 9.

The SPEAKER pro tempore. The Clerk will read the amendment. The Clerk was proceeding to read the amendment, Mr. HOLMAN. Mr. Speaker, I call the attention of the gentleman from Kansas [Mr. RYAN] to the fact that amendments numbered 9, 12, 13, 14, 26, 35, 41, and 42 relate to claims against Indian tribes, and

appropriate money to pay them out of the annuities due to the Indians. Now, why not make the motion apply to all those amendments?

Mr. RYAN. I accept the suggestion of the gentleman from Indiana, and will make the motion apply to all those claims.

Mr. HOLMAN. Now, for the purpose of testing the sense of the House, I move that the House recede from its disagreement to these

The SPEAKER pro tempore. No separate vote is demanded. Is there unanimous consent? [After a pause.] The Chair hears no ob-

Mr. HOLMAN. Now, Mr. Speaker, all of these are claims against Indian tribes, and the money is to be paid out of the Indian annuities. This list comprises a very small portion of the whole of these claims Mr. HOLMAN. which have been certified from time to time to Congress from the Indian Bureau. I think these claims ought all to be considered together. Congress before authorizing payment should be better informed as to the character of the claims. The Indians are here insisting that a great many of these are not just and valid claims against them. The Senate maintains that the provisions for the payment of these claims are legis-lation upon an appropriation bill, and do not properly belong to such a I therefore think that at this late hour of the session it is the part of wisdom for the House to recede from its disagreement and concur in the action of the Senate striking out the provisions for these claims

Mr. PERKINS. Was there not an Indian depredation claim included in the sundry civil appropriation bill—a claim which has come to Congress within a month or two; and has not the Senate permitted that

provision to remain in the sundry civil bill?

Mr. HOLMAN. Whether it has been permitted to remain I have not examined. But the fact is there is such a depredation claim on

that bill, amounting, I think, to \$47,000.

Mr. PERKINS. Yes, sir.

Mr. HOLMAN. That is, however, a very peculiar case. A contractor for furnishing supplies to the Indians had sustained heavy losses by Indian depredations, amounting, as he claimed, to \$62,000, or, as found by the Indian Department, \$47,000. The fact that this man was a contractor, and according to representations made to the Committee on Appropriations and to the Indian Bureau could not carry out his contract unless the Government promptly paid back to him out of the Indian funds the losses he had sustained, was the motive that induced the action of the Committee on Appropriations.

I now yield five minutes to the gentleman from Georgia [Mr.

BLOUNT]

The SPEAKER pro tempore (Mr. Cox, of New York). The Chair will state the pending proposition, that debate may be relevant to the The gentleman from Kansas [Mr. RYAN] moves that the House insist on its disagreement to the Senate amendments in regard to depredation claims. The gentleman from Indiana [Mr. HOLMAN] moves that the House recede from its disagreement to those amend-ments, the numbers of which the Clerk will read.

The Clerk read as follows:

9, 12, 13, 14, 26, 35, 41, 42, 75, 76.

Mr. BLOUNT. Mr. Speaker, I trust the House will not insist upon having these claims remain in this bill. It has been stated here that claims of this character have for the last four years been placed upon Indian appropriation bills. It has likewise been stated that at different times the Senate has seen fit to put claims of this class upon the Indian appropriation bill. But, Mr. Speaker, the House desires to do what is right in reference to this matter. If heretofore the House has taken hasty action in violation of its rules, if in the past the Senate has taken hasty action in violation of sound and wise legislation, those precedents do not bind our judgment, and should not restrain us from doing at this time what is right.

It will be conceded that under the rules of this House claims belong to the Committee on Claims, and when reported from that committee must take their place upon the Calendar; that the appropriation bills provide money for the current expenses of the Government and do not include claims except a single class. Judgments are placed on the sundry civil bill; they do not go to the Committee on Claims, for they are based upon matters which have been judiciously examined, the Government having here concluded by that examination. ernment having been concluded by that examination. So likewise in reference to claims which have been examined under the law by the auditors and comptrollers on behalf of the Government, the two classes of officers being a check upon each other. But in reference to claims for Indian depredations there is no provision of law which submits them to an auditor or comptroller for examination. They are casually examined in the Indian Department, are sent to this House, and should then properly go to the Committee on Claims or sometimes to the Committee on Indian Affairs.

If there is any class of claims that ought not to be placed on appropriation bills it is those against Indians. If there are any claims as to which we ought to be on our guard, ought to have our suspicions excited, it is claims against those ignorant savages. I think the Senate has rightfully refused to allow this class of claims to be placed on this bill. I care not what mistakes the Senate or the House may have made heretofore, wise legislation requires that we should exclude from appropriation bills claims in general, and especially this particular class of claims.

I remember that in the Forty-fourth Congress, when I first examined this matter, claims against the Indians came in and were referred to the Committee on Claims. I found they had not been examined as other claims usually were. The Committee on Appropriations refused other claims usually were. The Committee on Appropriations refused to consider these claims at all; and the House declined to put them upon an appropriation bill. We may have been in error; but such was the practice; and I find now no argument for placing these claims on this bill, except the fact that the Senate did it at a given time, or that we have done it for one, two, or three years. I trust that we shall concur in the amendments of the Senate striking out these claims, especially in view of the fact that we are just approaching the adjournment of a Congress. I move concurrence in the amendments of the Senate relating to these claims.

Mr. RYAN. I yield ten minutes to my friend from California [Mr.

BUDD]

Mr. BUDD. Mr. Speaker, the motion of the gentleman from Indiana [Mr. HOLMAN] is to recede from the position taken by the House conferees and, in effect, to indorse the action of the Senate in striking from the House bill certain allowed and approved claims for Indian depreda-tions. I desire to state that having investigated this matter somewhat fully by reason of my constituents being especially interested, I have found this is one of the few occasions in which this House has incorporated in the appropriation bill any depredation claims. I find that it has been the custom of the Senate of the United States to put innumerable depredation claims upon the Indian appropriation bills, and it has waited until this time before it ever found a flaw in that mode of procedure or any cause of complaint. I find by looking at the RECORD of last year that the gentleman from Indiana [Mr. HOLMAN], who is now so quick to ask us to recede from our position, consented to the Senate tacking on many such claims and never made even the faintest protest. He did not even bring the matter to the attention of the House. that time in conference, without instruction or advice from this body, the many Senate claims were agreed to; and now, when we learn from the RECORD that the Senate conferees in discussion, on the 14th of February, say they have examined these claims which the House placed on the bill and they have found them correct, and that their only objection to them was because of a little ruling of the Senate that legislation ought not to go on an appropriation bill—

Mr. LONG. Is not that rule general legislation?
Mr. BUDD. Yes; general legislation.
Mr. LONG. Is this general legislation?

Mr. BUDD. It is not general legislation; it is special, and in further-

ance of the present law. Mr. LONG. Then w

Then why is this obnoxious to the Senate rule? Simply because the Senate did not originate them, I Mr. BUDD. presume.

Mr. LONG. Then I understand that is not the ground on which they object to them.

Mr. BUDD. Upon what ground do they object to them?

Mr. RYAN. I stated to the House, and I had hoped the gentleman

had heard me. Mr. BUDD.

I did.

The Senate conferees objected on the ground they had Mr. RYAN. not time to examine these claims.

Mr. BUDD. Very good.

Mr. RYAN. And on the further ground that members of the Senate, representing claims from other parts of the country, insisted if these claims went into the bill those other claims must also go into the bill.

Mr. BUDD. I find by examining the record of this discussion in the Senate of the United States that the Senate committees have made a careful examination of several of these claims, and especially of claim of J. W. Hogan, of Stockton, struck out by amendment 35, and that two of the Senators who are now conferees on the part of the Senate, Senator DAWES and Senator PLUMB, both stated that from an examination of that claim they believed it was just and ought to be paid. That is claim 35. Gentlemen will find the statement of Senator PLUMB on page 1852 of the RECORD, and that of Senator DAWES on page 1857, this session.

Last year the Senate did not care whether or not the House had time to examine the claims, for it tacked on many of them and we concurred, but now when the House asks that a few of its citizens who have been long waiting for their dues shall be paid a sum aggregating only \$40,000, the Senate of the United States says it will not pay our own needy citizens their just dues; yet on page 54 of this very bill it tacks on two pieces of new legislation, and provides for paying to Indians who have no funds or claims \$50,000. In other words, they inject new legislation into the bill in favor of Indians, and take out legislation carrying out existing law, simply because it recognizes a claim of a citizen against this Government.

Mr. Speaker, the history of the law on this subject is short. In 1834, by act of Congress, the United States guaranteed the payment from the general Treasury of all claims of its citizens for Indian depredations. In 1859 it guaranteed the payment from any Indian annuities that might be granted for the depredations of Indians. Every treaty entered might be granted for the depredations of Indians. Every treaty entered into has a clause in it whereby the claim for a depredation is to be paid out of the annuities granted. Prior to 1870 these claims were presented to and proved in the Interior Department. They were then paid. In 1870 this law was so changed as to require a special appropriation in each case after the claim had been allowed. In the Hogan claim every requirement of law has been complied with. There is a requirement of a full and complete examination by the Commissioner of Indian Affairs.

It then goes to the Secretary of the Interior. It is passed upon by him and reported to Congress. Then under the law of the United States Congress is by special appropriation to provide for the payment of its own citizens for damages done by Indians out of the money which belongs to the Indians themselves.

The gentleman from Georgia [Mr. BLOUNT] favoring this motion says we ought to see right and justice done. Let me ask where is there greater right or justice than paying a claim like this after it has been allowed as by law required. If under the law a white man injures an Indian the law allows the Indian double damages. If under the law an Indian injures a white man the law says come to the Government, an Indian injures a white man the law says come to the Government, prove your claim, and it shall be paid. Here is a man by the name of J. M. Hogan, of my own town, who, twenty-odd years ago, was robbed of \$30,000 worth of property by Indians, and who has been knocking for a quarter of a century at the doors of the Treasury for the payment of his just claim. It has been allowed for only \$6,600, though the evidence shows his loss to have been the full amount alleged. It has been examined, approved, reported upon, passed unanimously by this House, and put into this bill and sent to the Senate, and Senator DAWES and Senator Plumb, both of whom examined it, say that it is a just claim, and one that ought to be paid, which said matter was fully and clearly proved to them by Senator MILLER, of California, who, thank goodness, wishes to see justice done to all these claimants, and has worked hard to that end.

I ask the House then, in view of these facts, to vote down the motion of Judge Holman to recede; to ask these people to see that our own citizens are treated with at least one-tenth part of the justice that is shown to the Indians throughout this country. Six millions of dollars for the Indians; \$40,000 refused for just claims of our own citizens; a

Mr. RYAN. I will yield now one minute to my colleague on the

Mr. RYAN. I will yield now one minute to my colleague on the committee, Judge Holman.

Mr. HOLMAN. Mr. Speaker, the gentleman from California refers to the fact that the last Indian appropriation bill contained some thirty-two claims of this character, which were placed upon it by the action of the Senate. That is all very true, and I supposed the House itself and all gentlemen knew of the fact that these claims were on that last bill. There was no discussion on the subject whatever.

The facts presented now, however, with reference to the present bill are entirely different. Senators claim that they have not had time to examine the claims which the House has placed upon the bill, and can not concur in the adoption of the same until they have had an opportunity of advising themselves whether they are proper claims to be placed upon the bill or not. We are in the closing hours of the session. We have got to get together in some way; and in my judgment, if any vote is proper to bring the two Houses together, it is one involving a question submitted in a case of this character, where there has not been time for the other branch of Congress to make the proper investigation. time for the other branch of Congress to make the proper investigation of the subject. I think for that reason it would be the part of wisdom for the House to recede from its disagreement to the amendment of the Senate in this respect.

Mr. ELLIS. Mr. Speaker, I simply wish to set the House right as

to the law covering this case. The point is made by my friend from Georgia [Mr. Blount] that these claims have no business on an appropriation bill of this kind. Now this bill is one which makes an appropriation for the current and contingent expenses of the Indian Department and for the fulfillment of treaty stipulations with various Indian tribes. That is the title of the bill itself. Claims of this character, it must be known to the House, do not take the course prescribed for other claims, which go through the routine and examination of the accounting officers of the Treasury. These come under a different heading, and are subjected to a different examination.

The first is a general law providing for the ascertainment of claims, which are audited by the accounting officers of the Department and transmitted to Congress for settlement, but the special law governing the payment of these Indian depredation claims expressly provides for their payment, under the treaty stipulations, out of the tribal funds. I turn to the book of treaties before me at random, and will read a sample of the law, which is substantially universal in its application to

all these treaties. I will read from a treaty made with the Navajo In-

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Navajoes agree that they will, on proof made to their agent and on notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws, and in case they willfully refuse so to do the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this treaty orany others that may be made with the United States; and the President may prescribe such rules and regulations for ascertaining damages under this article as in his judgment may be proper; but no such damage shall be adjusted and paid until examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating or because of his violating the provisions of this treaty or the laws of the United States shall be reimbursed therefor.

So I turn to the treaty with the Arapahoes and the Cheyenne Indians, and I find a similar provision. The same stipulation is placed in all these treaties. You will find the same provision throughout all our dealings with them, that their tribal fund shall be held responsible for depredations committed by them; and the Commissioner of Indian Affairs is constituted the judge. Everybody, I presume, is familiar with the principle of law that when Congress has constituted a person

or organization as the sole judge of a matter his judgment upon that subject is final. These claims go through that constituted tribunal.

The Committee on Indian Affairs, taking this view of the law, and in view of the fact of this consecrated practice to put claims year after year carrying out treaty stipulations by providing the money for their pay-ment out of the tribal fund of the Indians on the part of the Senate of the United States, concluded to see if it would not be proper to do a little of that business themselves; and so in pursuance of that idea they put on these claims, which they hope will act as a check on further depredations of this character by letting the Indians know that their tribal funds will be held rigidly responsible for any mischiefs perpetrated by

Now, my friend from Indiana [Judge Holman] alludes to the case of this contractor who could not carry out the provisions of his contract unless he was reimbursed from the tribal fund. But, sir, that is a mild, a very mild, case compared with claims presented here. Settlers' houses burned, their children murdered by their fireside, their stock killed, their fences destroyed, all they have on the face of the earth going to destruction in an hour beneath the mad wave of the savage barbarism of these people. These cases have been picked out here and put into of these people. These cases have been picked out here and put into this bill; cases of spoliation, murder, arson, the very worst that we could find; and they have not only been examined by the constituted authorities under these treaty stipulations with the Indians, but by the Commissioner of Indian Affairs himself, and they have been ex-Mr. RYAN. I yield five minutes to the gentleman from Colorado [Mr. Belford].

Mr. BELFORD. Mr. Speaker, I desire to express my profound gratitude to the gentleman from the State of Kansas who constitutes one of the peerage of the immortals that compose the Committee on Appropriations for according to me five minutes' time.

I have heard gentlemen here speaking with reference to these In-dian depredations who have not seen an Indian in their lives and know nothing about the dangers that you, sir [Mr. Cox, of New York, in the chair], and myself encountered years ago when riding on a stage-coach over the plains and through the mountains and looking with an anxious eye when we came to a curve to see whether the noble red man was not there with his rifle in his hand. Do you recollect it? [Laughter.]

The policy of this Government is simply that an Indian can plunder and rob you day after day, and if a white man insists upon his rights he can not get a single dollar by way of compensation for the injuries he has received. You know as well as I know that year after year we appropriate millions of dollars to support these Indians, not as paupers, but as the great wards of the nation. I say that an Indian, like a white man, should starve if he will not work. God made this country white man, should starve if he will not work. God made this country for men who labor and toil and struggle, and not for the sluggards that will neither work by day nor by night. And yet according to the policy of this Congress you allow them to burn houses, and steal horses, and kill people, and when those who have suffered at their hands come forward with a bill to compensate them for the injury they have experienced you say, "Oh, no; in the love of God and humanity we will not do this." [Laughter.]

What have you Festern people hear doing since the settlement of the

What have you Eastern people been doing since the settlement of the Republic? You drove the Indians from New England because they were not a type of the survival of the fittest. You drove them from Pennsylvania. You drove them from Indiana. You drove them across the Mississippi River. You carried them at the ends of the tails of horses from Georgia into the Indian Territory; and there you gave them an acreage larger in extent than the State of Indiana; and there are but 15,000 of them there. Can not we get a little sense on this Indian question?

Indian question?

[Here the hammer fell.]

Mr. RYAN. I yield the balance of my time to the gentleman from

New York [Mr. STEVENS] except one minute, which I reserve.

Mr. STEVENS. It is not my intention to detain the House long

with any remarks on this bill. The experience of the House to-day in discussing this question has been but a repetition of the experience of

previous years.

I shall come at once to the question before the House, the propriety of insisting upon or receding from the disagreement to the amendments of the Senate. These claims under consideration, or most of them, were under existing law first sent to the Commissioner of Indian Affairs and the Secretary of the Interior, and from them after a careful considera-tion to this House, when they were referred to the Committee on Indian Affairs. Until within a few years authority was given to the Secretary of the Interior to examine the claims and to pay such amount as he thought fit. That legislation was changed, and the Secretary was prohibited from making payment until after Congress had authorized it. The great bulk of the claims in this bill were in the early part of last

session submitted to the Committee on Indian Affairs, and by the chairman of that committee were referred to various subcommittees. The members of those committees gave the various claims most careful consideration. They were the subject of much discussion in the committee, and in almost every instance the amount allowed by the Indian Department was considerably decreased. Thus decreased they were favorably reported by bill to the House and were placed upon the Private Calendar, and there these claims sleep and will sleep the final sleep, one that knows no waking, because the opinion of this House has apparently come to be settled that everything coming before it in the shape of a claim against the Indians in the shape of depredations contains more or less of a "steal." Prejudice has become so great that in almost every instance these claims year after year have been refused consideration, and, as has been very properly said by gentlemen who have preceded me, these settlers presenting the claims, whose cabins have been burned, whose stock has been driven off and killed, who have been robbed of the pittance which they as settlers on the public lands had gathered together by years of labor, have had no attention paid to them, in defiance of the stipulations of treaties existing between these tribes and the United States that all depredations and spoliations committee, and in almost every instance the amount allowed by the these tribes and the United States that all depredations and spoliations shall be paid for and taken from their treaty funds.

The Committee on Indian Affairs, in devoting the labor they did to these various Indian claims, were in hope some consideration would be paid thereto by this Congress. But I believe only one has been considered; and the Committee on Appropriations have followed the practice of previous years, when, having had the claims of various citizens brought to them by their Representatives on this floor, they have in the kindness of their heart put this claim and that claim and the other ween the appropriation bills owing to the present that were horsely that upon the appropriation bills owing to the pressure that was brought to bear upon them by members on the floor of this House; the result being that a few favored claims, without any reference to their real merit, have been paid, and in many instances some most deserving ones have not been paid.

Some criticism was indulged in in the Senate on the action of the Committee on Indian Affairs in this House; and I want to say, Mr. Speaker, in reference to some of the claims placed upon the bill by the Committee on Appropriations that they were never considered in the

Committee on Indian Affairs.

And if the amount appropriated by them was wrong, it was not the fault of the Committee on Indian Affairs, because the bills were never considered by that committee. In the last session of this Congress the Senate, as has been stated, saw fit, under the pressure of Senators representing their constituents, to place a large number of these claims on the appropriation bill. The result was that the bills presented to this House and acted upon here received no consideration, and no payments were made for those losses. This year the Committee on Appropriations have been much more generous and liberal. They have placed a large number of these claims upon the bill very properly and very justly; for I believe that if all can not be paid it is better that some should be than none. The Senate, however, thought differently, and because they could not put upon the appropriation bill all that they desired to put there, as the gentleman from Kansas [Mr. RYAN] has stated, they cross all these claims off, and are disposed to pay none

Now a word or two in regard to the consistency of the Senate, and a little something in regard to the consistency of our honorable Committee on Appropriations. The Committee on Appropriations placed upon the sundry civil bill, as has been stated, a claim of some \$46,000 or \$47,000. That case was never considered by the Committee on Indian Affairs; no report upon it has ever been made from that committee. I undertand however, that it is civil to live the line of the committee of the committee of the committee. stand, however, that it is a just claim, and I take no exception to the Committee on Appropriations having made provision for its payment, but I want to call attention to the consistency of the Senate. The bill went to the Senate with that provision upon it, and although the Senate had struck from the bill all the appropriations for the payment of these depredation claims, yet no Senator raised his voice to draw attention to this claim, which was of exactly the same character, and the conference on the part of the House who reported that fort here made conferees on the part of the House who reported that fact here made no request of the House that it would reject that claim and insist upon its going off with the others.

In conclusion, Mr. Speaker, I only desire to say that I trust this House will insist upon these claims remaining in the bill. So far as I know, and so far as they have been considered by the Committee on Indian

Affairs of this House, they are just and proper claims, and ought to be

Mr. RYAN. Mr. Speaker, I now yield the balance of my time to the gentleman from Indiana [Mr. HOLMAN]. The SPEAKER pro tempore. The gentleman has one minute re-

maining

Mr. HOLMAN. In that minute I desire to call the attention of the House to the fact that amendment No. 45, on page 47, is an amendment placed there as a substitute for a corresponding provision which was originally contained in the bill. Itappropriates the sum of \$10,000, to be used by the Secretary of the Interior in making a general examination, classification, and index of these claims, for transmission to Congress, not simply claims here included, but all these claims, amounting to millions of dollars.

It will be seen, therefore, that there is a general provision in this bill loooking to the settlement of all these claims. I wish to call attention also to the feet that that amountment has been congurred in

tention also to the fact that that amendment has been concurred in, One other word, which is all I feel at liberty to say: I admonish gentlemen on the floor of the House that on account of the condition of the appropriation bills the enrollment of them in time is going to be the greatest embarrassment in the way of the adjournment of Congress at 12 o'clock on the 4th of March. At the earliest moment these bills must go to the clerks for enrollment if they are to be ready in time. I now call the praying question on my motion. I now call the previous question on my motion.

The SPEAKER pro tempore. Does the Chair understand the gentleman from Kansas [Mr. RYAN] to have modified his motion so as to

make it a motion to recede?

Mr. RYAN. No, sir; I made the motion to insist. The gentleman from Indiana [Mr. HOLMAN] made the motion to recede.

Mr. ELLIS. To recede and concur in the Senate amendments.

The SPEAKER pro tempore. On that motion the gentleman from Indiana [Mr. HOLMAN] has called the previous question. Is there a

There was a second, and the previous question was ordered.

The question was taken on the motion of Mr. Holman that the House recede from its disagreement and concur in the Senate amendments numbered 9, 12, 13, 14, 26, 35, 41, 42, 75, and 76, and on a viva voce vote the Speaker pro tempore declared that the ayes seemed to have it.

A division was called for; and there were—ayes 87, noes 41.

Mr. BUDD. No quorum.

The SPEAKER pro tempore. The point of no quorum is made, and the Chair will appoint the gentleman from Indiana, Mr. HOLMAN, and The SPEAKER pro tempore. the gentleman from California, Mr. BUDD, to act as tellers.

The House again divided; and the tellers reported-ayes 111, noes

So the motion of Mr. Holman was agreed to.

Mr. ELLIS. I now move that the House further insist upon its disagreements to the amendments numbered 27, 28, 110, 111, 112, and 113. These amendments embrace the remaining points of difference between the two Houses

Mr. RYAN. Those relate to legislation to which I have adverted.

The motion of Mr. Ellis was agreed to.

Mr. Ellis. I now move that the House ask a further conference with the Senate on the remaining differences between the two Houses.

The motion was agreed to; and the Speaker pro tempore [Mr. Cox, of New York] announced the appointment of Mr. Ellis, Mr. Holman,

and Mr. RYAN as conferees on the part of the House.

PENSION APPROPRIATION BILL.

Mr. HANCOCK. I submit the conference report which I send to the desk

The Clerk read as follows:

The clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30,1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, and agree to the same.

JOHN F. FOLLETT,
W. D. WASHBURN,
Managers on the part of the House.

W. B. ALLISON,
H. L. DAWES,
WILKINSON CALL,
Managers on the part of the Senate.

The following statement, accompanying the conference report, was

The following statement, accompanying the conference report, was

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) making appropriations for the payment of pensions for the fiscal year 1886, submit the following in explanation of the action of the conference committee as submitted in the accompanying report:

The bill agreed upon in conference appropriates \$60,000,000 and is in exact terms as amended by the Senate.

JOHN HANCOCK, JOHN F. FOLLETT, W. D. WASHBURN, Managers on the part of the House,

Mr. HANCOCK. I move that the report be adopted.

Mr. ROGERS, of Arkansas. I move to non-concur. The SPEAKER. The report of the committee of conference must either be agreed to or disagreed to as an entirety. If the House should refuse to agree to the report, it would then be in order to take up the amendments of the Senate for such action as the House might think proper. But the report is treated as an entire proposition.

Mr. ROGERS, of Arkansas. Is it in order to move to disagree to the

report?
The SPEAKER. If the motion to adopt the report be defeated, that action would be equivalent to disagreement; and then it would be in order to move that the House recede from its disagreement to any or all of the amendments or to make any other parliamentary motion.

Mr. HANCOCK. Upon my motion to adopt the report I move the

previous question.

Mr. ROGERS, of Arkansas. I want to make a single statement, if the gentleman from Texas [Mr. HANCOCK] will permit me.

The SPEAKER. Does the gentleman from Texas permit the gentleman from Arkansas to make a statement?

Mr. HANCOCK. Yes, sir. Mr. ROGERS, of Arkansas. I wish to say but a word. My idea was, if this motion should be voted down, to offer the pension-attorney fee-bill as an amendment to one of the amendments of the Senate.

[Cries of "Regular order!"]

Mr. ROGERS, of Arkansas. That is all I have to say.

The previous question was ordered.

The question recurred on the adoption of the report of the conference

The House divided; and there were-ayes 54, noes 19.

So the report was adopted. Mr. HANCOCK moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HOLMAN. I move that the House take a recess until half past

The SPEAKER. The Chair will state to the gentleman from Indiana that all the motions which under the rules of the House can be pending at the same time in relation to recess are now pending, and these motions must be withdrawn or it must be done by unanimous

consent.

Mr. HOLMAN. I ask unanimous consent then that the House take a recess until half past 7 o'clock this evening.

A MEMBER. Say 8 o'clock.

Mr. HOLMAN. I am quite confident the House can not with any safety go beyond half past 7.

Mr. ANDERSON. That is all right. If we have a recess until half past 7 it will give us an opportunity to get our dinners.

Mr. HOLMAN. We are expecting a bill in the House upon which action must be had

action must be had. Mr. HEPBURN. If unanimous consent be given, I understand the

motion now pending will retain its status.

The SPEAKER. Not unless that be the understanding.

Mr. HEPBURN. We want that understanding.

Mr. COOK. If that is the understanding, I object.

The SPEAKER. The Chair thinks if the House takes a recess to a different time than that proposed by the motions pending, then those motions would fall.

Mr. HOLMAN. Those motions can be renewed at any time.
The SPEAKER. The gentleman from Indiana asks unanimous consent that the House shall now take a recess until half past 7 o'clock this evening.

There was no objection, and it was ordered accordingly.

RANGE AND RANCH CATTLE BUSINESS

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting additional report in regard to range and ranch cattle business in the United States; which was referred to the Committee on Agriculture.

LEAVE OF ABSENCE

Mr. Wait, by unanimous consent, was granted leave of absence for this evening, on account of important business.

CLEPHANE & BOSWELL.

On motion of Mr. HAMMOND, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the claim of Clephane & Boswell, stenographers, for services in reporting the case of Kilbourn vs. Thompson, leaving no certified copies.

LEAVE TO PRINT.

Mr. Stockslager, by unanimous consent, was granted leave to print remarks in the Record on the general subject of public lands in connection with the various bills upon that subject.

W. W. WIGGINS.

On motion of W. JONES, of Wisconsin, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers

in the case of W. W. Wiggins for increase of pension, there being no adverse report, without leaving certified copies

HENRY MULLEN.

On motion of Mr. A. HERR SMITH, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of Henry Mullen (H. R. 4983, favorable report 357), without leaving certified copies.

W. H. PLUNKET.

On motion of Mr. FINDLAY, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the case of W. H. Plunket, no adverse report having been made in the House, as he has been informed and believes, without leaving copies.

VINCENT T. DONNELLY.

On motion of Mr. RANDALL, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the case of Vincent T. Donnelly, executrix of the late Col. Peter Lyle, no adverse report having been made thereon, without leaving certified copies.

MRS. PHEBE W. ROSS.

On motion of Mr. O'HARA, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of Mrs. Phebe W. Ross, of Wilmington, N. C., no adverse report having been made thereon, without leaving certified copies.

And then (at 5 o'clock and 14 minutes p. m.) the House took a re-

cess until half past 7 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 7 o'clock and 30 minutes p. m.) resumed its session.

ORDER OF BUSINESS.

Mr. ANDERSON. I move that the House take a recess for one hour.
Mr. MILLER, of Pennsylvania. I move that the recess be taken
until 12 o'clock.

Mr. SPRINGER. I hope that will not be done. The Committee on Appropriations expect to come in with some reports presently.

Mr. PETTIBONE. I move that the House take a recess until 11

o'clock to-morrow morning.

The SPEAKER. That would be an adjournment.

Mr. BRUMM. I move to amend the motion by taking a recess until
10 o'clock to-night.

Mr. SPRINGER. When all gentlemen have submitted their various motions for a recess it will afford me great pleasure to state that no recess will be taken at all. [Laughter and cries of "Regular order!"]

The SPEAKER. The motion of the gentleman from Pennsylvania

[Mr. Brumm], that the House take a recess until 10 o'clock, being an amendment to an amendment, is first in order.

The question was taken; and on a division there were-ayes 6, noes

Mr. MILLER, of Pennsylvania. No quorum.

The SPEAKER: The point of order being made that no quorum has voted, the Chair will order tellers, and Mr. MILLER, of Pennsylvania. vania, and Mr. KLEINER were appointed.

The House again divided; and the tellers reported—ayes 9, noes 35.

Mr. ANDERSON. No quorum.

FRENCH SPOLIATION CLAIMS.

Mr. DIBBLE. Mr. Speaker, I ask unanimous consent to introduce a resolution, the purport of which is to cause the removal of certain papers now on the files of the House to the State Department. These are papers connected with the French spoliation claims, and the object of the resolution is to have them removed to the State Department, to be kept there, together with other papers pertaining to that subject, in accordance with the terms of the French spoliation act recently passed by Congress, which requires that all of these papers abroad shall be delivered at the State Department and filed with those already there and such others as may be put on file. There are a number of papers relating to these claims upon our files, and I suppose there will be no objection to the state Department. jection to this resolution.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to take from the files of the House all papers relating to the French spoliation claims and deliver the same to the Secretary of State to be filed in the State Department.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MILLER, of Pennsylvania. If it does not interfere with the pending motions

The SPEAKER. It will not interfere with any pending motion, Mr. MILLER, of Pennsylvania. Then I have no objection.

The resolution was agreed to.

Mr. DIBBLE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BAGLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a private pension bill, being a House bill with Senate amendments, with a view to concurring in those amendments.

Mr. ANDERSON. All right.

Mr. HEWITT, of Alabama. Let us hear what it is.

Mr. BAGLEY. I refer to House bill 3467—

The SPEAKER. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 3467) granting a pension to H. D. Pryor.

Mr. BAGLEY. There are certain Senate amendments to this bill, to the text of the bill and to the title, and I ask that they be read with

view to concurring in them.

The SPEAKER. Without objection, the Senate amendments will

be read.

The Senate amendments were read at length.

Mr. HEWITT, of Alabama. I should like to have some explanation from the gentleman who calls this bill up as to the effect of the bill before unanimous consent is given to its consideration.

Mr. HAMMOND. The easiest way to dispose of the matter is to

make objection

Mr. BAGLEY. Let me make a brief statement, and I am satisfied the gentleman will not insist upon his objection. This bill is intended to relieve the hardships imposed upon four or five widows under a misconstruction of the law by the Commissioner of Pensions. Their pensions were reduced under this decision \$5 a month; and this is to restore them to their rightful amount, and that is all there is of it.

The SPEAKER. Is there objection to the present consideration of

the bill?

Mr. HAMMOND. I object.
Mr. ROBINSON, of New York. Mr. Speaker, I ask unanimous consent of the House to make a request and a very brief statement, which will not occupy more than a minute, in relation to a subject of personal interest to myself and in which I believe the House will feel an

Interest.

The SPEAKER. Is there objection to the request of the gentleman from New York? [Cries of "All right!"]

Mr. ROBINSON, of New York. Mr. Speaker, I have stood and sat here for a very long time watching and waiting to get an opportunity to make a personal appeal to the House by saying a word in behalf of an exceedingly worthy object. We introduced in this House a bill granting a pension to Mrs. Septimia Randolph Meikleham, the only surviving grandaughter of Thomas Jefferson, which proceed to give here \$2.500 a warr. Opposition was made however to the except of the section of the processors of the section of the processors of the section of the section of the processor of the section of the sect her \$2,500 a year. Opposition was made, however, to the passage of that bill on the ground that it was establishing a precedent for making a special or civil pension list. I immediately afterward, on the 17th of last March, introduced a bill making her a donation, and all those who objected at that time to the bill, I understand, state now they will withdraw their objection to it. I introduced a bill, as I have said, which proposes to give her \$50,000 as a donation.

If you give her back the Declaration written by her grandfather I

can get more than a hundred thousand dollars for it. can get more than a hundred thousand dollars for it. I have seen those likely to oppose it, and they tell me that if I reduce the amount one-half they will not object. I now appeal to the House as the last word I may ever say in this city of Washington that this bill be taken up. It will not take two minutes, and I propose that we pass it and send it at once to the Senate. She is sick; her daughter is sick; one death has recently occurred in the family, and she is 71 years of age. The last request I make here is for your own honor and the glory of the country to permit me to introduce this bill and have it passed now.

The SPEAKER. The gentleman from New York [Mr. ROBINSON] asks unanimous consent to take up for present consideration the bill

asks unanimous consent to take up for present consideration the bill

indicated by him. Is there objection?

Mr. HAMMOND. I object.

Mr. ROBINSON, of New York. I beg the gentleman to withdraw his objection. [Cries of "Regular order!"]

PRINTING OF TREATIES AND CONVENTIONS.

Mr. SMITH, of Pennsylvania, addressed the Chair. The SPEAKER. For what purpose does the gentleman from Pennsylvania rise

Mr. SMITH, of Pennsylvania. I desire to make a privileged report from the Committee on Printing.

The SPEAKER. That is the regular order.

Mr. SMITH, of Pennsylvania. I am instructed by the Committee on Printing to report back the Senate concurrent resolution which I send to the desk and to move concurrence in the same.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

The Clerk read as 10110ws:

Resolved by the Senate (the House of Representatives concurring), That there be printed 9,500 additional copies of the treaties and conventions transmitted to the Senate by the President in his message of January 23, 1885, of which 1,500 copies shall be for the use of the Senate 3,000 copies for the use of the House, 4,000 copies for the use of the Department of State, and 1,000 copies for distribution by the Interior Department among public libraries not depositories under existing law; each Senator, Representative, and Delegate in Congress to designate two libraries to which copies of the work shall be thus sent. And the Pub-

lie Printer is also authorized to print and have bound 2,000 additional copies to be sold at actual cost and 10 per cent, added.

Mr. SMITH, of Pennsylvania. I move concurrence.

The resolution was concurred in.

Mr. SMITH, of Pennsylvania, moved to reconsider the vote just taken;
and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

VISITORS TO UNITED STATES MILITARY ACADEMY.

The SPEAKER announced the appointment of the following members as Visitors to the United States Military Academy: Mr. R. Q. MILLS of Texas, Mr. J. H. BLOUNT of Georgia, and Mr. WILLIAM D. KELLEY of Pennsylvania.

VISITORS TO UNITED STATES NAVAL ACADEMY.

The SPEAKER announced the appointment of the following members as Visitors to the United States Naval Academy: Mr. John G. Ballentine of Tennessee, Mr. Benjamin Le Fevre of Ohio, and Mr. JOHN R. THOMAS of Illinois.

TRUSTEES OF COLUMBIA HOSPITAL.

The SPEAKER announced the appointment of the following members as trustees of the Columbia Hospital for Women and Lying-in Asylum: Mr. George D. Wise of Virginia and Mr. L. E. McComas of Maryland.

COMMITTEE APPOINTMENTS.

The SPEAKER also announced the following appointments on com-

Mr. B. F. Shively, of Indiana, in place of Mr. Charles Shelley, on Committee on the District of Columbia.

Mr. James W. Reid, of North Carolina, on Committee on Levees and Improvements of Mississippi River.

ORDER OF BUSINESS.

Mr. SUMNER, of California, and Mr. Rowell addressed the Chair. The SPEAKER. Is the demand for the regular order withdrawn?
Mr. ROWELL. I ask unanimous consent to say a word. I desire to
make a very brief statement in regard to the bill which I hold in my

The SPEAKER. The gentleman from Illinois asks unanimous consent to make a brief statement in regard to a bill which he desires to call up.

Mr. BENNETT. I object.
Mr. ROWELL. The interests of the constituents of the gentleman who makes the objection are represented in this bill. [Cries of "Regular order!"]

ular order [17]

Mr. COSGROVE. I ask unanimous consent to take from the Speaker's table for present consideration a Senate bill for the relief of S. W. Marston, formerly Indian agent at Union agency, in the Indian Territory. I believe no gentleman will object to this bill when it is understood. The SPEAKER. Is the demand for the regular order withdrawn?

Mr. COSGROVE. I think the demand for the regular order is not

The SPEAKER. The Chair has twice asked the question whether the demand for the regular order is withdrawn and it was not with-

drawn.

Mr. (*) SGROVE. I ask unanimous consent; and if objection is not made, I hope the Speaker will give me recognition for the purpose I have indicated.

The SPEAKER. The gentleman from Missouri [Mr. Cosgrove] asks unanimous consent to take from the Speaker's table for present consideration the bill which he has indicated.

Mr. ADAMS, of New York. I object.

The SPEAKER. The Chair desires to state that when there is a demand for the regular order and it is not withdrawn, it is uscless for the Chair to recognize gentlemen to ask unanimous consent. It only imposes additional labor on the Official Reporters of the House, and, of course, amounts to nothing, because the Chair can not under the rule entertain a request for unanimous consent when the regular order is insisted on

Mr. COSGROVE. The gentleman from New York [Mr. ADAMS]

withdraws his objection.

Mr. ADAMS, of New York. On the statement of the case presented to me by my genial friend from Missouri [Mr. Cosgrove] I withdraw

my objection.

The SPEAKER, The gentleman from Missouri asked unanimous consent to take up for present consideration the bill indicated to which the gentleman from New York objected. The gentleman from New York now withdraws his objection. If there be no further objection—

Mr. PAYSON. The title of the bill has not yet been read. Let it

Mr. COSGROVE. It is Senate bill No. 1035, to authorize the Secretary of the Interior to settle the claim of S. W. Marston, late United States agent at Union agency, Indian Territory, for services and ex-

The SPEAKER. The bill will be read, subject to objection. The bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRUMM. I object; but I would like to make a statement. The SPEAKER. Objection is made.

Mr. BRUMM. If gentlemen will give us a chance to do what they agreed to last night I will withdraw my objection.

Mr. BELFORD. I rise to a question of order. It is impossible in the confusion even to hear what the Speaker says.

The SPEAKER. The Chair will suspend all business until order is restored on the floor.

Mr. WHITE, of Kentucky. I rise to make a privileged motion.
The SPEAKER. The gentleman will state it.
Mr. WHITE, of Kentucky. I send to the Clerk's deska resolution,

which I ask to have read.

The Clerk read as follows:

Resolved, That the Architect of the Capitol be, and he is hereby, directed to transfer from the Senate wing of the Capitol the life-size portrait of Henry Clay (by John Neagle, 1843) and place it on one of the walls within the Hall of the House of Representatives.

The SPEAKER. On what ground does the gentleman from Kentucky [Mr. WHITE] claim that this is a privileged matter?

Mr. WHITE, of Kentucky. Mr. Speaker, I claim that it is privileged because this picture is part of the property of the House of Representatives, and has been transferred from the House wing to the Senate wing of the Capitol, and I think that if possible it should be because the House.

brought back to the House.

The SPEAKER. But under what rule of the House does the gentleman claim that this resolution is privileged? It does not come within the definition of any privileged question defined in any rule of the House. It is true, as the Chairs thinks, that the picture to which the resolution refers is the property of the House. It is also true, as the Chair is advised, that the Architect of the Capitol will return it here whenever there is a suitable place provided for its preservation.

Mr. WHITE, of Kentucky. There is so much noise that it is impossible to hear distinctly what the Chair has decided.

The SPEAKER. There has been no refusal on the part of any officer to return to the House of Representatives the picture to which the gentleman's resolution refers.

Mr. WHITE, of Kentucky. I understand that, Mr. Speaker, but that picture, which is a magnificent portrait of the greatest orator this country has ever produced, is now in the lobby of the second floor of

the Senate wing of the Capitol. It is a very large portrait with a very large frame, and I have been making measurements to ascertain whether it could be put anywhere upon the walls. I think it can, and I think it should be brought back and placed here. [Cries of "Regular or-

The SPEAKER. The Committee on the Library and the Architect the Capitol have control over all such matters. The regular order of the Capitol have control over all such matters.

is demanded, and the tellers are still taking the vote.

Mr. COSGROVE. Mr. Speaker, I understand that the gentleman who objected a while ago to the bill which I proposed to call up withdraws his objection.

The SPEAKER. The regular order is demanded by two or three gentlemen.

The tellers reported the vote on the pending motion as ayes 10,

Mr. HEPBURN. No quorum voting. Mr. MILLER, of Pennsylvania. I move a call of the House.

The question was taken on the motion of Mr. MILLER; and there

Mr. WELLER. No quorum, Mr. Speaker.
Mr. MILLER, of Pennsylvania. I call for the yeas and nays.
The question was taken on ordering the yeas and nays, and 40 members (more than one-fifth of the last vote) voting in the affirmative, the

yeas and nays were ordered.

The Clerk proceeded to call the roll.

Mr. DUNHAM. Mr. Speaker, I move that my friend the gentleman from Kansas, Mr. Anderson, be excused from voting on this roll-

The House divided on the motion of Mr. DUNHAM; and there were-

ayes 17, noes 30.
Mr. DUNHAM. No quorum voting.
The SPEAKER. No quorum is necessary to decide any question incident to a call of the House.

Mr. DUNHAM. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. COSGROVE. Mr. Speaker, I rise to a parliamentary inquiry.

If the gentleman from Kansas [Mr. Anderson] is excused, will it be competent for him to remain in the House and participate in its pro-

competent for finite or remains in the frouse and participate in its proceedings after he is excused?

The SPEAKER. Certainly. This is merely a motion to excuse him from voting on this question.

Mr. BELFORD. Mr. Speaker, I rise to a parliamentary inquiry. I desire to ask whether in this House of Representatives, composed of 325 members, with a Democratic majority of 78, one man can impose upon us the hardship of all this tediousness? [Laughter.]

The SPEAKER. That is not a parliamentary inquiry. The Clerk will proceed with the call of the roll.

The question was taken on the motion of Mr. DUNHAM; and there were—ayes 40, nays 154, not voting 129; as follows:

Y		

	Y E.	AS-40.	
Brewer, F. B. Brumm, Budd, Cook, Cox, W. R. Culberson, D. B. Davis, L. H. Dingley, Dowd, Dunham,	Goff, Guenther, Hanback, Henderson, D. B. Hiscock, Holman, Holmes, Holton, Ketcham, McAdoo,	Payson, Peel, Perkins, Peters, Pettibone, Phelps, Poland, Post, Pusey, Smalls,	Smith, A. Herr Smith, H. Y. Stewart, J. W. Stone, Sumner, C. A. Townshend, Wadsworth, White, J. D. White, Milo Winans, John.
	NT A "	CC TEA	

S-154. Le Fevre, Long, Lore, Lowry, McComas, Matson, Maybury, Miller, J. F. Miller, S. H. Mitchell, Money, Muldrow, Murphy, Adams, G. E. Adams, J. J. Alexander, Bagley, Barksdale, Dixon. Eaton, Eldredge, Ellwood, English, Everhart, Findlay, Barr, Bayne, Belmont, Belmont, Bennett, Bisbee, Blackburn, Bland, Boutelle, Boyle, Brainerd, Breekinridge, Brown, W. W. Browne, T. M. Buchanan, Buckner, Foran, Greenleaf, Halsell, Greenlear, Halsell, Hammond, Hardeman, Hardeman, Hardy, Harmer, Hatch, H. H. Hatch, W. H. Haynes, Henderson, T. J. Henley, Hepburn, Hewitt, G. W. Hill, Hitt, Hopkins, Houseman, Howey, Hunts, Howey, Hunts, Howey, Hunts, Howey, Hunts, Hall, Hitt, Howey, Hunts, Howey, Howey, Howey, Howey, Howey, Howey, Howey, Howey, Howey, Ho Murphy, Mutchler,

Kean, Kleiner,

Buckner, Buckner, Cabell, Caldwell, Campbell, Felix Candler, Carleton, Cassidy, Clardy, Clay, Clardy, Clay, Cobb, Cosgrove, Cox, S. S. Crisp, Cullen, Davidson Howey, Hunt, Hutchins, James, Jeffords, Johnson, Jones, J. H.

Davis, G. R. Davis, R. T. Dibble, Dibrell,

Mutchler,
Necce,
Nelson,
Nutting,
O'Ferrall,
O'Herrall,
O'Neill, Charles
O'Neill, J.J.
Patton,
Payne,
Pierce,
Price,
Pryor,
Ranney,
Reagan, Ranney, Reagan, Robertson, Robinson, W. E. Rogers, J. H. Rogers, W. F. Rosecrans, Seymour Seymour, Shively, Skinner, T. G. Snyder, Spooner,

Spriggs, Springer, Stephenson, Stevens, Stewart, Charles Strait, Swone Swope,
Talbott,
Taylor, J. D.
Taylor, J. M.
Thomas,
Thompson,
Tillman,
Tucker Tucker, Tully, Turner, II, G. Vance, Wakefield, Wallace, Ward, Ward,
Warner, A.J.
Warner, Richard
Weaver,
Weller,
Wemple,
Witkins,
Wilkins,
Wilkins,
Willison, W. L.
Winans, E.B.
Wise, G. D.
Wolford,
Wood, Wood, Woodward, Worthington, Yaple, Young.

	NOT VOTING-129.		
Aiken,	Dunn,	Kellogg,	
Anderson,	Elliott,	King,	
Arnot,	Ellis,	Laird,	
Atkinson,	Ermentrout,	Lawrence,	
Ballentine,	Evans,	Lewis,	
Barbour.	Ferrell.	Libbey,	
Beach.	Fiedler.	Lovering,	
Belford,	Finerty.	Lyman,	
Bingham,	Follett,	McCoid,	
Blanchard,	Forney,	McCormick,	
Blount,	Funston,	McMillin,	
Bowen,	Fyan,	Milliken,	
Bratton,	Garrison,	Mills,	
Breitung,	Geddes,	Morgan,	
Brewer, J. H.	George,	Morrill,	
Burleigh,	Gibson,	Morrison,	
Burnes,	Glascock,	Morse,	
Campbell, J. E.	Graves,	Moulton,	
Campbell, J. M.	Green,	Muller,	
Cannon,	Hancock.	Murray,	
Chalmers,	Hemphill,	Nicholls,	
Clements,	Herbert,	Oates,	
Collins,	Hewitt, A.S.	Ochiltree,	
Connolly,	Hoblitzell,	Paige,	
Converse,	Hooper,	Parker,	
Covington,	Horr,	Potter,	
Culbertson, W. W.	Hurd,	Randall,	
Curtin,	Jones, B. W.	Rankin,	
Cutcheon,	Jones, J. K.	Par C W	
	Tones, J. K.	Ray, G. W.	
Dargan,	Jones, J. T.	Ray, Ossian	
Deuster,	Jordan, Keifer,	Reed, T. B.	
Dockery,	Keller,	Reid, J. W.	
Dorsheimer,	Kelley,	Reese,	

Rice Riggs, Robinson, J.S. Rockwell, Rowell, Russell, Ryan, Seney, Shaw, Singleton, Skinner, C. R. Slocum, Steele, Stockslager, Storm, Struble, Sumner, D. H. Taylor, E. B. Throckmorton, Turner, Oscar Valentine, Van Aleksyn, Valentine, Van Alstyne, Van Eaton, Wait, Washburn, Wellborn, Williams, Wilson, James Wise, J. S. York.

So the motion to excuse Mr. Anderson from voting was not agreed

The following additional pairs were announced:

Mr. DUNN with Mr. VALENTINE, for the remainder of the session.

Mr. Collins with Mr. Rockwell, until further notice.

Mr. STOCKSLAGER with Mr. LIBBEY, until 11 o'clock p. m.

For the remainder of the day: Mr. PAIGE with Mr. OCHILTREE.

Mr. OATES with Mr. HOOPER.

Mr. BALLENTINE with Mr. JOHNSON.

Mr. McAdoo, with Mr. Brewer, of New Jersey. Mr. Beach with Mr. Parker.

Mr. AIKEN, with Mr. RAY, of New Hampshire.

Mr. WAIT with Mr. BUCKNER.
Mr. JONES, of Wisconsin, with Mr. McCormick.
Mr. Fiedler, with Mr. Skinner, of New York.

On this vote:

Mr. Ermentrout with Mr. Breitung. Mr. Davidson with Mr. Phelps. Mr. Converse with Mr. Price.

Mr. TURNER, of Kentucky, with Mr. WILSON, of Iowa. The result of the vote was announced as above stated.

The SPEAKER pro tempore (Mr. BAGLEY). The question now recurs on the motion for a call of the House, upon which the yeas and

nays have been ordered.

The question was taken; and it was decided in the negative—yeas 53, nays 141, not voting 129; as follows:

Adams, J. J. Anderson, Bayne, Bisbee,	Ferrell, Funston, Guenther, Hanback,	· Lovering, Millard, Morgan, Muldrow,	Swope, Taylor, J. D. Thomas, Thompson,
Boutelle,	Hart,	Payne,	Van Alstyne,
Brewer, F. B.	Hatch, H. H.	Payson,	Washburn,
Browne, T. M. Brumm,	Haynes, Henderson, D. B.	Peters, Pusey,	Weller, White, J. D.
Budd.	Hepburn.	Shively,	Whiting,
Connolly,	Holmes,	Skinner, C. R.	Wise, J. S.
Davis, G. R.	Holton,	Skinner, T. G.	Wood.
Davis, R. T. Dixon, Ellwood	Hopkins, Kean,	Smalls, Smith, H. Y.	

	N	AYS-141.	
Adams, G. E.	Elliott,	Maybury,	Smith, A. Herr
Aiken,	English,	Miller, J. F.	Snyder,
Alexander,	Ermentrout,	Miller, S. H.	Spriggs,
Bagley,	Evans,	Money,	Springer,
Barksdale,	Findlay,	Morse,	Stephens,
Belmont,	Finerty,	Moulton,	Stewart, Charles
Bennett,	Glascock,	Muller,	Stewart, J. W.
Bingham,	Green,	Murphy,	Strait,
Blount,	Greenleaf.	Mutchler,	Sumner, C. A.
Boyle,	Halsell,	Neece.	Talbott,
Brainerd,	Hammond,	Nelson,	Taylor, J. M.
Breckinridge,	Hardeman,	Nutting,	Tillman,
Brown, W. W.	Hardy,	O'Ferrall,	Townshend,
Buchanan,	Harmer,	O'Hara,	Tucker,
Cabell,	Hatch, W. H.	O'Neill, Charles	Tully,
Caldwell,	Hewitt, G. W.	O'Neill, J. J.	Turner, H. G.
Campbell, Felix	Hill,	Patton,	Vance,
Campbell, J. E.	Hitt,	Pierce,	Van Eaton,
Candler,	Holman,	Peel,	Wallace,
Cannon,	Horr,	Perkins,	Warner, A. J.
Carleton,	Houseman,	Phelps,	Warner, Richard
Cassidy,	Howey,	Poland,	Wellborn,
Clardy,	Jeffords,	Post,	Wemple,
Clay,	Jones, J. H.	Price,	White, Milo
Cosgrove,	Jones, J. K.	Pryor,	Wilkins,
Cox, W. R.	Kleiner,	Ranney,	Wilson, W. L.
Culberson, D. B.	Lamb,	Ray, Ossian	Winans, E. B.
Cullen,	Lanham,	Reagan,	Winans, John
Curtin,	Lawrence,	Reid, J. W.	Wise, G. D.
Davidson,	Le Fevre,	Reese,	Wolford,
Davis, L. H.	Lore,	Robertson,	Worthington,
Deuster,	Lowry,	Rogers, J. H.	Yaple,
Dibrell,	Lyman,	Rogers, W. F.	Young.
Dockery.	McAdoo.	Rosecrans.	

NOT VOTING-129.

Rowell, Seymour,

McMillin,

Eaton, Eldredge,

Arnot,	Dorsheimer,	Jones, J. T.	Robinson, J. S.
Atkinson,	Dowd,	Jordan,	Robinson, W. E.
Ballentine,	Dunham,	Kelley,	Rockwell,
Barbour,	Dunn.	Kellogg,	Russell,
Barr.	Ellis,	Ketcham,	Ryan,
Beach,	Everhart,	King,	Seney,
Belford,	Fiedler,	Lacey,	Shaw,
Blackburn,	Follett,	Laird,	Singleton,
Blanchard,	Foran,	Lewis,	Slocum,
Bland,	Forney,	Libbey,	Steele,
Bowen,	Fyan,	Long,	Stephenson,
Bratton,	Garrison,	McCoid,	Stockslager,
Breitung,	Geddes,	McComas,	Stone,
Brewer, J. H.	George,	McCormick,	Storm,
Broadhead,	Gibson,	Milliken,	Struble,
Buckner,	Goff,	Mills,	Sumner, D. H.
Burleigh,	Graves.	Mitchell,	Taylor, E. B.
Burnes.	Hancock.	Morrill,	Throckmorton,
Campbell, J. M.	Hemphill,	Morrison,	Turner, Oscar
Chalmers,	Henderson, T. J.	Murray,	Valentine,
Clements,	Henley,	Nicholls,	Wadsworth,
Cobb.	Herbert,	Oates,	Wait,
Collins,	Hewitt, A. S.	Ochiltree,	Wakefield.
Converse,	Hiscock,	Paige,	Ward,
Cook,	Hoblitzell,	Parker,	waru,
Covington,	Hooper,	Pettibone,	Weaver, Williams,
Cox, S. S.	Houk,	Potter,	Willis,
Crisp,	Hunt,	Randall,	William Towns
Culbertson, W. W.		Rankin,	Wilson, James Woodward,
Cutcheon,	Hutchins,		Woodward,
		Ray, G. W.	York.
Dargan,	James,	Reed, T. B.	
Dibble,	Johnson,	Rice,	
Dingley,	Jones, B. W.	Riggs,	

So the motion for a call of the House was not agreed to.

The following additional pairs were announced:
Mr. Converse with Mr. Rice, on this vote.
Mr. MILLS with Mr. STRUBLE, for the rest of the day. The result of the vote was announced as above stated.

RECALL OF A BILL FROM THE SENATE.

The SPEAKER. The Chair asks unanimous consent that an order

be entered requesting the Senate to return to the House the Post-Of-fice appropriation bill with the amendments on which the two Houses have disagreed. There was a slight error in the message communicating the action of the House to the Senate; and this error ought to be corrected as early as possible. If there be no objection, a request for the return of the bill will be sent to the Senate.

There was no objection, and it was ordered accordingly.

CRUISE OF REVENUE-STEAMER CORWIN.

Mr. ROGERS, of New York. I rise to make a privileged report from

the Committee on Printing.

Mr. MILLER, of Pennsylvania. I rose to make a motion to reconsider the vote by which the House refused to order a call. But I am willing to withhold the motion till the gentleman from New York has

made his report.

The SPEAKER. The motion will be entered. It is a privileged mo-

Mr. ROGERS, of New York, from the Committee on Printing, re-ported the following resolution; which was read, considered, and

Resolved by the House of Representatives (the Senate concurring), That there be printed at the Government Printing Office 5,000 copies of the report of Capt. M. A. Healey, United States Revenue Marine, upon the cruise of the revenue-steamer Corwin in the Arctic Ocean in the year 1884, and its accompanying documents and illustrations, of which 1,000 copies shall be for the use of the Senate, 2,000 for the use of the House, and 2,000 for the use of the Treasury Department.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Pennsylvania [Mr. MILLER] has moved to reconsider the vote by which the House refused to order

Mr. DUNHAM. I move that the motion to reconsider be laid on the table.

MRS. ANN E. GRIDLEY.

On motion of Mr. ELDREDGE, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the case of Mrs. Ann E. Gridley, without leaving copies.

COMMERCIAL RELATIONS WITH GERMAN EMPIRE.

Mr. EATON. I ask unanimous consent to present a report from the Committee on Foreign Affairs, which will take but little time of the House, while it is of interest to all the productive industries of the country. I ask the House to hear it read.

Mr. MILLER, of Pennsylvania. We have no objection, provided the

motions will be considered as pending.

The SPEAKER. Unanimous consent to introduce a measure for consideration does not interfere except for the time being with the mo-tions pending. The resolution will be read, after which the Chair will ask for objection.

The Clerk read as follows:

The Committee on Foreign Affairs, to which was referred House resolution relative to duties by the German Empire alleged to be discriminating against the products of the United States, report:

That having had the resolution under consideration, your committee is of the opinion that the action of the German authorities has been unfavorable to the introduction into the German Empire of several of the products of the United States, to wit: pork, wheat, rye, and particularly petroleum.

Your committee therefore recommend the adoption of the following resolution:

Your committee therefore recommend to the President of the United States be requested to take immediate steps to secure to united States equal benefits in the German Empire with other nations as to all articles of commerce of the United States under the most-favored-nation clause of the treaty of 1828 made with Prussia, and now in force between the United States and the German Empire.

Mr. EATON. I ask for the passage of the resolution.
The SPEAKER. Is there objection?
Mr. COX, of New York. I object. It is not anything but retaliation, which is never wise.
Mr. KEAN. I demand the regular order of business.

ORDER OF BUSINESS.

The SPEAKER. The regular order of business is the motion of the gentleman from Illinois [Mr. Dunham] to lay the motion to reconsider on the table.

The House divided; and there were—ayes 39, noes 36.

Mr. KEAN. No quorum. Mr. DUNHAM. I demand the yeas and nays. The House divided; and there were ayes 45.
The SPEAKER. A sufficient number.
Several Members. Count the other side.
The other side was counted, and there were 32 in the negative.

So the yeas and nays were ordered.

The question was taken; and the question was decided in the affirmative-yeas 151, nays 55, not voting 117; as follows: VEAS_ISI

Adams, G. E. Aiken, Arnot, Bagley, Barbour, Barksdale, Ermentrout, Evans, Everhart, Ferrell, Glascock, Millard, Miller, J. F. Milliken, Mitchell, Money, Morgan, Moulton, Snyder, Spriggs, Springer, Stevens, Stewart, Charles Stewart, Charl
Stome,
Storm,
Strait,
Sumner, C. A.
Swope,
Talbott,
Taylor, J. D.
Taylor, J. M.
Thomas,
Thompson,
Townshend,
Turner, H. G.
Vance,
Van Eaton,
Wadsworth,
Wakefield,
Ward, Graves, Green, Halsell, Hammond, Hardeman, Hardy, Hatch, W. H. Barksdale, Beiford, Bennett, Blount, Boyle, Brainerd, Breekinridge, Brown, W. W. Browne, T. M. Buchanan, Budd, Cabell, Caldwell, Campbell, J. E. Cannon, Moulton, Muldrow, Muller, Murphy, Murray, Mutchler, Hatch, W. H.
Haynes,
Henley,
Henley,
Hepburn,
Hewitt, G. W.
Hill,
Hiscock,
Hitt,
Hopkins,
Howey,
Hunt,
James,
Jeffords,
Jones, J. H.
Jones, J. K.
King,
Lacey,
Lamb,
Lambam,
Lawrence,
Lore, Neece, O'Ferrall, O'Ferrall, Patton, Payson, Peel, Perkins, Peters, Pettibone, Pettibone, Pryor, Pusey, Ranney, Reed, T. B. Reese, Riggs, Robertson, Robinson, W. E. Rogers, J. H. Rogers, W. F. Rosecrans, Candler, Cannon, Clardy, Cobb, Collins, Connolly, Wakefield,
Ward,
Warner, Richard
Wellborn,
Wemple,
White, J. D.
White, Milo
Whiting,
Wilkins,
Willis,
Willis,
Wilson, W. L.
Winans, E. B.
Winans, John
Worthington,
Yaple, Cook, Cosgrove, Cox, W. R. Culberson, D. B. Curtin, Davidson, Davis, G. R. Denster Cook. Rogers, W. Rosecrans, Rowell, Russell, Lore, Lowry, Lyman, McAdoo, McMillin, Matson, Maybury, Deuster, Dunham, Seymour, Shively, Singleton, Skinner, T. G. Smith, H. Y. Eldredge, Elliott, Ellwood, English, Yaple, York, Young.

NAYS-55. Keifer, Kleiner, Laird, Lovering, McCoid, McComas, Miller, S. H. Morrill, Nelson Poland, Ray, Ossian Reagan, Reid, J. W. Smalls, Smith, A. Herr Spooner Alexander, Dibrell, Anderson, Atkinson, Barr, Bayne, Belmont, Bisbee, Blanchard, Dixon,
Dixon,
Dockery,
Eaton,
Finerty,
Greenleaf,
Guenther,
Hanback, Spooner, Stephenson, Harmer, Henderson, D. B. Holmes, Houk, Houseman, Kean, Tillman, Van Alstyne, Wallace, Wise, J. S. Wolford. Nelson, Nutting, Ochiltre Bowen, Brewer, F. B. Ochiltree, O'Neill, Charles O'Neill, J. J. Payne, Brumm, Cox, S. S. Cullen, Davis, L. H.

NOT VOTING-117. Dorsheimer, Dowd, Dunn, Johnson, Jones, B. W. Jones, J. T. Jordan, Adams, J. J. Ballentine, Rockwell, Ryan, Beach, Bingham, Blackburn, Seney, Shaw, Skinner, C. R. Ellis, Fiedler, Findlay, Follett, Foran, Forney, Kelley, Kellogg, Ketcham, Le Fevre, Lewis, Libbey, Bland, Boutelle, Bratton, Steele, Stewart, J. W. Stockslager, Bratton,
Breitung,
Brewer, J. H.
Broadhead,
Buckner,
Burleigh,
Burnes,
Campbell, Felix
Campbell, J. M.
Carleton Stockslager,
Struble,
Struble,
Sumner, D. H.
Taylor, E. B.
Throckmorton,
Tucker,
Tully,
Turner, Oscar
Valentine,
Wait Funston, Libbey,
Long,
McCormick,
Mills,
Morrison,
Morse,
Nicholls,
Oates,
O'Hara,
Paire. Fyan, Garrison, Geddes, George, Gibson, Goff, Hancock, Carleton, Hatch, H. H.
Hemphill,
Henderson, T. J.
Herbert,
Hewitt, A. S.
Hoblitzell, Cassidy, Chalmers, O'Hara, Paige, Parker, Phelps, Pierce, Post, Potter, Price, Randall, Rankin Wait,
Warner, A. J.
Washburn,
Weaver,
Weller,
Williams,
Wilson, James
Wise, G. D.
Wood,
Woodward. Wait. Clay, Clements, Converse, Covington, Coving Crisp,
Crisp,
Culbertson, W. W.
Cutcheon,
Dargan,
Davis, R. T.
Dibble,
Discler Holman, Holman, Holton, Hooper, Horr, Hurd, Hutchins, Rankin, Ray, G. W. Rice, Robinson, J. S.

So the motion was agreed to.

Dingley,

MESSAGE FROM THE SENATE.

During the roll-call, a message from the Senate, by Mr. McCook, its Secretary, announced the return, in compliance with the request of the House, of a bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

It further announced the passage of bills of the following titles: A bill (H. R. 8183) to remove the political disabilities of W. H. Murdaugh, of Virginia;

A bill (H. R. 754) for the relief of Nathan H. Dunphe, of Bridge-

water, in the State of Massachusetts; and
A bill (H. R. 8102) to give assent of Congress for the construction of
the railroad by the East and Middle Railroad Company over the Cumberland and Coney Fork Rivers.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER. If there be no objection the bill (H. R. 8138) Cook,

making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, will be returned to the Senate with the corrected statement that the House agrees to the conference asked by the Senate on the disagreeing votes of the two Houses.

There was no objection, and it was ordered accordingly.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1886, and for other purposes; when the Speaker signed the same.

ORDER OF BUSINESS.

Mr. HEPBURN. There are many gentlemen on both sides of the House who have bills they desire to have considered, and I ask by unanimous consent they may be considered under the new rule, until a report from a committee of conference is read, the election case not

to lose its present status.

The SPEAKER. The Chair will state the motion: The gentleman from Iowa [Mr. Hepburn] asks unanimous consent that the speaker recognize gentlemen for the purpose of calling up bills under the spe-cial rule of the House, such recognition to continue until such time as

a conference report is received.

Mr. HEPBURN. The election case not to lose its present status.

Mr. SPRINGER. I object.

Mr. SPRINGER. I object.

The SPEAKER. The question is on the amendment proposed by the gentleman from Pennsylvania [Mr. MILLER] to the amendment proposed by the gentleman from Tennessee [Mr. Pettibone].

The question was taken; and on a division there were—ayes 12,

AABBBBBBBCCD

Aiken, Alexander, Atkinson, Bagley, Barksdale,

Belford, Belmont.

Beimont, Bennett, Bingham, Bland, Blount, Boyle, Brainerd,

Brainerd,
Breckinridge,
Cabell,
Caldwell,
Campbell, Felix
Campbell, J. E.
Candier,
Carleton,
Clay,
Cobb,
Connolly.

noes 41.

Mr. MILLER, of Pennsylvania. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will order tellers, and Mr. MILLER, of Pennsylvania, and Mr. KLEINER were appointed.

The House again divided; and the tellers reported—ayes 9, noes 22.

Mr. HEPBURN. No quorum.

Mr. MILLER, of Pennsylvania. Mr. Speaker, I move a call of the House

Mr. BELFORD. Pending that I rise to a parliamentary inquiry.

The SPEAKER.

The gentleman will state it.
Our fathers who established this Government had, Mr. BELFORD. as the fundamental principle, in view the formation of a government in which a majority should rule; and I desire to know whether one or two members on this floor can keep three hundred and twenty-five members here to-night doing nothing and depriving a member of his seat on this floor at the same time? [Cries of "Regular order!"]

The SPEAKER. That is not a parliamentary inquiry.

The gentleman from Pennsylvania [Mr. MILLER] moves a call of the House.

The question was taken; and on division there were—ayes 10, noes 35.

Mr. MILLER, of Pennsylvania. I believe I will call for the yeas and nays on that proposition.

The yeas and nays were ordered.

The question was taken; and there were-yeas 45, nays 146, not voting 133; as follows:

YEAS-45.

dams, J. J.	Dixon,	Jordan,	Smalls,
inderson.	Dunham,	Long,	Struble.
Boutelle.	Ellis,	McComas.	Taylor, J. D
Brewer, J. H.	Hart,	Miller, S. H.	Thomas,
Brewer, F. B.	Haynes,	Milliken,	Wakefield.
Brown, W. W.	Henderson, T. J.	Payson,	Washburn,
Browne, T. M.	Hepburn.	Peters,	Weller.
Brumm,	Hiscock,	Pettibone,	White, J. D.
Budd,	Holmes,	Phelps,	Woodward
Cassidy.	Houk.	Price.	
ulbertson, W. W.	James,	Skinner, C. R.	
Davis, G. R.	Jeffords,	Skinner, T. G.	

Jeffords,	Skinner, T. G.	
NA	YS-146.	
Cosgrove, Cox, W. R. Crisp, Culberson, D. B. Cullen, Cutcheon, Dargan, Davidson, Davidson, Davis, L. H. Dibrell, Dockery, Dowd, Eaton, Eldredge, Elliott, English, Ermentrout, Evans, Everhart, Ferrell,	YS-146. Foran, Forney, Funston, Glascock, Graves, Green, Greenleaf, Halsell, Hammond, Hancock, Hardeman, Hardeman, Hewitt, A. S. Hewitt, G. W. Hill, Hitt, Holman, Hopkins, Houseman,	Keifer, King, Kleiner, Lanham, Le Fevre, Lore, Lowry, Lyman, McAdoo, McMillin, Maybury, Millard, Miller, J. F. Money, Morgan, Murphy, Mutchler, Oates, O'Ferrall, O'Hara,
Fiedler, Findley	Hunt, Johnson	O'Neill, Charles
Fiedler, Findlay,	Hunt, Johnson,	O'Neill, Charles O'Neill, J. J.
Finerty,	Jones, J. H.	Paige,

Warner, Richard

Patton,	Russell,	Sumner, C. A.	Warner, Richard
Payne,	Seney,	Swope,	Weaver,
Peel,	Seymour,	Talbott.	Wellborn,
Poland,	Shively,	Taylor, J. M.	Wemple,
Pryor,	Singleton,	Thompson,	White, Milo
Randall,	Smith, A. Herr	Tillman,	Wilson, W. L.
	Smith U V	Tunner H C	Winans, E. B.
Ray, Ossian	Smith, H.Y.	Turner, H. G.	
Reagan,	Snyder,	Turner, Oscar	Wolford,
Reed, T. B.	Springer,	Vance,	Worthington,
Reese,	Stephenson,	Van Eaton,	Yaple,
Rogers, W. F.	Stevens,	Wallace,	Young.
Rosecrans,	Stewart, Charles	Ward,	
Rowell,	Storm,	Warner, A. J.	
	NOT V	OTING-133.	
Adams, G. E.	Ellwood,	Lewis,	Robinson, W. E.
Arnot,	Follett,	Libbey,	Rockwell,
Ballentine,	Fyan,	Lovering,	Rogers, J. H.
Barbour,	Garrison,	McCoid,	Ryan,
Barr,	Geddes,	McCormick,	Shaw,
	Georges,		
Bayne,	George,	Matson,	Slocum,
Beach,	Gibson,	Mills,	Spooner,
Bisbee,	Goff,	Mitchell,	Spriggs,
Blackburn,	Guethner,	Morrill,	Steele,
Blanchard,	Hanback,	Morrison,	Stewart, J. W.
Bowen,	Hardy,	Morse,	Stockslager,
Bratton,	Hatch, H. H.	Moulton,	Stone,
Breitung,	Hemphill,	Muldrow,	Strait,
Broadhead,	Henderson, D. B.	Muller,	Sumner, D. H.
Buchanan,	Henley,	Murray,	Taylor, E. B.
Buckner,	Herbert,	Neece,	Throckmorton,
Burleigh,	Hoblitzell,	Nelson,	Townshend,
Burnes,	Holton,	Nicholls,	Tucker,
Campbell, J. M.	Hooner,	Nichons,	Tucker,
	Hooper,	Nutting,	Tulley,
Cannon,	Horr,	Parker,	Valentine,
Chalmers,	Hurd,	Perkins,	Van Alstyne,
Clardy,	Hutchins,	Pierce,	Wadsworth,
Clements,	Jones, B. W.	Post,	Wait,
Collins,	Jones, J. K.	Potter,	Whiting,
Converse,	Jones, J. T.	Pusey,	Wilkins,
Covington,	Kean,	Rankin,	Williams,
Cox, S. S.	Kelley,	Ranney,	Willis,
Curtin,	Kellogg,	Ray, G. W.	William Temor
	Kenogg,	hay, o. w.	Wilson, James
Davis, R. T.	Ketcham,	Reid, J. W.	Winans, John
Deuster,	Lacey,	Rice,	Wise, J.S.
Dibble,	Laird,	Riggs,	Wise, G. D.
Dingley,	Lamb,	Robertson,	Wood,
Dunn,	Lawrence,	Robinson, J. S.	York.

Sumner, C. A.

So a call of the House was not ordered.

The result of the vote was then announced as above recorded. During the roll-call the following proceedings took place:

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 653) for the relief of John B. Davis.

Also, that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to interrupt the roll-call to move that the House non-concur in the amendments of the Senate to the deficiency bill.

Mr. KEIFER. Had not we better concur, so as to wind it up as

Mr. Kerren. That not we better concur, so as to wind it up as soon as possible?

Mr. RANDALL. There is no danger about getting through.

The SPEAKER pro tempore (Mr. Kleiner in the chair). Is there objection to the request of the gentleman from Pennsylvania?

The Chair hears none.

Mr. PRICE. I object. [Cries of "Too late!"]

Mr. RANDALL. No gentleman rose in his place to object.

Mr. PRICE. I now rise in my place and make objection.
The SPEAKER pro tempore. The Chair thinks it is too late.
Mr. KEIFER. We had better have order, so that we can know what is going on.

Mr. RANDALL. I move to reconsider the action of the House just

taken; and also to lay that motion on the table.

Mr. ANDERSON. What is this question? I would like to know what is going on. I demand the yeas and nays on the motion just submitted.

Mr. RANDALL. I withdraw the motion to reconsider.
The SPEAKER. The Clerk will proceed with the roll-call.
Mr. RANDALL. Mr. Speaker, to save time on the deficiency bill,
I request a conference with the Senate on the disagreeing votes of the

two Houses on the amendments of the Senate to the deficiency bill.

The SPEAKER. Without objection, the request will be acceded to. There was no objection.

The SPEAKER appointed Mr. BURNES, Mr. RANDALL, and Mr. Long as managers on the part of the House at said conference.

ORDER OF BUSINESS.

The roll-call was then resumed and concluded as above.

Mr. MILLER, of Pennsylvania. I ask unanimous consent that the House consider bills that may be called up by members under the new

The SPEAKER. That request was made a few moments ago and was objected to.

Mr. SHIVELY and Mr. WELLER objected. The SPEAKER. And is still objected to.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:

A bill (H. R. 754) for the relief of Nathan H. Dunphe, of Bridgewater, in the State of Massachusetts.

PRINTING OF REPORT ON NATIONAL SOLDIERS' HOME.

Mr. ROGERS, of New York. I present a privileged report from the Committee on Printing. I am directed by the Committee on Printing to report back with a favorable recommendation the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. Res. 347) to provide for the printing of additional copies of the report of the Committee on Military Affairs to the House of Representa-tives on the investigation of the National Home for Disabled Volunteer Sol-diers.

Resolved, &c., That in addition to the authorized number, 5,000 copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Volunteers be printed, 1,000 copies for the use of the Senate, and 4,000 copies for the use of the House of Representatives.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and

Mr. ROGERS, of New York, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to re-consider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. COSGROVE. I have asked unanimous consent to call up for consideration bill S. 1035. The gentleman who made the objection will withdraw it.

The SPEAKER. Several gentlemen made objection.

Mr. COSGROVE. I have seen, I think, all of them, and understand

that they now withdraw the objection.

The SPEAKER. The Chair will again submit the request. The gentleman from Missouri asks unanimous consent to call up for present consideration the bill S. 1035, the title of which the Clerk will read. The Clerk read as follows:

A bill (S. 1035) to authorize the Secretary of the Interior to settle the claims of S. W. Marston, late United States Indian agent at Union agency, Indian Territory, for services and expenses.

The SPEAKER. Is there objection?

Mr. BRUMM. I object.
Mr. COSGROVE. Is it in order to ask a suspension of the rules to pass that bill?

The SPEAKER. It is not. There are motions pending before the

House undisposed of.

Mr. WELLER. I ask unanimous consent for the present consideration of this joint resolution which I send to the desk. I ask that it be read.

Mr. PETERS. I object.
Mr. WELLER. I desire to importune the gentleman who has offered an objection that he withdraw it that the resolution may be read for the information of the House.

Mr. CONNOLLY. I object. Mr. HEWITT, of Alabama. I ask unanimous consent that a recess

be taken for fifteen minutes.

Mr. HUTCHINS and Mr. ANDERSON objected.

Mr. ANDERSON. If the present status of the motions is maintained I withdraw my objection.

The SPEAKER. But the Chair has already announced that if a recess is taken to a different time from that mentioned in the pending actions they will fell unless there he an agreement to the contents. motions they will fall unless there be an agreement to the contrary.

Mr. ANDERSON. That was my understanding, and that is the

Mr. ANDERSON. That was my understanding, and that is the reason why I objected.

Mr. HATCH, of Missouri. I ask unanimous consent that the House take a recess until half past 11 o'clock.

Mr. ANDERSON. I object.

Mr. BELFORD. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. BELFORD. I desire to inquire whether under the operation of the rules of this House a contested-election case involving the right of a member to a seat on this floor can be considered, and whether a few gentlemen can obstruct the consideration of that right recognized by the laws and the Constitution.

Mr. MILLER, of Pennsylvania. Oh, yes; they can do it.

Mr. MILLER, of Peansylvania. Oh, yes; they can do it.

Mr. BELFORD. I insist on a decision of that question whether two
or three men in this House can deprive a member of his right to sit
here and overcome the majority of the Representatives of the people.

The SPEAKER. The majority will govern under the rules of the House whenever a vote can be obtained under the rules of the House. Mr. BELFORD.
"Regular order!"] Now, was it not the intention-

Mr. BELFORD. This is the regular order. Was it not the intention of the fathers of this Republic that the majority should govern?

PRINTING REPORTS OF SMITHSONIAN INSTITUTION.

The SPEAKER. The gentleman from New York [Mr. ROGERS], chairman of the Committee on Printing, asks unanimous consent to

Mr. ROGERS, of New York. I am instructed by the Committee on Printing to report back with a favorable recommendation the joint reso-

Intion which I send to the desk.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was read, as follows:

Joint resolution (S. R. 114) to provide for printing the annual reports of the Smithsonian Institution.

Resolved, &c., That the annual reports of the Smithsonian Institution shall be hereafter printed at the Government Printing Office in the same manner as the annual reports of the heads of Departments are now printed for submission in print to the two Houses of Congress.

The joint resolution was ordered to be read a third time; and it was

accordingly read the third time, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which the joint resolution was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

HISTORY OF THE RED CROSS.

Mr. ROGERS, of New York. I also ask unanimous consent to report from the Committee on Printing for present consideration the Senate concurrent resolution which I send to the desk.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 copies of the History of the Red Cross from the stereotyped plates now at the Government Printing Office, for the use of the American Association of the Red Cross.

The SPEAKER. Is there objection? Mr. HEWITT, of New York. I object.

ORDER OF BUSINESS.

Mr. WELLER. Can I now make the request that the joint resolution which I have sought to call up be printed in the RECORD?

Mr. LAMB and others objected.

Mr. KEAN. I ask unanimous consent to take from the Speaker's table for present consideration the joint resolution (S. R. 119) accepting the gift by William H. Vanderbilt and Julia Dent Grant, wife of General Ulysses S. Grant, to the United States of certain articles.

The SPEAKER. The gentleman from New Jersey [Mr. Kean] asks unanimous consent to take up for present consideration the Senate joint

Mr. SPRINGER. I object.

Mr. BINGHAM. Let the matter be stated before objection is made.

The SPEAKER. The gentleman objects.

Mr. BINGHAM. Can not the resolution be read subject to objection?

The SPEAKER. It can not, if objection is made to the reading.

Mr. DUNHAM. May I ask, Mr. Speaker, who it is that objects? The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] of The gentleman from Illinois [Mr. SPRINGER] ob-

Mr. McADOO. Mr. Speaker, I ask unanimous consent to call up for present consideration the bill (H. R. 1852) to regulate appointments and promotions in the staff of the Marine Corps, and I would like to say a few words by way of explanation. This relates to only two officers of the Marine Corps, both of whom have served over thirty-five years and have won laurels in the field in Mexico.

A MEMBER. Let the bill be read.

Mr. BRUMM. Regular order, Mr. Speaker.

Mr. WELLER. I am informed that there was a confusion of ideas as to whether the matter which I desired to call up was the resolution I hold in my hand or some other, and that the gentleman who objected did so under a misapprehension. [Laughter.] I now desire to renew

The SPEAKER. Debate is not in order. Several gentlemen have objected, and gentlemen are now objecting. That being so, of course the Chair can not entertain a request for unanimous consent.

Mr. BINGHAM. Mr. Speaker, I think the gentleman from Illinois [Mr. Speinger], when he objected, probably misunderstood the proposition of the gentleman from New Jersey [Mr. McAdoo]. May not

the joint resolution be read subject to objection?

Several MEMBERS. Regular order.

The SPEAKER. The regular order is demanded by gentlemen on the left, and the Chair will now state that until the demand for the regular order is withdrawn, the Chair will not recognize any gentleman for a request for unanimous consent, but will proceed with the regular order.

Mr. WARNER, of Ohio. All right, Mr. Speaker. Let us have the

regular order and peace.

Mr. WELLER. Will the Chair please state what is the regular order.

The SPEAKER. The Chair will do so as soon as the House comes to order. [After a pause.] The regular order is the question on the amendment proposed by the gentleman from Tennessee [Mr. PETTI-BONE] to the amendment proposed by the gentleman from Iowa [Mr. Hepburn], which is that the House take a recess until 10 o'clock. After putting the question.] In the opinion of the Chair the noes

Mr. MILLER, of Pennsylvania. I call for a division, Mr. Speaker.

Mr. MILLER, of Pennsylvania. I call for a division, Mr. Speaker.
The House divided; and there were—ayes 25, noes 41.
Mr. MILLER, of Pennsylvania. No quorum has voted.
The SPEAKER. The point is made that no quorum has voted.
The Chair appoints as tellers the gentleman from Pennsylvania [Mr. The Chair appoints as tellers the gentleman from Pennsylvania [Mr. ERMENTROUT].
Mr. DUNHAM. Mr. Speaker, I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. DUNHAM. The motion being to take a recess until 10 o'clock to-night, and the hour of 10 o'clock having passed, does not that motion fall?
The SPEAKER. The Chair has pothing to describe the second of the speaker.

The SPEAKER. The Chair has nothing to do with that question. That may be a very good reason why the House should not agree to the amendment, but it was in order when offered. As many as are in favor of agreeing to the amendment will pass between the tellers and be counted.

Pending the count the tellers will suspend, in order that the House may receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, with amendments; in which the concurrence of the House of Representatives was requested.

The message further announced that the Senate insisted upon its amendments (disagreed to by the House) to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes, agreed to the conference asked by the House of Representatives thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. Cock-

RELL as conferees on the part of the Senate.

Mr. HANCOCK. Mr. Speaker, I ask unanimous consent to call up the fortification bill, with the Senate amendments, for the purpose of moving to non-concur in the amendments and asking a conference.

Mr. BUDD. Mr. Speaker, I rise to a parliamentary inquiry. The SPEAKER. An inquiry connected with this matter?
Mr. BUDD. Connected with this matter.

The SPEAKER. The gentleman will state it.

Mr. BUDD. After the conference report is made, will it be in order for a member to require the reading of any amendment and a separate vote on each amendment as reported by the conferees?

The SPEAKER. It will be in order for any member to require the

reading of all the amendments, but it will not be in order for a member to demand a separate vote upon the amendments which have been agreed to by the conferees, because a conference report is one entire thing, and must be either adopted or rejected as a whole.

Mr. BUDD. But the amendments that are not agreed to?

The SPEAKER. The amendments that are not agreed to?

The SPEAKER. The amendments that are not agreed to will be disposed of separately by the House. If there be no objection the amendments of the Senate to the bill of the House (8279) making appropriations for fortifications and other works of defense, and for the armament thereof, will be non-concurred in, and the House will ask a committee of conference.

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. Hancock, Mr. Forney, and Mr. Washburn.

ORDER OF BUSINESS.

The SPEAKER. The tellers will resume their places and continue the count.

Pending the count by tellers the following proceedings took place: Mr. NEECE. I ask unanimous consent to make a statement. I have a little bill here to remove the charge of desertion from the record of a young man who entered the Army under 18 years of age. At the battle of Pea Ridge, where he was wounded, he was, owing to that fact, marked improperly as a deserter. Going afterward into another regiment, he was killed in battle. His old father now wishes simply to draw his back pay. This bill has passed the Senate. It is Senate bill 445, for the relief of the heirs or legal representatives of Robert J. Baugness, deceased.

The SPEAKER. Is there objection to the present consideration of

Several members called for the regular order.

PRINTING OF NAVAL AND MILITARY REPORTS.

Mr. ROGERS, of New York. On behalf of the Committee on Printing I desire to have taken from the Speaker's table for present consideration the joint resolution (S. R. 100) authorizing the printing of cer-

tain naval and military reports. I think when the joint resolution is read there will be no objection to it.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled. That there be printed at the Government Printing Office 4,500 copies of each of the following reports: The report of Lieut. Commander C. F. Goodrich, United States Navy, on the British naval and military operations in Egypt; the report of Lieut. Fisher M. Wright, United States Navy, on the operations of the French navy during the recent war with Tunis; the report of Lieut. Theodorus B. M. Mason, United States Navy, on the war on the Pacific coast of South America between Chili and the allied Republics of Peru and Bolivia; 1,000 copies of which shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,500 copies for the use of the Navy Department.

There being no objection, the joint resolution was taken from the Speaker's table, read three times, and passed.

Mr. ROGERS, of New York, moved to reconsider the vote by which the resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HEWITT, of Alabama. I ask unanimous consent to take from the Private Calendar—

The SPEAKER pro tempore (Mr. HATCH, of Missouri). The House

is dividing.

Mr. DUNHAM. I ask unanimous consent to vacate the order by which the House agreed to take up the contested-election case of Frederick vs. Wilson.

The SPEAKER pro tempore. The gentleman from Illinois is not in

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate insisted on its amendments disagreed to by the House to the fortification appropriation bill, agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. Allison, Mr. Dawes, and Mr. COCKRELL.

REPORT OF COMMISSIONER OF AGRICULTURE.

Mr. ROGERS, of New York. In behalf of the Committee on Printing I desire unanimous consent to take from the Speaker's table, for concurrence in the amendments of the Senate, the joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885.

The amendments of the Senate were read, as follows:

In line 1, strike out "400" and insert "310;" so as to provide for 310,000 copies.

In line 3, strike out "300" and insert "200;" and in line 5, strike out "70" and insert "80;" so as to provide for 310,000 copies.

In line 3, strike out "300" and insert "200;" and in line 5, strike out "70" and insert "80;" so as to provide for 310,000 for the use of the House of Representatives and 80,000 for the use of the Senate.

Amend the title of the joint resolution by striking out "400" and inserting "310."

There being no objection, the House proceeded to the consideration of the amendments of the Senate; which, on motion of Mr. ROGERS, of New York, were concurred in.

Mr. ROGERS, of New York, moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MILLER, of Pennsylvania. The tellers who have been conducting the count upon the motion for a recess desire to report. They agree in the report which they send to the Clerk's desk.

The result was announced—ayes 26, noes 55.

Mr. MILLER, of Pennsylvania. It appears that there is no quorum.

I move a call of the House.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WHITE, of Kentucky. I rise to a question of privilege.
The SPEAKER pro tempore.
Mr. WHITE, of Kentucky. A paper published in New York called
The Voice, which claims to be a temperance journal, has seen fit to publish the following paragraph about myself:

LEGISLATIVE MEASURES—DO THE WHISKY MEN WANT THE EARTH?

Mr. White, of Kentucky, has introduced a bill into the House of Representatives providing that the office of Commissioner of Internal Revenue be abolished and the whole system of internal taxation done away with. This bill issaid to have been framed at the instance of the whisky men. Mr. White is the Congressman who recently applied an insulting term to Speaker Carlisle.

That was sent to me by Mr. R. B. Neal, editor of Good Words, a temperance paper published in Louisville, Ky., otherwise I would not have seen it. Now, Mr. Speaker, if that came from a source claiming to be an enemy to the cause which I have advocated and maintained I should treat it with the same indifference I have treated hundreds of others of a similar character, but coming as it does from a paper professing the principles of temperance, of which I believe every member on this floor will accord to me that I have been a consistent and persistent advocate ever since I became a Representative in the Forty-fourth Congress and during the Forty-seventh Congress and also during the present Congress, I think it requires some personal notice at my hands.

Now, sir, it is a matter of record that in the Forty-fourth Congress

I introduced a bill into this House for the prohibition by the national Congress of the sale of intoxicating liquors for any other purpose than mechanical, medicinal, or scientific. In the Forty-seventh Congress I introduced the same bill. In the Forty-eighth Congress I introduced a similar bill, slightly modifying it and providing for punishment, which before I had left to the wisdom of the committee. I will send

Mr. HENLEY. How long is this matter about being read to last?

Mr. HENLEY. How long is this matter about being read to last?

Mr. CURTIN. What is it all about?

The SPEAKER pro tempore. The gentleman from Kentucky rises to a question of personal privilege and is stating his question of privilege

Mr. WHITE, of Kentucky. I ask the Clerk to read.

The Clerk read as follows:

bill (H. R. 596) to lessen crime and human suffering from alcoholism by re-stricting the use of distilled spirits to scientific, mechanical, and medicinal pur-

Whereas the injurious effects from the use as a beverage of intoxicating liquors

stricting the use of distilled spirits to scientific, mechanical, and medicinal purposes.

Whereas the injurious effects from the use as a beverage of intoxicating liquors are universally admitted; and
Whereas spirituous liquors are powerful instruments for evil and corraption in our elections; and
Whereas the unbridled traffic in spirituous liquors promotes contentions, rlots, ignorance, and poverty; and
Whereas the iniquity of alcoholism is visited through the parent "upon the third and fourth generations;" and
Whereas the effects of alcoholism are filling our prisons, houses of correction, and institutions of charity with criminals and sufferers, and covering the land with woe and misery: Therefore,
Be it enacted, &c., That on and after the 30th day of June, 1884, no person, except as hereinafter provided, shall manufacture or sell or keep for sale that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, or any other intoxicating liquor which can be produced by the fermentation of grain, starch, molasses, or sugar, including all dilutions and mixtures of sugar. No person shall manufacture, sell, or keep for sale as a beverage any intoxicating liquor whatever, including ale, wine, and beer.

Sec. 2. That any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding \$50, or imprisoned not exceeding one year, or both, in the discretion of the court.

Sec. 3. That no intoxicating liquors whatever, including ale, wine, and beer, shall be imported into the United States from any foreign port or place. All goods or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner and under the same regulations, restrictions, and provisions as have been heretofore establis

of their proposals.

SEC. 7. That nothing in the preceding sections shall prevent the Secretary of the Treasury from contracting from time to time for such distilled spirits as may be necessary to meet the demands for scientific, mechanical, and medicinal pur-

SEC. 8. That nothing in the preceding sections shall be construed so as to limit the time of any license for the manufacture or sale of intoxicating liquors which is at present operating: Provided, That no extension of time nor any new license shall be hereafter granted for the sale of any intoxicating liquors whatever.

Mr. WHITE, of Kentucky. As I have said, the extract from The Voice was sent to me by the editor of a temperance paper in Louisville, Mr. R. B. Neal. Now that bill which the Clerk has read was referred to the Committee on the Alcoholic Liquor Traffic and was reported back by Mr. KLEINER, accompanied by the following report:

The Committee on the Alcoholic Liquor Traffic, having considered the bill (H. R. 596) to lessen crime and human suffering from alcoholism by restricting the use of distilled spirits to scientific, mechanical, and medicinal purposes, report the same back adversely, and recommend that it lie on the table.

Mr. LORE. I make the point that this is not a matter of personal

The SPEAKER pro tempore. The gentleman from Delaware makes the point that the gentleman from Kentucky is not stating any ques-

tion of personal privilege.

Mr. WHITE, of Kentucky. I thought that was admitted, Mr. Speaker, or I should have addressed myself to that point of order.

The SPEAKER pro tempore. So far as the gentleman from Kentucky has gone the Chair has been unable to see any question of personal

mr. WHITE, of Kentucky. I wish to call the attention of the Chair.

I understood the Chair would not decide until I had been heard.

Mr. HEWITT, of Alabama. I move to lay the appeal on the table.

Mr. WHITE, of Kentucky. I wish to call the attention of the Chair. to Rule IX:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only.

Now, sir, here is a charge in the extract which I have just read from the New York paper, which was sent to me by my friend, the editor of a temperance paper in the city of Louisville, to whom I have already

referred, calling my attention to the fact this article in The Voice did me great injustice. Otherwise I would never have seen it. It charges me with preparing a bill in the interest of the whisky-men, in this article which is headed, "Do the whisky-men want the whole earth?" I claim this not only affects me as a Representative, but affects the honor and dignity of this House, for I am a member of this House; and if a member of the House, after having advocated certain principles, can introduce a bill that I have introduced here and then can present other bills which seem to favor the whisky interest, and can be justly charged that he is doing it for the whisky interest, then it does seem to me it rises to the dignity of a personal question at least.

It is to address myself to that question for which I have risen, and

to recite the history of this subject and my action with it, that I began in the way I did, and no one made the point of order, or else I should have begun by reading the rule under which I made the point of order. But in order to save the time of the House and consume as little of its time as possible at this late date in the session I did not adopt that

I now yield the floor to the decision of the Chair. If I am entitled to the floor on that decision I will proceed; otherwise, I will take my

The SPEAKER pro tempore. The gentleman presents, certainly, a question of personal explanation, but the Chair has been unable to see that a question of personal privilege under the rules of the House is presented, and which would give the gentleman the right to occupy the floor.

Mr. WHITE, of Kentucky. May I be permitted to call the attention of the Chair to the last sentence but one in the newspaper article to which I first called attention and which I have sent to the desk?

The SPEAKER pro tempore. The Chair will cause the sentence to be

The Clerk read as follows:

This bill is said to have been framed at the instance of the whisky-men. Mr. WHITE is the Congressman who recently applied an insulting term to Speaker WHITE IS L

Mr. WHITE, of Kentucky. The Chair will observe as stated in that article that a direct charge is brought against me. In response I wish to state that I have never in my life applied an insulting term or

epithet to the Speaker of this House.

There is not a man on this floor who has a higher regard for the Speaker of the House than I have, and I am ready to offer the usual resolution complimenting him in the very highest terms on the fair, impartial, and proper manner in which he has discharged the duties of his office. The last clause but one in the article accuses me of having prepared or framed a bill at the instance of the whisky-men, and I claim in that I have the right not only to deny that charge, which I do most emphatically, but to show conclusively by the RECORD that it is false from the beginning to the end; and I was proceeding to address myself to that subject when I was interrupted by the gentleman from Delaware, who made the point that I did not present a question of privilege.

I understood the Chair had recognized it as such by allowing me to proceed for some time, and of course I did not have the rule read, for the reason that I did not suppose there could be any question as to the fact that I had the right to take the floor for that purpose. As I have

said, I now yield to the decision of the Chair.

The SPEAKER. The Chair stated that it would hear the gentleman on his question of privilege, no point of order having been made. The Chair indulged the gentleman from the beginning of his remarks until the point of order was made. The gentleman from Delaware having made the point of order, the Chair was then ready to decide the question.

If, however, the gentleman desires to be heard further the Chair will

indulge him.

ORDER OF BUSINESS.

Mr. WHITE, of Kentucky. I understand that the Post-Office appropriation bill is ready to be reported by the conferees, and I will yield for that purpose, but claim the right to take the floor afterward. If, however, the gentleman is not ready I will proceed with my remarks

now.

Mr. HEWITT, of Alabama. I would like to ask the gentleman from Kentucky if he will yield to me to call up a bill for consideration.

Mr. WHITE, of Kentucky. I will yield to the gentleman with pleasure; not, however, to take me off the floor.

Mr. HEWITT, of Alabama. Of course not.

Mr. WHITE, of Kentucky. I have just promised that I would yield to him.

yield to him.

Mr. McMILLIN. Mr. Speaker, I ask the indulgence of the House for a moment in which to make a statement concerning House bill No. for a moment in which to make a statement concerning House bill No. 8177. This is a bill providing for the payment of certain claims authorized to be investigated and reported to Congress, and thus far it has been passed by every Congress to which they have been reported since 1864, when the original act authorizing them was passed.

Mr. HORR. These are what are known as the 4th of July claims?

Mr. McMILLIN. Yes, sir.

Mr. HORR. I hope that will pass.

Mr. McMILLIN. There never has been a single instance, from the vote on the passage of the original bill to this session of Congress, when this bill was reported that it was not passed. I hope the House will

not make an exception in this case.

It is not possible under that law that the payment can be ultimately defeated. It must be paid at some time. The bill providing for the auditing of these claims requires that they shall be first examined by an agent of the Quartermaster's Department, then passed upon by the Quartermaster-General, and after that, to make assurance doubly sure, they are reported to the Third Auditor, and by him they are again investigated; and if they are found to be in accordance with the law and properly authenticated, they are recommended to Congress. That has been done heretofore uniformly, and the bill making these appropria-tions now, if I remember correctly, is some \$40,000 less than the bill of last year. It has not been even the custom to read the bill heretofore. The committee after an examination reported favorably upon it, and I ask the House to give unanimous consent to take it up and consider it. It has never taken more than ten or twenty minutes to dispose of.

Mr. PUSEY. What is the aggregate amount of the bill? Mr. McMILLIN. Two hundred and twenty-one thousand dollars. The committee have amended the bill by striking out a certain class of claims not heretofore allowed, so as to secure perfect uniformity with bills passed heretofore. The claims stricken out amount to about

I ask, therefore, that unanimous consent be given to discharge the Committee of the Whole House on the state of the Union from the fur-

ther consideration of this bill and put it upon its passage

A MEMBER. Is there any new legislation in the bill?

Mr. McMILLIN. It contains no legislation whatever.

The SPEAKER. Is there objection to the request of the gentleman

from Tennessee?

Mr. SKINNER, of North Carolina. I object.
Mr. McMILLIN. I hope my friend from North Carolina will not insist on his objection.

Mr. SKINNER, of North Carolina. Other bills just as worthy as this have been objected to when the request for unanimous consent was made; and I think that they are entitled to be passed just as well

Mr. McMILLIN. I appeal to the gentleman from North Carolina not to insist on his objection. If he does it will work great injustice to a large class of citizens. It is a bill which can not be defeated ultimately; it can only be postponed. Not even the interest has been paid on these claims for the twenty years that they have been due. I trust the gen-tleman will withdraw his objection. No man can question the justice of the payment under the law. I have co-operated with that gentle-man in matters in which I know he sympathizes, and I ask him not to reward that co-operation by refusing consideration to this bill.

Mr. THLMAN. If that gentleman withdraws his objection I will

Mr. McMILLIN. I regret the gentleman's resolution to oppose this bill. A very large majority of the House favor it, but I know that pending the consideration of this election case the bill I have designated the consideration of the consideration of this election case the bill I have designated the consideration of this election case the bill I have designated the consideration of this election case the bill I have designated the consideration of the consideration of

nated can only be taken up by unanimous consent.

Mr. SKINNER, of North Carolina. I withdraw the objection.

Mr. BUDD. I move to suspend the rules to take up and pass the House bill No. 147. I will state that the motion for a recess expired

at 12 o'clock.

The SPEAKER. The motion of the gentleman from California is not in order except by unanimous consent. Even if all the motions for a recess had been dropped the question before the House would be upon the adoption of the report of the Committee on Elections. But the Chair thinks the motions for a recess have not been dropped, because they were in order when made.

Mr. BUDD. I understand the first motion was to take a recess until 12 o'clock. That was amended so as to take a recess until 11 o'clock, and a further amendment was offered to take a recess until 10 o'clock to night. Now as the time for all of these recesses has expired I claim that the question upon them is not now in order, the House having neglected to pass upon it until the time has expired.

The SPEAKER. That may be a good reason why the House should not agree to those motions, but it is not a question of order.

Mr. BUDD. Can a recess be taken so as to be retroactive?

The SPEAKER. That consideration will govern gentlemen in their votes on the question.

Mr. ANDERSON. In one case the motion was for a recess until 10

o'clock to-morrow.

The SPEAKER. The Chair thinks the record shows distinctly that the first motion was to take a recess until 12 o'clock midnight. The proposition was then made to amend that so as to take the recess until 11 o'clock, and then there was a proposition to amend the amendment so as to take the recess until 10 o'clock to-night.

Mr. ANDERSON. The first motion was my own, to take a recess

for one hour.

The SPEAKER. The motion to take a recess until 10 o'clock tomorrow would not be in order because the term of this Congress expires on the 3d of March, and to-morrow would be the 4th, and the mem-

bers of this Congress would not then be in office.

Mr. BUDD. I inquire of the Chair if a motion for a recess is in order when the proposed recess dates back of the time at which the

question is taken?

The SPEAKER. But the motion for a recess was in order when it was made, and the Chair can not take away from the House the consideration of a motion which was in order when it was presented. That question is addressed to each member of the House, and must control his vote.

Had a motion to adjourn been made and carried, would not that have killed the motion for a recess?

The SPEAKER. But there has been no motion to adjourn.

Mr. BUDD. But this afternoon there was a recess taken.
The SPEAKER. And it was when the House reassembled after the recess that these motions were made.
Mr. BUDD. I make the point of order that as the time has expired which was covered by the time mentioned in these motions for a recess, it is the same as if a recess had in fact been taken.

The SPEAKER. There has been no recess whatever since half past

7 this afternoon.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:
A bill (H. R. 653) for the relief of John B. Davis; and

A bill (H. R. 8183) to remove the political disabilities of W. H. Murdaugh, of Virginia.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Louisiana [Mr. ELLIS] is rec-

ognized.

Mr. HEWITT, of Alabama. The gentleman from Kentucky [Mr. WHITE] yielded the floor to me, and I yielded to the gentleman from Tennessee [Mr. McMillin] for a few moments to call up a bill. I will now yield the floor temporarily to the gentleman from Louisiana. Mr. ELLIS. This is a matter to which I think there will be no ob-

jection.

The SPEAKER. The report which the gentleman from Louisiana proposes to make is always in order.

Mr. ELLIS. The Chair is a little in error; this is not a privileged

report.

The SPEAKER. The Chair thought the gentleman had risen to present the report of a committee of conference.

RED CROSS ASSOCIATION.

Mr. ELLIS. I ask unanimous consent to pass the Senate joint resolution which authorizes the loan to the Red Cross Association of twelve hospital tents. That society is now organizing a field hospital for the ex-Union and ex-confederate encampments at the exposition; and for the purpose of a free hospital they ask the Secretary of War for a loan of twelve tents. The Senate has passed the resolution, and I believe there will be no objection to its consideration by the House.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to take up for present consideration the joint resolution which

consent to take up for present consideration the joint resolution which

the Clerk will read.

The Clerk read the resolution, as follows:

Joint resolution (S. Res. 122) authorizing the Secretary of War to loan twelve hospital tents and outfits to the American Association of the Red Cross for use in New Orleans.

The SPEAKER. Is there objection?

Mr. WHITE, of Kentucky. Can the gentleman from Louisiana take me off the floor

Mr. ELLIS. I have no desire to interfere with the gentleman from Kentucky

The SPEAKER. If unanimous consent is given it will not affect

any matter now pending.
Mr. WHITE, of Kentucky. I have no objection. It ought to pass. The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives in Congress assembled, That the Secretary of War is authorized and directed to loan to the American Association of the Red Cross, for use by their branch in New Orleans at the World's Exposition grounds, twelve hospital tents and outfits; provided satisfactory security is given for the safe-keeping and return of the same.

The joint resolution was ordered to a third reading; and it was ac-

cordingly read the third time, and passed.

Mr. ELLIS moved to reconsider the vote by which the joint resolution was passed; and also moved to lay the motion to reconsider on the

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. McMILLIN. Mr. Speaker, I understand that the gentleman from North Carolina [Mr. SKINNER] withdraws his objection to the bill which I desire to call up.

The SPEAKER. But the gentleman from Illinois on the right [Mr. SPRINGER] demands the regular order.

Mr. WHITE, of Kentucky. Mr. Speaker, I believe I am entitled to

the floor. The gentleman who has charge of the appropriation bill is not ready to report, as he was supposed to be, so I will proceed with my statement.

Mr. THOMPSON. Mr. Speaker, I ask my colleague from Kentucky [Mr. White] to yield to me a moment to pass a pension bill for a poor widow.

Mr. BRUMM.

Mr. BRUMM. Regular order. Mr. THOMPSON. I appeal to the gentleman from Pennsylvania [Mr. Brumm] to let me make a short statement.

Several Members. Regular order.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the report of the committee of confer-ference on the disagreeing votes of the two Houses on the amendments of the Senate (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes.

The message also announced that the Senate had receded from its amendment, numbered 112, to the bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes.

INDIAN APPROPRIATION BILL.

Mr. ELLIS. Mr. Speaker, I now desire to present the report of the committee of conference on the disagreeing votes of the two Houses on the bill making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes; and I ask that the report be read.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House (7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27, 28, and 74;
That the House recede from its disagreement to the amendment of the Senate numbered 110, 111, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: Strike out section 11 of the bill of the House, and insert the following in lieu thereof, to wit:

"That immediately upon and after the date of the passage of this act all Indians committing against the person or property of another Indian or other person any of the following erimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, or larceny, in any Territory of the United States, or either within or without an Indian reservation, shall be subject therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner, and shall be subject to the same penalties, as are all other persons charged with the commission of said crimes respectively. And the said courtsare hereby given jurisdiction of all such cases. And all such Indians, committing any of the above crimes against the person or property of another Indian, or other person, within the boundaries of any State of the United States, or within the exclusive jurisdiction of the United States."

And the Senate agree to the same courts, and in the same manner and subject to the same penalties as are all other persons committing any of the above cri

E. JOHN ELLIS,
WM. S. HOLMAN,
THOMAS RYAN,
Managers on the part of the House,
H. L. DAWES,
P. B. PLUMB,
M. W. RANSOM,
Managers on the part of the Senate.

Mr. ELLIS. Mr. Speaker, I move the adoption of the report.

The report was adopted.

Mr. ELLIS moved to reconsider the vote by which the report was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

Mr. ELLIS. The remaining point of disagreement between the two
Houses upon this bill has been settled by the recession of the Senate.

A. K. SHEPARD.

Mr. HEWITT, of Alabama. I ask unanimous consent to have taken up for consideration at the present time the bill (H. R. 28) for the relief of A. K. Shepard.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, authorized and required to pay to A. K. Shepard, of Tuscaloosa, Ala., the sum of \$17,000 out of any money in the Treasury not otherwise appropriated.

The amendment recommended by the committee was read, as follows: Strike out "\$17,000" and insert "\$14,458.07."

Mr. HEWITT, of Alabama. Before objections are called for I hope the report will be read.

Mr. BROWN, of Pennsylvania. I shall not object, provided the other side of the House— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded.

UNLAWFUL OCCUPANCY OF THE PUBLIC LANDS.

Mr. LEWIS. I rise to a question of privilege. In order that the

question may be brought clearly before the House I ask the Clerk to read from the RECORD what I send to the desk.

The SPEAKER. If objection is made, of course the other matter of

The SPEAKER. If objection is made, of course the other matter of privilege must be settled first.

Mr. WHITE, of Kentucky. I understand that the gentleman from Louisiana [Mr. Lewis] will occupy a very few moments.

Mr. HEWITT, of Alabama. Was my request objected to?

The SPEAKER. There were a great many objections.

Mr. HEWITT, of Alabama. Then I call for the regular order.

The SPEAKER. That has been called for; but the gentleman from Louisiana [Mr. Lewis] states that he rises to a question of personal privilege. If it be a question of personal privilege, it of course interrupts the regular order.

rupts the regular order. Mr. LEWIS. I ask the Clerk to read what I send to the desk, and then I wish to make a statement to show that it is a matter of privi-

lege.
The Clerk read as follows:

THURSDAY, February 12, 1885.

The recess having expired, the House (at 10 o'clock a. m., Friday, February 13, 1885) resumed its session.

UNLAWFUL OCCUPANCY OF THE PUBLIC LANDS.

Mr. Payson. Mr. Speaker, I rise to a privileged motion.
The Speaker pro tempore. The gentleman will state it.
Mr. Payson. I move to concur in the amendments of the Senate to the bill (H. R. 5479) to prevent the unlawful occupancy of the public lands.
The Speaker pro tempore. The Senate amendments will be read.
The several amendments of the Senate were reported.
Mr. Payson. I move to conour in the amendments of the Senate.
Mr. Hewitt, of Alabama. I would like to ask the gentleman from Illinois a question: whether this has been considered by the Committee on Public Lands?
Mr. Payson. Yes, sir; and unanimously reported by the committee with that recommendation.

Mr. LEWIS. Now I desire to state to the House that that bill was passed through the House and the Senate amendments concurred in by virtue of the statement of the gentleman from Illinois that the matter had been considered and unanimously recommended by the Committee on Public Lands. And I wish to state to the House that it had never been referred to the Committee on Public Lands, and the amendments

had never been recommended by that committee.

A MEMBER. Where is the question of privilege?

Mr. LEWIS. The question of privilege, as I understand—

Mr. DAVIS, of Illinois. I do not understand that this presents any

question of privilege.

The SPEAKER. The Chair does not think it does.

Mr. DAVIS, of Illinois. I ask that the gentleman have the courtesy to speak on this when my colleague [Mr. PAYSON] is present.

The SPEAKER. The Chair thinks that it does not involve any

question of privilege.

Mr. LEWIS. I hope I may be allowed to make a statement as to why I think it is a question of privilege. The bill as amended by the Senate made important changes in the bill as it passed the House. The bill as it came back from the Senate contained important amendment. which had been adopted by the Senate and which had not been considered by the committee on Public Lands of the House.

The bill as amended by the Senate was never referred to the Committee on Public Lands. I state this to be a question of privilege, because if that bill passed by virtue of a statement that the amendments of the Senate had been recommended by the Public Lands Committee

and that statement be not correct, as I say it is not-

Mr. ROWELL. I object, in the absence of my colleague [Mr. PAY-N], to having anybody under color of a question of personal privilege son],

say that my colleague has stated what is not true.

Mr. LEWIS. I do not desire to take any advantage of the gentleman from Illinois. He was in his seat when I came into the House to-

Mr. SPRINGER. I hope this may go over until my colleague comes in. There must be some mistake about this matter.

Mr. LEWIS. I am perfectly willing to wait till he returns. I only

Mr. DAVIS, of Illinois. I object to further remarks on that subject.

The SPEAKER. The Chair does not see that any matter of personal privilege is involved. A bill may be passed by the House upon an erroneous statement of fact or upon unsound argument, but no question of privilege is therefore involved.

Mr. TOWNSHEND. Still when a question of this kind is raised it

would be fair to allow my colleague to be heard.

The SPEAKER. That is another matter.

Mr. LEWIS. I desire to be heard in this matter. I wish to call to the attention of the House—

Mr. DAVIS, of Illinois. I call for the regular order. The SPEAKER. Objection is made.

Mr. TOWNSHEND. I hope this matter will be allowed to wait until my colleague appears.

The SPEAKER. The regular order has been demanded by several

gentlemen.

pass a little pension bill for the benefit of a poor widow. It has already passed the Senate. [Cries of "Regular order!"]

The SPEAKER. Objection is made.

Mr. THOMPSON. No gentleman has risen in his seat and objected. The SPEAKER. The regular order is demanded.

Mr. THOMPSON. I am satisfied that if my proposition is understood no objection will be made. This bill is for the benefit of a poor widow who lives in the District of Columbia, and has no representative on this floor. I ask that the bill be read. It is Senate bill 1446.
[Cries of "Regular order!"]

The SPEAKER. The regular order is demanded by a number of

gentlemen

Mr. THOMPSON. This is only a little pension bill for a poor widow who has no representative on this floor.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the follow-

ing title; when the Speaker signed the same:

A bill (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers.

ORDER OF BUSINESS.

Mr. JOHN S. WISE. The regular order has not been demanded with reference to the proposition that I wish to submit.

The SPEAKER pro tempore. The regular order cuts off everything. The gentleman from Kentucky is entitled to the floor if he desires to

Mr. WHITE, of Kentucky. I have yielded now as far as I can, I think-

Mr. THOMPSON. I ask to have the title of this bill read. I am satisfied that there will be no objection.

The SPEAKER pro tempore. bill if there be no objection. The Clerk will read the title of the

The Clerk read as follows:

A bill (S. 1446) granting a pension to Mrs. Lew Gobright McFalls.

Mr. MILLER, of Pennsylvania. I hope the demand for the regular order will be withdrawn to let this bill be passed. I have one myself I

want to ask unanimous consent for.

Mr. THOMPSON. I have never asked the passage of a pension bill [cries of "Regular order!"], and I hope no objection will be made

QUESTION OF PERSONAL PRIVILEGE.

Mr. WHITE, of Kentucky. Mr. Speaker, what is this bill which The Voice criticises in the article I have called attention to? I desire to read it for the information of the House. It is a joint resolution which I introduced on the 26th day of January, 1885, No. 319.

Mr. LORE. I make the point of order that the gentleman does not

Mr. LORE. I make the point of order than the gentlement of the state a question of privilege.

The SPEAKER pro tempore. The gentlement from Kentucky will proceed, and the Chair will determine whether or not he presents a question of privilege. So far the Chair thinks the gentlement has not done so.

Mr. WHITE, of Kentucky. This is a joint resolution which I interest the following terms:

troduced in the following terms:

Whereas it has transpired that the Commissioner of Internal Revenue and the present Secretary of the Treasury have, by unwarranted regulation, assumed to extend the bonded period for distilled spirits for two hundred and eight days, in direct violation of the action of the Forty-seventh and Forty-eighth Congresses;

and
Whereas the tobacco tax is an unnecessary burden upon the people, and is a
fraud, useful only upon our statute-books for the purposes of the tobacco monopolists; and
Whereas the present system of internal-revenue taxation is far less beneficial
to the people than useful to continue a highly protected and infernal industry,
manipulated by unscrupulous capitalists, who strive to corrupt Congress and to
control the Government in the interest of their monopoly of the tobacco and
whisky trade: and

control the Government in the interest of their monopoly of the tobacco and whisky trade; and Whereas there is no longer any guarantee that the laws in relation to internal revenue will be honestly executed, although \$5,000,000 be annually appropriated for that purpose: Therefore, Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts or parts of acts concerning the superintendence of the assessment or collection of any duties or taxes imposed by any law providing internal revenue be, and the same are hereby, abolished from and after July 1, 1885.

Now, Mr. Speaker, on that resolution this paper arraigns me as having prepared a bill in the interest of the whisky-men. It is well known to the House, because for four years the question has been discussed, that there is a whisky lobby in Washington, that there is a whisky combination, reaching from the great lakes to the Gulf and from the Atlantic almost to the Pacific Ocean, in favor of reducing the tax on which and interest planers are reached. whisky and intoxicating liquors generally.

When that was proposed in the Forty-seventh Congress I opposed it The SPEAKER. The regular order has been demanded by several entlemen.

ORDER OF BUSINESS.

Mr. THOMPSON. Mr. Speaker, I desire consent to take up and the forty-seventh Congress 1 opposed in the Forty-seventh Congress 1 opposed in the Forty-seventh Congress 1 opposed in the Forty-seventh Congress 2 opposed in the Forty-seventh Congress 3 opposed in the Forty-seventh Congress 4 opposed in the Forty-sevent ing for the extension of the bonded period for two years, or practically a loan of the money invested in the whisky in bond—
Mr. LORE. Mr. Speaker, I must insist upon the point of order

that the gentleman does not state a question of privilege, and beg the Chair to pass upon it. There is nothing in what he has stated to show that his character as a Representative on this floor has been assailed.

Mr. WHITE, of Kentucky. I suppose we had as well settle the question here, and I submit to the ruling of the Chair. The Chair understands the point I have made, and I submit to the ruling of the

The SPEAKER pro tempore. The Chair will state to the gentleman from Kentucky that the Chair does not think the criticism of a newspaper upon the character or manner of introducing a bill in the House of Representatives is that sort of an attack upon a member in his representative capacity that raises it to the dignity of a question of privilege under the rules of the House.

Mr. WHITE, of Kentucky. I appeal from the decision of the Chair, and I desire to be heard on the appeal.

The SPEAKER pro tempore. The Chair will hear the gentleman.

and I desire to be heard on the appeal.

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. WHITE, of Kentucky. Mr. Speaker, this is a very serious matter not only to me, but it is rapidly becoming one to the whole country. More than 150,000 people broke loose from the strong attachments of the Democratic and Republican parties to enter their protest against the proceeding of both parties at the last annual election.

Mr. TUCKER. I submit, Mr. Speaker, that the gentleman is not addressing himself to the appeal.

addressing himself to the appeal.

The SPEAKER pro tempore. The gentleman is entitled to be heard

on the appeal.

Mr. TUCKER. But he is not proceeding in order, I submit, by addressing himself to the question on which he appeals.

Mr. WHITE, of Kentucky. I have listened to the gentleman from Virginia many a time, and must confess I have always been disappointed, because he seldom sticks to the text himself, and he ought not to object to my using some discretion in this matter.

The question of order, as I understand, that has been raised is whether The question of order, as I understand, that has been raised is whether the article which I have read constitutes a question of personal privilege. I believe it does, for reasons which I have partially stated and which I propose to submit.

The SPEAKER protempore. Will the gentleman yield a moment to receive a message from the Senate?

Mr. WHITE, of Kentucky. Certainly.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill. (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes

The message also announced that the Senate further insisted upon its amendments disagreed to by the House of Representatives to the bill making appropriations for the sundry civil expenses of the Govern-ment, and asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Messrs. Allison, Hale, and Beck as conferees on the part of the Senate.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WHITE, of Kentucky. I would like to explain that when I introduced the first resolution in the Forty-fourth Congress to prohibit the sale of intoxicating liquors as a beverage, I was then persuaded, as I am now thoroughly convinced, that the use of alcoholic liquors as a beverage was simply to imbibe a poison; and as the law prohibits the sale of prussic acid, of arsenic, and other poisons except under regulation, that there should be some power to prohibit the sale of intoxicating liquors which is dragging down to death hundreds of thousands of strong, able-bodied, right-minded men every year and making widows and orphans, filling the poor-houses, filling the jails, filling the penitentiaries.

Mr. TULLY. I rise to a point of order that the gentleman is not

discussing the question before the House.

Mr. WHITE, of Kentucky. The report on that bill I have had read from the Clerk's desk, that it was beneath the dignity of this House. Subsequently I introduced a bill for a commission on the subject of the alcoholic liquor traffic. It is as follows:

A bill to provide for a commission on the subject of the alcoholic liquor traffic: Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, a commission of seven persons, not more than four of whom shall belong to the same political party nor be advocates of prohibition, who shall be selected solely with reference to personal fitness and capacity for an honest, impartial, and thorough investigation, and who shall hold office until their duties shall be accomplished, but not to exceed two years. It shall be their duty to investigate the alcoholic liquor traffic, its relations to revenue and taxation, and its general economic, criminal, moral, and scientific aspects in connection with pauperism, crime, social vice, the public health, and general welfare of the people; and also to inquire as to the practical results of license and prohibitory legislation for the prevention of intemperance in the several States of the Union.

SEC. 2. That the said commissioners shall serve without salary; that the necessary expenses incidental to said investigation, not exceeding \$10,000, shall be paid out of any money in the Treasury not otherwise appropriated, upon vouch-A bill to provide for a commission on the subject of the alcoholic liquor traffic:

ers to be approved by the Secretary of the Treasury; and for this purpose the sum of \$10,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. It shall be the further duty of said commissioners to report the result of their investigation, with such suggestions and recommendations as they may see fit to make, and the expenses attending the same, to the President, within eighteen months after the passage of this act, to be transmitted by him to Congress.

The report on that bill I hold in my hand. It was submitted by Mr. ENGLISH, and is as follows:

Mr. English, and is as follows:

Mr. English, from the Select Committee on Alcoholic Liquor Traffic, submitted the following report, to accompany bill H. R. 2142:

The committee to whom was referred the bill (H. R. 2142) to provide for a commission on the subject of the alcoholic liquor traffic beg leave to report the bill back to the House with a recommendation that it do not pass.

The power to regulate the retail liquor traffic has, from the foundation of the Union, been regarded as the exclusive right of the States rather than of the General Government. Attempts have been made by some of the States to entirely prohibit the manufacture or sale of spirituous or malt liquors, but with little apparent success, and the interests of true temperance and sobricty, so much to be desired, would seem to demand wise and stringent restrictions and effective safeguards in connection with the liquor traffic rather than impractical efforts at absolute prohibition.

To the several States of the Union properly belongs the right to enact such local police regulations as will throw every proper restriction around the liquor traffic compatible with the personal and property rights of the citizen, but uniform police regulations enacted by Congress practically suited to the different wants and requirements of the people of all the various States would be difficult to frame and more difficult to execute. Any attempt to control the personal habits and private conduct of the individual should be opposed, so long as he does not interfere with the personal rights of others or the peace and order of society in general.

As it is a matter of grave doubt whether Congress has the right to regulate the liquor traffic in the several States of the Union, and as there seems to be no great pressing or urgent necessity for the passage of this bill, your committee hold that it is not advisable to attempt the exercise of doubtful powers by the General Government in these matters which appear more properly to belong to the States themselves.

Your

Now, sir, from that report any one can see that the House, repre-senting the American people, does not believe that it is a matter for the National Government to meddle with. Again, in the Democratic platform [cries of "Vote!"] was a protest against sumptuary laws, and a declaration that all laws interfering with individual liberty should not be passed.

ORDER OF BUSINESS.

Mr. REED, of Maine. I understand the Committee on Appropriations have a conference report ready, and I know the gentleman from Kentucky will yield for its presentation.

The SPEAKER pro tempore. The gentleman has stated he would yield at any time for any motion coming from the Committee on Appropriation.

propriations.

Mr. REED, of Maine. I hope we will attend to the business before us. The SPEAKER pro tempore. No gentleman on the Appropriations Committee has taken the floor.

Mr. REED, of Maine. I call the attention of the House to the fact.
Mr. HOLMAN. The gentleman having charge of the bill, the chairman of the Committee on Appropriations, will be in the Hall in a short

Mr. REED, of Maine. I do not think we should be kept here in this

scandalous way.

Mr. HORR. The bill has been here for more than an hour, and if we are not to consider it, I move the House do now adjourn.

we are not to consider it, I move the House do now adjourn. It has been withheld for some reason I know not of.

Mr. REED, of Maine. The way the House has been treated on these appropriation bills has been entirely without precedent.

Mr. TOWNSHEND. I have the report of the conference committee.

[Cries of "Let us have it!"] I have preferred the chairman of the Committee on Appropriations should be present in the House when it then the considered. I have writed for each time for his return to the constant of the constant should be considered. I have waited for some time for his return to the House. He has been busily engaged in a conference committee and has not been able to be here. I should prefer to wait until he comes here. [Cries of "Let us adjourn!"] If it is the demand of the House the bill shall be presented, I will yield to that desire. [Cries of "Precent it!"] "Present it!"

Mr. McMILLIN. I suggest to the gentleman it is within his discretion to call it up.

Mr. BINGHAM. It would be a wise discretion.

POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. Now, Mr. Speaker, having the concurrence of my colleague on the subcommittee, I present the report to the House. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments 16, 17, 18, 19, and 20 of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have been unable to agree.

R. W. TOWNSHEND,
W. S. HOLMAN,
R. G. HORR,
Managers on the part of the House,
P. B. PLUMB,
W. B. ALLISON,
J. B. BECK,
Managers on the part of the Senate,

Mr. TOWNSHEND. The conference committee has been unable to agree upon either of the propositions on which the two Houses have dissented. I will say to the House now, frankly, that it does seem to me that we are brought face to face with the question as to whether this bill shall fail or whether we shall adopt the proposition submitted by the Senate, or whether some terms of compromise shall be submit-We have been unable to agree upon any terms of compromise. I now desire to leave it to the House to decide the question as to what shall be done with regard to this bill. I yield the remainder of my time to my colleague, the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. I am not able to agree fully with the views expressed by my friend from Illinois. I do not think the question is whether the House shall concur in the amendment of the Senate, the sub-

sidy amendment, or whether this bill shall fail. The legislative powers of this Government are vested in two bodies—a House of Representatives and a Senate; and the question is presented whether the House shall recede from its disagreement or whether the Senate shall recede from its amendment, or whether this bill shall fail.

The general rule according to my experience—and I have had some experience on conference committees—has been that the House proposing a proposition, if it was resisted by the other, was the House that would recede. The party occupying the negative stands upon a different footing from the party that propounds the proposition. The rule of the Senate prohibits legislation upon an appropriation bill. measure pending contains legislation.

It is a purely legislative provision, a provision that changes a very important provision of our statutes that has been in force for a great many years. It incorporates into our system of legislation touching postal matters a policy in violation of the fundamental principle on which our free institutions are founded.

There are therefore reasons why the House, knowing that men are amenable to the law of reason, may indulge the expectation that the usual result will follow in the case of this measure; first, that the Senate having propounded this proposition, and the House dissenting from it, will, according to the usual practice of legislative bodies, recede from its proposition; and secondly, that it will do so the more cheerfully because the proposition itself is in defiance of its own rules as well as in defiance of the rules of this House, being an independent legislative proposition upon an appropriation bill.

Mr. DINGLEY. I call the attention of the gentleman from Indiana to the fact that the very proposition now in controversy was ruled in order in this House by a chairman of the Committee of the Whole, and that his decision was sustained.

Mr. HOLMAN. And yet I indulge the belief that the distinguished gentleman who occupied the chair on that occasion, on reviewing that decision with opportunities for considering the precedents, would change that ruling. My friend does not attach, nor does any gentleman on this floor attach, any great importance to the action of the Committee of the Whole upon that ruling, as the first impulse on the part of the House or of the Committee of the Whole has always been to sustain the ruling of the officer occupying the chair, and more especially is that the case in the Committee of the Whole.

I therefore submit, Mr. Speaker, that the House may indulge the reasonable expectation that the usual course of legislation will take place with relation to this measure, and that it will be withdrawn by that legislative branch which has thought proper to present it when it is ascertained that it is not acceptable to the other branch of the legislative department. The interests of good legislation require it; the rules of parliamentary law as applied to the two branches require it; the rules of the Senate require it; the rules of the House of Representatives require it. If it was but an hour before the adjournment, within an hour of 12 o'clock to-morrow, gentlemen might entertain some apprehensions and might act upon the impulse and spur of the moment; but many hours will elapse before this Congress expires by

the limitation of law, many votes can be taken, and many conferences can be had, and a just conclusion can be reached.

So I trust no gentleman will be induced to change his attitude upon this important question, the most important this House has been engaged upon in this or many preceding Congresses, under the impression that it involves in the least degree the question whether or not there shall be a called session of Congress, and I especially address gentlemen around me belonging to a great party whose great fundamental principle of equal and exact justice to all men is stricken down by this proposition, a proposition involving a principle of public policy that breaks into fragments the rock on which the great political party is founded which to-morrow, after a long period of time, becomes in a large degree responsible for the administration of this Government, and appeal to them to again reject this pernicious proposition and abide by the

Mr. BINGHAM. Then why did the gentleman report from the Committee on Appropriations a section almost exactly corresponding with this, and submit it to the House?

Mr. HOLMAN. I am not aware of having reported any such proposition as that pending.

Mr. HORR. We did report it, though.

Mr. BINGHAM. You reported an appropriation of \$600,000 for this ervice on a lease of four years.

Mr. RANDALL. The House rejected that.

Mr. BINGHAM. Yes; but I am speaking of the Democratic committee, to which the gentleman from Indiana [Mr. HOLMAN] belongs.

Mr. HOLMAN. Excuse me, that because a majority of a committee of fifteen members, of which eight would constitute a majority, thought proper to report a given provision, that it must therefore be assumed that the provision was an expression of the Democratic sentiment, conceding that the majority of the committee was of that party, takes me by surprise; for a very small desertion from that majority would change the result, as it did in this instance. And, further, the gentleman from Pennsylvania [Mr. BINGHAM] ought to have observed, though perhaps it escaped his observation, that the moment that proposition came into the House the Democratic sentiment was instantly expressed by Democratic members of that committee, a sentiment which for nearly a century has been steadily asserted by that party of undying hostility to all forms of subsidy as the most odious form of class legislation, and that the measure so reported was promptly rejected by this House.

Mr. BINGHAM. By what majority?

Several other members also addressed Mr. HOLMAN.

The SPEAKER pro tempore. The Chair will ask the gentleman from Indiana [Mr. HOLMAN] if these interruptions are with his consent.
Mr. HOLMAN. I would of course prefer not to be interrupted, but

will answer any questions.

The SPEAKER pro tempore. Then the Chair will undertake to see that the gentleman is not interrupted. The gentleman from Indiana

[Mr. HOLMAN] will proceed.

Mr. HOLMAN. The proceedings of the committee-room of course can not be brought into debate. Mr. Speaker, I believe I have said about all that it is proper for me to say upon this occasion. I shall hold it to be a bad omen—and I know there can be but one response to that upon this side of the House—I shall hold it to be a bad omen if, when the great political party known throughout all its history as opposed to this class of legislation, on the eve of coming into power reverses its record and adopts the principle of subsidy—a principle which, prevailing in every government of Europe, has filled those lands with tears, poverty, and wretchedness, a policy which in all ages has brought misery upon mankind. The magnitude of the pending measure is not in the amount at stake but in the fatal principle involved.

Sir, the principle involved in this measure of subsidy caused the wretchedness in the Old World that drove our fathers to settle the forests of America, the oppression and injustice that gave courage to men and women to face the hardships and dangers of the New World rather than bear the wrongs of the Old. It is the principle on which monarchy is founded. The root of despotism and kingly institutions is found in this very principle of subsidy; and that a disciple of Jefferson, who saw in the equal rights of men the only guarantee of just government and human freedom—that a disciple of Jefferson should at the beginning of the second century of our Republic favor this mon-strous principle of subsidy is beyond belief.

The teachings of that great apostle of freedom have ceased to speak to the hearts of men, if, in the American Congress, where his professed followers are in the majority, a principle like this, however disguised in form, however hidden by specious pretenses and obscure provisions, can command support. Sir, I trust no gentleman will be deceived, whatever attempts may be made to obscure it. This is a subsidy and not a mere compensation for services to be rendered; and if there have been expressions in approval of it by the great press of this country, the voice of the nation, they have escaped my observation.

Sir, I have had occasion twice already to refer to the progress of direct subsidy from the time when it made its first appearance in Congress within the last twenty-five years. It began with a small subsidy for the within the last twenty-five years. It began with a small subsidy for the same avowed purpose as that expressed in this measure—the extension of commerce—of only \$75,000 a year; then followed one of \$150,000 a year; then a subsidy of half a million a year; then a half a million more a year to this Pacific Steamship Company, and then a sense of humiliation and shame fell upon this country—for the dishonor of Congress was the price of that subsidy! Such, sir, must be the current history of subsidy in this country whenever it is resorted to, from the fact that it is incompatible with the fundamental principles upon which republican institutions are founded and can only triumph in dishonor.

That such a measure can be carried through by the ordinary agencies

That such a measure can be carried through by the ordinary agencies of legislation can not be believed. Thirteen years ago, when less care than now was used as to the admission of strangers on the floor, this very Hall was, as it would be to-night in the absence of your severe rules, thronged with men who, in the name of commerce and the American flag, were demanding a subsidy of half a million a year in addition to half a million already granted for a period of ten years to a corporation now represented in your lobby. And, sir, your records show the dishonor that attended that measure; and the same pernicious, influences are sought to be brought to bear upon this Congress in its last hours to mar and blast its reputation.

I know, sir, I address a body of gentlemen, no one of whom can be

approached by the corrupt and seductive means then resorted to—influences which corrupt and pollute the fountains of law. But, gentlemen, the Forty-eighth Congress hastens to its close. In a few hours the knell of its existence will have been rung. We shall go to our homes; we shall meet our constituents; and I am confident that gentlemen returning to their constituents after having maintained here the principle of equal and exact justice to all men, the equal rights of all, and condemned the infamous policy which taxes all for the benefit of the few, will meet those constituents with clearer eyes, with a more confident front, with more manly self-respect and confidence than if they had permitted the seductive and delusive influences of the hour to control their sense of justice and voted for a measure which recognizes the right of Congress to give to the few the fruits of the labor of

This is not in truth a just or important public measure, but a sub-This is not in truth a just or important public measure, but a subsidy to plausible gentlemen who have the audacity to demand that which Congress has no right to grant—the promotion of their private fortunes at the expense of their fellow-citizens. Do you expect, gentlemen, that you will promote your carrying trade by these artificial means? I do not say your commerce, because your commerce increases every day and every hour. Did you increase your carrying trade by your first subsidy or your second or your third or your fourth, out of which, as shown before a committee of Congress, \$750,000 was taken for corrunting the fountains of law in the American Congress? for corrupting the fountains of law in the American Congress?

At the very time when for the purpose as was claimed of promoting your carrying trade with China and Japan, you were paying a subsidy to this powerful corporation that now demands this subsidy, a line of steamships without subsidy was competing with it for the trade between your Pacific shores and the ports of China and Japan.

No, no, sir; never in the history of this country up to this hour has

just and wise statesmanship imposed upon the whole people a charge and burden, advancing the fortunes of the few; and never can it be in the future while ours remains a government of the people. Never will it bring substantial benefit or advantage to the American people. It is the policy of Government which does not take from "the mouth of labor the bread it has earned" that give prosperity, strength, and true greatness to a Government like ours.

I trust, sir, that notwithstanding this measure comes upon us again at an unhappy hour-night is not a time for safe and prudent legislation-I trust, sir, that those who believe in the equal and just rights of men, who scorn the principle that the great mass of the people are born to toil that a few men may amass fortunes, will see to it that the corrupting and un-American principle of subsidy shall not obtain a triumph in this House. [Applause.]

Mr. TOWNSHEND. Mr. Speaker, how much time have I?

The SPEAKER pro tempore (Mr. HATCH, of Missouri). Thirty-five

Mr. TOWNSHEND. I reserve my time until gentlemen on the other side shall have been heard from.

Mr. HORR. I move that the House recede from its disagreement and concur in the Senate amendment.

Mr. TOWNSHEND. I will call the previous question unless the

Mr. HORR. The gentleman can not call the previous question while I have the floor.

The SPEAKER pro tempore. The gentleman from Michigan has the floor, and has not yielded. He moves that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. BAYNE. I rise to a parliamentary inquiry. Is it not essential that the report of the conference committee should be adopted before the motion of the gentleman from Michigan can be entertained?

The SPEAKER pro tempore. The committee of conference has simply reported disagreement; so that there is no report to adopt. The mo-

tion of the gentleman from Michigan is in order.

Mr. HORR. Mr. Speaker, I make this motion for the purpose of

avoiding an extra session of the next Congress.

Mr. WILLIS. The Congress after the next Congress.

Mr. HORR. I did not understand what the gentleman said.

Mr. WILLIS. I said the Congress after the next Congress was the

one I supposed you meant.

Mr. HORR. I meant what I said.
Mr. WILLIS. I withdraw my remark.
Mr. HORR. I do not want an extra session of the next Congress.
The Senate conferees hold just this position: "Gentlemen," they say, "here is a measure that the Senate has repeatedly for five years adopted "here is a measure that the Senate has repeatedly for five years adopted by large majorities. It is a proposition that came into the House from your Committee on Appropriations, who reported it after due delibera-tion as the thing needed for the country. It is true the House voted it down, but the Senate in its judgment repeated this year what it has done heretofore so many times, and put this provision on this bill." Now they say they can not yield it. They have been yielding it so long that they think it is no more than fair the House should yield and adopt this plan for one year.

Mr. HORR. Very well.

Mr. HEWITT, of Alabama. Do I understand the gentleman to say

that the Senate insists on this amendment?

Mr. HORR. I have said as much.

Mr. HEWITT, of Alabama. And that unless the House recedes the Senate will not make appropriation to carry on the postal system?

Mr. HORR. The gentleman knows that I have not stated any such

Mr. HEWITT, of Alabama. Notwithstanding that, the amendment itself is in contravention of the rules of the Senate.

Mr. HORR. Mr. Speaker, it occurs to me, since this House has decided that it is proper on an appropriation bill, that it does not come with good grace from us to throw that matter into their faces.

But I was stating a fact. The Senate refused to yield, and I am very sorry the gentlemen from Indiana should have talked here for half an

sorry the gentleman from Indiana should have talked here for half an hour in an appeal simply to the prejudice of the men here as politicians. This is not a political question that we are talking about. I call the attention of this House to the fact that I have not mentioned politics in this entire debate, and I can get at politics as quickly as any man in the world if you give me a live chance. [Laughter and applause.] But this is not a political question—it is a business question—it is a business question—it. tion, pure and simple.

I have asked the gentleman from Indiana, and I now ask the gentleman from Pennsylvania—if he is here—to meet me on this one proposition. No man has yet answered it. This bill simply says that the incoming Democratic Postmaster-General may make such contracts with American vessels for carrying our foreign mails as he may now make with our coastwise vessels for carrying the mails on the coast.

Mr. BINGHAM. For one year only.

Mr. HORR. For one year only.

Mr. MORSE. Will the gentleman let me ask him a question?

Mr. HORR. Certainly.

Mr. MORSE. Does this apply to any particular line in this country

Mr. HORR. Certainly not.
Mr. MORSE. Then it is entirely optional with the Postmaster-General to use the appropriation or not as he may see proper.
Mr. HORR. Every dollar of it is left subject to his judgment. If he does not think the service demands that a contract should be made with any vessel or any route he need not make it.

And instead of my friend from Indiana arraigning Democrats here And instead of my friend from Indiana arraighing Democrats here for voting on this thing, I say to you when you vote against this proposition you vote a lack of confidence in your own Postmaster-General, which does not come with good grace from you.

Mr. HOLMAN. Was not the subsidy to the Brazil line, to the Sandwich lines, the first subsidy to the Pacific Mail, and the second subsidy to the Pacific Mail left in like manner to the discretion of the Post-

master- General; and were they not regarded as no less subsidies on

Mr. HORR. I am not compelled to answer that, because he assumes this is a subsidy. I deny it. It simply gives the Postmaster-General

Mr. HOLMAN rose.

Mr. HORR. Now wait. To let contracts by advertisements to the lowest bidder for carrying our mails on the high seas. There is no subsidy in that.
Mr. HOLMAN.

Allow me to ask the gentleman a question.

Mr. HOLMAN. Allow the to ask the grant of the Mr. HORR. Certainly,
Mr. HOLMAN. Was it not a subsidy to the Pacific Mail which lasted until 1882—a subsidy of \$5,000,000?
Mr. HORR. What is the date?
Mr. HOLMAN. Begun in 1872 and ended in 1882. Was it not couched in the very same language as the proposition put by the Senate to this House?

Mr. HORR. Where was the trouble in those cases? in the officers executing the law? Can you not do better after all your experience, after all your years of hunger and thirst. [Laughter and applause.] Can not your Postmaster-General rise a little above such things? Have you learned nothing from your experience? Have you no confidence in your incoming Cabinet officers? But I want to go back to the original proposition. I have denied that this is a subsidy. It is a point you have not answered, and I have tried to go it to not answered. It is a point you have not answered, and I have tried to get it answered in conference and out of conference, in season and out of season.

in conference and out of conference, in season and out of season.

To-day you pay for carrying a letter 6,000 miles 2 cents, and you pay the same for carrying it 200 miles. Is that fair? Is it just? Will some one answer me that?

Mr. HOLMAN. My friend is too amiable to be severe. You pay under the 2-cent provision of sea postage the sum of \$640 for every pound of freight carried. It is not astonishing, therefore, that the Postmaster-General said you are paying higher for this freight than any other.

Mr. HORR. I do not know what the gentleman is talking about. We pay no such price per pound. It is not a business that is paid by

We pay no such price per pound. It is not a business that is paid by

weight.

Mr. HOLMAN. Why not?

Mr. HORR. It is a mileage business. It is 2 cents for carrying a letter 6,000 miles, and 2 cents for carrying a letter 200 miles. I ask you, but you do not answer my question. Come, now, answer it. Is

it fair to give a ship no more for carrying our mails to China and Australia, a distance of 6,000 miles, than we pay from Boston to Halifax, a distance of 700 miles?

Mr. HOLMAN. You charge the same for transporting a letter of a citizen of New York to San Francisco as you would charge from Balti-

more to Philadelphia.

Mr. HORR. Yes; but, my friend, you are unfortunate in your illustration. The question is not what the sender of the letter must pay, but it is this: What should the Government pay for carrying the letter? Should it not pay more for carrying a letter from New York to San Francisco than it does from Baltimore to Washington? The postage is

the same in both cases, but not the price of carrying the mail.

Mr. HOLMAN. Yes; but if you give the vessel, whether it be American or foreign, the whole postage, is not that a fair pay for the service?

Mr. HORR. No, sir; that is a fair question but it answers itself, it seems to me. Such compensation is unfair for a long distance.

Mr. HOLMAN. Why?

Mr. HOLMAN. Why?

Mr. HORR. I will try to explain it to the gentleman. If you give the man who carries the mail on your star route 300 or 500 or 1,000 miles just simply what the postage comes to, how many letters would be carried to your citizens throughout the United States over star routes

do you suppose? Can you answer me that? Do you think any would be carried? The distance traveled is the main thing.

Mr. HOLMAN. Did not the Postmaster-General answer that very well in his letter in 1864, under similar circumstances to this: that the

well in his letter in 1864, under similar circumstances to this: that the larger portion of the mail carried, for which the vessel received the entire postage, was in matters pertaining to their own business?

Mr. HORR. Now, look at that for a moment; does not the gentleman know that the mail on every railroad in the United States, much of it, relates to business done right along the line-of the roads?

Mr. BAYNE. Will the gentleman yield to me for a question?

Mr. HORR. Certainly.

Mr. BAYNE. If you have so much confidence in the incoming Postmaster-General, why not provide an appropriation of \$500,000 or six

master-General, why not provide an appropriation of \$500,000, or six or seven hundred thousand or a million of dollars, and let him make con-

or seven hundred thousand or a million of dollars, and let him make contracts with the lowest bidder for the ocean-mail service?

Mr. HORR. Why I have not expressed any of this alarming confidence in the incoming Postmaster-General. [Laughter.] I merely called upon the gentleman from Indiana to stand up for and stand by his own Postmaster-General, and the gentleman from Pennsylvania might probably stand with him. I do not claim any marvelous confidence in the interval of the confidence of the dence in the coming man, but the gentleman from Indiana has no right to appeal here to Democrats to defeat this bill as Democrats, especially as the appropriation is to be expended under the administration of their

own party.

Mr. HÖLMAN. Now let me ask the gentleman another question?

The SPEAKER pro tempore. Does the gentleman from Michigan

yield?

Mr. HORR. No; I will not yield any further, and such remarks would spoil any man's speech. [Laughter.]

Now, I do not wish to detain the House on this subject. I assert, and gentlemen on the other side do not answer it, that this is simply a proposition to pay proportionately by the mile for this service, just as we do in the star-route, in the railroad service, and the coastwise serv ice, and as we ought to do on the ocean service for the work performed. And the Postmaster-General need not make a single contract with any-body under the terms of this bill if he does not get fair rates and if he does not think the service warrants such contract.

Now, what is the use of trying to higgle about this thing, or of lugging the cry of "politics" into it? This is simply a plain, business, common-sense proposition whether we shall stand by the vessels ness, common-sense proposition whether we shall stand by the vessels that carry the flag of our country, or stand by those that carry the flag of some other nation. This bill carries just the same—now mark it—the same amount of money for foreign ships as for American ships, and these American ships run within a little of precisely the same number of miles that the foreign ships do, and carry the mails over every single foot of the distance. It is a simple proposition to ask the people of this nation to do as well by themselves as they do for outsiders, and that

is all there is in it.

For myself I am in favor of subsidies if need be to again set our flag afloat, but this is not a subsidy. I would have three times, ay, five times the amount in this bill if I could thereby once more put American ships on the highways of commerce and save to the people of this nation the \$120,000,000 that we pay annually to foreign vessels for car-

rying our own products.

Mr. CLAY. But this would not do it.

Mr. HORR. This may not do it, but it is the entering-wedge; it looks to that result, and I trust may finally end in building up an American merchant marine that shall be worthy of this great American merchant merch nation. [Applause.] And while we are trying to do it, instead of discussing it from a business standpoint our venerable friend from Indiana, with all of his experience, lugs in politics and tries to place you on that side of the House in a position of opposition to this measure proposed by the Senate by introducing something that does not apply to it at all—simply aims to defeat this bill by applying the party lash.

I have not appealed to my side of the House as Republicans; I appeal

to both sides of this House as American citizens. And the American

or itizen is a higher title than any party name, is it not?

Mr. HOLMAN. I heard the same speech twelve years ago.

Mr. HORR. It was good then and is good now. I say, let us without reference to party stand by the interests of our own nation and provide for the prosperity of our own country. [Applause.] I yield ten minutes to the gentleman from Louisiana [Mr. Ellis].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1886, and for other purposes.

POST-OFFICE APPROPRIATION BILL.

Mr. ELLIS. For ten years I have consistently favored a measure like this. In ten minutes I can not speak adequately to its merits.

I desire, in the first place, to ask for information a question which has passed my lips frequently and has never been successfully answered yet. I ask, in what is this a subsidy more than that which you pay to your coastwise steamers, your inland transportation, your star routes, or your railroads? It is intended that your Postmaster-General shall, afteradvertisement, contract with American ship-owners to carry American mails in United States steamships. In what is it a subsidy? It is nothing in the world but a measure to give honest pay for honest

service; it is that and nothing more.

Is it Democratic to say we shall take the services of these steamships for nothing? Ah! that is the policy of the gentleman from Indiana [Mr. Holman]. He would revive that infamous law by which once the private property of citizens was confiscated for public use without due compensation. Now, sir, he has endeavored to crack the party lash. It has no terrors for me. Every time it is cracked I feel more and more determined to go on in my course independent of it. But I tell the gentleman from Indiana that Democrats who were Democrats before ever he was thought of for public life, who when he was a schoolboy shaped and controlled the Democratic policy of the country, were in favor of measures akin to this. Shall I read what they say? I hold in my hand a collation of Democratic authorities. Was James K. Polk, of Tennessee, a Democrat? Listen to what he said:

The enlightened policy by which rapid communication with the various distant parts of the globe is established by means of American-built sea steamers would find an ample reward in the increase of commerce and in making our country and its resources more favorably known abroad; but the national advantage is still greater—of having our naval officers made familiar with steam navigation, and of having the privilege of taking the ships already equipped for immediate service at a moment's notice—and will be cheaply purchased by the compensation to be paid for the transportation of the mail in them, over and above the postages received.

That is from President Polk's annual message of December 7, 1847. Again, sir, I quote from the same authority:

Again, Sit, I quote from the same authority:

Our farmers and planters, under a more just and liberal commercial policy, are finding new and profitable markets abroad for their augmented products.

The contracts for the transportation of the mail in steamships convertible into war steamers promise to realize all the benefits of our commerce and to the Navy which were anticipated. The first steamer thus secured to the Government was launched in January, 1847. There are now seven, and in another year there will probably be not less than seventeen afloat. While this great national advantage is secured our social and commercial intercourse is increased and promoted with Germany, Great Britain, and other parts of Europe.

That is from President Polk's annual message of December 5, 1848.

Now, I will quote from Senator Bayard, the father of the distinguished gentleman who is now at the other end of the Capitol. He

I am willing to trust American skill and industry in competition with any people on the globe, when they stand nation to nation, without Government interference. But if the treasury of a foreign nation is poured into the lap of individuals for the purpose of destroying the interests of my country, or for building up a commercial marine at the expense of the commerce and prosperity of the United States, I, for one, will count no cost in countervaling such governmental action on the part of Great Britain or any foreign power.

Was Senator Badger, of North Carolina, a Democrat? Here is what was senator Badger, of North Carolina, a Democrat? Here is what he said on the question of the Collins subsidy. He said the question was one of "controlling importance;" it is a "mighty, peaceful, and important contest between the United States and Great Britain for supremacy;" and that "the question whether we would voluntarily surrender that which, to obtain and perpetuate, Great Britain would, without hesitation, sacrifice one hundred-times the amount of money involved." I have not time to quote him further.

Was Lewis Cass a Democrat? He said:

Well, sir, it is a question of protection—of high and important and holy protection—in the best sense of the term; the protection of our country, of our expatriated seamen, of our commerce, of our interests, of our honor, of our soil, of all that gives dignity and character to nations; protection against defeat, disgrace, and dishonor.

This kind of protection to our commerce is as effectual as the protection afforded by expensive naval armaments.

Senator James C. Jones, of Tennessee, than whom Tennessee has hardly produced a more brilliant statesman, said:

I should regard it as a national misfortune if the enterprise should fail.

* * I am willing to vote large and liberal allowance.

I might go on and accumulate authority after authority to show that the position assumed by the gentleman from Indiana is not Democracy, unless it be that latter kind of Democracy which seems to have no eyes for anything except a niggardly, pseudo, so-called economy. [Ap-

Then, sir, why should we not treat these two vessels alike? are two vessels at a wharf in New York city, both built of iron, both built upon the same lines, with the same angles, both the same in power, both the same in registry, the same in armament—alike in everything—both American ships. One of them is engaged in the coastwise trade, and with her you contract for the carriage of your mails as you do with a steamboat in the inland mail service; you pay her upon an average 69 cents a mile; she is greeted often by a friendly port; there is no mark of hardship upon her; you protect her in a monopoly of the coastwise trade, and in addition you pay her a liberal compensation for

consistence trade, and in addition you pay her a liberal compensation for the postal service she performs.

[Here the hammer fell.]
On motion of Mr. KING the time of Mr. ELLIS was extended, by unanimous consent, for five minutes.

Mr. ELLIS. Mr. Speaker, I was contrasting the treatment that we give to these two twin vessels of which I was speaking, both radiates, both American ships bearing the s American ships bearing the American flag, both registered under the American customs laws.

I have shown you what we do with the one; but the other, what have we done with her for forty years? We have taken her absolutely for our public service without just compensation. It was the action of a Democratic Congress which repealed last spring the infamous law by which that was done. That law was repealed in the expectation that at this session we would take some action looking to adequate payment at this session we would take some action looking to adequate payment for this character of mail service. That ship goes across the ocean. It is she that brings in the imports from which you raise your revenue; it is she that goes abroad to find a foreign market for your ore products and all your surplus products. Oh, I wish that the gentleman from Pennsylvania [Mr. BAYNE] could get the soot and the dust out of his eyes and could climb up onto some high peak of the Alleghanies and look out upon the clear glistening ocean and upon the dark continents that rise out of it, and upon the multitudes there that wait for all that our factories can turn out for our products of every kind that we can our factories can turn out, for our products of every kind that we can

Oh, if you had control of those foreign markets! And you will achieve Oh, if you had control of those foreign markets! And you will achieve it if you put an American merchant marine upon the ocean; you will achieve it if you send American' newspapers, American drummers, American merchants into those foreign lands. And if that were accomplished there would be no more strikes in our country, no more labor crises in Pittsburgh, but the smoke-clouds would hang perpetually over her and her fires of industry would never go out.

I trust that an enlightened public spirit, an enlightened public policy will prevail. I trust that this House will no longer quibble over this amendment. I trust that each man here feels entirely competent to take care of his own honor, without any suggestion from the gentleman

take care of his own honor, without any suggestion from the gentleman

from Indiana [Mr. HOLMAN].

Feeling thus, and acting in a broad and public-spirited way, you can not fail to take this policy which, if adopted, I believe will once more whiten every sea and gladden every continent with your sails and your flag, and bring to this country the greatest prosperity she has ever

flag, and bring to this country the greatest prosperity she has ever known. [Applause.]

(Mr. HORR. I yield five minutes to the gentleman from Maryland [Mr. FINDLAY].

(Mr. FINDLAY].

(Mr. FINDLAY. Mr. Speaker, I dislike very much to follow what the gentleman from Louisiana has so eloquently said by an anecdote, but when I hear this talk about "subsidy," which, in my humble opinion, has nothing whatever to do with this case, and which strikes me as positively absurd, I am reminded of an anecdote related in the correspondence of Mrs. Carlyle. She tells a story of an old Scotch preacher who in a time of great rains in Scotland was prevailed upon preacher who in a time of great rains in Scotland was prevailed upon to pray for a change. In the midst of his prayer for dry weather, and just as he had reached the most fervent part of it, there came a tremendous downpour of rain upon the roof of the church, threatening a deluge, and he burst out with the exclamation, "O Lord, this is too ridiculous!" Here is a plain business proposition before the House, and it should be so considered. It is a very easy thing to bandy epithets, to call hard names, and to impute false and dishonorable motives; but all

that can not change the law or the facts of this case.

Younder stately shaft which we have just completed to the spotless memory of the Father of his Country may in a short time have mud balls thrown at it by small boys or be otherwise disfigured; but the sturdy structure stands in secure repose upon its impregnable founda-tions. So it is with the law and the facts in this case. You can not change them. What is the law? We have abolished the compulsory feature, or it will cease to be operative on the 1st of April next. That is gone. The contractual feature remains. The Postmaster-General may contract to-day. But unfortunately there has been a limit fixed

as to the compensation which he can award for this service. is the sea and inland postage. Now, is that enough? That is the first question which we must meet. It has been shown time and again before our committee on shipping that it actually cost the Pacific Mail Steamship Company more money to transport the mail at Aspinwall to the post-office than it earned through the whole route. This, I say, is not fair.

Now, what is this provision? Is it to pay 50 cents per nautical mile? Is it to give what my friend from Indiana calls an arbitrary subsidy? No, sir; 50 cents a mile is a limit fixed, within which the Postmaster-General may contract, awarding the contract for the service to the lowest

bidder. Is that a subsidy?

bidder. Is that a subsidy?

My friends are frightened at the word "subsidy." Do they know the origin of the term? Mr. Speaker, the old subsidium represented the third line of the Roman army in battle array; it was the reserve. And all I have to say is that you may put upon me the broad arrowmark of a subsidist, if it is necessary in this sad day of the decadence of our commercial marine to call out all our reserves to put the flag where she can again chase her dancing shadow o'er forgotten seas. [Applause.] Mr. HORR.

I now yield five minutes to the gentleman from Louisi-

ana [Mr. HUNT].

Mr. HUNT. Mr. Speaker, think of the new definition which the gentleman from Indiana [Mr. HOLMAN] has given of Democracy! But he has been met by my colleague [Mr. ELLIS], who has confronted him with a few eminent names of persons representing an opposite position. with a lew eminent names of persons representing an opposite position. I might multiply them, Washington, Jefferson, Madison; in later times, Mr. King of Georgia, Mr. Polk of Tennessee, Mr. Soulé, Mr. Cass, Mr. Bayard, Mr. Badger. Without being guilty of disrespect, in a debate where we find ourselves opposed to the gentleman from Indiana, we might be satisfied to oppose these authorities to his individual view. We might, indeed, be excused if we were indignant with him. Fortunately for me I vontage of the second to consider one of the seco We might, indeed, be excused if we were indiginant with min. Fortunately for me, I venture to say, I am accustomed to consider questions without reference to appeals to prejudice. Fortunately for me, allow me to add, I am accustomed to be considered above all association with prejudices in matters which I undertake to discuss.

Mr. Speaker, I submit that it is unworthy of the topic which is before the House unworthy of the House unworthy of the gentleman.

Mr. Speaker, I submit that it is unworthy of the topic which is before the House, unworthy of the House, unworthy of the gentleman from Indiana, unworthy of the public policy under consideration, to resort as the gentleman has to mere generalities and declamations concerning Democracy, and to appeals to prejudice without reference to any facts upon which to stand.

What is the truth here? Instead of taking the money of the many to enrich the few, as the gentleman wrongfully insists is the case, it is proposed out of the net revenues of the Post-Office Department arising

proposed out of the net revenues of the Post-Office Department arising proposed out of the net revenues of the Post-Office Department arising from foreign-mail service to maintain and carry on for the benefit of the people that same service; out of the moneys so earned to take a part only to support the service; to unify the system upon which the postal service of the country is conducted; to put the service on the ocean somewhat upon a footing of equality with the service on land; to say to the man who embarks his capital in steamships, who risks the perils of the sea, who is willing to carry the flag of his country into foreign ports, to be the medium of communication between merchant and merchant—to say to him that he shall receive a portion out of the net revenues thus realized. Is not this doing what is honest? Is not this doing what is right? Is not this applying to the foreign-mail service the same principle which we are constantly and familiarly applying to the service on the land? ing to the service on the land?

In addition to the considerations which have been addressed to the House, we are able to point to the experience of all mankind who have resorted to the encouragement of steam navigation upon the seas. The postal ship, Mr. Speaker, is the herald of civilization, because she is the means by which correspondence between foreign countries is conducted, because by that correspondence contractual relations are brought about, and by means of those contractual relations national wealth and mari-

time defense and national glory are prospered.

[Here the hammer fell.]
Mr. HORR. I now yield for five minutes to the gentleman from Virginia [Mr. JOHN S. WISE].

Virginia [Mr. John S. Wise].

Mr. KEIFER. As this debate is going to run along for some time I suggest that the gentleman from Texas, who has a conference report to submit, should be allowed to do so, so the bill may go to the enrolling

Mr. HORR. But not to be taken out of my time.
Mr. KEIFER. No; it will not be taken out of the gentleman's time.

FORTIFICATION APPROPRIATION BILL.

Mr. HANCOCK. I submit the following privileged report. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House \$279, making appropriations for fortifications and other works of defense and for the armament thereof for the iscal year ending June 30, 1886, and for other purposes, having met after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate

numbered 3, and agree to the same with an amendment as follows: In lieu of the said amendment insert the following: "And for the necessary and proper expenses of the said board and for the compensation of two civilians at \$10 per day while so employed in the discharge of said duties the sum of \$40,000, to be immediately available, is hereby appropriated; and the report of said board shall be transmitted to Congress by the Secretary of War;" and the Senate agree to the same.

to the same.

That the House recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "For the construction of testing experimental wagon-carriages, for the purchase or manufacture of a multicharge gun and testing the same for;" and the Senate agree to the same.

LININ HANCOCK

JOHN HANCOCK, WILLIAM H. FORNEY, W. D. WASHBURN, Managers on the part of the House. H. L. DAWES, F. M. COCKRELL, P. B. PLUMB, Managers on the part of the Senate.

Mr. HANCOCK. I move the adoption of the conference report.

The report was adopted.

Mr. HANCOCK moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

POST-OFFICE APPROPRIATION BILL.

Mr. HORR. I now yield to the gentleman from Virginia [Mr. John

S. Wise] for five minutes.

Mr. JOHN S. WISE. Mr. Speaker, at a later hour of this day we shall hear from the President-elect of the United States, but I do not believe that in all he will utter words of greater wisdom or of more earnest truth will fall from his lips than those which I read to-night from him as pertinent to the subject now under discussion.

A MEMBER. By whom?

Mr. JOHN S. WISE. Mr. Grover Cleveland, President of the United

In 1840 American vessels carried 82.9 per cent. of all our exports and imports; in 1850, 72.5; in 1860, 66.5; in 1870, 55.6; in 1860, 17.4; in 1882, 15.5.

The citizen of New York, looking beyond his State and all her efforts in the interest of commerce and national growth, will naturally inquire concerning the causes of this decadence of American shipping.

While he sternly demands of his home government the exact limitation of taxation by the needs of the State, he will challenge the policy that accumulates millions of useless and unnecessary surplus in the national Treasury, which has been not less a tax because it was indirectly but surely added to the cost of the people's life.

Mr. Superland Variable 1970, 1970

Mr. Speaker, I propose for a few moments to address myself to the proposition there discussed of building up American commerce by the disposition of some of that accumulated surplus.

Thirty-eight years ago I was born in Rio Janeiro and to-day reside in the city of Richmond, Va. It so happened that when thirty-eight years ago I first saw the light it was while the United States of America was enjoying that South American trade, and to-day the little remnant of it that is left to us is in great part in the city of Richmond.

Year by year the commerce of the United States with the South American continent has decayed. Year by year it has been driven from the markets of the world. Year by year the splendid flag which once floated from the peak of those bounding greyhounds of the sea, the American clippers, has been driven from the seas by the superior wisdom and superior push of other nations.

To-day the problem in the United States is how shall we revive the lost commerce and maritime importance of the United States, where shall we find a market for American productions; and the conclusion of those who have considered that subject are almost unanimous that

of those who have considered that subject are almost unanimous that the only hope of American manufactures is in the re-establishment of our trade relations with the South American continent.

This bill proposes not a subsidy. I wish to God it did. If I were autocrat of the destinies of American trade and commerce I would build be able at Congruption agrees lead them with the productions of the ships at Government expense, load them with the productions of American citizens, and if need be even give them to the American sailor who would sail the vessel bearing our flag and sell the products of American toil abroad until we had driven Great Britain from the land that God made our natural market, with its trade-winds blowing and currents of the sea flowing with all advantages in our favor. [Ap-

plause.]

But this bill does no such thing as that. It is in no sense a subsidy.

Look at it as you will, it is but honest pay for honest work. It is true it makes a slight discrimination in favor of the American ship, as a carrier of our mails, as against the British, but even that is insignificant as compared with Great Britain's well-known rule, that no mail-bag from her territory anywhere shall ever lie upon the deck of any but a

When we consider the history of our languishing commerce the men in whose favor this discrimination is made appeal most strongly to our

sympathy and sense of simple justice.

sympathy and sense of simple justice.

Through thirty years of seemingly studied strangling of our commerce by the policy that has been pursued, there have yet remained Americans who refused to forget the glorious days of the McKays, when the Stars and Stripes crossed the equator oftener than the St. Andrew's cross. Through thirty years of neglect of our merchant marine there have yet remained Americans who loved the old stories of the days when

we challenged the supremacy of Great Britain on the high seas, who still thrilled with Perry's immortal words, "We have met the enemy and they are ours," or loved to dream of the old Constitution frigate and the legend of her glorious victory when-

The Guerriere frigate bold On the foaming ocean rolled, Commanded by proud Dacres so grandy, O, With as choice a British crew With as emore a British crew ...
As a rammer ever drew,
They could lick the tars of France neat and handy, O;
But they never found their match
Till the Yankees they did catch,
For the Yankee boy for fighting is the dandy, O.

Yes, through all these years the spirit which gave us these and a host of other splendid naval episodes in our early history has refused to be quenched. To the pushing energy of the American merchant—the hope of our maritime ascendency—which naturally turns him to the high seas seeking market for his goods, and which refuses to yield to neglect, folly, or adverse legislation, and to an honored few of our enter-prising men of wealth, who know and feel how indispensable is our merchant marine to our future greatness in the markets of the world, is due the small fragment of bottomry and foreign commerce still left to us.

I say, Mr. Speaker, there have been men who believed in the ulti-mate supremacy of American commerce, who never despaired of the future of American commerce, and who through all these years have clung to the hope of renewed prosperity to American commerce and the ship-ping trade; and this bill proposes but a step, a proper step, in the direction of assisting them not by subsidy but by offering honest compensation for of assisting them not by subsidy but by offering honest compensation for the honest work performed by patriotic American citizens. God grant that this Congress, which has done so little for the country in the way of positive legislation, may not do our own citizens this great wrong and by negation drive our last lingering hope of a merchant marine from the high seas with cold neglect while ample pay is provided in this very bill for like service by the ships of other nations. [Applause.]

[Here the hammer fell.]
Mr. HORR. I now yield five minutes to the gentleman from Dela-

ware [Mr. LORE].

Mr. LORE. Mr. Speaker, this is not a political question in any sense of the word. It is purely an economic question, and I do not believe that any one will be terrified by the cry of "subsidy" that gentlemen are disposed to raise in this debate.

If it were a subsidy pure and outright the time has been when Americans even were not scared by the word. It may have been corruptly used, and every honest American rebels at corruption; but by subsidy properly used our American commerce in the past has risen to equal and excel that of the greatest commercial nations of the earth, and no American citizen had reason to hang his head or be ashamed.

Under subsidy we had a line of steamers that once floated upon the Atlantic under the flag of this country—the Collins line—and I well remember how every American's heart beat proudly as we read in the

remember now every American's neart beat producty as we read in the bulletins from time to time that the Collins line of steamers was the pride of the ocean. That was a subsidized line.

To-day, sir, in Philadelphia, right in the very city of my friend, the chairman of the Committee on Appropriations, the only line of American steamers that was owned by Americans and run by Americans has taken the American flag from her mast, and to-day floats the Belgian flag, and is subsidized by the Belgian Government.

Then, if it were a pure subsidy I would not be afraid. The time has come when the American people should not be scared by a shadow of past corruption summoned from the dead past by the able member

of past corruption summoned from the dead past by the able member from Indiana [Mr. Holman].

Our merchant marine is a thing of the past and a dream of the future. It has no existence to-day, but we mean as far as we can to take the initiative steps to again rebuild that proud marine. This is a step in the right direction. The proposition before the House is not to subsidize these steamship lines, but to pay an honest compensation for the honest labor they perform. The labor performed is comparable, as stated by the member from South Carolina [Mr. Tillman], to the labor of transportation upon your star routes. Would you discontinue the service on every little postal star-route line throughout the country because of the star-route frauds? because of the star-route frauds?

Can we not distinguish between fraud and the just and honest application of an appropriation to the needs of a great service, while at the same time we are taking a step in the direction of progress? One promotes industry and builds up the marine; the other dwarfs not only the enterprise, but it degrades the man who is engaged in it. Now let us pay to these vessels, as we pay to the little star routes, a fair equiv-

alent for the services rendered.

The Committee on American Ship-building and Ship-owning Interests, of which I have the monor to be a member, have carefully and honestly considered this matter, not only during this session but in the last session of Congress, in all of its phases. On that consideration we were unanimously of opinion that it was wise and beneficial. It was introduced in the appropriation bill presented by the Committee on Appropriations. And let me say that this is one of the means which will

enable us again to float our vessels on every ocean and in every sea, manned by American tars the equals of any in the world. [Applause.]

Mr. HORR. I reserve the balance of my time until I hear from gentlemen on the other side, having the affirmative of the proposition.

Mr. TOWNSHEND. I desire to know whether the gentleman has the conclusion. I think the discussion is proceeding under a motion I

myself made, and I wish to have it stated.

The SPEAKER pro tempore. The Chair will state to the gentleman from Illinois that when he took the floor he made no motion.

Mr. TOWNSHEND. I supposed I had made a motion. It was my

intention to do so.

Mr. HORR. I was speaking on my own motion.

The SPEAKER protempore. The motion of the gentleman from Mich-

igan is the only one pending.

Mr. TOWNSHEND. It was my intention to move to further insist. But does the motion of the gentleman give him the right to close the

The SPEAKER pro tempore. The gentleman from Michigan has the

only pending motion.

Mr. TOWNSHEND. I yield five minutes to the gentleman from

Tennessee [Mr. McMILLIN].

Mr. McMILLIN. Mr. Speaker, I deem it fortunate that the advo-Mr. MCMILLIAN. Mr. Speaker, I deem it fortunate that the advocates of this measure, thrust upon the House by the Senate, have pursued the line of debate that has characterized them this afternoon. The gentleman from Virginia [Mr. John S. Wise] is so much in favor of subsidy that while he claims that this is not a subsidy, he wishes to God it was one. He would thank the Lord if he could get hold of a subsidy with a little firmer grip. The gentleman from Michigan [Mr. HORR] says that he is in favor of subsidy. And the gentleman from Maryland [Mr. FINDLAY], if I understood him correctly, thinks that he would not back off from it much if it would accomplish certhat he would not back off from it much if it would accomplish certain results.

Mr. FINDLAY. That is true.
Mr. McMILLIN. The gentleman says that is true.
Mr. FINDLAY. Perfectly so.
Mr. McMILLIN. Then we have the whole of the advocacy of this Mr. MCMILLIN. Then we have the whole of the advocacy of this bill emanating from those who say subsidy is right. There is the issue, led on by the gentleman from Michigan who advocates subsidy, justifies subsidy, and the gentleman from Virginia who would thank God if it were more of a subsidy. The issue is squarely presented and gentlemen can meet it as they wish. For one, I do not follow any such lead.

The gentleman from Michigan says he is in favor of passing this because he is in fear of an extra session. In fear of an extra session! That great trepidation and horror seized him long ago; for the very first hour this subsidy made its appearance in this Hall he was one of its earliest and warmest advocates.

Others say they want it in order to build up a merchant marine. Who ever saw the marine of a country made great out of its public treasury? And who here will claim that even if that particular branch of the service could be made great it would be right to rob the widows, the orphans, and the laborers of the land in order to enrich the few who were able to build vessels for the sea?

I remember to have heard the gentleman from Michigan here de-claiming most loudly and eloquently against general legislation on an appropriation bill. But when it comes in a form at least questionable if not a subsidy, he can culp it down in a form at least questionable if not a subsidy, he can gulp it down without any trouble. It gives him no difficulty to swallow it at all even on an appropriation bill; and we see him turning about-face on the subject of general legislation on

appropriation bills.

Now the question is, shall we, because but a few hours more remain of the session, permit the Senate to dictate on an appropriation bill an appropriation of between half a million and a million dollars in a provision which is new legislation? For one, I say no. If it is meritorious, let it come up on its merits. Let us not be terrified into this. rious, let it come up on its merits. Let us not be terrified into this. If you are terrified into this to-day you may expect to be so to-morrow in something else, the next session in another thing, and it will not be long before the Senate can dictate to the representatives elected directly by the people what shall be appropriated and how the law shall be changed on general appropriation bills.

Mr. TOWNSHEND. I yield five minutes to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. I think I have said as much as I intended to say on this subject. We have listened to eloquent speeches; we have heard appeals made to our sentiment as Americans; we have heard appeals made to our desire that American commerce shall be extended and that

made to our desire that American commerce shall be extended and that the ocean shall be whitened with our sails; that we shall have a mer-chant marine that shall equal that of England. All these appeals have been applauded. I am as much an American as any man living, and it is because I am an American that I do not want my Government to enter on that which will sooner or later corrupt the very halls of its

legislation.

There is an easy solution of all this, and it is this: Give to the Postmaster-General \$500,000 or \$600,000 and tell him to make his contracts with the lowest bidders for carrying the American mails. That is an easy solution of all this. But gentlemen are not willing to do it in that

way. They say we must make contracts with certain ship-owners, and we must pay them 50 cents a mile unless some other American ship-owner shall come in and bid under them. And the contention is that we shall give power to the Postmaster-General to make the contracts in that way. And yet gentlemen have got up on the floor and denied that this was a subsidy; they have claimed that it was not a subsidy at all. Why this persistence in pushing and pressing this measure unless it means more than a bare compensation?

Mr. BRUMM. Will the gentleman permit me to ask him a ques-

tion?

Mr. BAYNE. I do not yield. There is more in this than the payment of a fair compensation for the service rendered. It provides a

subsidy.

Mr. BOUTELLE. Something more! Where?

Mr. BAYNE. If it did no more than to provide a compensation gentlemen would not so persistently insist upon it. It does more, it introduces the policy of subsidizing our merchant marine.

Resistance is shown in favor of this measure, and at the same time, it is claimed that it is not a subsidy, that it is but a compensation; and yet in the face of these facts gentlemen are not willing to give to the Postmaster-General \$400.000 or \$500.000 or \$600.000 and to say the Postmaster-General \$400,000 or \$500,000 or \$600,000 and to say to him, "Make your contracts for carrying the mails on the ocean, and let the contracts out to the lowest responsible bidders." That discloses the fact that a bounty is to be given, which to my mind is a bad policy for our Government to enter on.

The SPEAKER pro tempore. The time of the gentleman has ex-

Mr. McADOO. Mr. Speaker, following up the illustration of the gentleman from Maryland [Mr. FINDLAY] with another, let me say that the speculations upon this floor as to what this provision is and whether it is a subsidy or not remind me of Mark Twain's story of the whether it is a subsidy or not remind me of Mark Twain's story of the jumping frog. When the stranger first saw the jumping frog he said to the owner of it: "What might that be?" The owner of the frog replied: "It might be a canary; it might be 'most anything, but 'taint; it's a frog." So, sir, itseems to me that all this speculation as to whether this is a subsidy or whether it is a provision for fair and reasonable competition or simply pay for services rendered ends simply in this; that it might be anything, but, as its opponents charge, it is a subsidy; and, as a member of the political party in ascendency on this floor, I protest against what I consider the misrepresentation of illustrious names in our political history when they are cited here as advocates of names in our political history when they are cited here as advocates of the idea of subsidy. Not one word can be found in the speeches or writings of those illustrious men which can even be twisted to show that they favored the principle of subsidy.

Mr. ELLIS. Does not the gentleman know that the Collins line was sustained by a subsidy under Democratic legislation?

Mr. MCADOO. Lean rot yield now. Mr. time will not remain the

Mr. McADOO. I can not yield now. My time will not permit it. Mr. McADOO. I can not yield now. My time will not permit it.

Mr. Speaker, I have read the elaborate report of the distinguished Georgian [Mr. King] in the Twenty-ninth Congress, and I say to this House that in that report he was simply following out the line of thought of those illustrious statesmen who desired to build up a quasi navy in the then condition and style of war vessels, not to subsidize any commercial lines. Sir, I thought it was a most unfortunate thing for the advocates of this measure to take as illustrations of the benefits of subsidy the Collins line and the line to Brazil. The history of the subsidies to those lines shows this: that you never can, by artificial stimulus, build up American commerce. Our situation and conditions are unfavorable to such a policy. It is in opposition to the genius of our institutions

Mr. SPRINGER. That is so.
Mr. McADOO. You stimulated the Collins line with a subsidy, and when you withdrew that stimulus the patient receded into decay and death. France and England give subsidies. Their governments, unlike ours, are not wrenched and strained in principle by so doing! Moreover, their commerce so subsidized has a healthy normal life of its own. It does not exist on the stimulant alone. With them subsidy is correct in principle, and a natural home protection to their own in-

When you subsidized the Brazilian line you did not add a dollar nor a pound to the value of your commercial relations with that country, and when the stimulus was withdrawn that line went down. American commerce will be built up, but it will never be built up by great public donations from the public Treasury. Mr. Speaker, in the short time allowed me I want to say this additional word. I hope this amendment will not be agreed to. The dignity of this House, which has protested by its vote on two several occasions against this amendment, is at stake. And, as a member of the political party on this side of the House, I would rather see a dozen extra sessions than to yield this the greatest principle that has been brought before the Forty-eighth Con-

What is the distinguishing feature between government in the old world and government in the new? The great Jeffersonian idea, which the illustrious gentleman from Indiana [Mr. HOLMAN] has so eloquently spoken of, is that government is an umpire to see fair play between individuals while they compete on their merits. The old monarchical idea, whose practical fruits some of us so painfully remem-

ber, is to have a powerful and paternal government—subsidies for the few, that they may be enriched by the toil, the suffering, and the degradation of the many. Gentlemen have grown eloquent about the American flag being carried into foreign lands by subsidized vessels. It will not be a work of national honor, but, on the contrary, it will be a black stain upon our bright-hued flag when it is hoisted over vessels subsidized with the people's money drawn from the people's taxes, and used to enrich the few who may be the beneficiaries. [Applause.]

Mr. TOWNSHEND. I yield five minutes to the gentleman from

Kentucky [Mr. CLAY].

Mr. CLAY. Mr. Speaker, the proposition we are to consider is whether the House shall concur in an amendment of the Senate which has been placed upon this bill in contravention of the rules of that body and against the will of this House. By the action of the House this subsidy clause was stricken from this bill. By the action of the Senate, contrary to the rules of that body, it was again put in the bill, and we are now called upon to pass upon that amendment made by the Senate.

Mr. Speaker, I appreciate the sentiment which has been uttered here

by several gentlemen who have spoken in favor of this amendment— that it would be a matter of patriotic pride that the flag of our country should be saluted upon every sea. But, sir, no amount of subsidy can make that flag float free upon the ocean. The commerce of our country is bound hand and foot by a different idea, which has actuated our Government in its policy for many years—the principle of the tariff, which has prevented, and still prevents, free trade upon the seas. The proposition here is to give to the Postmaster-General the right to contract with American vessels for the carriage of our foreign mails, and those vessels are not to be paid merely for the services they render, but, as the gentleman from Indiana [Mr. HOLMAN] has stated, they are to receive a subsidy—the amount of money over and above what is carned in the line of service. To that I am opposed; against that I enter my protest; and if I were a conferee of the House, extra session or no extra session, I would oppose it until the clock struck the hour

[Here the hammer fell.]

Mr. TOWNSHEND. Mr. Speaker, I have no desire to add anything to what I have said to-day upon this subject. There remain to me fifteen minutes, which I am disposed to donate to the House, recognizing its impatience for a vote. [Cries of "Vote!" "Vote!"] I will say in justice to the gentleman from Michigan [Mr. HORR] that he has ten minutes left; and I have no disposition to cut him off. [Cries of "Vote!" "Vote!"]

Mr. HORR So for a Lawrence and the same and

Mr. HORR. So far as I am concerned I would be willing to vote; but I promised five minutes to the gentleman from New York [Mr.

DORSHEIMER]

Mr. TOWNSHEND. Will my friend from Michigan allow me at the suggestion of a colleague to make this statement: Some one has said this bill does not carry any appropriation for foreign-mail service. We have an appropriation in the bill as it left the House of \$425,000 for foreign-

Mr. HORR. I yield five minutes to the gentleman from New York

[Mr. Dorsheimer]

Mr. DORSHEIMER. Mr. Speaker, in the observations I made this afternoon I suggested it was possible that the service which has been performed between San Francisco and China and Japan could not be

performed for the compensation which is now afforded to the Pacific Mail Steamship Company.

The distinguished gentleman from Indiana [Mr. HOLMAN] congratulated this House upon the circumstance (to use substantially his own language) that the country was not dependent upon the will of that steamship company; that there were competitors there ready to perform this service. Now let me say that the ocean service between San Francisco and Asia is performed alternately by two steamship lines, one American and the other an English line. The existing service can not be performed if the American line should refuse to carry the mails, unless the English line should double the number of its vessels now engaged upon the route. Does the gentleman from Indiana suppose that for \$3,000 a year the owners of the English line would double their service? And if they would double their service, then I ask how long have we to listen to arguments addressed to this House based upon the idea that foreign countries are willing to perform a part of the functions of our Government? If that argument is to be addressed here— Mr. HOLMAN rose

Mr. DORSHEIMER. Do not interrupt me. If that argument is to be addressed here, I commend it to the economist of Indiana that he may address himself to a topic worthy of his genius, and in which a substantial saving might be made. I have no doubt that if we made the proposition to England to-morrow she would do the naval service of this country. I have no doubt that if we were to say to England to-

of this country. I have no doubt that if we were to say to England tomorrow, "Come to us and perform our naval service or the service of
our Army," England would only be too glad to do both. That would
be a saving indeed. The economist from Indiana might then go to his
constituents with bright plumes in his helmet, for he could say, "We
have delivered the United States from a taxation of \$50,000,000 by persuading the foreigner to furnish us our armies and our navies. [Ap-

[Here the hammer fell.]

Mr. HORR. I desire to add a word in relation to the question asked by the gentleman from Illinois [Mr. Townshend] whether there is not already in this bill money for foreign-mail service. Of course there is; but \$325,000 of it goes to foreign ships, and only \$55,000 to American bottoms.

Mr. HUNT.

Mr. HUNT. That is economy, I suppose.

Mr. TOWNSHEND. Is not that the full estimate of the Department? Mr. HORR. That is the full estimate. But the gentleman seems to think that it is all right to confine this appropriation in such a way that we pay the bulk of it to other nations.

Now I want to say a word to the gentleman from Pennsylvania [Mr. BAYNE]. He attacks the honor and integrity of men on this floor because, forsooth, we are in favor of some enterprise that somebody else

is in favor of.

Mr. BAYNE. I deny that I attacked-

Mr. BOUTELLE. I protest against the gentleman from Michigan being interrupted.

The SPEAKER. The gentleman from Michigan must not be inter-

rupted without his consent.

Mr. BAYNE, I deny that I attacked the honor or integrity—
Mr. HORR. Mr. Speaker, he insinuated that everybody—
Mr. BAYNE. I deny that I impugned the integrity of any gentleman on this floor.

Mr. HORR. If I can understand the English language he insinuated that there were improper outside influences that gave undue interest to those who advocate this proposition.

Mr. BAYNE. I said nothing of the sort.

Mr. HORR. I will say, then, that every gentleman about me mis-

understood him. Mr. BAYNE.

Mr. BAYNE. I said nothing of the sort.
Mr. BOUTELLE. The imputation was plain, distinct, and unmis-

Mr. HORR. Now, Mr. Speaker, I propose to yield the residue of my time to the gentleman from South Carolina [Mr. TILLMAN]. I merely wanted to protest against this method of attacking everybody who happens to be in favor of anything that is advocated by men who know what they are about and who seek to build up this great country

Mr. HENDERSON, of Iowa. Why does the gentleman become so indignant at the imputation of the gentleman from Pennsylvania? [Cries of "Regular order!"]

The SPEAKER. The gentleman from South Carolina [Mr. TILL-

MAN] has two minutes.

Mr. TILLMAN. It is hardly worth while to attempt to say anything in two minutes.

Mr. RANNEY. I ask unanimous consent that the gentleman from South Carolina be allowed five minutes.

The SPEAKER. Is there objection?

Objection was made.

Mr. HOLMAN. I hope there will be no objection.

Mr. HORR. I call for the previous question on this vote.
Mr. RANDALL. I ask for the yeas and nays.
Mr. HOLMAN. The gentleman from Illinois is entitled to fifteen minutes of time.

The yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Michigan [Mr. HORB] that the House recede from the disagreement to the amendments of the Senate, on which he demanded the previous question.

The previous question was ordered.

The question was taken; and it was decided in the affirmative—yeas 98, nays 89, not voting 136; as follows:

YEAS-98. IS—98.
Hunt,
James,
Jeffords,
Kean,
Keifer,
Ketcham,
King,
Lacey,
Lawrence,
Libbey,
Lore,
Lyman,
Millard,
Morgan, Adams, G. E. Adams, J. J. Arnot, Bagley, Barr, Belford, Bingham, Bisbee, Blackburn, Routalla Dunham. Elliott, Elliott, Ellis, Evans, Everhart, Findlay, Follett, Funston, George, Goff, Greenleaf, Hanback, Harmer, Hart, Blackburn, Boutelle, Brainerd, Brewer, F. B. Broadhead, Brown, W. W. Morgan, Morgan, Morse, Nutting, O'Heil, Charles Payne, Perkins, Phelps, Poland, Potter, Pusey, Ranney, Harr,
Haynes,
Henderson, D. B.
Hill,
Hiscock,
Hitt,
Hoblitzell, Brumm,
Budd,
Burleigh,
Cassidy,
Clardy,
Curtin,
Davis, G. R.
Davis, R. T.
Dingley,
Dixon.
Dorsheimer, Brumm, Holmes. Holton, Horr, Houk, Howey, S-89.

Buchanan, Cabell, Caldwell, Candler, Cannon, Carleton, Clay, Clements, Connolly, Cook, Alexander, Bayne, Belmont, Boyle, Breckinridge,

Ray, Ossian Reed, T. B. Rogers, W. F. Rosecrans, Russell, Skinner, C. R. Smalls, Smith, A. Herr Spooner, Stephenson, Stevens, Stewart, J. W. Stone, Strait, Taylor, J. D. Thomas, Tillman, Wallace, Washburn, White, J. D. White, Milo Wilkins, Wise, J. S.

Cosgrove, Cox, W.R. Crisp, Culberson, D.B. Dockery,

1885.		COLIGIA	ESSIONA
Eldredge,	Lowry,	Rogers, J. H.	Turner, Oscar
English,	McComas,	Rowell,	Vance,
Ermentrout, Ferrell,	McMillin, Miller, J. F.	Ryan, Seney,	Warner A T
Guenther,	Mitchell,	Seymour.	Van Eaton, Warner, A.J. Warner, Richard
Halsell,	Murphy,	Shively, Smith, H. Y.	weaver,
Hardeman,	Mutchler,	Smith, H. Y.	Wellborn,
Hardy,	Nelson,	Snyder,	Weller, Wemple,
Hardy, Hatch, W. H. Hemphill,	O'Ferrall, Paige,	Springer, Stewart, Charles	Willis,
Henley,	Patton,	Stockslager,	Wilson, W. L.
Henley, Hewitt, G. W.	Peters,	Sumner, C. A.	Wolford,
Holman,	Pierce,	Swope,	Woodward,
Houseman, Jones, J. H.	Post,	Talbott, Taylor, J. M.	Worthington, Yaple,
Jordan,	Pryor, Randall, Reid, J. W.	Thompson,	Tubio.
Lanham,	Reid, J. W.	Townshend,	
Le Fevre,	Reese,	Tucker,	A TO A DELL
		OTING-136.	T. LABO
Aiken,	Dibble,	Kleiner,	Rice,
Anderson,	Dibrell, Dowd,	Laird, Lamb,	Riggs, Robertson
Atkinson, Ballentine,	Dunn,	Lewis,	Robinson, J. S. Robinson, W. E.
Barbour,	Eaton,	Long,	Robinson, W. E.
Barbour, Barksdale,	Ellwood,	Long, Lovering,	Rockwell,
Beach,	Fiedler,	McAdoo,	Shaw, Singleton,
Bennett, Blanchard,	Finerty, Foran,	McCoid, McCormick,	Skinner, T. G.
Bland,	Forney,	Matson.	Slocum,
Blount,	Fyan,	Maybury,	Spriggs,
Bowen,	Garrison,	Maybury, Miller, S. H. Milliken,	Spriggs, Steele,
Bratton,	Geddes,	Milliken,	Storm,
Breitung, Brewer, J. H. Browne, T. M.	Gibson, Glascock,	Mills, Money.	Struble, Sumner, D. H.
Browne, T. M.	Graves,	Morrill,	Taylor, E. B.
Buckner,	Green,	Morrison,	Throckmorton,
Rurnes	Hammond,	Moulton,	Tully,
Campbell, Felix	Hancock, Hatch, H. H.	Muldrow,	Turner, H. G.
Campbell, J. E. Campbell, J. M.	Henderson, T. J.	Muller, Murray,	Valentine, Van Alstyne,
Chalmers,	Hepburn,	Neece.	Wadsworth,
Cobb,	Herbert,	Nicholls,	Wait,
Collins,	Herbert, Hewitt, A.S.	Oates,	Wakefield,
Converse,	Hooper, Hopkins,	Ochiltree,	Ward,
Covington,	Hopkins, Hurd,	O'Neill, J. J. Parker,	Whiting, Williams,
Cox, S. S. Culbertson, W.W.	Hutchins.	Payson,	Wilson, James
Cullen,	Johnson,	Peel,	Winans, E. B.
Cutcheon,	Johnson, Jones, B. W. Jones, J. K. Jones, J. T.	Pettibone,	Winans, John Wise, G. D. Wood,
Dargan,	Jones, J. K.	Price,	Wise, G. D.
Davidson,	Kelley,	Rankin, Ray, G. W.	York,
Davis, L. H. Deuster,	Kellogg,	Reagan,	Young.
	was agreed to.		
The Control of the Co			STATE OF STATE
		OM THE SENATE.	
		Mr. McCook, its S	
AND RESIDENCE OF SHEET OF SAME AND ADDRESS OF SHEET OF SH	bill of the follow	wing title, in whi	ch concurrence
requested:			anya sark tokultuu
		sion to John M. M	
The message i	further announce	d the passage of th	ne following bills
		ief of the heirs of	
Culley;			9.0
	2154) for the reli	ef of the legal rep	resentatives of A
		or our regar rep	A CONTROLLE
Guthrie, deceas	7836) for the reli	ef of Mrs. Ida P.	Belcher.
A DILL LL. D.	rood) for the left	or or mero, run I.	APOIDITOR .

A bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher; A bill (H. R. 6220) regulating appeals from the supremecourt of the

A bill (H. R. 6220) regulating appeals from the supremeocurt of the District of Columbia and the supreme courts of the several Territories; A bill (H. R. 1004) relative to the Chinese indemnity fund; A bill (H. R. 691) for the relief of William W. Thomas; A bill (H. R. 445) to empower the Secretary of War to permit the establishment, under certain conditions, of a horse-railway upon and over the island of Rock Island, and the bridges erected by the United States connecting the cities of Davenport and Rock Island therewith.

A bill (H. R. 5609) to adopt the revised international regulations for

A bill (H. R. 5692) to adopt the revised international regulations for

A bill (H. R. 5692) to adopt the revised international regulations for preventing collisions at sea;
A bill (H. R. 2377) granting a pension to James Stockton;
A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;
A bill (H. R. 7485) granting a pension to Alexander Weide;
A bill (H. R. 200) granting a pension to Thomas Jeffries;
A bill (H. R. 8082) granting a pension to Lina J. Stearns;
A bill (H. R. 5330) granting a pension to Octavia Newhall;
A bill (H. R. 1866) granting a pension to Calvin Knick;
A bill (H. R. 2975) granting a pension to Marion D. Egbert;
A bill (H. R. 1710) granting a pension to Henry Milkey;
A bill (H. R. 7810) granting a pension to George W. Bean;
A bill (H. R. 7853) granting a pension to Margaret Flaherty;
A bill (H. R. 7034) to increase the salary of the clerk of the Court of Alabama Claims. of Alabama Claims.

A bill (H. R. 1322) for the relief of J. H. Hammond; A bill (H. R. 5998) granting an increase of pension to Jonathan Har-

A bill (H. R. 1198) for the relief of John Taylor & Son;
A bill (H. R. 5554) granting a pension to Sarah Parry;
A bill (H. R. 5148) granting a pension to Jacob Lafferty;
A bill (H. R. 1235) granting a pension to Annie E. Bailey;
A bill (H. R. 7805) granting a pension to Capt. Vincent Phelps;

A bill (H. R. 7803) granting a pension to L. W. Pitts;
A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;
A bill (H. R. 2645) granting a pension to Esther Hudson, mother of William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and ninety-first Regiment Pennsylvania Volunteers;
A bill (H. R. 1901) for the relief of Harrison Mitchell, late of Company K, Forty-eighth Indiana Volunteers;
A bill (H. R. 4055) granting a pension to Sarah Tyler;
A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
A bill (H. R. 7338) granting a pension to Sylvester Greenough;
A bill (H. R. 7900) for the relief of Clark Maine;
A bill (H. R. 7502) granting a pension to Richard W. Barnes;
A bill (H. R. 8090) granting a pension to Albert Harper;
A bill (H. R. 6082) granting a pension to Henry Beiderbick;
A bill (H. R. 6082) granting a pension to W. H. H. Coleman;
A bill (H. R. 389) granting a pension to John Boyle;
A bill (H. R. 7572) granting a pension to Elizabeth Kaler;
A bill (H. R. 4605) granting a pension to Elizabeth Kaler;
A bill (H. R. 5096) for the relief of Elizabeth W. Creighton;
A bill (H. R. 5096) for the relief of Charles Milk;
A bill (H. R. 5191) granting a pension to Augustus Jones;
A bill (H. R. 3947) granting a pension to Joseph Raible;
A bill (H. R. 6173) for the relief of Rose Dougherty;
A bill (H. R. 77447) granting a pension to Sebert Toney;
A bill (H. R. 7718) restoring John Snyder to the pension-roll;
A bill (H. R. 7718) restoring John Snyder to the pension-roll;
A bill (H. R. 7718) restoring John Snyder to the pension-roll;
A bill (H. R. 6357) granting a pension to Christian Bauman.

ENEOLLED JOINT RESOLUTION SIGNED.

NROLLED JOINT RESOLUTION SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following joint resolution (S. R. 342) to authorize the printing of 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885; when the Speaker signed the same

POST-OFFICE APPROPRIATION BILL.

Mr. THOMAS. I ask unanimous consent to dispense with the reading of the names.

Mr. TOWNSHEND. I object.

The Clerk then recapitulated the names of those voting.
The following additional pairs were announced:

Mr. Beatton with Mr. Whiting, for the remainder of the day.
Mr. Campbell, of Ohio, with Mr. Wadswoeth.

Mr. Morrison with Mr. Hooper.

Mr. Davis, of Missouri, with Mr. Miller, of Pennsylvania.

Mr. Anderson with Mr. Lewis.

Mr. Hewitt, of New York, with Mr. Henderson, of Illinois, on this vote. If present, Mr. Henderson would vote "no."

Mr. Bland with Mr. Laird.

Mr. Tully with Mr. Ellwood.

Mr. Glascock with Mr. McCoid. Mr. THOMAS. I ask unanimous consent to dispense with the read-

Mr. GLASCOCK with Mr. McCoID.

Mr. GLASCOCK with Mr. McCoid.

Mr. Oates with Mr. Herbert, on this vote.
Mr. O'Neill, of Missouri, with Mr. Wilson, of Iowa, on this vote.
Mr. Aiken with Mr. Ray, of New York, on this vote.
Mr. Burnes with Mr. Long, on this bill.
Mr. McAdoo with Mr. Brewer, of New Jersey, on this vote.
Mr. McAdoo would vote "no," Mr. Brewer "ay."
Mr. Young with Mr. Wakeffeld, on this vote.
Mr. Turner, of Georgia, with Mr. Pettibone.
Mr. Milliken. I am paired with the gentleman from Georgia [Mr. Blount]. If he were present he would vote "no," and if I were not paired I should vote "ay."
Mr. Wilkins. Mr. Speaker, I desire to change my vote from "no" to "ay," for the purpose of moving a reconsideration of the vote just taken.

Mr. HORR. The vote has not yet been announced.
Mr. WILKINS. I give notice of my object in changing my vote.
Mr. HORR. The gentleman has not the floor. I am on the floor on my motion.

The result of the vote was then announced as above recorded.

The result of the vote was then announced as above recorded.

Mr. HORR. Now, Mr. Speaker, I move to reconsider the vote just taken, and move to lay that motion on the table.

Mr. WILKINS and Mr. McMILLIN demanded the yeas and nays. The question being taken on ordering the yeas and nays, there were—ayes 23, noes 115 (the ayes not being one-fifth of the total vote).

Mr. McMILLIN. I demand tellers on the yeas and nays.

Tellers were ordered.

Mr. ELLIS. We might as well have the yeas and nays at once. Mr. HORR. Yes; if gentlemen want to kill time, all right. We will give them the yeas and nays.

Mr. McMILLIN. We do not want to kill time; we want to kill steals

The SPEAKER pro tempore. If there be no objection the Chair will again put the question on ordering the yeas and nays.

There was no objection.

The yeas and nays were ordered.

The SPEAKER pro tempore. Before the Clerk proceeds to call the roll, if there be no objection, the Chair will submit certain personal requests of members.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. Robinson, of New York, for this evening. To Mr. Glascock, for the balance of the day, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. Stewart, of Texas, to withdraw the original papers filed with the bill for the relief of Marcos Radich, without leaving copies on file, no report having been made on said bill.

LEAVE TO PRINT.

By unanimous consent, leave was granted to Mr. Rogers, of Arkansas, to print remarks on House bill 7785.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1886, and for other purposes.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER pro tempore. The question is on the motion submitted by the gentleman from Michigan to reconsider the vote by which the House receded from its disagreement to the Senate amendment, and also to lay that motion on the table.

The question was taken; and there were—yeas 102, nays 79, not voting 142; as follows: VEAS-109

		TO TOWN	
Adams, G. E. Adams, J. J. Arnot, Bagley, Barr, Belford, Belmont, Bingham, Bisbee, Boutelle, Brainerd, Browne, T. M. Brown, W. W. Brumm, Budd, Burleigh, Cassidy, Curtin, Davis, G. R.	Dunham, Elliott, Ellis, Evans, Everhart, Ferrell, Findlay, Follett, Funston, George, Goff, Greenleaf, Hanback, Harmer, Hart, Haynes, Henderson, D. B. Henley, Hepburn, Hewitt, G. W.	Horr, Houk, Howey, Hunt, James, Jeffords, Kean, Keifer, Ketcham, King, Lacey, Lawrence, Libbey, Lore, Lyman, McComas, Millard, Morgan, Nutting, O'Hara,	Potter, Ranney, Ray, Ossian Reed, T.B. Rogers, W.F. Rosecrans, Rowell, Skinner, C.R. Smalls, Smith, A. Herr Spooner, Stephenson, Stevens, Stewart, J. W. Strait, Talbott, Taylor, J. D. Thomas, Tillman, Wallace, Washburn
Davis, G. R.	Hill,	O'Neill, Charles	Washburn.
Davis, R. T.	Hiscock,	Payne,	White, J. D.
Dibble,	Hitt,	Perkins,	White, Milo
Dingley,	Hoblitzell,	Peters,	Wise, J.S.
Dixon,	Holmes,	Phelps,	the first the same
Dorsheimer,	Holton,	Poland,	

	***	25 A 10 104	
Alexander, Bayne, Breckinridge, Buchanan, Cabell, Caldwell, Carleton, Carleton, Clay, Coonnolly, Coook, Cosgrove, Cox, W. R. Crisp, Culberson, D. B. Dockery, Eldredge, English, Ermentrout,	Green, Guenther, Halsell, Hardeman, Hardy, Hatch, W. H. Hemphill, Holman, Jones, J. H. Jordan, Lowry, McMillin, Miller, J. F. Murphy, Neece, Nelson, O'Ferrall, Paige, Patton,	Pierce, Post, Pryor, Pusey, Randall, Reid, J. W. Reese, Ryan, Seney, Seymour, Shively, Skinner, T. G. Smith, H. Y. Snyder, Springer, Stewart, Charles Stockslager, Sumner, C. A. Swope, Taylor, J. M.	Thompson, Townshend Tucker, Turner, Ose Vance, Van Eaton, Warner, A. Warner, Ri Weaver, Wellborn, Wellborn, Wilkins, Wilkins, Wilson, W. Wolford, Woodward, Worthingto Yaple.
zarmenterout,	Z inttolly	249101,0.241	

NAVS_70

NOT	VOTING-	149
MOT	AOTTMA	120.

	NOT	VOTING—142.	
Aiken, Anderson, Atkinson, Ballentine, Barbour, Barksdale, Beach, Bennett, Blackburn, Blackburn,	Bland, Blount, Bowen, Boyle, Bratton, Breitung, Brewer, F. B. Brewer, J. H. Buckner, Burnes,	Campbell, Felix Campbell, J. E. Campbell, J. M. Candler, Chalmers, Cobb, Collins, Converse, Covington, Cox, S. S.	Culbertson, W. W. Cullen, Cutcheon, Dargan, Davidson, Davis, L. H. Deuster, Dibrell, Dowd, Dunn,

Eaton,	Jones, J. T.	Murray,	Steele,
Ellweod,	Kelley,	Mutchler,	Stone,
Fiedler,	Kellogg,	Nicholls,	Storm,
Finerty,	Kleiner,	Oates,	Struble,
Foran,	Laird.	Ochiltree,	Sumner, D. H.
Foreit,	Lamb.	O'Neill, J. J.	Taylor, E. B.
Forney,			Throokmanton
Fyan,	Le Fevre,	Parker,	Throckmorton, Tully,
Garrison,	Lewis,	Payson,	
Geddes,	Long,	Peel,	Turner, H. G.
Gibson,	Lovering,	Pettibone,	Valentine,
Glascock,	McAdoo,	Price,	Van Alstyne,
Graves,	McCoid,	Rankin,	Wadsworth,
Hammond,	McCormick,	Ray, G. W.	Wait,
Hancock,	Matson,	Reagan,	Wakefield,
Hatch, H. H.	Maybury,	Rice,	Ward,
Henderson, T. J.	Miller, S. H.	Riggs,	Whiting,
Herbert,	Milliken,	Robertson,	Williams,
Hewitt, A.S.	Mills,	Robinson, J. S.	Wilson, James
Hooper,	Mitchell,	Robinson, W. E.	Winans, E. B.
Hopkins,	Money,	Rockwell,	Winans, John
Houseman,	Morrill.	Rogers, J. H.	Wise, G. D.
Hurd,	Morrison,	Russell,	Wood,
Hutchins,	Morse,	Shaw,	York,
Johnson,	Moulton,	Singleton,	Young.
Jones, B. W.	Muldrow,	Slocum,	All Care
Tongs I W	Mullor	Springe	

So the motion to reconsider was laid on the table.

On motion of Mr. RANDALL, by unanimous consent, the reading of the names of members voting was dispensed with.

The result of the vote was then announced as above stated.

Mr. TOWNSHEND. Now I ask for the reading of the next Senate amendment. There are a number of sections that cover the same object. I ask unanimous consent that the reading of those sections be dispensed with.

The SPEAKER pro tempore. Will the gentleman from Illinois state the amendment he desires the House to act upon, and whether he moves

concurrence or non-concurrence?

Mr. TOWNSHEND. They are the last four amendments in the bill

but one, those relating to the special 10-cent stamp.

The Senate amendments numbered 17, 18, 19, and 20 were read, as follows:

Strike out sections 3, 4, 5, and 6.

Mr. TOWNSHEND. I ask unanimous consent that the reading of those sections be dispensed with.

There was no objection.

Mr. TOWNSHEND. I move that the House further insist on its disagreement to the Senate amendments and ask a further conference.

Mr. McMILLIN. I move to concur in the Senate amendments.
Mr. SPRINGER. I would like to have the gentleman from Illinois

[Mr. TOWNSHEND] explain the effect of these amendments.

The SPEAKER pro tempore. The question is on the motion submitted by the gentleman from Tennessee [Mr. McMillin] that the House recede from its disagreement to the Senate amendments and agree to the same.

The question being taken, the Speaker pro tempore stated that the ayes? seemed to have it.

"ayes" seemed to have it.

Mr. BINGHAM. I call for a division.

The House divided; and there were—ayes 78, noes 45.

Mr. SKINNER, of New York. No quorum. I ask unanimous consent to say a few words. These amendments are not fully understood

Mr. RANDALL. I suggest that debate has been exhausted.
Mr. SKINNER, of New York. I know it has, but I should like to
be permitted to say a few words, that this matter may be understood by

Mr. RANDALL. I appeal to the gentleman from New York to allow us to go on and dispose of the bill.

The SPEAKER pro tempore. The gentleman from New York makes the point of no quorum. The Chair appoints as tellers the gentleman from Tennessee, Mr. McMillin, and the gentleman from New York, Mr. SKINNER.

Mr. TOWNSHEND. I ask the gentleman from Pennsylvania to consent that the gentleman from New York shall be allowed two minutes to explain the amendments.

Mr. SKINNER, of New York. I was deprived to-day of the privilege of having ten minutes on this question, which I had been promised.

Mr. McMILLIN. If the request of the gentleman from New York is acceded to, will that dispense with the vote by tellers? I am willing to let the gentleman make his statement if that will shorten the time occupied in this matter.

Mr. BINGHAM. The gentleman does not yield his demand for

Mr. SKINNER, of New York. I hope the gentleman from Tennes-see will consent that I shall have half the time which was promised

me to-day to speak on this question, and which I gave up.

Mr. McMILLIN. Gentlemen all around were insisting, not twenty
minutes ago, that we were in danger of an extra session.

Mr. RANDALL. How much time does the gentleman desire?

Mr. SKINNER, of New York. Two minutes.

Mr.-McMILLIN. Very well; let the gentleman proceed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. SKINNER]?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had passed, with amendments in which the concurrence of the House was requested, the bill (H. R. 8236) relating to sales for taxes in the District of Columbia.

The message also announced that the Senate had passed without amendment a joint resolution and bills of the House of the following

Joint resolution (H. Res. 170) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made

A bill (H. R. 4679) for the relief of Sarah E. Webster, administratrix;

A bill (H. R. 7522) for the relief of Joseph F. Wilson; A bill (H. R. 6270) for the relief of John P. Peterson; A bill (H. R. 4684) for the relief of certain citizens of Marion County,

A bill (H. R. 6533) for the relief of Dr. Thomas J. Jones; A bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint;

A bill (H. R. 2263) for the relief of the State National Bank of Boston,

A bill (H. R. 6760) to authorize the construction of a bridge across the Mississippi River at Rock Island, Ill., to Davenport, Iowa, and to A bill (H. R. 78) to provide for the retirement of Col. Henry J. Hunt as a major-general of the United States Army;
A bill (H. R. 1401) to amend section 1556 of the Revised Statutes giv-

ing longevity-pay to certain officers of the Navy;

A bill (H. R. 5691) amending section 764 of the Revised Statutes;

A bill (H. R. 7334) granting a pension to Judson Bostwick;

A bill (H. R. 4354) granting a pension to Judson Bostwick;
A bill (H. R. 4458) granting a pension to Harlan Jackson;
A bill (H. R. 1142) granting a pension to Nellie Roberts;
A bill (H. R. 4216) granting a pension to David M. Bryan;
A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;
A bill (H. R. 7993) for the relief of William Stansberry;
A bill (H. R. 8091) granting a pension to David Sears;
A bill (H. R. 4856) granting a pension to Bvt. Col. C. A. Cilley, of North Carolina;

A bill (H. R. 8229) to grant a pension to James Dye

A bill (H. R. 8069) granting a pension to James Dye;
A bill (H. R. 8069) granting a pension to Catharine Helton;
A bill (H. R. 383) granting a pension to Creet H. Dougherty;
A bill (H. R. 4878) granting a pension to Emma O. Zeigler;
A bill (H. R. 5740) for the relief of Grigsby Foster;
A bill (H. R. 7177) granting a pension to William H. Kinman;
A bill (H. R. 7992) for the relief of Christian Arndt;
A bill (H. R. 2872) granting a pension to Jacob Funkhouser;
A bill (H. R. 8237) granting a pension to Mary J. Dickson;
A bill (H. R. 603) granting a pension to Mary J. Dickson;
A bill (H. R. 5146) granting a pension to Jesse C. Buck;
A bill (H. R. 4021) granting a pension to Abraham Cover;
A bill (H. R. 7990) granting a pension to Joseph Sansom;
A bill (H. R. 8155) granting a pension to Addie L. Moore;
A bill (H. R. 7907) granting a pension to Matilda Cody;
A bill (H. R. 7863) granting a pension to Thomas M. McChesney;
A bill (H. R. 7178) granting an increase of pension to John O. Garder;

A bill (H. R. 6961) for the relief of Charles L. Alden;
A bill (H. R. 5728) granting a pension to Anna Beck;
A bill (H. R. 5103) granting a pension to Joshua F. Justice;
A bill (H. R. 8142) granting a pension to Mrs. Lucy Parr;
A bill (H. R. 3735) granting a pension to Mary A. Grennon;
A bill (H. R. 7248) granting a pension of Jane D. Brent;

A bill (H. R. 3340) granting a pension to James M. Pike; A bill (H. R. 7047) granting a pension to Patrick Murphy; A bill (H. R. 552) granting a pension to Lemuel J. Bennett; A bill (H. R. 4668) for the relief of Nathaniel Pond, jr.; A bill (H. R. 7728) for the relief of Pardon H. Morey;

A bill (H. R. 5304) for the relief of Mary Royal;

A bill (H. R. 5304) for the relief of Mary Royal;
A bill (H. R. 7340) granting a pension to John Span;
A bill (H. R. 8136) for the relief of Addison M. Copen;
A bill (H. R. 8187) granting a pension to Chauncey C. Darrah;
A bill (H. R. 6904) for the relief of John F. Chase;
A bill (H. R. 6775) granting a pension to Edward Wilcox;
A bill (H. R. 7618) granting a pension to Harry H. G. Kislingbury,
Walter F. Kislingbury, Wheeler Scofield Kislingbury, and Douglas E.
L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States Infantry;
A bill (H. R. 411) granting a pension to Elizabeth Conner;

A bill (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall, widow of Capt. Fernando Randall;
A bill (H. R. 1873) for the relief of Edward Kraemer;

A bill (H. R. 2457) granting a pension to Richard Dillon;
A bill (H. R. 7170) for the relief of Frederick Hutton;
A bill (H. R. 8152) for the relief of William D. Farnsworth; and
A bill (H. R. 8132) to restore to the pension-roll the name of Rachel A. Queen.

The message further announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House

was requested:

A joint resolution (S. R. 135) requesting the President to enter into negotiations with foreign powers to secure an agreement for the free coinage of silver.

POST-OFFICE APPROPRIATION BILL.

Mr. SKINNER, of New York. Mr. Speaker, this provision in the bill is the result of a special recommendation by the President in his last message. It is supported by the recommendation of the Postmaster-General a year ago, and this year by the unanimous opinion of the Committee on the Post-Office and Post-Roads, and, as I understand, by

Committee on the Post-Office and Post-Roads, and, as I understand, by the unanimous action of the Committee on Appropriations in putting it upon the Post-Office appropriation bill. The only objection thus far heard to it has been simply that the Senate did not deem it wise to place it on an appropriation bill. It is new legislation. We have conceded the legislation which the Senate asks; and now let us have this provision, which everybody who will read it carefully will understand is in the interest of every American citizen who desires to reap the full privileges of the postal facilities of this country.

Mr. HORR. I suggest to the gentleman to tell the House what it is.

Mr. SKINNER, of New York. It provides that if I desire to send a letter to my home to-night and I know it will reach there at 10 o'clock to-morrow night, I put on it a 10-cent stamp. When it reaches my home office it is taken from the post office, and 8 cents out of the 10 are paid a messenger to take it to my home immediately. The system costs no man a cent who does not use it. It will not cost the Government a cent. There is a margin for all the expenses; and every man who has studied out this matter gives it as his firm impression that it will yield a handsome revenue to the Government.

that it will yield a handsome revenue to the Government.

[Here the hammer fell.]
Mr. MILLER, of Pennsylvania. Let us have a rising vote.
Mr. McMILLIN. There have been already two votes on the proposition.

The SPEAKER pro tempore. The tellers will take their places. The House divided; and the tellers reported—ayes 66, noes 79.

So the motion of Mr. McMILLIN was not agreed to. Mr. TOWNSHEND. Mr. Speaker, I move that the House further

insist upon its disagreement to that amendment.

The motion was agreed to.

Mr. TOWNSHEND. Now, Mr. Speaker, I move that the House ask

a further conference.

There was no objection. The SPEAKER pro tempore appointed as conferees on the part of the House Mr. Townshend, Mr. Holman, and Mr. Horr.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. Mr. Speaker, I present a conference report which I ask to have read.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the House on the amendments of the Senate to the bill of the House 8256, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, having met, after full and free conference have agreed to recommend and do recommend as follows:

That the Senate recede from its amendments numbered 21, 45, 46, 70, 71, 73, 78, 84, 92, 102, 108, 104, 105, 106, 118, 126, 128, 137, 138, 143, 148, 154, 156, 159, 160, 167, 168, 170, 172, 175, 182, 185, 186, 199, 201, 204.

That the House recede from its disagreement to the amendments of the Senate numbered 15, 28, 29, 30, 31, 32, 44, 65, 67, 68, 69, 72, 76, 77, 79, 80, 81, 83, 85, 86, 87, 89, 49, 59, 69, 79, 89, 91, 111, 12, 113, 114, 116, 117, 121, 122, 123, 121, 123, 134, 133, 139, 144, 147, 149, 151, 182, 183, 155, 161, 163, 164, 169, 171, 174, 177, 178, 181, 183, 184, 187, 188, 189, 190, 191, 200, 202, 203, 205, 206, 207, 208, 209, 210, 211, 213, 214, and 231, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an endment as follows: In lieu of the sum proposed insert "\$5,800;" and strike out from said amendment "subject to" and insert in lieu thereof "being the amount of said awards after;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree to the sa

numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$162,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$17,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$580,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$225,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,000;" and the Senate agree to the same.

lows: In lieu of the sums proposed insert "\$145,500;" and the Senate agree to the same.

I That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,200;" and the Senate agree to the same.

I That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$127,678.82;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: Strike out in lines 10 and 11, page 32 of the bill, the word "annually;" and the Senate agree to the same.

the sum proposed insert. \$5,000;" and the Semate agree to the same.

That the House recede from its disagreement to the amendment of the Senate in lines 10 and 11, page 32 of the bill, the word "amunally;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "87,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "82,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "822,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "827,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "827,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "820,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the sum proposed insert. "84000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of t

same.

That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: Add at the end of the amendment the following: "Provided, That the building now occupied for storage purposes shall be surrendered as soon as the building provided for in this act is ready for occupancy; "and the Senate agree to the same.

On amendments numbered 4, 6, 12, 13, 14, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 61, 62, 63, 64, 66, 120, 124, 131, 132, 136, 140, 141, 142, 166, 173, 193, 194, 195, 196, 197, and 198 the committee have been unable to agree.

SAM. J. RANDALL,
WILLIAM H. FORNEY,
THOMAS RYAN,
Managers on the part of the House.
W. B. ALLISON,
EUGENE HALE,
JAMES B. BECK,
Managers on the part of the Senate.

Mr. RANDALL. I will endeavor to be as brief as I can in order to explain the difference between the two Houses on this bill. To begin with, I move that the report of the conference committee be accepted, and upon that I demand the previous question.

The previous question was ordered; and under the operation thereof,

the report of the conference committee was adopted.

Mr. RANDALL moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BUDD. I desire to have read that portion of the conference report relating to amendment No. 59.

Mr. RANDALL. That is not in this report. It is one of the dis-

agreements in the committee.

Mr. Speaker, the bill as it went from the House to the Senate provided for appropriations aggregating \$22,200,000, or thereabout; the Senate added about \$5,500,000 to the bill. There has been reached an agreement between the two Houses on about \$2,250,000 of the amount There are now sixty disagreements, which aggregate of the increase. in amount \$3,250,000.

It is not for me to call in question the motives of men, but it is not improper for me to say what is the result of the action of men, and in that connection I can say that the conferees have found themselves in large degree compelled to consent to the increased appropriations, or

else to endanger an extra session.

Mr. REED, of Maine. Let me ask the gentleman if these amendments were adopted by the Senate with the same amount of consideration that the bill had in the House?

Mr. RANDALL. I do not desire to be interrupted now. The gentleman is often facetious, but his arrow falls short in some cases, and it has done so in this instance.

Thirty-nine of these sixty amendments relate to public buildings which have been added by the Senate, and the appropriations involved in these thirty-nine amendments amount to an increase of expenditure of \$1,637,500. The bill as it went from the House to the Senate provided for appropriations for public buildings to the extent of about \$1,780,000, so that the Senate amendments practically double the appropriations for public buildings as provided by the House. If it is desired I will give the localities of the public buildings to which I have

Mr. BROWN, of Pennsylvania. Let us have them.
Mr. WARNER, of Ohio. I should like to know the locations.
Mr. RANDALL. The first one relates to the court-house and postoffice at Abingdon, Va. The next is the post-office and subtreasury at Boston, Mass. The next amendment relates to the marine hospital at Cairo. The next to the public building at Harrisonburg, Va. The next to Abingdon, Va., there being two appropriations, first for that public building and next to make it fire-proof, which involves two appropriations. The next amendment is to Lynchburg, Va., where a fireproof building is also required.

The next amendment of the Senate is the provision for Concord, N. H., and the next at Council Bluffs, Iowa; the next at Detroit, Mich.; the next Des Moines; the next Dubuque; the next Frankfort, Ky.; the next is for Galveston, Tex.; the next for Greensborough, N. C.; the next for Hannibal, Mo.; the next for Harrisonburg, Va.; the next for Jackson, Tenn., and the next for Kansas City, Mo. The next provision of this kind is for Marquette, Mich., and the next for Keckuk, Iowa; the next for Elizabeth, Ky.; the next for Macon, Ga.; the next for Peoria, Ill.; the next for Quincy, Ill.; the next for Reading, Pa.; the next for Richmond, Va., and the next for Sacramento, Cal.

Mr. BUDD. Let me ask the gentleman if that is not simply carrying out an act of Congress that has been passed?

Mr. RANDALL. I will come to that in time. The next provision named by the Senate is for a public building at Troy, N. Y.

Mr. BURLEIGH. But that is provided by law already.

Mr. RANDALL. But the Senate have added this amendment to the bill as it left the House. That is what I am referring to. I am not The next amendment of the Senate is the provision for Concord, N.

bill as it left the House. That is what I am referring to. I am not saying that there is no law for it, but simply that the Senate added the appropriation for that purpose and the House and Senate conferees have been unable to concur as to it.

The next public building is at Tyler; the next at Wichita, Kans.; the next at Fort Scott; the next at Montpelier, Vt.; the next at Nebraska City; the next at Wilmington, Del.; and the next at Winona, Minn.

These are the public buildings that are in controversy between the two Houses, and I believe I have named them all.

The next point of difference relates to the site for the post-office in the city of Washington.

Mr. WARNER, of Ohio. The site alone?

The site alone. The Senate appropriates \$640,000. Mr. RANDALL.

Mr. SPRINGER. For a particular site?

Mr. RANDALL. For a particular site.

Mr. McMILLIN. If it will not interrupt the gentleman from Pennsylvania, I think they have provided a further contingent expenditure which will bring it up to about \$800,000, perhaps more.

Mr. RANDALL. When I come to ask a vote on this site of the Wash-

ington post-office there will be an opportunity to debate, and the case

will be properly presented.

The miscellaneous items about which there is disagreement relate to the international boundary survey between the United States and Mexico; but I shall temporarily pass that over because the gentleman from Missouri [Mr. BUENES] will address the House in relation thereto.

The next disagreement is in relation to a provision which was inserted in the House bill as to public buildings:

I That hereafter no plan shall be prepared or approved by the Secretary of the Treasury for any public building authorized by Congress to be erected until after the site therefor shall have been purchased and paid for, and he shall not authorize or approve of any plan for any such building which shall involve a greater expenditure in the completion of said building, &c.

Mr. HOLMAN. That last has been stricken out.
Mr. RANDALL. It is not stricken out yet, but I am going to sug-

gest that we recede.

The next disagreement is in relation to a sum of money appropriated in connection with a certain commission which was appointed and sent to the State of Louisiana by Mr. R. B. Hayes.

The next is in relation to the care and preservation of a building on Coaster's Island, which is designed to be used as a school for an ad-

vanced course of instruction for naval officers

The next relates to the training-school on Coaster's Island. The next relates to the Interior Department building, the comple-

tion of the east wing.

The next relates to the construction of a terrace to the Capitol.

The next relates to the same subject in a different form.

The next relates to the construction of a reservoir for hot water on

The next relates to the construction of a reservoir for not water on the Government reservation at Hot Springs, Ark.

The next relates to the Tenth Census. This provision was presented in the House by the gentleman from New York [Mr. Cox]. It repeals the clause in the original law which obligated the Federal Government to pay one-half the expense of any State census.

The next relates to the removal of the iron fence around the reservations.

vation on Pennsylvania avenue between Thirteenth and Fourteenth

The next relates to the completion of a commissary depot at Saint Paul, Minn.

The next relates to the completion of a sea-wall on Governor's Island,

New York Harbor.

The next two relate to a proposition to erect a statue to the memory of General La Fayette. The next relates to a clause providing for the purchase of a portrait of General George H. Thomas, by Miss C. S. Ransom, for \$10,000.

The last two disagreements relate to the sale of two public buildings,

one in Boston and the other in the city of Philadelphia.

The House inserted two provisions, one for the sale at public auction of the United States court-house in the the city of Boston, and the other relating to the sale of the post-office property in the city of Philadelphia which is now unoccupied.

I propose first to submit to the House the miscellaneous items, and I am willing that motions may be made to those items, only I desire that debate on the same may be as limited as possible. I will ask the Clerk to read the amendments.

Mr. PUSEY. I would like to ask the gentleman a question before

he begins. $\ ^{\dagger}$ The SPEAKER pro tempore. Does the gentleman from Pennsylvania

[Mr. RANDALL] yield?
Mr. RANDALL. Certainly.
Mr. PUSEY. I desire to ask the chairman of the Committee on Appropriations whether he construes the amendment in relation to the Council Bluffs appropriation as an increase of the appropriation, or is

ounch Bluis appropriation as an increase of the appropriation, or is it simply to make \$50,000 of the appropriation available.

Mr. RANDALL. Mr. Speaker, I will state this in connection with all these public-building appropriations, that when we entered upon the consideration of those thirty-nine additions or amendments to the bill we found it utterly impossible to classify them by any line based upon a principle. They seemed to have got into the bill under every conceivable condition.

Mr. WARNER, of Ohio. They got in, though.
Mr. RANDALL. They are not in yet.
Mr. PUSEY. Mr. Speaker, I will say in reference to the appropriation for the building at Council Bluffs—

Mr. RANDALL. Will not the gentleman please wait until we reach

Mr. PUSEY. Yes, sir. I will simply say that if it is an addition to the appropriation we do not want the money.

The Clerk was about to read the amendment numbered 61.

Mr. RANDALL. Mr. Speaker, I will not ask to have 61 read, because it relates to a proposition submitted by the gentleman from Indiana [Mr. Holman], which was reported from the committee, but which, it was subsequently understood, would be changed by agreement. The Senate, however, are not willing, as far as I know, to have anything of that sort attached to the bill, alleging that it is new legisletion.

The sixty-first amendment of the Senate was read, as follows:

Strike from the bill as passed by the House the following:

"That hereafter no plan shall be prepared or approved by the Secretary of the Treasury for any public building authorized by Congress to be erected until after the site therefor shall have been purchased and paid for; and he shall not authorize or approve of any plan for any such building which shall involve a greater expenditure in the completion of such building and approaches thereto than the amount that shall remain of the sum specified in the law authorizing the erection of such building as the limit of the cost of the site and building after the site shall have been paid for."

Mr. RANDALL. Unless the gentleman from Indiana [Mr. Hol-Man] who offered this proposition desires to speak, I will make a mo-MAN I who olered this proposition desires to speak, I will make a motion that the House recede from its disagreement to this amendment. Several MEMBERS. That is right.

Mr. BUDD. Is it the Holman amendment?

Several MEMBERS. Yes, sir.

The motion of Mr. RANDALL was agreed to.

The one hundred and twentieth amendment of the Senate was read,

Insert after line 1417 the following:
"National Board of Health: For salaries and expenses of the National Board of Health, \$15,000."

Mr. RANDALL. For two years there have been no appropriations made for the support of the National Board of Health. In the deficiency bill, however, the Committee on Appropriations provided for the payment in full of debts which have been created by the board. Not-withstanding the fact that during the current fiscal year and the last fis-cal year there have been no appropriations for this board of health, they have incurred certain debts. Last year the House sought to abolish this board, believing that two agencies to accomplish one object were nnecessary and expensive. The Senate declined, however, to accept the legislation proposed by the House in the way of repeal, but concurred with the House in declining to make any appropriation for the conduct of the business of this board.

This year, as I said a moment ago, the Committee on Appropriations provided in the deficiency bill for the payment of all indebtedness thus far incurred by the board. We also attached a repealing clause, the fate of which I am unable to foretell. But the Senate has inserted this clause to continue the National Board of Health, and has made an appropriation of \$15,000 to conduct its business. We do not propose that on this matter the House shall recede. We have given \$340,000 to be placed under the control of the President to be used in the prevention of epidemic diseases, if the emergency should require the expenditure. As to the continuance of this board of health, we found ourselves disagreeing decidedly with the Senate conferees.

The House conferees-certainly a majority of them, and I think all of them—believed it unnecessary to continue this organization. We considered that this business could be as well performed by a single organization, the Marine-Hospital Bureau. Hence, on behalf of the committee, I move that the House insist on its disagreement as to this amendment.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The one hundred and twenty-fourth amendment of the Senate was read, as follows:

Insert after line 1445 the following:
"To enable the Secretary of the Treasury to reimburse ex-President R. B. Hayes for amount paid for expenses of the commission appointed to go to Louisiana in April, 1877, \$3,550.73."

Mr. RANDALL. This matter is well understood by the House. I

Mr. RANDALL. This matter is well understood by the House. I move that the House insist on its disagreement, and I ask a vote.

Mr. MILLIKEN. I hope the House will insist. I think that President Hayes had no business to send that commission down there to steal away the Packard legislature and give it to Nichols. I think that the thing ought never to have been done at all; and if he thought proper to do it, he should have done it at his own expense.

Mr. RANDALL. I have nothing to say on the question.

The motion of Mr. RANDALL was agreed to

The motion of Mr. RANDALL was agreed to.
Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The one hundred and thirty-first amendment of the Senate was read, as follows:

Insert after line 1498 the following:

"For the care and preservation of the building on Coaster's Harbor Island formerly known as the "asylum," and the adjoining buildings and grounds, given to the United States for naval purposes by the State of Rhode Island, to be used for an advanced course of instruction for naval officers, and for improvements, furniture, fixtures, heating, lighting, water, and for books and station-

ery, \$11,000; for pay of one clerk to officer in charge of building, \$1,000; in all, \$12,000.

Mr. RANDALL. Coaster's Harbor Island was presented to the United States by the State of Rhode Island. There is now there a naval training-school; and I suppose the House conferees would not have objected

to continuing the appropriations necessary to make that school efficient.

But the amendment which has just been read was considered by a majority of the House conferees as an entering-wedge or incipient step to the organization of a new naval school which might in time grow into a school after the fashion of the Annapolis Academy for boys-this being for officers. It occurred to me at least that officers of the Navy would be best educated at sea rather than on land.

A MEMBER. They might get drowned at sea. [Laughter.]
Mr. RANDALL. In the light of this being a new organization of
this sort the House conferees dissented from the Senate in this particular, and I ask the House to insist on its disagreement.

Mr. SPOONER. I desire to make a motion.

Mr. RANDALL. I will yield to the gentleman from Rhode Island

for that purpose.

Mr. SPOONER. I move that the House recede from its disagreement to this amendment and agree with the Senate. The State of Rhode Island, as the chairman of the committee has said, made a gift of this island, which is most eligibly situated for the purpose and more adapted in every respect as a training-school, to the United States for the express purpose that it shall be used as a naval training-school. It is located on the border of the harbor of Newport, accessible by water and having advantages which could be possessed by scarcely any other locality which could be mentioned.

There is nothing peculiar, I submit to the chairman of the committee or the House—in fact it is proposed to have a school for the training of naval officers in the higher and advanced course of training beyond what our Naval Academy affords. It is in consonance with the march of improvement in naval architecture, naval warfare, and naval ordnance and matters pertaining to naval attack and defense. The torpedo station is in the same line of defense. The school for teaching the practice and for experimenting and making torpedoes is located in the same harbor of Newport and is separate from Coaster's Harbor Island only by a

small expanse of water in the inner harbor.

It is not peculiar to the Navyalone to have advanced schools for officers. The artillery school at Fortress Monroe is of the same kind.

Mr. TALBOTT. Does the gentleman from Rhode Island think, after

the course at Annapolis Academy and two years at sea, it is necessary to have these officers go again to Newport and attend this training-

to have these officers go again to Newport and attend this trainingschool? If so, I am opposed to it.

Mr. SPOONER. The idea is fully explained in Senate Executive
Document No. 68 of the present session, from the Secretary of the Navy,
which I ask the Clerk to read.

Mr. RANDALL. I hope not.
Several Members. Print!

Mr. SPOONER. No. 1 de noteers to print. I am greeking for the

Mr. SPOONER. No; I do not care to print. I am speaking for the purpose of calling the attention of this House to this matter, and I presume I have some right at least to occupy a small portion of the time in making such explanation. I ask to have the document read. I do not care to have the appendix read. The document occupies about a page and a half.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had receded from its amendments numbered 17, 18, 19, and 20 to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the year ending June 30, 1886, and for other purposes. [Applause.]

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SPOONER. The document is only a page and a half long, and

Mr. SPONER. In the detailers is only a page and a man long, and will not take up much time in its reading.

Mr. ROSECRANS. I believe it should be read, and I also believe this school of practice is a good one.

The SPEAKER. Is there objection?

Mr. HOBLITZELL. I object.

Mr. SPOONER. Am I not entitled to have it read?

The SPEAKER. Objection is made to the reading of it by the Clerk.

Mr. SPOONER. Then I will read it myself. It is not the fault of
the great body of this House that the appropriations have been delayed to this late hour. This bill is brought in here without giving any opportunity for discussion. Mr. RANDALL. We

We have seven hours.

Mr. SPOONER. That is not my fault.
Mr. RANDALL. Neither is it mine.
Mr. SPOONER. I do not think it is the fault of this side of the

House. I do not think it is the fault of the great body of the House.

Mr. BELFORD. I rise to a parliamentary inquiry. How can the gentleman from Rhode Island occupy the time of the House when the gentleman from Pennsylvania is on the floor? I want to know some

of these puzzles.

The SPEAKER. The gentleman from Pennsylvania yielded to the

gentleman from Rhode Island.

Mr. RANDALL. I yielded, but I only yielded for a few minutes. I want to get along as pleasantly as possible, and I hope the gentleman from Rhode Island will realize the necessities of the occasion.

Mr. SPOONER. That we may start perfectly fair from this point at least, I would inquire whether I did not make the motion now pend-

ing and whether I am not entitled to the floor on my own motion.

The SPEAKER. The gentleman from Pennsylvania moved the House insist and made some remarks upon that motion, and then yielded to the gentleman from Rhode Island who took the floor not in his own right, but during the time of the gentleman from Pennsylvania. Mr. RANDALL. He made a motion of higher privilege than the

one I made.

The SPEAKER. If the gentleman from Rhode Island had obtained the floor in his own right the Chair would have recognized him to debate the motion. But that is not the case.

Mr. SPOONER. Is not my motion a privileged one?

The SPEAKER. The gentleman from Pennsylvania.

Mr. WASHBURN. We will gain time by allowing the paper to be

Mr. SPOONER. It would have been read before this.

The House divided; and there were—ayes 37, noes 47.
Mr. SPOONER. No quorum.
Mr. SPRINGER. I hope the gentleman will not insist on that point; otherwise we can not get through with this bill. It will not change the result if the document is read.

Mr. SPOONER. It seems to me that if an important appropriation of this kind is to be stricken out of the bill when the estimates are before the committee, it ought to be done by a quorum of the House, at least. Mr. MILLER, of Pennsylvania. There is evidently no quorum

present.

The SPEAKER. Does the gentleman insist upon the point of no

quorum?

Mr. SPOONER. I do not wish to put the House to any inconvenience or discomfort. I think, however, it is proper to have that letter of the Secretary read, which will give the House necessary information as to the importance of this matter. I desire to be perfectly courteous to gentlemen in charge of this measure, and if it be conceded to me that this letter of the Secretary of the Navy shall be read, and then I am permitted to occupy two or three minutes in addition, I will not press the matter of no quorum.

Mr. RANDALL. Do I understand the gentleman to say that if he has an opportunity to read that letter or report that he will not insist

further on the demand for a quorum?

The SPEAKER. The gentleman states that if he is allowed to have the report read, and then two or three minutes in addition, that he will not insist upon the point.

Mr. RANDALL. Very well; I have no objection.

Mr. SPOONER. And with the understanding also that a vote shall be taken on my motion.

The SPEAKER. If there be no objection, the Clerk will read the port. There was no objection.

The Clerk read as follows:

NAVY DEPARTMENT, Washington, February 11, 1885.

The Clerk read as follows:

NAVY DEPARTMENT, Washington, February 11, 1885.

Sir: I have to acknowledge the receipt of a copy of a resolution adopted by the Senate on the 4th day of February, as follows:

"Resolved, That the Secretary of the Navy is hereby directed to report to the Senate what, if any, steps have been taken to establish an advanced course of instruction of naval officers at Coaster's Harbor Island, Rhode Island, and the reasons which have controlled the action of the Department."

The subject of an advanced course of instruction of naval officers was, May 3, 1884, committed by this Department to a board consisting of Commodore S. B. Luce, Commander W. T. Sampson, and Lieut. Commander C. F. Goodrich, who on the 13th of June, 1884, made a report recommending the establishment of such a course of instruction in the science and art of military and naval warfare and in international law and history. The method recommended is carefully outlined in the report, a copy of which is annexed to this communication.

As it was deemed advisable that the course of study should be made to supplement the present instruction of naval officers in torpedoes at Newport, R. I., and that the place should be selected where the Department is already in possession of the necessary grounds and buildings, the board recommended the establishment of the college of instruction at Newport.

In pursuance of the previous determination of the Department, and in accordance with the foregoing report, directions were given that preparation should be made for the course of instruction to be conducted at Coaster's Harbor Island, Newport, by General Order No. 325, issued October 6, 1884, a copy of which is herewith transmitted.

The reasons which have controlled the action of the Department are to be found in the recognized necessity for an advanced course of military and naval education in the United States. There are now existing three schools for the purpose in the Army and one in the Navy. The latter is at the torpedo school only p

In instituting this school of instruction at Coaster's Harbor Island, the Department, acting within the scope of its powers, has simply utilized public grounds and buildings, under its own immediate control, for a wise and beneficial purpose, and has detailed naval officers who can readily be spared to constitute the president and faculty of the college.

Very little expense will be incurred in carrying out the Department's plan, while the benefits to be realized by the Navy and the country will be of great importance. The subject is commended to the notice and favor of Congress.

Very respectfully,

W. E. CHANDLER. Secretary of the Navy.

The PRESIDENT pro tempore of the Senate.

Mr. SPOONER. Mr. Speaker, I simply want to say in addition that the building referred to here is already standing on this island, and it is for its repairs and preservation and for furnishing the same for use as a naval training-school that this appropriation is desired and was recom-

I regret to have been obliged to submit this matter to the attention of the House at a time when I know it is weary of this long-continued ses-sion; and yet members who have given attention to the brief statement of the Secretary which has just been read must understand now, if they did not before, the desirability, I might say the necessity, for this appropriation for fitting our naval officers for modern naval service. It is in that line that this matter looks, and that this training-school is expected to aid and educate the officers of the Navy. I particularly ask the attention of the House to it now; and request that this very meritorious appropriation, less than the amount submitted, amounting in the aggregate to but \$12,000, for the preservation of the building and the repair of a building which was a gift to the Government from my own State, shall be considered, and that the amount herein named be appropriated.

I therefore ask a vote on my motion,
Mr. RANDALL. The House should not confound this appropriation for the training-school with the other proposition. They are two

distinct amendments.

Mr. SPOONER. Why not confound them? How do they differ?
Mr. RANDALL. Because the next amendment relates to the training-school. This amendment relates to an institution for the higher education of the officers, and not an institution about to be established

Mr. SPOONER. I do not understand that there is anything more than a mere quibble of words in that. This is a training-school. I move, therefore, that the House recede from its disagreement to the amendment of the Senate and agree to the same.

The question was taken; and on a division there were-ayes 37,

So the motion was not agreed to.

Mr. RANDALL. I now move that the House further insist on its disagreement to the amendment of the Senate.

The motion was agreed to.

The next amendment (numbered 132) was read.

Mr. RANDALL. Now I want to say to the gentleman from Rhode Island that I think there can be a substantial result reached with reference to this amendment. I therefore ask a formal non-concurrence and that the House further insist upon the disagreement to the amendment of the Senate.

The motion was agreed to.

The next amendment (numbered 36) was read.

Mr. RANDALL. I move that the House further insist.

The motion was agreed to.

The next amendment (numbered 140) was read, as follows:

Strike out of the House bill the words:
"For constructing terrace north of the Capitol, section marked B, as shown on printed plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forty-eighth Congress), including wages of mechanics and laborers, \$21,500."

Mr. RANDALL. The House was ready to appropriate a sum of money to complete the northern or Senate end as far as this terrace was involved. We prefer to see the completion of the work before we begin at the Senate end. The proposition, however, of the Senate includes the completion of the north end and part of the completion of the west. It involves a much larger sum. I move, therefore, that the House further insist on its disagreement to the amendment of the Senate.

The motion was agreed to.

The next amendment of the Senate was read, as follows:

Insert the following:
"For continuing the construction of the terrace and grand stairways of the Capitol, as shown on plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forty-eighth Congress), including wages of mechanics and laborers, \$350,000; and this appropriation shall be immediately available."

Mr. RANDALL. This is of the same tenor as the other to which I

have just referred, and I ask non-concurrence in the amendment.

Mr. ROSECRANS. That work ought never to have been begun.

Mr. RANDALL. I move that the House further insist upon its dis-

agreement to this amendment.

Mr. WHITE, of Kentucky. I think the gentleman is entirely correct on that proposition. The idea of appropriating \$350,000 to be expended for labor around this Capitol is simply a waste of the public money in the main, as we have seen it here year after year. Especially

is this appropriate in view of what was done awhile ago when a bill to pay the small claims running from twenty dollars to two or three hundred or four hundred dollars, known as the 4th of July claims, which dred or four hundred dollars, known as the 4th of July claims, which have been passed upon by the accounting officers of the Department, the loyalty of the claimants in each case fully proven, the amount of the claim satisfactorily established, and the Treasury Department having undertaken the investigation as well as the House committee and a report made by the gentleman from Tennessee, and yet these claims receive no consideration simply because of objection coming from members on that side of the House

Mr. RANDALL. I am glad to know that the gentleman from Kentucky agrees with me on this point.

I now move to further insist on the disagreement.

The motion was agreed to.

The amendment (numbered 142) was read, as follows:

To construct a reservoir for hot water on the Government reservation at Hot Springs, Ark., in order to provide for an adequate supply of hot water for the Army and Navy Hospital and bath-houses, \$30,000.

Mr. RANDALL. I move that the House further insist on its disagreement to this amendment.

The motion was agreed to.

The amendment of the Senate numbered 166 was read, as follows:

Strike out the following:

"Tenth census:
"That the twenty-second section of the act entitled 'An act to provide for the taking of the tenth and subsequent censuses,' approved March 3, 1879, be, and the same is hereby, repealed."

Mr. RANDALL. In the original law there was a provision made that where States in intermediate years undertook to take a census of their citizens the United States Government should pay one-half the expense. This clause was inserted at the instance of the gentleman from pense. This clause was inserted at the instance of the gentleman from New York, the chairman of the Census Committee of the House. That gentleman has told me that the repeal of this clause in the original act would save a very large sum of money to the Government of the United States, running into one or two million dollars.

Mr. WARNER, of Ohio. How?

Mr. RANDALL. The Government of the United States by the original act agreed to pay one-half the expense of any State census that might be taken.

might be taken.

Mr. WARNER, of Ohio. Do you like that partnership?

Mr. RANDALL. I do not. I am a State-rights man, and I wanted

the States to do this at their own expense.

Mr. WARNER, of Ohio. That is right.

Mr. RANDALL. I move that the House further insist on its disagreement to this amendment.

The motion was agreed to.

The amendment of the Senate numbered 173 was read, as follows:

Strike out the following paragraph:

"That the officer in charge of public buildings and grounds may, on the approval of the Secretary of War, cause to be removed the iron fences surrounding the reservations on Pennsylvania avenue between Thirteenth and Four-teenth streets.

This side of Fourteenth street on Pennsylvania Mr. RANDALL. avenue is a reservation that is surrounded by iron railings. It is practically useless as a place of resort. And as the general current of sentiment in cities is to take down railings and throw open such squares for public use the committee desired that that should be done there. The Senate object. I move that the House further insist on its disagreement to this amendment.

Mr. WHITE, of Kentucky. I desire to ask the attention of the chairman of the Committee on Appropriations to the paragraph in line 1998

which reads:

For construction and repair of iron fences, \$500.

Is that still in the bill?

Mr. RANDALL. That is the general fund to repair any of the iron

Mr. KANDALL. That is the general lund to repair any of the iron fences that surround the reservation.

Mr. WHITE, of Kentucky. Now, in regard to amendment numbered 173, to which the chairman of the Committee on Appropriations has called the attention of the House, if I understand it correctly the provision proposed to be stricken out is intended simply to remove an interpretable the reservation between Thirteenth and Fouriron fence surrounding the reservation between Thirteenth and Four-

Mr. RANDALL. Yes, sir; the reservation facing the National The-

Mr. WHITE, of Kentucky. What I want to say about this is that it strikes me there is an incongruity in the two propositions.
Mr. RANDALL. Not at all. If the gentleman will pardon me for

a moment I will explain.

Mr. WHITE, of Kentucky. What we ought to do is to remove all of these iron fences. No cattle or swine are allowed to run at large. What we ought to do is to remove all These fences are unsightly and ought all to be removed. The botanical grounds are hidden from the view of visitors by the fences surrounding them. Franklin Square, one of the most beautiful squares in the city, has an iron fence surrounding it which ruins the whole effect. For proof of this you need only go to Farragut Square, and the one beyond that toward Georgetown, to Iowa Circle, to Lincoln Park, and others railed in by those costly iron fences. I suggest that we strike out the paragraph at line 1998:

For construction and repair of iron fences, \$500.

Mr. RANDALL. That is not now before us.

Mr. WHITE, of Kentucky. Then I move to amend the amendment which is before us by providing that the officer in charge of public buildings and grounds may, on the approval of the Secretary of War, cause to be removed the iron fences surrounding the reservations within the District of Columbia.

Mr. RANDALL. I would not like to agree to that without the approval of the officer in charge of those reservations.

Mr. WHITE, of Kentucky. There are the Agricultural grounds which are far more decorated and more beautifully laid out than the Botanical grounds. The grounds in the Botanical Garden railed in by these fences are in a slipshod condition and have an air of neglect about

them. They look like a cheap diamond in a poor ring.

Mr. RANDALL. I admit that the general current of feeling as to these high iron fences in the large cities is changing and they are being removed, but there is no way of accomplishing that just now, and I hope the gentleman will not insist upon the amendment.

Mr. WHITE, of Kentucky. I do not see why we should not make this amendment. This is to remove the fences from the little flat-iron park near the theater. Why should not the direction be made general?
Mr. RANDALL. I am willing that the gentleman should test the sense of the House on his amendment.

The SPEAKER. Will the gentleman from Kentucky please state

what is his amendment?

Mr. WHITE, of Kentucky. I move to strike out after the word "reservations," in line 2020, the words "on Pennsylvania avenue between Thirteenth and Fourteenth streets" and insert "in the District

Mr. RANDALL. The gentleman will have to make his motion in these words: "That the House agree to the Senate amendment with the further amendment" which he proposes.

Mr. WHITE, of Kentucky. I thank the gentleman from Pennsylvania for the suggestion. I modify my motion in that way, and the effect of my amendment would be to leave it in the discretion of the Secretary of War. As amended it would read:

That the officer in charge of public buildings and grounds may, on the approval of the Secretary of War, cause to be removed the iron fences surrounding the reservations within the District of Columbia.

It is obvious this action is needed.

But it is needed just as much in front of the market. It is needed more in these Botanical grounds, and it is needed as much in Franklin Square and some other squares. We want to beautify this city. That is what we appropriate the money for. We have landscape gardeners who lay out the grounds beautifully, and then we fence in those grounds with these high fences and walls, although no animal is allowed to run

at large that could do them any harm.

The motion of Mr. WHITE, of Kentucky, that the House recede from its disagreement to this amendment and agree to the same with

an amendment proposed by him was rejected.

Mr. RANDALL moved that the House further insist upon its disagreement to the amendment of the Senate.

The motion was agreed to.

The next amendment (numbered 193) was read, as follows:

Quartermaster and commissary depot at Saint Paul, Minn.: For the completion of the public building for a quartermaster and commissary depot at Saint Paul, Minn., to be used as offices for officers of Department of Dakota, and for heating the same, \$30,000.

Mr. WASHBURN. Mr. Speaker, I move that the House agree to the Senate amendment. This building at Saint Paul is nearly completed. It is designed as a quartermaster and commissary depot. The people of Saint Paul gave the site; about \$60,000 has been expended upon the building; it is a four-story building, and the amount named in this item is required to complete it and put in the heating apparatus, &c. Mr. RANDALL. I suggest to the gentleman from Minnesota that we had better let that go into conference again.

Mr. BUDD. Mr. Speaker, I desire at this time to move that the House concur in this provision with an amendment which I send to the Clerk's desk. I will say that it makes no difference whether this amendment comes in at this place or in connection with any other provision

ment comes in at this place or in connection with any other provision for a public building. The amendment is to appropriate the sum of \$350,000 for the purchase of a site in San Francisco for a post-office and court-house. It is unnecessary to state that the amount proposed to be appropriated for that purpose is less—

Mr. RANDALL. Mr. Speaker, I suggest that that amendment is not germane to the bill, and the gentleman had better withhold it for the

AMr. BUDD. Then I withdraw it for the present.

Mr. RANDALL moved that the House further insist on its disagreement to the amendment of the Senate.

The motion was agreed to.

The next amendment (numbered 194) was read, as follows:

*For purchasing hospital and other records of the war pertaining to the New England Soldiers' Relief Association, \$5,500.

Mr. RANDALL. I move that the House further insist upon its disagreement to this amendment.

The motion was agreed to.

The next amendment (numbered 195) was read, as follows:

Sea-wall at Governor's Island, New York Harbor: For sea-wall around Governor's Island, \$40,000.

Mr. RANDALL. I move that the House further insist upon its disagreement to this amendment.

The motion was agreed to.

The next amendment (numbered 196) was read, as follows:

For the purpose of erecting a statue, with suitable emblematic devices thereon, on one of the public reservations in the city of Washington, to the memory of General-La Fayette and his compatriots, \$50,000.

Mr. McCOMAS. Mr. Speaker, I desire to call attention to the remarkable language of this paragraph, which provides for the erecting of "a statue, with suitable emblematic devices thereon." Does that mean General La Fayette tattooed or otherwise ornamented? The

idea seems very imperfectly expressed.

Mr. RANDALL. The House conferees were not aware that the Committee on the Library had ever considered this subject or had had an opportunity to view the plans, and in that condition of the case conferees on the part of the House not intending any disrespect whatever to the memory of General La Fayette, but, on the contrary, being deeply sensible of the great service rendered to the United States by that distinguished man, they yet felt that they would prefer that the House Committee on the Library should have something to say in relation to this matter

Mr. McCOMAS. My only desire was to call the attention of the distinguished chairman of the Committee on Appropriations to the rather

peculiar language of this paragraph.

Mr. RANDALL. I am not responsible for the language, It is a Senate amendment. Mr. Speaker, I move that the House further insist on its disagreement to the amendment of the Senate.

Mr. WHITE, of Kentucky. Mr. Speaker, I move to amend so as to provide for the erection, not of a statue, but of a charitable institution

for inebriates

Mr. SPRINGER. Mr. Speaker, that amendment is not germane to the bill.

Mr. WHITE, of Kentucky. I think the RECORD will show that when the bill was brought in and read through here under a suspension of the rules, I called attention to the fact that there were enormous appropriations in it.

Mr. RANDALL. I am quite sure that the gentleman from Kentucky does not desire to put me to any personal inconvenience.

Mr. WHITE, of Kentucky. No more than the gentleman and the other members of the committee and the rest of his friends have put

Mr. RANDALL. I am not aware that I have ever put anybody to personal inconvenience in this House.

Mr. WHITE, of Kentucky. This bill should have been reported a month or six weeks ago.

Mr. RANDALL. Oh, well, if the gentleman does not appreciate my

ourtesy I have nothing further to say.

Mr. WHITE, of Kentucky. Now, Mr. Speaker, I am opposed to erecting a statute to the memory of La Fayette; not that I do not love his memory, not that I do not appreciate the services he rendered to our country, but because I believe that to build a monument to any-body in this age when there are thousands and millions who cannot be appreciate the services. body in this age when there are thousands and millions who can not get bread, when there are thousands of children that are not educated, that are not properly clothed, when there are millions of people in the United States who can not read or write—and I do not mean the colored people alone, for there are thousands of whites who can not read -I say, sir, that at such a time and in such a condition of things it would be better and wiser to offset some of the evil, to alleviate some of the suffering that humanity is heir to in this free land by erecting and maintaining charitable institutions rather than follow the example of the barbarous and half-civilized nations of the past in erecting these costly monuments.

Look at the monuments in this city. Look at the monument to Farragut; does any one feel proud of that? Look at the statue in Mc-

Pherson Square; does any one who has ever studied a horse think that is a proper representation of a horse? There ought to be written under it, "This is a horse."

A MEMBER. That would not be true.

Mr. WHITE, of Kentucky. Mr. Speaker, I move to amend this amendment so as to read, "For the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose of erecting a charitable institution for inebriates on one of the purpose. Washington, to the memory of La Fayette and his compatriots, \$250,ooo." If that amount is not enough, let some future Congress supplement it. Thus you will build an appropriate monument and one which the intelligent people of this country will appreciate far more highly than they will that pseudo-monolith sticking out of the mud of the Po-

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. White] that the House recede from its disagree-

ment to the amendment of the Senate, and agree to the same with an

The motion was not agreed to.

The question recurring on the motion of Mr. RANDALL, it was agreed

to.

The one hundred and ninety-seventh amendment of the Senate was read, as follows:

Insert the following after line 2413:

"That the Secretary of War, the chairman of the joint Committee on the Library, and the Architect of the Capitol are authorized to contract for and erect the said statue, and to designate a suitable public reservation in the city of Washington as the site for said statue."

Mr. RANDALL. We propose in this case the same action as in the other; they may go together.

The SPEAKER. If there be no objection the House will further insist on its disagreement to this amendment of the Senate.

There was no objection.

The one hundred and ninety-eighth amendment of the Senate was

Insert after line 2418:
"To enable the Joint Committee on the Library to purchase the portrait of General George H. Thomas by Miss C. S. Ransom, \$10,000."

Mr. RANDALL. I move that the House further insist on its disagreement to this amendment, and on that motion I demand the previous question.

The previous question was ordered; and under the operation thereof the motion of Mr. RANDALL was agreed to.

Mr. RANDALL. The next two amendments, the twelfth and the forty-ninth, can be considered together; and I presume it is not necessary to read them. One of the provisions which the Senate strike out sary to read them. One of the provisions which the Senate strike out relates to the sale of public property in Boston at a minimum price of \$225,000. It is provided that if the Secretary of the Treasury should deem this price too low he may appoint a board that shall fix the minimum price. A similar provision is made in relation to the old post-office building in Philadelphia, \$300,000 being fixed as the minimum in that case. I move that the House insist on its disagreement to these two amendments.

The motion was agreed to.

Mr. SPRINGER. The fifty-ninth amendment is the one proposing the purchase of a site for a new post-office in this city. ment is in several sections, the first being as follows: The amend-

That in order to provide additional accommodations for the Post-Office Department and an eligible site for a city post-office, the Postmaster-General, the Secretary of State, and the Secretary of the Treasury, acting as a board, be, and they are hereby, empowered and instructed to acquire, as hereinafter provided, the several parcels of real estate embraced in square numbered 406 of the said city, bounded by F street on the north, E street on the south, Eighth street on the east, and Ninth street on the west, at a cost all told not exceeding \$640,000; and for such purpose that sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. RANDALL. I yield for a few moments to the gentleman from

South Carolina [Mr. Dibble], a member of the Committee on Public Buildings and Grounds, who have considered this subject.

Mr. Dibble. Mr. Speaker, I do not think there was any difference at all in the Committee on Public Buildings and Grounds in regard to this matter. The Senate amendment is identical in its terms with a Sanata bill which was referred to our committee and which met with Senate bill which was referred to our committee, and which met with our unanimous disapproval in several of its features. We disapproved of this measure on two grounds, first, as to the amount; second, as to the frame of the bill (independently of the amount), for we believe it

would allow opportunity for involving the Government in an unlimited expenditure in spite of the limitation named in the bill.

The amount proposed to be expended is \$640,000. We had a report on this subject from an informal committee appointed jointly by the Senate and House Committees on Public Buildings and Grounds; and we had the assurance of this committee that the help of this report is the senate and House Committee on Public Buildings and Grounds; and we had the assurance of this committee that the whole of this property could be bought for \$500,000 and perhaps for less. We also had the letter of a part owner to the same effect. The committee generally agreed that this was the maximum limit to which the Government

should go.

In relation to the manner in which the measure is framed, it provides in the first place for the absolute purchase by parcels of about two-thirds of that square—not quite two-thirds; and authorizes certain prices according to a schedule and set of bids made by certain owners of property or their agents. The area of that square is 60,000 square feet; property or their agents. The area of that square is 60,000 square feet; the area to which these offers apply is a little less than 40,000 square feet—less than two-thirds. The exact area is 38,725 square feet. The bill undertakes to provide that the total cost of the square shall not exceed \$640,000, yet it authorizes an expenditure of \$538,500 for 38,725 square feet, leaving only \$100,500 to buy more than half as much as the portion which is to cost \$538,500.

Furthermore, the schedules and estimates which are incorporated in this bill differ from each other incorporate in the company of the square statement.

this bill differ from each other in several important particulars, including the dimensions of the lots, as mentioned in the schedule and the offer, respectively. No lawyer who has been in practice six months would consider a contract with this discrepancy as giving a binding and clearly defined agreement for a good title. No business man would act upon any such offer in his private affairs.

As to the other third part of the square we are informed that a portion of it is owned by minors, and another portion is church property. third part embraces about 20,000 square feet; yet, without any positive assurance that the remainder of the square can be bought at a reasonable price, it is proposed in this measure to purchase the two-thirds, which is offered, parcel by parcel, and pay for it out of the Treasury. The result would be that after the Government had spent \$540,000 it would over detailed the contraction of the would own detached pieces of property scattered through this square, while as to other pieces, and in one instance where a party offers one piece he reserves another piece, the Government would be at the mercy of these owners. These are the reasons, briefly stated, why the Committee on Public Buildings and Grounds by a unanimous vote repudiated this plan of legislation.

Mr. RANDALL. I will yield now to the gentleman from Pennsyl-

vania [Mr. BRAINERD] also a member of the committee.

Mr. BEAINERD took the floor.
Mr. DUNHAM. I wish to ask the gentleman from Pennsylvania a question. Do not let us debate this any longer, but let us vote.

question. Do not let us debate this any longer, but let us vote. We are as ready to vote now as at any other time.

Mr. BRAINERD. I desire to oppose it, and I will not occupy but a minute or two. This provision which has been put on the sundry civil appropriation bill by the Senate ought not to be passed. I am fully satisfied of that from an investigation of the case, and our committee have fully investigated in reference to this property and considered it in all its aspects and we framed a bill providing for the purchase of this property for a sum not exceeding \$500,000. That bill has been introduced and is now pending in this House.

erty for a sum not exceeding \$500,000. That bill has been introduced and is now pending in this House.

On reliable information furnished to us this property can be purchased for \$500,000 or less. I am informed its assessed value is a little over \$300,000. In my judgment, if this purchase is authorized by Congress on the basis of \$640,000, at least \$140,000 of it is money that will go into the hands of private speculators, and for one I am not willing the Government shall be placed in the power of speculators under the provisions the Senate have introduced into this bill. Under those provisions this property would cost this Government an unlimited amount. The this property would cost this Government an unlimited amount. The mode of acquirement of title in itself is sufficient to satisfy this House before the title shall be completed to that entire square, as contemplated by the purchase, it would cost this Government far above \$1,000,000 instead of \$640,000.

Mr. BUDD. I move to adhere. I do not think this ought to be sent to conference. If there ever was a job stuck into a bill this is the

The SPEAKER. If there be no objection, the question will be taken on the motion of the gentleman from Pennsylvania that the House insist on its disagreement.

The motion was agreed to.

Mr. SUMNER, of California. Mr. Speaker, I move to amend by adding to the last Senate amendment, appropriating for public buildings, an amendment providing an appropriation of \$350,000 for the purchase

of a site for a post-office in San Francisco.

Mr. WHITE, of Kentucky. Mr. Speaker, I rose in time to move an amendment about the property between F and E and Ninth and Tenth

The SPEAKER. The House has passed away from that subject.
Mr. WHITE, of Kentucky. I think the Chair will agree with me
that instead of buying this piece of property, it would be better to amend
so that the Pennsylvania Railroad should be compelled to keep out of
the public grounds, and we should take that building and turn it into

a city post-office.

Mr. RANDALL. That is not germane. I ask the House further to insist on its disagreement to the fourth amendment, which relates to the international boundary surveys between Mexico and the United States. I should like that to go into the conference for some sort of adjustment.

The SPEAKER. It has not been read.

Mr. RANDALL. I think it has been read.

The motion was agreed to.

Mr. RANDALL. I ask that the vote be taken as a whole on the various propositions relating to public buildings, and on that I demand the previous question.

Mr. BROWN, of Pennsylvania. I have been on the floor addressing

the Chair.

The SPEAKER. The gentleman from Pennsylvania has made a request which the Chair has not stated to the House. The gentleman asks the House to vote as a whole on propositions relating to public

Several members objected.

The SPEAKER. If that is acceded to, gentlemen might still offer their amendments.

Mr. POLAND. I desire to have a separate vote on amendment 62.

The SPEAKER. If gentlemen will indicate the amendment on which

they ask for a separate vote, time will be saved.

Mr. STOCKSLAGER. I desire separate votes.

The SPEAKER. The Chair asks gentlemen to indicate all propositions on which they desire separate votes.

Mr. STOCKSLAGER. I desire to move an amendment.

The SPEAKER. The suggestion of the gentleman from Pennsylvania is objected to.

Mr. RANDALL. I ask the sixth amendment be read.

The Clerk read as follows:

For court-house and post-office at Abingdou, Va. : For completion under present limit, \$25,000.

Mr. RANDALL. I demand the previous question.
Mr. WHITE, of Kentucky. What is the population? What is the necessity for it?

Mr. RANDALL. I think about 3,000, but I am not certain. I want to test the sense of the House whether they want any other buildings added to the million seven hundred thousand dollars which the Senate have passed.

Mr. BUDD. I think it will facilitate business if I can— Mr. RANDALL. I will make a statement. If the House want additional buildings they can vote down the previous question. If the House wants there shall be a concurrence in all these propositions of the Senate they can take that vote. I demand the previous question. If that is voted down, then I am no longer in charge of this subject.

The SPEAKER. Of this particular amendment.

Mr. RANDALL. I did desire to have a single vote on these thirtynine separate amendments which relate to the public buildings.

Mr. BUDD. I desire to make a statement to gentlemen of the House. If the gentleman from Pennsylvania will withdraw his demand

for the previous question a moment— Mr. RANDALL. I do not want to lose the floor. Mr. BUDD. I will not take you off the floor.

Mr. RANDALL. I am willing to listen.

Mr. BUDD. In these amendments added by the Senate, and which you say contain additional appropriations for buildings, it will be found that some have already passed by separate bills in both Houses and have become laws. There are certain bills which have passed the Senate and the House, for instance the bill for the Sacramento post-office, providing that a post-office shall be erected there. But the bill is inoperative. It seems that in some of these bills the appropriating words have been omitted by some oversight, and consequently what is claimed as an increase or addition by the Senate is simply an appropriation to carry out laws that have been enacted. That is the reason why I ask to have a separate vote expressly upon that particular amend-

Mr. WASHBURN. I move that the House recede from its disagreement to the amendments of the Senate, and agree to the same.

Mr. RANDALL. Does the gentleman make that motion as to all

these separate amendments?

Mr. WASHBURN. I will amend my motion, and move that the House recede from all its disagreements to these amendments with an

Mr. BUDD. I must demand a separate vote.

The SPEAKER. That has been already demanded. Mr. RANDALL. I demand the previous question.

The SPEAKER. The gentleman from Pennsylvania moves that the House further insist on its disagreements to the amendments of the Senate, and on that demands the previous question. Pending that motion the gentleman from Minnesota moves to recede from the disagree ments and agree with an amendment, which is in order and not debata-ble pending the demand for the previous question. The gentleman will state the amendment.

Mr. BUDD. I want to say that a separate vote will be insisted on

Mr. STOCKSLAGER. Will the gentleman from Pennsylvania yield to me for an amendment?

Mr. RANDALL. Without waiving the right to call the previous question on the pending motion, I want to yield a moment to the gentleman from Indiana [Mr. STOCKSLAGER].

Mr. STOCKSLAGER. I wish to offer an amendment, but I prefer that a vote shall first be taken on the motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate further insisted upon its amendments, disagreed to by the House, to the bill making appropriations for the legislative, executive, and judicial expenses of the Government, and agreed to the confirmed school by the House of the Covernment, and agreed to the confirmed school by the House of the Covernment, and agreed to the confirmed school by the House of the Covernment, and agreed to the confirmed school by the House of the Covernment, and agreed to the confirmed school by the House of the Covernment, and agreed to the confirmed school by the House of the Covernment of the Covernme ference asked by the House on the disagreeing votes on said bill, and had appointed Mr. Allison, Mr. Dawes, and Mr. Cockrell managers at said conference on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The Chair will recognize the gentleman from Indiana if he desires recognition.

Mr. BAYNE. I rise to make a parliamentary inquiry. The motion of the gentleman from Pennsylvania, my colleague, is that the House disagree to all of these amendments, as I understand.

The SPEAKER. That was objected to, and a separate vote demanded

upon each.

Mr. BAYNE. Then I ask the attention of gentlemen a moment. In the interest of harmony and the dispatch of the public business, I ask that unanimous consent be given that a vote be taken on all these

amendments put in by the Senate at one time, and then if that is voted down, that gentlemen desiring to offer amendments shall have the op-

portunity to do so.

Mr. CASSIDY. I object.

Mr. RANDALL. I again make this suggestion: Let us take all of the amendments but the last in one motion, and that can be used as a basis for offering amendments up to a reasonable hour.

Mr. BUDD. No, sir; I will object to that.
Mr. RANDALL. I suggest that if the House will permit a vote to
be taken on all the amendments except the last proposition, then that proposition can be submitted to a separate vote, and if the House desires further amendments all they have to do is to vote down the previous question.

Mr. BUDD. Why can not that be done on the first amendment? Mr. RANDALL. Well, I want to expedite the consideration of the

Mr. BUDD. It will expedite it just as much if the vote is taken on

Mr. RANDALL. I think not.

Mr. WHITE, of Kentucky. I desire to ask the gentleman from Pennsylvania if it be true as alleged that the Senate has amended this bill by adding some four millions of dollars for public buildings?

Mr. RANDALL. No, sir; not so much.
Mr. WHITE, of Kentucky. About what is the amount?
Mr. RANDALL. In the neighborhood of \$1,600,000.
Mr. POLAND. Excluding the post-office here?
Mr. RANDALL. Yes, sir.

Mr. SMITH, of Pennsylvania. I reserve the right to offer an amendment to this bill.

The SPEAKER. The gentleman can not reserve the right when the previous question is demanded.

Mr. SMITH, of Pennsylvania. I submit to my colleague that he

should allow an amendment—

Mr. BUDD. I insist upon the regular order. The Speaker has decided that the vote must be taken separately when demanded.

The SPEAKER. The question is on ordering the previous question.

The House divided; and there were-ayes 62; noes 19.

Mr. BUDD. No quorum.
Mr. RANDALL. Mr. Speaker, I ask to lay aside this report and take up the naval appropriation bill.
Mr. BUDD. Regular order.
Mr. KEIFER. Can not this business be laid aside by a conference

report?
The SPEAKER. The Chair thinks this is a conference report.
Mr. KEIFER. The conference report has been adopted. This is outside of the report-extraneous to it

Mr. WASHBURN. It seems to me the whole matter can be arranged satisfactorily in a moment if gentlemen will hear a proposition.

Mr. RANDALL. I will submit a proposition. I am willing that these amendments may be offered, provided that gentlemen who offer them if they are voted down will not take advantage of the fact to require a quorum. Mr. LEWIS.

Mr. LEWIS. I am willing.
Mr. CASSIDY. And I shall not object.
Mr. BROWN, of Pennsylvania. That is exactly what I want. I have been wishing to get a vote on a bill of mine for a long time.

Mr. BUDD. I want to understand the question before giving my assent. This relates to any amendment that may be offered to this bill?

Mr. KEIFER. I have a little bill here.

The SPEAKER. Any amendment that would be in order under the rules of the House would be in order if the agreement should be con-

rules of the House would cluded. Is there objection to the request?

Mr. WHITE, of Kentucky. That is but a part of the system upon which this bill has been passed.

The SPEAKER. That is not a matter to be discussed now.

Mr. WHITE, of Kentucky. I want to say I yield none of my rights to call a quorum, if I believe at any time a quorum ought to be demanded.

The gentleman from Kentucky objects to the arrangement proposed by the gentleman from Pennsylvania.

Mr. HATCH, of Missouri. I do not understand the gentleman from

Mr. WHITE, of Kentucky. I stated his own position.

Mr. WHITE, of Kentucky. I stated I would not bind myself not to demand a quorum simply because gentlemen have bills that they want to go into this bill with the other buildings which some members of the House through influence with the House committee have put in, and which some members of the Senate have put in, having gone one better through members of the Senate committee. I do not propose to

be bound by any agreement that shall prevent me from exercising my right to demand a quorum if I should think it necessar Mr. RANDALL. I understand the gentleman from Kentucky [Mr. WHITE] to object practically to the proposition I have made. I therefore ask to postpone the consideration of the sundry civil bill so as to

enable the report of the committee of conference on the naval appropriation bill to be made.

Several members objected.

The SPEAKER. The Chair holds that the amendments which the House is now considering are not part of a conference report, and that the consideration of those amendments may be interrupted by a conference report, which is privileged under the rules of the House.

Mr. RANDALL. I present the conference report on the naval appropriation bill. And I will say that I desire to take the naval bill

back into conference as quickly as I can.

Mr. BUDD. I desire to state at this point for the information of the gentleman from Pennsylvania [Mr. RANDALL] and others who may have misunderstood me that all I asked was that gentlemen who had amendments might have the right to offer them.

Mr. RANDALL. I have been generous in the highest degree, but I have been met by an objection which prevents me from proceeding with that part of the business which relates to the sundry civil bill. I have asked that the consideration of that bill be postponed until I can secure a quorum here to test the sense of the House on the Senate amend-

NAVAL APPROPRIATION BILL.

The SPEAKER. The Clerk will read the conference report sent up by the gentleman from Pennsylvania.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30,1886, having met, after full and free conference have been unable to agree.

Managers on the part of the Senate.

W. HUTCHINS, SAM. J. RANDALL, JOHN D. LONG,

Managers on the part of the House.

EUGENE HALE,

P. B. PLUMB,

JAMES B. BECK,

Managers on the part of the Senate.

Mr. RANDALL. I would like to have order and I will make a state-ent to the House. The real difficulties as to the naval appropriation ment to the House. ment to the House. The real difficulties as to the haval appropriation bill are not so great as the general disagreement reported by the conference committee would seem to indicate. There are but four or five real points in controversy about which the conferees on the part of the House and of the Senate do not seem at present to be able to agree.

The first relates to the \$400,000 appropriation in reference to what is known as the wooden vessel New York, at Brooklyn, N. Y.

The next is the proposition of the Senate for the construction of two cruisers, which shall be from 3,000 to 5,000 tons displacement, and to cost \$1,100,000, exclusive of the armament.

cost \$1,100,000, exclusive of the armament.

The next is as to a heavy gunboat of about 1,600 tons displacement, at a cost not exceeding \$520,000 without the armament.

The next is as to a light gunboat of about 800 tons displacement, to cost about \$275,000. And in this connection I will say the difficulty arose in the conference whether that board which now exists, known as the naval advisory board, should be given anything to do with the construction of the vessels to which I have just referred. The armament for these four vessels is appropriated for in the Senate amend-

ment to the extent of \$500,000.

The next is as to the item inserted by the Senate appropriating \$2,000,000 for the commencement of work on the double turreted monitors, which will cost to complete, as is well known by all of us, \$4,-

Then again there is a proviso requiring that the purchase of the armor contracted for shall be free to open public competition. Not a word is there said as to domestic material.

The next difficulty is as to what is known as the Ericsson Destroyer,

In heart dimedity is as to what is known as the Eriesson Destroyer, to which the conferees on the part of the House decline to assent.

In view of the proposition as to the two cruisers and as to the heavy gunboat and the light gunboat there was submitted a proposition in lieu of the one providing for the construction of the four vessels which

Mr. TALBOTT. Was that offered by the House conferees?
Mr. RANDALL. I offered it as one of the House conferees, and I believe I would have had, if the Senate conferees had assented, the concurrence of one of my associates, perhaps both. I do not know as to the gentleman from Massachusetts [Mr. Long]; he can speak for him-I ask the Clerk to read that proposition.

The Clerk read as follows:

The Clerk read as follows:

These vessels are to be constructed of steel of domestic manufacture, having as near as may be a tensile strength of not less than 60,000 pounds to the square inch and a ductility in eight inches of not less than 25 per cent. Neither of the vessels hereby authorized to be built shall be contracted for or commenced until full and complete detail drawings and specifications thereof in all its parts, including the hull, engines, and boilers, shall have been made and approved by the Navy Department. And after said drawings and specifications have been made and the contract entered into for building the same they shall not be changed in any respect, when the cost of such change in the construction shall exceed \$500, except upon the recommendation of the chief constructor and the engineer in chief in writing and with the approval and upon the written order of the Secretary of the Navy. And if changes are thus made the actual cost thereof and the damage caused thereby shall be ascertained, estimated, and determined by the Navy Department through the proper bureaus; and in any contract made pursuant to this act it shall be provided in the terms thereof that the contractor shall be bound by the determination of the Navy Department as to the amount of the increased or diminished compensation said contractor shall be entitled to receive in consequence of such change or changes.

In the event that the whole or any part of the vessels provided for are built

by contract, such building shall be under contract with the lowest and most responsible bidder or bidders, made after at least sixty days' advertisement published in five leading newspapers, inviting proposals for constructing said vessels, subject to all such rules, regulations, superintendence, and provisions, as to bonds and security for the due completion of the work, as the Secretary of the Navy shall prescribe. And no such vessel shall be accepted unless completed in strict accordance with the contract: Provided, That the Secretary of the Navy shall utilize the national navy-yards, with the machinery, tools, and appliances belonging to the Government there in use in the building of said ships or any of the parts thereof as fully and to as great an extent as the same can be done with advantage to the Government: And provided further. That at the same time that he shall advertise for proposals for contracts for the construction of said vessels, he shall cause estimates to be made of the cost of their construction in the navy-yards, which estimates shall be sealed and opened only on the day when the bids for contracts are opened, and if it shall appear to the satisfaction of the Secretary of the Navy that the work of construction can be better and more economically done in the navy-yards, he may with the approval of the President reject all bids and cause the work to be done in the navy-yards.

Mr. RANDALL. The view of certain gentlemen, whom I need not more particularly describe, was that these vessels should be confined in their construction to private contractors and that the navy-yards should have nothing to do with them; such being alleged to be the tendency of the popular mind. There was also the idea put forth that the navy-yards could not compete with private contractors in consequence of the eight-hour law, which it was said gave the private contractors an advantage of about 20 per cent. to begin with. But as one of the conferes I thought it would be an advisable provision, as it would prevent in some degree a combination against the Government awound the few private contractors who construct these vessels, and that, as a means of preventing such combinations, we might bring in the Department to bid against them.

There was not much controversy as to the number of vessels to be built, but there was controversy as to whether we should place these two new cruisers, as provided in the Senate amendment, again under the control of the advisory board, and it was finally thought that that would be nothing more nor less than duplicating the cruisers now in the course of construction. In addition, one of the conferees desired that one of these vessels might be of such dimensions as would compare favorably with any battle-ship that is now affoat, and to that end it was desired that the restriction as to tonnage displacement which is provided for in the Senate bill should be fixed at between 3,000 and 5,000 tons and should be extended so that it might reach as high as 8,000 tons. I have stated the difficulties that presented themselves, but I think that perhaps an effort should be made to reconcile those differences by

another conference, and for that purpose I ask that this House nonconcur and ask a further conference. I yield now to the gentleman
from Massachusetts [Mr. Long].

Mr. LONG. Mr. Speaker, it is at this hour hardly worth any one's
while, and I doubt if it is the wish of the House, to discuss at length
the merits of the questions which are involved in this bill. The issue
that is now before as a practical one. If it he desired to except the that is now before us is a practical one. If it be desired to escape the necessity of an extra session for the purpose of passing a naval appropriation bill one of two things must be done, as I am satisfied from my experience in conference during the last three or four hours. Either this House must make up its mind to agree to the following proposi-tions: First, that the limit for repairs of wooden ships shall be 20 per cent.; second, that it is not worth while at present to enter upon the cent; second, that it is not worth while at present to enter upon the completion of the wooden ship New York; and third, that in moving for an increase of the Navy we adopt the general principle of empowering the Secretary of the Navy and the new administration to construct two cruisers, ranging from 3,000 to 5,000 tons displacement, together with one heavily armed gunboat and one lighter armed gunboat; leaving the character and description of the cruisers and gunboats to be determined by the incoming authorities-either this, or, on the other hand, we must lay aside all idea of an increase of the Navy during the present year and content ourselves with simply agreeing upon a bill which will pay the wages of the officers, sailors, and marines, keep the ordinary bureaus going, and let the incoming administration and the new Secretary of the Navy consider during the summer the whole general question of the increase of the Navy and report to the next Congress. These are the two plain practical alternatives that present themselves. It is a waste of time now to discuss the question of iron cruisers or

wooden ships and all that.

Mr. MILLIKEN. Are those propositions demanded by the Senate?

Mr. LONG. If the gentleman will excuse me, I can not in terms say that they are. If they were I should not have the parliamentary right to say so. But I have stated the simple, plain question. I repeat it again, if we desire to avoid an extra session so far as this matter is concerned let us agree on a bill (and I am sure we can) to provide for the current force of the Navy; or let us agree to an increase of the naval force in the general manner embodied in the Senate amendment to this bill, which is iron ships instead of wooden, and no more repairs at great expense of our wooden navy. And, coming now to the details of the proposition of the Senate embraced in this bill, it is by no means

a harsh or narrow one.

What is the proposition? It is: First, that there be appropriated money for the construction of two cruisers of not less than 3,000 or more than 5,000 tons displacement. That is all the limitation that is provided in the bill as to these two vessels. All the rest is left to the responsible head, the Secretary of the Navy, and to the President, his superior. It goes without saying that in the construction of these two cruisers the best talent will be sought, the best designs and plans obtained, all the advantages of modern invention—speed, security, power, armament, all secured. Second, a heavily armed gunboat of about 1,600 tons displacement. Third, a lighter gunboat of about 800 tons displacement. As to these gunboats also no other limitation than their size and general description and cost is placed on the responsibility of the Department, except as follows: And, further, "authority is hereby given for the construction of said four vessels, at not exceeding the total cost for each above specified, in accordance with such final plan as may be determined upon, after a revision and reconsideration of all designs which have been heretofore made.'

Not necessarily, it will be observed, to construct them at once, but leaving ample time for the Secretary to consider and mature the best plans. He may, if he pleases, take a whole year to consider and mature them, but after he has determined upon the plans then the vessels are to be constructed "in the manner and in conformity to the condi-

tions and limitations provided for the construction of the new cruisers in the acts of August 5, 1882, and of March 3, 1883."

Those acts very carefully guard the contracts for the construction of these gunboats and cruisers. It is true that these acts require the advice of an advisory board, and I certainly should desire, so far as that advisory board is concerned, that that part of these acts should be

waived in the construction of these vessels.

On this basis I believe we shall find elsewhere a readiness to unite with us cordially in putting it within the power of the new administration to construct these additions to our Navy varying in their type and size as described, with a large discretion conferred upon the new Secretary of the Navy, a discretion which certainly ought to be satisfactory to the incoming administration and to those who support it.

A MEMBER. What about the monitors?

Mr. LONG. With regard to the monitors I can only say, from such

observation as I have had, that the consideration of them was not spe-While I believe they should be completed, and when cially reached. cially reached. While I believe they should be completed, and when completed will form a most important part of our harbor defenses, I do not believe the question of their construction at this particular time should or will stand in the way of an agreement between the two branches. I do think, however, we must make up our minds to abandon the idea of spending money on wooden vessels, either in the excessive repair of old ones or in the completion of the New York, and also to increase the navy in the manner proposed by the Senate, giving this large discretion to the incoming administration, and holding it to strict responsibility. Either there must be an agreement upon that basis, or else an agreement can undoubtedly be had upon a bill—if the Democracy care to go to the country on that—which shall simply appropriate money enough to keep the present navy going in a perfunctory way. The practical thing certainly for us to do at this precise moment of time is to insist and ask for a new conference.

Mr. WARNER, of Ohio. To go back into conference and agree on

something.
Mr. LONG. Yes, sir.
Mr. TALBOTT addressed the Chair.

The SPEAKER pro tempore (Mr. SPRINGER). The gentleman from Pennsylvania [Mr. RANDALL] has called the previous question. Does he yield to the gentleman from Maryland?

Mr. RANDALL. I have no objection; but the gentleman will bear

in mind that only five hours of this session remain.

Mr. TALBOTT. And I hope the gentleman from Pennsylvania will bear in mind that the Committee on Naval Affairs has been ignored in

this whole arrangement.

Mr. RANDALL. On the contrary, we have conferred constantly with individual members of the Naval Committee, and particularly with its chairman. How much time does the gentleman want?

Mr. TALBOTT. Five minutes will be sufficient.

Mr. TALBOTT. Five minutes will be summent.

Mr. RANDALL. Very well.

Mr. TALBOTT. Mr. Speaker, the Committee on Appropriations brought into this House some new legislation looking toward the reconstruction of the navy and the building of new vessels. That legislation was ruled out by the Chair on a point of order. An amendment was offered by myself making an appropriation for the only vessel that was authorized to be constructed. The Senate has struck out that provision and inserted some amendments. I wish to say that the amendments adouted by the Senate for the construction of the steel cruisers ments adopted by the Senate for the construction of the steel cruisers and their armament are substantially in accord with what the Committee on Naval Affairs believe to be right.

mittee on Naval Affairs believe to be right.

Mr. McADOO. Except as to the monitors.

Mr. TALBOTT. I am only speaking of the steel cruisers. The Committee on Naval Affairs has a right to be heard on this question. I am not antagonizing the chairman of the Committee on Appropriations. All we ask is that this legislation be concurred in.

I agree to the proposition of the gentleman from Pennsylvania as to competition in the work of construction between the navy-yards and the contractors. I had prepared such an amendment myself, and had suggested the matter to some members of the Senate. An amendment of that kind, which will bring about competition between the bureaus of the Navy Department on the one hand and naval contractors on the

other ought to be adopted. Now I ask the Committee on Appropriations to comply with the demand of the country and begin the reconstruction of a navy. That is all the Committee on Naval Affairs ask, and I am satisfied from what the gentleman from Pennsylvania [Mr. RANDALL] has said that he concurs in desiring this object.

I yield the residue of my time to the gentleman from New Jersey

[Mr. McADoo]

[Mr. McADOO].

Mr. McADOO. Mr. Speaker, both the Senate and the House are agreed that these cruisers should be built. I think the House will agree—I know this portion of it will—as to the monitors. Now we can have these cruisers; we can have them constructed to be the equals of the Esmeralda, the finest type of her class of vessel; and they can be built by the incoming administration; they can be built this year. I sincerely hope that the proposition of the gentleman from Pennsylvania to which I agree in every particular will be adopted by the vania, to which I agree in every particular, will be adopted by the House and sent to the Senate.

The SPEAKER pro tempore. The question is now on seconding the

previous question.

The previous question was seconded.

The SPEAKER pro tempore. The next question is upon accepting the report of the committee.

The report was accepted.

Mr. RANDALL. I move that the House further insist on its disagreement to the amendments of the Senate and ask a conference.

Mr. THOMAS. Is it in order to move to concur in the amendments of the Senate.

Mr. RANDALL. I have moved the previous question.
Mr. THOMAS. That can not cut off the motion to concur.
The SPEAKER pro tempore. The motion to concur is in order, and

takes precedence of the motion of the gentleman from Pennsylvania. Mr. THOMAS. At the solicitation of the gentleman having this bill in charge I withdraw my motion, so that the bill may go to a further conference.

The question being taken upon the motion of Mr. RANDALL that the House further insist on its disagreement to the amendments of the Senate and ask a further conference, it was agreed to; and the Speaker and nounced the appointment of Mr. HUTCHINS, Mr. RANDALL, and Mr. Long as the conferees on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment the joint resolution (H. Res. 347) to provide for printing additional copies of the report of the Committee on Military Affairs on investigation of national homes for disabled volunteer soldiers.

The message also announced that the Senate insisted on its amendments disagreed to by the House to the naval appropriation bill, agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. Hale, Mr. Plump, and Mr. Beck.

SUNDRY CIVIL BILL.

Mr. RANDALL. I again ask to resume the consideration of the sun-

The SPEAKER pro tempore (Mr. SPRINGER in the chair). That is the pending question before the House.

Mr. RANDALL. I move that these gentlemen may be allowed to

have their measures voted on. I want a vote on all but the last.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to non-concur except as to the last amendment of the Senate.

Mr. BUDD. I move that the House concur in all but the last.

Mr. RANDALL. I ask that the same understanding shall be carried

out as to a quorum and the yeas and nays.

Mr. BUDD. That is understood.

The SPEAKER pro tempore. The Chair understands that yeas and nays are not to be ordered on the point made of no quorum.

Mr. CASSIDY. What sort of amendments are in order?
Mr. WARNER, of Ohio. Will the Chair state the proposition?
The SPEAKER pro tempore. The proposition will be distinctly stated, so it may be understood. The gentleman from Pennsylvania moves that the House insist on its disagreement to the amendments of the Senate, except the last one. The gentleman from California [Mr. BUDD] moves to concur in all but the last. The question is first on the latter motion.

The House divided; and there were—ayes 74, noes 62.

Mr. RANDALL. I must ask for tellers to emphasize the vote. I have no means of getting the yeas and nays.

Tellers were ordered; and Mr. RANDALL and Mr. WASHBURN were

appointed.

ENROLLED BILLS SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that when the Speaker signed the same:

A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;

A bill (H. R. 1615) for the relief of the heirs of the late Langley B.

- A bill (H. R. 1710) granting a pension to George W. Bean;
 A bill (H. R. 1866) granting a pension to Calvin L. Knick;
 A bill (H. R. 2377) granting a pension to James Stockton;
 A bill (H. R. 2645) granting a pension to Esther Hudson, mother of William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and ninety-first Regiment Pennsylvania Volunteers
 - inety-first Regiment Pennsylvania Volunteers;
 A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
 A bill (H. R. 4605) granting a pension to Ellen Edmiston;
 A bill (H. R. 5086) for the relief of Elizabeth W. Creighton;
 A bill (H. R. 5309) for the relief of Charles Milk;
 A bill (H. R. 7434) granting a pension to Sylvester Greenough;
 A bill (H. R. 7503) for the relief of Daniel McAlpin;
 A bill (H. R. 7718) restoring John Snyder to the pension-roll;
 A bill (H. R. 7810) granting a pension to Rosanna Riley;
 A bill (H. R. 7853) granting a pension to Marcaret Flaberty.

- A bill (H. R. 7853) granting a pension to Margaret Flaherty; A bill (H. R. 8048) to increase the pension of Perdinand Hercher; A bill (H. R. 8082) granting a pension to Lina J. Stearns; and A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton.

SUNDRY CIVIL BILL.

The House divided on Mr. BUDD's motion to concur in all the amendments but the last

The House divided; and the tellers reported-ayes 77, noes 53.

So the motion was agreed to.
The SPEAKER protempore. The last amendment of the Senate will

The Clerk read as follows:

The Clerk read as follows:

Sixty-sixth amendment of the Senate:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected, a suitable building, with fire-proof vaults therein, for the accommodation of the United States courts, post-office, and internal-revenue and other Government offices, at the city of Winona, Minn. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$100,000: Provided, That the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys; and that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Minnesota shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein."

The SPEAKER pro tempore. The Chair desires to have the attention of the gentleman from Pennsylvania. Is it intended that the question shall be taken on this amendment which has just been read?

Mr. RANDALL. That is the pending amendment.

Mr. THOMPSON rose Mr. STOCKSLAGER. I now move to concur in the Senate amendment with an amendment.

Mr. THOMPSON. I raise the question of order upon that paragraph of the bill.

The SPEAKER pro tempore. But the gentleman from Indiana offers an amendment

Mr. THOMPSON. I made the point of order before that was offered. The SPEAKER pro tempore. The Chair will entertain the point of order; but will first state the condition of the question.

The gentleman from Kentucky makes the point of order that the amendment just read by the Clerk must have its first consideration in

a Committee of the Whole.

Mr. CASSIDY. That is contrary to the agreement. We have agreed to allow all amendments to be offered and every amendment to be voted on.

Mr. RANDALL. But gentlemen should discriminate. If this bill is loaded down no one can answer for it. I think the House had better not load it down or be unreasonable in its demand. An hour or two

will be all the time that this bill can be kept away from the Senate.

Mr. CASSIDY. The agreement entered into by unanimous consent provides that all proper amendments shall be in order and be voted upon.

Mr. GOFF. That is the agreement. Mr. CASSIDY. Yes, sir.

The SPEAKER pro tempore. The Chair will state the pending question. The gentleman from Indiana moves that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment which the Clerk will report.

The Clerk read as follows:

For court-house and post-office at New Albany, Ind., purchase of a site for erection of building, \$100,000.

Mr. KEIFER. I move to amend the amendment by inserting what I send to the desk.

The SPEAKER protempore. The Chair would suggest that if amendments are to be offered in the ordinary manner as provided by the rule it would lead to confusion.

Mr. CASSIDY. It was expressly stipulated that all these should be in order, although no agreement was made as to how they should be presented.

Mr. RANDALL. Let a vote be taken on each one separately as it

Mr. CASSIDY. I do not want to limit that to two or three amendments which may be offered under the rule, but to allow all the amend-ments to be offered that are in order and take them up seriatim to consider them.

The SPEAKER pro tempore. If the gentleman from Ohio insists upon his motion, the Chair could not entertain or receive any more amendments until the motion is put to the House and determined.

Mr. CASSIDY. But that is not in accordance with the order of the

Mr. BUDD.

Mr. BUDD. I rise to a question of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BUDD. The Chair is deciding a point of order before it is

The SPEAKER pro tempore. The gentleman from California will allow the Chair to state the question.

Mr. BUDD. But I claim that the Chair is deciding a question that is not raised.

Mr. CASSIDY. I submit that all the amendments on this subject should be sent to the Speaker's table or to the Clerk's desk and be considered as pending amendments under the order of the House, to be disposed of in their order.

Mr. RANDALL. But I desire to have a separate vote upon each.
Mr. CASSIDY. I submit to that, but every amendment that is pertinent to this bill should be presented at the Clerk's desk, and must

be in order under the agreement.

Mr. BUDD. I rise to a parliamentary inquiry. I desire the gentleman from Pennsylvania to say, so that there may be no misunderstanding, as we are now proceeding by unanimous consent and by agreement, that a vote is to be taken upon these amendments in the House—

Mr. COSGROVE. I object to any other unanimous consents Mr. BUDD. It was understood that these propositions were to be voted on, each one separately and in order, to carry out that consent. When one is voted on then another one will be in order immediately,

whether there be half a dozen pending or only two.

Mr. RANDALL. The Chair of course must state the recognitions as to who shall offer these amendments.

The SPEAKER pro tempore. The gentleman from Kentucky raises the question of order, which he will now state.

Mr. THOMPSON. The point of order I make is that each of these amendments must receive its first consideration in Committee of the

The SPEAKER pro tempore. But the gentleman made the point of order upon the Senate amendment, which was not subject to that point of order for the reason that it had been under consideration by the House for some time and was a part of the report which had been considered and without objection.

Mr. CASSIDY. It is too late to make the point of order upon it at this stage of the proceedings

Mr. KEIFER. It is too late to make the point of order upon any of them.

them.

The SPEAKER pro tempore. The House has considered the Senate amendments, and that question, the Chair will state to the gentleman from Kentucky, is now beyond the reach of the point of order. The House only divided the question, the first part of it having been considered and agreed to on a separate vote. The Chair will entertain a point of order upon the proposed amendments as they are submitted to the House.

The gentleman from Indiana moves that the House recede from its

disagreement to the Senate amendment to this bill and agree to the same with an amendment, which the Clerk has reported.

Mr. RANDALL. On that I ask the previous question.
Mr. THOMPSON. Mr. Speaker, as soon as that amendment was read and before the gentleman offered an amendment I made a point

of order upon it.

The SPEAKER pro tempore. The Chair distinctly stated that the amendment was in order and the gentleman from Kentucky made the point of order upon the Senate amendment, which had been under con-

sideration. Mr. THOMPSON. As soon as it was read I made the point of order. The SPEAKER pro tempore. But it had been considered before and was simply a part of a divided question. It was not subject to the

point of order Mr. BLACKBURN. I desire to offer an amendment to the amend-

The SPEAKER pro tempore. It is in order, but the gentleman from Kentucky has made a point of order, which is pending.

Mr. BLACKBURN. And I ask that this amendment may be pend-

I insist upon the point of order.

Mr. STOCKSLAGER. I desire to state the situation of the bill which I have asked to incorporate as a part of this proposition.

Mr. THOMPSON. I make the point of order on that.

The SPEAKER. The gentleman from Kentucky makes the point

of order upon the amendment of the gentleman from Indiana.

Mr. CASSIDY. I submit that under the order of the House all proper amendments were in order to this bill.

Mr. BUDD. By unanimous consent.

Mr. BROWN, of Pennsylvania. And they can not be ruled out on points of order.

Mr. KEIFER. No; they must be taken up for consideration in the House under the order of the House.

Mr. STOCKSLAGER rose.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. THOMPSON] makes the point of order. The Chair will hear the gentleman from Indiana [Mr. STOCKSLAGER] on the point of order.

Mr. STOCKSLAGER. I submit that the point of order does not lie against this bill because it has been in Committee of the Whole House on the state of the Union and been favorably reported. Besides that, it was not raised in proper time.

Mr. CASSIDY. That is not the point. We made a stipulation that

all amendments were to be in order.

Mr. RANDALL. I think if we have quiet and gentlemen will agree

to take their turns we will get along a good deal faster.

The SPEAKER pro tempore. A point of order has been raised by the gentleman from Kentucky [Mr. THOMPSON]. The Chair desires that gentleman to state now-what is his point of order.

Mr. THOMPSON rose.

Mr. WELLER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Kentucky has risen to state

his point of order. Mr. THOMPSON. The point of order I make on the amendment of the gentleman from Indiana is that it makes an appropriation of money, and must receive its first consideration in Committee of the Whole

House on the state of the Union.

Mr. KEIFER. Under what rule?

Mr. THOMPSON. In the second place, if, as the gentleman from Indiana says, this has been already considered and passed upon in Committee of the Whole House on the state of the Union, then it is the substance of another bill which has been passed upon by the House and

it can not be put upon this bill.

Mr. KEIFER. That will not apply to my proposition.

Mr. STOCKSLAGER. The amendment I have offered is not the substance of a bill pending before the House in any sense.

Mr. THOMPSON. I do not understand that any amendment is pend-

ing except that of the gentleman from Indiana.

Mr. KEIFER. The Chair held that my amendment was in order as an amendment to the amendment.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. I ask that the consideration of the pending bill be postponed for the present, to give the gentleman from Missouri [Mr. BURNES] an opportunity of presenting a conference report, which is al-

The SPEAKER. That is in order. The conference report can in-

terrupt this proceeding.

Mr. CASSIDY. But what we are now considering is a conference

report.

The SPEAKER. The conference report on the sundry civil appropriation bill has been agreed to. The House is considering certain amendments to the bill.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I present the report of the committee of conference on the deficiency appropriation bill. The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 15, 16, 21, 28, 38, 39, 42, 45, 50, 63, 67, 69, 74, 76, 79, 80, 84, 85, 87, 89, 180, 198, and 199.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 17, 19, 20, 23, 24, 28, 27, 29, 39, 31, 32, 33, 34, 35, 36, 37, 40, 41, 43, 44, 46, 47, 48, 49, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 70, 71, 72, 73, 75, 78, 18, 28, 28, 38, 88, 89, 90, 19, 29, 39, 49, 56, 56, 79, 89, 39, 100, 101, 102, 103, 104, 105, 61, 07, 108, 109, 110, 111, 112, 113, 114, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 119, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, and 200; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

After the word "depositary," where it occurs in said amendment, insert the words "at Tucson, Arizona."

And the Senate agree to the same.

words "at Tueson, Arizona."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed insert "\$15,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows:

In lieu of said amendment insert the following:

"The Attorney-General of the United States is required to investigate the judgments and awards against the United States arising under an act of Congress entitled 'An act to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin,' approved March 3, 1875, and to report to Congress at the next session whether the liability of the United States therefor is established and what amount is justly due thereon."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum named insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Insert after the word "certified" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Insert after the word "certified" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: Insert after the word "thirty-five" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: Insert after the word "thirty-five" the following: "during the current fiscal year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as

That the House recede from its disagreement to the amendments of the Senate numbered from 115 to 119 inclusive, and agree to the same with an amendment as follows:

In lieu of the amended paragraph insert the following:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employés of their respective Houses borne on the annual or session rolls on the 3d day of March, 1885, including the Capitol police, one month's extra pay, at the compensation then paid them by law, which sum shall be immediately available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows:

After said amendment insert as a new paragraph the following:

"For one page in the Clerk's office, under resolution of the House of December 3, 1894, from March 4 to December 7, 1885, at \$2 per day, \$556."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "five thousand dollars; said sum to be payable on the draft of the chairman of said committee in sums not exceeding \$1,000 at any one time;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "including all such claims readjusted up to February 14, 1885, \$178,481.23;" and the Senate agree to the same.

JAMES N. BURNES,

JOHN D. LONG,

Managers on the part of the House.

EUGENE HALE,

W. B. ALLISON,

F. M. COCK RELL,

Managers on the part of the Senate.

Mr. BURNES. I move the adoption of the report, and upon that motion I demand the previous question.

The motion was agreed to.

Mr. BURNES moved to reconsider the vote by which the report of the committee of conference was agreed to; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Several MEMBERS. Regular order.
Mr. BLACKBURN. Mr. Speaker, I ask the Chair to state the question that is before the House.

The SPEAKER pro tempore (Mr. SPRINGER). The House will resume the consideration of the amendments to the sundry civil appropriation bill; and the Chair desires to have a distinct understanding

as to what was the agreement on that subject.

Mr. RANDALL. Mr. Speaker, I merely wish to say that unless this bill goes from the House by 8 o'clock this morning it will fail.

The SPEAKER pro tempore. The Chair desires to know what the agreement was with regard to the amendments to this bill—whether they were to come up subject to the point of order or whether they were all to be submitted and voted upon.

Mr. BUDD. They were to be submitted and voted upon, as the gentleman from Pennsylvania [Mr. RANDALL] has stated.

The SPEAKER pro tempore. The Chair will ask the gentleman from Pennsylvania [Mr. RANDALL] to state the agreement that was made. Was each amendment to be voted upon as it came up?

Mr. RANDALL. Each

The SPEAKER pro tempore. Then the Chair overrules the point of order made by the gentleman from Kentucky [Mr. Thompson].

Mr. McMILLIN. Mr. Speaker, the RECORD will show the fact, but

I say now there is not a word or a letter in the RECORD or the Journal

that precludes the point of order.

Mr. WARNER, of Ohio. Mr. Speaker, when these amendments are offered they must be considered under the rules. The rules are not

Mr. BLACKBURN. Mr. Speaker, I rise to a parliamentary inquiry.
The SPEAKER pro tempore. The Chair will hear it as soon as order is obtained.

Mr. BLACKBURN. I desire to ask the Chair to state to the House

The SPEAKER protempore. The Chair was about to state the House the question, but it depended somewhat upon whether the Chair could entertain points of order upon amendments offered to this bill. If points of order were to be made upon those amendments then the pending question would be upon the point of order raised by the gentleman from Kentucky [Mr. Thompson], but if points of order were not to be raised and each amendment was to be voted upon as it was offered then of course the Chair would overrule the point made by the gentleman from

course the Chair would overrule the point made by the gentleman from Kentucky [Mr. Thompson].

Mr. RANDALL. Mr. Speaker, my understanding was that these propositions were to be voted upon separately, but the RECORD and the Journal will show whether there was any reservation of points of order. That does not depend upon any member's statement.

Mr. CASSIDY (to Mr. RANDALL). Then that was an unfair proposition. We agreed upon our side that we would not raise points of order, and now.

order, and now

Mr. RANDALL. I have raised no point of order.

Mr. WARNER, of Ohio. It is never unfair to stand by the rules.
Mr. CASSIDY. Well, if gentlemen are going to quibble about this they can not pass this bill.
The SPEAKER pro tempore. The Chair submits to gentlemen that

The SPEAKER pro tempore. The Chair submits to gentlemen that unless they observe order no business can be done.

Mr. CASSIDY. But this is a special rule.

The SPEAKER pro tempore (Mr. SPRINGER). There seems to be a misunderstanding on the floor of the House as to what the order was. The present occupant of the chair was not presiding at the time this agreement was made, and will therefore ask the Clerk to read that part

agreement was made, and will therefore ask the Clerk to read that part of the proceedings which relates to this subject.

Mr. STOCKSLAGER. Before that is done I desire to say a word. I insist again, as I have before repeatedly, that the point of order made by the gentleman from Kentucky was made too late.

Mr. RAY, of New Hampshire. I rise to a point of order.

The SPEAKER pro tempore. The Chair is informed by the Clerk that it was agreed by unanimous consent that amendments were to be offered and voted on separately.

Mr. BUDD and others. That is correct.

The SPEAKER pro tempore. It is the opinion of the Chair that the words "voted upon separately" were intended to allow amendments to be submitted upon their merits.

Several Members. That is right.

Mr. CASSIDY. That is all we want.

Mr. McMILLIN. I insist that there never was any such agreement,

and never could have been.

Mr. CASSIDY. The understanding was that we were to vote on these questions; and every proposition was to be voted on upon its merits.

The SPEAKER pro tempore. The Chair has stated that these amend-

ments were to be voted upon—not ruled out of order by the Chair; therefore he will entertain them. They must be voted on separately; therefore the Chair will not entertain any motion to amend one proposition by adding to it another.

Mr. BLACKBURN. I rise to a parliamentary inquiry. I was recognized by the Chair and offered an amendment to the amendment sub-

mitted by the gentleman from Indiana.

Mr. KEIFER. That was after I had offered my amendment.

The SPEAKER pro tempore. The Chair understands that these amendments must be voted on separately. Hence it is not in order to move one as an amendment to another.

Mr. BLACKBURN. What becomes of the amendment to the amend-

ment which the Chair recognized as submitted by myself?

Mr. WARNER, of Ohio. I rise to a parliamentary inquiry; whether

debate is cut off on these amendments?

Mr. RANDALL. The previous question is operating.

The SPEAKER pro tempore. The question is upon the amendment submitted by the gentleman from Indiana [Mr. STOCKSLAGER], who moves that the House recede from its disagreement to the Senate amendment just read and agree to the same with an amendment which the Clerk will read.

The Clerk read as follows:

For a court-house and post-office at New Albany, Ind.: For purchase of site and erection of building thereon, \$100,000.

The question being taken on agreeing to the amendment of Mr. STOCKSLAGER, there were—ayes 56, noes 26.

Mr. WELLER. I make the point that no quorum has voted.

Mr. WELLER. I make the point that no quorum has voted.

Mr. MILLER, of Pennsylvania. It was agreed that the point of "no quorum" should not be raised.

The SPEAKER pro tempore. The agreement was that no point of order should be made.

Mr. WELLER. I rise to a parliamentary inquiry. I desire to know whether there has been an agreement that the rules of the House shall be suspended.

Several MEMBERS. Certainly.

Mr. WELLER. I know of no such proceeding.
The SPEAKER pro tempore. There was unanimous consent that
the point of "no quorum" should not be made.

Mr. SMITH, of Pennsylvania. And that the yeas and nays should not be called.

The SPEAKER pro tempore. The amendment of the gentleman from Indiana [Mr. STOCKSLAGER] is agreed to.

Mr. STOCKSLAGER moved to reconsider the vote by which the amendment was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BUDD. I move to reconsider the vote by which the previous amendment was adopted; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER pro tempore. If there be no objection, the motion to reconsider will be regarded as made and laid on the table in all these

Mr. RAY, of New Hampshire. I move that the House recede from its disagreement to the Senate amendment, and agree to the same with the amendment which I send to the desk.

Mr. KEIFER. My amendment is pending and should now be sub-

mitted

The SPEAKER pro tempore. It can make no difference to any gentleman whether he be recognized now or later. The Chair under this order will recognize all gentlemen desiring to offer amendments. The amendment of the gentleman from New Hampshire [Mr. RAY] will be

The Clerk read as follows:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with commodious fire-proof vaults, for the accommodation of the post-office, pension office, the United States courts, internal-revenue office, and other Government offices, at the city of Manchester, in the State of New Hampshire. The site, and the building thereon, when completed upon plans and specifications to be previously made, and approved by the Secretary of the Treasury, shall not exceed the cost of \$200,000: Provided, That no money to be appropriated for this purpose shall be available until a valid title to the site shall be vested in the United States, and the State of New Hampshire shall have ceded her jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than fifty feet, including streets and alleys.

That the sum of \$100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

Mr. RANDALL. I move to amend by making it \$100,000.

Mr. RANDALL. I move to amend by making it \$100,000.
Mr. RAY, of New Hampshire. I wish to say a word.
Mr. WARNER, of Ohio. I made an inquiry a few moments ago of the Chair whether this amendment was open to debate.

Mr. RANDALL. I demand the previous question.
Mr. CASSIDY. Everything has been waived.
Mr. WARNER, of Ohio. Did the order of the House cut off debate? The SPEAKER pro tempore. The Chair understood they were not to be debated.

Mr. CASSIDY. There was to be no demand for a quorum, and no yeas and nays insisted upon.

The SPEAKER pro tempore. The Chair must construe this order to accomplish what it was intended to accomplish, and debate would de-

Mr. McMILLIN. I call for the reading of that part of the Journal

which pertains to this understanding.

Mr. WARNER, of Ohio. I appeal from the decision of the Chair.

Mr. CASSIDY. No appeal is in order under the new rule of the

Mr. CONNOLLY. I rise to a point of order. I insist that members on the floor shall take their seats, so as to let us have a chance to know

what is going on.

Mr. WARNER, of Ohio. I do not wish to take unnecessarily a single minute of our precious time this morning in making an appeal to the House. To load this bill up means the defeat of this bill and an

extra session.

Mr. CASSIDY. I make the point of order that everything was waived

Mr. CASSIDY. I make the point of order that everything was warved except the single proposition of voting on amendments.

The SPEAKER pro tempore. If gentlemen wish to have amendments to the bill considered they must observe the rule of the House.

Mr. WARNER, of Ohio. It must be apparent to every gentleman on this floor that this method of offering amendments and loading this bill down will lead to its destruction.

Mr. CASSIDY. That is the order of the House, if the gentleman will permit me to inform him, which was unanimously agreed to.

Mr. CASSIDY. That is the order of the House, if the gentleman will permit me to inform him, which was unanimously agreed to.

The SPEAKER pro tempore. That is not a question of order.

Mr. WARNER, of Ohio. I did not rise to a question of order, but to appeal from the decision of the Chair.

Mr. CASSIDY. The gentleman is out of order.

The SPEAKER pro tempore. The gentleman from Ohio is not in order.

order.

Mr. WARNER, of Ohio. I rose to take an appeal from the decision of the Chair that these amendments were not open to debate. If these amendments are to go on it means an extra session. I ask gentlemen not to insist upon it. If there were three or four or half a dozen I would not say a word, but there are not twenty minutes left, and the large number here can not be voted on in an hour. Having said so much, I will not insist on my appeal from the decision of the Chair.

The SPEAKER pro tempore. The question is on the amendment of

the gentleman from New Hampshire.

Mr. WELLER. I rise to a parliamentary inquiry. I wish to know if there is a new rule which prohibits any member making the point of no quorum, or demanding the yeas and nays, or offering other amendments or substitutes. If so it precludes the House from doing that

ments or substitutes. If so it precludes the House from doing that which our conscience and our judgment dictate in the interest of our constituents. [Cries of "Vote!" "Vote!"]

Mr. CASSIDY. That is the new rule. [Cries of "Vote!" "Vote!"]

The SPEAKER pro tempore. The House is operating under special agreement and the Chair is proceeding to carry it out.

The House divided; and there were—ayes 53, noes 43.

Mr. WELLER demanded tellers.

Tellers were not ordered-not one-fifth voting in the affirmative.

So the amendment was agreed to.

Mr. BLACKBURN. I move that the House recede from its disareement to the Senate amendments, and agree to the same with the following amendment:

The Clerk read as follows:

The Clerk read as follows:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase at private sale, or by equdemnation in pursuance of the statute of the State of Kentucky, such lot or lots of land in the city of Lexington, in the State of Kentucky, as he may consider necessary as a convenient and proper site for a public building, and to cause to be erected thereon a suitable building, with fire-proof vaults extending to each story, for the use and accommodation of the post-office, internal-revenue offices, and other Government offices in said city; the site and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$150,000; and for the purposes herein mentioned the sum of \$150,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, and the State of Kentucky shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

The motion was agreed to.
Mr. KEIFER. I move the following amendment:

The Clerk read as follows:

The Clerk read as follows:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon, at the city of Springfield, in the State of Ohio, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the post-office, internal-revenue office, pension office, and for other Government uses. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$100,000; and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least fifty feet, including streets and alleys; and for the purposes herein mentioned the sum of \$100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States; and the State of Ohio shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

Mr. KEIFER. This bill passed the Senate, as I am informed, with-

The amount proposed to be appropriated will be more than realized from the net revenues of the post-office at the city of Springfield, Ohio, within the time it will require for the erection of the building. I can not give the exact population of this city, but some estimate may be made from its voting population.

At the last November election the aggregate vote cast in Springfield was 7,905. The population of the city may from this be fairly estimated at about 40,000.

The gross post-office receipts for the year 1884 was \$56,205.93, and the net revenue for same year was \$37,204.67, although the letter-carrier system is maintained there.

The number of money-orders and postal notes issued in 1884 was 11,824, and the amount received for the same was \$104,477.24.

The number of money-orders and postal notes received and paid in that year was 38,203, and the amount of the same for same time was \$178,377.24. Registered letters to the number of 21,068 were received

Carriers delivered 2,577,073 pieces, collected from boxes 1,123,482 pieces, and handled 3,700,555 pieces in 1884.

The number of letters and postal cards dispatched was 2,338,344, and of pieces of second, third, and fourth class matter was 6,777,751.

This large amount of revenue received from and the immense business

done at the Springfield office shows the necessity for having good and ample accommodations for mail matter, clerks, letter-carriers, &c. Springfield is a rapidly growing city both in population and business. In seven years the business of the post-office has increased more than 100 per cent. The population of the city is only a part of the post-office patrons, for there is a thickly settled region all around it.

Mr. Chairman, the rent paid or required to be paid for a suitable post-office and other Government offices at this place would more than pay the interest on the cest of the building.

the interest on the cost of the building.

The city of Springfield has had no appropriation for anything at any time, nor has any part of my district; but it has paid in internal-revenue, in net post-office revenue, and in other ways large sums into the United States Treasury.

Springfield is in the Miami or Mad River Valley, the richest portion

of the United States, and it is rapidly becoming a great interior city. It is a manufacturing city. Above 50 per cent. of all the reapers and mowers made on the continent are made there.

There is also manufactured there grain-drills, corn plows and drills, thrashers, hay-rakes, turbine water-wheels, sewing machines, and numerous other articles in common use throughout the United States. Many things manufactured there are sold in Europe and South America.

It will be economy to erect a suitable public building at Springfield, at a cost for site and building not exceeding \$100,000, and I hope no

person will object to this bill.

Mr. WELLER. I move that amendment be laid on the table.

Mr. KEIFER. This, a city of 40,000 inhabitants— [Cries of Regular order!"]

The SPEAKER pro tempore. Debate is not in order.

Mr. WELLER. I rise to a question of order.

The SPEAKER pro tempore. The gentleman will state it.
Mr. WELLER. I submitted a motion that this amendment do lie on the table.

Mr. CASSIDY. By unanimous consent we waived every motion of that kind in the agreement.

The SPEAKER pro tempore. The Chair thinks that would not be in accordance with the agreement. The motion of the gentleman, if adopted, would take the amendment and the bill itself to the table.

The question is on agreeing to the amendment of the gentleman

from Ohio.

The question was taken; and on a division there were-ayes 53,

Mr. THOMPSON. I make the point of order that a quorum has

Mr. CASSIDY and others. That point of order can not be made. Mr. THOMPSON. I make the point of order that no quorum has voted.

Mr. RANDALL. I desire to make a statement.

The SPEAKER pro tempore. The gentleman from Pennsylvania desires to make a statement to the House.

Mr. THOMPSON. I do not waive the point of no quorum on this question; I insist on it.

Mr. CASSIDY. But that can not be made, it having been expressly

waived by unanimous consent in the agreement.

Mr. RANDALL. I ask the calm attention of the House for a few MIT. KANDALL. I ask the calm attention of the House for a few moments. I desire to say with perfect respect to every member here that this is a most unseemly procedure at this late hour in the session. We are proceeding in a manner that if persisted in will inevitably pre-vent the sundry civil appropriation bill from becoming a law, thereby forcing an extra session.

It is being endangered by the demands of individual members for public buildings. [Applause.] I therefore ask gentlemen to cease and let me get possession of this bill that I may get it to the Senate, secure a conference, and avoid an extra session. [Applause.]

Mr. THOMPSON. I rise to a question of order. [Cries of "Regular"

Mr. RANDALL. I have given all of the time that could have been allowed to these different amendments. The Senate, as I am informed, will have to have its desks removed and changed in other respects with reference to furniture so as to provide for the inauguration ceremonies; and I beg of gentlemen here to let me have possession of the bill and

and I beg of gentlemen here to let me have possession of the bir and cease offering these amendments.

Mr. BUDD. I desire right here to rise to a question of privilege.

Mr. BROWN, of Pennsylvania We are taking up more time in this than would be occupied in adopting the amendments.

Mr. BUDD. I desire simply to state to the House in a very few moments one or two facts. [Cries of "Regular order!"]

Mr. THOMPSON. The point of order I make is that no quorum has veried.

has voted.

Mr. KEIFER. That point of order can not be made under the

Mr. CASSIDY. I submit that no such point of order can be raised

except upon two questions.

Mr. THOMPSON. If I can have the ear of the Speaker, and if the Speaker can hear me, I will try to state the point of order. Upon the last vote the Speaker announced 53 voting in the affirmative and 43 voting in the negative. I rose at once and demanded the presence of a quorum before that amendment should be adopted.

Mr. CASSIDY. But the House has already provided by unanimous consent substantially that no such point should be raised.

Mr. THOMPSON. The Constitution of the United States provides that this House can not discharge its duties unless there is a quorum on the floor, if any member shall demand it.

Mr. TALBOTT. The Constitution implies that when a motion is agreed to be unanimous consent it is consequently.

agreed to by unanimous consent it is supposed that every member is present.

Mr. THOMPSON. The whole House can not do away with the requirements of the Constitution.

Mr. WELLER. I would like to know if members of this House can override the Constitution.

Mr. THOMPSON. I desire to read from the Constitution— Mr. RANDALL. Will the gentleman yield to me for a moment?

Mr. RANDALL. Will the gentleman yield to me for a moment?
Mr. THOMPSON. Certainly.
Mr. RANDALL. I move to suspend the rules to concur in the amendments thus far inserted, and that a conference be appointed on

amendments thus far inserted, and that a conference be appointed on the sundry civil bill.

Mr. CASSIDY. Well, you will have to get a quorum.

Mr. BUDD. I rise to a question of personal explanation.

The SPEAKER pro tempore. This question is not debatable.

Mr. BUDD. I understand I have the right to take the floor at any time on a question of privilege.

The SPEAKER pro tempore. The Chair will state the motion of the gentleman from Pennsylvania. The gentleman moves to suspend the rules and agree to the amendments thus far incorporated on this bill, and ask a committee of conference on the disagreeing votes of the two and ask a committee of conference on the disagreeing votes of the two

Mr. RANDALL. This is the only relief I can get so as to secure control of this bill to get it to the Senate in time.

Mr. BUDD. On that motion I demand a second.

Now, if I can get two minutes to make a brief explanation I shall not press that demand.

Mr. THOMPSON. I ask unanimous consent that the gentleman be heard for two minutes

Mr. BUDD. I will not occupy longer than that. [Cries of "Reg-

Mr. THOMPSON. Can not the gentleman be heard for two minutes?

Several Members. Regular order.

Mr. BUDD. I withdraw the demand for a second.

Mr. CASSIDY. I renew it.

The SPEAKER. The Chair will appoint tellers.

Mr. CASSIDY and Mr. RANDALL were appointed tellers.

The House again divided; but before the announcement of the result of the vote.

sult of the vote,
Mr. CASSIDY withdrew the demand for a second.
The SPEAKER. Under the rules thirty minutes are allowed for debate.

Mr. RANDALL. I do not claim that time at present.

Mr. BUDD. I repeat, I will not occupy two minutes of the time of the House if it will give me its attention. I desire to state that this morning I asked the House to allow a vote to be taken on a bill which has been on the Speaker's table for nearly a year. That bill was unanimously passed by the Senate. I requested that it might be voted upon as an amendment to this bill. We went into this matter by common consent; there was no objection to it, and we passed other amend-

There were certain agreements made on the floor solemnly that have been broken. I was on my feet at the first moment and offered an amendment, and members of this House went to the Speaker pro tem-

amendment, and members of this House went to the Speaker pro tempore and got him to recognize them, members who had not thought about it till after my amendment was offered.

A MEMBER. That was clever.

Mr. BUDD. And it was honorable, I suppose the gentleman will say. All I have to say is, that I understand this matter ought to be expedited and I want it expedited. The gentleman from Pennsylvania desires to get this matter to the Senate. He is the gentleman that demanded a separate vote upon each of the amendments. Let these amendments be considered as in the bill. But strike out the San Francisco post-office bill then, if you can, and I will not say a word about it.

Mr. STOCKSLAGER rose.

Mr. BUDD. I am not objecting to the amendment of the gentleman. I make this proposition to the gentleman from Pennsylvania [Mr. RANDALL]. Let all amendments offered be sent to the desk and be considered as in the bill, and if the gentleman wants to strike out San Francisco, and can do it, if I get a vote thereon I will not say a word. I do not wish to filibuster longer. We have now secured the \$100,000 appropriation for the Sacramento public building, as well as other needed appropriations, and California has now over half a million appropriated by this bill. I ask the gentleman will he accept my proposition. It is in his power to strike these amendments out in conference will be seen to proposition. ence, if the Senate conferees will agree and he does not wish an extra

Session. It is a fair proposition.

A MEMBER. You mean to strike them out in the conference.

Mr. BUDD. Yes; if you can. I mean the new amendments. Or take them all in if you do not want an extra session. We are putting the question of extra session or no extra session on the shoulders of the gentleman from Pennsylvania. Will the gentleman accept this proposition?

Mr. RANDALL. I will accept nothing.
Mr. BUDD. Then you can take the responsibility of the extra ses-

Mr. RANDALL. - What I want is to get this bill through, and the

men who are standing here preventing this bill going to the Senate simply because they want to secure public buildings are the men who will have the responsibility of an extra session, if there should be one.

Mr. BROWN, of Pennsylvania. It is the gentleman himself who is preventing the bill going to the Senate.

Mr. BUDD. I ask the gentleman from Pennsylvania, who was it that stated in my hearing on Saturday that he did not want a session on Sunday?

on Sunday?

Mr. RANDALL. I did not want a session on Sunday, and did not

Mr. BUDD. You did not want a session on Sunday?
Mr. RANDALL. That is what I say; and I am on record.
Mr. BUDD. And I ask the gentleman from Pennsylvania who, on
Monday night, broke the quorum but himself? And who forced this
bill through the House without debate?
The SPEAKER The continue of the speakers.

The SPEAKER. The gentleman from California will discuss the subject before the House under the rule.

Mr. BUDD. I was trying to make an agreement that would not be broken. I ask the gentleman from Pennsylvania, if he wants this bill put through, whether he will take the bill and strike out these buildput through, whether he will take the bill and strike out these buildings. I want to get to a vote on the San Francisco bill. I have been working hard for it. It has been on the Speaker's table for a year. It passed the Senate unanimously, yet it has not had a hearing here. My colleague, after deferring long to parliamentary etiquette and usage, has for a long time been working hard for its passage, as have I. It was understood and unanimously agreed in open House to-night that we should have a vote on this San Francisco building. If we had a vote it would pass surely. We offered it first of all these amendments. It should have been first in order of recognition. This was due it.

But the temporary chairman [Mr. Springer] has persistently refused to recognize my colleague [Mr. Sumner], who has the measure in charge. Influential members have gone to him and got him to overlook the demands of San Francisco and to ignore the fact that this amendment was first in the hands of the Clerk and should have been first in order. We have no remedy. The Speaker pro tempore may

first in order. We have no remedy. The Speaker pro tempore may recognize whom he will. Give us a vote according to agreement, then

in conference you may vote on striking out.

Mr. KING. Why strike them out after you put them in?

Mr. BUDD. If he can.

Mr. KING. And so prevent the passage of an act required to meet the necessities of the Government.

Mr. BUDD. I shall not force an extra session, as most of my objects have been accomplished, and I would not be justified in obstructing further. I have no fault to find with the gentleman from Pennsylvania [Mr. RANDALL], who is now working to prevent an extra session, nor the permanent Speaker [Mr. CARLISLE], who has been over-indulgent to our interests. I reserve the balance of my time.

Mr. RANDALL. 'I now ask a vote on my motion to suspend the

Mr. Smith, of Pennsylvania, addressed the Chair.

Mr. SMITH, of Pennsylvania, addressed the Chair.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] declines to use his time. The gentleman from California who controls the time in opposition reserves such portion of his time as he has not used. Unless that gentleman yields for further debate there is nothing now in order but to take the vote. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules and that the House recede from its disagreement to the Senate amendments that have been amended in the House, insist on further disagreement on those not yet disposed of, and ask a committee of conference.

The rules were suspended (two-thirds voting in favor thereof) and

the motion was agreed to.

The SPEAKER. The Chair appoints as the conferees on the part of the House Mr. RANDALL, Mr. FORNEY, and Mr. RYAN.

LEGISLATIVE APPROPRIATION BILL.

Mr. HOLMAN. I submit the report of the committee of conference on the legislative appropriation bill.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments numbered 1 and 29 of the Senate to the bill of the House (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 20, 1886, and for other purposes, having met, after full and free conference have been unable to agree.

W. S. HOLMAN,
J. G. CANNON,
Managers on the part of the House,
W. P. ALLIGON

W. B. ALLISON,
H. L. DAWES,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. HOLMAN. The House is aware that two of the Senate amendments are still undisposed of. The one involves a mere matter of form and a question of computation; the other amendment, numbered 29, appropriating \$39,400 for clerks for Senators, involves the only substantial question presented by the conference report and by this disagree-

- At so late an hour, Mr. Speaker, I hardly feel justified in asking for

a further conference; for I could give no assurance that it would result in anything else than a disagreement. And yet, sir, I am disinclined for myself to move a concurrence in the Senate amendment. I think that with more time to go upon than we have, or upon a bill of less importance, I should still insist upon a further conference. I leave the matter with the House.

The SPEAKER. The question is on the adoption of this conference

A MEMBER. Who makes that motion?

The SPEAKER. The gentleman from Indiana [Mr. Holman].

The report leaves the amendments for action by the House. It proposes no action; it simply reports the facts.

Mr. HOLMAN (after a pause). Mr. Speaker, if no other motion is made, I shall move that the House still insist.
Mr. DOCKERY. Mr. Speaker, is it in order now to move to concur in the Senate amendments?

The SPEAKER. It is.

Mr. DOCKERY. Mr. Speaker, although wholly and utterly opposed to Senate amendment 29, yet, in view of the danger of an extra session, I now move that the House recede from its disagreement to that amendment and agree to the same.

The motion was agreed to.

Mr. REED, of Maine. I certainly hope, Mr. Speaker, that another year we may not have to vote on this matter three or four times.

Mr. HOLMAN. Mr. Speaker, I offer an amendment to the pending

Senate amendment No. 1, which I send to the Clerk's desk to be read. The Clerk read as follows:

In lieu of the sum proposed in the amendment numbered 1 insert "\$344,-113.10."

The amendment was agreed to.

Mr. HOLMAN. That will require the action of the Senate; but I suppose no conference will be required upon it, as it involves merely a matter of computation. Mr. Speaker, I now move that the House recede from its disagreement to the Senate amendment numbered 1 and agree to the same with the amendment just read.

The motion was agreed to.

TAX SALES IN THE DISTRICT OF COLUMBIA.

Mr. McCOMAS. Mr. Speaker, I move to take from the Speaker's table the bill (H. R. 8236) relating to sales of real estate for taxes in the District of Columbia. I move to take it up with a view of moving that the House insist upon its disagreement to the Senate amendments and accede to the request for a committee on conference.

The motion was agreed to.

The SPEAKER. The Chair will appoint as the conferees on the part of the House the gentleman from Ohio, Mr. Follett, the gentleman from West Virginia, Mr. Wilson, and the gentleman from Maryland, Mr. McComas.

ORDER OF BUSINESS.

Mr. WARNER, of Ohio. Mr. Speaker, I ask unanimous consent to concur in the following-

Mr. BROWN, of Pennsylvania. I object.
Mr. WARNER, of Ohio. Let it be read.
Mr. BROWN, of Pennsylvania. I object to its being read.
Mr. WARNER, of Ohio. This is a joint resolution authorizing the President to open communication with other nations with a view to establishing unlimited coinage, with silver a full legal tender.

Mr. BROWN, of Pennsylvania. I object.

Mr. DUNHAM. Mr. Speaker, I think the time for objection is after the resolution has been read.

The SPEAKER. A gentleman can announce that he will object to taking up a bill, and can also object to the reading of a bill.

Mr. TALBOTT. Mr. Speaker, I move to suspend the rules and take up the bill (H. R. 1146) to provide for the erection of a public building at Annapolis, capital of Maryland.

Several Members. Regular order.

Mr. ENGLISH. Mr. Speaker, I move to take up the bill (H. R. 1341) for the relief of John W. Blake.

Several Members. Regular order.

Several Members. Regular order.

The SPEAKER. Objection is made. The regular order is called

Mr. WARNER, of Ohio. Mr. Speaker, is it in order to move to suspend the rules to pass this joint resolution?

The SPEAKER. It is in order. The Chair would entertain such a

motion unless the point of order were made against it, but if the point of order were raised the Chair would be obliged to sustain it, because

there are other matters now pending before the House.

Mr. WARNER, of Ohio. Mr. Speaker, I move to suspend the rules to take up and pass the following resolution-

Mr. BROWN, of Pennsylvania, and other members. Regular order.
Mr. WELLER. Mr. Speaker, I ask unanimous consent to have printed in the Record the following resolution, which I will read—
[Cries of "Regular order!"]
The SPEAKER. Objection is made, and the regular order is demanded on both sides of the House.
Mr. WELLER. Gentlemen object who have not even read this joint the extent of the lands so actually settled upon, not exceeding, nowever, one hundred and sixty acres.
Mr. HOLMAN. I trust this amendment will be accepted.
Mr. BENNETT. I have been for some time on the floor to object to this bill.
The SPEAKER pro tempore. The gentleman from Nebraska [Mr. LAIRD] asked unanimous consent to present the bill which has just

resolution or heard it read. Do they object to having it printed in the RECORD?

Mr. ENGLISH and others. Yes! Yes! [Renewed cries of "Regular order!

Mr. DUNHAM. Let us have a call of the House. I think it is perfectly proper that the people should know which of the members of the House attend to their duties here.

Mr. CASSIDY. Mr. Speaker, I ask unanimous consent to take up and pass a bill which involves only \$170.

The SPEAKER. But the gentleman from Nevada [Mr. CASSIDY] is perfectly aware that objection is made to all such requests and that the regular order has been demanded by several gentlemen. If the Chair should continue to recognize gentlemen to make requests by unanimous consent when the regular order is demanded, the demand

for the regular order would amount to nothing whatever.

Mr. CASSIDY. If the demand for the regular order is made, that is all right; but I did not observe that anybody was insisting upon it.

The question was taken on the pending amendment of Mr. Petti-Bone offered yesterday (Tuesday) to the motion that the House should take a recess until 10 o'clock p. m. on that day. The House divided; and there were—ayes 4, noes 25.

Mr. WELLER. No quorum.

The SPEAKER. The point is made that no quorum has voted. The Chair will appoint the gentleman from Pennsylvania [Mr. MILLER] and the gentleman from Tennessee [Mr. McMILLIN] to act as tellers.

The House again divided; and the tellers reported—ayes 4, noes 16.

Mr. PETERS. I move a call of the House.

The motion was agreed to.

The Clerk proceeded to call the roll. Before the names of the absentees were announced,

Mr. HOLMAN said: I move that further proceedings under the call

be dispensed with by unanimous consent.

The SPEAKER pro tempore (Mr. HATCH, of Missouri). Before the Chair announces the result of this roll-call he will recognize the gentleman from Nebraska [Mr. LAIRD], who desires to submit a request for unanimous consent.

Mr. LAIRD. Would it be in order for me to ask unanimous consent

for the consideration of House bill 1737?

The SPEAKER pro tempore. The Chair recognizes the gentleman. Mr. LAIRD. I ask unanimous consent to take up for present con-

sideration the bill which I send to the desk.

The bill was read, as follows: A bill (H. R. 1737) for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas.

A bill (H. R. 1737) for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That for the purpose of reimbursing persons, and the grantees, heirs, and devisees of persons, who, under the homestead, pre-emption, or other laws, settled upon or purchased lands within the grant made by an act entitled "An act for a grant of lands to the State of Kansas to aid in the construction of the Northern Kansas Railroad and Telegraph," approved July 23, 1866, and to whom patents have been issued therefor, but against which persons, or their grantees, heirs, or devisees, decrees have been or may hereafter be rendered by the United States circuit court on account of the priority of said grant made in the act above entitled, the sum of \$250,000, or so much thereof as shall be required for said purpose, is hereby appropriated: Provided, however, That no part of said sum shall be paid to any one of said parties until he shall have filed with the Secretary of the Interior a copy of the said decree duly certified, and also a certificate of the judge of said court rendering the same to the effect that such a decree was rendered in a bona fide controversy between a plaintiff showing title under the grant made in said act and a defendant holding the patent or holding by deed under the patentee, and that the decision was in favor of the plaintiff on the ground of the priority of the grant made by said act to the filing, settlement, or purchase by the defendant or his grantor; and said claimant shall also file with the said decree and certificate a bill of the costs in such case, duly certified by the clerk and judge of said court. Thereupon it shall be the duty of the Secretary of the Interior to adjust the amount due to each defendant on the basis of what he shall have paid, not exceeding \$3.50 per acre for the trace his title to which shall have failed as aforesaid, and

Mr. HOLMAN. I ask that an amendment to come in at the end of the bill may be read, and I hope the gentleman will accept it.

The Clerk read as follows:

Provided further. That the provisions of this act shall only extend to actual and bona fide settlers on the lands above specified and who settled on such lands prior to the said decision of the Supreme Court touching the title of said lands, and shall only entitle such settlers to the compensation already provided for to the extent of the lands so actually settled upon, not exceeding, however, one hundred and sixty acres.

been read. After the reading of the bill, without objection, the gentleman from Indiana [Mr. HOLMAN] offered an amendment; and the question is now on that amendment

Mr. BENNETT. Do I understand the Chair to hold that my objection will not now be entertained?

Several MEMBERS. Too late.

Mr. BENNETT. I rose in my place and hallooed at the Chair for the purpose of making this objection.

Mr. DUNHAM. I submit the Chair is not a telephone to be hallooed at.

Mr. BENNETT. Heretofore without exception—and I want to speak within bounds—when a proposition of this sort has been made the Chair has said "The bill will be read subject to objection." I rose for the purpose of availing myself of the benefit of that custom. I am here now for that purpose, and I object.

Mr. DAVIS, of Illinois. The amendment was offered before objec-

tion had been made.

The SPEAKER pro tempore. Before the Chair had opportunity to present to the House the request of the gentleman from Nebraska for unanimous consent the gentleman from Indiana [Mr. HOLMAN] obtained recognition, and asked to offer an amendment, which was read at the Clerk's desk, and is now before the House. The Chair did not hear the gentleman from North Carolina object till after the reading of the amendment

Mr. BENNETT. This bill was called up once under the new hour rule, and the gentleman from Alabama [Mr. OATES], in whose judicious judgment I have the fullest confidence, objected to the bill, and cogently presented his views. If his statement was correct, this is not a righteous measure, and I object.

The SPEAKER pro tempore. If the gentleman from North Carolina states that he rose to object before the amendment was offered by the gentleman from Indiana, the Chair will recognize the objection.

Mr. BENNETT. I rose to object when the name of the gentleman from Nebraska was announced, and I demanded the regular order.

The SPEAKER pro tempore. The Chair is bound to accept the statement of the gentleman from North Carolina, who now objects to the present consideration of this bill.

PEOPLE'S NATIONAL BANK OF LAWRENCEBURG, IND.

Mr. HOLMAN. I wish at this late moment of the session to ask a favor of my fellow-members; and I request that they listen to the reading of a bill which I hold in my hand. When they have heard it, I know every gentleman here will see the justice of the measure and the propriety of its immediate passage. It concerns a bank; but the measure is no less meritorious on that account.

The bill was read, as follows:

A bill (H. R. 7706) to authorize the Secretary of the Treasury to issue a duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind.

Whereas the People's National Bank of Lawrenceburg, Ind., deposited with the assistant treasurer of the United States at Cincinnati, Ohio, on the 26th day of September, 1883, the sum of \$10,000 in United States legal-tender notes, and received therefor a certificate of deposit numbered E 35988, in accordance with section 5193 of the Revised Statutes (act of June 8, 1872), and the same was lost or destroyed by the overflow of the Ohio River which overwhelmed said town during the month of February, 1884, and said certificate never having been found, and payment on the same having been stopped March 13, 1884: Therefore, Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue and cause to be issued to the People's National Bank of Lawrenceburg, Ind., a duplicate to said certificate of deposit numbered E 35988, for the sum of \$10,000, so issued by the assistant treasurer of the United States at Cincinnati, upon such evidence of loss, and upon execution of such bonds of indemnity to the United States, and under such regulations in regard to issue and payment as he shall prescribe.

Mr. WELLER. I rise to a question of order.

The SPEAKER pro tempore. The gentleman is not in order. The Clerk will continue the reading of the bill.

The Clerk concluded the reading.

Mr. WELLER. I repeat the question of order.
The SPEAKER pro tempore. The gentleman is not in order.
Mr. WELLER. I appeal from the decision of the Chair to the House. The SPEAKER pro tempore. The Chair does not recognize the gentleman's appeal. The Chair will state the question. The gentleman from Indiana [Mr. HOLMAN] asks unanimous consent for the present consideration of the bill which has just been read. Is there objection?

Mr. WELLER. I object. Mr. CASSIDY. I object unless the gentleman stipulates he will not

object to my bill. Mr. HOLMAN.

All right.

Mr. CASSIDY. The gentleman first stipulates and then capitulates. [Laughter.]

QUESTION OF PRIVILEGE.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. BAYNE] states that he rises to a question of privilege. The Chair has recognized the gentleman, and hopes the House will allow him to be heard.

Mr. BAYNE. I only ask for a moment.

Mr. HOLMAN. Allow me to have my question by unantmous consent first

Mr. BAYNE. I wish to occupy the time of the House but for a moment. During the discussion to-day on the Post-Office appropriation

Mr. ELLIS. The House is in such disorder that we can not hear either the gentleman from Pennsylvania or the gentleman from In-

Mr. BAYNE. During the discussion of the conference report on the disagreeing votes of the two Houses on the Post-Office appropriation bill

Mr. WHITE, of Kentucky. I make the point of order that I am occupying the floor on a similar question.

Mr. BAYNE. I do not yield the floor.

The SPEAKER pro tempore. The gentleman from Kentucky did claim the floor prior to the gentleman from Pennsylvania, who rises to ask the attention of the House to a question of personal privilege.

The Chair will recognize the gentleman from Kentucky next.

Mr. BAYNE. Mr. Speaker, during the discussion of the report of the conference committee on the Post-Office appropriation bill I made some remarks on the provisions of the Senate amendment respecting foreign-mail service. I learned from various sources, from a number of gentlemen, that in the progress of that debate it was generally believed in what I said I by implication had reflected on members of this House. I desire to say, in anything I said I had no intention in the world to reflect on any member of this House. That thought was entirely out of my mind. I had no such purpose, no such feeling.

My association with the members of this Congress has been of a

my association with the memoers of this Congress has been of a pleasing and agreeable character. I know of no single member of this body with whom I have not had pleasant relations. I believe this body is the most intelligent, the most capable, the most distinguished legislative body in the civilized world [applause], and I am indisposed by word or deed to say anything that would cast a reflection on any single individual member of this body, and if my remarks were so construed by anybody I failed to make myself understood or my remarks were misconstrued. [Applause.]

PEOPLE'S NATIONAL BANK, LAWRENCEBURG, IND.

The SPEAKER pro tempore. The Chair will state that he had recognized the gentleman from Indiana, who called a bill up to which objection was made, but it is now said that objection has been withdrawn.

Mr. TUCKER. I have not withdrawn my objection, and I desire to say to my friend from Indiana that if his measure can be heard and others can be heard, I will not object. I have been pressing for the consideration of a little bill for the week past. I am perfectly willing the gentleman's bill shall be considered, but I am not willing it shall

be considered while all others are to be ruled out.

Mr. TOWNSHEND. Is it in order to move to go to the Speaker's table for the purpose of taking up the Mexican pension bill? [Laugh-

the speaker proposed taking up the mexican pension bill. [Languitter and applause.]

The SPEAKER pro tempore. The Chair has recognized the gentleman from Kentucky on a question of privilege.

Mr. TOWNSHEND. I understand the gentleman yields to me to

call up the Mexican pension bill.

Mr. WHITE, of Kentucky. I will for that purpose.

Mr. TOWNSHEND. I move that the House go to the business on the Speaker's table for the purpose of taking up the Mexican pension bill.

Mr. TUCKER. I withdraw my objection to the bill of the gentleman from Indiana.

Mr. WHITE, of Kentucky. I only yielded to allow the Mexican pension bill to be called up.

The SPEAKER pro tempore. The Chair recognized the gentleman from Indiana. The objection made to his bill has been withdrawn. Is there further objection to the request of the gentleman from Indiana for the present consideration of the bill which has already been read from the Clerk's desk?

Mr. CASSIDY. It is on condition he will not object to our bills. Mr. HEWITT, of Alabama. I demand the regular order of business. Mr. HOLMAN. I believe it is in order, and I trust my friend will

not object to my moving to suspend the rules and pass the bill.

Mr. MILLS. No quorum is present.

The SPEAKER pro tempore. Who objects to it?

Mr. HEWITT, of Alabama. I am perfectly willing to proceed under the new hour rule.

Mr. MILLS. We will all consent to that.

Mr. TOWNSHEND. Is my motion in order?
The SPEAKER pro tempore. The Chair decided it is not.
Mr. HOLMAN. I think the gentleman from Alabama withdraws his objection

Mr MILLS. I move to dispense with all further proceedings under the call of the House

Mr. HOLMAN. I hope the gentleman from Alabama will not ob-

Mr. HEWITT, of Alabama. I would withdraw my objection if I did not believe the gentleman from Indiana would renew it. Mr. HOLMAN. I shall not.

Mr. HEWITT, of Alabama. I withdraw the objection.
Mr. CASSIDY. Iask unanimous consent to proceed under the order requiring ten objections until the further order of the House

The SPEAKER pro tempore. There is a question of unanimous consent pending before the House now.

Mr. WHITE, of Kentucky. I object to further interruptions, and desire to proceed with my remarks.

The SPEAKER pro tempore. The Chair will state the question before the House. The gentleman from Indiana asks consideration of a bill which has been read from the Clerk's desk. The demand of the gentleman from Alabama for the regular order has been withdrawn, and the Chair now asks, is there further objection to the present consideration of the bill presented by the gentleman from Indiana?

There was no objection. Mr. HOLMAN. This measure was referred to the Committee on Ways and Means, and was reported unanimously by that committee by the gentleman from New York [Mr. HEWITT]; it has been recommended by the Secretary of the Treasury, and I trust it will be found that the measure is not only a proper one but eminently just. I hope

it will be adopted.

The bill was ordered to be engrossed for a third reading; and being

engrossed, was accordingly read the third time, and passed.

Mr. HOLMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. POST, of Pennsylvania. I rise to a question of order.
The SPEAKER pro tempore. The gentleman will state it.
Mr. POST, of Pennsylvania. I desire to ask whether it is in order for this House under the order for a call of the House to transact any

The SPEAKER pro tempore. Except by unanimous consent.

Mr. STRAIT. I ask consent to take up a Senate bill for present con-

The SPEAKER pro tempore The Chair will recognize the gentleman from Minnesota to ask consent.

Mr. STRAIT. Then I ask unanimous consent that the Senate bill No. 1543, for the relief of Wilbur F. Steel, be taken from the Speaker's

table and put upon its passage.

Mr. HEWITT, of Alabama. How does this bill get before the House?

Mr. BENNETT. Is that to be read subject to objection?

The SPEAKER pro tempore. It is. The bill was read at length.

Mr. WELLER. I shall object to the consideration of that bill unless the gentleman be permitted to make a statement or explanation that

will satisfy me as to its merits.

Mr. STRAIT. I apprehend that there will be no objection to the passage of the bill if I can have a very few moments for a brief expla-

This gentleman purchased some years ago from a railroad company the portion of land referred to here; but it appeared when he was or-dered by the railroad company to settle on the land and when a survey was made that it was not railroad land, but proved to be a school section

Now this bill simply allows him to buy the lands while the territory is granted other lands in lieu of the lands thus taken up. It does not cost the Government anything. This has been recommended by the Commissioner of the Land Office, by the Secretary of the Interior, and has the indorsement of the Public Lands Committee of the House. This

bill has also passed the Senate.

Mr. WELLER. I will ask the gentleman a question, whether this party was the original occupant of the land?

Mr. STRAIT. Yes, sir. Mr. WELLER. And ha

And has continued so ever since?

Mr. STRAIT. Yes, sir.

Mr. WELLER. And made improvements on the land and cultivated it as his own?

Mr. STRAIT. Yes; he has improved these lands to the value of \$25,000.

Mr. WELLER. Then I have no objection.
Mr. COOK. I have said that no bill should pass by unanimous consent from that side as long as it was engaged in this filibustering against the election cases.

Mr. STRAIT. Then I move to suspend the rules and pass the bill.

Mr. COOK. I demand the regular order.
Mr. CASSIDY. I desire to take up Senate bill 723, for the relief of Eugene B. Rail and others, and put it upon its passage. I belie will be no objection to this bill if the House will hear it read. I believe there

Mr. NELSON. I rise to a question of order.

The SPEAKER pro tempore. Does the gentleman object?

Mr. NELSON. I do. I want to raise the question of order, if the Chair will allow me.

Mr. CASSIDY. Do you object to the bill on its merits?

Mr. NELSON. Under the rule adopted some days ago, what is sometimes known as the "ten-men" rule, it is not competent for the Chair to entertain a motion for unanimous consent. I claim that it is not competent except within the period fixed by the rule itself, until after the reading of the Journal, and the only motion that the Chair can entertain now is the motion to suspend the rules.

Mr. CASSIDY. I move to suspend the rules and pass the bill.

[Cries of "Regular order!"]

The SPEAKER pro tempore (Mr. HATCH, of Missouri). The regular

order has been demanded.

Mr. BEACH. What is the regular order?

The SPEAKER pro tempore. The regular order is the second call of the roll, or the call of members who did not respond on the first call.

Mr. WHITE, of Kentucky. Pending that I rise to a question of per-

sonal privilege

The SPEAKER pro tempore. The Chair will state that there is a motion pending to dispense with the call. As soon as the Clerk has called the names of those who were absent on the first roll-call the question will be taken on the motion to dispense with all further pro-

Mr. WHITE, of Kentucky. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WHITE, of Kentucky. My point of order is that when a motion was made for a call of the House by the gentleman from Pennsyland and I was to this question of personal privilege, and I was inside for a carl of the House by the gentleman from Fennsylvania it was then I rose to this question of personal privilege, and I was recognized by the Chair. I had proceeded with my remarks for some ten or fifteen minutes, when I yielded for appropriation bills, but I was to be recognized by the Chair as soon as the appropriation bills were disposed of. And I have yielded to gentlemen for unanimous consent. I do not wish to be dictatorial, or to take away from any gentleman his right of way to get unanimous consent. tleman his right of way to get unanimous consent. But since there is a determination not to yield for requests for unanimous consent by any

one, I think I should now be allowed to proceed.

The SPEAKER pro tempore. The Chair recognizes the statement of the gentleman from Kentucky as correct, except that when the motion was made for a call of the House the gentleman from Kentucky did not assert his right to the floor. That matter is now pending, and as

soon as it is disposed of the Chair will recognize the gentleman.

Mr. BAGLEY. I ask unanimous consent to call up for present consideration the bill S. 957.

Objection was made.

The SPEAKER pro tempore. The Chair can not recognize the gentleman for that purpose, the regular order being demanded. The Clerk will proceed to call the roll of absentees.

Mr. WHITE, of Kentucky. I ask the Chair if it is not manifestly unjust when a man rises and asks for unanimous consent on this floor and another member is not permitted to address the Chair on a ques-

the and another is not permitted to address the Chair on a question of personal privilege.

The SPEAKER pro tempore. The Chair will state to the gentleman from Kentucky that a motion has been made by the gentleman from Texas [Mr. Mills] to dispense with all proceedings under the call. But the names of absentees have not been called, and until that has been done the question can not be taken on the motion to dispense with further proceedings under the call.

further proceedings under the call.

Mr. WHITE, of Kentucky. But the gentleman from Texas can not take me off my feet to make a motion except by unanimous consent.

The SPEAKER pro tempore. That motion was made, and the gen-tleman from Kentucky was not at that time seeking recognition from the Chair. There is no question about the gentleman's right. The Clerk will call the roll.

The Clerk proceeded with the second call of the roll, when the following members failed to answer:

Anderson,	Dunn,	Lyman,	Singleton,
Atkinson,	Elliott,	Millard.	Skinner, C. R.
Barbour,	Ellwood,	Morrison,	Sloeum,
Belmont,	Finerty,	Morse,	Smith, A. Herr
Bisbee,	Geddes,	Muller,	Smith, H. Y.
Blount,	George,	Murray,	Spooner,
Bowen,	Glascock,	Nutting,	Spriggs,
Brainerd,	Graves,	Oates,	Steele,
Bratton,	Hammond,	Ochiltree,	Stewart, J. W.
Breitung.	Hanback,	O'Hara,	Stone,
Brewer, F. B.	Henderson, D. B.	O'Neill, J. J.	Sumner, D. H.
Brewer, J. H.	Henley,	Peel,	Taylor, E. B.
Buckner,	Herbert,	Phelps,	Taylor, J. D.
Burleigh,	Hewitt, A.S.	Potter.	Throckmorton,
Campbell, Felix	Hitt,	Rankin,	Tully,
Campbell, J. M.	Holmes,	Ranney, .	Valentine.
Chalmers,	Hooper,	Ray, G. W.	Wadsworth,
Clardy,	Hopkins,	Reese,	Wait,
Cobb.	Houk,	Rice.	Ward,
Covington,	Howey,	Robertson,	Wemple,
Cox, W. R.	Hutchins.	Robinson, J.S.	Wilkins.
Crisp,	Johnson,	Robinson, W. E.	Williams,
Culbertson, W. W.		Rockwell,	Wise, J.S.
Cutcheon,	Jones, J. T.	Rowell,	Wood,
Dargan,	Kelley,	Russell,	York,
Davis, R. T.	Kellogg,	Ryan,	Young.
Dorsheimer,	Lacey,	Seney,	Toung.
Dowd.	Lore.	Shaw.	

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate agreed to the amendment of the House to the

first amendment of the Senate to the bill (H. R. 8179) making approprintions for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other pur-

The message further announced that the Senate disagreed to the amendment of the House of Representatives to the sixty-sixth amendment of the Senate to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; agreed to the conference asked by the House thereon, and had appointed Mr. Allison, Mr. Hale, and Mr. Beck to be the conferees on the part of the Senate.

ORDER OF BUSINESS.

During the second call of the roll,

Mr. HISCOCK said: I ask that all proceedings be suspended except

Mr. HISCOCK said: I ask that all proceedings be suspended except the consideration of conference reports.

The SPEAKER pro tempore. The roll-call is almost completed, and there is a motion to dispense with all further proceedings under the call, which will be put to the House when the call is completed.

The call of the roll having been completed, the question was taken on the motion to dispense with all further proceedings under the call,

and it was agreed to.

Mr. DUNHAM. I demand the regular order, Mr. Speaker.
Mr. CASSIDY. Mr. Speaker, I understand that the objection offered a moment ago to the matter I desire to call up has been withdrawn.
The SPEAKER pro tempore. The gentleman from Nevada is not in order. The Chair recognizes the gentleman from Kentucky [Mr. Williams], who rises to a question of personal privilege.

WHITE], who rises to a question of personal privilege.

Before the gentleman from Kentucky [Mr. WHITE] proceeds the
Chair will lay before the House a report from the Committee on En-

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the fol-lowing title; when the Speaker signed the same:

A bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

JAIL AT FORT SMITH, ARK.

The SPEAKER pro tempore, by unanimous consent, laid before the House a letter from the Attorney-General, transmitting a report of the grand jury in regard to the jail at Fort Smith, Ark.; which was referred to the Committee on Appropriations, and ordered to be printed.

WITHDRAWAL OF PAPERS.

By unanimous consent leave to withdraw papers was granted in the

To Mr. Hepburn, in the case of M. C. Ridenour, without leaving copies, there having been no adverse report.

To Mr. Miller, of Pennsylvania, in the case of House bill 6201 for the relief of Louisa J. Ray, there having been a favorable report.

To Mr. Jones, of Wisconsin, in the case of W. W. Wiggins for increase of pension, there being no adverse report.

To Mr. Connolly, in the case of John C. Geyer, without leaving copies, there having pension, there having pension there having pension.

copies, there having been no adverse report.

LEAVE TO PRINT.

Mr. ELLIOTT, by unanimous consent, was granted leave to print in the RECORD some remarks on the contested-election case of Massey vs. Wise.

Mr. HART asked unanimous consent to print in the RECORD some remarks upon the legal questions involved in the case of Pool vs. Skin-

Mr. RANNEY and Mr. PETTIBONE. I ask for the same privilege.

Mr. COOK. I object.
Mr. COX, of North Carolina. I object. The objection also applies to the request of the gentleman from Ohio [Mr. Hart].

QUESTION OF PERSONAL PRIVILEGE

Mr. WHITE, of Kentucky, addressed the House. [See Appendix.] Mr. YOUNG. I rise to a parliamentary inquiry. The SPEAKER pro tempore. The gentleman will state it. Mr. YOUNG. How much time has the gentleman from Kentucky? Mr. WHITE, of Kentucky. I do not desire to occupy any more

1 The SPEAKER pro tempore. The gentleman from Kentucky has eight minutes of his time remaining.

Mr. YOUNG. I understand the gentleman from Kentucky is kind

enough to yield to me.

Mr. WHITE, of Kentucky. Not just now. I desire to call the attention of the House and of the country to the fact that I am warranted by the encouragements of these whisky rings to move the abolition of the whole internal-revenue system. When only 16,000,000 gallons were made in 1863 there were \$16,000,000 of taxes.

Mr. YOUNG. I must insist if the gentleman from Kentucky declines to yield to others that he must confine himself to the point of order which he got the right from the House to discuss.

order which he got the right from the House to discuss.

The SPEAKER protempore. The gentleman from Kentucky is not discussing the point of order, but is discussing the bill.

Mr. YOUNG. Exactly; he is not discussing the point of order. I make the point his remarks are too wide a departure from the leave

which he received to state his question of privilege.

The SPEAKER pro tempore. The gentleman from Kentucky has now seven minutes of his time remaining.

Mr. YOUNG. The Chair has not yet ruled on the question of order, and I ask him to rule whether the gentleman is in order in the discussion which he is now following.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of its clerks, announced the adoption of the conference report on the disagreeing votes of the two Houses on the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER pro tempore. The gentleman from Kentucky is entitled to the floor on his question of personal privilege.

Mr. YOUNG. I insist that the Chair shall rule on my point of

The SPEAKER pro tempore. The Chair will suggest to the gentle-man frankly that the point of order made by the gentleman from Tennessee, in the opinion of the Chair, is well taken as to a part of the remarks, but that for a portion of the time the gentleman has confined himself to the statement of facts. The Chair hopes the gentleman for the remainder of his time will confine himself to the appeal.

Mr. RANDALL. I ask the gentleman to yield to me for the purpose

of submitting a privileged question.

The SPEAKER pro tempore. Does the gentleman yield for that

Mr. WHITE, of Kentucky. Certainly. Before yielding the floor, however, I ask permission of the House to extend my remarks and print some papers and extracts which I will not detain the House by reading.

There was no objection, and it was ordered accordingly. [See Appendix.]

NAVAL APPROPRIATION BILL.

Mr. HUTCHINS. I now call up the report of the committee of conference on the disagreeing votes of the two Houses on the naval appropriation bill.

The report was read, as follows:

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill of the House \$239, making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 8, 12, 13, 15, 18, 19, 30, 32.
That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 9, 11, 16, 21, 22, 23, 24, 27, 29, 31, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: At the end of said amendment insert the following:

"Provided, That nothing herein contained shall be construed to continue the existence of the naval advisory board or to prevent the Secretary of the Navy from constituting such other advisory board as he may deem necessary to aid in determining the plans of structure of said cruisers."

And the Senate agree to the same.

WALDO HUTCHINS, SAML. J. RANDALL, JNO. D. LONG, Managers on the part of the House. EUGENE HALE,
P. B. PLUMB,
J. B. BECK,

Managers on the part of the Senate.

Mr. RANDALL. It is proper, Mr. Speaker, to state to the House the substance of the agreement between the two Houses as reported by the conference committee. The final conclusion leaves the new vessel at the Brooklyn navy-yard without any appropriation to complete her. It leaves the 20 per cent. as the figure for the limit of repairs to wooden ressels of the Navy. It provides for the building of two cruisers, one heavy gunboat and one light gunboat, leaving the responsibility for their construction with the Secretary of the Navy without interference by the existing advisory board, but permitting the President to create an advisory board if he may see fit.

It provides for the armament to the amount of \$500,000 for these receipts the expectation and the provides are the responsibility for the Secretary of the Secretar

vessels. It leaves the monitors unappropriated for. The Senate re-cedes from the purchase of what is known as the Ericsson Destroyer, which involved an appropriation of \$212,000. The Senate recedes from that position.

Mr. COX, of New York. I was not able to understand what the committee had done with reference to the monitors.

Mr. RANDALL. We did nothing; no appropriation was made for

I now ask the previous question upon the adoption of the report. The previous question was ordered, and under the operation thereof the conference report was adopted.

Mr. RANDALL moved to reconsider the vote by which the report

was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EUGENE B. RAIL AND OTHERS.

Mr. CASSIDY. Mr. Speaker, the gentleman who objected to the bill (S. 723) has withdrawn the objection, and I now ask consent for its present consideration.

The SPEAKER pro tempore. The bill will be read subject to objection.

The bill is as follows:

The bill is as follows:

Be it enacted, &c., That Eugene B. Rail, James H. Hardy, John M. Gearhart, George W. Hopkins, Lloyd Frizell, and Archibald N. Smith, sureties upon the official bond of David L. Gregg, given as security for the faithful performance by said Gregg of his duties as receiver of public moneys at Carson City, Nev., and dated June 17, 1865, be, and the said sureties and their personal representatives are hereby, upon the payment to the United States of the sum of \$1,000, released and discharged of and from all and every obligation and liability whatsoever on account of said bond, or any breach thereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was taken from the Speaker's table, read a first and second time, ordered to a third reading, read the

third time, and passed.

Mr. CASSIDY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:
A bill (H. R. 7938) granting a pension to Amanda Allen.

THANKS TO THE SPEAKER.

Mr. KEIFER. I rise to submit a privileged resolution.

Mr. REED, of Maine. I wish to offer a resolution.

Mr. KEIFER. My resolution relates to the Speaker of the House.

I ask its present consideration, while the Speaker is out of the Hall,

and I hope every person will give attention while it is being read.

The SPEAKER pro tempore (Mr. HATCH, of Missouri). The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the thanks of this House are hereby tendered to Hon. John G. Carlisle, the Speaker, for the courtesy with which he has treated all its members, and for the ability and fairness with which he has presided over the deliberations of the House during the Forty-eighth Congress.

Mr. KEIFER. I rise to ask that in taking this vote it be done by a rising vote, as a distinguished mark of respect to the gentleman whom it is intended to compliment.

Mr. WHITE, of Kentucky. I second the motion.

Mr. WHITE, of Kentucky. I second the motion.

The SPEAKER pro tempore. The present occupant of the chair takes great pleasure in stating the question to the Representatives of the Forty-eighth Congress. All who are in favor of the resolution just read will rise and stand until counted. [After a pause.] Three hundred and twenty-four Representatives have voted, and the resolution is unanimously agreed to. [Loud and prolonged applause.]

THANKS TO HON. J. C. S. BLACKBURN.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont [Mr. POLAND].

Mr. POLAND. I offer the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the thanks of this House are hereby tendered to the Hon. J. C. S. BLACKBURN, the Speaker pro tempore, for the ability and courtesy with which he presided over the deliberations of the House during the period he occupied the Speaker's chair.

The question being taken on the resolution, it was unanimously adopted.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. I present a report from a committee of conference. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 49, 59, 136, 142, 195, and 198.

That the Senate recede from its amendments numbered 12, 49, 59, 136, 142, 195, and 198.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 13, 14, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 61, 62, 63, 64, 124, 132, 140, 166, 173, 193, 194, 196, 197, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 66, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: Strike out of said amendment the words "to be used for an advance course of instruction

of naval officers;" and in lieu of the sum proposed insert "\$8,000." Strike out also, after the word "dollars," the following: "For pay of one clerk to officer in charge of building, \$1,000; in all, \$12,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14i, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000;" and the Senate agree to the same.

SAM. J. RANDALL,

W. H. FORNEY,

THOMAS RYAN,

Managers on the part of the House.

W. B. ALLISON,

EUGENDE HALE,

JAMES B. BECK,

Managers on the part of the Senate.

Mr. RANDALL. For the purpose of saving time and with a view to the quick transmission of this report to the Senate I refrain from making any other remarks than to announce to the House that when making any other remarks than to announce to the House that when this conference report has been adopted this House will have finally acted upon every appropriation bill. [Applause.]

The SPEAKER. The question is on the adoption of the report. The report was adopted.

Mr. RANDALL moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

the table.

The latter motion was agreed to.

TAX SALES IN DISTRICT.

Mr. McCOMAS. I present a report by a committee of conference. The Clerk read the report, as follows:

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. \$236) entitled "An act relating to sales for taxes in the District of Columbia," having met, after till and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment substituting for the words stricken out by the Senate the words "and the affidavit hereinafter required;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

Strike out the following words:

"Provided further, That where the commissioners are satisfied that any lot is the actual homestead of the owner and that it comprises the principal portion of his property, they may accept a sum in full payment of the same, not less than one-half of the assessed value of the lot."

And insert the following:

"Provided, That nothing contained in this act shall be construed to affect pending suits."

And the Senate agree to the same.

pending suits."
And the Senate agree to the same.

L. E. MCCOMAS,
JOHN F. FOLLETT,
W. L. WILSON,
Managers on the part of the House.
N. W. ALDRICH,
J. J. INGALLS,
Managers on the part of the Senate.

Mr. McCOMAS. I move the adoption of the report.

The SPEAKER. The question is on the adoption of the report.

The report was adopted.

Mr. McCOMAS moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MAGINNIS. Mr. Speaker, I ask unanimous consent to take up and put on its passage the Senate bill 2609, to provide permanent reservations for the Indians in Northern Montana, and for other pur-

Mr. McMILLIN. Mr. Speaker, I rise to make a privileged report, The SPEAKER. The gentleman from Montana [Mr. MAGINNIS] asks consent to take from the Speaker's table and put upon its passage a bill the title of which he has indicated.

Mr. MAGINNIS. This bill has been recommended by the Commit-tees on Indian Affairs of both Houses and by all who are familiar with the subject.

The Clerk proceeded to read the bill.

Mr. BENNETT. Mr. Speaker, this is read subject to objection, is it

The SPEAKER. Of course

Before the reading of the bill was concluded several members called

for the regular order.

Mr. McMILLIN. Mr. Speaker, I rise to make a privileged report, which I will send to the Clerk's desk. It is a report of those claims referred by the Committee on Claims to the Court of Claims under the act of March 3, 1883. The Speaker entertained it and ordered it entered upon the Journal at the close of the last Congress, and I present it here

The SPEAKER. That was done by unanimous consent. There is

no rule at all upon the subject.

Mr. RANDALL. Mr. Speaker, I move to suspend the rules and to take from the Speaker's table the Senate bill (No. 2530) known as the bill for the retirement of General Grant. [Applause on the Republican side].

Mr. BENNETT and other members. Regular order.

Mr. WELLER. Mr. Speaker, I object to the consideration of that

Mr. RANDALL. I move to suspend the rules and pass the bill. The SPEAKER. The Chair has ruled repeatedly during the last two or three days that a motion to suspend the rules is not in order if ob-

or three days that a motion to suspend the rules is not in order if objected to while other motions are pending before the House.

Mr. TOWNSHEND. I think that if the gentleman from Pennsylvania [Mr. RANDALL] will allow me to attach an amendment to that bill pensioning every Mexican soldier he may get it passed. [Cries of "Regular order!"]

Mr. COVINGTON. Mr. Speaker, I rise to make a privileged report.

The SPEAKER. The gentleman from Maryland [Mr. COVINGTON] rises to submit a privileged report.

rises to submit a privileged report.

Mr. RANDALL. Mr. Speaker, has the Chair decided that unanimous consent is required to entertain a motion to suspend the rules for

the purpose of taking up and passing the bill that I have indicated?

The SPEAKER. The Chair has decided that under the rules of the House a motion to suspend the rules is simply a motion which, like any other parliamentary motion, is in order only when there is not another

matter pending before the House.

Mr. RANDALL. Will the Chair please indicate what subject is now pending before the House which interferes with the opportunity I desire to have to move to suspend the rules for the purposes I have stated? [Cries of "Regular order!"]

The SPEAKER. The Chair will state that the report of the Com-

mittee on Elections in a contested-election case is pending.

Mr. RANDALL. I appeal to my friend from North Carolina [Mr. BENNETT] to take that obstruction out of the way. [Cries of "Regular order!"]

Mr. RANDALL. Then, Mr. Speaker, I move to suspend the rules and to lay on the table the report of the Committee on Elections. [Renewed cries of "Regular order!"]

The SPEAKER. The Chair does not think that motion to suspend

the rules, if objected to, is any more privileged than other motions to suspend the rules.

Mr. STOCKSLAGER. There are several other motions pending before the House, motions to take a recess and for other purposes.

The SPEAKER. Yes; there are motions for a recess upon which the House has been trying to vote for nearly two days. The Chair has consistently ruled that a motion to suspend the rules is not in order

while another motion is pending.

Mr. WILLIS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

IOWA CONTESTED ELECTION.

Mr. WILLIS. If the House should take a vote on this contestedelection case, then would not the motion of the gentleman from Pennsylvania be in order?

The SPEAKER. If the contested-election case were out of the way,

the motion of the gentleman from Pennsylvania would be in order.

Mr. BENNETT. If this House will now consider the contestedelection case of Frederick vs. Wilson, all objection to the motion of the
gentleman from Pennsylvania [Mr. RANDALL] will be withdrawn.
[Applause on the Republican side, and noisy demonstrations through-

The SPEAKER. The Chair will entertain no motion and will recoguize no gentleman until the House is in order. The Sergeant-at-Arms will see that gentlemen take their seats and order is restored. The deputy sergeant-at-arms proceeded through the Hall bearing the mace. While he was attempting to restore order Mr. Bennett ad-

dressed the Chair.

The SPEAKER. Gentlemen on the floor must be aware of the fact that it is utterly impossible to transact business unless we can have

Mr. WILSON, of Iowa (standing on a chair). Mr. Speaker— Mr. BENNETT. Mr. Speaker, I want it distinctly understood (because I keep faith with men and women) [laughter] that the objection to the motion of the gentleman from Pennsylvania will be withdrawn if we can have this election case considered. I do not say more. I do not keep the indvidual consciences of members. God Almighty has

made the human mind free, and gentlemen can vote as they please.

Mr. RANDALL. I appeal to the gentleman from North Carolina to take a vote on the election case at once, so that I may have an opportunity to call up this other bill.

I demand the previous question on the motion to Mr. BENNETT. proceed to the consideration of the contested-election case of Frederick

Mr. Wilson, of Iowa, rose and held up his hand as if seeking recog-

nition from the Speaker.

Mr. ROBERTSON. The gentleman from Iowa [Mr. Wilson] desires to make a statement. I trust the Chair will recognize him.

The SPEAKER. The gentleman from Iowa [Mr. WILSON] desires to make a statement, and is recognized for that purpose.

Mr. WILSON, of Iowa. Mr. Speaker, if this House will vote to put General Grant on the retired-list, I am willing to be sacrificed after that. [Loud applause.]

Mr. BENNETT. I demand the previous question upon the resolu-tions reported by the Committee on Elections in the case of Frederick vs. Wilson.

The SPEAKER. But there are motions pending to take a recess, and amendments to such motions.

Mr. BENNETT. They are withdrawn by the gentlemen over the

Mr. MILLER, of Pennsylvania. I will state to the House that if they will permit a vote on the proposition of the gentleman from Penn-sylvania we will withdraw all objection and take a vote immediately upon the proposition of the gentleman from North Carolina. [Cries of "Oh, no!"]

Mr. MILLER, of Pennsylvania. Well, then, in order that there may be no excuse, I withdraw my motion in order to permit a vote on the proposition of the gentleman from North Carolina, and I ask this House

to act with fairness upon both votes.

Mr. BENNETT. I demand the previous question on the resolutions

reported by the Committee on Elections in the case of Frederick vs. Wilson. [Cries of "Vote!" Vote!"]

The SPEAKER. There can be no vote unless gentlemen will preserve order. [Renewed cries of "Vote!" "Vote!"]

The Chair will not entertain any motion or recognize any gentleman until order is restored. The Chair will state the question. The gentleman from North Carolina demands the previous question upon the adoption of the resolutions reported by the Committee on Elections in the contestedelection case of Frederick vs. Wilson.

Mr. BARKSDALE. I move to take a recess until fifteen minutes before 12 o'clock. [Cries of "Oh, no!"]
Mr. SPRINGER. I submit the point that a motion for a recess is not in order pending the demand for the previous question.

The SPEAKER. Under what rule does the gentleman make that

point of order?

Mr. BARKSDALE. I withdraw the motion for a recess.

The SPEAKER. Then the question is on ordering the previous question upon the resolutions reported by the Committee on Elections.

The previous question was ordered.

The SPEAKER. The question is now upon the adoption of the resolutions, which the Clerk will read.
The Clerk read as follows:

Resolved. That James Wilson was not elected as a Representative in Congress from the fifth district of Iowa, and is not entitled to a seat on the floor of this House.

Resolved, That Benjamin T. Frederick was duly elected as a Representative in Congress from the fifth district of Iowa, and is entitled to be sworn in as a member of this House.

The question being taken, the resolutions were adopted. [Loud applause.

Mr. BENNETT moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BENJAMIN T. FREDERICK presented himself at the bar of the House and was duly qualified by taking the oath prescribed by law.

RETIREMENT OF GENERAL GRANT.

Mr. RANDALL. I now move to suspend the rules to take from the Speaker's table and pass Senate bill 2530.

The bill is as follows:

A bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Be it enacted, de., That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to appoint on the retired-list of the Army of the United States, from among those who have been generals commanding the armies of the United States, or generals—in-chief of said Army, one person with the rank and full pay of such general or general-in-chief as the case may be, and the total number now allowed by law to compose said retired-list shall be, on such appointment, increased accordingly.

Mr. McMILLIN. I demand a second on the motion to suspend the

rules. [Derisive cries on the Republican side.]

The SPEAKER. The gentleman from Tennessee [Mr. McMillin]
demands a second. The Chair appoints as tellers the gentleman from Tennessee, Mr. McMillin, and the gentleman from Pennsylvania, Mr. Miller. The tellers will take their places.

The House proceeded to divide; but before the result of the count by tellers was announced,

Mr. McMILLIN said: We agree to consider a second as ordered.
The SPEAKER. There are now thirty minutes allowed for debate, fifteen minutes in support of the proposition and fifteen against it.
Mr. RANDALL. I waive my right to debate.

Mr. RANDALL. I waive my right to debate.

The SPEAKER. The gentleman from Pennsylvania declines to occupy any time in support of the motion; and unless some gentleman takes the floor in opposition—— [Cries of "Vote!" "Vote!"] Gentlemen by these interruptions are simply delaying the consideration of

the very measures they desire to advance.

Mr. McMILLIN. Mr. Speaker, in demanding a second I had no purpose to defeat action on this bill. As the Speaker and many other gentlemen will bear witness, I sought an opportunity to make a bare statement before it came to the point of demanding a second. Failing in that, my only remedy was to demand a second. I shall not occupy all the time assigned me. I simply ask the attention of the House

now to state that my opposition to General Grant's retirement hereto-fore and now has not arisen from any want of appreciation of his disfore and now has not arisen from any want of appreciation of his distinguished services, nor from any want of sympathy with his present physical condition. But through six years of service here, as all gentlemen who remember anything of my action will bear witness, I have in the case not only of Grant but of every other man I believe save one (who had been expelled from the Army)—certainly in the case of every one who voluntarily left the Army—I have entered my protest against putting him back in the military service for the purpose of re-

against putting him on high pay.

It is a bad policy to adopt. It is one that can result in no good to the discipline of the Army—an Army which last year, I think the Secretary of War reports, had 30 per cent. of deserters. I do not speak of officers. But I oppose it because I think sound public policy demands that the secretary of the secretar that when a man of this Army for political honors leaves it and wears himself out in the political arena the Government is not under any obligation to give him a compensation of fifteen or twenty thousand dollars a year when he can not and does not render any service therefor.

Thus much, Mr. Speaker, I thought it proper to say. I have no feeling, as I have already said, against General Grant, but I think sound public policy dictates a different course from that which is proposed here to-day.

I now yield whatever time I have left to the gentleman from Indiana [Mr. Marson]

[Mr. MATSON].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of its clerks, announced the adoption of the conference report on the disagreeing votes of the two Houses on the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

RETIREMENT OF GENERAL GRANT.

Mr. MATSON. Mr. Speaker, it has not been demonstrated to this House that General Grant is in actual need of this relief. There is no proof of that fact, while there are tens of thousands of men who served their country who are at this very hour in distress and in sore need of relief, and the pension of this Congress had better be given to them than to one who already has a sufficient income. When they have been relieved it will be time enough to relieve General Grant and others who are not in distre

And, sir, for that reason I shall object to the passage of this bill. I have voted against retiring General Pleasonton, who it was alleged was forced out of the Army, and I have also voted against the retirement of General Averill, who was similarly required to leave the Army— he certainly did not leave it voluntarily. I could not, therefore, vote to retire General Grant after having made that record against these very gallant and meritorious officers.

Mr. GOFF. Is not this an exceptional case? Mr. MATSON. The other is an exceptional case.

Mr. GOFF. And these cases are not alike. Mr. MATSON. Will you pension one man and refuse to pension the

Mr. COX, of New York. I would pension him.
Mr. MATSON. Can you give it to him and refuse it to the others?
[Cries of "Vote!"]

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. McMILLIN demanded the yeas and nays.

The House divided; and there were—ayes 42, noes 133.

So (one-fifth having voted in the affirmative) the yeas and nays were ordered.

The question was taken; and there were-yeas 198, nays 79, not voting 46; as follows:

	YEA	S—198.	
Adams, G. E.	Cox, S. S.	George,	Johnson,
Adams, J. J.	Culbertson, W. W.	Glascock,	Jones, B. W.
Anderson,	Cullen,	Goff,	Jones, J. K.
Atkinson,	Curtin,	Graves,	Jordan,
Bagley,	Cutcheon,	Greenleaf,	Kean,
Barr,	Dargan,	Guenther,	Keifer,
Bayne,	Davis, G. R.	Hanback,	Kelley,
Beach,	Davis, R. T.	Hancock,	Kellogg,
Bingham,	Deuster,	Hardy,	King,
Bisbee,	Dibble,	Hart,	Kleiner,
Boutelle,	Dingley,	Hatch, H. H.	Lacey,
Brainerd,	Dorsheimer,	Haynes,	Laird,
Bratton,	Dunham,	Henderson, D. B.	Lamb,
Breckinridge,	Elliott,	Henderson, T. J.	Lawrence,
Brewer, F. B. Broadhead,	Ellis, Ellwood,	Hepburn,	Le Fevre,
		Hewitt, A. S.	Libbey,
Browne, T. M.	English,	Hiscock, Hitt.	Long,
Brown, W. W.	Ermentrout,		Lore,
Brumm,	Evans,	Hoblitzell,	Lovering,
Budd,	Everhart,	Holmes,	Lowry,
Campbell, Felix	Ferrell,	Holton,	Lyman,
Campbell, J. E.	Fiedler,	Hopkins,	McAdoo,
Campbell, J. M.	Findlay,	Horr,	McCoid,
Cannon, Carleton,	Finerty, Follett,	Houseman, Howey,	McComas, McCormick,
Cassidy,	Foran,	Hunt.	Maybury,
Clardy,	Frederick,	Hurd,	Millard,
Collins,	Funston,	Hutchins,	Miller, S. H.
Connolly,	Fyan,	James,	Milliken,
Converse,	Garrison,	Jeffords,	Mitchell,
- Committee of the Comm			Commence of the Commence of th

Morgan,	Phelps,	Snyder.	Vance,
Morrill,	Poland,	Spooner,	Wadsworth,
Moulton.	Post,	Spriggs,	Wait.
Muller,	Potter.	Steele.	Wakefield,
Murphy,	Pusey,	Stephenson,	Wallace,
Murray,	Randall.	Stevens,	Ward.
Mutchler,	Ranney,	Stewart, J. W.	Washburn,
Nelson,	Ray, Ossian	Stone,	Weaver,
Nicholls,	Reed, T. B.	Storm,	Wemple,
Nutting,	Riggs,	Strait,	White, J. D.
Ochiltree,	Robinson, W. E.	Struble,	White, Milo
O'Hara,	Rockwell,	Sumner, C. A.	Whiting,
O'Neill, Charles	Rogers, W. F.	Talbott,	Wilkins,
Paige,	Rowell.	Taylor, J. D.	Willis,
Parker,	Russell,	Thomas,	Wilson,
Payne,	Ryan,	Thompson,	Winans, John
Payson,	Seney,	Tillman.	Wise, J. S.
Perkins,	Seymour,	Townshend,	Worthington.
Peters,	Skinner, C. R.	Tully,	The second secon
Pettibone,	Smalls,	Van Alstyne,	TAR TO STREET
	NA	VS-79	

	NA	YS-79.	
lexander,	Crisp, Culberson, D. B.	Lanham, McMillin.	Singleton, Skinner, T. G.
arbour,	Davidson,	Matson,	Smith, A. Herr
arksdale,	Davis, L. H.	Miller, J. F.	Stewart, Charles
elmont,	Dibrell,	Mills,	Stockslager,
ennett,	Dockery,	Money,	Swope,
lackburn,	Dowd,	Muldrow,	Taylor, J. M.
lanchard,	Eaton,	Neece,	Tucker,
lount,	Eldredge,	Oates,	Turner, H. G.
uchanan,	Forney,	O'Ferrall,	Turner, Oscar
uckner,	Geddes,	Patton,	Van Eaton,
abell,	Gibson,	Pierce,	Warner, Richard
aldwell,	Green,	Price,	Wellborn,
lay.	Halsell,	Pryor,	Winans, E. B.
lements,	Hammond,	Reagan,	Wise, G. D.
obb,	Hatch, W. H.	Reid, J. W.	Wolford,
look,	Hemphill,	Reese,	Wood,
osgrove,	Hewitt, G. W.	Rogers, J. H.	Woodward,
ovington,	Hill,	Rosecrans,	Yaple.
ox, W. R.	Jones, J. H.	Shively,	

NOT VOTING-46. Morrison, Morse, O'Neill, J. J. Peel, Rankin, Ray, G. W. Rice, Robertson, Robinson, J. S. Shaw. Springer, Sumner, D. H. Taylor, E. B. Throckmorton, Valentine, Warner, A. J. Weller, Williams, York Aiken. Dixon. Dixon, Dunn, Hardeman, Harmer, Henley, Herbert, Holman, Arnot, Belford. Belford, Bland, Bowen, Boyle, Breitung, Brewer, J. H. Burleigh, Burnes, Candler, Chalmers, Hooper, Houk, Jones, J. T. Ketcham, Lewis, York, Young. Shaw, Slocum, Smith, H. Y.

So (two-thirds voting in the affirmative) the bill was passed. Mr. WASHBURN. I ask unanimous consent to dispense with the

reading of the names.

Mr. STOCKSLAGER. I object.

The Clerk proceeded to recapitulate the names, but before concluding the objection was withdrawn.

The following additional pairs were announced:

Mr. Slocum with Mr. Young, on this vote.

Mr. HARMER with Mr. ROBERTSON, on this vote. Mr. ROBERTSON would vote "no."

Mr. MORSE. Mr. Speaker, I ask unanimous consent to record my

The SPEAKER. Was the gentleman in the Hall when his name was called.

Mr. MORSE.

Mr. MORSE. I was unavoidably out of the Hall.

The SPEAKER. The Chair can not entertain the gentleman's request for unanimous consent under the rule.

Mr. MORSE. I wish to state that if I had been here I should have voted for the bill.

The result of the vote was then announced as above recorded, and

was received with cheers and loud and prolonged applause.

Mr. SKINNER, of New York. Mr. Speaker, I ask unanimous consent that the Speaker of the House be directed to send a telegraphic dispatch to General Grant announcing the result of the vote just taken.

The SPEAKER. Is there objection to the motion of the gentleman

from New York?

Mr. COBB (from his seat). I object.

Mr. MILLER, of Pennsylvania. Nobody rose in his seat to object. Mr. KEIFER. The Speaker can send that dispatch anyway. Mr. COBB. I withdraw the objection.

So the motion was agreed to.

LEAVE TO PRINT.

Mr. BARKSDALE. I ask unanimous consent to print some remarks on the bill for the retirement of General Grant.

Mr. SINGLETON. I also make the same request.

Mr. POST, of Pennsylvania. I ask unanimous consent that all gentlemen who desire to do so may have leave to print remarks on this bill.

There was no objection, and it was ordered accordingly.

PAYMENT OF STENOGRAPHER.

Mr. COVINGTON, from the Committee on Accounts, reported back favorably the following resolution; which was read, considered, and agreed to:

Resolved, That there is hereby appropriated out of the contingent fund of the House a sum sufficient to pay for the service of stenographer to the Committee

on Public Buildings and Grounds in investigation in relation to purchase of site for post-office in Erooklyn, N. Y., as directed by resolution of the House; said payment of said stenographer to be upon vouchers approved by the chair-man of said committee and by the chairman of the Committee on Accounts.

PUBLIC BUILDING, OPELOUSAS, LA.

Mr. LEWIS. Mr. Speaker, I move to suspend the rules, take from the Speaker's table Senate bill 634, for the erection of a public building at Opelousas, La., and pass it.

The bill is as follows: The bill is as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase or otherwise procure a suitable site, and cause to be creeted thereon, at the city of Opelousas, in the State of Louisiana, a substantial and commodious public building, with fire-proof vaults, for the use of the United States district and circuit courts, post-office, internal-revenue and office, for other Government uses; the plans and estimates for said building to be prepared, examined, and approved as required by section 3734 of the Revised Statutes of the United States, and at a cost which shall not exceed the sum of \$50,000 when finally completed, including both the cost of site and building: Provided, That no money to be appropriated for said building shall be used until a valid title to the site selected (which site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least fifty feet, including streets and alleys) shall be vested in the United States, nor until the State of Louisiana shall have ceded jurisdiction over the same for all purposes, during the time the United shall be or remain the owner thereof, except for the enforcement of the criminal laws of the State and the service of civil process therein.

The SPEAKER. Is a second demanded on the motion of the gen-

The SPEAKER. Is a second demanded on the motion of the gentleman from Louisiana to suspend the rules and pass this bill?

A second was not demanded.

The question was taken; and on a division there were-ayes 90,

Mr. MORRILL. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. Morrill and Mr. Lewis were appointed tellers.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed the bill (H. R. 7706) to authorize the Secretary of the Treasury to issue duplicate certificate of deposit to the People's National Bank of Lawrenceburg, Ind.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 723) for the relief of Eugene B. Rail and others.

COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. SPRINGER. Mr. Speaker, I ask consent to offer a resolution which is customary and necessary at this time in closing the session of

The resolution was read, as follows:

Ordered, That a committee of three members be appointed on the part of the House, to join such committee as may be appointed by the Senate, to wait upon the President of the United States and inform him that Congress, having finished its business, is now ready to close its session by adjournment.

The resolution was agreed to.

The SPEAKER appointed Mr. SPRINGER, Mr. Cox of New York, and Mr. Reed of Maine as such committee on the part of the House.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 2530) to authorize an additional appointment on the re-

tired-list.

[Applause.]

Several MEMBERS. That is quickly done.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had appointed Mr. MORRILL and Mr. HARRIS a committee, to join such committee as may be appointed by the House, to wait upon the President of the United States and inform him that Congress, having finished its business, is now ready to close this session by adjournment.

PUBLIC BUILDING AT OPELOUSAS.

Mr. PAIGE. I move to suspend the rules—
The SPEAKER. The House is voting now on a motion to suspend the rules

The tellers (Mr. LEWIS and Mr. MORRILL) reported that there were-

ayes 167, noes 4

So (two-thirds voting in favor thereof) the rules were suspended and the bill was passed.

ORDER OF BUSINESS.

Mr. WINANS, of Michigan. I ask unanimous consent to call up for present consideration the bill (S. 671) for the relief of Elone A. Marsh and M. La Fevre. I beg to state that all the parties interested assent to the settlement made by this bill.

The bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ANDERSON. I object.

GENERAL U. S. GRANT.

Mr. BOUTELLE addressed the Chair.

The SPEAKER. For what purpose does the gentleman from Maine

Mr. BOUTELLE. I ask unanimous consent to make an announcement that will occupy but a few seconds, and that I know will be of great interest.

There was no objection.

Mr. BOUTELLE. Mr. Speaker, I have the great pleasure of announcing to the representatives of the people that the Senate of the United States, in open session and by a unanimous vote, has confirmed the nomination of Ulysses S. Grant as General of the Army of the United States on the retired-list. [Applause.]

Mr. TUCKER. I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 895) for the relief of J. D. Morrison, surviving partner of C. M. & J. D. Morrison.

Mr. BREWER, of New York. I object.

Mr. ANDERSON. I withdraw the objection to the bill S. 671.
The SPEAKER. The Chair desires to lay before the House some personal requests of members.

WITHDRAWAL OF PAPERS.

Mr. BOYLE, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of S. Dillinger & Sons, there having been no adverse report thereon.

Mr. STOCKSLAGER, by unanimous consent, obtained leave to withdraw petitions filed by him for the passage of the Mexican pension bill with the Senate amendments without leaving copies.

Mr. WELLER, by unanimous consent, obtained leave to withdraw petitions filed by him in favor of the Mexican war pension bill.

Mr. HARDY, by unanimous consent, obtained leave to withdraw the papers in the case of Martin Van Ness; no adverse report having been made thereon.

LEAVE TO PRINT.

Mr. ELLIOTT, by unanimous consent, obtained leave to print in the RECORD some remarks on the contested-election case of Massey vs.

NOTIFICATION OF THE PRESIDENT.

Mr. SPRINGER. The committee appointed on the part of the House to wait upon the President of the United States in conjunction with the committee appointed on behalf of the Senate have performed that duty, and report that the President has requested them to inform the two Houses of Congress that he has no further communication to make to them.

ENROLLED BILLS AND JOINT RESOLUTIONS.

During various periods of the last day's session the following reports were made from the Committee on Enrolled Bills, but not announced at the Clerk's desk:

By Mr. WARNER, of Tennessee:
A bill (H. R. 5692) to adopt the "Revised International Regulations for Preventing Collisions at Sea."
By Mr. HOLMES:

Joint resolution (S. R. 114) to provide for printing the annual reports of the Smithsonian Institution; and
Joint resolution (S. R. 100) authorizing the printing of certain naval

and military reports.

By Mr. SNYDER:

A bill (H. R. 7572) granting a pension to Amos McDowell;
A bill (H. R. 7836) for the relief of Mrs. Ida B. Belcher;
A bill (H. R. 7933) granting a pension to Henry Biederbick;
A bill (H. R. 6982) granting a pension to W. H. H. Coleman;
A bill (H. R. 7000) for the relief of Clark G. Maine;
A bill (H. R. 7034) to increase the salary of the clerk of the Court

of Alabama Claims;

of Alabama Claims;

A bill (H. R. 7169) granting a pension to Elizabeth Kaler;
A bill (H. R. 7447) granting a pension to Sebert Toney;
A bill (H. R. 7448) granting a pension to Alexander Weide;
A bill (H. R. 3947) granting a pension to Joseph Raible;
A bill (H. R. 5191) granting a pension to Joseph Raible;
A bill (H. R. 5330) granting a pension to Octavia A. Newhall;
A bill (H. R. 5378) granting a pension to Henry Milkey;
A bill (H. R. 6220) regulating appeals from the supreme court of the District of Columbia and the supreme courts of the several Territories;
A bill (H. R. 6357) granting a pension to Christian Bauman;
A bill (H. R. 399) granting a pension to John Boyle;
A bill (H. R. 691) for the relief of William W. Thomas;
A bill (H. R. 1004) relating to the Chinese indemnity fund;
A bill (H. R. 2154) for the benefit of the legal representatives of A.
J. Guthrie, deceased;

J. Guthrie, deceased;

A bill (H. R. 2975) granting a pension to Marion D. Egbert; A bill (H. R. 8120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes;

A bill (H. R. 8155) granting a pension to Addie L. Moore; A bill (H. R. 7502) granting a pension to Richard W. Barnes; A bill (H. R. 7522) for the relief of Joseph F. Wilson; A bill (H. R. 7938) granting a pension to Amanda Allen;

A bill (H. R. 7618) granting a pension to Henry H. G. Kislingbury, Walter F. Kislingbury, Wheeler Schofield Kislingbury, and Douglas E. L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States In-

A bill (H. R. 7990) granting a pension to Joseph Sansom; A bill (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other pur-

A bill (H. R. 5713) to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States;

A bill (H. R. 5740) for the relief of Grigsby Foster;
A bill (H. R. 6173) for the relief of Grigsby Foster;
A bill (H. R. 6173) for the relief of Rose Dougherty;
A bill (H. R. 6940) granting a pension to Sarah M. Bissell;
A bill (H. R. 7047) granting a pension to Patrick Murphy;
A bill (H. R. 7334) granting a pension to Judson Bostwick;
A bill (H. R. 577) to donate a cemetery site on the public lands to the city of Kirwin, Kans.;

A bill (H. R. 603) granting a pension to Rachel Nickell; A bill (H. R. 2158) for the benefit of John C. Herndon; A bill (H. R. 3058) to amend section 1889 of chapter 1, title 23 of

Revised Statutes of the United States, relative to general incorporation acts of Territories; and
A bill (H. R. 4382) for the relief of William H. Davis.

By Mr. NEECE:

Joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry for the year 1885;

Joint resolution (H. Res. 342) to authorize the printing of 310,000 copies of the annual report of the Commissioner of Agriculture for the year 1885;

A bill (H. R. 7993) for the relief of William Stansberry;
A bill (H. R. 8091) granting a pension to David Sears;
A bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year end-

ing June 30, 1886, and for other purposes;

A bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the year ending June 30, 1885, and prior years,

and other purposes;
A bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for

other purposes; A bill (H. R. 8279) making appropriations for fortifications and other works of defense, and for the armament thereof, for the year ending

June 30, 1886;
A bill (H. R. 7340) granting a pension to John Sparr;
A bill (H. R. 7728) for the relief of Parten H. Morey;
A bill (H. R. 7803) granting pension to D. W. Pitts;

A bill (H. R. 7863) granting a pension to Thomas M. McChecney;

A bill (H. R. 7938) granting a pension to Amanda Allen; A bill (H. R. 7992) for the relief of Christian Arndt; A bill (H. R. 5691) amending section 764 of the Revised Statutes;

A bill (H. R. 6960) for the relief of Charles L. Alden; A bill (H. R. 7170) for the relief of Fredrick Hutten; A bill (H. R. 7177) granting a pension to William H. Kinman; A bill (H. R. 7178) granting an increase of pension to John O. Gard-

ner;
A bill (H. R. 7248) to increase the pension of Jane D. Brent;
A bill (H. R. 445) to empower the Secretary of War to permit the establishment, under certain conditions, of a horse-railway upon and over the island of Rock Island and the bridges erected by the United States connecting the cities of Davenport and Rock Island;

A bill (H. R. 4216) granting a pension to David N. Bryan;

A bill (H. R. 6760) to authorize the construction of a bridge across

the Mississippi River at Rock Island, Ill., and Davenport Iowa, and

A bill (H. R. 5304) for the relief of Mary Royal;
A bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint; and

A bill (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes. By Mr. Peters:

A bill (H. R. 8237) granting a pension to Mary J. Dickson;
A bill (H. R. 5747) to authorize the increase of the capital stock of
the First National Bank of Larned, Kans., not to exceed \$250,000;
A bill (H. R. 6089) for the relief of Moses F. Carleton;
A bill (H. R. 6824) authorizing the President of the United States
to appoint Passed Assistant Engineer Nathan B. Clark, United States Navy, a chief engineer on the retired-list of the Navy;

A bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army;
A bill (H. R. 7907) granting a pension to Matilda Cody;
A bill (H. R. 8034) for the relief of the estates of Hugh and Byrd Douglas, deceased;
A bill (H. R. 8032) for the relief of the estates of Hugh and Byrd Douglas, deceased;

A bill (H. R. 3593) for the erection of a public building at Chicago, A bill (H. R. 4067) to change the limit of appropriation for the pub-

lic building at Louisville, Ky.;
A bill (H. R. 4684) for the relief of certain citizens of Marion County,

A bill (H. R. 4686) for the relief of Fendall Carpenter; A bill (H. R. 4856) granting a pension to Bvt. Col. C. A. Cilley, of North Carolina;

A bill (H. R. 5452) for the relief of John W. Martin; A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;
A bill (H. R. 2123) for the erection of a public building at Wichita,

Kans.

A bill (H. R. 2872) granting a pension to Jacob Funkhouser;

A bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash.;

A bill (H. R. 3343) for the erection of a public building in the city

of Auburn, N. Y.;

Joint resolution (H. Res. 347) to provide for the printing of additional copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Volunteer Soldiers; A bill (H. R. 851) for the relief of the heirs of Mary Jane Veazie,

A bill (H. R. 948) for the relief of John M. Dorsey and William F.

Shepard; A bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry; A bill (H. R. 1321) for the erection of a public building at Reading,

Pa.; and
A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster from him by the Post-Office Department.

By Mr. PERKINS:

A bill (H. R. 4055) granting a pension to Sarah Tyler;
A bill (H. R. 5148) granting a pension to Jacob Lafferty;
A bill (H. R. 5554) granting a pension to Sarah Parry;
A bill (H. R. 5998) granting an increase of pension to Jonathan C. Harrison;

A bill (H. R. 7805) granting a pension to Capt. Vincent Phelps;
A bill (H. R. 8090) granting a pension to Albert Harper;
A bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other

A bill (H. R. 200) granting a pension to Thomas Jeffries;
A bill (H. R. 1198) for the relief of John Taylor & Son;
A bill (H. R. 1235) granting a pension to Annie E. Bailey;
A bill (H. R. 1327) for the relief of J. H. Hammond;
A bill (H. R. 1901) for the relief of Harrison Mitchell;
A bill (H. R. 2085) granting a pension to Joseph McIntosh;
A bill (H. R. 8142) granting a pension to Mrs. Lucy Parr;
A bill (H. R. 8152) for the relief of William D. Farnsworth;
A bill (H. R. 8187) granting a pension to Chancey G. Darrah

A bill (H. R. 8187) granting a pension to Chancey G. Darrah; A bill (H. R. 8229) to grant a pension to James Dye; Joint resolution (H. Res. 170) in relation to the claim made by Dr.

John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the

War Department, and for which no compensation has been made;
A bill (H. R. 6270) for the relief of John P. Peterson;
A bill (H. R. 6533) for the relief of Dr. Thomas J. Jones;
A bill (H. R. 6775) granting a pension to Edward Wilcox;
A bill (H. R. 6904) for the relief of John F. Chase;
A bill (H. R. 8069) granting a pension to Catharine Helton;
A bill (H. R. 8132) to restore to the pension-roll the name of Rachael

A. Quenn

A bill (H. R. 8136) for the relief of Addison M. Copen;
A bill (H. R. 4021) granting a pension to Abraham Cover;
A bill (H. R. 4458) granting a pension to Harlan Jackson;
A bill (H. R. 4668) for the relief of Nathaniel Pond, jr.;
A bill (H. R. 4679) for the relief of Sarah E. Webster, administratrix;

A bill (H. R. 4878) granting a pension to Emma O. Zeigler;
A bill (H. R. 5103) granting a pension to Joshua F. Justice;
A bill (H. R. 5728) granting a pension to Anna Beck;
A bill (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall,
widow of Capt. Fernando Randall;

A bill (H. R. 1873) for the relief of Edward Kraemer; A bill (H. R. 2263) for the relief of the State National Bank of Bos-

A bill (H. R. 2457) granting a pension to Richard Dillon;

A bill (H. R. 3340) granting a pension to James M. Pike; A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley; A bill (H. R. 3735) granting a pension to Mary A. Grennon; A bill (H. R. 78) to provide for the retirement of Col. Henry J.

Hunt as a major-general of the United States Army

A bill (H. R. 383) granting a pension to Creet H. Dougherty;
A bill (H. R. 411) granting a pension to Elizabeth Conner;
A bill (H. R. 412) granting a pension to Lemuel J. Bennett;
A bill (H. R. 1142) granting a pension to Nelly Roberts;
A bill (H. R. 1401) to amend section 1556 Revised Statutes, giving longevity-pay to certain officers of the Navy;
A bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Green:

mander S. Dana Green;

A bill (H. R. 7938) granting a pension to Amanda Allen; A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord; A bill (H. R. 2722) for the relief of Martha Turner; A bill (H. R. 3008) for the relief of certain settlers on the Duck Valley Indian reservation, in Nevada;

A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;
A bill (H. R. 870) to provide for the erection of a public building at
Aberdeen, Miss., for use as a post-office, United States court, and for
United States internal-revenue offices, and for other Government pur-

A bill (H. R. 1091) granting an increase of pension to Sophia A. Moran, widow of the late Charles H. Morgan, a brevet brigadier-general

in the United States Army, and brigadier-general of volunteers;
A bill (H. R. 1615) for the relief of the heirs of the late Langley B.

Culley; and A bill (H. R. 1813) granting an increase of pension to Ann Cornelia

MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced he had approved and signed bills and joint resolutions of the

following titles, namely:
An act (H. R. 48) providing for the erection of a building to contain
the records, library, and museum of the Medical Department, United

States Army;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology;
Joint resolution (H. Res. 320) authorizing the printing of the report

of the Commissioner of Education for 1883 and 1884;

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United

ies of the sixth and seventh annual reports of the Director of the United States Geological Survey;
Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey;
An act (H. R. 5938) to pension Julia A. Marcum;
An act (H. R. 3108) to protect the fish in the Potomac River in the District of Columbia, and to provide a spawning-ground for shad and herring in the said Potomac River;
An act (H. R. 6087) authorizing the payment by the Secretary of the Treasury of the United States to Charles H. Getman, the firm of E. W. Rathbun & Co., the firm of Kinyon, Wright & Co., the firm of Bond & Jenkins, and the firm of Page, Fairchild & Co. certain duties paid by them on imported lumber accidentally burned while in custody of officers of customs, and before the same had entered into consumption;

sumption;
An act (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer, now on the retired-list of the Navy, a chief engineer on the retired-list of the Navy;

An act (H. R. 9120) making appropriations for the support of the Army for the fiscal year ending June 30, 1886, and for other purposes; An act (H. R. 948) for the relief of John M. Dorsey and William F. Shepard;

An act (H. R. 5713) to provide for the settlement of the claims of

officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States;

An act (H. R. 2158) for the benefit of John C. Herndon;

An act (H. R. 8034) for the relief of the estates of Hugh and Byrd

Douglas, deceased;
An act (H. R. 4382) for the relief of William H. Davis;
An act (H. R. 4382) for the relief of Fendall Carpenter;
An act (H. R. 1132) to place J. Washington Brank on the musterrolls of Company B, Second North Carolina Mounted Infantry;
An act (H. R. 851) for the relief of the heirs of Mary Jane Veazie,

deceased:

An act (H. R. 1266) for the relief of Alexander D. Schenck; An act (H. R. 2722) for the relief of Martha Turner;

An act (H. R. 441) for the completion of a public building at Council Bluffs, Iowa;

An act (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

An act (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as post-office, United States court, and for United States internal-revenue officials, and for other Government pur-

An act (H. R. 2949) for the erection of a public building at Port Townsend, Wash.;

An act (H. R. 1321) for the erection of a public building at Reading,

An act (H. R. 3343) for the erection of a public building in the city

of Auburn, N. Y.;
An act (H. R. 2123) for the erection of a public building at Wichita,

An act (H. R. 1813) granting an increase of pension to Ann Cornelia Lanman:

An act (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;
An act (H. R. 6011) granting an increase of pension to Robert Cary;
An act (H. R. 7659) granting a pension to Mrs. Emily L. Alvord;
An act (H. R. 5543) granting a pension to David M. Nagle;
An act (H. R. 5798) granting a pension to John E. Denham;
An act (H. R. 5798) granting a pension to Wrs. Ann E. Gridley;
An act (H. R. 5364) granting a pension to William H. Whitcomb;
An act (H. R. 6029) for the relief of Jeremiah McCarty;
An act (H. R. 6940) granting a pension to Sarah M. Bissell;
An act (H. R. 1091) granting an increase of pension to Sophia A.
Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army;
An act (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, United States Navy;
An act (H. R. 7655) granting an increase of pension to the widow of
Maj. Thomas T. Thornburgh, late of the United States Army;
An act (H. R. 4088) to incorporate the Luther Statue Association, to erect and maintain a monument or statue in memory of Martin Luther in the District of Columbia; in the District of Columbia;
An act (H. R. 577) to donate a cemetery site on the public lands to

the city of Kirwin, in the State of Kansas

An act (H. R. 2185) for the relief of Rosa Vertner Jeffrey and others An act (H. R. 8030) making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other pur-

An act (H. R. 847) for the relief of Francis B. Van Haesen; An act (H. R. 2268) for the relief of John F. Severance; An act (H. R. 1566) for the relief of O. S. Cochran, late postmaster at Houston, Tex., reimbursing him for money erroneously collected from him by the Post-Office Department;

An act (H. R. 6658) to provide for the sale of the Sac and Fox and

Iowa Indian reservations, in the States of Nebraska and Kansas, and for other purposes

An act (H. R. 3008) for the relief of certain settlers on the Duck Val-

ley Indian reservation in Nevada; An act (H. R. 3593) for the erection of a public building at Chicago,

An act (H. R. 4067) to change the limit of appropriation for the pub-

An act (H. R. 4061) to change the limit of appropriation for the public building at Louisville, Ky.;

An act (H. R. 5452) for the relief of John W. Martin;

An act (H. R. 6089) for the relief of Moses F. Carleton;

An act (H. R. 5747) to authorize the increase of the capital stock of the first National Bank of Larned, Kans., not to exceed \$250,000;

An act (H. R. 3058) to amend section 1889 of chapter 1, title 23 of

the Revised Statutes of the United States, relative to general incorporation acts of Territories;

Joint resolution (H. Res. 124) authorizing the collector of the port at New York to deliver, free of duty, a silver cup won by Sergt. A. B. Van Heusen, as a member of the American rifle team, at Wimble-

don, in July, 1883;
An act (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year

ending June 30, 1886, and for other purposes;
An act (H. R. 7970) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30,

1886, and for other purposes;
An act (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and

for other purp

An act (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes;

An act (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending

June 30, 1886, and for other purposes;
An act (H. R. 8279) making appropriations for fortifications and other works of defense and for the armament thereof for the fiscal year end-

ing June 30, 1886, and for other purposes;

An act (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes;

An act (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for

An act (H. R. 652) for the relief of Brannin Summers & Co.; An act (H. R. 653) for the relief of John B. Davis; An act (H. R. 691) for the relief of William W. Thomas;

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An act (H. R. 1198) for the relief of John Taylor & Son;
An act (H. R. 1327) for the relief of J. H. Hammond;
An act (H. R. 1873) for the relief of Edward Kraemer;
An act (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin;
An act (H. R. 4668) for the relief of Nathaniel Pond, jr.;
      An act (H. R. 5086) for the relief of Elizabeth W. Creighton;
An act (H. R. 5304) for the relief of Mary Royal;
      An act (H. R. 5309) for the relief of Charles Milk;
An act (H. R. 5740) for the relief of Grigsby Foster;
An act (H. R. 6173) for the relief of Rose Dougherty;
An act (H. R. 6270) for the relief of John P. Peterson;
      An act (H. R. 6533) for the relief of Dr. Thomas J. Jones;
An act (H. R. 6904) for the relief of John F. Chase;
An act (H. R. 6960) for the relief of Charles L. Alden;
      An act (H. R. 7000) for the relief of Clark G. Maine;
An act (H. R. 7170) for the relief of Frederick Hutten;
An act (H. R. 7503) for the relief of Daniel McAlpin;
An act (H. R. 7522) for the relief of Joseph F. Wilson;
       An act (H. R. 7728) for the relief of Parten H. Morey;
An act (H. R. 7836) for the relief of Mrs. Ida P. Belcher;
      An act (H. R. 7992) for the relief of Christian Arndt;
An act (H. R. 7993) for the relief of William Stansberry;
An act (H. R. 8136) for the relief of Addison M. Copen;
An act (H. R. 8152) for the relief of William D. Farnsworth;
An act (H. R. 4679) for the relief of Sarah E. Webster, administra-
       An act (H. R. 2263) for the relief of the State National Bank of Bos-
 ton, Mass
       An act (H. R. 754) for the relief of Nathan H. Dunphe, of Bridge-
 water, in the State of Massachusetts;
       An act (H. R. 4684) for the relief of certain citizens of Marion County,
An act (H. R. 1901) for the relief of Harrison Mitchell, late of Company K, Forty-eighth Indiana Volunteers;
An act (H. R. 200) granting a pension to Thomas Jeffries;
An act (H. R. 383) granting a pension to Creet H. Dougherty;
       An act (H. R. 383) granting a pension to Creet H. Dougherty;
An act (H. R. 389) granting a pension to John Boyle;
An act (H. R. 411) granting a pension to Elizabeth Connor;
An act (H. R. 552) granting a pension to Lemuel J. Bennett;
An act (H. R. 603) granting a pension to Rachel Nickell;
An act (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;
An act (H. R. 1142) granting a pension to Nelly Roberts;
An act (H. R. 1235) granting a pension to Annie E. Bailey;
An act (H. R. 1710) granting a pension to George W. Bean:
        An act (H. R. 1710)
An act (H. R. 1866)
                                                                  granting a pension to George W. Bean;
granting a pension to Calvin L. Knick;
       An act (H. R. 2085)
An act (H. R. 2100)
An act (H. R. 2377)
An act (H. R. 2457)
An act (H. R. 2872)
                                                                  granting a pension to Joseph McIntosh; granting a pension to Mary Allen;
                                                                   granting a pension to James Stockton;
                                                                  granting a pension to Richard Dillon;
granting a pension to Richard Dillon;
granting a pension to Marion D. Egbert;
granting a pension to James M. Pike;
granting a pension to Mrs. Lucretia G. Ripley;
        An act (H. R. 2975)
An act (H. R. 3340)
        An act (H. R. 3556)
An act (H. R. 3735)
An act (H. R. 3947)
                                                                   granting a pension to Mary A. Grennon;
                                                                   granting a pension to Joseph Raible;
       An act (H. R. 3947) granting a pension to Joseph Raible;
An act (H. R. 4021) granting a pension to Abraham Cover;
An act (H. R. 4055) granting a pension to Sarah Tyler;
An act (H. R. 4216) granting a pension to David M. Bryan;
An act (H. R. 4458) granting a pension to Harlan Jackson;
An act (H. R. 4605) granting a pension to Ellen Edmiston;
An act (H. R. 4856) granting a pension to Bvt. Col. C. A. Cilley, of
  North Carolina;
        An act (H. R. 4878) granting a pension to Emma O. Zeigler;
An act (H. R. 5103) granting a pension to Joshua F. Justice;
       An act (H. R. 5103) granting a pension to Josnua F. Just
An act (H. R. 5148) granting a pension to Jesse C. Buck;
An act (H. R. 5148) granting a pension to Jacob Lafferty;
An act (H. R. 5330) granting a pension to Octavia A. Net
An act (H. R. 5378) granting a pension to Henry Milkey;
An act (H. R. 5554) granting a pension to Sarah Parry;
An act (H. R. 5728) granting a pension to Anna Beck;
An act (H. R. 6357) granting a pension to Christian Baun
                                                                  granting a pension to Jacob Lafferty;
granting a pension to Octavia A. Newhall;
granting a pension to Henry Milkey;
granting a pension to Sarah Parry;
                                                                   granting a pension to Anna Beck;
granting a pension to Christian Bauman;
        An act (H. R. 6775)
An act (H. R. 6982)
An act (H. R. 7047)
An act (H. R. 7169)
                                                                    granting a pension to Edward Wilcox;
                                                                    granting a pension to W. H. H. Coleman;
granting a pension to Patrick Murphy;
granting a pension to Elizabeth Kaler;
          An act (H. R. 7177)
                                                                     granting a pension to William H. Kinman;
         An act (H. R. 7334)
                                                                    granting a pension to Judson Bostwick;
          An act (H. R. 7340)
                                                                    granting a pension to John Sparr
                                                                    granting a pension to Sylvester Greenough;
granting a pension to Sylvester Greenough;
granting a pension to Sebert Toney;
granting a pension to Alexander Weide;
granting a pension to Richard W. Barnes;
         An act (H. R. 7434)
        An act (H. R. 7434) granting a pension to Sylvesic Ucciough,
An act (H. R. 7447) granting a pension to Sebert Toney;
An act (H. R. 7485) granting a pension to Alexander Weide;
An act (H. R. 7502) granting a pension to Richard W. Barnes;
An act (H. R. 7572) granting a pension to Amos McDowell;
An act (H. R. 7803) granting a pension to L. W. Pitts;
An act (H. R. 7805) granting a pension to Capt. Vincent Phelps;
          An act (H. R. 7810) granting a pension to Rosanna Riley;
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An act (H. R. 7853) granting a pension to Margaret Flaherty;
An act (H. R. 7863) granting a pension to Thomas M. McChesney;
An act (H. R. 7907) granting a pension to Matilda Cody;
An act (H. R. 7933) granting a pension to Henry Biederbick;
An act (H. R. 7938) granting a pension to Amanda Allen (enrolled
and signed three times);
    An act (H. R. 7990) granting a pension to Joseph Sansom;
An act (H. R. 8069) granting a pension to Catharine Helton;
An act (H. R. 8082) granting a pension to Lina J. Sterns;
An act (H. R. 8090) granting a pension to Albert Harper;
An act (H. R. 8091) granting a pension to David Sears;
An act (H. R. 8142) granting a pension to Mrs. Lucy Parr;
     An act (H. R. 8155) granting a pension to Addie L. Moore;
An act (H. R. 8187) granting a pension to Chancey G. Darrah;
     An act (H. R. 8189) granting a pension to Chancey G. Darran;
An act (H. R. 8229) granting a pension to James Dye;
An act (H. R. 8237) granting a pension to Mary J. Dickson;
An act (H. R. 5191) granting an increase of pension to Augustus
     An act (H. R. 5998) granting an increase of pension to Jonathan C.
Harrison;
     An act (H. R. 7178) granting an increase of pension to John O. Gard-
     An act (H. R. 8048) to increase the pension of Ferdinand Hercher;
An act (H. R. 7248) to increase the pension of Jane D. Brent;
An act (H. R. 8132) to restore to the pension-roll the name of Rachel
       Queen
      An act (H. R. 7718) restoring John Snyder to the pension-roll
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An act (H. R. 7718) restoring John Snyder to the pension-roll;
An act (H. R. 2645) granting a pension to Esther Hudson, mother of
William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and
ninety-first Regiment Pennsylvania Volunteers;
An act (H. R. 1587) granting a pension to Mrs. Elizabeth A. Randall, widow of Capt. Fernando Randall;

An act (H. R. 7618) granting a pension to Harry H. G. Kislingbury, Walter F. Kislingbury, Wheeler Schofield Kislingbury, and Douglas E. L. Kislingbury, respectively, children of the late Frederick F. Kislingbury, a lieutenant in the Eleventh Regiment United States Infantry; An act (H. R. 1615) for the relief of the heirs of the late Langley

An act (H. R. 445) to empower the Secretary of War to permit the establishment under certain conditions of a horse-railway upon and over the island of Rock Island, and the bridges erected by the United States connecting the cities of Davenport and Rock Island therewith;

An act (H. R. 449) to provide for the appraisement and sale of lots in the town of Peru, Dubuque County, Iowa;
An act (H. R. 1567) for the relief of the legal representatives of the

late Capt. John G. Tod, of the Texas navy;
An act (H. R. 5692) to adopt the Revised International Regulations for Preventing Collisions at Sea;
An act (H. R. 6760) to authorize the construction of a bridge across

the Mississippi River at Rock Island, Ill., and Davenport, Iowa, and

the Mississippi River at Rock Island, III., and Davenport, Iowa, and to establish it as a post-route;

An act (H. R. 8102) to give the assent of Congress to the construction of a railroad bridge by the East and Middle Tennessee Railroad Company over the Cumberland and Caney Fork Rivers;

An act (H. R. 5691) amending section 764 of the Revised Statutes;
An act (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of, and providing for the payment of,

Outerbridge Horsey, assignee;
An act (H. R. 6220) regulating appeals from the supreme court of the District of Columbia and the supreme courts of the several Territories; Joint resolution (H. Res. 347) to provide for the printing of addi-

tional copies of the report of the Committee on Military Affairs on the investigation of the National Home for Disabled Volunteer Soldiers; An act (H. R. 2154) for the benefit of the legal representatives of A. J.

Guthrie, deceased;
Joint resolution (H. Res. 341) to authorize the printing of 50,000 copies of the second annual report of the Bureau of Animal Industry

for the year 1885;
An act (H. R. 8183) to remove the political disabilities of W. H. Mur-

An act (H. R. 1004) relative to the Chinese indemnity fund;
An act (H. R. 7034) to increase the salary of the clerk of the Court of Alabama Claims;

An act (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint;

An act (H. R. 1401) to amend section 1556 of the Revised Statutes,

giving longevity-pay to certain officers of the Navy; and
Joint resolution (H. Res. 342) to authorize the printing of 310,000
copies of the annual report of the Commissioner of Agriculture for the ar 1885

On motion of Mr. HAMMOND, by unanimous consent, it was ordered that all members having reports authorized by committees may file and have the same referred to appropriate Calendars, with leave to the minority, if any, to submit their views on said reports.

Under the foregoing order reports were submitted and disposed of as follows:

Mr. SPRINGER, from the Committee on Expenditures in the Department of Justice, submitted a report (No. 2645) in writing, relating to defalcations of public officers and unsettled accounts; which, with

an accompanying resolution, was ordered to be printed.

Mr. VAN ALSTYNE, from the Committee on Claims, reported back the bill (H. R. 8281) for the relief of Thomas P. Westmoreland; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. VAN ALSTYNE, from the Committee on Claims, also reported back without amendment the bill (S. 1035) to authorize the Secretary of the Interior to settle the claims of S. W. Marston, late United States Indian agent at Union agency, Indian Territory, for services and expenditures; which was referred to the Committee of the Whole House,

and, with the accompanying report, ordered to be printed.

Mr. STEVENS, from the Committee on Indian Affairs, reported, as a substitute for H. R. 5427, a bill (H. R. 8282) to provide permanent reservations for the Indians in Northern Montana, and for other purposes; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to lie on the table and be printed. and ordered to lie on the table and be printed.

Mr. RAY, of New Hampshire, from the Committee on Claims, reported back with an amendment the bill (H. R. 919) for the relief of Edward S. Armstrong; which was referred to the Committee of the Whole House, and, with the accompanying report, ordered to be printed.

Mr. RAY, of New Hampshire, from the Committee on Claims, also reported, as a substitute for H. R. 4507, a bill (H. R. 8283) referring to the Court of Claims the claims for property saired by General Johnston.

the Court of Claims the claims for property seized by General Johnston on the Utah expedition; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House on the

state of the Union, and ordered to be printed.

On motion of Mr. PEEL, the Committee on Indian Affairs was discharged from the further consideration of House Executive Document No. 14, on the subject of the claim of the Old Settlers, or Western Cherokees, against the United States; and the same was ordered to lie on the

table, and the accompanying report ordered to be printed.

Mr. COSGROVE, from the Committee on Private Land Claims, reported back with amendments the bill (H. R. 5746) authorizing the Commissioner of the General Land Office to issue a land-warrant for one hundred and twenty acres of land to the holder of warrant No. 51456, with certain provisions and upon certain conditions; which, with the accompanying report, was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. DAVIS, of Illinois, from the Committee on Commerce, reported back without amendment the bill (H. R. 7591) relating to the licensing of vessels engaged in towing to carry persons in addition to their crews; which, with the accompanying report, was referred to the House Calendar, and ordered to be printed.

Mr. STEWART, of Texas, from the Committee on Foreign Affairs, to which was referred the resolution requesting the President to take all proper measures to induce the Government of Chili to pay to Wells, Fargo & Co. the value of certain bank-note forms and other property belonging to them, reported a joint resolution (H. Res. 345) for the relief

of Wells, Fargo & Co.; which was read twice, and, with the accompanying report, referred to the House Calendar, and ordered to be printed.

Mr. CURTIN, from the Committee on Foreign Affairs, to which were referred certain messages of the President of the United States in relation to the participation of the United States Government in the Compo conference, submitted a report in writing thereon, accompanied by the following resolution, which was referred to the House Calendar, namely:

Resolved, That no prospect of commercial advantage warrants a departure from the traditional policy of this Government which forbids all entangling alliances with the nations of the Old World, and that the participation of the delegates of the United States in the so-called Congo conference, while carefully gnarded, as your committee is informed, in the purpose to confine their powers to the consideration of commercial interests exclusively, is unfortunate in so far as it is a departure from the policy which forbids the Government of the United States to participate in any political combination or movement outside of the American continent.

Mr. BELMONT submitted the views of the minority of the said com-

mittee; which were ordered to be printed with said report.

Mr. HITT, from the Committee on Foreign Affairs, reported back without amendment H. R. 4002; which was referred to the Committee of the Whole House, and, with the accompanying report, ordered to be

Mr. FERRELL, from the Committee on War Claims, reported a bill (H. R. 8284) for the relief of Mrs. Elizabeth M. Johnson; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed

Mr. HOPKINS, from the Committee on Public Buildings and Grounds, reported back without amendment the bill (H. R. 996) for the erection of a public building at Camden, N. J.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. MILLIKEN, from the Committee on Public Buildings and Grounds, reported back bills of the House of the following titles, with amendments (except the bill numbered H. R. 8020, which was reported without amendment); which were referred to the Committee of the Whole House on the state of the Union, and, with accompanying reports, ordered to be printed:

A bill (H. R. 3700) to provide for the erection of a public building in

the city of Manchester, in the State of New Hampshire;
A bill (H. R. 8020) to provide for the erection of a public building at Montpelier, Vt.; and
A bill (H. R. 6957) providing for the erection of a public building at

Springfield, Mas

Springheid, Mass.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, reported without amendment the joint resolution (H. Res. 207) providing for the erection of a public building at the city of Texarkana, situate on both sides of the boundary line between the States of Arkansas and Texas; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be writted. to be printed.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, also reported, as a substitute for H. R. 2825, a bill (H. R. 8285) for the erection of a public building at the city of El Paso, in the State of

Texas; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to lie on the table and be printed.

Mr. WEMPLE, from the Committee on Public Buildings and Grounds, reported back without amendment the bill (H. R. 7729) to change the limit of appropriation for the public building at Rochestee, N. Y.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. WEMPLE, from the Committee on Public Buildings and

Grounds, to which was referred the letter of the Secretary of the Treastry transmitting report and accompanying papers of the commissioners appointed to appraise the premises, with the buildings and improvements thereon, bounded by West, Laight, Hubert, and Washington streets, in the city of New York, also submitted a report in writing thereon; which, with the accompanying papers, was referred to the Committee of the Whole House on the state of the Union, and ordered to be

Mr. WORTHINGTON, from the Committee on Public Buildings and Grounds, reported back without amendment the bill (H. R. 7800) to amend an act entitled "An act for the erection of a public building at Quincy, Ill.," approved May 9, 1882; which, with the accompanying report, was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. SEYMOUR, from the Committee on Commerce, reported, as a whole that the first for the Committee on the state of the Committee on Commerce, reported, as a whole that for the Committee on Commerce, reported, as a whole that for the Committee on Commerce, reported, as a whole that for the Committee on Commerce, reported, as a whole that the committee on Commerce, reported, as a whole that the committee on Commerce, reported, as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce, reported as a whole that the committee on Commerce are the committee on Commerce and Commerce are the commerce and Commerce and Commerce and Commerce and Commerce and Commerce and Commerce a

substitute for H. R. 8265, a bill (H. R. 8287) authorizing the construc-

substitute for H. R. 8265, a bill (H. R. 8287) authorizing the construction of a bridge over the Mississippi River at or near Alton, Ill., and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed and lie on the table.

Mr. GREENLEAF, from the Committee on Payment of Pensions, Bounty, and Back Pay, reported back without amendment the bill (H. R. 8235) for the relief of Ferdinand Plocher; which, with the accompanying report, was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. GREENLEAF, from the Committee on Patents, also reported a bill (H. R. 8288) for the relief of James Albert Bonsack; which was read twice, and, with the accompanying report, referred to the Committee of

bill (H. R. 8288) for the relief of James Albert Bonsack; which was read twice, and, with the accompanying report, referred to the Committee of the Whole House, and ordered to be printed.

Mr. HENLEY, from the Committee on the Public Lands, reported a bill (H. R. 8289) to declare forfeited certain lands granted to the South-

ern Pacific Railroad Company by the act of Congress approved July 27, 1866; which was read twice, and, with the accompanying report,

referred to the House Calendar, and ordered to be printed.

Mr. YOUNG, from the Committee on Public Buildings and Grounds, reported back bills of the following titles, without amendment, accom-

panied by reports in writing thereon:
A bill (H. R. 8290) for the erection of a public building at Owensborough, Ky.; and
A bill (S. 505) for the erection of a public building at Huntsville,

Mr. BRAINERD, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 3621) in relation to the public building at Leavenworth, Kans.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompa-

nying report, ordered to be printed.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate S. 2617, reported the same with amendments, accompanied by a report in writing thereon; which were referred to the Committee of the Whole House on the state of the

Union, and ordered to be printed.

Mr. HEMPHILL, from the Committee on Expenditures in the Department of Justice, to which were referred certain charges against William Lawrence, First Comptroller of the Treasury, submitted a report (No. 2675) in writing thereon; which was ordered to be printed, and laid Mr. ROSECRANS, from the Committee on Military Affairs, under instruction, by resolution of the House of May 26, 1884, to investigate the management of the National Home for Disabled Volunteer Soldiers, submitted a report in writing thereon; which was ordered to be printed, and laid on the table.

Mr. TULLY, from the Committee on War Claims, reported back with an amendment the bill (H. R. 1466) for the relief of the heirs of Thomas Black; which, with the accompanying report, was referred to the Committee of the Whole House, and ordered to be printed.

Mr. TILLMAN, from the Committee on Claims, reported back without amendment the bill (H. R. 1089) for the relief of the heirs of the

late Solomon Spitzer; which was referred to the Committee of the Whole House, and, with the accompanying report, ordered to be printed.

Mr. HART, from the Committee on Elections, to which was referred the preamble and resolution relative to the case of Hon. JAMES S. ROB-INSON, a Representative from the ninth Congressional district of the State of Ohio, submitted a report in writing thereon; which was ordered to be printed, and laid on the table.

Mr. TUCKER, from the Committee on the Judiciary, under the resolution of January 15, 1884, instructing said committee to inquire whether the President, by and with the advice and consent of the Senate, can negotiate treaties with foreign governments by which the duties levied by Congress on importations can be changed or abrogated, submitted a report in writing thereon; which was orderded to be printed, and laid on the table.

Mr. SPRINGER, from the Committee on Expenditures in the Department of Justice, under instruction to investigate certain charges against Lot Wright, United States marshal for the southern district of Ohio, in relation to the election at Cincinnati, submitted a report in writing

Mr. EATON, from the Committee on Foreign Affairs, under instruction by resolution of the 23d ultimo to inquire into the alleged discrimination against American products by the German Empire, submitted a report in writing thereon, accompanied by the following resolution; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed:

Resolved, That it is the sense of the House of Representatives that the President of the United States be requested to take immediate steps to secure to the United States equal benefits in the German Empire with other nations as to all articles of commerce of the United States under the most-favored-nation clause of the treaty of 1828, made with Prussia, and now in force between the United States and the German Empire.

Mr. WARNER, of Ohio, from the Select Committee on the Payment of Pensions, Bounty, and Back Pay, under resolution of the House of January 12, 1880, continued by resolutions in the Forty-seventh and Forty-eighth Congresses respectively, submitted a report in writing in relation to claim agents and the administration of the Pension Office; which was ordered to be printed, and laid on the table.

Mr. BREWER, of New York, from the Select Committee on the Payment of Pensions, Bounty, and Back Pay, to which were referred bills of the House of the following titles, reported the same severally without amendment, accommanied by reports in writing thereon; which were

amendment, accompanied by reports in writing thereon; which were referred to the Committee of the Whole House, and, with the accompanying reports, ordered to be printed:

A bill (H. R. 1595) for the relief of Mary Ann King, mother of An-

drew King; and
A bill (H. R. 8015) for the relief of Edward G. Pendleton.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back without amendment the bill (H. R. 7051) granting a pension to Mrs. Garetta H. Pierce; which was referred to the Committee of the

Whole House, and, with the accompanying report, ordered to be printed.

Mr. RAY, of New Hampshire, from the Committee on Invalid Pensions, reported back without amendment the bill (S. 2661) granting a pension to Miss Amelia J. Gill; which was referred to the Committee of the Whole House, and, with the accompanying report, ordered to be

On motion of Mr. STEVENS, the Committee on Indian Affairs was discharged from the further consideration of the bill (H. R. 3945) for the relief of A. L. Dickerman and others; which was ordered to lie on the table, and the accompanying report to be printed.

Mr. EATON, from the Committee on Foreign Affairs, to which was

referred the message of the President of the United States, with the correspondence on file in the Department of State relative to the claim of William J. Hale against the Argentine Republic, submitted a report in writing thereon, accompanied by the following resolution; which was referred to the Committee of the Whole House, and, with the accompanying report, ordered to be printed:

Resolved, That the President of the United States be advised to demand the attention of the Government of the Argentine Republic to the claim of William J. Hale, and to take such measures as in his judgment will assure the speedy settlement thereof.

On motion of Mr. EATON, the Committee on Foreign Affairs was discharged from the further consideration of certain resolutions submitted by Mr. Belmont, Mr. Findlay, and Mr. Abram S. Hewitt in rela-tion to the recent dynamite explosions in London; which were severally ordered to lie on the table and the accompanying report to be printed.

Mr. YOUNG, from the Committee on Public Buildings and Grounds, reported back without amendment the bill (H. R. 677) for a public building at Monroe, La.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BLACKBURN, from the Committee on Rules, to which was referred the subject of the preparation of a general index of the Journals of Congress, submitted a report in writing thereon; which was ordered to be printed, and laid on the table.

UNITED STATES SURVEYS, ETC.

The SPEAKER announced the appointment of Mr. WAIT as a member of the joint commission on the part of the House to consider the present organizations of the Signal Service, Geological Survey, Coast and Geodetic Survey, and the Hydrographic Office of the Navy Department, in place of Mr. LYMAN, whose term of office expires with the Fortyeighth Congress.

INDIAN SCHOOLS.

The SPEAKER announced the appointment of Mr. HOLMAN, Mr. W. H. HATCH, Mr. PEEL, Mr. CANNON, and Mr. RYAN as the committee of five members-elect of the Forty-ninth Congress to inquire into and investigate the expenditure of appropriations for Indian schools, &c., and also to inquire into the expenditure of public money and the administration of laws relating to the Yellowstone Park as provided in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, approved March 3, 1885.

FINAL ADJOURNMENT.

The SPEAKER (at ten minutes before 12 o'clock noon). Gentlemen of the House of Representatives: The work of the Forty-eighth Congress is now completed, and the time has come for the performance of gress is now completed, and the time has come for the performance of my last official act as the presiding officer of this House. I should do violence to my own feelings and be guilty of the grossest ingratitude if I should declare a final adjournment without returning to you, individually and collectively, my sincere thanks for the complimentary resolution passed this morning. I thank you also, gentlemen, with equal warmth and sincerity, not only for the confidence reposed in me at the beginning of our labors here, but for the respect and courtesy which have characterized all your personal and official intercourse with me since that time me since that time.

The membership of this House is so large, its business is so great, and the struggle on the floor for priority in the consideration of measures is the struggle on the hoof for priority in the consideration of measures is so earnest that without your cordial co-operation and support it would have been utterly impossible to conduct our proceedings in an orderly or regular manner. It is but simple justice to say that your support and co-operation have been promptly and cheerfully given in every emergency, and to that fact, more than to anything else, must be attributed whatever measure of success has attended my efforts to preserve order and facilitate the transaction of the public business. Very few, even among those who are best acquainted with our legislative history, have an adequate conception of the increased labors and responsibilities devolved upon Congress by the events of the last quarter of a century, and none, I am sure, who have not had actual experience can fully appreciate the difficulties attending the transaction of business in a body so large as this.

In the first Congress the House of Representatives consisted of only In the first Congress the House of Representatives consisted of only sixty-seven members—less than the present membership of the Senate. Now there are three hundred and twenty-five, besides the Delegates from the Territories. From the organization of the Government to the close of the Twenty-fifth Congress, a period of fifty years, there were introduced into the House, as shown by its records, 8,777 bills and joint resolutions; while during the two sessions of the present Congress, 8,630 bills and joint resolutions have been introduced—almost as many as during that half century. At present each one of our principal general appropriation bills embraces as much money as the whole cipal general appropriation bills embraces as much money as the whole amount of the net ordinary expenditures of the Government during the first nine or ten years of its existence, and the specific objects to be investigated and provided for in those bills have so increased in number that it has become a very considerable task even to enumerate

Although this House has passed a larger number of bills than any Although this House has passed a larger number of bills than any of its predecessors, except, perhaps, one or two which sat for a longer time, it is not at all strange, gentlemen, in view of the facts just mentioned, that it should be compelled to leave unfinished a very large percentage of the measures presented. It is evident that unless some constitutional or legislative provision can be adopted which will relieve Congress from the consideration of all, or at least a large part, of the local and private measures which now occupy the time of the committees and fill the Calendars of the two Houses, the percentage of busitees and fill the Calendars of the two Houses, the percentage of business left undisposed of at each adjournment must continue to increase from year to year. It is not reasonable to suppose that an alteration of the Constitution can be effected, but it is worthy of serious consideration whether a general law might not be enacted which would authorize the several Executive Departments and the courts of justice to hear and determine these matters under such rules and regulations as would amply protect the interests of the Government and at the same time secure to the citizen a more expeditious and appropriate remedy than is now afforded. If this shall be done time and opportunity will be afforded here for the deliberate consideration of those great public questions which the Constitution has committed to the legislative de-

questions which the constitution has committed to the legislative department, and something might be done to promote the welfare of the whole people without neglecting the special interests of any.

I congratulate you, gentlemen, upon the spirit of harmony and good feeling which has prevailed throughout your deliberations. It is true that wide differences of opinion have been developed and the largest liberty of debate has been exercised, but each member has honestly endeavored to respect and to protect the rights and privileges of his associates, and I am sure that no personal animosities have been engen-dered that will survive the close of your official relations. We shall

dered that will survive the close of your official relations. We shall part to-day better friends than when we met, and hereafter, I trust, we will all recall with pleasure the fact that we were associated as members of the House in the Forty-eighth Congress.

For my part I shall always consider myself indebted to you for the highest honor of my life, the honor of presiding over the deliberations of the American House of Representatives—a legislative body which, while it has always respected the just authority of the Government, has never failed to assert the rights of the people. When it ceases to do either it will no longer be an honor to preside over it.

Gentlemen, renewing my profound thanks for your assistance, for your forbearance, and for the expressions of esteem and confidence which you have just placed upon your record, and assuring each one of you of my best wishes for his success in every honorable aspiration, I now declare this House adjourned sine die.

declare this House adjourned sine die.

[Loud and prolonged applause in all parts of the Hall and in the

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BLANCHARD: Petition of citizens of Bienville Parish, La.,

by Mr. BLANCHARD: Petition of citizens of Bienvine Parisin, for increase of widows' pensions—to the Committee on Pensions.

By Mr. BRAINERD: Petition of citizens of Oil City, Pa., relating to the Mormon question—to the Committee on the Judiciary.

By Mr. W. W. BROWN: Joint resolution of the Legislature of Pennsylvania, protesting against the abolition of the National Board of Health—to the Select Committee on the Public Health.

Also, joint resolution of the Legislature of Pennsylvania, urging the placing of General U.S. Grant on the retired-list—to the Committee

act of March 1, 1879, denying allegations of New York State Cider Vinegar Association—to the Committee on Ways and Means.

By Mr. GUENTHER: Memorial of the Legislature of the State of Wisconsin, asking for the maintenance of the Sturgeon Bay and Lake Michigan Ship Canal—to the Committee on Rivers and Harbors.

By Mr. HALSELL: Petition of the Madison Female Institute; of the estate of John G. Holloway et al., Thomas W. Campbell, assignee; of the estate of Albert Buford, J. W. McKnight, administrator, for reference of their respective claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. JEFFORDS: Petition of W. L. Gay, trustee of Mary D. Gay, L. W. Downs, and A. Verrett, asking that their several claims be referred to the Court of Claims—severally to the same committee.

By Mr. MILLARD: Petition of citizens of Waverly, N. Y., urging

By Mr. MILLARD: Petition of citizens of Waverly, N. Y., urging legislation for the suppression of Mormonism—to the Committee on the Judiciary

Judiciary.

By Mr. PRYOR (by request): Petitions of the following persons for reference of their claims to the Court of Claims, namely: T. T. Tabb, trustee, and James T. King, of Virginia; James W. Gee, Eli N. Leay, Sarah Wright, W. A. Davis, administrator, R. R. Hightower, Horace H. Hamner, J. J. Wherry, Alfred Blackman, John A. Curtis, Madison Porter, Thomas J. Johnson, Joshua W. Elder, Allie A. Trice, Thomas L. Porter, administrator, Nimrod Porter, and John McQuiddy's estate, of Tennessee; Walter Rosser, Jesse Tilly, Thomas N. Allison, Archibold Rutherford, Maria Barier, Elizabeth Wallace, John Sullivan, William Hays, William Russell, Eliza J. Rudder, Israel Russel, and W. H. Christian, of Tennessee—to the Committee on War Claims.

By Mr. STEPHENSON: Joint resolution of the Legislature of Wisconsin, against the importation of foreign-contract labor-to the Com-

mittee on Labor.

By Mr. J. D. TAYLOR: Petition of Joseph Buchanan and 27 others, citizens of Steubenville, Jefferson County, Ohio, praying for the passage of one of the two bills now before Congress for the suppression of polygamy, declaring the so-called Mormon Church to be utterly alien and treasonable—to the Committee on the Judiciary.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. W. W. BROWN: Joint resolution of the Legislature of Penn-

sylvania.

By Mr. KEIFER: Of William H. Kennedy and 124 others, citizens of New Holland; and of Joseph W. Davis and 70 others, citizens of Mechanicsburg, Ohio.

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TO THE

CONGRESSIONAL RECORD.

Repeal of Certain Internal Taxes.

SPEEUH

HON. W. W. CULBERTSON. OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 5, 1885,

On the bill (He R. 5432) repealing certain internal-revenue taxes.

Mr. CULBERTSON, of Kentucky, said:

Mr. SPEAKER: During the first part of the last session of Congress, more than a year since, I introduced a bill (H. R. 669) for the consideration of this House the provisions of which did away with the internal-revenue regulations imposed on tobacco so far as the planter was concerned. Several other bills were introduced of the same kind covering a broader field. Some of these bills were rejected; none of them met a broader field. Some of these bills wer rejected; none of them met with favorable action, and it is in view of these facts that I beg to call

with favorable action, and it is in view of these facts that I beg to call the attention of the House to this subject, to the bill offered to-day.

Taxation in some form is of very ancient origin. With the formation of governments taxation began. Far back in the dim misty past, when Egypt was new, when the civilization of India, after deeply impressing its traces on Persia, Egypt, Greece, and Rome, had existed for ages, and was on the wane, even at the beginning of this ancient Indian empire, direct traction was no new experiment.

was on the wane, even at the beginning direct taxation was no new experiment.

In the treaties of the Persian emperors with conquered provinces in the treaties of the Persian emperors with conquered provinces. We find with the consideration of taxes played an important part. We find with the Hebrew tribes, as long as they were governed by the immediate direction of Almighty God, every male was taxed 30 cents. A tax was on the first fruits, and first born of the domestic animals; a first-born male of the family was taxed; a first and second tithe for the support of the Levites, and a tithe for the poor was collected. After this people selected a king, the tax was greatly increased. Houses and other property were taxed, and a tariff was levied on the import or introduction of foreign merchandise. King Solomon, who has the reputation of having been a very wise man, collected a large revenue, and the people were grievously taxed during his reign of glory. The stoning to death of Adoram, the revenue collector, and the secession of the ten tribes at the commencement of the reign of young Rehoboam, the wise man's son, indicate how oppressive had been the taxation. The Athenian republic imposed many kinds of taxes, a certain part of the product of mines, &c., and a tariff on imported goods from foreign countries. They avoided a direct tax. The common people paid no tax; but on the contrary large sums were expended by the government for public games and amusements. In Rome, under the republic the stollar of the product of the produc ment for public games and amusements. In Rome, under the republic, the spoils of conquered nations and their annual tribute defrayed the greater part of the expenses of the government. But after the empire almost every kind of tax was resorted to, regardless of the protests of the people. These taxes became most oppressive to the nation. During the Middle Ages the kings lived off their lands, and in war their vassals, the barons and knights, furnished men and munitions for

Venice first came near our modern model of taxation, imposing a direct tax on lands, a tax on goods manufactured, and a duty on goods imported. Various schemes and experiments were tried in all the nations of the earth, both ancient and modern, particularly in Europe, for the collection of a revenue. Some of these plans were of the most oppressive character, and it seems strange that in England and France, in comparatively modern times, no better methods were adopted. The crudest and most clumsy ways were often pursued, monopolies were often established by the governments, in fact were common. By selling certain privileges to individuals or companies the treasury was re-

plenished. In this way the great East India Company was created and continued for many years; in fact it is in existence at this time. In France, about the year 1600, out of the vast revenues of the State collected, only one-fifth reached the treasury.

It is therefore made evident that no system had been recognized or es-

tablished as a standard for the collection of taxes. It was done in a very loose manner, and was always felt to be a great burden by the people, who never ceased to complain. Consequently the effort by the people to accumulate wealth was stifled by the enforced taxes of the Government. From what has been said the fact will be recognized that in the manner of creating a revenue we are to some extent still experimenting. There is a wide difference of opinion as to the best mode of raising a revenue, but it may be safely said the true way to create a revenue is to do it in the manner that will cause the people to feel it least. All will agree to this. The question is how to do it. When we know it is only within the last one hundred years that the best methods of creating a revenue are beginning to be understood, it is not strange there should be a difference of opinion on this subject. But we are convinced the prevailing opinion and experience of the world is against direct taxa-

the prevailing opinion and experience of the world is against direct taxation or internal taxes. Even in countries professing freedom of trade heavy duties are laid on goods brought from other nations to sell, competing with their own manufacture, and we find that all civilized nations have advocated and practiced this plan.

Having seen so much of the creation of revenues in other nations, we may now look at the United States. We have tried direct taxes four times, namely, in 1798, 1813, 1815, 1816. In all of these years the tax was upon lands, houses, and slaves, the slaves being taxed 50 cents each, little and big, and in each instance such was the outery of the people against it the tax was in force but a single year. Indirect revenues, such as tariffs on imported goods, were in force all the time, and were the chief source of revenue to the country. In 1791 a tax on spirits distilled in the United States was imposed, ranging from 9 to 25 cents per gallon; stills were taxed 60 cents per gallon on their caspirits distriled in the United States was imposed, ranging from 9 to 25 cents per gallon; stills were taxed 60 cents per gallon on their capacity. In 1794 taxes were fixed on carriages, retail dealers in spirits, snuff made in the United States, auction sales, refined sugar; and in 1797 stamp taxes were imposed on certificates, letters patent, insurance policies, bills of exchange, promissory notes, &c., thus fully establishing a system of internal revenue, which was commenced soon after the

adoption of the Constitution.

In 1802 an act to repeal internal taxes swept away the tax on dis-The 1802 an act to repeal internal taxes swept away the tax on distilled spirits, license to retailers, sales at auction, stamps, &c. But in 1813 these taxes were restored, and the office of Commissioner of Revenue established; in 1815 the list of articles taxed was largely increased. The collection of internal taxes when our country was new caused great discontent among the people. Shay's rebellion in Massachusetts was one of the results of this discontent; the rebellion created great contents and the second state of th one of the results of this discontent; the rebellion created great consternation and was only put down by the most prompt action and the loss of life. The whisky rebellion of Pennsylvania was quite a serious affair, requiring 15,000 troops, the personal supervision of Washington, the President and Commander-in-Chief of the Army. This rising of the people cost the Government near \$2,000,000, and was the result of resistance to the collection of the internal-revenue taxes. The feelings of the people are fully made manifest by these disorders (have the people changed since then?); the failure of the Republic was imminent, and secession was talked of by those, many of whom had been most patriotic in the war for independence. The aversion of the people to internal or direct taxation has always been so great that such taxes have

otic in the war for independence. The aversion of the people to incernal or direct taxation has always been so great that such taxes have been repealed at the earliest practicable moment. This can not be denied. The act of August, 1861, after a lapse of forty-five years, imposed a direct tax on States and Territories in proportion to the population of each. This mode of taxation was fair, was uniform, as the Constitution directs; not as now imposed. This act also provided for an income tax. As much as \$61,000,000 was derived from this tax in one year. In July, 1862, the present internal-revenue law was adopted. The internal revenue collected from 1791 to 1849 was \$22,000,000, ranging from \$200 in 1843 to over five millions in 1816; the income from custom duties or tariffs during the same period was nine hundred and forty-six

In five years from June, 1863, to June, 1868, the receipts from internal revenue were \$1,185,000,000. The amount received from customs duties in one year was over \$179,000,000. During all these years the people have been patient, patriotic, and good-humored, because they thought the taxes were needed by the Government. But the time has come when the people demand the repeal of all internal-revenue laws, because they are no longer needed by the Government, as is admitted by all parties, and for the reason the collection of these taxes is in violation of the Constitution. After a fair and equal support of the Government, to sell the product of your labor freely and without restraint is ment, to sell the product of your labor freely and without restraint is an inherent right common to freemen; to deny it is to say you are not free. These laws force monopolies upon the nation, keeping the poor out of employment and favoring those in better circumstances, as we shall show. If a citizen buy of the Government the right to pursue a business, that business becomes a monopoly dangerous to the liberties of the people. Sanctioned and guarded by the Government such sales by the Government are excusable only in times of great distress and must be the last resort. The repeal of these laws is demanded because the collection of a tax from the people of a few States and not from the people of all the States is not uniform, as the Constitution

The repeal of the internal-revenue law is demanded because it is unfair to make the people of one State or section pay thousands of dollars taxes that the people of another State or section are not required to pay. taxes that the people of another State or section are not required to pay. Fair and equal taxation is the demand of all spirited people. If the people of Kentucky pay taxes on their tobacco and other products to the amount of eighteen and a half million dollars per year, why should not the people of Ohio pay fifty-two million dollars, those of New York pay seventy-eight millions, and Pennsylvania pay sixty millions? Why should not the great State of Texas pay over twenty millions in place of the paltry sum of two hundred and ten thousand? The rich State of Iowa, which pays less than three millions tax, should pay more than twenty-five millions. These sums would be in proportion to the population of these States and in conformity to the provisions of the population of these States and in conformity to the provisions of the Constitution. This would be uniform, fair, and just. It would come up to the American idea of fair play. It is well known this is not the best mode of creating a revenue, for the reason, as has been repeatedly shown by argument and by most valuable experience, the foreigner pays the duty or custom tariffs, while the American citizen pays the tax of the internal-revenue laws. Besides all this, the first section of the Constitution says:

Direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers.

Thus is made manifest the fear ever present in the minds of the fathers relative to unfair taxation. In the first section of their Constitution they provide that the direct taxation must be equal; that it must be in

proportion to the population of each State.

Of course some will say this is not a fair argument; but will any one deny that the people of one State pay a tax to the Government ten times as much as the same number of people do in other States? Look at the difference in taxes paid. The six New England States, with a vote of 744,000, pays internal-revenue taxes amounting to \$3,433,000; Illinois, 744,000, pays internal-revenue taxes amounting to \$3,433,000; Illinois, with 672,813 votes, pays internal-revenue taxes amounting to \$23,500,-000; Iowa, with over 375,000 votes, pays internal-revenue taxes amounting to \$2,757,000; Kentucky, with over 276,000 votes, pays internal-revenue taxes amounting to \$18,500,000; Texas, with over 319,000 votes, pays internal-revenue taxes amounting to \$210,150; New Jersey, with 261,210 votes, pays internal-revenue taxes amounting to \$3,500,000; Ohio, with over 784,000 votes, pays internal-revenue taxes amounting to \$13,500,000; Pennsylvania, with 899,778 votes, pays internal-revenue taxes amounting to \$7,889,000; New York, with over 1,167,000 votes, pays internal-revenue taxes amounting to \$13,760,000.

South Carolina, Georgia, Mississippi, Alabama, Louisiana, and Florida all only pay less than one and a half millions taxes. Kentucky, with less than one-fourth the vote of New York, pays eighteen and a half millions. This shows the inequality of the taxation of the different sections. It will be seen that the people of some States are forced to pay

It will be seen that the people of some States are forced to pay many times as much taxes as an equal number of people in a neighboring State.

Is this uniform taxation, as the Constitution provides? If the people of Kentucky or Illinois are heavily taxed, why should not the people of Ohio or Texas be taxed in the same proportion, so that 10,000 people in Texas will pay as much tax as the same number in any other State?

If a farmer wants to raise tobacco he may do so, but as a farmer he can only sell not to exceed one hundred pounds in the leaf to his farm hands, and may sell not to exceed one hundred dollars' worth to his neighbors or to any one by retail; all the balance of the farmer's crop of tobacco—five, ten, fifteen, or twenty thousand pounds—he is forced to sell to a tobacco dealer, who buys the right to deal in tobacco from the Government. The farmer is forced to exhibit to any revenue officer who may demand it a sworn statement of his sales of tobacco, number of hogsheads, cases, pounds, with the name and residence in each instance of the person sold to and the place where it was shipped to. If the farmer fails to do this he may be fined \$500. The farmer must not fights our battles, defends our freedom, and makes the name of an

twist or press his tobacco. Oh, no! this operation is reserved for a more favored class, who buy their right from the Government, and are called manufacturers. A little twist or roll of the tobacco which he has grown may get a respectable farmer into great trouble, because he has not bought the right to twist or roll his tobacco from a Government which does not need the purchase-money, and is resorting to every means to keep from collecting money from other people, as, for instance, the Spanish treaty of to-day; but the tobacco farmer must pay.

Remember the efforts made last session of Congress to reduce the

States. "We have too much revenue" was the cry. Some will say this tevation is not direct, therefore the reasons do not apply to it. When taxation is not direct, therefore the reasons do not apply to it. the slaves were taxed fifty cents each, little and big, it was generally conceded this was direct taxation. No one has ever said it was not. And yet it is well known, beyond dispute, that in many instances the owners of these slaves had more to do with their origin and growth than

the planter of tobacco has to do with any plant ever produced.

If to avoid this compulsory selling of his tobacco to certain parties authorized by the Government to buy it, and to get rid of the surveil-lance of the revenue officers, the farmer thinks he will become a free man, a tobacco dealer, as the law has it, he is badly mistaken, because the dealer can only sell to other dealers and to manufacturers, and he gets into a maze of book-keeping and laws which would compel him to hunt an expert to understand what the Government does want; and if he don't live up to the requirements of the law, he may be fined

\$5,000 and imprisoned one year.

If the farmer dares to twist his tobacco into the old-fashioned hanks, or if he makes cigars of his tobacco, he becomes a manufacturer; must hang out his sign announcing he is a manufacturer; must give bond in from two thousand to twenty thousand dollars, and is subjected to a whole book full of rules and regulations, which require a lawyer to get at the meaning, and if he fails to live up to these rules, laws, and regulations he may be fined \$5,000 and imprisoned five years. If the farmer wants to sell his tobacco as other farmers sell their wheat, corn, or oats, he must pay \$250 per year (before 1883 it was \$500 per year) and \$30 on each \$1,000 he sells over \$500, and he is subject to all the rules, fines, and annoyances that this inquisitorial mode of taxation can suggest. In the face of all these facts there are those who will tell you the planter is not taxed, and are surprised that he asks for relief.

These are some of the reasons why the planters of tobacco ask that the tax imposed on them shall be extinguished. Again, we say the Constitution explicitly and pointedly provides that such direct taxation shall be for the purpose of paying debts, and to provide for the common defense and general welfare of the United States. (See sections 1 and 8.) The spirit of these sections of the Constitution evidently is that such taxes are only to be levied in cases of emergency, when money must be had and can not be raised any other way. No one pretends that this tax is needed for the Government now, either to pay debts, for the common defense, or for the general welfare of the United States.

In fact, for the last year the great lamentation has been, "Our revenues are too large; how shall we reduce them?" There seems to be but

one idea on this point, both political parties joining in the cry, "Too much revenue!" Now, if this is true, why single out the tobacco-planter for a tax? Is he peculiarly obnoxious to the Government? What has he done that above all other farmers he should pay a special and an onerous tax? We know most of these men are good citizens, patriotic and true, meriting no special punishment at the hands of the Government.

The prevailing and true principle of our Government is that free commerce and trade should exist between the people of the different States, and that the people of each State should have equal and the same rights under the General Government, and that all should be treated alike. This special direct tobacco tax violates this idea and provision of the Constitution, because the people of tobacco-growing States are made to pay a tax the people of other States do not pay either in kind or in amount. It is a class legislation, exempting the farmer who raises grapes, hemp, cranberries, &c., from a tax that the tobacco-grower is forced to pay. The welfare of the Government does not demand the tax; in fact the reverse is the case because the tax prevents the more general diffusion of the culture of tobacco throughout a country well adapted to its growth.

The small farmer, with little money and less knowledge of the law, fears to engage in tobacco-raising lest he fall into some of the many traps set for him by the law and the minions of the Internal-Revenue Department. The Chinaman who raises tea in China sends it to the United States and sells it free of duty or tax, while our tobacco-planter, who is a citizen of the United States, who may have risked his life and shed his blood for the glory and preservation of his Government and is liable to do so again at any time, who has for years paid State, county, and town taxes and spends all his money in the United States—this good citizen is taxed a special, additional tax on the product of his farm because he raises tobacco, while all the substance of the Chinaman and the money we pay him goes to support the glory of the Chinese Empire, which never has done us any good so far as heard from, What does the Chinaman or any other foreigner do for the United American citizen glorious? Not the foreigner, but our own native and adopted citizen. Why, then, do we tax this true man of our own coun-

try and let the foreigner go free?

Listen to what we have done during the last fiscal year. We have ermitted the following sums of imported articles to be brought to the United States and sold free of duty or tax-two and a quarter million United States and sold free of duty or tax—two and a quarter million dollars' worth of horses, two and a quarter million dollars' worth of cattle, nearly two million dollars of quinine, fifty million dollars of coffee, one and a quarter million dollars of cotton, two and three-quarter million dollars of eggs, near two million dollars for bananas, tea four-teen million dollars, sugar seven million dollars, more than four and a quarter million dollars' worth of wood unmanufactured, and other articles to the amount of two hundred and ten million. While these wast sums were being sold here free of tax, and the money taken to foreign lands, our own citizens were being taxed for the privilege of raising tobacco. Has the Chinaman who raises tea in China or the negro who produces coffee in Brazil performed such signal and distinguished services to the United States that he can sell the produce of his farm here free of tax, while our good citizen who defends his Can his farm here free of tax, while our good citizen, who defends his Gov-ernment, pays all the ordinary taxes and the charitable assessments of his neighbors, is made to pay a special tax, an extraordinary tax to that Government he has offered his life to save? Is this fair play? Is this justice? Is it an exercise of common sense? Is it not ingratitude of the grossest kind? Is it not oppression most foul? Is it a crime to raise tobacco, that he who engages in it must be punished by an extraordinary tax? dinary tax?

The collection of this tax is attended by rules, regulations, and circumstances which render it peculiarly offensive. As before said, many cumstances which render it peculiarly offensive. As before said, many small farmers in remote regions are afraid to engage in tobacco raising because of the minions of the tax-law, who, in many instances, seek to entangle the planter in the meshes of the law, so that he, the minion, may get his blood-money in the shape of fees. No greater outrage was ever perpetrated on the people of this Republic than the continuance of this law without the shadow of an excuse.

Let us look at the workings of this law in many places. By hook or

Let us look at the workings of this law in many places. By hook or by crook a third-rate lawyer gets appointed United States commissioner by a United States judge, and is located in some remote town in the mountains, where the mass of the people, while brave, patriotic, hosmountains, where the mass of the people, while brave, patriotic, nospitable, and naturally of good brain, are poor and not versed in the knowledge of the law. They live on small farms; many of them can only produce, as a cash product to pay their taxes, &c., tobacco, and brandy, the yield of their orchards. The United States commissioner is supplied with a deputy marshal and bailiffs, and the commissioner is ready for action. There must be one or two cases before him every day to make the office profitable. Warrants are procured for men who are dragged on foot ten, fifteen, twenty miles from their homes to this United States commissioner's court, where they are compelled to stay one or two nights, and must be put in irons, handcuffed, lest they get away.

nights, and must be put in irons, handcuffed, lest they get away.

When the prisoner comes into the august presence of this United States commissioner he is told that he is accused of selling a quart of brandy, or of selling his tobacco illegally. After suffering all this ignominy, frightening his family, and torturing his flesh and mind, he is generally declared innocent, and allowed to walk twenty miles to his home. But the United States commissioner gets his fees; so do the nome. But the United States commissioner gets his tees; so to the marshals, bailiffs, &c. This machine is kept going from day to day for the express benefit of these officers. What redress has the prisoner, without money or influential friends, or even knowledge of the law? None whatever. Who could have redress? This United States commissioner is only removed by the judge who appointed him, and he has become indifferent by use, as the butcher does to the plaintive bleat of

the lamb.

About three times a year what is called a raid is ordered. The deputy marshal and a number of bailiffs start out; they ride as far away from the small towns as practicable, arrest from twenty to seventy-five men, who are brought before the United States commissioner, accused of distilling, selling brandy, tobacco, &c., illegally. The commissioner generally finds these men guilty, and orders them taken from two to three hundred miles to the United States circuit court for trial, being careful to see that there are nearly as many guards appointed as there are prisoners; the guards of course being his friends. This whole raid is made to show how vigilant these officers are and what a good work they are doing. the United States circuit court most of the prisoners are found not guilty; but the United States commissioner, marshals, bailiffs, guards, witnesses, &c., are all paid their fees, and the poor prisoner, after being in jail for days or weeks, is turned loose to return to his mountain home as best

Think of a man not guilty being taken, dragged suddenly, without warning, from an isolated home, a sick family, a frightened wife, hundreds of miles, to be gaped at, stared at by the idle crowd as he is pushed. along as a criminal among strangers, who have been taught by the publications of the day to consider this the worst class of offenders!

He is fined three, four, or five hundred dollars, and confined in jall six months. For what? For using the products of his little mountain farm as any and all freemen have a right to do. What gross outrages, thus perpetrated in the name of the United States! And this thing has gone on so long it has ceased to attract attention. used to anything, however much we are shocked at first.

Is it strange the officers of this law are hated and feared by the citi-

Is it strange the officers of this law are hated and feared by the citizens? Is it wonderful they are shot down as a common enemy? I appeal to any freeman to know if he would not instinctively grasp his rifle at the approach of these minions of the law?

This is no imaginary sketch; too many sad cases of this kind make it true. Many, very many persons, will bear witness to the truthfulness of these statements, and will tell you it is not in the least exaggerated or colored. Objection is made to the tax on cigars of the same kind; in fact most of the reasons urged for not taxing the leaf-tobacco of the planter are appropriate for the cigar-maker. The tax favors monopolies planter are appropriate for the cigar-maker. The tax favors monopolies or the large manufacturer, and destroys the small operator, whose capital is his hands and the knowledge how to work. The revenue officer is his Nemesis. Any person who will take the trouble to examine the Tax Manual for cigar-makers sent out by the Government will be surprised to find so much of it, and to see it is so hard to comprehend. One of our most distinguished public men has said of this book, to understand all the provisions and regulations embodied in it would require of an experienced lawyer much careful study. Its sections and paragraphs are numerous, and many of them convey their meaning by reference to numerous, and many of them convey their meaning by reactive to other sections or paragraphs. For instance, on one page you will read: any manufacturer selling cigars or removing them from the place where they were made without complying with the requirements stated in Nos. 9, 10, 12, and 13 subjects such cigars to forfeiture, and incurs liability to fine and imprisonment.

Suppose a poor widow with a half-grown family wishes to engage in cigar-making, she must first communicate with the collector in a distant town, must pay a special tax for making cigars, must give a bond as cigar-maker, must buy stamps for the boxes before she can sell cigars out of the boxes, and must put them on the boxes; she must keep an account of the number of cigars she may make and the number she may sell, and must show on her books each purchase of leaf-tobacco, stems, or other material used in making cigars; she can not move these cigars from one house to another before paying the tax, nor can she move the cigars before bond is given. If any of these provisions are violated, she forfeits to the United States not only the cigars she has on hand, but all raw material, machinery, tools, implements, apparatus; fixtures, boxes, barrels, &c., together with her estate or interest in the building and the lot or tract of ground on which such buildings are lo-

cated, with everything belonging thereunto.

When we view the gentle, paternal provisions of this law it is easily seen that poor women, and men too, are shut out from this industry; by means of which they could find employment for themselves and their children, giving to them a retired, quiet means of living. The business is given to the person with more money and experience in the law. Why is this? Does the nation need the taxes? Does an insignificant industry like this need to be surrounded with taxes, laws, regulations, and forfeitures sufficient to prevent the poor and timid from engaging in it? We answer no. During the last year, from one end of the land to the other, it has been proclaimed by all parties that our revenues are too large, and for this reason we have reduced our charge to the foreign producer bringing goods here to sell (see revenue act March 3, 1883), while we have starved the poor widow and her children at home. A shame it is!

Thus it will be seen that a large class of needy citizens, without money, are thrown out of an employment peculiarly suited to them, while it is given to the more prosperous person, who has money and may engage in any kind of business. Let us have fair play; the American citizen as much as any person in this world believes in justice, fairness, and honesty. The object of the Government ought to be to put all such employments into the hands of the needy, of the poor and the timid, who can not jostle through the crowd of more vigorous; grasping, and able persons. Let us remember that governments are formed for the happiness of the people, and that as governments are good the people will be happy.

When the silk industry came to Western Europe, the governing classes took the lead as an example in raising the silk-worm. It was a thing the most humble editions could encount in the country that the most humble editions could be expected in the country that the most humble editions could be expected in the country that the most humble editions are considered in the country that the cou

thing the most humble citizen could engage in, and the advantages were it gave to the country a valuable industry, and gave to the people who needed it employment in addition to their other avocations. Ought who needed it employment in addition to their other avocations. Ought a government like ours to distinguish against the poor? Certainly not. This is essentially the poor man's government in theory; for God's sake and for the welfare of humanity let it be so in practice. We bought from foreigners, we imported nearly ten million dollars' worth of to-bacco during the last year. More than \$3,000,000 of this was paid out for cigars which ought to have been made at home. In place of Think of this monstrous outrage being perpetrated as a business, coolly and deliberately, to satisfy the cupidity of the minions of this tax law. We could readily believe this thing occurred in farmed-out Turkey, but many will doubt its existence in free America. But if the prisoner is found guilty in the United States court, what then? regulations, repressing and hindering its growth and manufacture in the United States, while we send millions of money for tobacco to a despised foreigner without comment or remark. Think of it; \$10,000,-000 a year sent out of our nation never to return for tobacco which we

can produce at home!

Few people know the work, the risk, and the vigilance required to be a successful tobacco-planter; his work is never done until the tobacco is in market. There is no crop raised which is attended with so much care and risk, and liable to so many vicissitudes, even without the hated Why is it Congress has so tenaciously stuck to the tax on tobacco There being no longer a need for the tax, as is generally conceded, the continuance of the law, as before said, being contrary to the spirit and even the letter of the Constitution, makes the tax still more of a mystery.

It is claimed the low-tariff people fear to take the internal-revenue taxes off lest the tariff must be increased on the product of the foreigner brought here to sell. If this is so, it clearly proves they prefer to tax our own citizen rather than tax the foreigner. They would rather see the ten millions go, never to return, than to relieve the tobacco industry of our own country. But, for argument's sake, admit the free-trader's theme, "the tariff is a tax," to be true, and that the tariffs must be increased if the tax of twenty-five millions is taken off tobacco. We say admit this; would it not be still better to have the whole nation pay the tax than to force a small industry confined to parts of a few States to pay it? Clearly the last shadow of an excuse is gone for the tobacco tax.

The experience of this nation has proven the people never wanted an internal tax. It is not the best mode of collecting a revenue in this country. These taxes are always felt to be oppressive by the people. While the revenue collected by the tariff on foreign importations is not felt by the people, because the foreigner pays it, as has been clearly shown by many arguments made on the tariff question during the last session of Congress, and by the active experience of the nation during the last twenty-five years, there may have been a time when the neces-sities of the Government called for these taxes; but that day, thank fortune, has gone, and no longer can this Internal Revenue Department be maintained. Away with its monopolies, oppression, and partial taxation! Away with its minions, suited for arrests, cruelty, and evil deeds!

Interstate Commerce.

SPEECH

HON. JOHN B. STORM. OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 16, 1884,

On the bill (H. R. 5461) to establish a board of commissioners of interstate commerce, and to regulate such commerce.

Mr. STORM said:

Mr. SPEAKER: If there be any feeling of hostility to railroads in this House, I am sure that I do not participate in it. On the contrary, I regard them as indispensable instruments of modern civilization. I take no part in the denunciation of railroad corporations as such. There are enterprises too gigantic for unorganized individual effort. There are undertakings that can be carried out successfully only by associated capital, under the privileges of a liberal charter conferring perpetual succession and other immunities. Canals have been dug, streams bridged, mountains tunneled, and continents spanned by means of the advantages derived from incorporation and the bestowment of

certain franchises, privileges, and immunities.

The question is often asked, Who owns the railroad? The railroad advocate says the stockholders. This is undoubtedly correct if by the question you mean to inquire as to the legal title to the property of the corporation. When the question is asked, For whose benefit is the corporation created? the railroad advocate again says for the stockholders. This answer is disputed, and I think I can show before I close my remarks, by citations from the constitution of my own State and of other States, that railroad corporations were created as well for the benefit of the public as for the private gain of the stockholder and incorporator.

The idea that a railroad company exists solely for the purpose of earning money for its stockholders, regardless of the interests of the public, is as unsound as the communistic idea that stockholders have no rights which the public is bound to respect. Were the restrictions and limitations imposed by the laws and constitutions of all the States and limitations imposed by the laws and constitutions of all the States upon corporations placed upon the ownership and management of private property, they would be denounced as agrarian, and no free people would submit to them. A correct idea on this subject will aid us very muchin solving the question of interstate commerce and its regulation. Had the true theory of the relation of railroads to the public always been kept in mind by State Legislatures and courts, had the law-mak-

ing and law-construing powers kept in view the fact that railways were public highways and common carriers, the proposed legislation would

not, perhaps, be necessary.

In the early history of my own State, when railroad building was in its infancy and needed encouragement, the Legislature and courts were favorably inclined in the granting of charters, passing of laws, and in

construing them.

In the course of time the common-law theory was lost sight of. Railroads were no longer regarded as common carriers, but were empowered to enter into every conceivable kind of contract relations, acquire and hold lands, engage in mining and manufacturing, as fully and completely as individuals might.

Under this monstrous perversion of a just and correct theory that railroads were common carriers, we witnessed at once this strange and dangerous condition of affairs: Railways owning most of the coal lands of the State, and engaged in mining coal, manufacturing iron and steel, owning machine-shops and car-shops in which they manufacture not only their own rolling-stock but that of other railroads, and in fact doing all these things which private individuals alone should be empowered to do

Sometimes, it is true, these things were not done directly by the corporations, but indirectly by an auxiliary corporation, in which the owners and managers are the same persons who own and manage the railroad to which the auxiliary corporation is a mere tender or feeder. This is only a mere evasion and subterfuge. These facts are well known

to all who are acquainted with the history of my State.

It is needless for me to tell you what has been the result of such legislation. In one remarkable case it has proved disastrous to the corporation itself. But the far more serious result has been that individual enterprise in certain channels has been crushed out by overpowering corporate competition. The corporation not only owned the mine and mined its coal, but had exclusive control of the vehicle of transportamined its coal, but had exclusive control of the venicle of transporta-tion. The individual owner of a coal-mine, who is dependent on a railroad also engaged in mining its own coal, might as well own an ice-berg in Alaska. Therefore, individual coal-mining in Pennsylvania will soon be a thing of the past. It is now monopolized by a few rail-road companies who possess the power to crush out all competition. To-day the boundless mineral wealth and resources of Pennsylvania, for any the boundless mineral wealth and resources of Pennsylvania, sufficient in quantity to enrich a vast empire, is under the control of four or five railroad corporations. It is in their power to say how much coal shall be mined, or whether it shall be mined at all. They can dictate what shall be its price in Philadelphia, New York, or any other place on the Atlantic coast.

To such a pass had things come that in 1873 the people demanded a change in the organic law of the State. A convention was called; it was composed of the best men of the State; the result of their deliberations was our excellent constitution of 1874. These fundamental

principles were, in substance, set forth in it:

1. Railroads are public highways.
2. Railroad companies are common carriers.
3. They shall receive and transport each other's passengers, tonnage, and cars, loaded or empty, without delay or discrimination.
4. All individuals, associations, and corporations shall have equal right to have persons and property transported over railroads, and no undue or unreasonable discrimination shall be made in charges for, or in facilities for, transportation of freight or passengers.
5. Persons and property transported over any railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class, in the same direction, to any more distant station.

and property of the same class, in the same direction, to any more distant sta-tion.

6. No railroad corporation, or the lessees, purchasers, or managers of any rail-road, shall consolidate the stock, property, or franchise of such corporation with, or lease or purchase the works or franchises of, or in any way control any other railroad corporation owning or having under its control a parallel or competing line.

7. No corporated company doing business as a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles of transportation over its works.

8. No such company shall, directly or indirectly, engage in any other business than as common carriers, or hold or acquire lands, freehold or leasehold, directly or indirectly, except such as shall be necessary for carrying on its business

9. No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either, by abate-ment, drawback, or otherwise, and no railroad company or lessee, manager, or employé thereof shall make any preferences in furnishing cars or motive power.

Similar provisions, I might add, are to be found in the constitutions of Alabama, Arkansas, California, Colorado, Georgia, Illinois, Michigan, Nebraska, and Texas.

Had these principles been adhered to by the States in the beginning the Reagan bill, in my opinion, would not now be under consideration by us. But the evil had been to a great extent consummated. The remedy came too late. The sacredness of vested rights and the obligations of contracts implied in the charters of these corporations left the people in a measure remediless.

A partial remedy for the evils is still left in the bill under discus-

sion, and for this reason I will give it my hearty support.

Mr. Speaker, I frankly acknowledge that my early prejudices and studies at first inclined my mind against the constitutionality of this measure. But after a careful and impartial examination of the whole subject, and hearing all that has been said for and against this bill, I have not the slightest doubt as to the power of Congress to pass it. And I am as thoroughly convinced that there is a necessity for it. The clause of the Constitution which confers this power says, among other things, the Congress shall have power "to regulate commerce with foreign nations, and among the States, and with the Indian tribes." It is a simple, naked, unconditional grant of power by the States to Congress. The purpose for which this power is to be exercised is not mentioned, as is the case in some other grants. There is no other clause in the Constitution which in any way limits or restrains its general meaning, or even hints that it may, like the taxing power, be exercised concurrently with the States. It is a grant to Congress alone. The necessity for such a provision led to the convention which framed our Constitution. That incomparable instrument was not a mere theory emanating from the brain of a few metaphysical speculators, but grew out of the dire necessities of trade and commerce. The clause in quesout of the dire necessities of trade and commerce. The clause in question, with the exception of the words "and with the Indian tribes," was reported in the original draught of the Constitution, and was adopted without opposition.

The plain and simple meaning of this clause was not questioned until the year 1824, when the appeal of Gibbons vs. Ogden, reported in 9 Wheaton, page 1, came into the Supreme Court of the United States. The question before the court involved the constitutionality of an act of the Legislature of the State of New York granting to Robert R. Liv-ingston and Robert Fulton the exclusive navigation of all the waters mgston and Robert Fulton the exclusive havigation of all the waters within the jurisdiction of that State, with boats moved by fire or steam, for a term of years. William Wirt, then Attorney-General of the United States, and Daniel Webster argued the case for the appellant and against the validity of the act in question. The speech of Webster was masterly and eloquent; the advocate was worthy of his cause; his argument was unanswerable. John Marshall was then Chief-Justice; among his associates were Bushrod Washington and Joseph Story. The Chief-Justice delivered the opinion of the court. That opinion alone would make the reputation of any jurist. In it he has ably sustained his lasting reputation consisted as the indical propuration of the Constitution. tation acquired as the judicial expounder of the Constitution. That opinion will stand, while this Capitol stands, as a landmark of true constitutional interpretation.

It was then solemnly decided and settled that the power of Congress to regulate commerce extends to every species of commercial intercourse between the United States and foreign nations and among the several States, and that it does not stop at the external boundary of the State; that this power has no limitations except such as are prescribed in the Constitution itself, and is exclusively vested in Congress, and no part of it can be exercised by the States. The Chief-Justice said:

The power to regulate commerce among the States is "to prescribe the rule by which commerce is to be governed." This power, like others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations, and among the several States, is vested in Congress as absolutely as it would be in a single government, having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States.

Steam as a motive power was unknown when the Constitution was adopted. It was not until 1807 that Fulton applied it to the propulsion of boats. But when this case was decided the court said that the commerce clause applied to vessels propelled by steam or fire, as well as to those propelled by wind and sails. When this case was decided railroads and telegraphs were unknown; they have become two potential agents in inland and interstate commerce. Both have grown up within the last fifty years.

The opponents of the bill before us do not now deny the power of Congress to regulate commerce on the high seas and on the navigable Congress to regulate commerce on the light scale and the same rivers and lakes of the country, but say we have no right to do so when the commerce is carried on by means of railroads. What is the reason for this distinction? What is the annual value of our foreign trade? By the last report of the Secretary of the Treasury the total amount of our exports and imports, including merchandise, gold, and silver, amounted last year to \$1,512,770,947, while the amount of merchandise carried by railways during the same period was, in round numthe same period was, in round numbers, \$15,000,000,000,000, or nearly ten times as much. How preposterous the idea that Congress can not, under the broad grant of power to regulate commerce "among the States" ("intermingled among the States," as Chief-Justice Marshall said in the case just cited), regulate this immense internal interstate commerce amounting to \$15,000,000,000 annually! If we can not, then indeed our Constitution is "a rope of sand."

The Constitution is not a code; it does not attempt any definitions of the powers granted; it simply enumerates them. It enumerates the general principles upon which all free representative governments like ours must rest. It was not intended by those who framed it that it should be subject to frequent changes, and therefore they have made any attempt to change it exceedingly difficult. There were no amendments of the Constitution from 1804 to 1865, a period of sixty-one years, covering the whole period of steamboat, railroad, and telegraphic development—the most remarkable period of our country's history. It has not been found necessary whenever some genius has applied steam to move boats and railroad cars, or electricity to send messages with the speed of lightning, to go to work and change the Constitution. The framers of that instrument did not build in that way. When

railroads and telegraphs came into use as instruments of commerce, they at once came under the clause of the Constitution which regulated

the steamship in the navigable waters of the country.

Therefore it is that Redfield, who is acknowledged by every lawyer as high authority on all questions relating to railroads and to railway law, says in his admirable work on railways, page 720-722:

Those who assume that Congress has no power to regulate the traffic on these extended lines of railway, reaching from one end of the Union to the other, must, if they would meet the question fairly, either say the extended lines of railway, amounting to many millions annually, probably ten times as much as the entire commerce of the country at the time of the adoption of the Constitution, is not commerce at all, or, if the, is not subject to any regulation or control whatever; for it is certain the States have neither the power nor capacity to regulate to any purpose or with any efficiency the interstate traffic. It must then come under the control of Congress or be left to its own devices an impulses—an experiment never tried in any other country.

In keeping with this thought is the opinion of Chief-Justice Waite in the more recent case of The Pensacola Telegraph Company vs. The Western Union Telegraph Company, reported in 6 Otto, page 9. The Chief-Justice says:

Chief-Justice says:

The powers thus granted are not confined to the instrumentalities of commerce, or the postal service known or in use when the Constitution was adopted, but they keep pace with the progress of the country and adapt themselves to the new developments of time and circumstances. They extend from the horse with its rider to the stage-coach, from the sailing vessel to the steamboat from the coach and steamboat to the railroad, and from the railroad to the telegraph, as these new agencies are successively brought into use to meet the demands of increasing population and wealth. They are intended for the government of the business to which they relate, at all times and under all circumstances. As they were intrusted to the General Government for the good of the nation, it is not only the right but the duty of Congress to see to it that intercourse among the States and the transmission of intelligence are not obstructed or unnecessarily encumbered by State legislation.

Here was see how the powers of Congress to regulate commerce are

Here we see how the powers of Congress to regulate commerce are made "to keep pace with the progress of the country and adapt themselves to new developments of times and circumstances."

But further citations are not needed. I am content to rest the case on the authority of Marshall, Story, Kent, and Webster. Independent on the authority of Marshall, Story, Kent, and Webster. Independent of authority and judicial decisions on the question of the power of Congress to regulate interstate commerce carried on by railroads, every principle of reason and common sense that applies this regulation to commerce carried on on the high seas and the inland waters of the country applies, a fortiori, to interstate commerce carried on by railroads. As I have just shown, the latter exceeds the former in amount nearly tenfold. The high seas, lakes, and navigable rivers are highways open to all. Competition there is as free as the air. It is not so with the railroad. No one can use its track without the consent of the comment. railroad. No one can use its track without the consent of the company. Mr. Speaker, this bill does not propose to regulate the railroads of the country or to interfere in their management. It does not propose to even fix the price of freights or to injure to the extent of one dollar the \$7,000,000,000 of capital said to be invested in the 125,000 miles of

What does it propose to do? It proposes to bring the railroads engaged in interstate commerce back to the common-law theory that they

- Public highways.
- Common carriers.
- 3. That their charges must be reasonable for transporting freight and
- 4. That they must not make any unjust discriminations for like and contemporaneous services, and shall not charge more for a short than for a longer distance.

The bill seeks to accomplish these ends by, first, prohibiting any allowance of rebates or drawbacks, and, secondly, by prohibiting any combination for the purpose of pooling the freights of competing roads. In addition, the bill seeks to enforce compliance with its provisions by In addition, the bill seeks to enforce compliance with its provisions by means of legal proceedings provided therein, and by means of fines and penalties. It only seeks to provide a sure, speedy, and effective remedy for the enforcement of those duties which the common law says every common carrier owes to the public. Who can say this is unjust?

Every one at all acquainted with the carrying trade as conducted by railroads in this country very well knows what these unjust discriminations and charges mean.

nations and charges mean.

I live on the line of a railroad running from the Scranton coal-fields to New York city. I am fifty miles from the place where the coal is mined and loaded on the cars; New York is nearly one hundred and fifty miles from the mines. Yet a ton of coal costs the consumer living in Stroudsburg nearly \$1 more than it does the consumer living in New York city. I might be willing to admit—and the bill under consideration allows it—that they should charge the consumer in my town the same as they do the consumer in New York; yet, in the name of justice, have they a right to charge more?

By this method it will be seen that the people along the line of the railroad receiving freights at non-competing points are virtually taxed to make up for what advantages the railroad may be deprived of at com-

peting points. Such a condition of things ought to cease. The bill says it must cease; the welfare of the nation says it must cease; the producer and consumer, the miner and manufacturer, the merchant and farmer—all We can not, we dare not grant a less measure of say it must cease. relief than the Reagan bill proposes.

Interstate Commerce.

SPEECH

HON. WILLIAM P. HEPBURN.

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES.

Thursday, December 11, 1884.

The House having under consideration the bill (H. R. 5461) to establish a board f commissioners of interstate commerce, and to regulate such commerce—

Mr. SPEAKER: In my judgment there is no question that has occupied the attention of this Congress which is so important as this one, nor is there any in which the people of this country are so greatly in terested. For more than ten years it has been the subject of frequent discussion inside and outside of these Halls. There is no doubt but that the Congress has the right and power to enact remedial legislation that may be necessary, or that the great question of transportation—the shipment of the labor products of the country, with all of the interests connected therewith—is too near an object of interest to the people of this country to be left in the hands solely of one party.

ple of this country to be left in the hands solely of one party.

The object to be attained is, first, fair, reasonable, and uniform rates; and second, equal privileges. In many of the States these objects have been attempted through schedules of tariffs enacted by the legislatures. In the State in which I reside, more than ten years ago it was attempted to accomplish these objects by the establishment by law of tariff schedules. Experience showed that it was entirely impracticable to accomplish this object in this way. We know in the analysis of the thing which we call transportation that there are more than forty elements of cost, and it is not possible to find cases arising on different elements of cost, and it is not possible to find cases arising on different roads where these elements are found in the same proportion. The differences in grades, the difference in volume of traffic, the differences in the cost of construction, the differences of climate, the differences in the regularity with which shipments are distributed East and West the regularity with which shipments are distributed East and West or North and South contemporaneously—all of these elements, with many others, enter so largely into what may be a just rate as to make it impossible, in my judgment, by inflexible statutes to effectuate justice both to the shipper and to the carrier; so that in all of the States, I think, perhaps with one exception, the idea of regulation through these means has been abandoned, and we are compelled now to look to other remedies

It is admitted that in many cases imposition is practiced by the carrier. Rates are often exorbitant, or they are fluctuating, or the privileges are not the same to all of the shippers. Privileges are granted to some that are not granted to others, thus giving to one man advantages in trade that another can not have, resulting in bankruptcies in tages in trade that another can not have, resulting in bankrupteres in some cases, and in others driving men from a chosen vocation and introducing such disturbances in business as are felt throughout entire communities. These conditions ought not to exist. Every shipper is entitled to a fair and reasonable rate, to uniformity in rates—that is, to know that the rate of to-day is not to be suddenly and ruinously increased—and to equal privileges as to time, cars, expedition, &c., under the same circumstances.

I have already said that in my judgment there ought to be a remedy, but the subject is of such a character and the interests are so great and of such diverse nature that we ought to approach it with very great care, lest, while we try to enhance, or improve, or protect the in-terests of the shipper, we destroy still other interests with which the prosperity of the country and its commerce are so closely interwoven. In the State in which I reside, when the attempt was made ten years ago, through the adoption by statute of a schedule of tariffs to effect this

remedy, it resulted in the almost total stoppage of construction of railways; so that during four years of the existence of that statute but little more than half the mileage was built as during the year preceding the passage of the statute, or the third year after its repeal. Men were unwilling to invest their capital in enterprises of this character where it was to be jeopardized, as it had been from the operation of an impracticable and ruinous statute. So that the people of the State, in order to secure the continuance of railway building, were forced to reorder to secure the continuance of railway building, were forced to repeal that statute and to resort to an entirely different system of control. We have now offered to us in the bill reported by the Committee on Commerce a system of control primarily through a commission. In the substitute offered by the gentleman from Texas we have offered a series of assumed remedies that are to be enforced by the courts by the ordinary processes and methods. In my judgment, the courts unaided can not afford adequate remedies. There are, perhaps, many provisions in the substitute of value if they could be enforced. But it is in the enforcement of these provisions where the great difficulty will in the enforcement of these provisions where the great difficulty will be experienced. For example, it is provided that rates shall be reasonable, and if a shipper is overcharged, if he is charged an unreasonable rate for a service, he may recover triple damages, and in cases of

willfulness he may have other recoveries. But in order to secure his remedy he must sustain the burden of proof. He must furnish the witnesses—witnesses who are from their knowledge of the subject at

issue competent to speak.

Now, it is a truth that those persons who would be most competent to speak as witnesses, those familiar with all the facts, those who know all about the elements of cost that enter into a given shipment, are upon the other side of the question. He has no one who is able to speak and whom he can call as a disinterested and dispassionate witness. How is he to establish the fact that the rate which was charged was an unrea sonable rate? Suppose he calls his witness to the stand, and the witness says, "This rate is an unreasonable one." He is subjected to a cross-examination: "How do you know, sir?" Perhaps the answer would be, "I have compared it with other shipments upon other roads." be, "I have compared it with other shipments upon other roads."
"Well, sir, do you know what the grades of that road are as compared with this? Do you know what are the effects of frost and snow upon the state of that road as compared with this? Do you know how its traffic is distributed as to seasons of the year—whether or not it can use its cars continuously both ways of its traffic, or whether half of the time it has to haul its cars empty?" And so on to the end of the chapter, testing his knowledge as to cost of building, equipping, maintaining, and op-

The witness, doubtless, would have to answer that he had no information at all upon subjects of this kind; that he was not an expert or a specialist. Then how would it be possible for the suitor so situated, without expert testimony, to establish the proposition that the charge made by the carrier was an unreasonable one. And without doing this how could he maintain his standing in court? I insist, sir, that this difficulty is an insurmountable one in the great majority of cases. It is one that every man familiar with the methods of the courts will

recognize and appreciate.

It seems to me that the provisions of this bill simply invite litigation; that they will flood our courts with innumerable suits without accomplishing any good for any person, except possibly the man who may institute the suit as an attorney, enabling him to secure from the railway company certain facilities for himself. The promise of the law is triple damages, and in some instances unusual costs-personal expenses and attorneys' fees. We know that in almost every county in every State there are practicing attorneys—men with little practice—who are constantly on the watch for this kind of litigation, who will institute a suit for an interest in the possible recovery, sometimes with no other expectation than to familiarize themselves with practice or bring themselves before the public. In some instances they would engage in this litigation with the hope of gaining from the defendant carrier an advantage for themselves alone, without any thought or care as to the effect of their counsel or action upon the interests of the man who, for the time, has given them employment.

I remember an instance in my own State. Under the statute that I

have spoken of as having been repealed some years ago there was a provision authorizing a recovery in cases where a charge in excess of the statutory rate was made. An attorney brought a number of suits against a railway company, alleging in each suit an overcharge. Those suits have been standing upon the docket for several years; and the only cost to the corporation (they having investigated the matter and having found it was cheaper to pursue the course they did) was to give to the attorney who brought the suits an annual pass, which enables him to travel free over the road when and where he pleases. This species of "blackmailing" would in very many instances be resorted to and the dockets of the courts would be flooded with this class of suits, suits that would result in no good to the suitors, who were deluded into becoming plaintiffs and would only serve to harass the defendants into a resort to the questionable, reprehensible means that I have referred to. We ought not to invite men to this feast of unproductive litigation. It is not sound policy to do so, and it is a mockery to call this course a remedy for the evils for which the people de-

mand a remedy.

If we really desire to give by law a remedy, let us amend and then adopt the bill of the Committee on Commerce. It proposes to establish a commission of three, to whom all men aggreved by an interstate carrier may make their complaint. This commission must be composed of men who thoroughly understand the transportation question, men who are experts, men who have practical knowledge as to all the elements of cost in transportation, and who, under the provisions of the bill, may have access to the carrier's books, and may summarily examine the carrier's officers and servants, and this, too, without trouble or expense to the complainant. He but makes his complaint; the commission then takes the matter up; it becomes his champion in the investigation of his wrongs; it searches for witnesses if they are needed, and examines them with the intelligence of men thoroughly informed, and with the impartiality of men executing an important and honorable and with the impartiality of men executing an important and nonorable public trust. The commission, after the most searching and intelligent investigation, makes a report of its findings of fact, which, under the bill as it now is, furnishes the basis of future proceedings in the courts. These provisions are wise and helpful to the suitor, even if they went no farther, for he, under the committee's bill, still has his resort to the courts if he is so advised, but with this great advantage, he has the

opinion of learned experts as to whether or no he has a meritorious case, entitling him to judgment.

Now, Mr. Speaker, with a very few amendments we could, in my judgment, greatly add to the merits of the committee's bill. Let us increase the number composing the commission to nine, appointing one from each judicial circuit. This larger number would diminish the possibility of the commission being dominated by railway influence, and by distributing the members to each judicial circuit would increase the information in regard to local necessities and influences that bear upon questions in dispute. Then by an additional amendment that would in all court proceedings give to the report of findings of the commission the status of prima facie truth, we would effect a change in the burden of proof that would give to the wronged complainant at least an equal standing in court. Under the substitute of the gentleman from Texas the complainant has the burden of proof, which from the nature of the controversy, and from the fact that competent witnesses are in the interest of his adversary, he can not meet. Under the other bill, amended as proposed, in all the court proceedings the burden of proof would be as proposed, in all the court proceedings the burden of proof would be changed. The report of findings would establish the complainant's case. It would entitle him to a recovery of all his actual damages; and in case the wrong complained of is found to have been willful or continued after notice to desist therefrom, then he may have judgment "for costs, charges, counsel fees, expenses, and disbursements," unless the carrier is able to disprove the truth of the findings of the commission.

I shall seek at the preparation. Mr. Speaker to have the bill amended

I shall seek at the proper time, Mr. Speaker, to have the bill amended as indicated, and with these amendments how much simpler would be the remedy offered to the wronged shipper. In the one case he is invited to a legal contest of the most unequal character. Often he is without adequate pecuniary means; without competent counsel; without judicious advice as to his mode of procedure; without competent witnesses, and with the burden of proof resting upon him. In the other case he is furnished a wise, honorable commission to inquire into his wrongs; to ascertain his grievances; to advise him as to his remedy; to testify in his behalf, if he has been wronged; and to shift from his weak and incompetent shoulders the burden of proof and cast it upon his ad-

The fourth section of the substitute prohibits the carrier from charging a greater sum for a shorter distance than it charges for a longer distance. In other words, it says, in effect, to the carrier between Chicago and New York, "You must not charge less from Chicago than you do from points lying between Chicago and New York." "If you charge \$75 per car from Fort Wayne to New York, then you must not transport a car from Chicago to New York for \$50.'' The rate from Fort Wayne may be entirely reasonable. It may give entire satisfaction to the Fort Wayne shipper; still from Chicago to New York, being the greater distance, the rate per car shall not be less than \$75, if that happens to be the rate from Fort Wayne to New York. In order to get the business at Chicago, at the assumed rate of \$50 per car, the shipper is compelled to give at least as low a rate to every shipper at each intermediate point on his line.

I believe this provision to be most unjust and unnecessary, for it must be borne in mind that the prior sections of the bill provide for securing be borne in mind that the priorsections of the bill provide for secting to the shipper from the intermediate point, as well as all others, a reasonable rate. Might we not pertinently inquire, "If the shipper at Fort Wayne has a rate that is reasonable, that is satisfactory to him, what business is it to him what lower rate the Chicago shipper receives?" Justice is done him. He obtains all that belongs to him. Why should he be concerned that his neighbor, who labors under the disadvantage of living at a point more remote from the seaboard, from the rivalries of carriers, from the greater volume of traffic from Chicago, or from the better terminal facilities furnished by that city, gets a rate that per-haps but simply covers the cost of handling his freight.

The State of Iowa is largely an agricultural State, and her rich fields yield an immense product beyond the possible consumption of her people. Her immediate market is the city of Chicago. Into that people. Her immediate market is the city of Chicago. Into that market she sends each year her fat cattle, numbered by many tens of thousands; her fat hogs (and their product), numbered by millions; her corn and wheat and other cereals, measured by tens of millions of bushels. The market of Chicago is all-important to the people of Iowa, and they are interested in the ability of the merchants of Chicago to pay the highest price possible for this immense surplus production. Whatever diminishes the power of the Chicago merchant to pay this highest price is a stab at the most vital interests of my State. Chicago is more than a thousand miles from the seaboard cities, to which at least 90 per cent. of all the products of Iowa in the end find their way; and it is their price at this ultimate market—the seaboard cities—that establishes the price given by the Chicago merchant to the Iowa

Hence, the rates of transportation between Chicago and Eastern cities is a matter of the highest consideration to us of Iowa. Chicago, because of the almost fabulous amount of freights that she furnishes; because of her unequaled terminal facilities for handling them cheaply and expeditiously; because of the large number of hostile and rival railways leading from her huge elevators and stock-yards eastward, and because she has during eight months of the year a water route to tide water, is able to secure for her shipments rates of transportation of an exceptionally

low character. These low rates inure to our benefit. In proportion as they are increased or diminished so are the prices paid to us increased or diminished. If you compel the railroads to charge the Chicago shipper more for transporting the product he buys from us, he will protect his interest by paying us a less price for what he buys from us. We are uninterest by paying us a less price for what he buys from us. We are unwilling that this should be done. And yet it is the result that must follow this legislation. No one believes that the rates from the intermediate point will be lowered to correspond with the terminal rates, but that the terminal or competitive rates will be raised. And it is that selfish end perhaps that is desired. Communities residing near the sea-board have great advantages over the people of my State because of their proximity to the great markets.

Our lands are as productive as the best; our people are as industrious, as frugal, and as skilled in agriculture as any to be found; yet the farmer near the Atlantic or the Gulf can produce twice the va from each acre that we can, simply because of his location. Is not this enough? In addition to this advantage of location must you take from us the slightly compensating advantage we obtain from the carriers because of the "long haul" they make for us. The principle on which this section is based is that of distance. It is the only factor considered, and if you carry it out it results in increasing the value of lands near tide water, and correspondingly diminishing the value of our lands. If distance is the only factor to be considered, then all of our products must be condensed in bulk in order to bear the charges of transporta-

tion to our ultimate market, or we must be ruined.

There are roads leading from Chicago eastward that are given great advantages by this section—those that connect with the roads through Canada. Those lines can defy the provisions of this bill and, because of the slightly lower rates they may give, divert the business from our own roads and deprive the roads running through the States of all of the Chicago business, crippling them to such an extent that the less rates sought to be secured to the intermediate station can not be given; for it certainly is true that as the volume of business done by a road is diminished its ability to do it cheaply is diminished.

I am not one of those who believe that pooling is necessarily and always harmful. On the contrary, I think pools in many instances beneficial. The objects to be sought by this class of legislation are not only reasonable rates but uniform rates. The shipper is greatly interested in uniform rates, not simply uniform as to person but uniform as to time! There are many business enterprises that must be carried over months They can not be undertaken to-day and completed to-morrow, but weeks and months must elapse before they can be carried to successful ending. In order that they can be intelligently undertaken a knowledge of prospective rates of transportation must be had. Constant fluctuations in rates preclude this knowledge, and constant fluctuation is the rule where pools are inadmissible. Carriers become overeager to secure business, and offer undue advantages. These in turn are met by still lower rates, or by secret promises of drawbacks or rebates. And then follow disastrous wars in rates-wars that are disastrous to stockholders, and often most disastrous to shippers. In many instances these fluctuations in rates are as harmful to individuals, if not to entire communities, as exorbitant rates are. I can point to instances, many in number, where men possessed of skill in business, of large experience, and abundant means for the ordinary pursuit of their business, were ruined by these fluctuations in rates.

Many gentlemen who hear me may remember that a few years since the roads leading from Chicago to Missouri River points engaged in one of these wars. It was carried to such an extent that car-loads of cattle and hogs were carried from the Missouri River to Chicago for \$1 per car. The result was that all cattle and hogs tributary to these points were hurried to the Chicago market without much regard to their condition, entirely breaking down prices because of the glut of the market. I knew many men doing business at interior points in Iowa and Missouri who months before had made purchases of cattle and hogs to Missouri who months before had made purchases of cattle and hogs to be delivered at this time. They had to receive them, they could not hold them, and were compelled to throw them on the glutted and overcrowded Chicago market, to their utter and complete financial ruin. I am fully persuaded, Mr. Speaker, that these men, at least, with their bitter experiences, flowing from a want of uniformity in rates, would not approve of legislation that would prohibit stability in rates by pro-

hibiting pooling.

But, sir, the substitute of the gentleman from Texas does not prohibit or propose to prohibit all pooling. It only prohibits money pools. Combinations to keep up rates do not meet with its disapproval. Now, sir, if there is anything objectionable of this nature it is such combinations.

The public have no interest in the disposition of the money, tions. The public have no interest in the disposition of the money, but it has in the unjust combination by which the money is secured. If the policy of prohibiting combinations for securing rates is to be adopted, then it should not be confined to those alone where the resultant money is divided among the members of the combination. One of the objects that ought to be desired is the prevention of discriminations—not simply discriminations between the patrons of a given line, but between the shippers at a given point. Pooling prevents these discriminations. But here there is rivalry, and each carrier is doing the best possible for itself; the patrons of one road may for a time secure advantages; discriminations are made in their favor by the road they patronize over the patrons of another line. These may not exist for a long time, but often long enough to disturb business and give to some ad-

vantages not possessed by all.

I surely would not give countenance to those pools or combinations of any class that are entered into for the purpose of exacting exorbitant rates. All such are at war with justice and the true interests of trade; but on the assumption that a reasonable rate is secured, then, in my belief, combinations or agreements by which uniform, continuous rates are secured are not open to criticism. If all men have justice done them by securing a fair equivalent for the money they expend, I can not see how they are concerned in the final distribution of

We have been told during the course of this long debate that no leg-"commodities," is obedient to the laws of supply and demand, and that effectual remedies are to be secured through competition. These gentlemen must forget that at much the greater number of points in this country there can be no competition, because there are no competitors; that much the larger number of points have but one carrier. Again, they fail to remember that competition is the exception when combination is possible; that interest and experience lead in the direction of combination. With the undoubted power that the Congress rection of combination. With the undoubted power that the Congress has to effect remedies by legislation, the inviting of competition through the building and operation of new lines of railway parallel to each other, in my judgment, is not in all instances the part of wisdom. The ability to carry cheaply is largely dependent upon the amount of freights to be carried. The company that moves fifty trains of loaded cars each day can do business much more cheaply than the company that moves but five trains, other things being equal. So that it often happens that increasing the number of carriers diminishes the power of all to carry at low rates

Suppose that a given city has one line of railway that has the capacity to do all of the carrying trade of that city. Having it all, an amount that tests its capacity to the utmost, it can do the business at very low rates. Another parallel road is built. It does not increase the business to be done, nor does it increase needed facilities for doing the business; but it does decrease the capacity to do the business cheaply. Now, two sets of general and local officers are necessary, two tracks are to be kept in repair, the interest on the cost of two roads has to be earned—in short, very many of the expenses are doubled. The business is divided, and in order to earn a fair interest on the investment and to pay operating expenses, the first road is compelled to increase its charges. Is it not true that by unwise methods, striving unwisely for relief, adopting among others these false ideas of competition, and striving for the means with which to compete-rival parallel roadswe have in many instances put it out of our power to obtain those low rates that the necessities of those parts of the country that are remote from the great business centers so persistently and rightfully demand?

I have not the time, sir, to discuss all of the features of these two bills. I do not believe that either will accomplish all that is desirable.

The difficulties in the way are many. I believe that it is the wish of the friends of both measures to do complete justice to all parties, but I have a decided preference for the committee's bill, if it can be amended

in the manner I have suggested.

It has been suggested that a commission such as is contemplated by the bill of the committee would be the creature of the railroads. I do not believe this to be true. I have no sympathy with the man who thinks that in all of this land nine men can not be found of the needed intelligence, virtue, and firmness to execute this great trust. He who has so poor an opinion of his fellow-man must have the privilege of looking inwardly upon a very corrupt scoundrel, and gathered his

knowledge of men from most unfortunate companionship.

It is my belief that if this bill becomes law there will be selected a commission from our most eminent men, men who are wise, honest, and courageous, and who would be inspired by a laudable ambition to solve the vexed questions involved in contentions between the people and the carriers; who would see to it that each party secured its full measure of justice-the people securing their transportation at rates that were reasonable and uniform, each man getting equal service as to time and expedition, and the carriers securing their just compensation on such terms as would do away with the ruinous traffic wars that are destructive not only to the uniformity of rates but the interests of stock-

This commissioner system where it has been tested, has been of benefit. It may not have done all that its more impatient friends have expected or hoped for, but it has proven itself to be a long step in the right direction, and has inspired its friends with hope that, with such additions of power as future observations may show to be necessary, it will within reasonable time bring substantial relief from many pressing ills.

I will, Mr. Speaker, at the proper time, if I may be recognized, move the amendments that I have indicated to the bill of the Committee on Commerce, and, when so amended, strive to secure their passage. But, with the opinions I have of the disastrous effect the provisions of the fourth section of the Reagan bill would have upon the interests of my constituents, I can not give it my approval or vote.

Repeal of Certain Internal Taxes.

SPEECH

HON. GEORGE E. SENEY. OF OHIO.

IN THE HOUSE OF REPRESENTATIVES.

Monday, January 5, 1885,

On the bill (H. R. 5432) repealing certain internal-revenue taxes.

Mr. SENEY said:

Mr. SPEAKER: It is proposed by this bill to repeal the laws imposing internal-revenue taxes upon tobacco, snuff, and cigars, and the special taxes imposed upon the dealers in these articles, and to repeal also the laws imposing internal-revenue taxes upon liquors distilled from apples, peaches, grapes, and all other fruits—and also to authorize distilled spirits, except for use as a beverage, to be withdrawn from bond with-

out the payment of the internal-revenue tax.

It is to be regretted that a measure of so much importance to the country is to be passed upon by the House upon less than an hour's consideration. A measure like this, to be properly understood, should be thoroughly discussed and without limit as to time, except the hourrule of the House. But few of the many considerations bearing upon this subject can be thought of, much less understood, within the thirty minutes allowed for this debate. There is some reason not apparent for considering this bill in this hasty and unusual manner. When, at the last session, a bill for the reduction of the duties upon imports was before the House, time for its consideration was unlimited. More than one hundred members of the House spoke at length upon that measure. Two-thirds of the revenues of the Government were affected by that bill. Fully a month was occupied in its discussion. The entire country was deeply concerned in the debates and awaited with breathles anxiety the final deliberations of the House upon that measure. This bill is no less important. It, too, affects the public revenues, not only upon tobacco and spirits distilled from fruits, but upon spirits distilled from grain. Nearly \$77,000,000 of our revenues, this bill, if made a law, will affect. My information is that the public revenues are growing less and the public debt more. This consideration, without any other, admonishes us that time for reflection and study is necessary. It is not likely that any other measure of finance or taxation will come before the House at this session.

before the House at this session.

The country is looking for no legislation by this Congress on matters of taxation. Upon the next Congress will devolve the duty of revising and reducing the existing tariff duties. Nothing, I insist, should be done at this time that will be in the way of the work expected from the next House. It has been stated that the passage of this bill will reduce the revenues \$40,000,000. This of itself is an unanswerable objection to enacting this bill into a law. Pass this bill, and in the next Congress the law and its expected effect will be urged as reasons why the present duties on imports should not be disturbed. To the extent the present duties on imports should not be disturbed. To the extent that we do away with internal-revenue taxes we can not hope for a reduction in tariff duties.

A reduction of \$40,000,000 of internal-revenue taxation means that the public revenues then will be sufficient to meet the wants of the Government, and, therefore, further reductions in taxation can not be made. There are more than 3,000 articles upon which revenue is Why remove the tax upon two and not remove it upon others, where the tax is equally objectionable and equally offensive? We tax heavily salt and sugar, also the cheaper cotton and woolen goods worn by the poorer classes of our people; why not reduce or repeal these taxes as well as the taxes on tobacco and fruit spirits? When the proper time comes, and surely it is not far off, I will cheerfully vote to reduce,

if not to repeal, the tax on tobacco.

The tax on tobacco last year was \$26,062,399. It bears heavily upon The tax on tobacco last year was \$26,062,399. It bears heavily upon poor men, because as a rule they either chew or smoke tobacco. Tobacco is the poor man's luxury. Habit makes it a necessary, as much so as tea or coffee. Neither tea nor coffee pay a duty, and upon tobacco raised and manufactured in this country there should be no tax. To remove this tax now, and by this bill, may defeat other measures to relieve the laboring interests of the country from oppressive taxation. Now is not the time to legislate respecting this particular interest; nor is it the time to repeal the law imposing a special tax upon the dealers in tobacco. These special taxes amounted in 1884 to \$1,302,926. They are onerous and unjust, and the law imposing them will, as I believe, be repealed in due time. When all taxable interests are before us, then the tobacco interest will, I feel sure, have rightful consideration.

The repeal of the law taxing tobacco, it will be noticed, is specially urged by the friends of the tobacco producer. As I understand this subject the tax is not paid by the producer. The consumer of tobacco pays the tax, and from him we hear no complaint. From what has been said in support of the bill I judge that the friends of the producer do not object so much to the tax as they do to the manner in which the law providing for the tax is executed. If this be so, the real complaint is not against the tax, but against those who have to do with its levy and collection. If the objection is to the tax, the most that the producer can say against it is that it subjects him to some annoyance

The tax on spirits distilled from fruits in 1884 amounted to \$1,023, 350. While the revenue from this source is comparatively small, the policy of removing the tax should have more than a moment's consideration. If distilled spirits are to be taxed no distinction should be made between fruit spirits and grain spirits. The fruit-grower and the graingrower should have equal advantages. In taking the tax off of fruit, or its product, it ought not to be put on corn and rye, or their product. Should this bill become a law, spirits distilled from fruit will be un-

should this bir become a law, spirits distilled from fruit will be that axed, while spirits distilled from grain will be taxed 90 cents per gallon. This legislation will do the grain-growing farmer great injustice.

Repeal this law and a door for fraud stands wide open. The numerous frauds upon the revenue for twenty years past will be as nothing compared with those which will be perpetrated against the revenues should this law be repealed. With two kinds of distilled spirits, allies in appearance and not unlike in taste how; is the difference to alike in appearance and not unlike in taste, how is the difference to be known except by a chemical test? With a tax of 90 cents a gallon ne known except by a chemical test? With a tax of 90 cents a gain on upon the one and no tax upon the other, every cheat in the land would rub his hands in glee. The repeal of the law taxing fruit spirits would set in motion a thousand agencies to defraud the revenues. The market in a short time would be glutted with spirits called fruit spirits, but not distilled from fruit, nor from grain, but made from all sorts of fluids and substances, not excepting the deadly potions kept in the jars of the apothsubstances, not excepting the deadly potions kept in the jars of the apothecary. Fruit spirits, pure and impure, doctored to improve their taste, look, and smell, would be on sale side by side with grain spirits wherever intoxicants are sold. The price of the one would be, say, 30 cents a gallon, or 3 cents a drink, or two for five; the price of the other, say, \$1.20 per gallon, or 10 cents a drink, or three for a quarter. Under laws making such methods possible, how long would it be before the revenue from grain spirits would fall below the amount collected last year? In less than twelve months, in my opinion, the revenue from grain spirits would show a very large reduction. Grain spirits paid \$70,631,860 internal-revenue taxes in 1884. Fortunate will it be if one-half of this sum is realized from this source in 1885 if this bill goes into a law

It would, in my judgment, be far better to repeal all laws imposing an internal-revenue tax on distilled spirits than to vote off the tax on fruit spirits. While we would lose the revenue that distilled spirits pays we would not make countless frauds on the revenues possible, pays we would not make countless frauds on the revenues possible, and the people would be saved from the fearful pests that are sure to come if fruit spirits go untaxed. In legislating respecting internal-revenue taxation no greater blunder could be made than to relieve the distillation of fruits from taxation and retain the tax upon spirits distilled from grain. As long as spirits distilled from grain are taxed, so long must a like tax be imposed upon spirits distilled from fruit. Competition between these two articles—apparently alike and for general purposes, the one satisfying as well as the other, differing in cost as 1 to 4—all experience and observation teach wrong if the cheapest does not hold the trade and the dearest be forced from the market.

The repeal of the law taxing fruit spirits would as I believe, greatly

The repeal of the law taxing fruit spirits would, as I believe, greatly impair all values invested in the business of distilling spirits from grain. The price of grain spirits on hand and for sale would be greatly reduced; indeed, it would be doubtful whether they would sell above the tax. Should we pass this bill, before the year closes there may be a necessity for reducing the tax on grain spirits, so that stocks on hand and what may be manufactured will yield some revenue to the Govand what may be manufactured will yield some revenue to the covernment, if no return to the manufacturer or dealer. Spirits distilled from grain will, unless I am mistaken, go down in price upon the passage of this bill. If corn, rye, barley, or wheat fall in price this might remind us that our legislation affects other interests beside those of the fruit-grower. Millions of money are invested in this business. It can not be otherwise than that the operation and effect of this repeal will depresents the value of with reports. depreciate the value of such property. The competition that would ensue between untaxed fruit spirits and taxed grain spirits would work ruin to many who for years have put their time, labor, and money into the manufacture and sale of spirits distilled from grain.

The interest served by a repeal of this tax, in dollars and cents, is too small and too unimportant to take chances on the mischief that may be done to the internal revenues, as well as to the investments of thousands of our deserving people.

There is another interest that appeals with more force for relief from internal-revenue taxation. More than \$18,000,000 of our internal revenue comes from ale, beer, and porter, and from the tax imposed upon brewers and dealers in malt-liquors. The special tax imposed upon brewers and dealers should be repealed. There is no more reason for imposing a tax upon the business of making or selling malt-liquors than for imposing a tax upon the business of making or selling any other article which the people consume. If the dealer in tobacco, snuff, and cigars is to be relieved from the payment of special taxes, why not re-lieve brewers and dealers in malt-liquors from the payment of the same

The removal of the tax on malt-liquors would reduce their price to

the consumers. If a repeal of the law taxing fruit spirits will be of benefit to the fruit-grower, a repeal of the law imposing a tax upon malt-liquors would be of benefit to the grower of hops and barley. The one interest is as worthy of our favor as the other. Indeed, as be-The one interest is as worthy of our favor as the other. Indeed, as between the two interests, malt-liquors, especially beer, has more claim to be freed from tax than fruit spirits. The consumption of beer is large, and yearly increases. The lovers of beer are to be found everywhere. Beer is the poor man's drink, and for this reason the price should not be increased by legislation. The general use of this mild and healthy stimulant has lessened greatly the use of distilled spirits as a beverage. The number of gallons of malt-liquors made in 1884 was 759,944,760. The internal-revenue tax was \$17,573,722. Of fruit spirits 1.137.056 gallons were made in 1884. The tax is \$1.137.056 spirits 1,137,056 gallons were made in 1884. The tax is \$1,137,056. What the people consume most should be taxed least.

Before we lessen the cost of apple-jack and peach brandy let us teapen the price of lager-beer. The interest the least deserving ought cheapen the price of lager-beer. not to have the first attention.

But the wrong, if not viciousness, of this measure does not stop here. The bill proposes to relieve from internal-revenue tax all spirits used for medicinal and mechanical purposes. In other words, it is proposed to tax spirits when used as a beverage 90 cents per gallon, and when used for any other purpose no tax shall be imposed. Spirits taxed and spirits not taxed! Distilled spirits are worth when made, say, 30 cents per gallon. Adding the tax, the price is \$1.20 per gallon. This bill aims to put two prices, one low, the other high, upon the same article. When spirits are to be used mechanically or as a medicine, the price will be 90 cents less on the gallon than when they are to be used as a When spirits are to be used mechanically or as a medicine, the price will be 90 cents less on the gallon than when they are to be used as a beverage. The price of medicine spirits will be 30 cents per gallon. The price of beverage spirits will be \$1.20 per gallon. At the drug store, where spirits are supposed to be sold for medicinal and mechanical purposes only, their price will be 30 cents a gallon, and proportionally less by the pint or single drink. At the saloon, where spirits are sold as a beverage, the price would be \$1.20 per gallon, and less for a less quantity. No saloon would have drug-store spirits, and no drug store would keep saloon spirits. What a revolution this bill, when a law, will work in the business at drug stores and saloons! Drug when a law, will work in the business at drug stores and saleons! Drug stores would become saloons or have saloon attachments, and saloons would be drug stores or have drug-store advantages. The wholesale or retail dealer, of course, might make mistakes in selling taxed and untaxed spirits from the same barrel.

But such mistakes are not likely to occur every time a sale is made. Two casks, one marked "medicine," the other "beverage," kept in different apartments, say, cellar and garret, would surely prevent these mistakes. Of course, every customer wanting spirits would inquire for medicine or mechanical spirits, and would be satisfied with no other kind. If he buys spirits for medicinal or mechanical purposes only, and subsequently changes his mind and uses a part of his purchase as a beverage, he will at once report to the dealer and pay the difference in the price.

Few persons keep spirits at their homes except for medicinal use or for the sake of the arts and sciences. All spirits bought and not used at the place where they are sold would be either mechanical or medicinal spirits. When a pint bottle, a quart flask, or a gallon jug is to be filled there will be no room inside for beverage spirits. When spirits can be bought, upon demand, at 30 cents per gallon, who will pay \$1.20 for a gallon? The man who loves his country more than his own infor a gallon? The man who loves his country more than his own interests may. Large as the number of these patriots may be, little will they add to the revenues and less to the Government conscience fund. The saloonist would certainly be in constant trouble if he could not

sell beverage spirits from the medicinal spirits bottle or medicinal spirits from the beverage spirits bottle. Two bottles for the same article is one bottle too many. There is no difference in the article; the difference is in the bottle and in the price. The saloonist would make many mistakes. Persons drinking at the bar would frequently call for mechanical or medicinal spirits instead of beverage spirits, for no other reason than that the drink is the same, but the price under one name is four times less than under the other. Shakespeare was mistaken when he wrote, "There's nothing in a name."

What proportion of spirits sold for medicinal or mechanical purposes, under this changed law, would be used as a beverage? Who can estimate the quantity of spirits subject to the tax that would be retailed and wholesaled free from tax? He who sells and he who buys have the and wholesaled free from tax? He who sells and he who buys have the greatest temptation before them to wrong the revenues. No rules or regulations respecting this traffic could prevent these wrongs. Which kind, the taxed or the untaxed, would dealers sell the most of? The demand for untaxed spirits would be large. That for taxed spirits would be small. Sales for medicinal and mechanical purposes, for use in the arts, if you please, would largely increase, and for beverages would proportionally decrease.

The friends of prohibition, however, will find little to comfort them in this state of the traffic in intoxicants. The consumption of spirits as a beverage will be no less then than now. The chances are that this consumption will largely increase when spirits can be bought for 30 cents a gallon. All lawyers know the difficulties in the way of enforcing penal statutes and municipal ordinances regulating the traffic in intoxicating liquors. Every conceivable shift and device are used to

evade their operation and effect. With this experience what may be expected under laws taxing intoxicants when sold for one purpose and allowing them to be sold free from tax for other purposes? All accountability is with the seller and the buyer. The seller relies on the word of the buyer. This word is a legal excuse for the seller. The responsibility is with the buyer. His ingenuity will always be equal to the

When intoxicants are to be bought it is as easy to buy them for medicinal use or for mechanical purposes as it is to buy them for a beverage. After their purchase they may be put to such use as the purchaser may prefer. Repeal the law taxing fruit spirits and relieve all other spirits when not used as a beverage from taxation, and the next annual report of the Internal-Revenue Commissioner will show the wisdom or the

folly of this measure.

Repeal of Internal Taxes on Tobacco, Fruit Brandies, and Dis-tilled Spirits used in Manufacturing, Mechanical, and Industrial Arts.

SPEECH

OF

HON. STROTHER M. STOCKSLAGER,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES.

Monday, January 5, 1885,

On the bill (H. R. 5432) relating to duties on tobacco and distilled spirits.

Mr. STOCKSLAGER said:

Mr. Stockslager said:
Mr. Speaker: The objects of the bill under consideration, as stated by the gentleman having it in charge, Mr. Hiscock, of New York, are, first, to repeal all of the internal-revenue taxes upon tobacco; second, to repeal the internal-revenue taxes upon distilled spirits so far as they are used and consumed in the manufacturing, mechanical, and industrial arts; and third, to repeal the internal-revenue tax upon brandies distilled from fruits. distilled from fruits.

The same gentleman estimates the decrease of the revenues of the Government which would be effected by its passage at \$40,000,000. There is, perhaps, no one upon this floor more earnestly in favor of a reduction of taxation than I am. All taxation, in whatever form, is burdensome; but when equally distributed and based upon the propburdensome; but when equally distributed and based upon the property it is the duty of the citizen to bear the burden thus imposed to the extent, and to the extent only, which may be necessary for an ionest, frugal administration of the affairs of the Government. Beyond this I think the Government has no right, constitutional or moral, to go. It has no right to deprive the citizen of his property except for public purposes. Unnecessary taxation is unjust taxation, and unjust taxation is localized where taxation is legalized robbery.

Neither, Mr. Speaker, is there any member of this House more opposed than I am to accumulating a large surplus revenue in the Treas ury. In addition to the wrong done the citizen in unjustly exacting it from him, it withdraws a large sum of money from circulation and is a fruitful source of extravagance and invites all kinds of jobs and un-

necessary expenditures.

But, notwithstanding these facts, and the additional fact that all parties admit we now have a large surplus in the Treasury, accumulated by excessive taxation, I am not willing to begin the reducintimated by excessive taxanin, I am not writing the state of the very last articles which in my judgment should be relieved of such taxes. While we have an annual interest charge of nearly \$50,000,000, and a pension-list which now requires from \$60,-000,000 to \$80,000,000, I for one shall never consent to the removal of \$40,000,000 or any other portion of the tax on tobacco and liquors. They are taxes which are voluntarily paid. They are not in any sense necessaries, but luxuries which do not benefit the citizen and which the great body of the moral people of the country consider absolute evils, and think if deprived of their use entirely we would perhaps be better off. I am, therefore, in favor of collecting from liquors and tobacco the highest amount of tax consistent with an honest collection thereof.

It is the policy of all governments to make these articles contribute liberally to their support. In France it is a great monopoly, yielding liberally to their support. In France it is a great monopoly, yielding large sums to the government, and I believe every civilized government in the world raises a considerable part of its revenues from tobacco and stimulants, including liquors, opium, &c. Besides, we are told by the gentleman from Kentucky [Mr. Thompson] and by other gentlemen that if we allow brandy or whisky to be distilled from fruit free of taxes, all that we consume of distilled spirits in this country will be immediately manufactured from these commodities, and the entire revenue now raised from this source, between seventy and eighty millions of dollars, will be lost. I doubt not this is correct. No whisky or brandy would be made of anything else than fruit, and it would all thus pe taxation. If some regulation could be made which would enable the farmers to distill their own fruit into brandy and put it upon the

market without endangering the collection of the revenues from the large distilleries, and enabling them to commit frauds upon the Government, I should be glad to support some such measure. But, as I have shown, this bill has no such object.

The tobacco tax is about \$25,000,000, all of which the Government would lose and the consumer would receive no benefit from it. I would reduce the revenues, Mr. Speaker, but I would not give the people free whisky and tobacco and high-taxed, high-priced food, clothing, and shelter. That is not my idea of taxation. Early in this Congress I introduced a bill which placed upon the free-list coal, salt, and lumber. And I am glad to say that the honorable Committee on Ways and Means of this House reported a bill at the last session putting these articles, and these only, upon the free-list. It was a part of the Morrison tariff bill, and the whole country knows that a little band of Democrats joined with the Republicans and prevented even a consideration of that bill. The placing of these articles alone upon the free-list would have relieved the people of taxation upon these necessaries. of life to the extent of several millions of dollars. I can not refrain from quoting upon this point from the able speech delivered in this House by Hon. WILLIAM R. MORRISON, on the 15th of April, 1884, when that bill was under consideration:

FREE SALT, COAL, AND LUMBER.

To the list of articles now imported free of duty, amounting to nearly one-third of all our importations, it is proposed to add salt, coal, wood, and lumber. Salt is already freed from tax for fishermen, also for the exporter of meats, to lessen the cost of food to the people of other countries, not for our own; coal is untaxed for use on vessels having by law the exclusive right to the coasting trade, or engaged in the foreign carrying trade—a privilege denied to persons engaged in other pursuits. Such privileges and exemptions should not be confined to the few, but extended to all. It is now more than twelve years since the protectionists themselves, the late President Garfield among them, passed a bill in the House placing coal and salt on the free-list. Since then they have done nothing which so much commended them to the people.

The revenue from wood and lumber imported and hereafter to be admitted free of duty has in the ten years last past not much exceeded \$10,000,000, or \$1,000,000 per annum. If the average duty of 20 per cent. on the imported wood adds but 10 per cent. to the price of that produced here, its increased cost to the people has been \$50,000,000 per annum, or \$500,000,000 on the ten years. In these they are compelled the people to pay \$500,000,000 in bounty to encourage the destruction of forests and the felling of trees; and in the same time we have given more than 18,000,000 acres of land under the timber-culture act as bounty to encourage the planting of other trees and other forests.

To these reductions I would add a reduction of one-half of the tariff

To these reductions I would add a reduction of one-half of the tariff on sugar and molasses, which would lighten the burdens of the people on these articles of every-day consumption-articles of prime necessityabout \$23,000,000. This I would do and do it at once, had I the power, and let the next Congress make a general revision of the tariff.

I can understand the reason why my friend from Pennsylvania [Mr. I can understand the reason why my friend from remissavanta [all. Kelley] is in favor of this bill, ay, of going further and at one sweep wiping out the whole \$121,000,000 of internal taxes annually collected from liquors and tobacco. The distinguished gentleman, in a speech made in Pueblo, Colo., two years ago, was reported in the American Protectionist of September 2, 1882, as making the following statement:

Now the Government wants so much money every year, and if it gets it out of internal taxes it does not want it out of duty; and I want you to bear that in mind. We raised last year \$140,000,000 more than we needed, and hence the result is the corrupt legislation of this last session of this Congress (the first session of the Forty-seventh—a Republican—Congress). They said, Why, we have got the money there, it is lying dead, why not use it? * * * I say those are not only internal taxes, but they are infernal taxes.

"Infernal taxes," because they prevent the increase of the taxation, and consequently to a greater or less extent the increase of the cost, of the poor man's food, clothing, shelter, and other necessaries of life.

The alacrity with which gentlemen who believe as these distinguished gentlemen do support this bill is not at all surprising to me. The

reason for it is given in the first sentence of the above quotation from Judge Kelley's speech:

The Government wants so much money every year, and if it gets it out of internal taxes it does not want it out of duty; and I want you to bear that in mind.

They do "bear it in mind," and it is the key to their action. But They do "bear it in mind," and it is the key to their action. But I am at a loss to know upon what ground the persons who are not so solicitous for the people who use tobacco and whisky, but have a deep solicitude for the great body of the people who are bearing largely excessive and unnecessary burdens for the benefit of a few persons in order that they may make, as the last census shows they do make, 37 per cent. upon their investment, can support this measure.

I know very well, Mr. Speaker, that in certain sections of the country the people have been greatly oppressed and outraged in pretended attempts at executing the internal revenue laws, and the whole system.

attempts at executing the internal-revenue laws, and the whole system has thus become very odious to those people. But, Mr. Speaker, the objection to the whole matter is to the system of collecting the revenue and not to the law itself. This bill leaves all this objectionable machinery in force, and therefore gives no relief to those people. If this bill should become a law, it means an increase of the tariff. Are the people prepared for this? I think not. And I apprehend, Mr. Speaker, that the people who, flatter ourselves otherwise if we will, understand these great questions as they never understood them before, will hold us to a strict account for our action upon this bill. In the firm belief that I am right, and that my action is in the interest of the masses of the people of this country, I shall vote against this bill.

Repeal of Certain Internal Taxes.

SPEECH

HON. WHARTON J. GREEN,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 5, 1885,

On the bill (H. R. 5432) relating to duties on tobacco.

Mr. GREEN said:

Mr. SPEAKER: The bill under consideration, although it comes from the other side of the House, is so entirely consonant to my own feelings that I am compelled to yield it my vote and support.

In fact I take some credit to myself that the proposed repeal of tax on one of the articles enumerated—namely, fruit brandy—was the end in view of almost the very first bill introduced by me after qualifying as a representative of my people. It is House bill 4564, "to encourage the cultivation of fruits." It was so captioned in order to have it referred to a committee in which its fate was not prejudged. It was so referred to the Committee on Agriculture and a favorable report rendered which I had the heavy the results that the combining of the committee of the dered which I had the honor to submit, only three gentlemen of that

The main ground of objection to it was I believe mainly one of jurisdiction—that it should have been referred to the Ways and Means instead of to our committee. I nevertheless held, although but a tyro in parliamentary requirement, a suckling babe in the Manual and the Rules, that reference was final as to jurisdiction. As stated, that view was sustained by a three-fourths vote of the committee.

It failed for want of consideration in the last hours of the last session. Some of the reasons given for such abolishment of the tax on brandy distilled from fruits are set forth in the report which is here partially reproduced. The reasons for including tobacco are equally cogent:

reproduced. The reasons for including tobacco are equally cogent:

Mr. Green, from the Committee on Agriculture, submitted the following report, to accompany bill H. R. 6540:

The Committee on Agriculture, to whom was referred the bill H. R. 4564, respectfully submit the following report:

Regarding all measures of legislation which are calculated to advance or retard the development of any branch or department of agriculture as falling within their legitimate scope of action, the committee, after careful consideration and with due regard for precedents, entered upon investigation of the bill aforesaid as one pre-eminently of the class named. They hold it atomatic that whatever hampers agriculture, the noblest and most important of all the arts, is adverse to national progress and material prosperity, repugnant to the genius of our institutions and the spirit of the fundamental law, and can never be justified except in times of war, and then only by the most imperious public necessity.

whatever nampers agriculture, the noblest and most important of all the arts, is adverse to national progress and material prosperity, repugnant to the genius of our institutions and the spirit of the fundamental law, and can never be justified except in times of war, and then only by the most imperious public necessity.

Your committee furthermore believe it to be self-evident that a tax imposed on any product of the soil, whether in its crude state or on the manufactured article into which it is naturally convertible by the producer to enhance its marketable value, is a clog upon it tending to retard or restrict production of the natural article. It is demonstrable in Egypt, where each individual datebearing palm tree is subjected to a fixed tax. A like capitation tax upon the vines of France or upon the wines would do more to throttle or exterminate the greatest marketable crop of the world than even the dread phylloxera has been able thus far to accomplish.

Your committee can see no greater reason for taxing apple or peach trees, or peach and apple brandy, in the United States, than the grape vines in France or the vine product resulting. The effect of such tax has long been obvious. They hold that the decadence of orchards in sections remote from market is directly traceable to cause assigned.

The committee are unable to see in the insignificant item of revenue derivable from this source a corresponding equivalent for the loss occasioned by it, monetary, sanitary, and dietary. If revenue is the aim, end, and ultimate intent of all justifiable taxation, it may well be asked, Why perpetuate a needless tax on any specific article of the soil, crude or manufactured, which requires a complex, organized machinery and an army of employés to collect it, and at a cost of at least 33 per cent., which gives to the collector and his deputies the opportunity, if it does not entail the necessity, for the exercise of arbitrary and tyramnical powers, unworthy any free people, but especially repugnant to the great Englis

The quantity of fruit which annually rots upon the ground and goes to wasts, owing to bulkiness, perishability, and high rates of freight, would, if converted into compact and durable shape proposed, add tens of millions to the marketable products of the country, and consequently give fresh impetus to its material development. Actuated by these and other considerations, unnecessary to discuss, the committee have reported favorably on said substitute to House bill 4564, and recommend its adoption.

To-day my bill reappears. I recognize my little bantling in the borrowed swaddling clothes of the gentleman from New York [Mr. HISCOCK], and cosily cuddled up with its little twin brother Nicotine. Common consistency, not to speak of parental pride and affection, for-bids a disavowal of my own offspring. It is not to be wondered that its putative father of to-day would like to claim the honor of its pa-ternity, and that in view of recent events, occasioned by the unexpected stop in the turn of the political wheel, his party would not be averse to standing sponsor at the christening. It looks a little unnatural, it must be confessed, that the other side do not object to seeing their cher-ished war child, "Internal Revenue," throttled by this infant Her-celles. While the motive might be open to suspicion, nevertheless I. cules. While the motive might be open to suspicion, nevertheless I, for one, hail their conversion in this regard as an omen of good, and do not scorn their readiness to lend a helping hand. I know full well, my friends across the aisle, as you know too, that survival of "internal revenue" means patronage for us. And yet I say, with due deliberation, choke the war-born hydra.

tion, choke the war-born hydra.

It was your pet yesterday. There are some who would make it ours to-day, forgetting it may be yours again to-morrow. As ours, I would distrust it as a slimy and unclean thing. As yours, that was, or might perchance to be again, I loathe it, and spurn it, and fear it, as worse than the serpentine coil which crushed Laocoon. It is true that Governmental administration is just passing into the hands of the party to which I belong; and as a lover of ancient honesty, rational liberty, and old-fashioned methods, I pray God that the day be distant when the newly acquired scepter shall fall from them again.

But while we would have it so, it behooves wise statesmanship to

But while we would have it so, it behooves wise statesmanship to look possibilities in the face. To realize that more unstable than water, more uncertain than a woman's preference or a jury's verdict, is that most potential element in free States called "popular favor." The party which goes into power to-day with a universal acclaim and flourish of trumpets may be execrated to-morrow and bid step down at the recurring count. Time and again, in recent years, have we seen the proudest pinnacle in the world attained by sheerest accident. An injudicious letter a chance attained by sheerest accident. proudest pinnacle in the world attained by sheerest accident. An injudicious letter, a chance utterance, a Sybarite dinner, excess of the coward's virtue called prudence, these in turn have played their part in unmaking and therefore making Presidents. Nay, worse; a disappointed or venal ward politician can make himself the Warwick of the situation. Truly exclaimed old Mirabeau, "from the capitol to the Tarpeian is but a step." So realizing, it is well for "the party in" to prepare for the possible advent of "the party out"—to clip its nails, draw its teeth, or ham-string it for mischief. The measure under consideration is one of that sort. A patriotic party desires no undue power for itself. It will, though, if it be wise, guard against the repossession of such in an adverse party or hostile faction.

Thus much by way of preface and apology for supporting any radical measure originating at first or second hand on the other side of the Chamber; for my politics are of the Greek-fearing school. We come now to consider the merits of the measure. I start out, Mr. Speaker,

now to consider the merits of the measure. I start out, Mr. Speaker, now to consider the merits of the measure. I start out, Mr. Speaker, with the broad assumption that unless party profession is a hollow cry, neither party on this floor can ignore or disregard any measure looking to rational tax reduction. The necessity for it is admitted by all, whatever the means to be employed. With a redundant revenue of over a hundred millions for each recurring year, it could not be otherwise. For one, I say if it can not be brought about in one way, then let us try some other. No one on this floor surpasses me in espousal of tariff reduction. From my first acquaintance with Jeremy Bentham and Adam Smith proximate free trade has been the creed of my political life. But Smith, proximate free trade has been the creed of my political life. But inasmuch as tariff reform has been relegated to a future day, I am no less the advocate of "internal-revenue" reduction; and especially for internal-revenue modification as regards the mode, system, and man-

ner of collection.

I repeat, Mr. Speaker, give us revenue reduction in one way or another; I repeat, Mr. Speaker, give us revenue reduction in one way or another; for to my thinking an overplethoric treasury is a standing menace to free states. Far better a small deficiency than an overflowing surplus; for recent years have shown in our own history, as all antecedent days have proven in that of older republics, that surcharged money-bags are no less pernicious to the state than to the citizen. In both cases they engender waste and extravagance, fraud and corruption, arrogant assumption in the possessor and truckling venality and subserviency in the dependents, followed unerringly by effeminacy and rot in both.

Under Pericles it was illustrated in Athens; in Rome, under the Cæsars; and in the mediæval republics of Italy under Guelph and Ghibeline:

and in the mediæval republics of Italy under Guelph and Ghibeline; in Holland, Spain, and the Netherlands. Ay, Mr. Speaker, greed next to gratitude is the bane of republics. Redundant money-vaults are the precursors of dungeons. "Magnificent" spendthrifts, like "the Medici," deplete the first in constructing gorgeous works with mosaic pavements; but in building these they pave the way to tyranny.

If liberty be, as I believe, the greatest boon ever conferred on man,

most fortunate is man and state that is not cursed with redundant

Let others exult over ours, quintupled in two-and-twenty years, and expenditures in no wise laggard. To me it is food for gravest thought and most dread apprehension. Poverty and frugality are the handmaidens of liberty; wealth and waste the wet-nurses alike of despots and slaves. Perhaps I have followed the thought too far; but feeling impels to utterance, and drives me to express in most emphatic terms a no less abhorrence for a surplus than nature entertains for a vacuum. So believing, any rational scheme looking to a reduction of taxation and revenue, direct or indirect, shall have my sanction and support, until the lowest amount of the last essential to an economical administration is reached. That mode of collection of the first which most impinges on the freedom of the citizen and the rights of man will ever encounter my sternest opposition. Of that class, Mr. Speaker, I do not scruple to denounce our internal-revenue system of taxation as at present administered in the Southern States as one of the most corrupt and

scruple to denounce our internal-revenue system of taxation as at present administered in the Southern States as one of the most corrupt and corrupting, iniquitous and tyrannical ever yet devised by the ingenuity of man. It is of a piece with the accursed "farming-out" system of old Rome, where the right to tax a province was let to the highest bidder, and that right was hardly circumscribed as to mode and amount which he was at liberty to wring from his wretched victims.

Under either of the two kindred systems the powers wielded by the tax-collector would be dangerous if reposed in the discretion of an Aurelius, an Aristides, a Hampden, a De Witt, a Sully, or a Washington; for, sir, power is indeed a dangerous thing by whomsoever wielded. It is rarely used and not abused, and never lightly yielded. Tell me not of the natural depravity of historical tyrants. The power to be a tyrant, as a rule, makes a tyrant. That power is most freely enjoyed (if not fully given) by the creatures now extorting my—I will not say curse, but "compliment." On the threshold of the throne young Nero wept because he had learned to write and had to sign the death-warrant of a subject. A brief space after the enjoyment of imperial power he wept again, but this time because his native city had not a single neck in order that he might decapitate it with a blow. For twice a thousand years his name has been the synonym for brute, monster, and demon. Had he not been "born in the purple" he might have been the Howard of his licentious age.

Shame, be it spoken, we in this boasted age of liberty and land of freedom have miniature upstart Neros by hundreds, and greater shame we taritly recognize the powers claimed to tyrannize over their betters as

freedom have miniature upstart Neros by hundreds, and greater shame we tacitly recognize the powers claimed to tyrannize over their betters as legitimately conferred, instead of grinding them and the claimants into impalpable powder and scattering their vile dust to the four winds of heaven! Ay, Mr. Speaker, it is alas! too true that the tax-collector of the class described can be, and too often has become, as potential a factor in his little sphere in doing the devil's work as was Nero or Caligula, Caracalla, Commodus, or Domitian in their more extended field of action. I repeat, oh, shame! that Saxon men of the Angle cross should permit these petty and pusillanimous satraps to wield the powers of imperial despots. I shall not waste the time of the House with the supernugatory work of adducing proofs that such is the case. But in the light of day and in the face of Heaven I charge that such is the case—that some of these fellows of "the baser sort," "puffed up with a little brief authority, play such fantastic tricks before high Heaven as should make

the very angels weep."

I arraign them, as a class, of high crimes and misdemeanors, in various ways and repeated instances; of violations of the law a hundred-fold greater than his who distills without license or otherwise evades the payment of the tax which constitutes their pretext for overriding, roughshod, time-honored barriers. I charge them with perjury and subornation of perjury; of duplicity and espionage; of bribe-taking and bribe-giving; of connivance with frauds on the revenue which they are charged to collect; of extortion under threat and intimidation; of insolence of office most offensive and unwarranted; of forcible entry into the sanctity of homes; and, I blush to speak it, of violating, in one at least well authenticated instance in my State, that sanctity in a way most repulsive and loathsome to honest manhood. I charge them with provoking through premeditation and design innocent violations of the law by the ambiguity of instructions, that they might seize upon the property of honest and innocent men. I charge them with persistently tampering with the freedom of elections by bribery or intimidation. And, finally, Mr. Speaker, I charge them with murders many, most foul, and unpro-

If you ask how they elude the penalties attaching to such crimes, I reply, by the most monstrous perversions of law ever yet devised to shield such knaves. They claim, and have their claim allowed, that inasmuch as the offense is committed in the service of the Federal Government none but the Federal courts have jurisdiction of the case. Once there and the Government, by construction, becomes ostensibly their sponsor. The Government counsel are naturally disposed to look with lenient eye on "overzeal" in the Government service, and to relax correspondingly in their efforts to convict. They have even been known to shift about, and from prosecutor to become counsel for the defense. Hence the rogues, as a rule, almost always "go unwhipt of defense.

If I have been correctly informed by one qualified to know, not one of them has ever yet been convicted of capital felony in my State, and it is more than doubtful if in any other, although outraged public sentiment would have hung a score of them. These are grave charges to bring against any class of men, Mr. Speaker, and if unfounded should subject him making them to the contempt of all honest men. Do you ask for proofs? I will not refer you to popular rumor or the public prints. Go seek the evidence for much alleged, and you will find it embraced in reports of special Senate and House committees. Go ask Senator VANCE and Representative SPRINGER for corroboration, and unless I greatly err they will unearth it for you from the depth sof their voluminous reports

Believing, as I do, that such abuses are daily perpetrated under the guise of law, I were recreant to my manhood and sense of duty to my people did I fail to raise my voice against them or scruple to vote for any measure likely to curtail their abridgment or to confine the powers of those claiming the right to perpetrate and to perpetuate them. The bill under consideration is only a step in that direction, but still it is a step. If it can be shown, as shown it can be, that the revenue derivable from this source is out of all proportion to the vast machinery employed for its collection, that it is unnecessary and superfluous, that it is an unjust tax on agriculture, that its mode of collection is tyrannical and inquisitorial, and its moral effects pernicious, in Heaven's name, I ask, upon what ground can it be justified or defended?

A fig for all of your glittering and plausible dicta as to the propriety of taxing luxuries. None will deny that, other things being equal, luxuries as a rule are the most legitimate objects of taxation. But, Mr. Speaker, there is one luxury, and the greatest of them all, that ought to be as exempt from tax as the air of heaven, the water of the earth, or the light of the sun. True, it is a luxury which, in every age of the world, like other luxuries, has been enjoyed by precious few of our fellow-mortals, but in our day it is supposed to be the special and almost exclusive birthright of the great English-speaking race in every quarter of the globe. Unlike most luxuries its name is one most hated of tyrants and revered by freemen. The name of this precious and priceless luxury is liberty. No tax-law which infringes her domain shall ever receive my sanction or support. I trust that it has been shown that the internal-revenue laws as administered are a tax on liberty, or, what is the same, a violation of it. Rather than submit to the slightest infringement of that luxury I would much prefer to be taxed, as I now am, under protest, for almost all the necessaries of life. uries as a rule are the most legitimate objects of taxation. But, Mr. am, under protest, for almost all the necessaries of life.

Yea, Mr. Speaker, let not the tax-gatherer lay so much as his unhallowed little finger on that precious muniment transmitted by my fathers. If he attempts it, be he functionary of high or low degree, he does it at his peril. Some five score years and ten ago, Mr. Speaker, a trite but euphonic aphorism was born in this good land of ours to justify the taking of arms against recognized authority; or, to make it plain, to

extenuate rebellion.

Popularized by passion, it flew from mouth to mouth with the rapidity of tongued flame on the grass blades of the prairie. It was heard in the shop and in the field, from the pulpit and the rostrum, in the marts of commerce and in the schools, and in the highways and the byways, until at length it became the slogan of a mighty revolution, surpassing in beneficent results all the struggles of recorded time. The cry went up, "Taxation without representation is tyranny."

The times, Mr. Speaker, call for a paraphrase of that now universally admitted truism, and here it is: "Taxation without occasion or neces-

sity is no less tyranny, and the party which imposes it no less a tyrant and a robber."

The tax considered in the bill is most undoubtedly one of the class named. In behalf of thousands of honest men and good citizens, who are endangered by its continuance, I implore its abrogation. In the name of outraged personal liberty we ask relief; in the name of justice we demand its repeal. Convinced of the truth of allegations uttered, will any turn a deaf ear to the cry of distress of an outraged people covered by a common flag and entitled to the benefits of a community of laws? I can not believe, Mr. Speaker, that any here present will withhold redress, because there is not community of suffering. I scorn to think that, because exempt themselves, they can look with callous and indifferent eye on the wrongs endured by less fortunate countrymen. Gentlemen of the North, full well I know you feel it not—this outrage and oppression to which others are subjected. With you the tax-gatherer is the servant of the law and keeps within the pale of the law. With us he is above the law, or rather his lordly will and pleasure is a law unto himself.

You have a wide field of selection, whichever party is in power, of intelligent citizens and honest men, from which to select that august individual. The field of choice is sometimes circumscribed with us to political adventurers, tricksters, and time-servers to their superiors, but tyrants, as I have said, to those with whom they dare play the

tyrant

Ask yourselves whether such creatures, envenomed by the conscious contempt of their fellow-men, are fit depositaries of power rivaling that of a Roman proconsul or an Oriental rajah. If, as I hold, through mistaken views of the connection subsisting between our two systems of

taxation, it is impossible to sweep the entire swarm away, let us do the next best thing and abridge the vile brood to the full extent permitted by the bill under consideration. The loss to the Government of the few millions of revenue is a gain to the people of my own and sister States incalculable in dollars and cents. It is a resumption to that ex-tent of endangered liberties and suspended franchises. It is a new birth to waning loyalty. It is an assurance to the sufferers and a rebuke to their would-be masters. Tell me not, Mr. Speaker, that a paltry peck or so of yellow dust outweighs these priceless boons. Blessings so weighed will ere long cease to be blessings to those exacting as well as to those furnishing.

One other thought, Mr. Speaker, and I have done. The fear exists with some that a reduction of the excise tax begotten of war necessity implies the necessary and indefinite continuance of the onerous war tariff. Could anything be more fallacious? Eliminate from the budget the hundred millions or so derived from the entire excise tax, and which in effect constitutes our present surplus, and then reduce the tariff by the horizontal scale to the average 15 or 20 per cent. contemplated by the Morrison bill, or even to 40 or 50 on some articles by a discriminating tariff schedule, and I have read the teachings of finance to little purpose if instead of reducing you do not increase the revenue derivable. pose if instead of reducing you do not increase the revenue derivable from customs duties. Take, for example, the items of woolen and cotton goods, steel rails, and sheet iron, now yielding virtually no revenue, owing to our prohibitory tariff on such articles, and reduce the tariff rates to that point where foreign competition could enter, and a fool, though blind, is bound to see that instead of diminution there must be

an accretion of revenue from those several sources.

Syllabus. John Smith wishes a pair of coarse blankets, costing in Scotland \$2 a pair. He can not get the Scotch blankets here because the custom-house gates are closed against them, owing to the 100 per cent. duty (proximate) which they would have to pay if entered. But still he pays to the home manufacturer the natural cost of the American blankets and the tax required to keep the foreign out. Reduce the tariff tax to that point which would enable the Scotchman to bring his in, say to 50 per cent., and is it not obvious that both Smith and the Government would thereby be a dollar better off—the first by saving what he would otherwise have had to pay to the home manufacturer, owing to the absence of competition, the last by the tax which Smith has now paid to the Government instead of the manufacturer? Again, the Baltimore and Ohio Railroad requires a thousand tons of steel rails. an accretion of revenue from those several sources now paid to the Government instead of the manufacturer? Again, the Baltimore and Ohio Railroad requires a thousand tons of steel rails. They would cost in Wales, if I have been correctly informed, about \$18,000, and, naturally, delivered in New York not exceeding \$20,000. But, Mr. Speaker, the Welsh or English rails are not to be had in New York for the reason that the Government has forbidden their importation as effectually by a prohibitory tariff tax as if it had imposed the penalty of decapitation on the importer. The railroad is driven to buy the American or home-made rails, and to pay \$32,500 for them. Assuming that the figures are correct, is it not as obvious as the full moon of a starry night that the Baltimore and Ohio Company pays \$12,500 of a starry night that the Baltimore and Onto Company pays \$12,500 tax to the American manufacturer of steel rails, but not a stiver to the Government? Let us now suppose that the tax is reduced to a figure, say one-half of what it now is, and the door thrown open to the European competitor, does it not follow as the night the day that the purchaser would save some five or six thousand dollars in tax to the home manufacturer, and the Government at the same time realize something like the same amount in the way of tax from customs duties? In view of the illustration, which is incontrovertible, who dare gain-say my proposition that the direct-tax system can be abolished root and branch, the indirect reduced, and the revenue maintained or even increased? So, off with the head of this objection to internal-revenue reduction or repeal. But if these luxuries must be taxed, and for one I am not stiff-necked about it, why can not the end be attained by

Take my own State, Mr. Speaker, and let the amount of tax and stealage wrung from her by the gentlemen of the revenue department on the three taxable articles be diverted from Mr. McCulloch's receptacles and the pockets of the rogues and turned into the State's coffers, and I will agree to take the job, and pay a good bonus for the privilege, of carrying on the State government as now administered, support a munificent system of common schools, maintain a university or two, besides a home for disabled confederate soldiers and an orphan asylum, and relieve every other article in the State of one iota of taxation. Here is a fair proposition: if the tax must be imposed let the sheriff

collect it.

Is it not equally plain that if the people are relieved of taxation on all other articles for State, county, and municipal revenue, that they could the better afford to submit to the requisite amount of indirect taxation which is required to carry on the General Government?

Is it not equally plain likewise that if the revenue official is divested of his Federal cloak of panoply and power he would quickly abate his august and insolent pretensions; that if left to State officials the cost of collection would be but a fraction and the stealage not a tithe of what it now is? I trust Mr. Sneaker that in these rambling remarks what it now is? I trust, Mr. Speaker, that in these rambling remarks some thought has fallen fit for reflection. If so, let us trust that the House will chew the cud, and that good results will follow.

Internal Taxes on Tobacco.

SPEECH

HON. WILLIAM W. BROWN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 5, 1885,

On the bill (H. R. 5432) relating to duties on tobacco.

Mr. BROWN, of Pennsylvania, said: Mr. Speaker: I shall vote for the bill under consideration with Mr. Speaker: I shall vote for the bill under consideration with some reluctance. First, I am not certain that the revenues of the Government should be reduced, and, second, whether, if there should be any reduction, the reduction proposed in this bill does not go too far. If we were not about to have a change of administration, and that change in favor of the party of "revenue reform," so called—which means, as I understand it, a general assault upon customs duties—I would unhesitatingly vote against the bill. I would do so for the reason that I do not believe the income of the Treasury is a dollar too large. Pay the soldiers the pension which common honesty and a decent regard for the great service they have rendered their country demand, build the Navy which prudence dictates, provide for the construction of needed

the great service they have rendered their country demand, build the Navy which prudence dictates, provide for the construction of needed public buildings and improvements, and pay the balance upon the national debt as fast as it falls due or becomes payable, and it will be found that the surplus will not be troublesome.

But, sir, I know full well that there is to be a general demand by the majority for a reduction of import duties as long as there is the least show of excuse in the nature of surplus. The "surplus" is the ghost that haunts the incoming Democracy! It is a matter of which they know but little experimentally, and in some way it must be removed from their sight. Shall it be done by taking off the internal-revenue tax, or by a reduction of duties upon imports? This is the question I am compelled here and now to decide. To my mind it is only a choice between two evils. Of the two, the latter seems infinitely the more damaging to the people of the country than the former. Indeed, I think it can be clearly demonstrated that there is greater need of increasing duties on clearly demonstrated that there is greater need of increasing duties on importations—if the general good is to be considered—than of reducing them. I attribute the present depression in business in this country, whereby thousands of laborers are thrown out of employment, entirely to the too great importation of cheap goods and cheap labor-which are exactly equivalent-and to the almost universal fear entertained by capital that the door is to be opened still wider for their advent. Induce the people to believe that they are to manufacture their own goods by their own laborers and with their own capital, and the matchless prosperity that preceded "tariff tinkering" will spring into full vigor again before the end of January.

Repeal of Certain Internal Taxes.

SPEECH

HON. WILLIAM C. OATES.

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 5, 1885,

On the bill (H. R. 5432) repealing certain internal-revenue taxes.

Mr. OATES said:

Mr. Speaker: I shall vote against the bill, first, because I do not like the source from which it comes—the Republican side of the House, and without the sanction of any committee of the House; secondly, because I am opposed to repealing nearly all the internal-revenue duties and retaining all of the machinery and agencies for their collection. The Republican side of this House is almost without exception in favor of retaining the tariff at its present high rates, and the prime object of the bill under consideration is to so reduce the revenues as to render tariff reduction impracticable. I am in favor of a thorough revision of the tariff laws, which will be done at the next session of Congres

I am in favor of fixing the rates of tariff duties, as a rule, at the difference in the cost of production abroad and in this country, and I believe that from such a tariff a greater amount of revenue will be derived than from the present laws. Then I will vote to totally repeal all internal-revenue laws. I had rather vote for such a repeal now than for this bill. The only reason why I do not now favor a total repeal is that it would produce a deficiency in the necessary revenues of the Government. I hope, however, that the time will soon come when the whole system will be wiped out. Interstate-Commerce Bills-Some Discursive Observations.

SPEECH

HON. CHARLES A. SUMNER.

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 16, 1884,

On the bill (H. R. 5461) to establish a board of commissioners of interstate commerce, and to regulate such commerce.

Mr. SUMNER, of California, said: Mr. SPEAKER: All who have spoken thus far in this debate appear to agree that some legislation should be had with reference to the subin hand. The general concession is that public sentiment justly and imperatively demands action on the part of Congress in the premises. Even the gentleman from Pennsylvania [Mr. Boyle], who in an able and candid speech presents objections to both pending measures and states why he can not support either of them, does not hesitate to imply that he would lend his sanction to a bill wisely designed to control in one or more particulars the matter of interstate commerce by railroad transportation. If we venture to assert or suspect that any gentleman here announced favor for the main proposition with the view and intent of securing a vantage-ground for more effective criticisms, for closer fulcrum of obstruction, it should not detract from the emphasis of congratulation at this time. For this dissimulation would be good testimony at this time. Here is a House of Representatives almost unanimous in its declaration that there should be Congressional legislation in some manner supervising and regulating interstate railroad traffic. There has been a majority heretofore but not such unanimity. Here is an advance, brought about by the public sentiment which exists and which it is believed will rapidly extend and deepen because of the enlightenment springing from this discussion.

Many of us can recall the time—long prior to the formal consideration of this topic in Congress—when in a few of the States it was vainly sought to obtain a full and patient hearing before legislative committees on the proposition of limiting tolls upon railroads within the boundaries of the respective Commonwealths. Then there was a short, sharp, and immediately successful confronting of all such propositions by boards of directors or their attorneys. It is true that then the evils gratulation at this time. For this dissimulation would be good testi-

sharp, and immediately successful confronting of all such propositions by boards of directors or their attorneys. It is true that then the evils to be complained of were not so great as now, leaving out of account the largely increased distances of travel and magnitude of investments.

Twenty years ago the monopoly of which we have now to complain in this relation was pointed out, was by isolated individuals publicly deprecated, was afterward protested and petitioned against by a few; and then, amid many derisive interruptions by the incredulous, the growth which it was destined to have, if unregulated and unchecked, was depicted in a sure word of prophecy. There has been an advance. Let us rejoice at this and let our satisfaction be enhanced by a knowledge of the indisputable fact that many prominent citizens who fifteen or twenty years ago were either indifferent on this subject, in spite of or twenty years ago were either indifferent on this subject, in spite of all appeals made to them in their private or representative capacities, an appears made to them in their private or representative capacities, or absolutely antagonistic to any such anti-railroad monopoly bills as those that have been offered at this term of Congress, are now among the foremost in advocating the legislation proposed by the substitute bill before the House. We will believe, indeed we know, that there has been an honest conversion here; while thousands of cunning demagogues without these walls appear to have discovered or to have converted to the conclusion that it is more to their interest to speak as a hoursing a substitute.

agogues without these walls appear to have discovered or to have come to the conclusion that it is more to their interest to speak as champions of the people's rights against the rapacity of oppressive railroad corporations than to earn a fee or accept a stipend in the ranks of the avowed agents of the great railroad and telegraph masters of the Union.

Let us see if we can get approximately at the surface-lettered opinion, disposition, willingness of the members of this House on this subject. Is it not already ascertained and disclosed that a bill providing simply for a commission of inquiry with respect to railroad management in this country would not meet with any objection from, but would have the affirmative support of all, the members who object to the substitute? firmative support of all, the members who object to the substitute? If that be so, it might be asked, Why not consent to the preparation and presentation of such a bill? And why not upon its passage claim an anti-monopoly victory? To do this would, in my judgment, be almost as much of a failure in responsive action and a pretense in profession and a sham in jubilee as to pass a telegraph-contract bill for the benefit of Norvin Green or Johnny Mackay, or both, and call it a postal-telegraph stat-

Many, and I think a majority, of the members of this House differ with those who at this time call for a national railroad commission, after the order provided in the committee bill—who call for this or argue against anything beyond it—because we are firmly of the opinion that such a commission would be of no practical benefit whatsoever to the producers and consumers of this country and to the real business interest generally affected by and related to interstate commerce. _ Passing

from the challenge so often heard during the last decade, "You must not legislate at all," we come perhaps to the proposition "how not to do it." For one, I would infinitely prefer that we adjourn without legislation at all on this subject at this session, than place upon our statutebook a law for the organization of a board of commissioners such as is contemplated in the committee report. It would not be a mere failure to take aggressive action, it would be the enactment of a law that would practically put out of the hands of Congress for many years to come the power to initiate or to enforce remedial provisions on the subject. Of course it would be possible for Congress to legislate by repeal or amendment at a following session. But, guided by the lamp of experience, I speak of the practical effect.

speak of the practical effect.

If we pass a commission bill what will be the result? In view of all the surroundings of this case, and taught by our experience elsewhere, what would be the outcome? Except party exigency compelled the appointing power to immediately announce a choice (for a supposed party advantage in the personnel of the commission) there would be three or four months exhausted in consultation as to the best men for the place. Then as many months more for organization of the commission itself. Then at least six months for junketings from one end of the country to the other. Then six months more for arguments and consultations. And it would be immaterial whether the commission had absolute power to act on its own motion with respect to any sion had absolute power to act on its own motion with respect to any particular road or company, or whether it had to be set in motion by the filing of a complaint and a prosecution for bare damages in a court of competent jurisdiction. And, by the way, following the provisions of the committee's bill, the aggrieved shipper must approach the august tribunal, into whose hands we shall have committed the power which was lodged with us, with as much introductory ceremony and tipping as would be required from a foreigner in order to secure a diplomatic audience with the Typeson of Japan. diplomatic audience with the Tycoon of Japan.

Within the last six months of the official life of the second, or four-

year-term, commissioner—they holding, respectively, for two, four, and six years on first appointment—there might possibly be a little conceded shaving of the rates for one staple from the West to the East, with here and there a few other prescribed reductions; all of which would

here and there a few other prescribed reductions; all of which would have been announced at as early a date whether there had been a commission in existence or not. Then and thereupon, of course, we should have elaborate eulogies of the members of this commission printed in a thousand and one newspapers of the land, whose editorial columns, alast are always at the service of the monopolists when the exigency demands a publication of this nature. [See Appendix A.]

Then would come a second reorganization of the commission, and after that changes in conformity with the wishes of the railroad managers—a minimum of reductions for appearances' sake. These and the other two years with the same history. And by that time (are we fools that we do not know it in the light of the past?)—by that time these monopolists would have obtained such power, focalized in this direction, that they would be enabled to perpetuate the commission; strengthening it in isolated and exclusive powers; making sure that the members that they would be enabled to perpetuate the commission; strengthening it in isolated and exclusive powers; making sure that the members of it were their personal property and their ready, obsequious officers. All this is supposing that there would be any respect at all paid by the managements to the act of Congress—that they would not deny its validity from the outset, as some (shall I call them communists?) have declared that they would do. [See Appendix B.]

It might be said, if there was condescension for any rejoinder, "Do you mean to say that such a man as Mr. — would prove faithless to the people in the office of commissioner?" For a first response it could properly be answered that under the terms of this commission bill accommissioner might possibly act up to the line of his trust in good faith

a commissioner might possibly act up to the line of his trust in good faith and yet accomplish nothing beneficial. But there is not time for me to go into the analysis of this committee bill with this point in view. It should be replied, "We do not know that the man whom you now suggest as a commissioner would be nominated or would accept." As a matter of fact we do not believe that some of the distinguished gentlemen whose names have actually been called out on the floor in this connection would take the office. If we are to enter into considerations like these; while we are making ready to evade our duty by transferring our authority, we may assume that there will be a different class of appointments from those which have been indicated.

Some one might hasten to say, "You are too suspicious; you are captious in your objections to the bill, and you are unwarrantably distractful lest the very best won for the place should not be solved.

Trustful lest the very best men for the place should not be selected. You are singular in this." It is with great satisfaction that I heard the introducer of this substitute [Mr. REAGAN] say, as you will find his words recorded on the thirty-fourth page of the RECORD for this session:

words recorded on the thirty-fourth page of the RECORD for this session:

If we provide for the appointment of a railroad commission, either by the President or any other authority, however honest and patriotic his intentions may be in making such appointments, we must remember that the railroad corporations, few in number as to the heads that control them, can easily combine their influence and bring to bear by indirection, if they dare not do it directly, influences which will be likely to control in the appointment of commissioners. If we get commissioners appointed in the interests of these corporations we can hardly expect either recommendations or direct action that will materially benefit the people. It has been said that it was difficult even to get the representatives of the people to act on this great question. We know the power of these corporations (with their experts and other officers filling the committee-rooms and corridors, and often placing themselves upon the floor of this House, with their attorneys, the ablest in the United States, all of them paid out of the peo-

ple's money by levying a little more tribute upon the people) to secure or prevent legislation. If Congress has found now for nine years the impossibility of legislating upon this question, what is to be the fate of the people if their interests are left in the hands of three men upon whom all these influences can be concentrated?

Now let there be given and heard and heeded a little simple hinting illustration of the possibility of imposition on the appointing power under the circumstances supposed. And the record which will be introduced will appear to have a second, a subordinate, but I think strong justification for its appearance when you shall have considered the character of this proposed commission—that is, a railroad commission—and the fact that some sectional lines would be appropriately recognized by the choosing power in making up a decision with respect to the appoint-

In one of the leading party organs of the Union, of issue Friday, December 12, 1884, the following statement appeared:

During the last few days the belief has grown very generally among political experts that the Hon. Mr. —, of the State of —, will be Mr. Cleveland's — [mentioning the name of a Cabinet office]. * * * The most positive evidence has been developed that Mr. —'s friends have already secured the influence of * * * and that of ex-Senator Gwin, of California. On this point there is not the remotest doubt.

This leading party organ, in the statement quoted, does but concur with a number of other influential party journals in conceding the great "influence" assumed or asserted to exist with respect to one of the

Executive of the Union.

I invite attention to the extracts from the C. P. Huntington correspondence, which were brought out on the trial of the cause of Colton against the Central Pacific Railroad Company last winter, and published in the San Francisco Daily Chronicle. This is a case in which the widow of the late David D. Colton, of California, alleged that Huntington, Stanford, Crocker & Co. have sought and are seeking to defraud the Colton estate out of millions of dollars—a description of a browbeating visit by the courageous Crocker to the lone widow being a part of the testimony

In 1875-'76, Mr. Huntington, vice-president of the Central Pacific Railroad Company, and with his brother directors in that company con-trolling if not exclusive owners in the Southern Pacific Railroad Company, desired to prevent a construction of a rival transcontinental rail road. To that end they had their lobby at work in this Capitol and road. To that end they had their lobby at work in this Capitol and sent their corrupt and corrupting agents throughout the country, es-pecially to the Southern States, as will appear by the extracts from the papers which I present:

NEW YORK, November 10, 1875.

New York, November 10, 1875.

Friend Colton: Yours of October 23, 1875, No. 85, is before me. Dr. Gwin is also here. I think the Doctor can do us some good if he can work under cover, but if he is to come to the surface as our man I think it would be better that he should not come, as he is very obnoxious to very many on the Republican side of the House, and then there is very many things about our business that he does not know and he has not the time to learn before Congress comes and goes. It was very unfortunate that he came over in directors' car with Mr. Crocker.

I received a letter to-day from a party in Massachusetts that said that Gorham and Sargent were very much offended because Gwin was, or rather had come over, to look after our interest in Washington. I am, however, disposed to think Gwin can do us some good, but not as our [avowed] agent; but as an anti-sub-sidy Democrat, and also as a Southern man, with much influence in he South, in showing the Southern people that the Texas and Pacific Railroad is in no way a Southern Pacific road, but a road that, if built by the Government, would prevent the Southern States from having a road to the Pacific for many years.

But Gwin must not be known as our man.

I received a letter from H. S. Brown this morning that "G." was for RANDALL or Walker. I send copy, with my reply.

C. P. HUNTINGTON.

I can not stop to point out all the proper inferences that can be drawn—and that in some instances can not be disputed—from this correspondence. The Central Pacific Railroad Company hires and sends Dr. Gwin to the South, as ostensibly a next friend of the Southern people, to deceive and mislead;—the same Dr. Gwin whom leading organs of both parties now put forth as an indisputably powerful adviser of the incoming Decident. This adviser is found to the same for the same of the leading of the same of the leading organs of the same of the leading of the same of the s coming President. This adviser is found out and exposed as a flunky of the Central Pacific Railroad monopoly. How many other advisers that are in training are unknown in their monopoly bonds and ma-

But let us proceed with the reading of this correspondence:

NEW YORK, November 11, 1875.

NEW YORK, November 11, 1878.

FRIEND COLTON: Your letters of October 26, 27, and 30 and November 2, Nos. 86, 57, 88, and 89, are received. I notice what you say in No. 86 as to Gwin not connecting with us, as far as the public are concerned.

Of course I agree with you, and I was much surprised when I heard he was coming over in the car with Crocker. I told the Doctor to-day that he did not want to connect with us, except so far as in his argument against subsidies he could say that the Southern Pacific Railroad Company was a powerful company, and could, and no doubt would, build to El Paso without any Government aid except the land grant that has already been given.

Yours, truly,

C. P. HUNTINGTON.

NEW YORK. November 13, 1875.

FRIEND COLTON: Your dispatch that you had sent \$200,000, gold, is received. Dr. Gwin left for the South yesterday. I think he could do us considerable good if he sticks for hard money and anti-subsidy schemes; but if it was understood by the public that he was here in our interests, it would no doubt hurt us. When he left I told him he must not write to me, but when he wanted I should know his whereabouts, &c., to write to E. T. Colburn, Elizabeth, N. J.

I have had several interviews with the Houston and Texas Central Railroad people. It has a land grant to the west line of the State of Texas of 4,769,280 acres. It is owned by William G. Dodge, Moses Taylor, W. M. Rice, and other strong men of this city. I saw Dodge a few days since with a view to having them build to El Paso and we build to that point to meet them. He said they thought they would do it. He said he was opposed to the Government granting any aid to his or any other road. I have been sick ever since I saw him, so I went to-day and saw Moses Taylor. He said he liked the idea and that he would talk it up to his people, &c. There will be no Government aid granted this session, and if you can get the H. & T. Central to stand in with us and offer to build a line through, we build to El Paso from the west and they from the East, I think Scott's fish will be cooked.

Yours, truly,

C. P. HUNTINGTON.

C. P. HUNTINGTON.

NEW YORK, November 30, 1875.

FRIEND COLTON: * * * Gwin has just returned from the South. I am very busy, but just what I am doing it is not necessary to write in this letter.

Yours, truly,

NEW YORK, December 22, 1875.

FRIEND COLTON: * * * I think the Doctor [Gwin] will return to California in January. I have just returned from Washington. The Doctor [Gwin] was unfortunate about the railroad committee—that is, there was not a man put in the committee that was on his list, and I must say I was deceived. He was often with Kerr, and K. was at his rooms and spent nearly one evening. The committee is not, necessarily, a Texas Pacific, but it is a commercial committee, and I have not much fear but that they can be convinced that ours is the right bill for the country. If they could have been left as we fixed them last winter, there would have been little difficulty in defeating Scott's bill; but their only argument is, it is controlled by the Central. That does not amount to much beyond this: it allows members to vote for Scott's bill for one reason and give the other that it was to break up a great monopoly, &c. If these — interviewers would keep out of the way it would be much easier traveling.

I send a few clippings.

Yours, truly,

C. P. HUNTINGTON.

NEW YORK, December 27, 1875

FRIEND COLTON: * * * I notice what you say about the interest that Dr. Gwin should have, and I have no doubt that we shall agree about what his interest should be. * * * I get letters from Washington nearly every day that almost everybody is for Scott's Texas Pacific bill and that he (Scott) is sure of passing it, but he won't do it.

Yours, truly,

C. P. HUNTINGTON.

FRIEND COLTON: Yours of the 25th of December is received, with ellppings from Los Angeles papers. If they could build railroads by resolution, I have little doubt every man would have one past his own door; but as roads can not be built in that way, some few will be compelled to walk just over the hill before they strike the iron track. I notice what you say of Dr. Gwin. He can cover more ground in a few minutes in one letter than we could in many years with the rail. * * *

Yours, truly,

C. P. HUNTINGTON.

NEW YORK, February 26, 1876.

FRIEND COLTON: I have been in Washington most of the time for several weeks past, which, with my other business, has kept me so very busy that I have neglected my correspondence. Your letters have, I think, all come to hand up to No. 181—that is, by putting in some without numbers, that by their dates have come in right to fill these missing numbers. Ido not write you much about matters in Washington, but I am having the biggest fight I ever had there, and expect to win it.

Scott is doing his best, and has an army of men in the lobby to help him. He told me this week that he is sure to pass his bill. He said he would give us enough to do to take care of what we had without meddling with his. I said to him, with a smile, I hoped he would do nothing that would interfere with my helping him in his Texas and Pacific. I have sent H. L. Brown with Judge Ivans (Mr. I. is a citizen of Texas) to Texas to set that State right on the Southern Pacific, and I sent Doctor Gwin to Mississippi, Louisiana, and Alabama to set some back fires on Scott. I expect to weaken Scott much by this move. This fight will cost us much money, but I think it is worth it, as I have written you from time to time. I have been trying to work parties up that have interests in roads in Texas outside of Scott's interests, and they tood me a few days since that if I would get up a bill I could use their names, and I at once done so, and they now like it very much, and I think it makes us stronger than we were without. I send copies of the bill with this—Senate bill No. 500. * Good articles in the California papers sent to our members of Congress would do good. They get many from our enemies which do hurt. Wigginton gets nearly everything bad that is said about us I think. I have many things that I would like to say, but it is dark and I quit.

Yours, truly, C. P. HUNTINGTON.

The people of the State of California, having suffered more from the exactions of railroad monopoly tyrants than the citizens of any other Commonwealth, entered upon a political campaign in 1882, during which the rival parties claimed precedence of each other in devotion to the interests of the people, as exemplified by platform and by nomi-

I will append to my speech the provisions of our constitution with respect to the board of railroad commissioners, by which it will be seen that they are given extraordinary and almost exclusive power in the

that they are given extraordinary and amices extraordinary and amices extraordinary and amices extraordinary and amices. (See Appendix C.)

The platforms of the two parties were respectively claimed to be of at least equal strength and clearness on the subject of railroad domination and oppressive exaction; equally binding upon the nominees for the office of railroad commissioner in the line of enjoining and bonding for radical action in the way of reducing charges for passenger and property transportation. Upon the Democratic party platform our nominees made unqualified and solemn pledges before the people. There followed an overwhelming Democratic victory. The three Democratic

nominees for railroad commissioners were elected by enormous majorities. It might be instructive to quote from their formal and their roluntary words of promise and assurance to the people. But shortly after their installation in office it became apparent that two of these commissioners were the creatures of the Central Pacific Railroad Company. They refused to give the people the relief that they reasonably demanded and which it was in their power to provide—which, we say, it was their duty to provide under their oaths as officers and their delevations on the company placeforms. declarations on the campaign platforms.

Thank God, the Democracy of the State of California had the conscience and the courage to cast these creatures out of the party camp,

by overwhelming vote at the succeeding State convention.

The Democratic party of California and the country is the party of anti-monopoly; and no one known or generally believed to be in favor of monopoly, or known to be in its political service should be elected by the Democracy to office; otherwise the party is an organized pretense and fraud. And the Democratic party must now and henceforth, to mainin and the Democratic party must now and nencelorth, to maintain or acquire ascendency, in conventions and in State Legislatures and in Congress show its faith by its works. The chosen must be faithful, the traitors must be branded and thrown out, or the party will meet with defeat and death. Neither Federal patronage nor State government control to-day, nor both, will much longer hold up any party banner when the organization is avowedly or secretly controlled by the oppressors of the people.

Now, if the majority of the people of the State of California could

Now, it the majority of the people of the state of Cantornia could under the circumstances be so deceived and betrayed, how comparatively easy it would be—may we not reasonably believe—to impose upon the Chief Executive of this nation in the event of the passage of any railroad commissioner bill?

Such deceit and betrayal at a first election of railroad commissioners, or at the beginning of the agitation of the subject referred to, in any State, might not be surprising; but, considering the situation in California, the latest success of the conspiracy of treachery is something astoniahing.

And now here comes a masquerading emissary of the Central Pacific Railroad Company, who was sent down into Southern States to beguile and delude the honorable people of that section, presuming upon and doubtless prevailing with and by reason of his nativity and early manhood associations (ah! how this quoted correspondence must stingingly touch the keen sense of honor and self-respect which has been the theme for just and superlative boast on the part of the Southern gen-tleman),—here, and now comes this private salaried messenger of C. P. Huntington & Co., on an unchallenged dress-parade as an "influen-Huntington & Co., on an unchallenged dress-parade as an "influential" counselor for the incoming Democratic administration! And if in view of all that has been said, and that is here restated, the leading party journals of our national and of our commercial metropolis can hold this person up as a worthy or potential adviser with respect to Cabinet nominations or appointments, what must, or might, or can be expected touching the nominations or appointments having direct regard to this very railroad management?

It could not be reasonably expected that the Chief Executive would appoint more than one commissioner from the list of intimate personal acquaintances. And the President-elect, as governor of New York, has confessed that he was deceived as to one of his State commissioner appointments. (See in Appendix I list of roads that, as an "influential" agent of Huntington and Gould, Dr. Gwin would represent. See stock and bond lists shown in Appendix F.)

That the chief appointing power must largely rely upon representations of accredited counselors from different sections of the Union is attested by no less an authority than General Garfield, who so declared in letters written during his candidacy for the Presidential office, when the pressure was heaviest upon him in the direction of almost unvary-ing civil-service retention. While in a majority of instances worthy appointments will be made, some mistakes will occur, and hence error would be most apt to be made here, as clearly but cautiously suggested all other considerations), delegate our power, run from our responsibility, with the possibility of bad substitutes, with the certainty that by such action the success of the cause of the people, here involved, will be indefinitely postponed? by the gentleman from Texas. Why, then (leaving out for the moment

The railroad lobby that is surging about this Capitol to-day desires a railroad commission. The members of that lobby who have spoken on this subject, where I have happened to be a listener to their remarks, have advocated that this Congress do not adjourn without the passing of a commissioner bill. It would appear to be an established fact that the monopoly speculators are aggressively seeking the establishment and organization of a national railroad commission.

Mr. Speaker, if an intelligent foreigner, worthy of the adjective, and yet almost, if not quite, unacquainted with the history of our affairs in onnection with railroad management, should have come and sat in our midst dering the past two weeks, what might have been his conclusion as to the attitude of disputants here, and the character of the men without, whose pecuniary investments are said to be most largely involved in our action on this question? There have been accusations, coupled with names, which might well have shocked him,—as one first observing the condition of our country in a picture drawn by Representatives

here. The charges and the epithets might have seemed too severe. Were they justified? He hears no absolute denial in terms; no direct, specific attempt at vindication in response. But answering suggestions are made-one, particularly, by the gentleman from Michigan [Mr. HORR] to the effect that the persons accused are honest, worthy gentlemen, conspicuous only because of their superior sagacity displayed in legitimate and laudable enterprise;—in very truth public benefactors and shining moral examples for the rising generations.

If an English gentleman was the auditor supposed, might he not in

all sincerity, and without involving just challenge and charge against him on account of prejudice or bigotry, be thrown into a state of mind and opinion similar to that in which Sir Leicester Dedlock was habitually found? Would he not be apt to recognize in the gentleman from Kansas [Mr. Anderson] another Watt Tyler? Indeed, would he not be apt to conclude that some of these men who have been stigmatized as extortioners and oppressors were worthy to be classed with Arkwright and Stevenson and Murdock, of great mechanical and of rail-road engineering fame? And regarding this substitute bill as having been passed, enacted into law, might he not agree in all the sentiment of apprehension displayed by Sir Leicester—though far from accept-ing the verbose expressions of the British baronet as given in Bleak House?

Then upon my honor, upon my life, upon my reputation and principles, the flood-gates of society are burst open, and the waters have—a—obliterated the landmarks of the framework of the cohesion by which things are held together.

Suppose that he had only heard the gentlemen who have advocated the committee bill—for all of whom I have the greatest personal respect:—would he not have supposed that an effort was being made here to destroy "the business interests" of this country so far as they are

involved in interstate railroad transportation?

In a majority of instances the speculating managers of the railroad monopolies of this country to-day are not and never have been, in the sense of actual and venturesome business men, engaged in the construction of railroads? Who built the Pacific railroads? The American people built them, by enormous subsidies, given-wastefully we now can see-by their Representatives and Senators. And following the grant of these subsidies came examining commission upon commission, under the original law, through which fraud after fraud was perpetrated, in false certifying to construction and its character—to the end

of exhaustive chapters.

These men public benefactors! They are simply robbers. Oh, but they own and manage these roads now [and speculate with the thrice-watered stock that is said to represent capital invested]. Go look at the billowy track of the Central Pacific from Reno to Ogden, and the ricochetting line of the Texas Pacific from Mineola to El Paso! On the last-named railway the engine often sinks out of sight within half a mile of the station and rises to view within the mile beyond. Rails are laid on the lap of mother earth with hardly the preliminary labor of turn-piking. And for this so-called and commission-certified "first-class construction," section after section of public domain, and in one case thousands of dollars in United States bonds per mile, are awarded by the General Government. And over these roads the toll is nearly or quite as much again as that charged upon the line of well-constructed railways,—built by private capital. I will append also some instructive data bearing upon this subject. (See Appendix D.)

Public benefactors! You must have a board of commissioners, with

great salaries assigned, with a retinue of officials, with free passes for the transporting of themselves and their officers from one end of the country to the other, with magnificently appointed headquarters at the capital of the nation; with magnitude and inquire, and visit and revisit—a regal exchange of civilities—with Jay Gould and Cornelius Vanderbilt and Leland Stanford and C. P. Huntington and Charles Crocker and William M. Gwin—public benefactors, their agents, allies, and advo-

All this while—since I first suggested his presence—I have been thinking about the impression on the stranger in our midst who has never heard that Jay Gould confessed that his ministers corrupted legislative candidates—being professedly Democrats in Democratic districts and Republicans in Republican districts—and that Vanderbilt dismissed the bearer of popular complaint against railroad management with "D—n the people." Starr King, twenty-five years ago, called the sharks in

the people." Starr King, twenty-five years ago, called the sharks in Panama Bay "the Vanderbilts of the sea."

It is said that the substitute bill is "inelastic;" that it is iniquitously iron-core and steel-clad. Seeking for an explanation of these tously iron-core and steel-clad. Seeking for an explanation of these terms by the context in speeches delivered here, you find that the principal objection and plea is against the provision that no more shall be charged for a short than for a long haul. My complaint against this bill would be that it is defective in this very direction; in that it does not provide for a maximum by figures herein contained. But the gentleman who presented the substitute provides for a maximum within the termini of a railroad line, at the nomination of the railroad companies themselves. I am confident that experience will prove the better way to be a figure-fixing of maximum rates on section divisions of road or otherwise; but in my judgment it can not justly be said that in this bill the limit is such that there will not be sufficient margin against intermediate stations. As I understand it—and I think that it can not

be construed otherwise-the limitation is on transportation straight forward on one and the same line. And under this legislation State boards of commissioners could so co-operate and agree as to do exact justice between the parties interested in any given instance of transportation. By rules in detail affecting charges for the carrying of property that was to go beyond State lines, adjoining Commonwealths—through these respective boards—could fix the tariff to a nicety of right. There is no item that belongs to the righteous consideration of the matter that could not be estimated and taken into consideration and acted upon to a fair and precise result by the conjoint action of State commissioners, overarched, so to speak, by the letter of this substitute bill enacted into law. And, indeed, unless I expected some such co-operation on the part of State commissioners in certain instances, I should offer and move the adoption of various amendments and additions to the text of the substitute

Under this substitute railroad companies, without restriction as to added distance, may charge as much for a short haul as for a long one. While it is claimed that railroad companies should be privileged to charge more for a short than for a long haul, and while it is claimed that the license to charge as much for a short haul as a long one on the same road does not give sufficient latitude of discrimination against the intermediate points, we are wondering—at least I am—why there are not a great number of instances brought forth to support so remarkable a position. In all this discussion only one geographical dot is named which should be signalized by subjection to the rule of a greater charge for a shorter than a longer distance, and that point is Winona. article to be transported which figures in the parade is a bale of cotton. I think that this illustration has been sufficiently answered already, if by any possibility it requires an answer in order to gain or keep the balance of minds constituting majority in this House on this subject.

But I would like to call up to notice the general advantage which would belong in the Winona and Memphis case, as well as in all others of similar character that could be adduced. The railroad if properly built and equipped and managed has great advantages over the parallel or competing water way. There is speed and there is comparative safety. With respect to articles that are perishable in their nature, the railroad will always have a wide margin within which greater prices for carrying can be asked, as compared with water transportation, without losing patronage. I have not heard any one draw attention to this single surface fact, which belongs in the consideration of this matter; and on mentioning it in conversation I have been surprised to find that it had not long ago occurred to all engaged in this discussion. In many instances the celerity of land transportation is such a factor in determining by what route goods shall be carried that solely on this account a great percentage can be and undoubtedly is obtained by the railway at higher prices, in bidding against the steamboat or the canal-boat or the barge or the sailing vessel. The stating of such an undeniable and obvious advantage almost demands an apology.

Our Government has entered upon a vast scheme of harbor and river improvement, and in a majority of cases the prevailing argument has

come to a foundation on competition with railroad carriage—for improvement of depth and width of channel in bay or estuary or lake or river or creek. Would it be accepted by any gentleman here in open confession that he was opposed to the building of the Mussel Shoals Canal on the Tennessee, or the dredging and snagging of the upper Red River, or the San Joaquin, or the Connecticut, because it will keep railroad fares at a low figure or because—as in the instance of the Tennessee River improvement—it will have the future effect to largely reduce rail-road freight charges on several lines of road? If the Government, if Congress may constitutionally, may justly—ought in duty bound so to do—change raft rapids into safe steamboat water ways and convert shallow sloughs and brooks into navigable streams, when a first-mentioned and most desired effect will be the pulling down of some railway tariff to a reasonable scale, how comes it that it is beyond our authority or outside of policy and propriety for us to say distinctly that all freight and passenger fares shall be reasonable, and fix in precise terms a maximum for such charges?

Since river and harbor improvements began under our Government, many thousands of miles of streams have been rendered navigable by Congressional appropriation and work paid therefrom, while scores of harbors have been opened—sometimes created—on seashore and lake bank:—in evident, in announced and boasted endowments and labor against railroad company freight schedules.

Suppose that you could travel as fast by water as by rail. How absolute would this rivalry of the Government with private railroad corporations appear on nearly every occasion of river or port opening or improvement? I believe that soon we shall steam over the waters of the ocean and great lakes as rapidly, at least, as over the iron track, and will only be deprived of equal speed on the rivers by considerations of pre-caution against collisions in comparatively narrow channels and at sharp elbows in the course. In such an event the interference and alleged arbitrary impairing or destruction of private business enterprise, by our regular and systematic river and harbor cleanings, enlargeings and creations might be often considered by railroad monopolists as intolerably flagrant.

We have already established a precedent for Government construction and ownership of railways by the excavations made at Government expense for navigation, safe anchorage, and dock ground. 'And in almost every instance we have by such action cut down the rates of the railroads—some times as much as 70 per cent.

Leaving in part out of estimate our commerce with foreign countries, every harbor improvement is a measured blow at unreasonable railroad charges. But we have gone far beyond the line of navigation-that was early in the history of our national life constitutionally protected from any intrusion by dams and bridges;—and the demand is warranted for reasonable rates, ascertained and secured on simple and unembar-rassed application to the courts of the country, with full and complete and final jurisdiction there under the precise letter of our laws. Says the gentleman from Pennsylvania [Mr. BOYLE]:

If Congress has the power to declare rates shall be reasonable, then Congress as the right to determine what are reasonable rates.

That proposition has not been fairly met since its utterance. the affirmative on the premises, the conclusion seems to me to be irresistible—only changing the permissive to the imperative or obligatory phrase. Congress ought to exercise the claimed and generally conceded right. And if Congress can authorize and appropriate money for the building of canals and the converting of rivulets into rivers for navigable purposes, on distances competing with railroads, then surely Congress may prescribe limits to charges upon interstate commerce.

gress may prescribe limits to charges upon interstate commerce.

If Congress may create canals and rivers (and that, too, quite within one State), may it not build railroads? If we may build railroads may we not fix a maximum to railroad tariff? If we may aid, by land and money grants in the construction of a railroad, may we not construct and own and operate railroads, as a Government? In other words:—is it constitutional to give the lands and loan the money of the people to an individual or association for gard and railroad building but the lands. to an individual or association for canal or railroad building, but at the same time unconstitutional for the Government to sell its lands and devote the proceeds to building a Government road?

It must come to a mere question of policy.

If we had reasonable fares, there would be no thought of exercising the power inherent in the Government to restrict and forbid.

oposition to direct legislation on this subject by Congress, or favor for the passage of a commissioner bill—which amounts practically to the same thing at this time—is sought to be raised or nursed by an appeal to shippers or consignees at what have been called terminal points. Let us look at that for one moment. It has been said here or elsewhere with reference to this issue that San Francisco, for instance, is interested in defeating the passage of the fourth section of this sub-Why? I like to meet these things fairly and frankly. us have the reason why? Because, forsooth, if as much is charged for hauling from New York to Winnemucca or Virginia City as the aggregate of through charges from New York to San Francisco and thence back to Winnemucca or Virginia City, the people of Winnemucca or Virginia City will do their trading in San Francisco rather than send

In the first place, it is no part of the business of any railroad corporation to build up one locality to the detriment of another. If incidentally, under legitimate rule and management, it happens that the construction of a railroad through one town and into another changes the proportion of the population or the tide or amount of business, v may well join with the gentleman from Maryland [Mr. FINDLAY] in deploring the result—if we have friends in the depopulated district, or a lively wish and anxiety for all possible prosperity everywhere-while declaring that there is no just cause for complaint against the corporation. But when a railroad company starts out with or proceeds upon the proposition that they will in the way suggested, and as a part of a selfish scheme, contribute to the maintaining of business activities in one place, or the enhancing of them, to the detriment of another, it assumes a vocation that should be challenged by legislation. Fortunate are we if we have the privilege and prerogative of checking or stopping

these plans and purpose

As a matter of fact, the mere charge—unjust and extortionate as it—of a freight tax from New York to Winnemucca or Virginia City equal to that which would be incurred by sending the goods direct to San Francisco and shipping them back to the points in Nevada which I have named, does not result in throwing business into San Francisco. I believe that the practice is to leave the freight as the train goes along, at Winnemucca or at Reno, though the tariff is as has been stated. Then the merchant at these Nevada towns, if he has any Eastern connections in the way of business, will certainly prefer to have his goods come with one straight shipment, even though he paid the amount that would be required for pulling them over the Sierra Nevadas and rolling them back. In order that the excess have any absolute weight in this direction the railroad company must charge more for shipping from New York to Winnemucca direct than for shipping to San Francisco and returning to Winnemucca; and will any one rise here and dare to put up that kind of a schedule as something that under any considerations whatever should be literally tolerated? Take that immense distance—across that range of the Sierras—and will you say that they may justly add yet more to the Winnemucca freights than the aggregate of charges for transportation on the railroad from New York to San Francisco and back to Winnemucca on the same track?

I can not understand how this effort to deny the justice of the rule contained in the substitute bill as to long and short hauls can withstand a single night-watch of reflection, on the part of an unprejudiced legislator. The difficulty, as it seems to me, with my much-respected friends who live upon the Atlantic border, in the New England or in the central Commonwealths—the difficulty with them in these premises is that their judgments are warped by the statements and reasonings of the monopolists and their lawyers—who have had their attention so long—exclusively for years—largely through public journals—that they have been accustomed to respect, and that were once respectable, that they can not realize the effect of these discriminations—simple and un-mistakable as it seems to us. Do they comprehend the magnitude of the possible and ofttimes the actual extortion in cases where the train goes out on the prairies and over the mountains,-long distances where there are no competing water ways and the parallel railways are at the same time many hundreds of miles distant in their transcontinental beds, and either under the same ownership or (what is practically the same thing) under a common agreement for schedule charges?

Mr. Speaker, did it ever occur to you why this proposition to charge more for a short haul than for a long haul is never brought to bear on passenger traffic? O, if these managers and speculators in railroad councils could only extract a little more from the traveler! as much to touch the borders of California with your foot by the Central and Southern Pacific Railroad routes as to ride to the harbor of San Francisco. But no need of this limitation there. Why not? Alas, for the in-herent power of locomotion on the part of each individual and the degree of intelligence that characterizes the very humblest and most unsophisticated of our immigrating population! For if more should be charged for a ticket from Castle Garden or the Union Depot in New York, or from the Baltimore and Ohio or the Baltimore and Potomac station in Washington, to Fort Yuma, or to Truckee, than for a ticket from the same start ing places to San Francisco, it would not take a great while for the nine hundred and ninety-nine out of every thousand who might be interested in this traffic—all verdant of mind and guileless of "business" tricks as many of them are—to learn the advantage of purchasing a through ticket, and quietly stepping off at Fort Yuma or Truckee, or at other intermediate points of destination, when the train shall have there arrived. Ah, what a pity that these "generous" men—and I will refer more particularly to the use of this adjective by and by—did not have the power to lock people into their cars, not for temporary precantion, on a between-station trip, as is done in Europe, but by right inherent in them as toll-gatherers, and enduring under a ticket-commitment writ;—whose just privilege it was to compel the traveler to increase his mileage disbursements in proportion to the distance within a given section which he did not travel! Does this sound ludicrous? an exasperating suggestiveness? Or has it

And while we are on this point of prejudice, which it is sought to create or to extend or deepen at so-called terminal points, consider that if the goods are carried past an intermediate station and actually turned around and sent back to the ultimate destination without breaking bulk, no one outside of the railroad company at the terminal point is by any possibility benefited,—no more than if the goods were dumped out of the car at the intermediate station, although the schedule charge paid by the consignee be for through carriage and return. When you sift them there is not any substance of argument in all the volumes of words that have been shed abroad from monopoly headquarters in the oft-repeated and desperate efforts to breed favor for the atrocious extortions to which I have alluded, and against which it may be said that this substitute as it now reads will, when in statutory force, afford some, but yet inadequate remedy and relief. Here is something in the right direction, responsive to our pledges and immediate in its effects, so as far as it goes. (See Appendix E.)

The fact that some able gentlemen who are intensely hostile to the substitute bill support the committee bill inclusive and without qualification—the first sections of the latter providing for a limited appeal to the courts-is evidence contributing if not conclusive on the proposition that the commission half of the measure reported would prove, as I have tacitly assumed all through, to be the effective in the sense of being the superseding portion. We are not at liberty to assume that the Senate would, if presented with the committee's bill, strike off the seven paragraphs complained of and denounced by those who favor a

In a speech delivered in this House on December 4 by the distinguished and all-accomplished gentleman from Massachusetts [Mr. Long] it is stated:

The \$6,000,000,000 or more invested in the 125,000 miles of railroads in the United States pay only about 3 per cent. per annum to their stockholders.

This statement is presented in plausible juxtaposition, as though intended to show that the rates for transportation charged by the railroads are not excessive. While claim is not made on this basis precisely, not in so many words, the whole context of the paragraph helps to leave the impression indicated—in fact renders the statement argumentative, as remarked.

Let us examine this in the light of the indisputable record presented

by Poor's Railroad Manual. I quote from a statement with respect to year ending December 31, 1882:

Total mileage of roads	112, 412
Total capital stock	\$3, 456, 078, 196 3, 184, 415, 201 255, 170, 509
Total	6, 895, 663, 893

Now, it is upon this sum, which represents the total stock, bond, and floating debt of the railroads, that the insufficient, or at least not excessive, interest is said to be drawn.

Observe how this is answered-if answer seems to be necessary-by that which I shall now read from the same Manual and the same re-

The increase of the shares, capital, and indebtedness of the railroad compa-

\$70,000 per mile. Increase of debt during same period: Funded debt Floating debt	\$864, 926, 029 98, 289, 910
Total	963 915 939

Or about \$30,000 per mile as the cash cost.

It is safe to say that the actual cost of expenditure upon all the railroads within the United States within the past three years did not exceed \$1,650,000,000, a sum \$973,000,000 less than the increase, in the period named, of capital and indebtedness of the companies named.

Of course such an enormous increase in liabilities is greatly to be regretted.

Now, assuming the above estimate of Mr. Poor to be correct as to the cash cost per mile of the road, and applying it to the total mile-age and the total cost of the roads in the United States up to December 31, 1882, it appears that as \$70,000 per mile (the stock and bonded cost) is to \$30,000 per mile (the cash cost), so would \$6,895,663,899 (the cost including watered stock and bonds) be to \$2,955,284,528 (the cash cost). From which it will be seen that if, as asserted by the gentlemar from Massachusetts, these railroads can now pay dividends of 3 per cent. on an average on their total shares and bonded and floating debt cost, they must of necessity be paying on an average fully 7 per cent. on their cash cost—on that sum which is the only true basis upon which

to found estimates of profit.

But let us look at Mr. Poor's Manual again. In his book of 1884 he gives the following statistics on the railroads of the United States, up to December 31, 1883:

ı	Total mileage	120,552
ı	Total capital stock Total funded debt Total floating debt	\$3,708,060,58\\ 3,455,040,383 333,370,345

Total .. 7, 496, 471, 311

Miles of road completed in the three years ending December 31, 1883, 28,445.

Miles completed during year 1883, 6,001.

Increase of share, capital, and indebtedness of all companies for three years ending December 31, 1883, 29,038,433,054.

The cost of new mileage as represented by share, capital, and debt, being about \$70,000 per mile.

Increase in debt for the three years ending December 31, 1883, was:

Floating debt	169, 880, 400
Total	1,094,044,846
Cost of the mileage constructed certainly did not exceed \$30,000	per mile.

Assuming this to be correct and applying the rule of three to the

problem, we find that on December 31, 1883, the sum is as follows:

As \$70,000 per mile (the stock and bonded cost) is to \$30,000 per mile (the cash cost) so would \$7,496,471,311 (the stock and debt cost of 120,152 miles) be to \$3,164,134,484 (the cash cost thereof).

So that it appears that the reputed cost of these roads is at least two and one-third times greater than the cash cost, taking Mr. Poor's Manual as our authority. And in this connection it should be borne in mind that Mr. Poor has evidently based his calculations as to the cost per mile entirely on the bonded and floating debt. Now, in nearly every instance these bonds are taken or sold by the contractors for less than par, leaving them (even with this discount) a large profit on the contracts. Hence it follows that the actual cash cost must average a good deal less than \$30,000 per mile. (See Appendix F 1 and F 2.)

I was astonished to hear from the distinguished gentleman from Mas-

sachusetts this declaration: Rates are generally reasonable, and, on the whole, generous to the people,

While I would dislike to be considered hypercritical or too ready to draw out a possible latent meaning, I can not forbear calling attention to the significance that may well be attached to the last clause in this sentence,—"generous to the people." My honorable friend may have been far from purposing to convey the idea of lordly condescension which the adjective so used imports or as it might most naturally be interpreted in such a relation. "Generous to the people!" Inadvertently, no doubt, the gentleman has borrowed a phrase ready and agree-able in the mouth of the monopolists of this country, their agents and

attorneys. There is no recognition in any one of these speeches which are hostile to direct legislation on this subject, or opposed to sections of direct legislation unaccompanied by sections establishing a chancery commis-

sion, no recognition whatever of the fact that thousands upon thousands of miles of these roads have been built with the aid of subsidies and by land and bond gifts from every source competent to endow—the endowment in some of the Pacific roads far exceeding the cost of the road. "Generous to the people!" Go read the schedule rates, where you can find them, for transportation of persons and property on the Pacific railroads—over railroad tracks that, I repeat, for thousands of miles in the aggregate were literally laid upon the lap of Mother Earth [Appendix D], and even extended at great unnecessary curvature and angles in order to increase the distance upon which land sections and

angles in order to increase the distance upon which land sections and Government bonds might be demanded.

"Generous to the people!" Probably with respect to many local roads, and doubtless with respect to some in good old Massachusetts, the inquiry and effort in the management is to accommodate the people at most reasonable terms. But how can any one suppose that such is the attitude in which the great railroad magnates, who have been named, present themselves in their councils? Is it their inquiry, "How cheaply can we afford transportation and reap a fair profit from the actual investments in this or that road?" Does any one pretend that that is the question which they put to themselves and to each other? Why, in California they do not affect to deny, but distinctly and defiantly proclaim, a tariff based on "as much as the traffic will bear." Come now! of all the mockeries or jocularities that were ever indulged in in the name of "business interests," would not this be rightly accounted the superlative, transcendent, unsurpassable derision of the fact?

I am referring to the master speculators who control the long lines or relived traffic. What reason or instead in seaking to institute a com-

I am referring to the master speculators who control the long lines or railroad traffic. What reason or justice in seeking to institute a comparison or draw a precedent in advocacy of this commissioner proposition from the alacrity with which local railroad managers in the city of Boston, where there is a public sentiment that at times can not be withstood by any corporation within its boundaries, obey the demands of the people for depot space and convenience? I respectfully submit that such an illustration, with its avowed object, has about the same reason or logical force as was exhibited in the use of the tables of the honest but fanatical opponent of our district-school system, who traversed our country a few years since and sought to show that our popular educational privileges and arrangements should be abolished; by contrasting the number of young persons in the rural sections of Virginia, reported as suffering from diseases due to habits of dissipation, with the longer census of youths living amid the teeming populations of ocean-side cities and towns in New England, and similarly afflicted.

Mr. Speaker, the speculating managers and manipulators of railroad interests in this country have not treated the people "generously;" but quite to the contrary. These emperors within our Republic have not quite to the contrary. These emperors within our Republic have not treated the people decently. (See Appendix G.) Were they not boastfully incorrigible we should have inclination to pray that without the restrict ive force of law they might reform some of their methods altogether. It is true that they would not have made so many millions if they had dealt fairly by the people, instead of watering their stock and keeping up or increasing or insufficiently reducing their charges. By playing in the market, by gambling in the great exchange rooms, while they increased their shares or (occasionally) diminished them, and speculatingly increased or diminished their charges for transportation, and diminished (but never increased) the wages of the laborers on their lines, some men have amassed immense fortunes; have acquired millions in yalues where they might have had but one million under an honest management and control. I can not combat the probable truth of such statement or supposition. Vast wealth has come to the gambler where far less of riches would have been in all probability the recompense of the honest man engaged in the same enterprises. I am bringing a moral element into consideration. Will it provoke a smile or a laugh? Very likely. "Why," it has been and will be said, "anybody would have done the same thing under the same circumstances; anybody possessed of equal intelligence and an equal comprehension of the advantages of the situation—to the unscrupulous." I deny it. You say that these men have been or are generous to the people. I deny it. The record shows they have been neither generous nor honest. But I agree with you that they ought to have been honest and fair and just, and that then there would have been no need of national or State legislation of the character that is contemplated here. The world knows that they have not been honest, to say nothing of generous. For the venal world is deriding the man who would or does say that under similar opportunities he would not play the rascal and the extortioner in the same manner that Vanderbilt, Gould, Huntington, Stanford, and Crocker and their immediate associates have done.

In one breath it is said that this substitute bill will be destructive of business interests, and in the next breath it is declared that it will be a brutum fulmen. And then there comes an agreement that a commission which shall be above all things a board of inquiry, and secondarily and perchance a certificate-giver unto a victimized shipper on his road from a United States district attorney's office—where he must have paid his special fee—to a United States court of justice, is the right thing to be first-born of experimental legislative work here on this subject. All legislation of this kind, or of any kind on this subject at this time, may be said to be experimental. With the experience of the past, let us have a reasonable "experiment" now in the line of prog-

ress. The power belongs here, and should be kept here and exercised with direct lettering. Whatever inquiry is necessary should be made by the committees of this House, session by session and day by day. Pass this commission bill and you are building up a wall and bulwark for the railroad-stock manipulators and the monopolizing extortioners in railroad management.

Mr. Speaker, we must make further advance by legislation on this subject. We have no advance so far to chronicle;—save that exhibited in conceding that in deference to public sentiment some kind of legislation under this title must be had. But outside of the monopoly councils and stock exchanges there is ground and cause for the popular demand for reformatory legislation. It is notorious that there is corruption in every part of the Government by reason of the solicitations, first to the officers who administer the laws as they exist, and then addressed to the Representatives, as those Representatives propose, in obedience to popular requirement, to take some legislative action in the premises. State Legislatures and State commissioners can not reach this subject in its length and breadth. There must be action by the National Legislature, supervising, limiting, controlling, reforming. Corruption runs riot in the land. Jay Gould, C. P. Huntington, and associates unlock their vaults in every political campaign and disburse their greenbacks and their gold by hundreds of thousands of dollars to secure the election of men who will be their creatures or who will not be their antagonists. This is notorious. How long is this to continue? Bring these corporations down to reasonable fares and freight charges and they will have no motive for corrupting elections. Behold, now is the hour to lay the ax at the root of the tree.

Consider the magnitude and consequent prevailing strength of the temptation. Many a man goes into the halls of other capitols who could not be purchased in the corrupt sense for a hundred or a thousand or perhaps five or ten thousand dollars. But the offer comes for fifty and a hundred thousand dollars, and then he falls! So there is a judge upon the bench whose opinions and judgments may not be for sale in the thousands notch. But the hundreds of thousands or the millions which can overcome his virtue are at hand. What is the dire conjunction? It is an exigency and a competency. An exigency where it is worth thousands and tens and hundreds of thousands to a given corporation or association of corporations to prevent the passage of a certain bill or to secure the repeal or amendment of a particular statute. This being worth so much, as I have stated, it implies possession of the money by the corporation or corporations with which—howsoever it may be effectively applied—to secure the passage or defeat enactment. And so with the decisions of courts. Now it is worth millions of dollars to Jay Gould and C. P. Huntington and company to have and to retain and to enlarge the power which dwells in their hands to-day.

I will place in an appendix to my speech a list of the Huntington and Gould roads, as in itself sufficiently and appallingly indicative of the tremendous influence which these men and their partners can exert if and when disposed so to do. If this substitute bill is not indeed—or will not prove to be—a brutum fulmen on the statute-book, then it is worth thousands of dollars for the railroad magnates to defeat its passage. The temptation, the corrupting forces exist; and they will continue to be exerted, to demoralize and to debauch legislation through and through, until these tyrants are by some legislative methods displaced, dethroned, or compelled to transact their business within the lines of justice and right. It is remedial, reformatory, emancipating Congressional legislation, or it is Revolution.

lines of justice and right. It is remedial, reformatory, emancipating Congressional legislation, or it is Revolution.

The man in office once bribed is as an officer gone for all time. Those who have had to do with seducing him are thenceforth his masters while he remains in office and while he make a pretense to honor. When he becomes shameless, then he is comparatively worthless even in the eyes and according to the measurement of the monopolists.

How sickening is this spectacle! editors and clergymen prating about the corruption of the times and in the same hour lauding to the skies the infamous wretches who of all others have most to do, have almost always something to do in an initiative and supporting sense, in polluting the national fountains of justice.

ing the national fountains of justice.

It has been said by some disputants here that they are not "opposed to railroads." Who is, pray? Certainly there is no one here of such feeble intellect that he can not comprehend in general the excellence of their achievement in civilization. The spectacle of a steam-engine in motion is one of ever fresh and abiding interest.

In his comedy of "The Flying Scud" Boucicault puts in the mouth

In his comedy of "The Flying Scud" Boucicault puts in the mouth of one of his characters an exclamation of surprise over the deplorable fact that so noble an animal as the horse should be the direct cause of such ineffable meanness in man. With far greater emphasis might we utter sentences of wonder over the greed and rascality that in a like sense of paternity might be attributed to the birth and splendid power of the iron steed.

It has been said that charges for railroad service are less in this country, than in Europe. There are many reasons why they should be in some instances much lower here than there,—in cases where the lower rates can with truth be claimed. But it is also true that there is a gross deception in the figures that are sometimes given in this relation—a deception with respect to which there is often no guilt on the part of the speaker. When the class and character of conveniences afforded, un-

der the names of first, second, and third-class for passengers, and fast and special and slow for freight, are shown—for a full and comprehensive and therefore just comparison—these taken in conjunction with estimate of cost of construction, maintaining, &c., and dividends on actual cost—it will be seen that we are far behind the people of European nations in the matter of railroad accommodations at reasonable prices.

It has been repeatedly said or intimated that the railroad managers were continually and carefully studying the problems of transportation; that their time was largely absorbed in anxious efforts to graduate their rates on a correct basis or scale and develop traffic to the uttermost. On local lines there is such inquiry and endeavor; but with the great monopolists the fact is quite to the contrary. It is with these largestockholders and stock manipulators simply a proposition of how they can best make a tricky turn in the market by a change in the rates, or, which is more frequently the case, by stock sales or purchases on the instant adopted to "bull" or "bear" to their advantage. There never was in this country any systematic and extended study of the absolute and comparative cost of carrying different articles by rail until Albert Fink began his inquiries as to relative expenses and trade areas, on the Louisville and Nashville line and its branches and immediate connections.

On the Pacific coast, especially in California, the inquiry is made in each individual case: How much is the profit? or What will probably be the market price of this article now offered for transportation? What is this bushel of potatoes worth in Los Angeles? What will it bring the vendor in Tucson? These questions being answered, the freight is fixed at a sum that will absorb the larger part—from 70 to 80 per

cent .- of the profits.

For pulling a car-load of watermelons and peaches last October from Fresno City to Modesto, Cal., a distance of about eighty miles over a level country, the charge was \$95-nearly or quite twice as much as the charge would have been for similar carriage to San Francisco, one hundred and ten miles beyond Modesto on the Southern Pacific line. The consignees protesting, and refusing to unload the melons, and the item—one of many of like character—being of some value in the local campaign as an illustration of the extortions of the company. there came a telegram reducing the demand about 50 per cent. It was thought that on account of the property being of a quickly perishable nature the fruit merchants would be compelled to pay the enormous sum named on the hour of demand, but the Modesto market being unexpectedly supplied at the time, from sources and by means not necessary to mention here, the fact of threatened decay and destruction contributed to force the San Francisco agents—who were only faithfully carrying out their employers' general orders, to "charge all the traffic will bear"—to drop the price to an almost reasonable amount.

A few days ago a joint committee of the California State Horticultural Society, the State Fruitgrowers' Association, and the Viticultural Convention complained to one of the agents of the Central Pacific Railroad Company of San Francisco of the outrageous exactions of the monopoly; and it was shown how by a reduction of rates one-half the road would receive ten times as much freight as during the past season,resulting in a profit to grower and railroad company, besides advantages of many kinds to people in Chicago, New York, and other Eastern cities. All this appears to have been news to the management that is so often represented in the attitude of desperate, midnight-oil

contemplation and worriment on such subjects!

Give us a direct law and our people, individuals and voluntary asso ciations, will do and perform all necessary work of inquiry and investigation that is needed outside of the fit and not properly delegated labor of committees of Congress. The true interests of all honest and worthy stockholders are to be conserved and promoted by straightforward prohibitory legislation without the intervening of commissions;-to say nothing whatever of our transferring our authority altogether.

The Union, Central, and Southern Pacific railroad charters expressly provide for fixing the passenger and freight fares on those roads by Congressional action—direct tariff-rating in a Federal statute—and in conformity with that provision I introduced bills at the last session which should now be on the statute-book. By reason of their explicit foundation, and because of the fact of far greater extortion by railroad management on the Pacific coast than elsewhere in the Union, such bills as Nos. 99 and 1803 should have first been presented and passed. was in the natural order of things. But while we lament the failure to do the best that could have been done in the premises, let us not the less on that account give our hearty support to any and all measures in the class where the substitute bill of the gentleman from Texas belongs.

Pass this substitute bill, make the first reformatory trials under its sections, and then go on, as experience shall advise, to control with closer words these great lines of traffic, and the greater strain of corruption from monopoly sources will be checked; and ultimately it will be stayed when the bills which I introduced, and which were referred to the Pacific Railroad Committee, and which should have had preced-

ence, shall have been enacted into law.

Mr. Speaker, attention has been drawn to the fact that the bill of the committee is peculiar, in that while it forbids pooling it directs the commission to inquire into the expediency of adopting such a prohibitory section. "First hang the man and then try him!" O, how hibitory section.

we should have been criticised and ridiculed if we had been guilty of such written proposing. But to my mind this is not so strange, singular as it is, as the position of those who contend that pooling should be allowed, and that there should be no such maximum fixed for freight charges as is found in the fourth section of the substitute bill; and who at the same time concede that there are gross wrongs in the railroad management in our country, and favor the passage of a bill authorizing and creating a board of railroad commissioners. If pooling and rebating are not wrongs to be remedied by Congressional legislation, directly or indirectly, why have we not been told by the disputants to whom I have just referred what wrongs there are in the railroad management that call for any kind of interference by national legislation? Are not gentlemen who take the position indicated logically, absolutely self-accused to that extent that they have no argument in this forum on these points at this time? For it seems to be acknowledged that the greatest evils complained of under the general term "discrimination" are to be more particularly described by the word "rebates." The company's schedule certainly does not say that A shall be charged so much for the transportation of a certain class of goods and B, a merchant in the same city, shall be required to pay a different or a higher sum for the same service.

And there are so many contradictions in the same minute-made unwittingly or inadvertently, I have no doubt—by gentlemen opposed to this substitute bill, that I am at a loss as to which should be most prominently noticed, or which selected to the exclusion of the others. It is conceded that gross wrongs exist in connection with railroad management, and an adjacent declaration is that the conduct of business in this respect has not only been fair but generous. Some insist that rebates should be permitted and are absolutely necessary for the promotion of the "business interest" of the country. And then may follow an illustration which, if it have any force in such juxtaposition at all, is hostile to the general statement I have quoted. We have heard it declared upon this floor, in effect, that the great railroad monopoly speculators are honorable gentlemen, who have nobly earned their wealth and the eminence in power that belongs to the possession of great riches and the control of great enterprises; and immediately follow derisions and sneers and even the "chuckle" of gloating over the unsophisticated countryman who has been induced to invest his hard-earned store in railroad stocks and has become a victim to these same lords of trans-

Mr. Horr, of Michigan, in his interesting speech of December 9, 1884, very cleverly undertook to defend and extol Messrs. Gould and Vanderbilt; giving them a credit, however, to which I think they have no right, but boasting of their market operations—which properly and indisputably belong in their peculiar crown of rejoicing. Mr. HORR

Take for example the two men, Gould and Vanderbilt. I take them because they are the men who seem to be ever present in the minds of the gentleman from Texas [Mr. Reagan] and the gentleman from Kansas [Mr. Anderson]. These men are said to have obtained vast wealth, but can any man here say that they have wrung it from the wages of the laboring masses? The roads they own and have built have been paid for.

What an inadvertent or shrewd ignoring of the subsidies and securities by which the Pacific roads were constructed.

ties by which the Pacific roads were constructed.

The men who did the work, who handled the shovel and the pick, who furnished the ties and laid the iron, have all been paid for their labor. These men lave made money, and made it very rapidly in two ways. First, they have taken property that has been badly managed until it could be purchased cheap, they have bought it on the market, and then, by good management, by putting brains into the business, have made the same property valueble. What was worth but little by their superior skill has come to be worth a good deal. Is not that legitimate gain? Such transactions benefit the owners, but they also benefit the country.

Again, these men have undoubtedly made large sums in another way. Scattered all over the country are men who come to the conclusion that they are fitted for careers of speculation, and with their money they rush into Wall street to take a bout with these old "bruisers of the ring." [Laughter.] They at once tackle stocks—"buy long and sell short." A few weeks or months and the contest is over. The "lambs are shorn" and the leaders of the flock return to their fold "fatter and better fed." [Laughter.] The money thus accumulated does not come from the poor people, and takes nothing from the workingmen.

In all the leading current publications of the land including the

In all the leading current publications of the land, including the principal religious papers and periodicals, advertisements abound, calling upon the people to come forward and purchase these railroad stocks.

Often in religious and other periodicals there are editorial indorsements of the stock advertised, or commendations so printed as to bear the appearance of editorial language to the inexperienced reader of such pages. And now the honorable gentleman from Michigan, without knowing it, echoes the laughing speech of "brainy and legitimate" stock-waterers and fleecers of honest, trustful, but simple-minded or unsuspecting men and women.

Mr. Speaker, one of these assertions must be wrong: either there is gross mismanagement requiring the intervention of Congressional legislation, or we have no right or duty in this line of labor as legislators. If there were no evils in the rule of railroad monopoly, justly complained of, provoking a desire and a disposition for Congressional legislative interference, why is not that fact made so plain by the man agers, agents, and attorneys of these great corporations that there could not be any kind or sort of question or quibble with respect to it? If there be such wrongs as to admit of or call for Congressional interference, then they are so manifest in general and particular that there is no necessity for a commission of inquiry. The degree of clearness which will warrant or justify any legislation at all upon this subject makes it imperative upon us to legislate directly, without the intervention of an existing or a centemplated commission. I lay that down

as a proposition, against which I challenge question or controversy.

"Business interests!" This is a pet phrase at which we must all stand aghast! I must confess that I lost respect for it as a brace of bullying words, to be thrown in the face of every man who seeks for reformatory legislation, when I heard it proclaimed and reiterated during the season when the conspiracy to defraud the people out of their choice for Chief Executive—in 1876—'77—was in process of confirmation and execution. In 1877 no less a man than Montgomery Blair boldly published a pamphlet, in which he declared that the railroad corrupionists were most instrumental in carrying through the plan for stealing the Presidency;—the telegraph monopoly sedulously and successfully co-operating with the pulsating cry of "Hush! The business interests of the country demand its consummation!"

"Business interests!" exclaims and reiterates Jay Gould (this benevo-

lent patriarch-next friend of widows and orphans; who is accompanied in his daily rounds by a gentleman slugger and bully to guard against the affectionate demonstrations of the men and women whom he has befriended and enriched). Hear him! The same man who last summer publicly and conspicuously congratulated one man on his nomination for the Presidency; declaring in his Associated Press dispatches toward the close of the late campaign that his election was absolutely required by the "business interests" of the country; and then hastened to send a telegraphic message of congratulation to another and directly opposing candidate when it appeared that the latter had been chosen to our highest office; congratulating Mr. Cleveland substantially because of his approved official record as a conservator of the business interests of the

country. Is it not about time that this phrase lost its blaze and blinding force?

Who is opposed—in all sobriety and common sense let us inquire—to the prosperity of any class or department of legitimate industry? What man of common, ordinary instincts and common honor is not allied in sympathy and hope and resolution with the sincere and inamed in sympathy and hope and resolution with the sincere and intelligent spokesmen of honorable boards of trade and chambers of commerce and leagues of labor? Does Jay Gould or C. P. Huntington or Cornelius Vanderbilt or Norvin Green or Johnny Mackay—do they separately or collectively and exclusively represent the "business interests" of this country? (See Appendix K.)

Why, even the staid and conservative old New York Journal of Commerce has this to say, in a meant issue.

Commerce has this to say, in a recent issue:

Let any one visit the exchanges and look on a few minutes for himself; no gambling hell in any part of the world will show a madder throng or more passionate playing. This was formerly only true of the stock exchange, but it is becoming more and more the leading feature of the several trade exchanges, and shows the character of most of the business therein transacted.

Alas! too many people are dazed and stunned by the cheek-filling words and phrases projected with greatest emphasis by those who come from and represent the dens of the speculator, the stock-waterer, the railroad and telegraph monopolists:—even as of old men and women were awed into silence and subjection and craven submission by the loud and emphatic pulpit utterance of anathema blown from the lips of the fanatic and the bigot, the theological tyrant and inquisitor.

The real business interests of this country will be best subserved at this time, so far as interstate commerce is concerned, by the passage of laws that shall forbid and prevent the wrongs and evils that have been partially enumerated on this floor in the consideration of these measures. The true business interests of the people of this country are explicitly opposed to that theory of transportation charge which proclaims that the tariff should be as high as the traffic will possibly bear.

Mr. Speaker, I do not assume, much less assert, that the passage of this substitute bill, which in many particulars is not the bill which I would have drafted or originally urged upon the favorable attention of this Congress, will be a panacea for all our woes or bring us a business millennium. But it is a step in the right direction; it is a movement progressive, and not a pretense in any of its terms; nor are its sections collectively a proposition or a scheme to retire Congress from the consideration of the subject. The passage of this bill means progress. it-by its present lettering and an honest, active administration under it—will very greatly and lastingly ameliorate and improve the condition of the producer, the trader, and the consumer, or not, it is a beginning of a legislative march of remedy and reform. Has it defects which will be disclosed by the first consideration of courts and shown so many that aggressive and wholesome application can not be had under it,—as would appear to be intimated by some of its opponents? Then future amendatory legislation must come. But if you pass a commission bill, you go back. And you do more than retreat from that combative representation line up to which I understand we have sworn to carry and keep our colors. You fasten a bad system of reference upon us which

it may require many years to remove.

Mr. Speaker, what is to bind this great nation together? What are chief among many physical conveniences which ought to be practically at the command of all the people? Rapid intercommunication at reasonable rates; the quickest safe passage of persons and property, and of ideas of every salutary and enlightening sort, for the lowest rea-

sonable sums. Uniform and universal privilege and right in this respect is what should be desired, demanded, obtained, and retained by the people of this country. Not merely cheap excursion rates or picnic party tolls, but the lowest reasonable fares for every-day travel; not only cheap press dispatches by telegraph, but the cheapest day rates for every one who wishes to correspond by telegraph. There is no method by which you can have this great facility and bond between and for all the people save by national, Congressional, direct-action legislation. Do what we will in our separate Commonwealths, lawfully conspire as much as we may between commissioners and commissioners in the one State and the others, the achievement and the consummation most needed, most essential for the approximate realization of that felicity and that unity which our Constitution by the very first lines of its introduction in problem and conditional prophecy promises and guarantees, can not be had nor hoped for without such sections as these in the volume of living Congressional laws.

We have not arrived in practice and accomplishment half way up to the mark of the high standard of political civilization which is justly illuminated by those words that remain to cheer and admonish us from that statesman, patriot, and martyr, Abraham Lincoln, -assuming for our Nation the closest approximation to the ideal Republic-"A gov-

ernment of the people, by the people, and for the people."

In part by false use and effective reiteration of a wise saying commended to our consideration—"That is the best government which governs least"—the Congressional legislation which ought to have been had has been misrepresented and refused. And these words have been text and plea, of considerable influence, used by the attorneys of railroad monopolies after enormous subsidies had been granted to private corporations at times when the Government could (and should) have built the roads for which endowment was given at less than one-third the recorded outlay for the same purpose from the people's Treasury and inheritance. It is time that the people acted upon their plain understanding of these matters. The general enlightenment is sufficient. There has been enough preliminary investigation. The subject is popularly comprehended and understood. In great patience, an afflicted people have too long borne the burden of these monopolies. The failure to accomplish that which is commonly and righteously desired at the hand of legislators in this country can not much longer be attributed to other than

the most influential and really procuring causes.

"Business interests?" General prosperity? Yes. Abundant opportunity for labor and good wages and resultant happiness for the willing and honest citizen throughout the length and breadth of the land. How are these to be had to such degree and extent as to be characteristic? Expressing a proverbial condition of the Republic? Many things, material, political, moral, spiritual, must enter into the group of acknowledged and gratefully appreciated and jealously guarded and fostered causes. But let there be to-morrow from one end of this nation to the other and in all parts thereof intercommunication for persons and letters and property at the lowest reasonable sums, based upon actual cost, and all save the monopoly masters would rise up and rejoice in a Day of Deliverance from a tyranny unmatched in its meanness, into a new and glorious light of freedom, of privilege, and enjoyment. Not to-morrow will it come, but reason and sentiments of justice and patriotism combine to make us hope and resolve that by all our struggles, under divine guidance and favor we shall yet, in our generation, hail the opening of the era whereof we discern some reflected rays,-having heard the proclamation of its coming in the language of aspiration and benediction from our fathers.

APPENDIX A.

A comparatively few papers are kept on duty, as avowed monopoly sheets, all the time; most of the "organs," however, are on dress-parade "as anti-monopoly" until in a Legislative, or Congressional, or gubernatorial, or Presidential campaign their services—more efficient by reason of their masquerading hitherto or during the interim—are required by the master railroad and telegraph managers and speculators. Then they will be found (all the regular stipendiaries and the special attorney newspapers in harmony and concert) supporting the candidates that are desired and commended by Jay Gould, or Norvin Green, or Leland Stanford, or Johnny Mackay, or C. P. Huntington. So, largely by the aid of a venal press, the monopolists bamboozle and beguile, and are permitted to continue to rob the people.

APPENDIX B.

Since the date of the delivery of this speech, Mr. Phelps, of New Jersey, has addressed the House and said:

"The railways, if these restrictions should become laws, will ostentatiously break them all. They will invite litigation until the wheels of the courts are clogged. That will challenge public attention, and public attention is redress. Or they will issue an order, which the whole railway system shall obey, that every locomotive from sea to sea shall stay in its roundhouse."

And this language has been approved by the New York Tribune and other organs of Gould, Vanderbilt, Huntington, Stanford, and Norvin Green.

APPENDIX C.

APPENDIX C.

The following is the twenty-second section of the constitution of California, providing for a board of railroad commissioners, conferring exclusive powers upon the board, &c. The majority of the new board has proved recreant to pledges, platform and individual, and California is still subject to the grossest extortions in fares and freight charges:

"SEC. 22. The State shall be divided into three districts as nearly equal in population as practicable, in each of which one railroad commissioner shall be elected by the qualified electors thereof at the regular gubernatorial elections, whose salary shall be fixed by law, and whose term of office shall be four years, commencing on the first Monday after the first day of January next succeeding their election. Said commissioners shall be qualified electors of this State, and

of the district from which they are elected, and shall not be interested in any railroad corporation, or other transportation company as stockholder, creditors, agent, attorney, or employé; and the act of the majority of said commissioners shall be deemed the act of said commission. Said commissioners shall have the power, and it shall be their duty, to establish rates of charges for the transportation of passengers and freight by railroad or other transportation companies, and publish the same from time to time with such changes as they may make; to examine the books, records, and papers of all railroad and other transportation companies, and for this purpose they shall have power to issue subprenss and all other necessary process; to hear and determine complaints against railroad and other transportation companies; to send for personsand papers; to administer oaths, take testimony, and punish for contempt of their orders and processes, in the same manner and to the same extent as courts of record, and enforce their decisions and correct abuses through the medium of the courts. Said commissioners shall prescribe a uniform system of accounts to be kept by all such corporations and companies. Any railroad corporation or transportation company which shall fail or refuse to conform to such rates as shall be established by such commissioners, or shall charge rates in excess thereof, or shall fail to keep their accounts in accordance with the system prescribed by the commission, shall be fined not exceeding \$20,000 for each offense, and every officer, agent, and employe of any such corporation or company who shall demand or receive rates in excess thereof, or shall in any manner violate the provisions of this section, shall be fined not exceeding \$5,000, or be imprisoned in the county jail not exceeding one year. In all controversies, civil or criminal, the rates of fares and freights established by said commissions shall be deemed conclusively just and reasonable, and in any action against such corporation and comp

APPENDIX D.

APPENDIX D.

The time-card issued by the Union Pacific Railroad Company gives all the main stations along the line both of the Union and Central Pacific Railroads from Omaha to San Francisco, together with the distance of each from Omaha and elevation above sea-level. In this alone there is conclusive evidence to the mind of any one at all personally familiar with the route that the line from Reno, at the eastern foot of Sierra Nevadas, to Ogden, and especially in the State of Nevada, was built almost entirely without grading, cutting, or embanking. In other words, it was built without any attempt to make a regular grade, the rail being laid on the surface of the country.

Reno, Nev., is 4,497 feet above the sea-level, and from there I start the table. The first column shows the station from which the comparison is made. The second column the station where the comparison ends.

The third, altitude of last station made.

The fourth, distance in miles between the two stations named.

The fifth, increase in altitude between first station and last station on same line.

line.

The sixth, decrease in altitude between the two stations named.

The seventh, average increase or decrease per mile (of altitude), which is presumed to show the grade per mile.

arealore but put unt	10 10 10 10 10	of last			rence itude.	
From-	То-	Altitude o	Distance.	Increase.	Decrease.	
Vadsworth. Mit dirage Gr granite Point. Hu numboldt. Mil fill City Wi Vinnenucca. Gol Jolconda. Sto totone House Bat sattle Mountain Be- se-o-wa-we. Pal alsiade. Car alrin. Elk Elko. Ha Isleek. Dee beeth. We Vells. Ind ndependence. To	dsworth age. age. mite Point. mboldt 1 City. nnemucea. conda. ne House. tle Mountain. o wa-we. isade	Feet. 4,077 4,277 3,918 4,236 4,226 4,382 4,482 4,511 4,695 5,230 5,340 5,340 5,973 4,812	Miles. 34 26 28 42 11 29 16 24 20 33 18 9 9 23 24 13 20 15 21 26	Feet. 200 318 106 53 37 111 184 146 46 166 167 110 289 378	_	Feet. 124 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7

Miles of track Reno, Nev., to Tacoma Station, 438.	
Difference in altitude increases between stations, total	Feet. 2,311 1,984
Total for 438 miles.	4, 295

Highest grade from station to station, as shown by above table, $44\frac{n}{13}$ feet per mile; lowest, $\frac{1}{13}$ of a foot per mile; average, $9\frac{n}{4}$ feet per mile.

APPENDIX E.

The following is the twenty-first section of the constitution of California, providing against the short-haul extortion. It was fully discussed in the recent California constitutional convention, and there adopted (and afterward by popular

vote) by a large majority:
"No discrimination in charges or facilities for transportation shall be made by any railroad or transportation company between places or persons, or in the fa-

cilities for the transportation of the same classes of freight or passengers within this State, or coming from or going to any other State. Persons and property transported over any railroad, or by any other transportation company or individual, shall be delivered at any station, landing, or port at charges not exceeding the charges for the transportation of persons and property of the same class in the same direction, to any more distant station, port, or landing. Excursion and commutation tickets may be issued at special rates."

APPENDIX F 1.

Stock, bonds, and mileage of principal railroads in the United States at the present time.

Company.	Miles.	Stock.	Bonds.	Stocks and bonds per mile.
Atchison, Topeka and Santa Fé Central of New Jersey		\$56, 913, 000 18, 563, 200	\$42,542,996 62,237,000	\$54,646 152,543
Central Pacific.	1.215	59, 275, 500	82,054,680	93, 394
Chesapeake and Ohio	521	32, 818, 110	32, 528, 500	125, 425
Chicago and Alton	850	17,660,572	11, 423, 400	34, 216
Chicago, Burlington and Quincy	3,998	79,055,000		41,041
Chicago and Northwestern	4,181	63, 700, 321	93, 169, 820	37,519
Chicago, Rock Island and Pacific		41,960,000	17,500,000	43,055
Chicago, Milwaukee and Saint Paul Chicago, Saint Paul, Minneapolis and	4,760	47, 445, 244	102, 727, 000	31,548
Omaha	1,280	31, 916, 700	21, 636, 800	41,838
Indianapolis	391	14, 991, 600	8, 227, 162	59, 383
Delaware and Hudson	149	23,500,000	18,763,000	199,353
Delaware, Lackawanna and Western		26, 200, 000		80,798
Illinois Central	2,007	39,000,000	17, 996, 000	28,398
ern	344	10,000,000	14, 137, 300	70,166
Lake Shore	1,340		46, 141, 000	71,747
Long IslandLouisville and Nashville	182	10,000,000		84,582
Louisville and Nashville	2,065	25,000,000	74, 530, 962	48, 199

Name of road.	Capital stock.	Bonded debt.	Stock and bonds per mile.	Miles of road.
Michigan Central	21, 975, 000 88, 807, 068 92, 619, 750 34, 734, 675 5, 000, 000 25, 000, 000	\$22, 630, 000 26, 859, 000 49, 997, 233 75, 267, 137 5, 000, 000 15, 284, 600 70, 836, 690 56, 770, 150 124, 363, 685 9, 598, 000 24, 102, 000 33, 518, 000 43, 283, 139 136, 863, 653	\$126, 120 57, 431 140, 408 123, 883 79, 766 74, 521 68, 457 113, 690 170, 706 19, 428 50, 736 82, 595	284 990 993 1, 296 257 503 2, 332 1, 314 932 756 776 1, 203 1, 418

In some of the above the total debt does not show alone the cost of the road, as, for example, Delaware and Hudson has large amounts of coal lands.

APPENDIX F 2.

In the estimates of cost per mile of the Central Pacific, Union Pacific, and other roads the calculations have been for construction alone, and does not include railway stock, &c. The following letter is from the New York Times of December 31, 1884, and is instructive as to actual cost of railroad construction:

"THE MEXICAN NATIONAL BAILWAY.

" To the Editor of the New York Times:

"To the Editor of the New York Times:

"In your issue of 26th instant, a New Orleans correspondent charges extravagance in the construction of this road, alleging that it has cost \$90,000 a mile to build road involving no difficulty or exceptional element of cost. This is so wide a misstatement of fact that I venture to ask a correction.

"In point of fact, \$90,000 per mile is more than four times the cost of the construction and equipment of this road. The building being done in a foreign country has involved exceptional elements of cost, and much of it has been through a mountainous region, and in ascending the plateau from the level of the sea. Notwithstanding it is being built and equipped at an average cost of not exceeding \$20,000 per mile—the original estimate. There are to-day nine hundred and ten miles constructed which have been built at a cash cost—leaving out rolling-stock and interest during construction—of \$18,596,857, being \$20,438 per mile, or \$23,000 per mile including rolling-stock.

"This includes organizing the whole system, and the building of the most expensive section of the northern and southern ends, including one division from the City of Mexico to Toluca—forty-six miles—crossing a mountain range at 10,000 feet above the level of the ocean, which cost about \$75,000 per mile.

"There are also five hundred miles additional surveyed, located, and partially constructed. This mileage is to complete the link of three hundred and sixty-nine miles in the through line from the United States to the City of Mexico, and to finish one or two short branches to coal-mines and forests. Detailed estimates made by the best engineers show that this five hundred miles can be completed at an additional cost of \$5,360,000, making, say, 1,400 miles—costing \$23,596,857, or an average of \$17,112 per mile. These five hundred miles can doubtless be built within the estimate above given if construction were entered on now, since labor and materials are cheaper than they were when these estimates were made, and th

"NEW YORK, Tuesday, December 30, 1884." LIAM J. PALMER, President.

APPENDIX G.

Says Mr. F. B. Thurber, of New York city, one of the leading grocery merchants of the world, in a recent communication:

"At this very moment coal combinations are laying an unjust tax of from one to three dollars per ton upon the coal consumers of this country; an oil monopoly exists which lays its heavy hand upon the light of the masses; both of these great monopolies were created and are fostered by the railways. The business of some communities is dwarfed, while that of others is unduly stimulated, by a disregard of the question of distance and the principle of the cost of the service; the natural currents of trade are dammed upor turned aside at the pleasure of corporate magnates, a case in point being that of the Pacific railways in accepting the bribe of the Spreckels' sugar monopoly to charge 2 cents on sugar from New York to San Francisco and but 1 cent per pound on the same article from San Francisco to New York. Instances of discrimination and favoritism by which one shipper is made rich and another poor are constantly coming to light, of which the recent case in Ohio of Schuremer, Scoffeld & Teagle against the Lake Shore Railroad is an illustration. In England, where railroads are operated by competing corporations, they are obliged to keep a book at every station for public inspection, giving the ruling tariffs of rates. It is natural that railways should prefer a railway commission, without laws and penalties, to guide them, just as it would be natural for the criminal classes to prefer a police force without specified laws and penalties against crime."

The farmers of the West are willing to divide with the railroads, but when it comes to giving up to the monopolies the entire proceeds of their labor they naturally object, and they are beginning to think that something must be done for their own relief. It is plainly evident that the sentiment in favor of railway regulation by legislation is daily growing stronger.—Omaha Bee, December, 1884.

Cases can be cited by the score, and indeed hundreds,

for these have never been let down. When the railroads have had good years they have accumulated a surplus like that of the Northwestern, which now amounts to \$30,000,000, or they have stretched half way across the continent, like the Burlington.

J. When there come bad years, like these now upon us, the roads insist that the poor farmer shall still continue to make good all this pile of Wall-street fictions. He must good paying dividends on the capitalization of all the locomotives, cars, and rails the roads ever had, although a large part of them have long since been worn out. The very repairs—made per haps ten years ago—figure in the volume of the capital stock and clamor for dividends as loudly as the longus stocks and bonds which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been created by construction frauds and Wall-street waterway which have been constructed to the water of the water o

the good-will of the people. Wise railroad men should heed the portents of public anger and put their houses in order. They must not only do something, but they must do the right thing. Corrupting Legislatures is but putting off the evil day and fattening a monster that will some day devour them. The only safe policy is to reduce rates, abolish discriminations, treat all alike, and build their prosperity on the good-will of the community.—Chicago Tribune, December, 1894.

One of the principal mining men of Utah recently declared that "with the present low rates for lead and high rates of transportation, we might as well turn our ores right over to the railroad companies." This was by no means an exaggerated statement of the condition of affairs in Utah, and matters have long been worse in Nevada. Hundreds of good mines, adjacent to the line of the Central Pacific Railroad Company, are idle to-day, as they have been for years, because the rates charged for transporting the ores to San Francisco, Salt Lake, or other points where facilities for reduction could be obtained, were too high to leave the mine owner any adequate compensation for his toil and risk in prospecting for one, extracting it from the mine and hauling it to the railroad. The railroad will not fix a price per ton for hauling ores; it must have a percentage—"all that the goods will bear." The miner will be allowed enough to live upon, but the railroad must take the lion's share of the profit.

It is the tribute of the Turkish serf to the Sultan that the railroad barons have demanded and exacted, but a great change has come over the spirit of the American people of late. Its first manifestation was in the dethronement of the Republican party, which had become the subservient tool—the willing, obsequious slave—of the railway lords. Its culmination will be, let us hope, in stern but just legislation in the States and in Congress, and honest administration by the Democratic party of laws which shall deal out equal justice to the people and to the rail

The following will show list of roads owned by the Central Pacific or the Union Pacific—Stanford, Crocker, Huntington, Gould & Co.—or in which a portion of the directors are the same:

THE UNION PACIFIC SYSTEM.

Union Pacific.

Union Pacific—Stanford, Crocker, Huntington, Gould & Co.—or in which a portion of the directors are the same:

I. Union Pacific.
2. Kansas Pacific.
3. Denver Pacific.
4. Julesburg Branch.
5. Omaha and Republican Valley.
6. Omaha and Republican Valley.
7. Saint Joseph and Western.
8. Marysville and Blue Valley.
9. Echo and Park City.
10. Utah and Northern.
11. Colorado Central.
12. Denver, South Park and Pacific.
12. Lawrence and Emporia.
13. Denver, South Park and Pacific.
14. Lawrence and Emporia.
15. Solomon Raffroad.
16. Salina and Southwestern.
17. Denver and Boulder Valley.
18. Golden, Boulder and Caribou.
19. Kansas Central.
20. Sait Lake and Western.
21. Oregon Short Line.
22. Greeley, Sait Lake and Pacific.
23. Carbondale Branch.
24. Nevada Central.
25. Manhattan and Northwestern.
26. Manhattan, albany and Burlingame.
27. Central Branch Union Pacific.
28. These roads are all under the care of one or more of the directors of the Union Pacific.
29. Canada Souttern.
29. Canada Souttern.
29. Canada Souttern.
29. Canada Southern.
29. Canada Southern.
20. Utah and Nevada.
20. Utah and Nevada.
21. Texas and Pacific.
22. Canada Southern.
23. Memphis and Little Rock.
23. International and Great Western.
24. Missouri, Kansas and Texas.
25. Missouri Pacific.
26. Saint Louis Bridge Company.
27. Saint Louis Bridge Company.
28. Salin Louis Bridge Company.
29. Scalalis, Warsaw and Southern.
20. Salalis, Warsaw and Southern.
21. Chicago, Saint Paul, Minneapolis and Omaha,
22. Chango, Saint Paul, Minneapolis and Omaha,
23. Sioux City and Pacific.
24. Chicago, Saint Paul, Minneapolis and Chicago,
25. Wabash, Saint Louis and Arcific.
26. Chicago and Canada Southern.
27. Central Railrond of New Jersey.
28. Mindian And Chicago and Canada Southern.
29. Michigan Central.
20. Central Railrond of New Jersey.
20. Manhattan Elevated.
21. Central Pacific.
22. Cali

THE CENTRAL PACIFICATION OF TH

Southern Facility Branch.
California Southern.
Santa Clara and Pajara Valley.
Colorado Steam Navigation Company.
California Steam Navigation Company.
Western Development Company, small line.
Los Angeles and San Diego.

Consolidated with Southern Pacific

Consolidated with Central Pacific.

	Southern Pacific of Arizona,	
	Southern Pacific of New Mexico.	
	Sacramento and Placerville.	
	Stockton and Copperopolis.	
25.	Los Angeles and Independence.	
	Amador Branch.	
	Berkley Branch.	
	Northern Railway.	
	San Pablo and Tulare.	
30.	California Pacific,	
31.	Galveston, Harrisburg and San Antonio.	
32.	Pacific Improvement Company (bridge).	
	Chesapeake and Ohio.	
	Chesapeake and Ohio and Southwestern.	
	Kentucky Central.	
	Morgan's Louisiana and Texas steamship and railroad lines.	
	Texas and New Orleans.	
	Louisiana Western Extension Company of Texas.	
	Louisiana Western Extension Company of Louisiana.	
	Louisiana Central.	
	Elizabethtown, Lexington and Big Sandy, Market Street Railroad (San Francisco).	
	Potrero and Bay View Railroad (San Francisco).	
	California Street Railroad (San Francisco).	
23.		
	CENTRAL AND UNION COMBINED.	
1.	Pacific Mail Steamship Company,	
2.	Occidental and Oriental Steamship Company,	
3.	Western Union.	
4.	Atlantic and Pacific.	
	RECAPITULATION.	
1	Companies merged into Union Pacific and charged in expenses 27	
	Companies controlled by same directors as Union Pacific	
	Companies controlled by same uncools as chieff I acmenium	56
3	Companies owned by Central Pacific	-
4	Other companies controlled by Central Pacific under lease and	
	owned by its directors	
	/ I I I I I I I I I I I I I I I I I I I	33
5	Controlled by Central Pacific and Union Pacific jointly	4
6	Other companies in which Huntington has a controlling interest	12
	Cinci companies in miner assuming to it that it controlling investment	655
	Total	105
		12500

APPENDIX K.

Saratoga Monument.

SPEECH

HON. SAMUEL S. COX,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 4, 1884,

On the bill (S. 1309) to provide statuary and historical tablets for the Saratoga monument.

Mr. COX, of New York, said:

Mr. SPEAKER: Perhaps no nation known to history had so remarkable a love of monumental glory as Greece. Athens was the eye of Greece, and Greece through Athens gave refinement to what Egypt gave to her. She gave symmetry, proportion, and glory to her temples and monuments in celebration of her heroes. It was a part of her re-ligion. Her mythology exalted her heroes into demi-gods, and her gods were made monumental and immortal in every niche of her parthenons. It was a sign and a proof of the refinement of her civilization. It was an illustration of the remark of our revered ex-Governor Seymour, quite apposite to the present occasion, that national monuments not only mark but make civilization.

When Pericles proclaimed in his oration over the dead of Marathon

that the "mighty monuments of Hellenic power were witnesses for Greece to make her the wonder of succeeding ages," he but anticipated, if he did not generalize upon, the primal virtues of such monumental testimony to heroism.

But, sir, time lapses and monuments decay. Perhaps there is nothing left but the living word of history. By the elemental, and I may say chemical, dissolutions of nature new forms and new orders are made in the economies of our star. Chaos becomes cosmos, and cosmos becomes chaos.

The monument which marks a great era in this new hemisphere most conspicuous, permanent, and patriotic in our history, is that which now attracts the attention of the American Congress

One hundred and seven years ago, upon a peculiar and lofty ground of vantage, overlooking the Hudson, now the historic spot of America,

was fought the decisive battle of our Revolution. Our independence turned upon this battle as the pivot.

Men like Horatio Seymour, Hamilton Fish, George William Curtis, William L. Stone, Benson J. Lossing, and John A. Corey organized the Saratoga Monument Association, under a New York charter, to make as memorable as stone and bronze can make them, the deeds of that battle-field.

Their monument has arisen! Their structure is completed! Over one hundred and fifty feet, a classic shaft arises, upon a bluff twice that altitude, and overlooking the rare scenery of our majestic Hudson. But it is not because of the scenery—hill and dale, sparkling water, beauteous woods, ethereal vault of blue, and misty mountains of enchantment-that this locality allures and holds the vagrant vision.

This monument is the cynosure of patriotism.

New York has given its \$25,000; the United States has added its thirty thousand; the good people interested in this locality have added from their private store their ten thousand; and this organization, of which I have the honor to be a trustee, now asks of you enough for the completion of its sculptural and other adornments. It asks for this object forty thousand. This sum and object the Senate has approved. Is this House less generous and patriotic?

We come with our designs consummated. We come with niches pre-pared for the statues of the great generals of that day and of that conflict. We come with tablets in bronze, almost ready for their places. We come to ask you to engrave, by word and allegory, legends of beauty and inspiration, that will perpetuate the fame of the Schuylers, the Gateses, the Morgans, and I was about to say the Benedict Arnolds, who fought in that grand and decisive struggle.

There was an almost bitter rivalry between the generals of that Army. Bancroft detracts from the encomium due our officers. He praises the battle as that of "the husbandmen." He is not backward in giving to the negro a good share of the credit; but no history is just which to the negro a good share of the credit; but no history is just which fails to lift above mere local fame the names of such of the New England and Continental heroes as Cilley, Scammel, Livingston, Cook, Colburn, and Dearborn. They form a part of that gallaxy in whose honor the Saratoga shaft points starward.

How much, Mr. Speaker, depended upon the embattled courage and skill of that perilous hour! How wide and far-reaching are the results! How much of general interest hangs upon the events of that 17th of October, 1777, when Burgoyne surrendered upon these Saratoga plains and hills! The capital chapter, sir, of that Revolution, illumined with the prudence and valor of Washington, Greene, Knox, Wayne, La Fayette, Kosciusko, Steuben, Pulaski—men of every clime and race—here received a fitting and glorious finale. That army which left the shores of England with so much prestige and pride, proclaiming with supercilious vaunting its unjust and tyrannic insolence of control, heralding its audacious approach and its successful maneuvers and movements by the whoops of the "hell-hounds of savage warfare," marking its march, flanked by tory and Indian allies, in the consternation and desperation of the people of the colony and city of New York, was here discomfited, first upon the 7th of October, and ten days afterward by its humiliating capitulation!

The centuries come and go, but such deeds live forever. They live because they are mementoes of noble thought. Such thoughts are only not divine. The seminal and grand idea of Saratoga is independence. These men fought not for liberty. They never lost their liberties. They fought because their liberties, their English and colonial privileges, their God-given rights and their natural and just demands against

a foreign foe and a despicable tyrant were disregarded and outraged.

Saratoga was the wand that "smote the rock of the national resources." It was the magic that revived the "dead corpse of public sources."

when the smoke of this struggle floated away from the Bemus Heights and hills around Schuylerville, the cloud of financial distress and of military gloom which shrouded the United Clonies and their Congress and armies parted. Through its rift appeared that blessed goddess which always appears, at least, in Homeric imagination, to give grace and glory to the struggles of heroic men.

This battle had more than usual significance. It led to the French alliance. It made possible, a hundred years afterward, through French art and genius, that lofty effigy for New York Harbor, of Liberty lifting up her torch, beckoning and illuminating all mankind by its radiancy.

The State of New York, which asks for this contribution from the Federal Treasury, has not been laggard in its own efforts to perpetuate Revolutionary memories. The final departure of the British troops from America, and the erection of a statue of Washington upon the spot where he took the oath of office as President, as well as another event already made memorable by a tablet at the Battery, where Washington bade farewell to his officers to surrender his commission and retire to his home, have been celebrated by the munificence and thoughtfulness of New York citizens.

But the event at Saratoga dominates all. It is full-orbed in splendor! It marks something that belongs not merely to the century gone by or to England and America, but to all ages and to mankind. The by or to England and America, but to all ages and to mankind. The surrender at Saratoga was not merely the surrender of Burgoyne and his army; it was the surrender of a distant and haughty prince and an obsequious and corrupt Parliament to thirteen weak and remote colonies. It was the most conspicuous step in that grand march of events, so extraordinary and unexpected, that the English historian of our Revolution, Stedman, says that they bade "defiance to all human foresight," and which found their consummation at Yorktown. It was the flower of that fruit which gave us our matchless Constitution. It was a surrender, in advance, of this hemisphere to democratic-repubwas a surrender, in advance, of this hemisphere to democratic-republican autonomy, in which public and personal, local and national, liberties are guarded with vestal vigilance under written charters, and where in the course of one century after the auspicious event nearly sixty millions of enfranchised people are encircled by a zone of felicities unexampled in the annals of mankind, and who, rising up, call the men of that day, that tried sinew and soul, blessed beyond most martial and give herees who have clarified our plant! and civic heroes who have glorified our planet!

Internal Taxes on Tobacco.

SPEECH

HON. JOHN V. L. FINDLAY.

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 5, 1885,

On the bill (H. R. 5432) relating to duties on tobacco.

Mr. FINDLAY said:

Mr. SPEAKER: There are three propositions covered by this bill:
First, to repeal all taxes upon tobacco in any of its forms, and also the
special taxes levied by way of license upon the business of dealing in
tobacco and its products.

Second, to repeal the taxes upon distilled spirits so far as the same

are used in manufactures and in the arts.

Third, to repeal the taxes upon brandy distilled from fruits.

The first two propositions have my cordial assent. I regard the tobacco tax as a burden, not so much upon the luxuries of the rich as upon the necessities of the poor. The vast bulk of it is paid by men who literally earn their bread by the sweat of their brows. The manufacturers of this product, particularly in the form of cigars, are hampered by restrictions which render the conduct of the business by men of small means exceedingly difficult, and to such as are without capital impossible. In this way an ordinary source of livelihood has been closed to hundreds who before the imposition of the tax carned an honest and secure subsistence by engaging in this manufacture.

The machinery for the collection of the tax has in more than one in-

stance been oppressively set in motion so as to grind the face of the poor and destroy the weak in the interest of the rich and powerful. I am oposed to the tax itself and the modes by which it is collected, and, other things being equal, nothing would induce me to withhold my vote from a proposition for its repeal except an absolute necessity for revenue to meet the expenditures of the Government. The second proposition also meets my approval. It has been stated upon good authority that one-half of the alcohol made in the country is consumed in the arts; and as the bent of our present economic investigation seems to be the discovery of the means by which the cost of domestic manufactures may be diminished so as to give us a living chance in the markets of the world, I would favor any just measure which would place our manufactures upon a competing basis with the products of other coun-

tries.

There can be no justification for maintaining this or any other tax, except the requirements for revenue, and as there seems to be a concession. sion underlying all these discussions, that the tax is not needed for revenue purposes, I can see no reason why it should not be abolished. I desire to say in passing, however, that it is by no means clear to my mind that the Treasury is in that plethoric condition which is made the subject of boast by one party and of reproach by the other. As I read the Secretary of the Treasury's report, there would have been a

surplus of about \$103,000,000 during the last fiscal year if there had been no debt to pay and none to provide for.

In point of fact, however, there was \$46,000,000 in round numbers required for the sinking fund and \$57,000,000 more actually applied in the redemption of the public debt, so that at the end of the year there was no surplus. The public debt bearing interest has been reduced, I believe, to somewhere in the neighborhood of \$1,196,000,000, but as long as this amount is outstanding, to say nothing of the non-interest-bearing debt, some \$636,000,000 more, I can not exactly see by what argument the theory of a surplus can be maintained, particularly when we add to this enormous sum a pension charge of about \$60,000,000 per annum, which capitalized at 3 per cent. would equal \$2,000,000,000 more. I understand, of course, that the contention is that as the national banking system is founded upon the public debt, and is very generally by most sensible people recognized as the safest and most beneficent system of banking the country has ever enjoyed, it would be unwise to nibble away the foundation by the redemption of Government bonds deposited to secure circulation. But this argument is by no means satisfactory

Sooner or later, if the public debt is ever to be paid, this foundation ust be swept away. It is not bed-rock, but the shifting sand, and all must be swept away. It is not bed-rock, but the shifting sand, and all contrivances which attempt to evade or avoid the consequences of this fundamental weakness in the system will prove but temporary props to help us over a present difficulty. Still, for the sake of relieving our manufacturers and affording them every opportunity for competition, I would vote to remove the tax on spirits to the extent of their consumption in the arts. But both these propositions for the relief of tobacco and spirits are combined in the bill with a third, so extraordinary in itself and so inconsistent with the proposed relief to spirits as to impeach the good faith of any one less sincere and candid than the honorable gentleman from New York who stands sponsor for this measure. I allude to the third provision of the bill which proposes to exonerate brandy distilled from fruits altogether from the excise tax. It must be perfectly obvious at first sight that this free brandy, metamorphose by ingenious transmutation into every species of beverge which the average genious transmutation into every species of beverage which the average American palate craves, would just as certainly drive out and supplant the old and tax-ridden brands of bourbon and rye as a debased circulat-

ing medium drives out honest money.

The business would become so profitable that grain grown for dis-The business would become so prontable that grain grown for distillation would measurably cease, and in its stead farmers would go into the business of apple, peach, and grape culture. The increase of the brandy product would keep on until it finally secured full possession of the markets, and in a very short time the tax obtained from whisky would be so inconsiderable as scarcely to be worth the collecting. There is an irrepressible conflict between free and taxed spirits, in which the free by the natural laws of trade will inevitably get the better of

the taxed.

the taxed.

But in addition to the loss of revenue to the Government a great injury would be inflicted upon the distiller of spirits from grain. It is just that kind of an injury which a government in the exercise of the taxing power should be careful not to inflict. This is a power which can only be legally exercised by methods which contemplate approximate equality. The Government has a right to go into the people's pockets and take from all alike, but it has no right to empty one man's pocket while it refuses to touch, let alone fill, another's.

There was a great deal said on a recent occasion somewhat famous in the discussions of this body about the iniquity of levying taxes upon the people for the support of the manufacturing interests of the country to the prejudice of the general consumer. But what representation of this alleged monopoly, however grossly exaggerated, can equal the picture of the Government freeing one class of its citizens entirely from a tax to which another class is subjected. Alcoholic liquor derived from the peach, presumably only to be used as a beverage, is to be freed from the peach, presumably only to be used as a beverage, is to be freed from the tax, while the same article precisely, with the difference that it may be used also in the arts, is to pay at the rate of 90 cents on the gallon, and all this, too, in a bill the object of which seems to be to tax alcoholic beverages and to exempt alcohol when it takes other channels of consumption.

If the argument against its legality rested upon general principles alone, I do not think it could be successfully assailed. But, fortunately for the grower of grain and the distiller of that product, there is an oldfashioned instrument known as the Constitution of the United States which has, if I mistake not, an important bearing upon this subject. I have not the instrument before me, but one of its clauses after providing for the levy of the excise requires that it shall be uniform. To exempt alcoholic liquor distilled from fruits and to tax the same subexempt account inquor distinct from 1 rules and to tax the same sustance distilled from grain would not, in my opinion, be an uniform excise within the meaning of this requirement of the Constitution.

It would be to except one class of manufacturers from the operation of a burden which the framers of the Constitution intended to operate

alike upon all persons embraced in the same class. It will not satisfy this rule of uniformity to group distillers of fruit brandy into one class and distillers of spirits from grain into another, and then claim that a uniform exemption of one class and a uniform exaction of the other, making no exception, either as to exemption or taxation, among the members of the respective classes, is all that the Constitution requires. The classification itself is vicious and can not be maintained. The tax on distilled spirits is levied upon the proof and not on the wine gallon, and the reason of this is that a uniform tax could not be justly levied upon the mere liquid measure as the unit of valuation. The value of the spirits is tested by their strength, and not by mere quantity, and therefore a certain volume of alcoholic liquor, to be determined by a prescribed method, was made the standard of taxable value. The present rate is 90 cents on the proof-gallon, and every gallon of spirits containing the prescribed quantity of alcoholic liquor is subject to this

If a distiller of brandy produces this taxable kind of alcoholic liquor, it matters not from what substance, he puts himself at once in that class of persons who are engaged in the manufacture of an article subject to a specific tax. To exempt him is to say that one man producing alcoholic liquor from one substance shall pay a tax, and another man producing identically the same article from a different substance shall be exonerated. Paper is produced from a variety of substances. Suppose there was an excise upon paper—as there once was, I believe—could this tax be sustained as uniform if paper made out of rags, for instance, was subjected to the tax, and paper out of wood exempted? If such a tax could be upheld as uniform, it might well be asked what is the meaning of this clause of the Constitution. Unless you give it the meaning which I am seeking to attach to it, it seems to me that it is without significance, a dead letter, and void.

It was put in the Constitution for the purpose of preventing unjust discriminations in the exercise of the taxing power, and if it is possible to invent a discrimination which has in it more of the elements of

injustice than this I am at a loss to conceive what it would be. these reasons, as the bill can not be amended so as to cover what I approve in it without embracing also what is manifestly unreasonable and unjust, I shall be reluctantly compelled to record my vote in the nega-

Department of Agriculture.

SPEECH

HON. ORLANDO B. POTTER.

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Monday, December 15, 1884.

The House having under consideration the bill (H. R. 1457) to establish a department of agriculture—

Mr. POTTER said:

Mr. SPEAKER: I claim to have as much interest in farming and in farms as any member on the floor. I was born on a farm, and reared on a farm, and practiced farming in my early manhood, and have returned to it now in mature years as a comfort and a business in which

But, sir, I have seen, with sorrow, a growing tendency of the General Government to take charge of all domestic affairs and concerns of the people of the several States. If there is anything that is of domestic people of the several states. If there is anything that is of domestic concern, if there is anything which pertains to self-government of the people at home, it is agriculture. It has been carried forward to the high position it occupies in this country by competition of free and ambitious States rivaling each other in this noble work. It seems at last to have come to this, that the farmers are to be encouraged to come to Washington to get the seeds which they are to sow upon their farmers, and he to what breed of cettle they are to sow upon their farmers. and be taught what breed of cattle they are to raise, and to learn those other things which can be learned better at their own firesides under

other things which can be learned better at their own hreshoes under the neighborhood rivalry of domestic life, where agriculture has its best stimulus and its greatest reward.

As was said, Mr. Speaker, by one much wiser than myself, when the farmers of this land shall have to make pilgrimages to Washington, either personally or through their representatives, or shall need to come here to be taught how, in their various latitudes and longitudes and climates, they are to carry on this great but domestic work of agri-culture, its decadence and decay will have commenced.

To my mind, sir, unless we are to depart from the great purpose of this General Government, which was to secure local self-government to all the people of all the States, and are to deliver over to a central government at Washington legislative control of the domestic affairs of the people of the States, we should reject this bill. I hope, sir, that we will go no further in this direction.

There is nothing that the Commissioner of Agriculture can teach in

reference to agriculture which our people do not know and which they

can not practice for themselves.

This bill proposes no practical way in which to increase the knowledge

of agriculture or advance progress in agriculture. It simply proposes to make another Cabinet office, to usurp by the General Government what belongs to the people of these United States. That is all it can accomplish.

[Here the hammer fell].

Saratoga Monument.

SPEECH

HON. EDWARD WEMPLE,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 4, 1884,

On the bill (S. 1309) to provide statuary and historical tablets for the Saratoga monument.

Mr. WEMPLE said:

Mr. SPEAKER: The Saratoga Monument Association is incorporated under perpetual charter by the State of New York. This association is composed of patriotic citizens from many States of our Union. Hon. John H. Starin, of New York city, is its president, and among the list of trustees are such men as Horatio Seymour, Hamilton Fish, William L. Stone, Benson J. Lossing, George William Curtis, and others, of New York; General Kirke, of South Carolina; General Rodgers, of Rhode Island; Giles B. Slocum, of Michigan; and E. B. Canning, of Massachusetts.

This association has acquired title to four acres of land within the line of Burgoyne's intrenchments, overlooking the field of surrender, and have erected thereon a beautiful monumental shaft one hundred and fifty-five feet high. The exterior walls of this granite monument are now finished.

are now inished.

The board of trustees have most judiciously and economically expended the money intrusted to them. The structure has so far cost \$65,000, \$30,000 of which was appropriated by the General Government, \$25,000 by the State of New York, and \$10,000 were raised by private subscription. They have now to show for this a most handsome and artistic monument. It will require about \$75,000 to finish this monument as desired.

This bill appropriates \$40,000. If the General Government will give this amount we are assured that the State of New York will again con-tribute twenty-five thousand, and the board of trustees pledge themselves to again raise by private subscription the sum of ten thousand. With this amount they intend to place in the outside niches on three sides statues of General Schuyler, General Gates, and General Morgan. The fourth niche being left unfilled, with the name of Arnold engraved underneath.

On the interior of this monument they intend to place bronze historical tablets commemorative of incidents of the Revolution. Many interesting incidents will also be described in terra-cotta tablets, as the parties having this matter in charge find that they will be unable to raise money sufficient to have them placed in bronze.

Hon. Andrew D. White says of this part of the monument now

completed:

Having traveled much over the world and seen many monuments erected in honor of distinguished men and in commemoration of noted events, I have difficulty in recalling one more interesting than that of the Saratoga monument. It presents in its intended soulptural decorations one of the best ideas ever embodied in a similar structure, namely: statues of the three generals who served their country at a most critical period of its history, leaving vacant a niche where would have been the statue of the fourth had he not become a traitor to his country.

For the past several years much interest has been awakened in the State of New York in our Colonial and Revolutionary history by holding centennial celebrations commemorative of these important events, and our patriotic citizens have with liberal hand erected many monuments marking these historical spots, and have for none of these asked any aid from the General Government; but the battle of Saratoga is characterized as one of the fifteen decisive battles of the world. It changed the nature of the war of the Revolution and secured for us the alliance of France.

"Here rebellion was made revolution, and the darkened hopes and drooping energies of the American Army revived. Until then the Declaration of Independence was but a declaration, a patriotic purpose, asserted in bold words by brave men, but on this ground it was made

Asserted in both words by brave men, but on this ground it was made a fact by virtue of armed force."

Here the royal standard of Britain was lowered to the American flag; on this spot American independence was made a great fact in the history of nations. Therefore I trust there will not be one objection on this floor to the passage of this bill, which is for so patriotic and meritorious an object.

American Zollverein or Customs-Union of America-The most effectual Means for Securing Extension of our Commerce with Mexico, Central and South America, and to Rebuild our Merchant Marine.

SPEECH

HON. RICHARD W. TOWNSHEND,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 10, 1885.

The House having under consideration the bill (H. R. 7857) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1886, and for other purposes—

Mr. TOWNSHEND said:

Mr. SPEAKER: I send to the Clerk's desk a proposition which I intend to offer as an amendment to this bill. It is a copy of a joint resolution introduced by myself in this House January 7, 1884, about one year ago.

The Clerk read as follows:

That the President of the United States be, and he is hereby, requested to invite the co-operation of the governments of the American nations in securing the establishment of a commercial league by and between the said nations, to be known as the "Customs Union of America," the arrangement of a common basis of import duties from other countries than those which may compose said league, and that the commercial intercourse among the people of all the American states may be freed from the payment of any customs or other dues whatever, and that a common system of weights and measures may be also established for the purpose of facilitating such intercourse.

COUNTRIES EMBRACED IN THE ZOLLVEREIN.

Mr. TOWNSHEND. This is intended to be an initial step for the formation of a commercial league or trades-union of all the independent and sovereign governments of the American continent. It does not include any of the adjacent islands, nor does it embrace any of the provinces of European governments, because I think it best in this scheme to avoid any complications with European governments or interests, and confine it exclusively to American governments. more likelihood of securing unity among our own people by avoiding the influence of European powers through their American provinces and thereby avoid disputes among ourselves over the tariff.

It includes only the United States, the republics of Mexico, and Central and South America, and the Brazilian Empire.

NOT POLITICAL BUT COMMERCIAL IN ITS NATURE.

This proposition is not political in its character, but purely commercial. I do not believe it to be desirable or beneficial for us to make political conquest in any quarter. The welfare of these countries can be best promoted by the continuance of their separate and independent sovereignties. The territory subject to our political power is already large enough. I would rather see our flag supplant that of England over the commerce of the seas than behold it the symbol of political sovereignty over the whole American continent. We ought not to wish to govern the Spanish-Americans, but fo trade with them. They will be unfriendly whenever we approach them with a memace against their be unfriendly whenever we approach them with a menace against their independence, but will receive us with open arms when we come with the arts of peace, to show them the way and to assist them in the development of their marvelous resources and the promotion of their prosperity.

OBJECT OF THE PROPOSITION.

This proposition it will be seen has for its aim the establishment of free commerce among these countries, with a common rate of customs duties against the products of Europeans and others. It contemplates as a basis the same principles as that of the German Zollverein, and would result in bringing about the same freedom of trade on this continent as that which exists among the States constituting our nationality. It would open to our agricultural, manufacturing, and mineral products a free market in these countries, with protection against the competition of England, France, Germany, and the remainder of the world. The American Zollverein would accomplish for the American Zollverein would accomplish for the American Zollverein would accomplish to the American Zollverein would accomplish for the American Zollverein would accomplish to the American Zollverein would accomplish for the American Zollverein would accomplish to the American Zollverein would accomplish t ican nations what the German Zollverein has done for the German states. It would develop into vast proportions the trade of the southern countries, which is now so insignificant in proportion to their population and natural resources, for as they become acquainted with our people and observe our mode of living and attainment in arts and sciences their desires for the comforts and conveniences of life will increase.

CAUSE OF PRESENT BUSINESS DEPRESSION.

The present general depression of business, paralysis of manufacturing industries, and low prices of farm products in this country are due to the limited extent of our foreign market. We do not produce too much, but our misfortune is that we can not sell what we produce; therefore our trade has become stagnant, and unless relief is found greater dis-

tress and financial ruin will follow. Bradstreet, in December last, estimated that there were 350,000 unemployed wage-workers in the United States. Three hundred and sixteen thousand two hundred and nineteen of these are enforced idlers. It is also well known that wages have been reduced from 10 to 30 per cent.

EXTENSION OF OUR FOREIGN MARKET THE REMEDY,

Now, how can we find relief from this condition of things? Will diminution of production produce relief? It might increase prices, but it would also increase the cost of living and the number of idle hands and paupers. The surest road to relief lies in the extension of our and parpers. The surest road to rener has in the extension of our foreign markets. We must find sale for our surplus products. Where shall we look for these markets? Not to populous and wealthy Europe. She manufactures all the goods she needs, and it is claimed at a cheaper cost than we can furnish them to her. She will take from us only what she is compelled to have—breadstuffs and provisions. But we now supply her with all the agricultural products that she is compelled to take from us.

We can not find the market we seek among the barbarians of Africa. Europe controls the small trade of the few civilized peoples found there. Where, then, can we find this market? Why, sir, it lies at our door. where, then, can we find this market? Why, sir, it has at our door. It is nearer to us than to any other commercial nation. It is south and west of us. For the present I will confine my attention to that south of us. It is indeed marvelous, but it is true, that other nations of less enterprise and energy, much farther away, brave the dangers of the Atlantic Ocean, come to our door, and monopolize that market. How strange it is that a prize so much coveted, and in such easy reach, goes to others. Why is it so? Perhaps it is to some extent because we have been so much absorbed in the consideration of domestic issues and local interests that the vision of American statesmanship has only at long intervals been lifted beyond our borders. Let us put aside our domestic wrangles long enough to see if we can not promote the general welfare by finding a foreign market for the fruits of our labor and the employment of our capital.

THE ZOLLVEREIN BETTER THAN RECIPROCITY TREATIES.

I am gratified that the President has taken some steps to enlarge our foreign markets by negotiating the recent reciprocity treaties; and while I am not prepared to say what course I may take with regard to those treaties in their present form, I feel convinced that the proposition which I submit for a customs-union will far more effectually accomplish the object we have in view, for the reason that under the most favored nation clauses of existing treaties between the southern and European countries the same advantages offered us can be secured by them, thereby lessening the value of the privileges which may be obtained by us by such treaties.

But, if the southern countries will enter into such a commercial union with us as I propose, we shall secure such exclusive privileges and advantages as will enable us to take away from the European countries most of their valuable commerce on this continent. It would secure freedom of intercourse and exchange with the people of these countries, while at the same time it would set up a barrier against competition from other nations. It is claimed by many that without high protective duties. from other nations. It is claimed by many that without high protective duties our manufacturers can not compete with European nations within our own borders. How, then, can we hope successfully to do so in foreign lands unless we can obtain privileges not accessible to our competitors. From this point of view it will be admitted that a method must be devised which will restrict the power of our rivals in competing with us or we shall not be able to share to any considerable extent in the trade of the world. I do not admit that tariff protection is essential to commercial success at home or abroad. I will not, however, go into that question here. But will say as enormous tariff duties are laid. into that question here. But will say, as enormous tariff duties are laid to raise revenues for the support of the southern governments all can see how greatly the advantage would be in our favor if our products should enter these countries free while European products should continue to be burdened with duties.

WHAT SHALL WE GAIN FROM SUCH A UNION?

Now let us see what we would gain by such an alliance. Fairer lands are not to be found beneath the sun than those lying south of us. Nature with her bounteous hand has endowed them with her richest blessings. She has favored them with more hidden mines of wealth; luxuriant vegetation, majestic trees, luscious fruits, and greater fertility of soil than she has any other. If their population and development of resources were commensurate with the earth's surface which they cover, the states established there would be among the most powerful of the world. It is to the acquisition of such a grand field for American enterprise and commerce that my proposition points the way. It was the land of semi-civilization, learning, wealth, and commerce when our own land was steeped in barbarism, ignorance, and abject poverty. They had educated people, palaces, temples, houses, and cities when the land we occupy was peopled with savages living in wigwams and the open air.

AREA AND POPULATION OF THESE COUNTRIES.

The Bureau of Statistics of the Treasury Department has very kindly furnished me tables showing the area and population of those countries, their capitals and principal seaports, which I will append to my re-

I am also indebted to that bureau for some other valuable

statistics that I may use in my remarks.

From these tables it will be seen these countries cover an area of 8,118,844 square miles, and have a population according to the latest reliable data of 42,770,374. The development of the internal resources of those countries and the more frequent intercourse with our own people which this Union will secure will vastly increase their population, wealth, and importance. This was the immediate effect of the creation of the German Zollverein upon the German states. The great natural advantage which we have over European governments will be seen from an examination of the distances between our chief seaports, those of the southern countries, and England.

Their ports on the Atlantic are part of the same coast-line with New York and New Orleans, and the Pacific ports occupy the same coastline with San Francisco. We already have a continuous railway for shipments, without breaking bulk, from our railway systems to the heart of Mexico, which might and doubtless will be extended into every country in Central and South America, whereas over four thousand miles of ocean travel separate their nearest ports from European markets. The natural advantages, with others which would flow from the establishment of this commercial union, ought to give us nearly all the trade with

WHERE THE SOUTHERN COUNTRIES BUY THEIR IMPORTS.

Let us see from whom they now buy their imports.

The statistics for 1883 show the value of the imports of merchandise into the following nations of Mexico, Central America, and South America from the United States and Great Britain and France, as fol-

Imports of merchandise into-	From United States.	From Great Britain.	From France.
Mexico Central America states Colombia Venezuela Brazil Uruguay Argentine Republic Chili Peru	\$14,370,992 1,936,813 6,719,787 2,363,211 9,159,330 1,385,755 3,357,670 2,837,551 487,360	\$9,058,669 3,617,591 4,947,322 2,288,739 33,400,531 7,081,352 20,277,328 14,598,780 4,791,881	\$5, 376, 582 440, 904 4, 696, 574 961, 715 11, 989, 411 4, 099, 055 19, 807, 159 5, 811, 913 1, 600, 287
- Total	42, 598, 469	100, 122, 193	54, 783, 601

The total commerce of those countries was as follows:			
Imports	\$331,		
Exports	391,	294,	781

Grand total ...

Of the \$331,100,599 merchandise sold to those countries the share of the United States was only \$42,598,469. And yet we are their closest neighbor and have easiest access to them.

THE TRADE WITH CHILI AND PERU.

But see how humiliating is the insignificant share which we have in the import trade of Chili and Peru, as compared with that of our European competitors. England imported into these countries in 1883 \$19,390,661; France imported \$7,412,190; their imports from the United States were only \$3,324,911. England sold them nearly six times as much as we did. The disparity in the trade with Peru is absolutely astonishing. England sold to the Peruvians \$4,791,881; France sold them \$1,600,287; and yet, with all our boasted enterprise, we only sold our Peruvian neighbors \$487,360, notwithstanding Callao (Lima) lies on the sequence of the property of the sequence of the same coast-line with San Francisco, whereas England, after traversing the Atlantic Ocean and incurring the hazards of a voyage around the Horn for a distance of 11,604 miles to the same port, or via Straits of Magellan of 10,162, or else by breaking bulk and crossing the Isthmus of Panama, a distance of 5,912 miles, outstripped us by selling the Peruvians nearly ten times as much merchandise as we did.

Surely these startling figures should put every American statesman

on inquiry for some way by which we may obtain at least a fair propor-tion of the commerce of the continent on which we live. The census of 1880 revealed to us the fact that only 2 per cent. of our manufactures reached the foreign markets. Had it not been for our farm products, which constituted over 77 per cent. of our exports, our foreign commerce and financial condition would be subjects of pity, if not, contempt, with all civilized people. With such facts staring us in the face, is it to be wondered that we have stagnation in business and distress among our people? Can anything else be expected if we lack the wisdom and enterprise to sell our surplus products to our nearest neighbors, who would unquestionably rather deal with us than with countries across the seas? Financial ruin is inevitable to the manufacturer who can not sell his wares or the farmer who can not market his products.

these countries; but while of course this can not be expected, yet if the American Zollverein is established the foregoing figures would be reversed and our trade would exceed that of combined Europe.

As I have already intimated, the reason assigned by protectionists why our trade in the southern countries is so meager is because, owing to cheaper labor and abundance of capital in Europe, we can not compete with those manufacturing nations. On the other hand, free-traders insist that our inability for successful competition arises from the high price of raw material and cost of living, occasioned by high protective-tariff duties. Now, this scheme, if adopted, would obviate the difficulties which both of these theorists claim to exist, for by establishing a common rate of duties on European products, with a free market for all American products, we would be able to undersell our foreign competitors in the southern markets.

NO SERIOUS LOSS OF REVENUE ON ACCOUNT OF THIS UNION.

No serious loss of revenue to the United States would occur, for the reason that over 83 per cent. of our imports from these countries now come to us free of duty. On the other hand, all our exports into those countries are heavily taxed at their custom-houses.

The following table will show the amount of dutiable and free im-

ports into the United States from the nations mentioned during the

year ending June 30, 1883:

Countries.	Free.	Dutiable.
Mexico Central American states Brazil Colombia Argentine Republic Venezuela Uruguay Chili Peru All other South American countries.	\$4, 211, 328 4, 876, 506 38, 902, 469 4, 878, 285 4, 885, 249 5, 889, 985 3, 993, 012 258, 485 2, 499, 237 1, 600, 736	\$3,965,795 244,809 5,585,990 293,170 1,306,862 11,739 887,099 177,099 27,681 1,977
Total	71, 094, 392	12, 492, 201

Our Louisiana sugar friends need not fear competition from the sugar-planters of those countries, for only \$5,418,534 of sugar was imported from all those countries during that year. Brazil sent us \$44,488,958, and only took from us in exchange \$9,252,-

Of the whole amount imported from that country \$38,902,469 were free of duty, whereas everything sent to Brazil was heavily taxed. Not only does she tax all we send her, but she levies an export duty on all the coffee we buy from her, which constitutes \$27,797,748, or nearly two-thirds of all our imports from that country. Our trade with Brazil is so greatly to our disadvantage as to make it a one-sided affair; she has the lion's share.

EFFECT OF THE ZOLLVEREIN ON COUNTRIES CONCERNED.

I believe that this union would, as in the case of the German Zollerein with Germany, stimulate the development of the resources of all the members of the union, would divert our southern republics from the tendencies to frequent revolution, and turn their attention to the cultivation of the arts of peace, and at no remote day make this the most prosperous continent known in history. It would at once infuse new life into the industries of the United States, and put in operation every silent factory, relight our forges, start every plow in the farm season, give employment to every idle hand, furnish remunerative use for every surplus dollar, and revive our industry of ship-building.

WAY TO REBUILD OUR MERCHANT MARINE AND NAVY.

Perhaps there is no public question of paramount importance to that of rebuilding the American merchant marine and navy. I will not dwell here upon the causes which have produced the sad condition of our ocean commerce and the humiliating position of our flag on the seas. All recognize the insignificance of our shipping interest aside from our coastwise service. It has fallen from the proud position of rivalry with the greatest maritime powers under President Van Buren to the foot of the list under President Arthur. Then over 84 per cent. of our imports and exports were carried on American bottoms, now it has fallen to 16 per cent.

Twelve lines of steamers run to Europe from the Argentine Repub-

lic, but none to the United States.

It is stated in the daily press that last year only two American vessels sailed from New York to Europe, neither of which were steamers.

We are paying now over one hundred millions annually to foreign ships for carrying our commerce. Nothing can be done, in my judgment, which will more effectually and permanently rebuild our mercantile marine than the establishment of the American customs-union.

One of the prime questions to be considered by members of the Amerors, who would unquestionably rather deal with us than with councies across the seas? Financial ruin is inevitable to the manufacturer tho can not sell his wares or the farmer who can not market his products.

HOW THIS TRADE MAY BE SECURED BY US.

We have the capacity to furnish all the merchandise that goes into for us what the President in his last message expressed the hope of ob-taining by reciprocity treaties, in which he says:

faining by reciprocity treaties, in which he says:

First, a series of reciprocal commercial treaties with the countries of America which shall foster between us and them an unhampered movement of trade. The conditions of these treaties should be the free admission of such merchandise as this country does not produce in return for the admission free or under a favored scheme of duties of our own products, the benefits of such exchange to apply only to goods carried under the flag of the parties to the contract; the removal, on both sides, from the vessels so privileged of all tomage dues and national imposts, so that those vessels may ply unhindered between our ports and those of the other contracting parties, though without infringing on the reserved home coasting trade; the removal or reduction of burdens on the exported products of those countries coming within the benefits of the treaties, and the avoidance of the technical restrictions and penalties by which our intercourse with those countries is at present hampered.

I have already attacted the reserves why L did not think exclusive ad-

I have already stated the reasons why I did not think exclusive advantages can be obtained by such treaties—because existing treaties between those countries and European nations entitle them under the favored-nation clauses to the same benefits and advantages that may be granted to us. But by the establishment of an American zollverein all countries outside of the verein would be excluded from the benefits and privileges I have indicated. This would give us control of the carrying trade of this hemisphere. It would revive our languishing shipping interest, and lift it from the foot of the list to the highest degree. We would eventually dethrone England's sovereignty of the seas and become the great maritime power of the world; for the great increase which that trade would give to our shipping would enable our ship-owners to compete for a fair share of trade in all the seas. It would send our flag to ports where it is now a stranger, and transport American products under an American flag on American bottoms to the markets of the world.

HOW TO REBUILD THE NAVY.

By rebuilding the American merchant marine we will lay the best foundation for rebuilding the American Navy. In the report of the Admiral of the Navy last year will be found the following observations:

I have long looked forward to the time when Congress would take some steps toward resuscitating our mercantile marine, which has long been languishing for the want of Government action in its behalf. A large number of merchant steamships would in time of war be an important adjunct to our regular naval force, for many of them would, with comparatively little alteration, make the best commerce-destroyers in the world, and also the best destroyers of compared destroyers.

This quotation renders any remarks of my own on this branch of the

subject unnecessary.

As the German Zollverein united countries connected by land, no such immense advantages could result to the merchant marine of any of those countries as would be brought about by such a union among the American nations.

THE ZOLLVEREIN WOULD SECURE GENUINE RECIPROCITY.

An American customs-union would secure genuine reciprocity of trade and mutual advantage. It would bring to us products not adapted to our climate and which we must have in exchange for our surplus products, these, with but few exceptions, are not produced in those countries. There is a greater degree of reciprocity of trade on lines of longitude than on lines of latitude. In one case there is a similarity of products because of a similarity of climate; whereas in the other the products are different because of a difference of climate, and therefore the necessity and desire for interchange of commodities exist in the highest degree.

The Spanish-American countries have no factories of consequence.

They will not, therefore, furnish competition with our manufacturers, but they will need our manufactured articles, as well as our breadstuffs and provisions, and we need their raw materials. Then let us

freely trade.

ITS EFFECT ON ISTHMIAN CANAL QUESTION.

If such a league or union should be established it will be a matter of but little consequence by whose capital an isthmian canal is built, whether of France, England, or Germany, or of all united, for the community of interest among the states of the American zollverein would intensify the Monroe doctrine, and unite all the members of the union in opposition to any attempt at political or commercial dominance of any European power on this continent.

The difference of weights and measures existing between us can be

equalized by the zollverein assembly.

THE MONETARY UNION AND SILVER COIN.

I see no reason why this union could not properly perform the func-tions contemplated by the excellent suggestion of the President in his last message for the establishment of a uniform currency basis for the countries of America, thereby utilizing the surplus productions of our mines and mints and removing all pretexts for the demonetization of silrer. There is no need of the separate existence of what the President calls a "monetary union of America," for the American customsunion can carry out his idea, and by it, as he expresses it, the "output of the bullion-producing countries and the circulation of those which yield neither gold nor silver could be adjusted in conformity with the population, wealth, and commercial needs of each."

DISCRIMINATION AGAINST AMERICAN PRODUCTS IN EUROPE.

discriminating against them. Heretofore they have based their oposcininating against them. Heretolore they have based their opposition to our hog-products on the false pretense that they are affected with trichinosis, although the scientists of those countries have by the most thorough and convincing tests demonstrated the absolute falsity of the charge. In February, 1883, the German parliamentary bodies finally adopted enactments prohibiting their importation into that empire. I immediately presented to this House a joint resolution and the product the product to adopt a retallictory measures the product. tion authorizing the President to adopt retaliatory measures against certain German imports; but this was done so near to the close of the then short session that it could not be reached for consideration. I presented a similar measure at the commencement of the next session applicable to other European governments which had pursued the same course, and it was referred to a committee, where it now lies, without final action. Three committees struggled for jurisdiction over that measure when it was presented; but it seems that their zeal over the question has ended.

When it is remembered that statistics show that we have in this country 47 per cent. of all the hogs in the world, I submit that our inter-

est is large enough to deserve some protection against such unjust action.

France soon followed the course of Germany, but not content with assailing our meat product, she has restricted the importation of our breadstuff by burdensome taxation.

Emboldened by the supineness of the American Congress in the face of these outrages against our agricultural products, and the indifference manifested for the protection of these interests in the European markets, Austria is advancing to a position of open hostility to all American commerce in Europe.

EUROPEAN COALITION AGAINST AMERICAN FARM PRODUCTS,

She uses no mask of false pretenses that our merchandise is unwholesome, but openly advocates a continental coalition against the importation of any and all American farm products into Europe. To foster their agricultural interests and prevent competition from American farmers Austrian statesmen and press advocate the prohibition of our agricultural products as "the only salvation for the European peasant" for the future." The Vienna Tagblatt urges as a reason for prohibi-tion that the United States has vastly superior natural advantages in our immense area of fertile lands, capable of permanent and almost unlimited productiveness; that, having no standing army to maintain, the States do not take the working population away from the soil to make soldiers of them; our farmers are free from the immense burdens resting upon the agriculturists of Europe. "Therefore," says the Tagblatt, "American competition can only be overcome by shutting out the American from the European market." And it is asserted that the chief minister, Taaffe, is an advocate of the project.

Time will show whether the consumers in Europe will submit to a policy which will enormously enhance their cost of living, or whether discontent may not only grow into bread riots, but also to such formida-ble disturbances as will shatter the despotic governments guilty of mak-ing such oppressive laws. But there is enough in this movement to warn us that our domestic industries are seriously threatened. England is making considerable headway in finding new sources of supply of her breadstuffs in India, Australia, and other provinces of hers. If she should fall in with the Austrian movement, our agricultural interest will indeed reach a deplorable condition, unless we can find an outlet for our surplus in the southern and the Pacific Ocean countries. If we can control the southern markets through the agency of a zollverein, we may not only defy European combination, but we shall strike a blow against her manufacturing interest which will do her far more harm than any advantage she may gain by the prohibition of our agricultural

EFFECT OF THE ZOLLVEREIN IN GERMANY.

One of the most eminent living political economists has said that the German Zollverein was "the result of the highest sugacity, intelligence, and wisdom." Its wholesome and salutary action caused an immediate and marked improvement in the condition of the German states and the enlargement of their commerce. The progress of the Saxon cloth manufacturers in three years following their admission to the Union, from 1834 to 1837, is stated in an official report to have been greater than in the thirty years preceding.

PLAN OF THE GERMAN ZOLLVEREIN RECOMMENDED.

The proposition which I submit does not prescribe the terms upon which this union shall be formed. It merely authorizes the President to invite the co-operation of those governments in forming a union upon to invite the co-operation of those governments in forming a union upon such conditions as their representatives may after due deliberation determine. There is nothing in this proposition that binds them to any conditions, but they are left perfectly free to decide whether any alliance will be desirable, and, if so, what shall be its nature. I believe they will find the plan of the German Zollverein most desirable. No doubt some of its features will be found incompatible with the institutions of the continent. tutions and conditions on this continent. All such can be modified or wholly rejected, and others substituted which may be found more

Some European countries have declared war upon the introduction of our meats and breadstuffs into Europe and have adopted measures!

If the union is formed experience will in time, no doubt, show the need of change in the original terms of its organization, which can be made by the members of the union when their representatives assemble

at such stated periods as will be designated; for there should be annual or other regular meetings of the representatives of the nations concerned to consider the general welfare, hear complaints, adjust difficulties, and make such new enactments as may be required.

HISTORY AND NATURE OF GERMAN ZOLLVEREIN.

The German Zollverein has been tested by the experience of over sixty Such defects as were discovered have been remedied. Its members have during that long period sought harmoniously the utmost de-gree of practicability. The right and interest of all have been scrupu-lously guarded and respected. Each and all have derived inestimable advantages from its formation. The smallest and weakest States as well as the largest and strongest have been benefited. So successful and beneficent has been its results, that the eminent political economist McCulloch, in his great work, has declared of Prussia, who was chiefly instrumental in forming the union, that-

Next to the efforts of the Prussian Government to diffuse the blessings of education their efforts to introduce a free commercial system into Germany constitutes their best claim to the gratitude and esteem of their own subjects and of

McCulloch defines the word zollverein (literally customs-union) as a compound word:

It means the association of a number of states for the establishment of a common customs law and customs line with regard to foreign countries, and the suppression of both for the intercourse of the states with each other within the border line. The compound word, however, has gained the meaning of a proper name for the German customs league.

The character of the Zollverein is described as follows by that eminent writer:

The character of the Zollverein is described as follows by that eminent writer:

The first treaties in furtherance of this object were negotiated by Prussia with the principalities of Schwarzburg-Sondershausen and Schwarzburg-Rudolstadt, in 1818 and 1819, on the principle that there should be a perfect freedom of commerce between these countries and Prussia; that the duties on importation, exportation, and transit in Prussia and the principalities should be identical; that these should be charged along the frontier of the dominions of the contracting parties; and that each should participate in the produce of such duties in proportion to the population. All these treaties subsequently entered into have been founded on this fair and equitable principle; the only exceptions to the perfect freedom of trade in all the countries comprised within the league of tariff alliance being confined, first, to articles constituting state monopolics, as salt and cards in Prussia; second, to articles of mative produce burdened with a different rate of duty on consumption in one state from what they pay in another; and third, to articles produced under patents conferring on the patentes exceptions, which are not very important, the most perfect freedom of commerce exists among the allied states.

Since 1818, when the foundations of the alliance were laid, it has progressively extended, till it now comprises more than three-fourths of the Germanic states, exclusive of Ausfria. Ducal Hesse joined in the alliance in 1823, and Electoral Hesse in 1831; the Kingdoms of Bavaria, Saxony, and Wurtemberg joined it afterward, as have Baden, Nassau, and almost all the smaller states which have exception of Mecklenburg-Schwerin and Mecklenburg-Strelitz. * *

Throughout the whole extent of this immense country, from Aix-la-Chapelle, on the eastern confines of the Netherlands eastward to Tilsit, on the confines of Russia, and from Stettin and Dantzig southward to Switzerland and Bohemia, there is nothing to interrupt the freedom of commerce. A

houses and thousands of custom onners to be employed in the different departments of industry.

The discrepancy in weights and measures used in different parts of Germany occasioned considerable inconvenience, and it is important that the equalization of weights and measures, and their reduction to a common standard in all the allied states, is declared to be one of the objects of the league.

In order that the nature of the zollverein may be fully seen I will append to my remarks a translation of the more important clauses of the customs treaty of March 22, 1833, as I find it in the work I have heretofore mentioned, which clearly present the articles of that union.

WILL THE SOUTHERN COUNTRIES JOIN US IN SUCH A UNION

It may be that some of the southern countries at first will hesitate to join us in such a league, as was the case at the beginning of the German league, but if only a few of those nations would join us at the beginning, I have no doubt all others, seeing the mutual advantages which would flow from such a union, would eventually seek admission into the alliance. This was the history of the German Zollverein. Yeates, in his work on Recent and Existing Commerce, when discussing the Zollverein, says:

Many states delayed joining, in the belief they would lose rather than gain.

* * Others did not like to merge their individuality, trivial as it was, in the convention, and were encouraged in a sort of independence by England and France.

Some who have commented upon this proposition have expressed the belief that the southern countries would not enter into such a union

with us, because, as they derive most of their revenue from impost duties, the free introduction of American products would supply their markets and diminish their custom receipts to such an extent as to force them to some new method for collecting revenue. But, sir, if the plan of the German Zollverein is adopted, and we should follow the course pursued by Prussia, no such difficulty will arise. Yeates says:

Prussia made considerable sacrifices to conciliate the numerous German states whose predilections for Austria, jealousy of Prussia, or fears of self-immolation caused them to hesitate in joining the league. Thus, by the stipulation of proceeds according to population, Prussia should have received three-fourths of the tolls, but accepted five-elevenths.

The immense advantages otherwise gained by Prussia as the dominant nation in population, wealth, and industrial development fully compensated for all the sacrifices she made. The enormous advantages which would accrue to us; our superior producing power and capital, and the free introduction of our surplus products in those countries, as well as in many other ways, would undoubtedly far exceed any sacrifices we might make to induce our weaker neighbors to join us in this league. The large increase of our business resulting from our enlarged markets would cause such an increased demand for imports from other countries as would make good any loss of customs revenue by division among the other members of the union.

I shall advert to this question again and show by a comparison of facts and figures, based upon the trade statistics of all the countries which are eligible for membership in the customs league, that we shall gain more by the remission of duties upon our merchandise exported to countries in the zollverein than we shall lose upon the merchandise imported by us from them, and that both we and they shall be gainers as against the countries not admitted into the union.

Several of the southern countries by recently contracting commercial reciprocity treaties with us have manifested a strong desire to establish free commercial relations with us. When the commission authorized at the last session of Congress to gather statistics, &c., of the trade of those countries were in the City of Mexico a few weeks ago President Diaz assured the commission that his government was disposed to do everything possible to build up the trade and to facilitate the commercial relations of the two countries. He said Mexico is disposed and prepared to go as far in this direction as the Government of the United States.

The World's International Exposition at New Orleans would have been an auspicious occasion for the assemblage of such a meeting of representatives as is here contemplated, and had this proposition been adopted, as I urged in this House at the last session, time enough would have been afforded for the appointment of representatives by all the governments concerned. Even now its speedy adoption as an amend-ment to this bill would impress the agents and visitors from these countries to the New Orleans Exposition with its importance and practicability, and when they return to their home governments they would no doubt be largely instrumental in securing their favorable action. Some idea of the interest which they have taken in that exposition can be ascertained from the fact that Mexico appropriated \$200,000 for her exhibits there, and has erected on the exposition grounds two large and magnificent buildings in the Mexican style of architecture.

But, sir, even if the representatives of those governments when they

assemble should determine that it is unwise or inexpedient to establish such a union and separate without further action, much good would still result from this assemblage in directing the thoughts of the people of those lands to the benefits which will result to the general welfare by the cultivation of more intimate acquaintance and closer commercial relations than now exist.

EFFECT OF THE UNION ON OUR TRADE WITH WEST INDIES, CHINA, ETC.

The successful establishment of this union would lead to better trade relations with the West Indies and the countries bordering the Pacific Ocean, by means of which, if we do not outstrip Europe in those markets, we may at least obtain the share in that trade which our juxtaposition to those countries and our similarity of political institutions justify.

The West Indies imported_____ \$117, 408, 154 The West Indies exported..... 130, 530, 540 247, 938, 694 Total

The United States sent there 33, 300, 832 The United States brought from there 88, 309, 091

121, 609, 923

Of the \$247,938,694 imported into the West Indies only \$33,300,832 came from the United States.

The countries lying in and around the Pacific, facing the west coast of the United States, imported \$529,553,000, of which the United States supplied the sum of only \$20,497,000, or less than 4 per cent.

RICH RESULTS TO UNITED STATES.

If this Government will lead the way and secure this alliance with the southern countries we will speedily realize the rich results which will flow from the present southward tendency of material develop-ment, such as the projected routes across the isthmus connecting the two oceans, the extension of our railway system to the City of Mexico,

the projected intercontinental railway through Southern Mexico and the fourteen other republics of Central and South America, the steamship lines in operation and projected from our Atlantic, Gulf, and Pacific ports to the Spanish-American ports and the countries in the Pacific.

CAN NOT BE ACCOMPLISHED BY WAR.

What we may achieve by this union can never be conquered by war. We want their friendship and trade. They can be obtained by the arts of peace, but not by the arts of war. For these purposes the pen is indeed mightier than the sword. Treat the southern countries as sisters in an American family of nations and they will follow our lead with love and pride. Such a policy will give us a position and power in the history of the world far greater and more enduring than that which Rome ever achieved by bloody conquests. Her policy provoked the hatred of the world, and she ruled it only so long as she was able to wield the sword of the world.

Peace hath her victories No less renowned than war,

WHO WILL OPPOSE THIS PROPOSITION?

Now, who is there here that will oppose such a scheme? Will any advocate of protection do so? Surely he will not, for it extends the line of protection beyond the borders of the United States and embraces all the southern nations. It protects our manufactures not only against European competition in the United States, but also in Mexico, Central and South America. A protectionist who would oppose this proposal would advocate restrictions upon the commercial freedom among the States of this Republic.

Will any advocate of free trade oppose this proposition? Certainly he will not, for it enlarges the area of free trade and demonstrates its

advantages over a restricted market.

Our farmers, mechanics, and capitalists are not afraid of competition from those southern countries. The only class who seem to hesitate moving in the direction I have indicated are politicians, who fear to grapple with new questions. Some of them are too busy in the pursuit of office to bestow attention and study upon questions broad enough to embrace a consideration of our commercial relations with the world.

This is not a partisan political question; it rises higher than partisan-ship; it is a question of the highest statesmanship. I am, however, convinced that the party which shows itself possessed of wisdom and progressiveness sufficient to enable it to rise above merely domestic issues and lead the way to securing our rightful share in the commerce of the world will in the future be awarded the greater glory and renown.

APPENDIX I.

Population of the capitals and principal scaports of Mexico and South America.

Capitals and seaports.	Year.	Popu- lation.
MEXICO.		17 100
Mexico		250,000
ARGENTINE REPUBLIC.	2000	
Buenos Ayres	1881	289, 925
POLIVIA.		
La Paz	(a) 1838	26,000 2,300
BRAZIL.		
Pará		20,000
Pernambuco		115,671
Macayo	40).	20,000
Bahia (San Salvador)		128, 929 274, 972
BRITISH GUIANA.		
Georgetown		36, 562 5, 437
CHILI,		
Santiago		150, 367
Valparaiso	18.4	97,575
DUTCH GUIANA.		
Paramaribo	1881	27, 416
EXUADOR.		
Guayaquil	1871	22,000
FALKLAND ISLANDS.	Forman	
Stanley Harbor	1853	450
FRENCH GUIANA.		
Cayenne	1866	8,000
P. HANTAY.		
Asuncion	(a)	8,000
PEC.		- 33
Lima		101,488
Callao		40,000
Islay		2,000
Arica		5,000
Iquique	(a)	1,000
Payta	(a)	2,000

Population of the capitals and principal seaports of Mexico and South America—Continued.

Capitals and seaports.	Year.	Popu- lation.
MontevideoURUGUAY.	1884	92, 260
Bogota Colon (Aspinwall) Panama Cartagena	(a) (a) 1870 1872	41,000 12,000 18,378 25,000
Caracas	1881 1881 1881 1881 1873	55, 68 12, 05 10, 14 22, 22 7, 64
Bogota COLOMBIA. Panama	(a) (a)	50,000 20,000

(a) Not stated.

Statement showing the area in square miles and the number of inhabitants of Mexico, Central America, and South America, compiled from the latest and most reliable sources.

Area.	Population.
8q. miles. 741,598	Number. 10,000,000
41, 830 47, 990 7, 226 58, 167 26, 040 439, 119 504, 773 248, 370 503, 380 500, 870 182, 790 1, 357, 896 72, 151 1, 1980	1, 224, 602 351, 700 554, 785 275, 815 185, 000 2, 075, 245 4, 000, 000 946, 633 3, 374, 000 2, 234, 000 2, 234, 000 2, 2540, 000 505, 207 346, 108 11, 831, 836
	1,357,896 72,151 91,980 3,287,964

Sources of information: Johnston's Gazetteer, Almanach de Gotha, Statesman's Year Book, Whitaker's Almanack, Behmand Wagner's Population of the World, Commerce du Exterieur, Spofford's American Almanac.

APPENDIX III.

Statement showing the value of the foreign commerce (imports and exports of mer-chandise and specie) of Mexico, Central America, and South America.

Countries.	Year.	Imports.	Exports.	Total.
Mexico		\$30, 271, 000	\$31,875,000	\$62,146,000
Guatemala		2,883,760 2,803,461 3,193,900 2,705,410 1,311,957	4, 202, 273 3, 735, 952 1, 305, 000 3, 820, 900 4, 902, 436 1, 473, 917	7, 086, 083 6, 589, 413 1, 305, 000 7, 014, 800 7, 607, 846 2, 785, 874
Total		12, 898, 488	19, 440, 478	32, 338, 966
SOUTH AMERICA. Venezuela. United States of Colombia. Ecuador Peru Bolivia Chili Argentine Republic. Urugnay Paraguay Paraguay Brazil. Falkland Islands.	1876 1882 1882 1877 1881 1883 1883 1882 1881 1882 1883	2, 903, 371 12, 355, 555 19, 488, 351 4, 956, 900 49, 655, 720 77, 620, 574 18, 941, 777 1, 225, 500 100, 525, 862 257, 501	3, 109, 737 18, 514, 116 4, 408, 653 32, 006, 423 7, 561, 825 72, 716, 088 58, 100, 697 22, 993, 990 1, 832, 550 118, 323, 551 411, 672	6, 013, 108 30, 869, 671 4, 408, 653 51, 494, 774 12, 518, 725 122, 371, 808 135, 721, 271 41, 935, 767 3, 058, 050 218, 849, 413 669, 173
Total		287, 931, 111	339, 979, 303	627, 910, 413
Grand total		331, 100, 599	391, 294, 781	722, 395, 879

APPENDIX IV.

Statement showing the quantities and values of domestic merchandise exported from the United States during the year ended June 30, 1883, to Mexico, the Central American States, the United States of Colombia, Venezuela, Brazil, Uruguay, the Argentine Republic, Chili, and Peru, respectively, compared with like exports to the same countries from the United Kingdom, France, and Germany, during the calendar year 1882.

MEXICO.					
Articles.	From the U	nited States.	From United Kingdom,	From France.	From Germany.
	Quantities. Valu		es. Values. V		Values.
Agricultural implements		\$97,957			
Animals, living		167,071 149,103			80 044
Beer, ale, and porter Breadstuffs		688, 903			
Candlespounds	596, 708	66, 130 839, 386			
Coaltons	17,587	81,423			
Cotton, rawpounds Cotton, manufactures of		2, 217, 259 918, 590	\$4,176,163	\$600,671	159,036
Drugs, chemicals, medicines, and dyestuffs		265, 220		115, 392	
Earthen, china, and glass ware		174, 234 104, 302		156, 112 477, 097	10,710
Hemp, flax, and jute manufactures, including cordage		46, 123	450,593	26,551	
India-rubber and gutta-percha manufactures		57, 372 3, 772, 287	107, 637 3, 048, 526	228, 176	3,332 82,586
Iron and steel, and manufactures of		32, 626		145,037	183, 498
Leather, and manufactures ofgallonsgallons		151, 890 270, 948		261,766	15,708
Ordnance stores		423, 274			
Paper and stationeryProvisions		180, 538 343, 965			27,370
Quicksilverpounds	1,043,635	394, 572			
Silk manufactures. Spirits, distilled gallons		27,946	39,034	187,417 112,417	24, 276
Sugar, refined pounds	625,714	63,027		112,417	
Tobacco, leafpounds	1,091,034	127,522 46,568		480, 160	19 000
Wearing apparelgallonsgallons		19, 461	37,112	684, 161	18,088
Wood, and manufactures of		1, 385, 420			
Wool, manufactures of		15, 273 842, 602	1, 219, 594	658, 426 1, 040, 756	93, 772 70, 448
Total	200000000000000000000000000000000000000	14, 370, 992	9, 058, 669	5, 376, 582	b698, 768
CENTRAL AMERICAN STATES.					
Breadstuffs		650, 650			
Candles pounds pounds.	29, 318	3, 986			
Cotton manufactures		124, 264 39, 573	2,381,072	8,303 18,094	
Earthen, china, and glass ware		16,555	28,664	24, 936	
Fancy articles		10, 855 11, 845		9, 220 9, 492	
Hemp, flax, and jute manufactures, including cordage		18, 286		3, 451	
Iron and steel, and manufactures of		306, 317	485, 886	10,559 48,850	
Oil, mineral gallons.		37,756 27,114			
Ordnance stores		25, 481 14, 389			
Provisions		139, 251		14,717	***************************************
Silk manufactures		12,426	34,056 10,701		
Spirits, distilledgallons	10, 100	12,043	10,701	24,001	
Sugar, refined pounds pounds pounds	276, 172 285, 102	26,089 27,469			
Wearing apparel		23,930	148,038	26, 495	
Wine gallons gallons	16,450	17, 252 155, 980		87, 946	
Wool, manufactures of		4, 315	121,361	47,596	
All other articles		230, 987	394, 625	89,054	
Total		1, 936, 813	3,617,591	440, 904	(c)
United States of Colombia					Trans.
Beer, ale, and porter		56, 381	31,606		
Breadstuffspoundspounds	93, 879	414, 334 12, 825	28, 430	· • • • • • • • • • • • • • • • • • • •	
Coaltons	14,072	55, 336	54,592		
Cotton manufactures		549, 433 333, 207	3,145,983 11,183	557, 575 84, 137	
Earthen, china, and glass ware		45, 481	23,646	43, 877	
Fancy articles		72,518 15,804			
Hemp, flax, and jute manufactures, including cordage		67, 875	261, 225	17,064	
India-rubber and gutta-percha manufactures		39, 210 1, 627, 995	48,860 366,063	149.723	
Jewelry and other manufactures of gold and silver		48, 983		24,709	
Leather, and manufactures of. gallons. gallons.	287, 437	111, 998 43, 222	63,050	749, 321	
Ordnance stores		107.034	46,646		
Paper and stationeryPerfumery		140, 434 27, 306			
Provisions		1,098,221		54,821	
Silk manufactures		80 196			
Soapgallonsgallons	63, 709	80, 126 19, 345		48,587	
Sugar, refinedpounds	2, 084, 359	199,311			
Tobacco, and manufactures of		111, 699 85, 475	154, 287	828, 881	
Wine, gallons		85, 475 8, 724		317, 156	

a Includes books and engravings.
b Includes the exports from Germany to Central American States.
c The exports from Germany to Central American States are included with the exports from Germany to Mexico, which see.

APPENDIX IV.

Statement'showing the quantities and values of domestic merchandise exported from the United States, &c.—Continued.

UNITED STATES OF COLOMBIA—continued.

Articles.	From the U	nited States.	From United Kingdom.	From France.	From
	Quantities.	Values.	Values.	Values.	Values.
Wood, and manufactures of		\$470, 212 6, 669 870, 829	\$267, 175 441, 576	\$32, 805 732, 130 538, 150	
Total		6,719,787	4,947,322	4, 696, 575	(a)
VENEZUELA.	- 1012				
Beer, ale, and porter		11,827			
Greadstuffs	418	659, 664 2, 041			
Otton manufactures		214, 865 107, 469	1, 498, 298		
arthen, china, and glass ware		28, 175	3,397	19,535	
rancy articles.		18,471 7,288		24, 970	
Iemp flax and jute manufactures, including cordage		83, 354 278, 512	205, 984	6,956	
ron and steel, and manufactures ofewelry and other manufactures of gold and silver		4,316		10,147	
eather, and manufactures of		7,695		109, 108	
aper and stationery		24, 547			
Perfumery		8,717 474,298		48, 805	
ilk manufactures				39,681	
pirits, distilled gallons. allow pounds.	196, 313	18,506		6,671	
obacco, and manufactures of		61,440 482			
Vine gallons.	1,860	1,781		166, 294	**************
Vood, and manufactures of		75, 995 439	94,678		
ll other articles		196, 014	203, 663	72, 456	
Total		2, 363, 211	2, 288, 739	961,715	(b)
BRAZIL.					
gricultural implements	1 1	18,159			
eer, ale, and porter		22, 359	291,746		
readstuffs arriages, carts, and cars		4, 620, 596 89, 438		24.085	
oal tons.	704	2,823	1,020,480		
opper, and manufactures of		622 612, 828	15, 778, 098	535, 980	\$535,
orugs, chemicals, medicines, and dyestuffs		138, 751 46, 275	216, 320 637, 127	368, 629 202, 580	10,
ancy articles.		20, 210		702, 021	
lats, caps, and bonnets		119 49,019	95,613 1,446,572		
ndia-rubber and gutta-percha manufactures		10,790	123, 084		7,
ron and steel, and manufactures of		1,034,648 40,346	5, 674, 407	321, 944 378, 222	490, 437,
ead, and manufactures of		898	88,848	1, 816, 463	
eather, and manufactures ofbarrels.	692	36, 248 1, 048	909, 383 175, 005	1,810,403	196,
rdnance stores	6 300 611	9, 164 713, 861			
aints and painters' colors		1,080	161,680	46, 205	
aper and stationeryerfumery		54, 084 36, 437		c361, 204 151, 620	53,
rovisions		554, 057	21,184	1,760,418	
eedsilk manufactures		887	28,644	54, 999	
oapgallons.	2,367	e 127,652 1,363		76,056	8,
pirits of turpentine gallons.	97,140	51, 998		70,000	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
mbrellas Vearing apparel		13 17,172	86, 147 367, 246	1,249,132	121,
Vinegallons.			007, 230	688, 128	58,
Vood, and manufactures of		382,712 2,842	1,618,340	123,797 1,459,090	58, 454,
JI other articles		433, 831	4,055,381	1, 330, 958	551,
Total		9, 159, 330	33, 460, 531	11, 989, 411	2,992,
URUGUAY,					
gricultural implementseer, ale, and porter		184, 908 75			
oal					
readstuffsotton manufactures		63, 391 105, 666	3,012,393	177, 621	
rugs, chemicals, medicines, and dyestuffs		105,666 22,198			
arthen, china, and glass wareancy articles		4,419 359	93,865	139,773	
ancy arrived management of the control of the contr		38,048	286,710 1,384,408	16, 223	
emp, flax, and jute, manufactures, including cordage					************
emp. flax, and jute, manufactures, including cordage		83, 567 100	1,009,900	8,734	
emp, flax, and jute, manufactures, including cordage		1,313		8,734 307,876	
emp. flax, and jute, manufactures, including cordage	1,504,673	100	29,807	8,734 307,876	

a The exports from Germany to United States of Colombia are not separately stated, b The exports from Germany to Venezuela are not separately stated, cIncludes books and engravings,

APPENDIX IV.

 ${\it Statement. showing the quantities and values of domestic merchandise exported from the {\it United States, \&c.-Continued.}}$ URUGUAY-continued.

URUGUAY—continued.										
Articles.	From the Un	ited States.	From United Kingdom.	From France.	From Germany.					
	Quantities.	Values.	Values,	Values.	Values.					
Provisions		\$34,368		\$60,752 39,975						
Spirits, distilled gallons Spirits, distilled gallons Sugar, refined pounds Tobacco, and manufactures of wearing apparel	678, 377 157, 989	95, 976 29, 042 14, 374 51, 569	\$198,743	192, 956 307, 869 217, 472						
Wine Wood, and manufactures of Wood, manufactures of All other articles		357, 241		1,300,699 33,641 1,159,120						
Total.		1,385,755	7,081,352	4,099,055	(a)					
ARGENTINE REPUBLIC.					E VER					
Agricultural implements Seer, ale, and porter.		658, 115 90								
Coal. Cotton manufactures. Drugs, chemicals, medicines, and dyestuffs. Earthen, china, and glass ware. Fancy articles.		609, 107 73, 368 13, 735 2, 604	375, 451 6, 655, 985 45, 517 214, 379	550, 719 144, 845 237, 458 275, 393	\$546, 92 21, 18 27, 84					
Hemp, flax, and jute manufactures, including cordage fron and steel, and manufactures of. Jewelry, and other manufactures of gold and silver Leather, and manufactures of Jil, mineral	1,842,903	49, 270 495, 017 9, 874 5, 346 200, 993 19, 491	771, 486 6, 725, 648 268, 908	87,744 743,807 500,015 1,836,745						
Paints and painters' colors. Paper, and manufactures of. Provisions. Silk manufactures Spirits distilled. gallons	362,474	978 18,324 52,524 71,091	152, 458	5406, 942 132, 821 152, 025 408, 331	12,855 73,30					
Starch pounds Sugar, refined pounds Tobacco, and manufactures of Wearing apparel Wine Wood, and manufactures of	217, 482	47,733 18,758 107,962 1,273 530,021	346,198	975, 496 2, 537, 669 3, 757, 258 183, 565	c16, 42 64, 26 19, 51					
Wool, manufactures of	.,	7,559 364,437	2,169,033 2,340,042	4, 850, 273 2, 026, 053	327, 96 43, 31					
Total.		3, 357, 670	20, 277, 328	19,807, 159	d1,627,20					
CHILL			1		1					
Agricultural implements Seer, ale, and porter Coal Coal Cons Copper, and manufactures of Cotton manufactures Cotton manufactures Cotton manufactures	2,706 1,679	97, 462 5, 571 7, 112 769 538, 279 51, 392	25, 559 497, 381 67, 863 5, 928, 409	424, 622 113, 663						
Drugs, chemicals, medicines, and dyestuffs. Earthen, china, and glass ware. Fancy articles. Hats Hemp, flax, and jute manufactures, including cordage.	2,314		2,31	2,314	2,314	12,171 2,314	2,314	265, 283 206, 602	243,073 252,216 311,209	5,71
India-rubber and gutta-percha manufactures Iron and steel, and manufactures of Jewelry and other manufactures of gold and silver Leather, and manufactures of Oil, mineral gallons		1, 413 499, 798 1, 000 6, 049 224, 605	64, 515 2, 558, 460 64, 321	193, 102 36, 412 577, 814	1, 666 23, 563 16, 660 19, 278					
Ordnance stores Paints and painters' colors	124	18, 693 4, 207 10, 141 84, 441 285	150, 862 133, 191	a125,757 104,417 70,053						
Spirits of turpentine gallons . Sugar, refined pounds . Tobacco, and manufactures of Wearing apparel . Wine		44,792 334,656 10,157 894	264, 645	615, 063 597, 937 196, 750	102,34					
Wood, and manufactures of		605, 622 6, 505 239, 406	1, 451, 085 2, 920, 654	597, 937 196, 750 59, 287 911, 202 979, 336	6, 90: 302, 736 133, 04:					
Total		2,837,551	14,598,780	5,811,913	1, 275, 680					
PERU.			1							
Beer, ale, and porter	******************	897 513 24 42,263	2, 325, 951	57,595	1,190					
Earthen, china, and glass ware. Hats. Hemp, flax, and jute manufactures, including cordage. Iron and steel, and manufactures of. Leather, and manufactures of.		910	48, 125 99, 792 811, 085	170,928 51,775	17,374					
Ordinance stores	423, 249	46, 072 300								

a The exports from Germany to Uruguay are included with the exports from Germany to Argentine Republic, which see. b Includes books and engravings. c Includes sugar, raw. d Includes the exports from Germany to Paraguay and Uruguay.

Statement showing the quantities and values of domestic merchandise exported from the United States, &c. -Continued. PERU-continued.

Articles.	From the U	From the United States. From United Kingom.		From France.	From Germany.
	Quantities.	Values.	Values.	Values.	Values.
Paper, and manufactures of		83,010		\$46,093 16,982 21,825	\$2,618 a3,332
Sugar, refined			\$57,945	178,098 68,837	1,66
Wood, and manufactures. Wool, manufactures of. All other articles.			481, 045 741, 543	358, 897 719, 257	65, 456 39, 508
Total		487, 360	4,791,881	1,690,287	301,070

a Includes sugar, raw.

APPENDIX V.

Statement showing the values of the principal and all other articles of imports into the United States from, and of exports from the United States to, the West Indies in

Countries.	Imports.	Exports.	Total.
Danish West Indies. French West Indies. British West Indies. Dutch West Indies. Hayti. San Domingo Cuba. Porto Rico.	\$384,003 2,895,857 8,736,112 882,055 2,971,515 1,417,519 65,544,534 5,477,493	\$702, 126 1, 813, 555 8, 502, 153 589, 612 3, 223, 101 1, 201, 874 15, 103, 703 2, 164, 708	\$1,086,129 4,709,412 17,238,265 1,471,670 6,194,616 2,619,393 80,648,237 7,642,201
Total	88, 309, 091	33, 300, 832	121,609,923

APPENDIX VI.

The subjoined translation of the more important clauses of the customs treaty of March 22, 1833, sets the principles on which the German Zollverein is founded in a clear point of view:

Customs treaty, concluded March 22, 1833, between the Kings of Bavaria and Wirtemberg on the one part and the King of Prussia, the Prince Electoral Co-Regent of Hesse, and the Grand Duke of Hesse on the other part.

Customs treaty, concluded March 22, 1833, between the Kings of Bavaria and Wirtemberg on the one part and the King of Prussia, the Prince Electoral Co-Regent of Hesse, and the Grand Duke of Hesse on the other part.

I. The existing customs-union between the states above named shall henceforth constitute a general union, united by a common system of customs and commerce, embracing all the countries comprised therein.

II. In this general reunion are also comprised the states which have already adhered, either for the whole of their territory or for a part, to the system of customs and commerce of one or other of the contracting states, having regard to their special relations, founded upon the conventions of adhesion concluded with the states which have intervened.

III. But there will remain excluded from the general reunion the parts separated from the countries of the contracting states which, because of their studies of most of the contracting states which, because of their studies of most of the contracting states which, because of their studies of one to facilitate the commerce of these territories with the principal country will be maintained. Other favors of this kind can not be accorded without the unanimous consent of the contracting states.

IV. In the contracting states there shall be established uniform laws for the duties of import, of export, and of transit, except such modifications as, without injury to the common object, result necessarily from the particular legislation of each contracting state or from local interests. Thus, exceptions and modifications to the common tariff may take place as to rates of duties of entry or export and of transit (according as the direction of the routes of commerce may require) established upon articles recognized as of minor consequence in extensive commerce; provided always that these modifications be preferred by separate states, and that they shall not be disadvantageous to the general interests of the association.

The administration of the duties of impor

duties established by Article VII, the transport of articles of commerce, subject by the common tariff to duties of import or export on the frontiers of the association, can not take place between the states of Bavaria and Wirtemberg and the states of Prussia, of Electoral Hesse, or of Grand Ducal Hesse, and reciprocally, except by the public roads, military routes, and navigable rivers. For this purpose there shall be established on the interior frontiers common bureaus of verification, to which the conductors of merchandise must, on exhibiting their licenses, declare what are the articles which they are employed to transport from one territory to another.

This disposition will not be applicable to retail commerce in raw materials, nor to the petty commerce of the frontiers or the fairs, nor to the effects of travelers. Process for the verification of merchandise will go no further than is required for security of the duties of compensation. (See Article VII, b.)

XIII. The contracting parties reciprocally renew their adhesion to the principle that the tolls or other charges in lieu thereof shall only be sufficient to defray the expense of maintenance and repairs of the roads, whether the tax be for the state or for private rights. It was thus that has been approved the supplement to the duty of customs created in Bavaria and Wirtemberg to replace the duty of tolls, paving, causeways, bridges, and generally of all analogous taxes.

The tolls for approved the pression according to the general tariff of 1892.

place the duty of tolls, paving, causeways, origges, and generally of all analogous taxes.

The tolls, &c., now existing in Prussia, according to the general tariff of 1828, shall be considered as the highest rates, and shall not be exceeded in any of the contracting states.

In accordance with the principle thus announced, the individual duty for closing the gates of cities shall be abolished, as also the duty of paving of causeways where it still exists, and all paved roads will be considered as causeways of a description liable only to the duty on causeways established by the general tariff

of a description liable only to the duty on causeways established by the general tariff.

XIV. The contracting governments agree to unite their efforts to introduce into the states a uniform system of coins, weights, and measures, to commence immediately after the requisite negotiations for this purpose, and subsequently to direct their efforts toward the adoption of uniform custom-house weights.

The contracting states, in the impossibility of establishing this uniformity before this treaty goes into operation, agree, for facilitating the forwarding of merchandise where it has not already been done, to revise their tariff as to weights and measures, assuming for a basis the tariffs of the other contracting states. They will cause such modification to be published, for the government of the public and of their custom-house bureaus.

The common tariff (Article IV) shall be divided into two principal divisions, according to the system of weights, measures, and moneys of Bavaria and that of Prussia.

The declaration of the weights and measures of articles subject to duty shall,

The common tariff (Article IV) shall be divided into two principal divisions, according to the system of weights, measures, and moneys of Bavaria and that of Prussia.

The declaration of the weights and measures of articles subject to duty shall; in Prussia, be according to Prussian weights and measures; in Bavaria and Wurtennburg, according to those of Bavaria; and in the two Hesses, according to the weights and measures there legally established. In expediting custom-house acts the quantity of merchandise must be expressed according to the two principal divisions of the common tariff.

Until the contracting states agree upon a system of common money the payment of duties in each state shall be made in the same currency as in use for payment of its other taxes. But from the present time the gold and silver coins of all the contracting states, with the exception of small money (Scheidomānze), shall be received in all the bureaus of receipt of the association, and for this purpose tables of value shall be published.

XV. The duties of navigation upon the rivers, comprising therein those which apply to vessels, shall always be mutually acquitted according to the acts of the congress of Vienna or of special conventions, upon all the rivers to which these regulations apply, unless other determinations be adopted in this respect.

The contracting states agree to enter without delay into negotiations for that which particularly regards the navigation upon the Rhine and the neighboriug streams, in order to effect an arrangement by which the import, export; and transit of the productions of all the states of the union upon said streams shall be, if not absolutely free, at least relieved as far as possible from duties of navigation, under the reserve of charges of reconnaissance.

All the advantages granted by one state of the union to its subjects in the exercise of the navigation upon said streams shall extend equally to the navigation of the other associated states.

Upon the other associated states.

Upon the other

the subjects of each state may enjoy as extensively as possible the privilege of seeking work and occupation in every other state.

From the coming into operation of the present treaty the subjects of any one of the contracting states trading or seeking employ in the territory of any other of those states shall not be subject to any impost which does not equally affect the native similarly employed. Manufacturers and merchants who are only making purchases for their trade, or travelers who have not goods with them, but simply patterns for the purpose of soliciting commissions, shall not, when thus employed, have any duty to pay in another state if authorized to carry on such commerce in the state where they have their domicile, or if employed in the service of native manufacturers or merchants.

When trading in the markets and fairs or when they are selling the produce of the soil and fabrics, in any one of the states of the association, the subjects of the other contracting states shall be treated in all respects as subjects of the same state.

of the soll and fabries, in any one of the states of the association, the subjects of the other contracting states shall be treated in all respects as subjects of the same state.

XIX. The seaports of Prussia shall be open for commerce to all the subjects of the states of the union on payment of the same duties as are paid by Prussian subjects, and the consuls of the several states in the seaports or places of foreign commerce shall be bound, in cases of need, to assist with their advice and support the subjects of other contracting states.

XX. To protect against contraband their common custom-house system, and to insure the regular payment of the duty of consumption in the interior, the contracting states have concluded a reciprocal cartel, which shall be enforced as soon as possible, but, at the furthest, at the same time with the present treaty, XXI. The community of receipts of the contracting states, stipulated by the present treaty, shall comprehend the product of duties of entry, of export, and of transit, in the Prussian states, the Kingdoms of Bavaria and Wirtemberg, the Electorate, and the Grand Duchy of Hesse, comprising therein those countries which have down to the present time acceded to the custom-house system of the contracting states.

The following are excluded from the community of receipts and remain reserved for the particular benefit of the respective governments:

1. The impost collected in the interior of each state of indigenous products, comprising therein the compensatory duties reserved in Article XI.

2. The toll on rivers, to which are applicable the regulations of the acts of the congress of Vienna or special conventions. (Article XV.)

3. Duties of paving, of causeways, of bridges, of ferries, of canals, of locks and ports, charges of weighing and storage, as well as similar receipts, whatever may be their name.

4. The fines and confiscations which, beyond the part allowed to informers, remain the property of each government throughout its territory.

XIII. The produce of the d mon conventions.

mon conventions.

The population of every state which has entered or may enter into the association by treaty with one or other of the contracting states, under the engagement made by the latter to make an annual contribution for the participation of the former to the common revenue of the customs, shall be added to the population of the states which make this contribution.

There shall be made every three years, dating from a period to be hereafter fixed, an exact emuneration of the population of the associated states; the states shall reciprocally communicate the results thereof.

XXIII. All restitutions of duties not authorized by the legislation of the customs shall remain charged to the treasury of the government which shall have granted it.

toms shall remain charged to the treasury of the government which shall have granted it.

Conventions hereafter to be concluded will regulate in what cases similar

Conventions hereafter to be concluded will regulate in what cases similar restitution may be accorded.

XXIV. In conformity with the object of this association of customs tending to facilitate a freer and more natural commercial intercourse, the favors accorded for the payment of custom-house duties at certain places in which fairs are held, especially the privileges of abatement (rabat privilegien), can not be extended to those states of the association where they do not exist. On the contrary, they shall be restricted and abolished as far as possible, regard being had to the means of subsistence of the places heretofore favored, and to the commercial relations which they have with foreigners; but others can on no account be granted without the general consent of the contracting parties.

XXXIII. There shall every year, on June 1, be an assembly of plenipotentiaries of the governments of the union, empowered generally to deliberate, and each state may send thither a duly authorized representative.

The plenipotentiaries will choose from among themselves a president, who, however, shall have no pre-cuminence over the other members.

The first assembly shall be held at Munich.

At the close of each annual assembly the place of next meeting will be determined, having reference to the nature of those subjects which will then come under discussion.

XXXIV. The assembly of plenipotentiaries will have under its consideration

under discussion.

XXXIV. The assembly of plenipotentiaries will have under its consideration the following subjects:

a. To consider the complaints which may have arisen in any of the states of the association concerning the execution of the general treaty, of special conventions, of the law, and of custom-house regulations, also of the tariff, when these shall not have been adjusted during the year by correspondence between the different ministers.

b. The definitive reparation among the states of the union of the total common receipts, based upon the observations made by the superior authorities, and verified by the central bureau, as may be rendered necessary by the common interests.

mon interests.

c. To deliberate upon propositions and suggestions made by the governments for the perfection of the administration.

d. Discussions upon alterations, demanded by any of the contracting states, in the laws, tariff, and custom-house regulations, as well as in the organization of the administration, and in general upon the development and perfection of the general system of customs and commerce.

the general system of customs and commerce.

XXXV. If in the course of the year, when the plenipotentiaries are not in session, extraordinary incidents should occur which require prompt decision on the part of the states of the union, the contracting parties will consult upon these through their diplomatic agents, or they will order an extra sitting of their plenipotentiaries.

Recent changes in the German customs-union.—The discussions in the assemblies of the league were, especially of late years, a good deal influenced by political considerations. A league denominated the Steuerverein had been formed in opposition to, or in rivalry with, the Prussian league by Hanover, Oldenburg, and Brunswick. It was evident, however, inasmuch as the interests of these and the other German states were identical, that it would be a great public advantage were these associations merged into one. But, owing to political, commercial, and financial jealousies, this desirable object was of very difficult attainment. At length these difficulties were surmounted, and a treaty negotiated between Hanover and Prussia on September 7, 1851, provided for the incorporation, from January 1, 1854, of the former, and the other states included in the Steuerverein, with the Prussian union. Some modifications were introduced by the treaty into the basis of the league, but they are of little importance except to the parties immediately interested.

Treaties with Austria.—More recently a great deal of discussion took place between Prussia and the subordinate German states on the one hand and Austria on the other in regard to the formation of a customs association which should include the latter; and in order to pave the way for this desirable consummation Austria issued a new tariff on November 25, 1851, in which she made many important modifications in the prohibitive system, on which she had previously acted at the same time that she established a free commercial intercourse between Hungary (which had previously a separate customs establishment) and the other states of the Empire. And though this wise and liberal measure has not yet led to the incorporation of Austria into the customs-union, it has led to the conclusion by her of several important commercial treaties. The first of these with Prussia was dated February 19, 1853.

The contracting parties engaged to suppress, with a few specified exceptions, all prohibitions against importing the products of the one into the territories of the other. They next established a complete freedom of trade between the two countries in all articles of raw produce; and they further stipulated that the duties to be imposed on manufactured products should be moderate and reasonable. It had a variety of other clauses, all of a liberal character. The duration of the treaty was limited to twelve years, so that it had expired and was renewed before hostilities broke out between Prussia and Austria. The war of 1866 affected the trade of Germany most injuriously, and by way of illustration we subjoin a statement referring to 1855 and 1866.

An account showing the proportion of the revenues of the German customs-union raised in the different states in 1865 and 1866, and the distribution thereof, according to their population, from Mr. Secretary of Legation Lawther's reports of July 28, 1866, and July 29, 1867.

	Impor	t dues,	dues, Export dues.		Tot	al.
States of the verein.	1865.	1866.	1865.	1866.	1865.	1866.
	Rixt.	Rixt.		Rixt.	Rixt.	Rist.
1. Prussia	13, 684, 586					11,642,730
Hanover	1,946,319					
Eelectoral Hesse	375, 604				375, 903	
Nassau	98, 677			********	98,759	91,745
Frankfort-on-Maine						
Luxemburg	123, 463	118,014	1,040	802	124, 503	118, 217
2. Bavaria	1,364,088				1,371,297	1,365,660
3. Saxony	2,669,631	2, 383, 512			2,673,512	2, 383, 533
4. Wirtemberg	455, 845	507, 523	814		456, 659	507,523
5. Baden	1,061,438	997, 881	4,984	3,498	1,066,422	1,001,379
6. Grand Ducal Hesse	516,559			4	517, 599	487, 652
7. Thuringia	312, 252	305, 256	159	6	312, 411	305, 262
8. Brunswick	253, 557	241,719	16		253, 573	241,719
Oldenburg	239, 139	206, 416	107	1,563	239, 246	207, 979
Total	23, 923, 365	21, 301, 155	67,720	45, 596	23, 991, 085	21, 346, 751

Renewal of the Zollverein.—The German states lying to the south of the river Maine, having preserved their independence after the war of 1866, were not under any obligation to unite themselves, either politically or commercially, with Prussia, or even to renew the Zollverein, which the war had dissolved. However, a sense of their own interest subsequently induced the southern states not only to enter into military conventions with the Prussian Crown, but to continue members of the Zollverein upon an enlarged basis. On July 8, 1867, a new Zollverein treaty for a further term of years was concluded between the states of the North German Confederation and the South German states, namely, Bavaria, Wirtemberg, Baden, and Hesse-Darmstadt, the scope of which extends to the whole of Germany except Austria, inasmuch as the two Mecklenburgs and the three Hanse Towns, as members of the northern confederation, are parties to the last-mentioned treaty and are represented in the Zollverein councils.

Under the old system, questions were settled in the Zollverein.

and the three Hanse Towns, as members of the northern confederation, are parties to the last-mentioned treaty and are represented in the Zollverein councils.

Under the old system, questions were settled in the Zollverein confederation, are which unanimity was required; whereas under the new treaty the legislative power is given to a federal council of fifty-eight members, in conjunction with a customs parliament. In the council Prussia has seventeen votes and a veto upon all alterations of existing laws; in other cases the majority of the council decides, Prussia having a casting vote. The customs parliament (which met for the first time in Berlin on April 27, 1858) is chosen upon the principle of universal suffrage by the people of the southern states, as well as of the states of the north will enjoy their due influence in the council of the new customs-union, and that the public opinion of the nation will be fully and fairly represented in the customs parliament.

A difficulty in the way of the accession of the two Mecklenburgs to the Zollverein system was found to exist in their treaty of 1865 with France, by the eight-eenth article of which the Mecklenburgs had engaged not to raise their customs duties above the rate of \$1 per centure, and not to introduce any new duties whatever. This difficulty has been removed. Prussia has consented to a reduction of the customs tariff on French wines and some other articles; and the two Mecklenburgs are left at liberty to enter the customs frontier of the North German Confederation, and to fulfill all their engagements as members of that alliance. The arrangements for that purposes are expected to be soon completed by the federal council, and the early admission of the two Mecklenburgs within the customs line may now be anticipated.

Schleswig and Holstein retained their old tariff for some time after their annexation to the Prussian monarchy, but toward the end of April, 1867, a royal ordinance put the Zollverein tariff into force within both duchies; and on November

The export duties (with two or three exceptions) as well as the transit duties, are on both sides abolished. Of the advantages of the last treaty with the Zollverein, the united kingdom will partake in consequence of the "most favored nation clause" in our treaty with Austria. (Treaties, Austria.) A treaty of navigation with Italy had been previously concluded on October 14, 1867, and more recently, March 30, 1868, a treaty of commerce and navigation with Spain has been announced, whereby the Zollverein has the right of trading on the most favored footing with the European portion of the Spanish monarchy, and has conceded reciprocal privileges to Spain in the states of the union. The differential duties which have hitherto existed in Spain in favor of certain articles of French produce and manufacture have likewise been abolished in favor of the Zollverein.

In consequence of these and other changes the duties in the tariff of the Ger-

Zollverein.

In consequence of these and other changes the duties in the tariff of the German customs-union have undergone many modifications. But except on coarse and heavy goods they continue, speaking generally to be moderate. A declaration of April, 1869, for the admission duty free into Great Britain and the Zollverein of patterns and samples imported by commercial travelers has been published in the London Gazette.

The overtures made to Russia on behalf of the Zollverein have hitherto been unsuccessful. (Report of Mr. Ward, minister resident at Hamburg, of May 15, 1868,)

We have little doubt, should peace be preserved, that the advantages of which the Zollverein must be productive will be so many and so great that it will lay the foundations of a lasting intercourse of which we can neither foresee the extent nor the beneficial influence.

Issue of Circulating Notes.

SPEECH

HON. GEORGE E. SENEY,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES.

Thursday, January 15, 1885,

On the bill (S. 1155) to provide for the issue of circulating notes to national banking associations.

Mr. SENEY said:
Mr. SPEAKER: The bill before the House proposes to change, in a very important particular, the national banking law. Under section 5171 of the act a national banking association, upon a deposit of United States bonds, is entitled to have circulating notes not exceeding in amount 90 per cent. of the par value of the bonds.

The pending bill proposes to give to these associations circulating notes equal in amount to the par value of the bonds deposited. The processity for making this change in the law is not very apparent. Re-

necessity for making this change in the law is not very apparent. flecting upon the subject, with some care, I am unable to see why this change should be made. That the change, if made, will be to the advantage of the national banks no one, it is believed, will doubt. Most unquestionably it will add to the value of their franchises.

The change in the law will give to these banks 10 per cent. more of circulation than they are entitled to have under the law as it now and they are that too more the banks not the state of t

and that, too, upon the bonds now on deposit as well as those hereafter to be deposited. The 10 per cent. of increase in circulation these banks will use at profitable rates in their business. If this measure has any other purpose than to enable national banks to add to their dividends, I hope it will be pointed out by those who would legislate in the interests of these moneyed institutions. I can not persuade myself to believe that any interests except those of the owners of national banks

lieve that any interests except those of the owners of national banks will be promoted if the proposed change in the law is made.

Why should we make a law to increase the gains of those who hold the capital stock in the 2,671 national banks of the country? Is there any good reason why the money-making capacity of these banks should be increased? Shall we give to them rights and privileges more valuable than those they now have? In a word, ought we to legislate into the hands of these shareholders capital with which to do business? That these banking associations desire this advantageous legislation is no reason why we should enset the pending hill into a law. All other in these banking associations desire this advantageous legislation is no reason why we should enact the pending bill into a law. All other interests of the country, I venture, are indifferent, if not opposed, to the proposed change in the law. No person outside of national banking circles asks for the change. Is it not our duty to move slowly and surely when legislating in the interests of the few? Special or class legislation should not be done hastily.

The national banking system is supposed to be a good one. Perhaps

The national banking system is supposed to be a good one. Perhaps none better could be devised. At this time it ought not to be disturbed. Let it alone for the present. If the system is to be disturbed, it ought to be in the interests of better management and more security for depositors. It cought not to be disturbed in the interest of the banks. They ought to be content with what they have, without ask-ing for anything more. The business of banking, under the national banking law, has been, and still is, prosperous and highly satisfactory in its returns. While other business interests are dull, and in many instances prostrate, there is little, if any, diminution in the profits of the national banks. So far as the public have knowledge, these institutions are sound and safely managed. There may be some that are not. It is to be hoped that the number is few. If we are to have banks of issue, let us be content, for the present at least, with those that we

have and as they are. If more legislation is needed to perfect the national banking system, there are interests beside that of the shareholders to be considered.

The question before us has more than one side. Those who deposit their money in national banks have an interest in the legislation pro-posed by this bill to which we ought not to be indifferent. In voting upon this measure we must choose between the interests of the share-holders upon the one hand and the interests of the depositors and the public upon the other. That more legislation is needed to protect de-positors in these institutions against loss from the inexcusable neglect and criminal conduct of stockholders, directors, and officers no one can deny. If, then, we are to legislate for all interests instead of for one? If, then, we are to legislate upon this subject, why not legislate

Is it said that no interests will be harmed if the national banks are allowed to increase their circulation 10 per cent. above the 90 per cent authorized by existing laws? Let us consider this question for a moment. So far as the bill-holder is concerned he is protected against loss. For his bill the act provides that upon default of payment by the bank issuing it, it shall be paid in lawful money upon presentation at the United States Treasury. The act further provides the research of the bonk devocited to secure the bank's circulation is at the United States Treasury. The act further provides that in case the proceeds of the bonds deposited to secure the bank's circulation is the proceeds of the bonds deposited to secure the bank's circulation is insufficient to reimburse the Government for the amount expended in paying the bank's circulating notes, then, for the deficiency, the Government shall have a first lien upon all of the bank's assets, and the deficiency shall be made good to the Government, out of these assets, in preference to any and all other claims whatsoever, except the costs and expenses of administering upon the assets. It will be seen, therefore, that if the circulation is equal to the par value of the bonds deposited a loss may occur and when it does the depositors must hear if

Authorize the circulation to be equal to the par value of the bonds deposited, and should evil come to a bank, unless its deposit bonds are at a premium, there will be a loss which the depositors must make good. In other words, the depositors in a national bank stand as security to the Government for the loss, when the bonds on deposit do not sell for enough to redeem the outstanding circulation of the bank and pay the costs to which the bill-holders are subjected in getting lawful money for their protested bills. And what security have the depositors for the payment of what the Government takes from them for the bill-holders, or for their own deposits? What remains, after the claims of the Government are satisfied, and after the Government's receiver and all of his servants, clerks, agents, and attorneys are paid in full, and after all other costs and expenses of converting the assets into money are settled, is dealt out to the depositors. is dealt out to the depositors

When a national bank fails and has but few assets their depositors realize, and so, too, does the public, that banking institutions organized under Federal law and bearing the name national are not any safer

depositories for money than those doing business under a less pretentious title, and under laws made nearer their homes.

The depositors, then, are interested in the securities held by the Government for the redemption of circulation. When it is proposed to increase the circulation to the par value of the bonds, the depositors have an interest in the subject too important to be overlooked. Change the law are this bill proposed to the security for deposits is Change have an interest in the subject too important to be overlooked. Change the law as this bill proposes, and the security for deposits is lessened 10 per cent. The risk in depositing money in banks should not be increased by legislation. In legitimate banking, banks intentionally take no risks. When they loan money they exact security. When money is loaned to them the law under which they do business ought to provide all the security for its payment consistent with just and upright

vide all the security for its payment consistent with just and dealing.

It will be said that depositors in national banks have a security in addition to the assets of the bank. It is true that the shareholders in these banks are individually liable, equally and ratably, and not one for another, for all the debts of the bank to the extent of the amount of their stock at its par value in addition to the amount invested in their stock. With this security, good as it may be, depositors in national banks have failed to realize all of their dues. They need further security for their deposits. If legislation can give it, it ought not to be withheld. Remove the limitation upon the individual liability of the shareholders and the security for deposits would be largely increased. shareholders and the security for deposits would be largely increased. As a rule, laws creating and regulating corporations exempt or limit the individual liability of its members. With this rule I would not in-

there unless to make banks exercising corporate powers an exception.

There is a necessity, I admit, for limiting the liability of shareholders in most corporations. There is no necessity for limiting their liability in banking corporations. The business of banking is not an experiin banking corporations. The business of banking is not an experiment or a venture. It is not what is called an enterprise. There is no other business in which profit is more certain and sure. The risks are few; less, it is believed, than those of dealers in merchandise, at whole-sale or retail. Their gains are supposed to be greater, and ordinarily their losses are less. Deposits in banks, to a large extent, are induced by a special trust and confidence in their safety. Receiving, as banks do, the money of hundreds and thousands, under a promise to repay upon demand, why should not all that their owners have be held to make good the promise? good the promise?

In adding to the value of banking, under corporate laws, ought we not to lessen the risk of those who leave money on deposit? Why should

the owners of an incorporated bank be exempt from the liability imposed upon all unincorporated banks and imposed, too, upon merchants, traders, and all others engaged in ordinary business pursuits? Why should the people have less security for their deposits when made in a national bank than when made in a private bank? An individual is liable for all the debts he contracts. Two or more persons doing business together are severally and jointly bound for their debts. The principal is liable for the contracts of his agent made within the scope of the agency. This is believed to be the common law throughout the world.

agency. This is believed to be the common law throughout the world.

According to the last report of the Comptroller of the Currency there are 7,448 banks and bankers in this country. Of this number, 2,308 are national banks, 1,728 are State banks, savings-banks, and trust companies, and 3,412 are private banks. As to the personal liability of the stockholders in these State and savings-banks and trust companies, I am not informed. All, I judge, are incorporated institutions. It is, therefore, not without pretense to say that in no case are the stockholders individually liable for the contracts of these corporations beyond twice the amount of their stock. From this report it appears that in nearly one-half of the places where money is left on deposit there is unlimited personal liability for its payment, while in the remaining half this liability exceeds in no case double the amount of capital stock. These banks of limited individual liability have six and a half dollars on deposit to one dollar on deposit in the banks of unlimited individual liability. In the interests of the people, and to protect them against loss, all limitations upon the liability of those who receive their money under an agreement to pay back on demand ought to be removed. Further than this, probably, legislation need not go. This far it ought to go. Those who own incorporated banks should be liable individually for all obligations the banks contract. The interests of the public require this measure of responsibility.

of the public require this measure of responsibility.

This may be an advance step, but it is a step in the right direction. The best interests of the people demand that it be taken. Some may refuse to join in a rightful movement against corporate interests. Others will move, if at all, with reluctance. Still the movement will go on with the approbation of the people until the members of banking corporations are subjected to the same rule of liability the law imposes upon all who do business without corporate powers. Few national banks, comparatively, have closed their doors against depositors, but when they have wreck and ruin were behind. Under existing laws the rights of depositors against the banking institutions of the country differ. Our legislation can do much to make the law of liability uniform. If a depositor puts his money into an unincorporated bank, all that its owners have may be subjected in payment. If he leaves his money in an incorporated bank, a part only of what its owners have can be seized. The balance, in many cases large, is secured to the owner, free from the depositor's touch and free from the law's process. Upon this balance the owner lives in affluence, while his unpaid depositor struggles through

This is not an exaggerated statement. Cases like this are not few. Many such are to be found here and there throughout the country. Against such wrongs I complain, and against the legislation that makes them possible I protest. Unjust legislation may be borne for a time, but sooner or later it gives way under the pressure of right. Individual liability of the owners of incorporated banks may not in all cases secure to their depositors their money, but in many instances it will make good what they would otherwise lose. Banking institutions are a public necessity, and the interests of the public should be protected to the extent that it can be done by legislation.

When those who own and control banks are held personally liable for what the banks do, better will be their management and more faithful and vigilant will their interests and the interests of those dealing

When those who own and control banks are held personally liable for what the banks do, better will be their management and more faithful and vigilant will their interests and the interests of those dealing with them be guarded. I know full well that in legislating to make stockholders in national banks individually liable for the engagements of the bank the liability of stockholders in the banks now organized would continue as fixed by existing laws. But in national banks organized after individual liability is imposed the stockholders would be subject to its rule. The security of depositors in national banks now organized, as well as those hereafter organized, would be strengthened by making more severe existing penalties against embezzlement and the misappropriation and unauthorized use of the bank's property, and by imposing heavy penalties upon stockholders and directors for a failure to make stated examinations into the condition and management of their bank. With these convictions as to what is due to those who put their money on deposit in national banks no measure which lessens the security they now have for its payment can have my support.

curity they now have for its payment can have my support.

It will be urged, I know, that the credit of the Government is so high that its bonds sell at a premium, and that, therefore, there can be no risk in giving to the national banks circulation equal in amount to the par value of the bonds. The statement is common that the bonds of the Government will never be worth less than par, and that, therefore, the Government will never have occasion to take any part of the assets of a national bank from the depositors to reimburse it for loss in redeeming circulation. The value of our bonds depends more upon the future than upon the present condition of the country. He who states the mark at which these bonds will stand next year, or the year thereafter, or five or twenty years hence, talks about that which we all know he

knows nothing about. Will the present value of these bonds be maintained always? In time of peace and plenty all believe that they will. Should war come, or a general disturbance in monetary affairs materially weaken confidence and trust, all paper values will shrink. Either or both of these calamities, much as we may wish or strive to avoid them, may come upon us.

We know not what a day may bring forth. It is within the recollection of all when the public debt grew in a single year from ninety millions to five hundred million dollars, and in three years thereafter it reached nearly three thousand million dollars. We should not for get that there was a time within the last twenty years when gold was worth nearly three times as much as the legal-tender issues of the Government. Then a bond of the Government having a par value of \$285 maturing in three years, and bearing 7.3 per cent. interest per anumy was worth no more than one hundred gold dollars. Devoutly as it may be wished that the public credit may never fall below the great standard of value, still it may. And who can say that it will not? Our currency may depreciate in value, and so, too, all public securities. Legislating as we are to-day about the currency, we would be und mindful of our duty did we fail to look upon the dark as well as the

bright side of the near or remote future.

Mr. Speaker, I shall vote against this bill, not because I am unfriendly to national banks, or their owners, for I am not, but because it is a species of legislation to which I am unalterably opposed. The legislation proposed by the bill is of a very special character. If it were in the interest of capital generally, and without particularizing, it would be less objectionable. But it is in the interest of capital invested in the shares of national banks. No other interests does the bill propose to benefit, except that of the owners of national banks. The mere passage of this bill will increase the value of national-bank shares, but nothing will it add to the value of any other property. This bill, should it become a law, will put into the hands of those who have capital invested in the stock of national banks \$32,000,000. Upon the mere demand of these banks they will be entitled to receive from the Government this large sum of money upon their bonds now on deposit. The only consideration the banks pay for the use of this money for twenty years is 1 per cent. per annum, which is imposed as a tax upon circulation. This money the banks will loan at their counters—in my State at 8 per cent., in other States at rates less or more. It is safe to say that the national banks in the use of this \$32,000,000 will make yearly, for twenty years to come, less the annual tax of 1 per cent., \$2,000,000.

Who but the Government will loan money at 1 per cent. per annum? And to whom does the Government loan money, at any rate, low or high, except to the national banks? These banks give their money to the Government in exchange for the Government bonds bearing 3, 3½, 4, and 4½ per cent. interest per annum, and the Government gives its money to these banks at 1 per cent. per annum. This is said to be wise and good financiering for the Government. Fortunate, indeed, that the Government is strong and has the ability to stand such a drain upon its resources. An individual doing business upon the same plan would soon involve himself in bankruptcy and ruin.

But why should the Government furnish capital to a person, natural

But why should the Government furnish capital to a person, natural or artificial, with which to do business? If to the national banks, why not to banks organized under State laws? If to one class of incorporated banks, why not to another; why not to banks not incorporated? If to one person or corporation, why not to another? Capital may well congratulate itself upon the loyalty of its law-making friends.

rated banks, why not to another; why not to banks not incorporated? If to one person or corporation, why not to another? Capital may well congratulate itself upon the loyalty of its law-making friends.

Labor has no measure pending before Congress to add \$2,000,000 a year for twenty years to its present earnings. If it had, what, may I ask, would be the chances for it to become a law? If we would legislate the use of \$32,000,000 for twenty years to the workingmen and working-women of the country, many homes, needy and deserving, would be made cheerful and happy. Instead of improving the condition of those whose condition needs improvement, we better the condition of those who need no help. According to the report of the Comptroller of the Currency there are 2,671 national banks. The stockholders in these institutions, probably, do not exceed in number 100,000. Under this bill, the yearly dividends of these stockholders will be increased \$2,000,000. In twenty years these increased dividends will amount to \$40,000,000.

amount to \$40,000,000.

This bill, should it become a law, will put money into the purse of 100,000 persons. There are 50,000,000 people in this country, to whom this bill, if made a law, will be no benefit. Still it is pressed. Capital demands its passage. The few who have money invested in national-bank stock insist upon more protection to their interests.

Mr. Speaker, we hear much said, and glibly, too, here and before the polytical polyt

Mr. Speaker, we hear much said, and glibly, too, here and before the people, about the relations of capital and labor and of their respective rights, interests, duties, and responsibilities. In the recent political contest each of the two great parties proclaimed themselves to be the friend of labor and of laboring men.

The utterances upon the stump and in the partisan press were so frequent and strong, that the average hearer and reader were unable to determine which of the two parties, if intrusted with power, would do the most for labor and the least for capital. Then, all past legislation in the interest of capital was sought to be excused upon any and every

What legislation had done to increase the profits of labor required little time to tell. Promises were made and promises were taken that in the future labor should fare better than in the past. We are here fresh from the people and find capital again in its accustomed seat at the front, and labor in its usual seat, at the rear.

A recent cartoon in Punch shows a meeting between capital and labor before the election, and a meeting between capital and labor after the election. It must be seen to be appreciated; it can not be described. The picture has capital greeting labor warmly and cordially. This is before the election. After the election capital, in the words of the

of labor it may be truly said that as yet it has put in no appearance in Senate or House. Seldom does it appear in either body. Capital we have with us always, and will, I suppose, as long as the Government endures. It intrudes upon this floor and into yonder Chamber. It crowds the corridors inside of this building and fills all of the outside Every department of the Government is pestered with its

Capital is here to-day asking the representatives of the people to legisits interest. The national banks want us to do something for Much has legislation done for capital in the past. Largely have late in its interest. our laws added to corporate wealth. Lands acquired by the blood and treasure of the people have been given away, without stint or measure, to railroad corporations. These more than princely gifts have made some of these monopolies so arrogant that they would defy the legislation which they are unable to dictate. We have reason to believe

that the day of their imperious rule is nearing its end.

In dealing with the corporations to whom we have been so generous we should meet every expectation of the people. With no unfriendliness to capital we can, as we should, oppose its exacting demands. Without disturbing in the least particular the national banking law, or the interests of those who own the capital stock of national banks, we may well refuse to enact a law which will give to this stock a we may well retuse to enact a law which will give to this stock a value which its own earnings are unable to do. Legislation such as this bill proposes ought not to be sought. The interests to be promoted are those of a few persons engaged in a single pursuit. Banking is in no sense an industry, and its relation to labor is too distant to entitle it to what is called "protection." Will this House do for the national banks what the Republican Senate and the Republican House in the last Congress refused to do for the wool-growers of the country? Near two years have passed since the memorable struggle between the woolgrowers and the woolen manufacturers in this Capitol.

The wool-growers, it will be remembered, asked for legislation pro-cting their labor. The woolen manufacturers demanded that their tecting their labor. capital, instead of the wool-growers' labor, should have the protecting care of the Government. The result of this hand-to-hand contest between these conflicting interests is well known to the country. Before the Republican Tariff Commission, in the Senate, and in the House the friends of capital outnumbered and outvoted the friends of labor. duty on woolen manufactures was not disturbed. The duty on wool was lowered near 3 cents per pound. By this legislation the woolen manufacturer buys the wool-grower's wool about 3 cents a pound less than he did for years before. What the wool-growers lose the woolen manufacturers gain. This is but one of the many victories capital has won in its conflicts with labor.

Shall I pause to inquire when, if ever, has labor scored an advantage over capital in a contest before the law-making power of the Govern-What law passed by Congress has lessened the laborer's toil, ment? What law passed by Congress has lessened the laborer's toil, or added a penny to his earnings? If there is one, except the eighthour law, I beg to be informed, here and now. Statute after statute has been passed to make capital profitable. None have been passed giving to labor even what it earns. It is not to be denied that legislation, in many instances, has made employment for labor. This has been done in legislating in the interest of capital, when this interest and that of labor were inseparably connected. More than this has not been done. Beyond furnishing labor employment for capital's use, I know of no legislation directly promoting the interests of labor. Labor has had to be content with its wages. Capital, in addition to its own earnings, exacts all the earnings of labor above the price of a day's work.

When capital and labor, skilled, if not unskilled, work together why should not labor have some share, little though it be, of the profits? What has the average laboring man in middle life to show for his many years of daily toil? Little, indeed, of this world's goods. For the work of to-day he receives about the same wages that he received during all the years that are behind him. In old age strength fails him and his store is scant. But labor and its interests aside. Capital and its interests press on attention.

This bill would be relieved from much that is objectionable did it provide that the national banks should give as well as take. The increase in circulation contemplated by the bill will be worth to the national banks not less than 6 per cent. The tax of 1 per cent. on circulation will reduce the value of this increase to 5 per cent. To equalize the benefits of the bill between the Government and the banks the tax on the increased circulation might be raised to 5 per cent. If this tax is too high, it may be lowered to a figure that will make it equal

to the rate of interest which the bonds securing the circulation bear. This view of the question is suggested by the argument of those friendly to the bill, that this measure is a public necessity. If this be true, then I insist that the interests of the public, rather than the interests

of the national banks, be consulted.

Those advocating the interests of shareholders in national banks tell us that circulation upon 90 per cent. of the market value of the bonds deposited is unprofitable. Opposed to this statement is the fact that deposited is unprofitable. Opposed to this statement is the fact that for the year ending November 1, 1884, the outstanding circulation of the national banks was \$333,559,813. During this period one hundred and ninety-one national banks were organized, to whom circulation was issued amounting to \$3,866,230. Is it not strange that new banks will organize and take circulating notes if circulation is without profit? Another fact is worthy of mention, that we have more national banks to-day than at any other time since the system was established. Still another fact should be stated, that of the ninety national banks whose corporate existence expired during the past year, eighty-three have been extended under the act of July, 1882.

These facts show that there is money in banking under the national banking law. If circulation is not profitable the business seems to have other profits which make dividends satisfactory to stockholders. It is true that there has been a decrease in the circulation of these banks of \$8,284,017 in 1883, and of \$24,170,676 in 1884. It may be that there will be a decrease in 1885 as large as in 1884. Who can say that this decrease is because circulation is unprofitable? That the circulation of national banks is less profitable now than in years past I am free to admit. This is not because circulation may not be employed at high paying rates. In this respect there has been little, if any, Nor is it because the volume of business has decreased, or the change.

gains made at the counter are less.

One reason why circulation pays less now than heretofore is because the bonds on deposit to secure it bear interest at 3, 4, and 4½ per cent., instead of 5 and 6. Another reason is that these low-interest bonds are at a high premium, and the money invested in premium is idle and therefore unproductive. Still another reason is that the sum required to be kept at the Treasury to redeem circulation yields no income to the banks. Let it be said that circulation is the least profitable of the business authorized by the law regulating national banks. Is this a reason why legislation should be invoked to make it pay more than it does? These banks loan money at the highest interest rates; buy business paper at its value; discount bills; buy and sell exchange; deal in moneyed securities; receive interest on the bonds deposited for circulation; loan the circulating notes received on these bonds, and make collections in all parts of the country. By these methods and by others the dividends of national banks are earned.

In this reckoning no mention is made of the fact that the system of banking established by the national banking law itself has great com-pensating advantages. The popular belief is that national banks are safe, because supervised by the Government. This inspires the trust and confidence of the people. In addition to this the high character of those by whom, as a rule, they are directly controlled enable these institutions to secure deposits three times in excess of their own capital, which they loan out at high rates of interest. Another advantage is found in the fact that at this time there are 2,671 of these banks in operation. Located as they are, at every point in our vast country where there is banking to do, each uses the other as a correspondent, and this adds largely to their ability to command business at home and

Compare the earnings of capital invested in national banks with the earnings of equal capital invested in other legitimate business, and banking capital can make no complaint. Need this feature of the ques-tion be further elaborated? It is a fact known to all men that banking tion be further elaborated? It is a fact known to all men that banking is a very profitable pursuit. What signifies it that circulation is the least in its items of profit? It is not every ware on the shelf of the merchant that sells at a profit. Yet, in merchandising wealth is accumulated. There are times when the products of the farm sell at prices less than remunerative. Yet, in husbandry there are substantial gains. It is not every working-day in the year that the mechanic and the laborer have employment. Still, the year does not come and go without giving some reward. Idle and unprofitable days are not uncommon in professional pursuits. go without giving some reward. I uncommon in professional pursuits.

There is scarcely any business that has not its season of depression.

Instead of complaining, the national banks ought to be gratefully content with their lot. For more than twenty years they have done business upon the capital of their owners, and upon the capital furnished them by the Government, in the shape of their circulating notes, in amount but 10 per cent. less than their own capital, and upon three times the amount of their own capital furnished by their depositors. Upon the capital furnished by the Government these banks pay 1 per cent. per annum. Upon that furnished by depositors it is safe to se that the use of one-half is without cost, and the use of the other half

they have at very low rates of interest.

Investing capital in national banks enables its owner to draw interest upon not less than three times the amount invested, while the other business done by the bank, it is believed, goes far toward meeting its operating expenses. Under recent legislation these banks are authorized to continue their business for twenty years longer. If a business having these advantages is not sufficiently remunerative without further help from the Government, its end cannot come too soon. Banking may be more profitable with than without circulation. But it is a significant fact that out of 7,448 banks in our country, only 2,671 have circulation; 4,777 banks manage to get along without circulating notes, and seldom, if ever, do they appear in this Capitol asking for

money-making privileges.

Mr. Speaker, it is said by the friends of this bill that the public interests require that the national banks should have circulation equal in amount to the par value of the bonds they deposit. Supporting this assertion, it is argued that unless we allow them to increase their circulation to the par value of the bonds deposited they will not only decline to take circulation, but will retire, gradually or otherwise, as their interests may dictate, the circulation they have. All this means, I suppose, that if this bill is not passed all of the national banks will at once set to work contracting their circulation, and not stop until all is retired. This threat should excite no fears. It is true that existing laws give to the national banks an undue control over a large proportion of the currency of the country. This wrong should be remedied. If we are to look to these banks for a part of our currency they should be under a binding obligation to supply it, if needed. In authorizing them to issue circulating notes they should be required to maintain a circulation within fixed limits. The option to maintain or not to main-tain circulation above a minimum amount should not be held by the banks. As the law now stands the business interests of the country are largely under the control of the national banks. Should they contract their circulation, little or much, there is no currency to take its place. One object in establishing the national banking system was to give to the people a safe and sound currency, and sufficient at all times to meet the business wants of the country. If, in this latter respect, the system is to be a failure, the sooner it is so understood the better.

The passage of this bill may increase circulation upon the bonds now The passage of this bill may increase circulation upon the bonds now on deposit \$32,000,000. The contraction for two years past is less than \$33,000,000. So that this bill may bring the circulation back to where it was two years ago. Will it do more? We will see presently that the only bonds available for deposit to secure circulation are the 4 percents, which mature in 1907. The premium on these bonds is so high that these banks say they can not afford to buy them to deposit for circulation, and for this reason, mainly, the passage of this bill is urged. The passage of this bill will, in my opinion, advance the premium. Banks that object to buying the 4 per cent, bonds at the present high The passage of this bill will, in my opinion, advance the premium. Banks that object to buying the 4 per cent. bonds at the present high premium will surely object to their purchase if the premium should be higher. Five per cent. additional premium will lessen materially the expected gain from 10 per cent. more of circulation.

Facts are stubborn things. It is impossible to change them by this bill. Much as it may be believed that this measure will put a stop to

the contraction now going on in national-bank note circulation, my word for it, it will not, nor will it bring back the circulation to the point where it stood one year ago. The circulation of national banks contracting, and will continue to contract, from causes which this bill, if made a law, will be unable to contract, from causes which this bill, if made a law, will be unable to control. The credit of the Gov-ernment this bill can not affect. This high credit is the force before which national-bank notes are retiring. As long as the bonds which secure circulation bear a low rate of interest and command a high premium the circulation of national banks will grow less and less, until sooner or later all are retired. In the light of the present surroundings there is reason to believe that it is only a question of time, and short at that, when the national banks will cease to issue circulating notes. For myself I do not believe that they will for any great length of time be able to maintain a circulation except at a sacrifice of the better interests of the people.

The national banking system when established was supposed to be a necessity of the war. The purpose of the system was to create a home demand for the bonds of the Government, rather than to make a currency system, either temporary or permanent. Before the war banks of issue were authorized by the States, and under their laws currency was issued. The genius of that distinguished citizen of my State, then at the head of the Treasury, the late Chief-Justice Chase, planned the system. The free-banking laws then in force in Ohio and New York, and it may be in other States, were the models used by the great Secretary in molding his work. In making a home demand for the bonds of the Government his labors were a complete success. The unfriendly legislation to banks issuing currency under State authority is a marked feature in the legislation of that period. Without the 10 per cent. tax imposed by Federal law upon bank issues authorized by State laws it is doubtful whether the national banking system would have come into general use. It will be remembered that banking capital was reluctant and slow to organize under the national banking law. Fortunately, the national banking system is no longer a necessary factor in maintaining the supremacy of the laws.

Reliance upon the national banks for our currency means a perpetua tion of the public debt. To this public sentiment, as I understand it, is opposed. The gradual payment of the public debt is favored by the great body of the people. All legislation tending to make the public debt permanent, or postponing its payment to a too distant period in the

future, outside of moneyed circles, will have few friends. Educated as the mass of the people are in the belief that a public debt, like a private debt, is a curse, the one is abhorred as much as the other. The circulation debt, is a curse, the one is abnorred as much as the other. The circulation of the national banks is based upon the public debt. Without a public debt there would be no national-bank notes. To have the circulation of these banks equal to the currency wants of the people there must be more than an equal amount of public debt. If that part of the public debt bearing interest was now on deposit as the basis of circulation of the national banks, 90 per cent. of its amount would give but little more

national banks, 80 per cent. of its amount would give but little more currency to the country than the amount we now have.

If the whole public debt, or a part less than the whole, is to be made permanent, and so kept, for the sole purpose of aiding the national banks to issue circulating notes, I am persuaded that a paper-money system less expensive would be more satisfactory to the people. The cost of maintaining a public debtamounting to several hundred million dollars for the mere use of the national banks would be little, if any, less than \$25,000,000 a year. Such a tax for such a purpose I do not believe the people would cheerfully pay. The circulation of the national banks, I repeat, will contract in spite of all this bill may do. Their circulation in November last was \$333,559,813. The bonds on

deposit to secure this circulation are:

Four percents ______ Four-and-a-half percents _____ 116,705,450 49,537,450

The amount of the 3 per cent. bonds outstanding in November last was \$194,190,500. All but \$38,486,100 are held by the national banks. The 3 per cent. bonds are payable at the pleasure of the Government. Every month their number grows less. Reduced taxation might temporarily check their redemption. But before this event is likely to occur all will be paid. At the end of two years it is more than probable that but few of the 3 per cent. bonds will be outstanding. This opinion is expressed by the Comptroller of the Currency in his last report, and is entertained generally by those who give attention to mone-tary affairs. It will be seen, therefore, that the 3 per cent. bonds are no longer available as a basis for national-bank circulation, and as these bonds are redeemed national-bank currency issued upon them must necessarily retire. Seven hundred and thirty-seven million six hundred and ninety-three thousand four hundred and fifty dollars of 4 per cent. bonds were outstanding in November, 1884. The national banks held near \$117,000,000.

The estimated amount held by savings-banks and trust companies The estimated amount held by savings-banks and trust companies is near \$300,000,000. Of the remainder, some are held by individuals as trust funds, some as permanent investments, and some are held on sale. Of those on sale, it is safe to say, the amount does not exceed \$200,000,000, and equally safe is it to say of the others that but few could be bought by the national banks at a price they would be willing to pay. But whatever may be the amount of 4 per cent. bonds available as a basis for national-bank circulation, there is no reason for beliaving that the circulation of these banks will be increased by the pure believing that the circulation of these banks will be increased by the purchase of 4 per cent. bonds. Should the premium on the 4 percents remain where it is or advance still higher, the national banks, or some of them, will doubtless dispose of a part if not all they hold to realize the high premium, and this, to the extent it is done, will also con-

tract their circulation.

Of the 4½ per cent, bonds it is unnecessary to speak. are at a high premium, and this, as well as their early maturity, are reasons why they are unsatisfactory to deposit for circulation. To me it is plain that with the bonds we have the circulation of the national banks will contract to a point below that which is now maintained upon

the 4 percents now upon deposit.

The fact that during the present year the corporate existence of seven hundred and twenty national banks will terminate is not to be overlooked in considering the question under discussion. The circulation of these banks is \$107,484,115. Their bonds on deposit amount to \$120,060,850. What proportion of this number will extend their corporate existence under the act of July, 1882, it is impossible to state. If circulation is no positive advantage upon bonds available as a deposit, it is not unreasonable to presume that one-fifth at least of the seven hundred and twenty will not renew their corporate life. From this cause, then, more or less of contraction must be expected.

With the 3 per cent. bonds out of the way, few of the 4 percents within reach, and some now on deposit sold, and 4½ percents undesirable, national-bank note circulation must stand ere long at less than \$100,000,000, which is not equal to one-ninth part of the entire cur-

rency of the country.

In the absence of legislation, what is there to prevent the circulation of the national banks from contracting to a point where it will be unimportant in transacting the business of the country? So far as this bill authorizes the national banks to increase their circulation 10 per cent. upon the bonds they now have on deposit, it is a most tempting offer to those who own the stock in these banks. Such a large bonus in aid of a private interest is certainly unprecedented in legislation. If the offer should be taken, these bank owners will pocket what we give them and chuckle heartily at their good luck.

— Shall we do anything to increase the circulation of national banks or

do nothing, and in this way allow it to contract and eventually retire? In better words, what can be done to make national-bank notes in the future, as in the past, a part of the currency of the country? As long as these institutions issue circulating notes so long must there be security pledged for their redemption. Anything except the bonds of the Government ought not to be thought of as a security for the payment Shall we make a bond for the sole use of the national of these notes. of these notes. Shall we make a bond for the sole use of the national banks? Unless this is done, I repeat, it is only a question of time when national-bank notes will be retired and their issue cease. How can this be done? The interest-bearing debt is \$1,196,147,450 and the non-interest-bearing debt is \$636,430,040. Of the interest-bearing debt the 3 and 4½ per cent. bonds might be refunded. These bonds appear to be the only part of the public debt which can be put at the service of the national banks. To refund these bonds the interest they will bear, for years and years, will add to the burden of the debt now borne by the

If we put the legal-tenders (greenbacks) into interest-bearing bonds, we lose them as currency, and to the extent of the interest they bear we make another debt for the people to pay. Do all that we can, and the best that we can, and it is uncertain whether or not national-bank currency can be preserved. Can a bond be made that will be acceptable to the national banks and acceptable also to the people? Along bond would not have general approval, and a short one would not be

satisfactory to the banks.

If we are mindful of the people's interests we will make no bond which will rate in the money market above its par value. There per cent. bonds are at a premium. This is suggestive that a long bond, bearing a less rate of interest, would maintain its par value. As long as the credit of the Government stands at its present high mark, a 2½ if not a 2 per cent. bond will rate at par. If a new bond is to be made I insist 2 per cent. bond will rate at par. If a new bond is to be made I insist that it be made in the interests of the people rather than in the interests of the national banks. From the earnings of the people must come the money to meet the quarterly or semi-annual interest they will bear, and therefore the burden to be imposed ought to be made light. National bankers say they will have nothing to do with a bond bearing less than 3 per cent. interest.

than 3 per cent. interest.

In my judgment, the people will not consent to the issue of any other. This contention between opposing interests, it is suggested, may be adjusted by the repeal of the law imposing 1 per cent. tax upon the circulation of national banks. This proposition has few disinterested friends, and it ought not to be urged. If issuing circulating notes is an advantage to national banks, they should not be unwilling to pay for the privilege, especially when it is exclusive. State laws, it is believed, do not tax the circulation of national banks. If this be true, the 1 per cent. tax is all the tax that this species of property pays. The bonds upon which circulation issues are, as we all know, exempt from taxation. To this exemption there is an unwilling submission. Against the further exemption of capital from taxation the people will Against the further exemption of capital from taxation the people will justly cry aloud.

If it be true, as national banks claim, that their profits from circulation are small, no harm will come to these institutions if all their circulating notes are retired. As banks of discount and deposit they would be useful to the public and profitable to their owners. The banks of discount and deposit regulated by State laws would be their competitors in business, and between the two systems the impartial

judgment of the people would make choice.

But if national-bank notes are retired, what shall be the currency in its stead?

Our currency, at this time, consists of-

Legal-tenders (greenbacks)	\$346, 739, 256
National-bank notes	333, 559, 813
Gold and silver certificates	257, 799, 441

938, 098, 510

The notes of the national banks, it will be seen, constitute a little more than one-third of the currency of the country. If for national-bank note currency another can be substituted equally good, equally safe, and equally satisfactory to the people, the loss of national-bank notes soon would be forgotten.

The question as to what shall constitute our money and our currency seems to be a difficult one to settle. We have four kinds of money and four kinds of currency. Of the metals there is gold, silver, copper, and nickel. Of paper we have legal-tenders (greenbacks), national-bank notes, gold certificates, and silver certificates. Whether iron or lead, or both, will be added to the list of metals, or more paper issues, differing in kind, are yet to come—who knows? Four kinds of paper money,

in kind, are yet to come—who knows? Four kinds of paper money, each unlike the other but all issued by the same authority, and circulating upon the same credit, may and possibly do show great financial wisdom, yet to the average mind it is beyond comprehension.

A thorough adept in matters of finance understands well why four printing presses, operated side by side in the same room, or in different rooms under the same roof, or in contiguous buildings, it may be, yet all under one superintendence, with the aid of paper and ink and the engraver's art, should make four kinds of paper money; but one unskilled in that science will have no other notion than it would be far better if it was one kind instead of four. But the money-changers un-

derstand the advantages of four kinds of paper money, if other people do not. The currency of this age will be a wonder to the people in the age that is before us.

What the country needs is a permanent solution of the currency question. It seems to baffle the financial genius of our times. Its ultimate solution rests with the financial genius of the future. who shall unify it and make it for the people and of the people will have a name in the statute-book of our country more enduring than if chiseled in marble or brass. If we are unable to originate a currency uniform and permanent, we should legislate wisely respecting the makeshifts that we have.

If gold and silver certificates, either or both, were to be stricken from our currency list, the gold and silver interests would be in instant commotion. Retire the greenbacks and issue national-bank notes in their stead, and the moneyed interests in every part of our country would be But retire the national-bank notes and in their place put the legal-tender issues of the Government, and we may well expect that for thirty days at least every national bank in the land would be draped in mourning. Every movement made in the interests of the people upon the subject of the currency appears to be antagonized by some selfish interest. If my judgment is not at fault, national-bank note circulation will be retired unless Congress comes to the rescue by legislating still further in the interests of the national banks and against the interests of the people. I am no advocate of what is called green-back doctrines. I still hold the hard-money faith, in which the Democratic fathers lived and died.

I would not pay off the public debt with the legal-tender issues of the Government; neither would I put affoat an undue amount of paper money, or any amount irredeemable. But if national-bank notes are to be retired from necessity or choice, their place must be filled. If this place can be filled with anything better than the legal-tender notes of the Government, say what it is, and my vote shall be for it. legal-tender currency is the best we have, and the best we are able to make, it is the currency that should come when national-bank notes

shall go.

For many years the circulation of Government notes has been larger than the circulation of national-bank notes. It would, therefore, be no experiment to issue more of the former and less of the latter. Until the Supreme Court of the United States said Government notes are legaltenders they were supposed to be no better, and by many not as good as national-bank notes. Had the law authorizing the issue of the green-back given it credit instead of discredit, the public debt at the close of the war would have been more like a mole-hill and less like a mountain in size.

As long as Government notes were not legal-tenders objections to their issue were not without reason. Now that they are legal-tenders, unquestionably they are the best paper-money we have. Until something better is suggested, I would have legal-tenders take the place which national-bank notes seem destined to vacate. Issue legal-tenders in lieu of 3 per cent. bonds, which are payable at the pleasure of the Government and amount to \$194,190,500. Do this at once. This will stop the contraction now going on in national-bank note currency. Issue legal-tenders and with them pay the 3 per cent. bonds and near \$6,000,000 a year will be saved to the people. The substitution of legal-tenders for the 3 per cent. bonds would retire all national-bank note circulation based on the 3 per cent. bonds, which amounts to about \$140,000,000.

based on the 3 per cent. bonds, which amounts to about \$140,000,000.

The circulation based upon the 4½ per cent. bonds must be about \$44,000,000. When these bonds (\$250,000,000) mature, six years hence, or sooner if it can be done to advantage, substitute legal-tenders, if not or sooner if it can be done to advantage, substitute legal-tenders, if not for all, then for such portion as the currency interests of the country may then require. Here again would be saved to the people \$11,250,000 a year, which they now pay for interest on these 4½ per cent. bonds.

As long as silver certificates issue at the rate of \$2,000,000 a month

no harm can come to the business interests of the country if the na-tional-bank-note circulation contracts as the friends of this bill say that it will. It is a fact well enough to bear in mind that while national-bank note currency is \$24,170,676 less now than one year ago, silver certificates exceeding this amount were issued in the same year. So that as national-bank notes are being retired their place is filled with silver certificates. This is one way in which we may legislate to reduce taxation, and that, too, without disturbing in the least the business interests of the country.

These suggestions may be unwise. They are, however, the matured thoughts of many who would have the money affairs of the people managed with the same judgment that they manage with eminent success

their own business interests.

We have heard read from the Clerk's desk letters from several gentlemen who are at the head of some of the largest national banks in New York. These gentlemen tell us that this bill ought to pass. Their opinions are influenced no doubt to some extent by self-interest. What they say may, and possibly does, reflect the opinion of all who own national-bank stock. It reflects none other. Against these interested opinions are the interests of many millions of people who have no connection with these moneyed institutions. The question is one of in-dividual gain on the one hand and the public good on the other. Be-tween these opposing interests I take my stand on the side of the people. Whatever the national banks or their friends may say against the

policy that is suggested, they can not say that if pursued it will not save to the people \$17,000,000 interest-money each year. They can not say that it will not give to the people a better currency than national-bank notes, a currency as good and as lasting as the Government

Mr. Speaker, what I have said has been spoken in no spirit of unfriendliness to national banks or to the many honorable gentlemen connected with these institutions. With the stockholders and officers in many of them, in my own State, I have a personal acquaintance. It gives me pleasure to state that, without an exception, they are men of integrity and stand high in public esteem. Having no interest in banks, and in no way connected with them except when doing business at their counters, I can speak freely and disinterestedly about that which affects their interests upon the one hand and the interests of the people upon the other. What the 100,000 owners of national banks ask for in the rending bill is in my independ antegonized by the interests of the pending bill is, in my judgment, antagonized by the interests of more than 50,000,000 of people. To favor such a measure I would be untrue to my own convictions and untrue to what I believe to be the convictions of those whose suffrages give me a voice and a vote in making laws for the American people.

French Spoliation Claims.

SPEECH

HON. WILLIAM E. ROBINSON,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 14, 1885,

On the bill (S. 1820) to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801.

Mr. ROBINSON, of New York, said: Mr. SPEAKEE: If age deserves respect, these claims must be considered highly respectable. They are venerable in years and sanctified in national gratitude. They were contracted over the cradle of the Republic and ratified at its baptism. They are rooted in the memories of Valley Forge and fragrant with the glories of Monmouth and York-

town.

By the treaty of the 6th of February, 1778, we stipulated with France to give certain privileges to her ships and merchandise and to aid in protecting her in her possessions. Gladly did we make these stipulations, for Washington was sorely pressed, and the shadow of death seemed to have settled on our hopes of independence as the Father of his Country gathered his suffering children around him with scant food and shelter amid the gloom of Valley Forge. That gloom was dispelled by that treaty. A bright morning dawned upon the darkest night that ever brooded over patriotic hopes. The thunder of Knox's artillery and the gleam of Wayne's bayonets under Washington, aided by France, at Monmouth and Yorktown speedily secured our indeby France, at Monmouth and Yorktown speedily secured our inde-

pendence.

Pity it was that two such friendly powers should so soon come to distrust and injure each other. Jay's treaty with Great Britain, so acceptable to those who had not been weaned from their love of England, gave great offense to France and her friends on this side of the water. She thought that we should go with her against the world in the wild leap which she took for liberty after us, but the promises which seemed so reasonable to us in the gloom of Valley Forge were not deemed so desirable in the light of our independence. We failed to come up to her expectations in our support of her cause against her and our ancient enemy, and our statesmen sought wisely, perhaps, if not in accordance with our treaties, to "avoid entangling alliances." Her navy committed outrages upon the shipping and commerce of our merchants. The national convention of France decreed May 9, 1793, that "French ships of war and privateers may arrest and bring into the ports of the republic the neutral vessels which shall be laden, wholly or in part, either with articles of provisions belonging to neutral nations and destined to an enemy's port, or with merchandise belonging to an enemy," but by a subsequent decree declared "that the vessels of the United States are not comprehended in the dispositions of the decree of the 9th of May." These and other decrees and proceedings under them were considered by our Government as in direct violation of the law of nations and of the treaties France had made with us, and Congress, by act of July 7, 1798, annulled these treaties. The right of our citizens to have compensation from France for these depredations was considered so clearly established that our Government in its instructions to our envoys to France, under date of October 22, 1799, declares:

First. At the opening of the negotiation you will inform the French ministers that the United States expect from France, as an indispensable condition of the treaty, a stipulation to make to the citizens of the United States full compensation for all losses and damages which they shall have sustained by reason of

irregular or illegal captures, or condemnation of their vessels and their property, under color of authority or commissions from the French Republic or its agents.

The executive Directory of France also declared again and again that their cruisers had committed unjustifiable depredations upon our merchants; but France claimed compensation for our non-fulfillment of the treaties with her, and that, if compensation for our non-tainfinite the treaties with her, and that, if compensation were made, it should be mutual. We, in our extremity at Valley Forge, had stipulated that we should guarantee to France her present and future possessions in America, and that her privateers and prizes should enter our ports and depart at pleasure, while the privateers and prizes of the enemics of France were to be excluded. These and other stipulations in our treaty with France were of vast importance to her. She was at war with England, which had great interests in the West Indies. France, by having our ports as places of refuge, could easily annoy and injure England in her commerce in the West Indies. But our Government determined to maintain a strict neutrality and refused to France the advantages which our treaties with her gave her, and she very reasonably complained and claimed damages. Our ministers acknowledged the justice of her claims by offering terms for the modification of the treaties.

After long negotiations, serious complications, and much diplomacy a settlement was effected by the treaty of September 30, 1800, and its subsequent modifications, by which we were discharged forever from the onerous burdens of our treaties, made in the hour of need, and from all claim of indemnity for refusing to France the privilege they secured to her; and for these great advantages we paid France by offsetting against her demands the claims which our citizens kad against her and for which we thereby became as clearly liable to our own citizens as if we had borrowed from them the money which France claimed we owed her for wrongs which we inflicted on her. Could any one, either in France or in the United States, have ever imagined that a government controlled by any sense of justice could so long delay the payment of so just a claim as this, and after eighty-four years of unjustifiable procrastination still persist in inflicting such injustice upon its own long-suf-

fering citizens?

Soon after the making of this treaty numerous petitions were presented to Congress by merchants who had suffered by these spoliations. The first, I think, was presented by Mr. Samuel Smith, of Maryland, who was a brigadier-general in the Revolutionary war, and was afterward for many years a Representative and Senator in Congress. On the 5th of February, 1802, a committee was appointed by the House to consider these claims, and on the 15th day of March in that year Mr. Roger Griswold, of Connecticut, brought the subject before the House by the following resolution:

Resolved. That it is proper to make provision by law toward indemnifying the merchants of the United States for losses sustained by them from French spoliations, the claims for which losses have been renounced by the final ratification of the convention with France as published by proclamation of the President of the United States.

This was in the Seventh Congress, in which sixteen States and no Territory were represented, and this resolution was introduced in the House of Representatives, which then seemed to have more distinguished men than were in the Senate. Roger Griswold, Edward Livingston, Samuel L. Mitchell, Andrew Gregg, James A. Bayard, Samuel Smith, John Randolph, Nathaniel Mason, Thomas Lowndes, and John Rutledge were members. It was the first Congress held in the administration of Jefferson, and it was to this Congress that Mr. Jefferson delivered his message in writing sent by messenger. The former method was to have the two Houses listen to an address in person, and going in form to present their answer which Jefferson considered too. This was in the Seventh Congress, in which sixteen States and no going in form to present their answer, which Jefferson considered too

close an imitation of the royal mode of opening the British Parliament.
On introducing the resolution Mr. Griswold, Mr. Smith, Mr. Lowndes,
Mr. Mitchell, Mr. Gregg, Mr. Bayard, and Mr. Rutledge spoke, and
the House refused to consider the resolution by a vote of 33 to 54. On
the 22d of April, 1802, the committee which had been appointed in February made a valuable historical report, which did not conclude with any recommendation of a mode of relief or even of investigation.

On the 24th of January, 1803, Mr. Mitchell, of New York, moved for the appointment of a committee by the following resolution:

Resolved. That a committee be appointed to inquire by what means the value or amount of property taken from citizens of the United States by the French during the late war in Europe can be best ascertained, and the several sorts of captures distinguished and classed, and report their opinion thereon to this House, to the end that indemnification may be made.

Near the close of the last session of the Seventh Congress Mr. Bayard brought the subject again before the House, and again the House refused to consider it, by a vote of 21 to 48. Among those voting for it were Messrs. Bayard, Griswold, and Mitchell. Among those voting in the negative was John Randolph. This delay or refusal to take up the subject was not the fault of the claimants, who kept pressing their claims, but of Congress, which refused even to inquire into the matter. The distinguished speakers in this debate have long since passed away. Samuel Smith continued in Congress over thirty years after this debate, and died at the age of 87 without seeing any progress made in settling these claims, on which he had presented the first petition to Congress. James A. Bayard, born in Pennsylvania, and dying seventy years ago in Delaware, where he had founded an illustrious family, left to his

grandson, the present distinguished Senator from Delaware, the advocacy of the cause which he so eloquently sustained a quarter of a century before this grandson was born. Andrew Gregg was, ten years after this debate, still serving the State of Pennsylvania in the Senate of the United States, and as President pro tempore of that body. He removed in 1814 from his farm in the wilderness to Bellefonte.

Mr. Gregg was a fine specimen of the Irish element in the United States, of splendid bodily physique, large brain, and handsome face. It was from that race that these States inherited their fame for manly men and beautiful women. It was from this element that Pennsylvania obtained her long and illustrious race of heroes, statesmen, and scholars. Well, at Mr. Gregg's hospitable mansion at Bellefonte he welcomed a young Irish gentleman, handsome and highly educated and conversant with the classics and modern languages. To this accomplished gentleman Mr. Gregg gave his charming daughter in marriage, and in 1817 they presented him with a grandson inheriting the virtues of his race, and they named him, after his grandfather, ANDREW GREGG CURTIN. This child grew up from fair youth to bright manhood, and some forty years ago brought his beautiful bride to New Haven, in Connecticut. A handsomer couple never sat down to the famous table of the Tontine Hotel, beneath the shade of its overarching elms. It was there and then that I formed a most pleasing acquaintance with that young bridegroom who, after distinguished honors, borne with dignity at home and abroad, is now the distinguished chairman of the committee [on Foreign Affairs] which has introduced this subject into this House for our consideration to-day, and is blessed with a family of children and half a score of grandchildren worthy of their honored progenitors, and who is now speaking in the cause which engaged his grand-father's attention eighty-two years ago, and fifteen years before this grandson was born.

I have wandered into this digression, for which I hope my old-time friend will forgive me in referring so familiarly to himself and family, to show what delays these claims have encountered. Fifteen years before he was born his father-in-law was a leading figure in the discussion of these claims, and his grandchildren are witnesses of the debates on the same subject on which his grandfather and their great-grand-father spoke so many years ago. Had Charles Dickens taken the case of the French spoliation claims, in place of the chancery case of Jarn-dyce and Jarndyce in his Bleak House, what a far better picture he could have drawn of interminable delays. The case of which he speaks could have drawn of interminable delays. commenced twenty years ago, in which from thirty to forty counsel had been engaged at one time, in which costs had been incurred to the amount of £70,000," was nothing to this spoliation claim, "although it had its worn-out lunatics in every mad-house and its dead in every church-yard; its ruined suitor with his slipshod heels and threadbare dress begging and borrowing through the round of every man's acquaintance, which gives to moneyed might the means abundantly of wearing out the right, which so exhausts finances, patience, courage, hope, so overthrows the brain and breaks the heart."

In his opening chapter of Bleak House you have the following vivid description of this matter if you only substitute "French spoliation claims" for "Jarndyce and Jarndyce:"

claims? for "Jarndyce and Jarndyce:"

Jarndyce and Jarndyce drones on. This searcerow of a suit has, in course of time, become so complicated that no man alive knows what it means. The parties to it understand it least; but it has been observed that no two chancery lawyers can talk about it for five minutes without coming to a total disagreement as to all premises. Innumerable children have been born into the cause; innumerable young people have married into it; innumerable old people have died out of it. Scores of persons have deliriously found themselves made parties in Jarndyce and Jarndyce without knowing how or why; whole families have inherited legendary hatred with the suit. The little plaintiff or defendant, who was promised a new rocking-horse when Jarndyce and Jarndyce should be settled, has grown up, possessed himself of a real horse, and trotted away into the other world. Fair wards of court have faded into mothers and grandmothers; a long procession of chancellors has come in and gone out; the legion of bills in the suit have been transformed into mere bills of mortality. There are not three Jarndyces left upon the earth, perhaps, since old Tom Jarndyce, in despair, blew his brains out at a coffee-house in Chancery-lane; but Jarndyce and Jarndyce still drags its weary length before the court, perennially hopeless.

Thirty years after the first attempt to have these claims attended to, and fifty-two years ago, the question was again brought before Congress. Andrew Jackson was President, and Vice-President Martin Van Buren presided over the Senate. Daniel Webster, Silas Wright, Theodore Frelinghuysen, Samuel L. Southard, John M. Clayton, John Tyler, John C. Calhoun, William C. Preston, John Forsyth, Henry Clay, Hugh L. White, Thomas Ewing, and Thomas H. Benton were all members

L. White, Thomas Ewing, and Thomas H. Benton were all members of the Senate. When shall we see such a galaxy again?

In the House were George Evans, Franklin Pierce, Rufus Choate, John Quincy Adams, Edward Everett, John Davis, Tristam Burges, Churchill C. Cambrelling, Dudley Selden, Aaron Ward (father-in-law of the distinguished gentleman from Pennsylvania), Samuel Beardsley, Millard Fillmore, Horace Binney, John Y. Mason, Henry A. Wise, George McDuffie, James M. Wayne, Richard H. Wilde (statesman, orator, and poet), Richard M. Johnson, John Bell, James K. Polk, David Crockett, Bailie Peyton, William Allen, Thomas Corwin, and Edward A. Hannegan. From such a Congress one would naturally expect hon-A. Hannegan. From such a Congress one would naturally expect hon-

orable legislation.
On the 11th day of December, 1832, a bill to provide for the satisfaction of these claims was introduced in the Senate, and it was referred

to a committee of five, of which Mr. Webster was chairman. On the 14th of January, 1833, Mr. Webster spoke upon it for two hours. It then went over till December 17, 1833, when Mr. Webster again spoke in its favor. He was followed by John Tyler, of Virginia, in opposition. Mr. Shepley, of Maine, spoke in its favor, giving a graphic history of the claims. Silas Wright, of New York, followed against the bill. Mr. Benton, of Missouri, also opposed the bill, declaring that "this bill, if passed, would be the most odious and unprincipled ever passed by Congress." Mr. Webster replied to Mr. Benton; John C. Calhoun, of South Carolina, spoke against it, and was answered by Mr. Clay and Mr. Webcarolina, spoke against it, and was answered by Mr. Clay and Mr. Webster. Mr. Bibb, of Kentucky, a quaint old gentleman with a cue and knee-breeches, and who was afterward Secretary of the Treasury in President Tyler's Cabinet, spoke in opposition, and on the 28th of January, 1835, the bill (appropriating \$5,000,000) passed in the Senate—yeas 25, nays 21. Among the yeas were John Bell, James Buchanan, Henry Clay, John M. Clayton, Theodore Frelinghuysen, William C. Preston, Samuel L. Southard, and Daniel Webster. Among the nays were Messrs Benton Calboun and Wright. were Messrs. Benton, Calhoun, and Wright.

The bill, however, was not reached in the House, and so failed to be-

come a law

Those who took part in this discussion have long since passed away. Webster and Wright, Clay and Calhoun, Benton and Bibb, all died over a quarter of a century ago, but still the French spoliation claims

survive-Jarndyce and Jarndyce still drones on.

It is now forty-one years since I came to Washington to attend to the affairs of Congress. I then found the French spoliation claims a venerable but vigorous question in these Halls. Widows and orphans, who were born after their fathers had grown gray in the pursuit of these phantom claims, were prominent here at the hotels, or flitting between the two Houses and gazing from the galleries, and some of them shone at the White House and other receptions. The face of one of these is at the White House and other receptions. The face of one of these is still as distinct before me as a photograph, though her name is forgotten. She was a beautiful young woman, with great wealth of hair and charm of face and figure, with a dash in her veins of blood of the Paul Jones family. She devoted herself to the work of popularizing these claims. She lived at the National Hotel, then known as Coleman's, and previously as Gadsby's. Willard's was then known as Fuller's Tavern, and was a popular resort for judges of good liquor. She was acquainted with all the leading Senators and Representatives, and had the enthusiastic support of Edward A. Hannegan, of Indiana, transferred from the House to the Senate, and noted for his impulsive Western oratory. She saw her homes almost realized. She saw a bill for ern oratory. She saw her hopes almost realized. She saw a bill for the payment of these claims passed both Houses but ruthlessly vetoed by President Polk. Her hair fell out, and its wealth of auburn turned by Fresident Folk. Her hair fell out, and its wealth of auturn turned to scattered silver. The roses withered from her cheeks, and her eyes grew dim through tears of disappointment, and finally she found rest in death, in a grave as dark as that in which her hopes for relief from Congress were buried. To whom she assigned her claims, or whether she sold them below their value, I know not, but I suppose her heirs or assigns have their longing eyes fixed upon this Capitol with a faith as firm as her own in her youthful days.

It is just forty years ago since James K. Polk was inaugurated President of the United States. At the head of his Cabinet was James Buchanan, who had eleven years before voted in favor of paying these bills. Robert J. Walker, William L. Marcy, and George Bancroft were also in his Cabinet. His administration began with the Twenty-ninth Congress, and among the prominent measures urged upon the attention of that Congress were these French spoliation claims. Forty-three years had then passed since they were first introduced into Congress, and forty more have now vanished into the eternities leaving these claims to-day unsettled at the door of this House. In the Senate of that Congress Vice-President Dallas presided with venerable white hair, which when these claims first came before Congress fell in clustered ringlets on the shoulders of a beautiful boy under 10 years of age. Among the Senators were David L. Yulee, Reverdy Johnson, Daniel Webster, Lewis Cass, Thomas H. Benton, Thomas Corwin, Sam Houston, and John C. Calhoun; all dead but Mr. Yulee, who still survives with many honors in the social circles of this metropolis. Among the Representatives I can, through the mist of vanished years, recall the voice and features of William L. Yancey, Alexander H. Stephens, Robert Toombs, Stephen A. Douglas, Jefferson Davis, Robert C. Winthrop, and Andrew Johnson; of these half-dozen three are dead and three survive—two of the survivors mourning with unchanged hearts over the lost cause and the other lingering on the border of that bourne from which when once crossed there is no returning, and whose voice perhaps from its farther side we shall hear by proxy in this House in a

few days.

Well, a bill for the relief of these claimants passed both Houses during

Wonday the 10th of August, 1846, the Twenty-ninth Congress, and on Monday the 10th of August, 1846, President Polk sent his message vetoing it to the Senate. It appropriated five millions for the satisfaction of these claims. Mr. John M. Clayton and Mr. Webster made some remarks on the veto. The latter protested against the veto "as being a new and alarming extension of executive authority, not justified, not countenanced; finding no precedent, no apology in any previous exercise of executive power under the Constitution." This was the last day of the last session of the Twenty-ninth Congress, and the bill for the relief of these claimants died with the veto.

In the Thirty-third Congress the bill was again introduced and passed

both Houses, but it was again vetoed, by President Pierce, in 1855.

Sometimes Congress refused to consider the matter at all. Some sometimes Congress refused to consider the matter at all. Sometimes it passed one House and failed in the other. Sometimes it passed both Houses and failed by the interposition of the veto. Over forty times it has been examined by Congress and reports have been made upon it. Of these, thirty-eight were favorable and only two unfavorable. Clay and Clayton, Choate and Cushing, Bell and Everett, Sumner and Shepley, Frelinghuysen and Southard, Bayard and Buchanan, Preston and Ewing, all of them by speech or formal report advocating its passage, and here we are again to-day with the prayers of these petitioners begging that justice be no longer delayed. The Senate has ititioners begging that justice be no longer delayed. The Senate has already passed it. The President will not veto it. It is our duty this day and hour to pass it by a strong majority that justice may be triumphant and sickened hearts may be made glad, that hope shall be no longer deferred.

Power to Originate Appropriation Bills.

SPEECH

HON. CHARLES T. O'FERRALL,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 23, 1885,

On the following resolution offered by Mr. Hurd:

"Whereas certain bills appropriating money from the Treasury of the United States, originating in the Senate, have passed that body and have been sent to this House for its concurrence, which are now upon the Speaker's table, to wit, Senate bill No. 398, entitled 'A bill to aid in the establishment and temporary support of common schools,' and many others; and "Whereas it is asserted that these bills are in violation of the privilege of this House to exclusively originate bills for raising revenue: Therefore, "Be it resolved, That the Committee on the Judiciary be hereby directed to inquire into the power of the Senate to originate bills appropriating money from the Treasury of the United States, and report to this House at as early a day as practicable. And said committee shall have leave to report at any time."

Mr. O'FERRALL said:

Mr. O'FERRALL said:

Mr. SPEAKER: I must confess this resolution has taken me by surprise. The bill which it antagonizes has been pending in this House since the latter part of the last session of this Congress. Repeated efforts have been made to secure its consideration, which has been prevented by our rules, and now, as its friends begin to hope with confidence that it will not be postponed much longer, we are confronted by a motion which, if sustained, will almost surely work its defeat for this session. I take it that if the House refers this matter to the Judiciary Committee it will defer action on this bill until a report has been made Committee it will defer action on this bill until a report has been made by that committee. Without in any manner intending to intimate that the consideration of the resolution by the committee will be unnecessarily delayed, we all know that it will be days at least before a report can be submitted. Then the many appropriation bills undisposed of will be pressing for consideration and crowding out this as well as other bills. I regret, therefore, that the gentleman from Ohio [Mr. Hurd] has seen proper to submit this resolution at this time. It seems to me it would have been much better if the gentleman had waited until the bill to which his resolution particularly refers had been reached, when bill to which his resolution particularly refers had been reached, when full and ample time could be had for the discussion of the proposition embodied in his resolution.

But, sir, the resolution has been offered and this House must pass on it. What is it? What proposition does it contain? It contains a denial of the power of the other branch of Congress to pass the bill known as the educational bill. It denies the power of the Senate of the United States to originate a bill making an appropriation of money. The authority cited for this position is section 7, article 1, of the Constitution of the United States, which says:

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Now, sir, to the common mind this section is plain and simple. Submit it to any plain, practical man, and he would be surprised to hear that any difference of opinion as to its construction or meaning could possibly exist. Take the words and analyze them in the light of their universal acceptation, and there is no mind at all acquainted with the English language that will not conclude that every word is unequivocal and not one has a compound meaning. But it is claimed by the distinguished gentleman from Ohio that the words "raising revenue" embrace the words "appropriating revenue;" that, as the power to originate bills for raising revenue rests exclusively in the House of Representatives, the power to originate appropriation bills also rests exclusively in this House

"expend," as "take in" and "let out," as "produce" and "consume." So that when the Constitution says that this branch of Congress alone shall have the power to originate bills to raise revenue, it meant by that to declare that this branch only could devise the means by which money was to flow into the Treasury for the support and maintenance of government, and to declare nothing more. But it is asserted by the distinguished gentleman that after money is raised, after it is collected from the people, it does not become "revenue" until it is appropriated, and that revenue is not "raised," in the meaning of the Constitution, until

that revenue is not "raised," in the meaning of the constitution, that the money collected has been appropriated.

This is a proposition at variance with all my preconceived ideas as to the true, and proper, and generally accepted definition of the word "revenue." When I sought during the delivery of the gentleman's remarks to reconcile his definition of this very common word with my long understanding as to its meaning, I was confronted with this defi-nition given by Webster and every lexicographer I have ever examined:

Revenue, I. In a general sense, the annual rents, profits, interest, or issues of any species of property, real or personal, belonging to an individual or to the public. When used of individuals, it is equivalent to income. In modern usage, income is applied more generally to the rents and profits of individuals, and revenue to those of the state.

enue to those of the state.

2. The annual produce of taxes, excise, customs, duties, rents, &c., which a nation or state collects and receives into the treasury for public use.

This definition does not say produce and expend, receive and discharge, collect and disburse, take in and pay out, raise and appropriate, but it simply declares that revenue is the money that is produced, received, collected, taken in or raised by or from taxes, excise, customs, duties, &c. The moment it reaches the treasury that moment it becomes revenue. Every dollar of the large surplus now hoarded in the vaults of the National Treasury is revenue—money collected from the

people—though it remains unappropriated.

I must confess, Mr. Speaker, that had it not been for the earnestness with which the proposition embraced in this resolution was presented, and the eloquence and adroitness with which it was supported, I would not have allowed it to occupy one moment of my time in its consider-

The school in which I have been taught has been that of a strict construction of the Constitution. I have been taught that the framers were careful in the selection of their language; that words were used in their ordinary meaning; that their purpose was to present a chart so plain that those who were to come after them could not misconstrue or

misinterpret it.

It is true that with all their care questions of construction have arisen and the supreme judicial tribunal created by the Constitution has frequently been called upon to interpret its provisions. in the very infancy of this Union, as far back as the year 1800, the great political revolution which swept over this country placed this Government upon the bed-rock of strict construction, not only as to the rights reserved to the States, but as to the powers of the co-ordinate branches of the Government in their relations to each other. At times when passion has run high and calm judgment has been dethroned there have been departures from this fundamental principle. They have been justified by the emergencies and excused by the dangers of the hour.

Now no dangers confront us, unless it be the danger which the gen-tleman from Ohio predicted in what he regarded as an encroachment of the Senate upon the power given to this House. I have tried to show

that there was no encroachment.

In opposing this resolution, Mr. Speaker, I feel that I am following closely in the line of my teachings. Strict construction and giving to every word its ordinary meaning, confining the General Government and each of its branches to the powers expressly conferred or arising by necessary implication, have been the lessons taught me in the political school in which I have been reared. I shall not depart from these principles, and hence shall not vote for a resolution which in my opinion embodies a proposition of such broad construction that the most advanced constitutional latitudinarian can adopt it with perfect pro-

But, referring to the danger which is thought by the gentleman from Ohio to threaten us if the power of the Senate to originate appropriation bills is recognized, I must say, with all deference, I think that all fears in that direction are not well-founded. The Senate of the United States is composed of gentlemen who in their love for the Constitution and regard for the interests of the people must be as sincere and ardent as the members of this House. They are citizens of the various States they represent, not foreigners. They represent no crowned head, no preferred classes, no dignitaries—they represent the States in their sovereign capacity.

I can see no danger in vesting in the Senate the power that is denied by the resolution. What matters it to this House whether they vote first or last on an appropriation bill if it is right? If a bill should come from the Senate that in the opinion of this body is wrong, why it can be throttled here. No appropriation bill can become a law except by and through the concurrence of this House. These are briefly my views, stated without any attempt at rhetoric.

Holding these views and looking with interest upon the fate of the Well, sir, it seems to me as clear as noonday that the terms "raise" bill at which this resolution in effect is aimed, I must express the and "appropriate" are as distinct in their meaning as "receive" and earnest hope that the friends of this important measure will find no constitutional obstacles in their way and will vote against this resolu-tion, and thereby save the educational bill from its inevitable doom in the event of the passage of this resolution.

I speak for Virginia when I say that there is no matter of legislation before this Congress in which her people take as deep an interest as in this bill, which is to lift from her shoulders the burden under which she has been suffering for the last fifteen years and enable her to throw wide open the doors of her school-houses for the full benefit of all her children, high and humble, rich and poor, white and colored.

Great have been her tribulations and intense have been her trials,

but with a courage that has never been daunted, a zeal that has never flagged, and a determination that has never wavered she has continued to promote as far as her weakened ability would allow, year by year, her free common-school system. She is looking now with yearning eyes to this Congress for relief. Will it come? I wish I could give an affirmative answer, but I can not; I can only wait and hope. I shall regard the vote on this resolution as a strong indication of the disposition of this House upon this important subject, which is presented in

four propositions:

First. Will the General Government aid in eradicating the great evil

of illiteracy that is now resting so heavily upon certain States? Second. Will the General Government do its duty to those whom it

clothed with the muniments of citizenship?

Third. Will the burden of educating 2,740,926 colored illiterates be permitted to rest upon eleven States with a white population of less than 8,000,000, while the other twenty-seven States and all the Territories, with a white population of 36,000,000, are burdened with the education of only 479,952 of this class?

Fourth. Must eleven States with an assessed wealth of only about \$2,000,000,000 continue to have cast upon them the education of nearly seven-eighths of the colored illiteracy of this country, while the other twenty-seven States and all the Territories, with an assessed wealth of \$15,000,000,000, shall escape with the education of only about oneseventh of this class?

Let this House ponder well these propositions, and let the gentlemen on this floor answer for themselves whether these are not wrongs that ought to be redressed. Let those of more favored States inquire within themselves whether it is just and right to continue this great inequality of burden. Let the spirit which the South has shown in regard to appropriations for the relief of those who have suffered by the misfortunes of war appeal in some degree for assistance in her behalf, and for the general welfare of the country. Let the dictates of right and justice and equity prevail, and Virginia and her suffering sister States will rejoice together over the passage of this bill and the great blessings that will flow from it.

Interstate Commerce.

The greatest good of the greatest number the final test of legislation.
Railroads should be made the useful servants, not the imperious masters, of

SPEECH

HON. BYRON M. CUTCHEON,

OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 16, 1884.

The House having under consideration the bill (H. R. 5461) to establish a board of commissioners of interstate commerce, and to regulate such commerce—

Mr. CUTCHEON said:
Mr. SPEAKER: All laws and lawmakers exist, or should exist, for the greatest good of the greatest number.
When any law or lawmaker ceases to serve that end, the one should be repealed, the other retired. It is to this ultimate and crucial test that every act of proposed legislation ought to be brought, and if it will not bear this test it ought to be rejected.

If the hill under consideration will effect use the greatest good of the

If the bill under consideration will effectuate the greatest good of the greatest number, then it ought to become a law; if it will not, then it should not become law. If the Reagan bill will subserve the good—the substantial good—of a greater number than the so-called commission bill, then the former bill should have preference to the commission bill. Let us have the best bill and the best law, whatever its parentage. THE RAILROAD SYSTEM.

The railroad system of the United States is but fifty years old. It presents to us the most wonderful spectacle of rapid development and progress that the world has ever seen. In fifty years it has grown from nothing to 121,000 miles of road equipped and in full operation. It has become not only the highway of our commerce; it has become as

well the chief vehicle of our civilization. This vast system has grown up in these few years under the imperious guidance of a natural law, which it can neither control nor override—the law of demand and sup-

The vast commerce which is carried by this railroad system flows in channels shaped by a law of nature as truly as the rivers that run to the sea, even though it may flow over mountain ranges, across apparently impassable gulfs, or great rivers; it flows from the springs of production to the great sea of consumption with an unerring course.

FRICTION INEVITABLE.

It was to be expected, nay, it was inevitable, that in the creation, organization, and operation of such a vast system inequalities, and perhaps abuses, would creep in. Like any machine just put in operation, there will be friction. It is our work to make that friction the least possible; and yet we shall need care and wisdom, lest in handling this system which has grown up under natural law we do not act against the law, disarrange the working of the whole, and do more harm than good.

In the course of this debate there have been, it seems to me, many unwarrantable assumptions, much ill-considered reasoning, and some ulterances savoring more of prejudice than of logic. It seems to have been assumed, in some quarters, that not to be hostile to railroads is to be an enemy of the people; and, vice versa, that every friend of the people must, prima facie, be an enemy of corporations.

CORPORATIONS

There are men who seem to shudder at the very name "corporation," and a chill goes over them as it does over a child when it hears of "ghosts" and "spooks." And yet without railroads the settlement and com-mercial development of the great interior regions and spaces of our country would have been impossible. Without corporations railroads would have been impossible. The enterprises are too vast, the amount of capital required too great, the combinations too extensive and complicated for individual management.

Ten, twenty, fifty, or a hundred upright and enterprising men, not one of whom has ever been accused in his community of being dishonone of whom has ever been accused in his community of being dishon-orable, associate themselves together under the forms of law for the promotion of a common and beneficent enterprise. They become at once an "artificial person," a "soulless corporation." Their enter-prise becomes "grasping greed." Their wealth becomes "bloated," and they themselves altogether the "enemies of the people!" The simple fact is that railroads can only succeed by serving the people. They can only succeed largely by serving the people well. A weak and sickly railroad is as impotent to serve the people as it is to pay its stock-bolders. holders

A railroad corporation, in order to do good service in bringing the producers and consumers of the country together, must be strong. It must have good road-bed, good track, good rolling-stock, good motive power. It must be capable of carrying much freight expeditiously and many passengers safely. A good railroad must be a strong one. The province of the legislator here is to see that their strength is not abused and that it is used for the greatest good of the greatest number.

THE CONSTITUTIONAL QUESTION

The constitutional question.

The first question, which has been rather hinted at than raised, is, Has Congress the constitutional power to pass this bill or any such bill? In this case the grant is claimed to be express and to be contained in the words "to regulate commerce with foreign nations and between the several States." But this is not a bill to regulate the commerce so much as to regulate the carrier. Commerce is something broader and greater than carrying. Carrying is simply a means to commerce. So, while this may be a regulation affecting commerce it is commerce. while this may be a regulation affecting commerce it is something less than a regulation of the commerce itself. Of course the framers of the Constitution did not have the idea of railroads in their minds, for they

were not yet conceived, at least not realized.

What was the evil to be remedied by this grant of power under the Constitution? It is easily gathered from the history of those times. Under the Confederation the several States had assumed to regulate trade between themselves and their adjacent States and to impose duties upon imports. On the other hand, the Confederation had no power to regulate commerce between the several States nor to raise revenue from imposts. Connecticut discriminated against New York and New York against Connecticut. The same was true of New Jersey and of other States

It was this very evil of the want of power in the Confederation to regulate commerce between the several States, and thus to raise a Federal revenue, that led to the meeting of commissioners of Virginia and Maryland at Annapolis, which finally developed into the constitutional convention at Philadelphia, and eventuated in our present Federal Constitution.

Constitution.

I think that no one can read the history of those times without being satisfied that the framers of the Constitution had in mind when they granted to Congress the power "to regulate commerce between the several States" a very different thing from the regulation of common carriers, which is all that this bill amounts to. But it may be said the greater includes the less. The power to regulate the commerce includes the power to regulate the carrier. Let it be granted.

We have at last struck a subject where we are all agreed that the Constitution is safe from infraction. Even our friends, the strict con-Constitution is safe from intraction. Even our friends, the strict constructionists, under the lead of that distinguished philoconstitutionalist, the gentleman from Texas, are able to put their fingers "into the very print of the nails," and upon the very words of the text and say, "Behold, here is the letter of the grant." The liberal constructionist is also content, knowing that no such mighty framework of government as this could exist and carry out its grand purposes without such a power to regulate commerce between its constituent Commonwealths, and are satisfied also that the right to exist as a nation implies the exercise of all needful power to effectuate the ends of its So we are all agreed that we have the needed power to pass either of these bills.

DIRECTED AGAINST RAILBOADS.

Railroads are the chief tools of commerce. Under our present sys tem of civilization they are the great instruments of distribution of all that the world uses, produces, or consumes. They are simply the means of bringing the producer and the consumer together. They bring the farmers of Dakota, Kansas, Nebraska, Iowa, Minnesota, Wisconsin, and Illinois into contact with the lumbermen and miners of Michigan, the coal and iron workers of Pennsylvania, the merchants and manufacturers of New York, and the operatives in the mills and factories of New England; and, vice versa, they bring the products of the mills and manufactories of New England and New York, the mines and furnaces of Pennsylvania and Ohio, and the lumber and iron of Michigan and Wisconsin to the doors of their consumers in the

iron of Michigan and Wisconsin to the doors of their consumers in the South, West, and Northwest.

Now, all true political economy, which ever has for its end the greatest good of the greatest number, demands that the producer and consumer be brought together with the least possible waste and loss in distribution or transportation of products. I believe we are all agreed upon that. In other words, "the greatest good of the greatest number" demands the cheapest possible transportation for the products of labor; the lowest possible freights in bringing "meat to the sower and bread to the eater"—and this especially for long distances, else the whole value of the product will be used in transportation, and nothing will be left to compensate the producer, and he, therefore, ceases to prowill be left to compensate the producer, and he, therefore, ceases to pro-

LONG HAULS AND SHORT HAULS.

Thus it is manifest that longest transportation must have cheapest rates-that the good alike of the producer and the consumer demands

And they are "the greatest number."

Mr. Speaker, the great through trunk-lines of railroad, against which the Reagan bill is directed, were not constructed with reference to the local traffic along their lines so much as with reference to the carrying of this great interstate commerce, the bringing together of the great East and the great West—the seaboard and the markets of Europe on the one hand, and the great granary of the world in the basin of the

the one hand, and the great granary of the world in the basin of the Mississippi on the other.

It was not for "the local trade" that the Pennsylvania road scaled the cliffs of the Alleghanies, or that the Baltimore and Ohio climbed the Blue Ridge and crawled along the dizzy heights of the Cheat River gorge, or that the Central Pacific soared above the clouds of the Sierras or crowned the eternal buttresses of the Rockies.

Not for this the Southern Pacific spanned the unfathomed chasms of the Colorado and the arid wastes of New Mexico; and not for this the Northern Pacific leaped through 1,500 miles of wilderness to bind in fron bands the Pacific coast and the great chain of lakes so as to bring the commerce of the Orient to the doors of 56,000,000 of consumers. These grand highways of commerce and of migration are the connecting-link between vast masses, not only of our own populations, but they connect our entire national system of transportation with other nations and other continents. Their construction has been of untold value in the building up of local communities and the devel-opment of local trade. But they were not primarily built for the benopment of local trade. But they were not primarily built for the benefit of local trade. Local trade could not exist without them, and local trade owes everything, even its existence, to them. But we must seek and find "the greatest good of the greatest number" in protecting and promoting their through traffic. But we are met by the Reagan bill, which forbids discriminations, which bases rates largely upon one sole element or factor, and that is mileage.

It seems to me, Mr. Speaker, that it ought to be apparent upon its face how unwise a prohibition this would be. Is it not apparent that it would subordinate the good of great sections and vast Commonwealths to the welfare of comparatively petry communities?

wealths to the welfare of comparatively petty communities?

This question of "long haul" and "short haul" has been so thoroughly discussed in this debate that I need consume but little time upon it.

Is it not apparent that the element of length of haul is one of the least factors in the cost of transportation?

Some of the neglected factors may be briefly named as follows:

Cost of construction of road.

2. The grade, and consequent motive power required to move a given tonnage

3. The quantity to be handled and hauled.

- 4. The continuity of supply for hauling, whether permanent or transient
- 5. The distance to be hauled without handling, breaking bulk, or breaking train.

6. The terminal facilities for handling.
7. The value of the tonnage, whether it be coarse lumber or valua-

8. Competition with water ways or other great trunk-lines having greater facilities or shorter lines.

9. The development of new enterprises and new feeders to a road. All these, and more, Mr. Speaker, must be taken into account in determining what discriminations will be equitable, proper, and wise under varying circumstances. These circumstances and equities can not be determined by a blind and inexorable law. There must be back of the law the quick human intelligence, the sound judgment and varied knowledge of the living judge or commissioner, with a certain discretion in the application of principles upon which we are all substantially agreed. I am therefore for the commission bill.

Then, Mr. Speaker, if this iron prohibition goes into effect, without such intelligent direction, what will be the effect? Will it be to bring local freights, those which accommodate the few, down, or will it be to send through freights, those that serve the many, up? It seems to me that the effect will be the latter, and that more will be lost, in the loss of the many, than will be gained in the gain of the few. It will put more money into the hands and pockets of the railroads, and will leave less as the portion of labor and production. It will waste in mere distribution what ought to be saved to the producer and the consumer. It will make dearer bread and meat for the millions of the East, and it will make dearer tools, lumber, salt, and iron for the millions of the

The local shipper may have to pay more to his first great competing point, which, I believe, is only and simply just; but he gets his freight cheaper beyond the competing point, and saves enough upon his incoming freight and in the reduced price of all that he consumes to more than compensate him for this discrimination.

I have not considered this question at all from the standpoint of the interest of the railroad. That is a matter of only secondary consideration. The railroad belongs to the few, and we are considering the in-

terests of the many

I am not "a railroad man" nor an "anti-railroad man." I never had a dollar invested in a railroad in my life. I never was employed by a railroad in my life. I have no interest in them except as they are the greatest factor in our new age of modern development. I see no prospect but that they must continue increasingly that greatest factor in all time to come. I want to see them made the useful servants and not the imperious masters of the people. I want to see them controlled for the greatest good of the greatest number.

And, Mr. Speaker, this matter of the proper subordination and reg-

ulation of railroad corporations and common carriers is one that is to a great extent solving itself in accordance with the universal law of

supply and demand, of competition and division of profits.

This is remarkably exhibited in the tables prepared under the direction of the Chief of the Bureau of Statistics in his report on the relation of the railroads to commerce, some of which I will here insert, showing not only how competition has reduced the price of carriage by rail, but also, in the second table, how the competition of the great trunk-lines of railroad has reduced the price of transportation by lake

REDUCTION IN THE COST OF TRANSPORTATION AND THE CONCURRENT INCREASE IN THE VOLUME OF TRAFFIC.

During the last fifteen years the cost of internal transportation in this country has been greatly reduced. At the same time the volume of traffic has rapidly increased. This is clearly illustrated by the following facts:

Statement showing the reduction in freight charges per ton per mile on the New York State canals, and on the several leading trunk railroads of the United States.

Canals and railroads.	1868.	1873.	1883.
	Cents.	Cents.	Cents.
New York State canals*	.872	. 887	
New York Central Railroad†	2,743	1.573	.91
Pennsylvania Railroad*	1.906	1.415	.819
New York, Lake Erie and Western†	1.81	1.454	.78
Boston and Albany Railroad	2.811	1.958	1.19
Philadelphia and Erie*	1.609	1.135	. 62
Lake Shore and Michigan Southern*	2,336	1.335	.728
Michigan Central*		1,891	.83
Chicago, Burlington and Quincy*	3,248	1.921	
Chicago and Northwesternt	3.168	2,351	1.42
Chicago, Milwaukee and Saint Paul*		2,50	1.39
Saint Louis, Iron Mountain and Southern*			1.56
Chicago, Rock Island and Pacific			1.17
Illinois Central*		2,20	1.43
Chicago and Alton*		100000000000000000000000000000000000000	
Pittsburgh, Fort Wayne and Chicago*		1.41	.79
Average on canals and railroads	2, 295	1.737	
Average on railroads		1.803	1.055

*Year ended December 31. †Year ended September 30.

t Year ended May 31. g Year ended March 31.

From the available data presented in this table it appears that the average annual freight charge on the trunk-lines mentioned fell from 2.453 cents per ton

per mile in 1868 to 1.803 cents per mile in 1873, and further to 1.055 cents per ton per mile in 1883. This important reduction in the cost of internal transportation by rail has been the combined result of new economies, improved facilities, and competition in transportation and in trade. The rapidly increasing volume of traffic has also been one of the important elements in cheapening the actual cost of transportation by rail.

- The great reduction which has been made in transportation charges in the United States, in so far as relates to the agricultural interests of the Western and Northwestern States, is, however, more clearly illustrated by the following statement showing the average annual rates for the transportation of wheat from Chicago to New York from 1857 to 1884:

Average freight charges per bushel for the transportation of wheat from Chicago to New York during the years 1857 to September 1, 1884, inclusive.

Calendar years	By lake and canal.*	By lake and rail.	By all rail.
	Cents.	Cents.	Cents.
1857	26.03		***************************************
1858	17.03	***************************************	
1859	18,33		
1860	25,58		
1861	27.05		
1862	27.08		
1863	23.65		
1864	29, 11		
1865	28.37	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
1866	31,36		
1867	24.11		
1868	24.54	29.0	. 42.6
1869	23.12	25.0	35.1
1870	17.10	22.0	33.3
1871	20, 24	25.0	31.0
1872	24.50	28.0	33,5
1873	19.19	26.9	33.2
1874	14.10	16.9	28.7
1875	11.43	14.6	24.1
1876	9.58	11.8	16.5
1877	11.24	15.8	20.3
1878	9.15	11.4	17.7
1879	11.60	13.3	17.3
1880	12.27	15.7	19.7
1881	8.19	10.4	14.4
1882	7.89	10.9	14.6
1883	8,40	11.5	16.5
1884, January 1 to September 1	6,60	9.75	13.0

*Including Buffalo transfer charges and tolls

*Including Buffalo transfer charges and tolls

It was not until about the year 1888 that the managers of the trunk-lines regarded the transportation of grain from Chicago to the seaboard as a source of profitable traffic.

The reduction in the average rates of transportation by lake and canal from 24.54 cents per bushel in 1888 to 6.60 cents per bushel in 1884, in the rates by lake and rail from 29 cents per bushel in 1868 to 9.75 cents per bushel in 1884, and in the "all-rail" rates from 42.6 cents per bushel in 1868 to 13 cents during the year 1884, has been the direct result of the sharp competition which has prevailed between the competing railroads, and with the water line formed by the lakes, the Eric Canal, and the Hudson River. This fall of rates has greatly stimulated the development of the agricultural resources of our highly productive Western and Northwestern States, and has tended enormously to increase the wealth of those States.

Many Illustrations might be presented in order to show the great increase in the volume of traffic which, at the same time, has taken place. The following table is, however, sufficiently indicative of the whole subject, and in this connection must suffice:

Total number of tons (of 2,000 pounds) transported upon the New York State canals,

Total number of tons (of 2,000 pounds) transported upon the New York State canals, the New York Central and Hudson River Railroad, the New York, Lake Erie and Western Railroad, and the Pennsylvania Railroad, each year from 1862 to 1882, in-

Year,	New York State ca- nals.*	New York Central and Hudson Riv- er Railroad.	New York, Lake Eric and Western Railroad.	Pennsylvania Railroad Di- vision.†
1868 1868 1870 1870 1871 1872 1873 1874 1875 1875 1876 1877 1878 1879 1880 1881 1882 1882 1883	Tons. 6, 442, 225 5, 859, 280 6, 173, 769 6, 467, 888 6, 673, 370 6, 364, 782 5, 804, 588 4, 172, 129 4, 955, 963 5, 171, 320 5, 362, 372 6, 457, 656 6, 179, 192 5, 467, 423 5, 664, 656	Tons. 1, 846, 599 2, 281, 885 4, 122, 000 4, 532, 056 4, 393, 965 5, 522, 724 6, 114, 678 6, 801, 954 6, 803, 680 6, 351, 356 6, 351, 356 10, 533, 038 11, 591, 379 11, 330, 393 11, 591, 379 11, 330, 393 10, 592, 440	Tons. 3, 908, 243 4, 312, 209 4, 852, 505 4, 844, 208 5, 564, 274 6, 312, 702 6, 329, 946 6, 182, 451 6, 150, 568 8, 212, 641 8, 715, 892 11, 986, 823 11, 986, 823 11, 986, 823 11, 986, 823	Tons. 4,722,015 5,402,991 5,804,051 7,100,294 8,459,585 9,211,231 8,626,946 9,115,368 9,922,911 9,738,295 10,946,752 13,684,041 15,364,788 18,229,365 20,360,399 21,674,160

*From annual report of auditor of canal department, State of New York. †From annual reports of Pennsylvania Railroad Company.

From this table it appears that the tonnage transported on the New York Central and Hudson River Railroad increased from 1,846,599 tons in 1868 to 10,892,440 tons in 1883; that the tonnage transported on the New York, Lake Erie and Western Railroad increased from 3,908,243 tons in 1868 to 13,610,623 tons in 1883; and that the tonnage transported on the Pennsylvania Railroad increased from 4,722,015 tons in 1868 to 21,674,160 tons in 1883. The total tonnage transported by rail on these three roads increased from 10,476,857 tons in 1868 to 46,177,223 tons in 1883.

This clearly illustrates the enormous growth of the internal commerce of the

This clearly illustrates the enormous growth of the internal commerce of the United States by rail.

These tables abundantly illustrate and demonstrate how, without restrictive and crippling laws, other than the laws of trade and commerce, competition has brought down the cost of transportation, saving thou-sands of millions to the producers and consumers of the country, has stimulated and developed production and increased the volume of commerce and diffused activity and prosperity throughout the length and breadth of the land. This natural law is still operative, and this process is going on. These corporations are the creatures of the law, and we have the power to do with them as we will. We have the right to control them subject to the law of the greatest good of the greatest number.

But, Mr. Speaker, I suppose that even railroad corporations have some rights. I do not suppose that it is right to confiscate a railroad any more than it is to confiscate a farm, a shop, or a factory. They must take what the law gives them, or rather what it leaves them.

Transportation is a commodity the same as wheat or pork, or iron

ransportation is a commonly the same law of supply and demand, which is the law of gravitation of the economic universe.

Let us not seek to overturn the natural laws of trade, nor to undo the irrepealable law of the advantage of position. Every such attempt will prove a disastrous failure—more disastrous to the people than to the corporations. Let us rather work with the law, guiding, restraining, and correcting, but not contravening—seeking to remedy the understand arrived as a serious production of the composition of the serious contravening—seeking to remedy the understand arrived as a serious contravening—seeking to remedy the understand arrived as a serious contravening—seeking to remedy the understand arrived as a serious contravening—seeking to remedy the understand arrived as a serious contravening—seeking to remedy the understand arrived arrived as a serious contravening—seeking to remedy the understand arrived arrived arrived as a serious contravening—seeking to remedy the understand arrived arri doubted evils of a new and rapidly changing civilization in a new and wonderfully developing country.

We have to-day as much railroad mileage as all the rest of the world combined. We also have the cheapest transportation and the best railroad service in the world, and, what is more, it is growing constantly better. The people are getting better and cheaper service every year. The people have no use for feeble and bankrupt railroads. Such roads

render neither good nor cheap service.

There can be no real monopoly in railroad service in this country for any long time. With a great and rapidly increasing amount of capital constantly seeking investment, whenever one line becomes unduly profitable another will spring up by its side to share its business and divide its profits.

Mr. Speaker, the natural laws and forces of material development are moving in the right direction. We only need to work with these laws, and guide these forces, and we shall continue to see in the future, as in the past, the greatest good of the greatest number steadily and surely and inevitably evolved.

Holding this faith, I shall vote for the commission bill.

Repeal of Certain Internal Taxes.

SPEECH

HON. ABRAM S. HEWITT,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES.

Monday, January 5, 1885,

On the bill (H. R. 5432) repealing certain internal-revenue taxes.

Mr. HEWITT, of New York, said:

Mr. SPEAKER: I have warmly advocated the freeing from taxation of alcohol used in the arts. I have no objection to the repeal of the taxes on spirits distilled from fruit, because the revenue from this source is small and difficult of collection. I would gladly favor the repeal of the taxes upon tobacco if the state of the revenue would permit, because tobacco is the one luxury of the workingman. But I can not cause tobacco is the one luxury of the workingman. But I can not vote for the bill proposed to be passed by my colleague [Mr. Hiscock], for the reason that the aggregate reduction in the revenue which it will cause will make it impossible to secure other reductions in taxation more important than those proposed by this measure. In other words, the passage of this bill will make it impossible to institute any comprehensive reform in the revenue system of the country.

Business is now stagnant and labor unemployed because we make our manufactured products artificially and unprecessarily dear by taxes.

our manufactured products artificially and unnecessarily dear by taxes on the raw materials used in the arts. We can get no relief from our on the raw materials used in the arts. We can get no rener from our troubles until we repeal the duties on raw materials. Such a repeal will enable us to produce goods more cheaply and sell them in the open markets of the world. Our labor will then find ready employment at good wages, because the money now exacted by taxes on raw materials will be added to the wages fund. Without a repeal of these duties our industry is hopelessly confined in a sepulcher from which there can be no resurrection, although there will be a judgment day for those who have caused the funeral.

Moreover, the passage of this measure will leave the incoming administration with an empty Treasury and compel it to increase the public debt. This branch of the subject has just been exhaustively treated by Mr. David A. Wells, whose statement I append to these remarks for the careful study of those who preach that the repeal of the internalrevenue duties is necessary, possible, and desirable. For one, I know that it is not a feasible solution of our troubles, and I will do nothing which will impede the only practicable remedy which is to be found in the early repeal of all duties on raw materials:

National budget for 1885-'86, classified and balanced.

CLASS I-WAR TAXES AND OBLIGATIONS, DR.	
Interest on public debt, 1885-'86	\$48,750,000 60,000,000
Total	108,750,000
TAXES TO BALANCE, CR.	
Distilled spirits, internal revenue	
Total	107, 775, 000
Note.—From the above exhibit it will be seen that the financial by	

NOTE.—From the above exhibit it will be seen that the innancial burden of the war, so far as the interest on the national debt and current expenditures on account of pensions are concerned, can now be nearly met by taxes on a class of commodities which public sentiment almost unanimously regards as best fitted for taxation. Judging, furthermore, from experience, there can be but little doubt that the tax on domestic distilled spirits might be reduced to 50 cents per proof gallon with no loss to the revenue, but with great relief to the manufacturing interests of the country through the cheapening of alcohol, and also to the distilling and agricultural interests through the increased demand for grain for distilling and the increased industrial use of the resulting products. CLASS II, DR.

Legislative, executive, and judicial expenditures. Foreign intercourse. Miscellaneous*	1,623,176 21,919,294
Total *Under this head are grouped a large class of expenditures, mainl supervision of the Treasury Department, such as expenses of the n Survey, independent treasury, judgments of Court of Claims, marin	e hospitals,

under the customs, &c. TAXES TO BALANCE, CE

Tobacco, import duties	8,000,000 11,000,000
------------------------	-------------------------

*The duties collected on the importation of silks—in the main articles of lux-ury—for the year 1882 aggregated \$22,633,000. With increasing population, or an increase in national consuming power contingent on a return of prosperity, the revenues from this source will probably increase. With a moderate reduction of the rates now levied—50 per cent.—such an increase would not be problemat-CLASS III, DR

Military establishment	\$26, 429, 577 25, 961, 765
Total	52, 391, 342
TAXES TO BALANCE, CR.	
Sugars and molasses, import duties	54,000,000
CLASS IV, DR. Naval establishment*	17,000,000 8,000,000
*Total Total The expenditures of the Navy Department for the year 1883 were \$ TAXES TO BALANCE. CR.	25, 000, 000 15,283, 4 37.

Importations of silk, 50 per cent. of customs receipts Importations of fine cottons, customs receipts Importations of fancy articles (pipes, perfumery, &c.) customs re-	\$11,000,000 11,000,000
ceipts	3,500,000
Total	25, 500, 000
CLASS V, DR.	
Interior Department and Indians. Postal service, deficiencies. District of Columbia Miscellaneous, cost of collecting revenue, repayments of duties, &c	6,000,000 4,826,000 3,669,000 21,112,155
Total	37, 607, 155
BALANCED BY RECEIPTS, CR.	
Public lands, sales. Pacific Railroads. Custom-house fees, fines, and penalties.	8,000,000 3,000,000 1,074,000

Other fees, penalties, &c. Profits on coinage, assays, &c. Revenues District of Columbia. Tax on national-bank circulation. Other miscellaneous sources.	3, 248, 000 4, 100, 000 1, 800, 000 3, 000, 000 7, 600, 000
Import duties on opium, embroideries, jewelry, precious stones, and	31, 822, 000
fine linens	6,000,000
Total	37, 822, 000

Class I.—Interest on national debt and pensions	
Class II.—Executive, leglislative, judicial, foreign relations, and miscellaneous	46, 608, 079
Class III.—Military establishment and public works	52, 391, 342
Class IV.—Naval establishment	25,000,000 37,607,155
Total	270, 256, 576

The only other national expenditures prospective for the fiscal year 1885-'86 not mbraced in the above exhibit are the "arrears" of pensions and the annual ontribution to the "sinking fund" for the reduction of the national debt. Of

the former it ought to be safe to say that they should be fairly balanced and paid off by the surplus revenues that will accrue over and above all ordinary expenditures (as above enumerated) before any legislation materially reducing taxation could now be enacted and take effect. Of the latter the amount required by statute for the year 1885-86 is \$48,571,861, a sum very nearly equivalent to the present requirement for interest on the debt.* Assuming the aggregate national revenue for the same year to be as estimated by the Treasury—namely; \$330,000,000—then the surplus for the year would be \$11,171,563, or, including the sinking fund, \$59,748,000. Owing, however, to what has been termed the "clasticity" of our revenue, it is very probable that the surplus as thus figured may be increased to the extent of \$10,000,000 to \$15,000,000, and if national prosperity comes back such increase may be regarded as certain. But, on the other hand, if but a moiety of the appropriations recommended for gun-founderies, new armaments, river and harbor improvements, and Mexican war pensions be granted, there will be no increase, and, apart from the sinking fund, no surplus whatever. With these facts and estimates, the fiscal influence of the proposed Spanish and other treatics, and also of the scheme for repealing the remaining tobacco and other internal taxes can be readily appreciated.

If the Spanish treaty alone is ratified, the immediate loss to the existing revenues from imported sugars and tobacco, estimated by the Bureau of Statistics at \$30,000,000, will more than exhaust any probable surplus for the next fiscal year over and above the sinking-fund requirements, and leave nothing available for other tax reductions. If the result of the Spanish treaty is to be followed, as is contemplated, by the negotiation of other treaties and the entire abolition of the present receipts from sugar imports, then the Government must materially reduce its current expenditures or impose new taxes.

If the remaining internal taxes on toba

If the Government enters into obligations with Spain, Mexico, and the Ha-waiian Islands not to levy import duties upon their several sugar products for a period of seven years, and so abandons an important source of revenue, and sub-sequent exigencies should necessitate any new and large measure of national expenditures, then, also, the creation and imposition of new taxes would be im-

expenditures, then, also, the creation and imposition of new taxes would be imperative.

The answer to a question which may naturally suggest itself in connection with this subject. "Why and in what respect are the national revenues likely to be less in 1885-86 than in 1882-88?" is to be found mainly in the circumstances that there is a falling off in receipts of duties from imports through depression in business of about \$15,000,000 per annum, and in the internal revenues, through a reduction in 1883 of the taxes on tobacco, of some \$25,000,000. And this reduction of the surplus through a reduction of the tobacco taxes strikingly illustrates the inexpediency of attempting to reform our national fiscal system with a view of reviving a depressed and stagnant industry by legislative action in answer to the demands of special interests; for while the reduction of the tobacco tax has greatly impaired the fiscal strength of the Treasury, it has been of but little benefit to the consumer of tobacco; has not increased our export trade to the extent of a single dollar, or done anything toward cheapening the cost, and so enlarging the markets, of any of our other products of industry.

On the other hand, more than \$100,000,000 of imports can be named which go direct from the custom-houses to our manufactories and are used in the work of domestic production, and on which imports the Government exacts a taxation of more than the amount (\$250,000,000) abated from the national revenues by the reduction of the internal revenue on tobacco. But \$25,000,000 is 10 per cent. on \$250,000,000 domestic product—not one dollar's worth of which can be sold in the open market of the world in competition with like products of British or European industries, which are exempt from such taxation. And it is just this \$250,000,000 of product which it is now most desirable to sell, and which fexempt from taxation could be sold, but which the markets of Cuba, Mexico, or the Sandwich Islands, singly or in the aggregate, have not the capacity to

DAVID A. WELLS.

Rivers and Harbors.

SPEECH

OF

HON. RANSOM W. DUNHAM.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 20, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. DUNHAM said:

Mr. CHAIRMAN: A system of general internal improvements for the benefit of our commerce long ago became the settled policy of the United States Government. No one now doubts the propriety, the necessity, and the benefits our people have reaped as a result of the millions that have been appropriated.

So long as the public money is judiciously expended, so long as our commerce gains an advantage, so long as the people and their material interests receive proper and due consideration, to just this extent should

the Government continue such appropriations.

No improvement is more needed, none more worthy, none so necessary as the proposed connection of the great lakes with the Upper Mississippi River by the construction of the Hennepin Canal.

*By the act of 1862 "1 per cent. of the entire debt of the United States" is "annually set apart as a sinking fund for the purchase or payment of the public debt." And by the act of July 14, 1870, there is annually chargeable on the receipts from duties on imports "a sum for the payment of the public debt equal to the interest on all bonds belonging to the sinking fund." The sinking fund, therefore, annually increases while the interest on the principal of the debt by the action of the sinking fund annually decreases.

In the interest of cheap transportation this canal is a necessity. In the interest of both the consumer and the producer this national work should be secured at once. In the interest of our foreign trade, our exports of American products, this improvement should not be delayed. It is so plainly to the advantage of our whole country that the Government can not afford to delay. The whole Northwest is directly and closely interested in its desire to push its productions to the markets of the world, and the people need this work to cheapen transportation for the necessaries of life. The financial interests of the United States desire this improvement, that our agricultural products may be furnished to Western Europe at such prices as will compete with our rivals in India, Australia, and Russia, and yet secure to our people a liberal recompense for their labor.

A short review of the agricultural situation may not be out of place A short review of the agricultural situation may not be out of place here. Thirty to thirty-five years ago the people of New England depended for their supply of wheat flour largely upon Western New York, and the Genesee Valley to them at that time was their idea of agricultural perfection. A few years later the manufacturers of flour began to turn their faces westward, and soon Ohio and Indiana commenced to furnish the raw material, and the small vessels then plying upon the great later because the place here the state of the place here. great lakes became the agencies of transportation, and Buffalo, Rochester, and adjoining cities kept their mills running through the labor

of what was then called Western farmers.

Twenty-five years ago the great bulk of wheat sold in the Chicago market was raised within two hundred miles of that city. Not further back than ten years ago Western New York and Pennsylvania millers looked to Chicago for their supplies. Now the tide has changed, and materially so. The wheat arriving in Chicago travels a distance from the farms averaging three hundred and fifty to four hundred miles. The great State of Minnesota contains within its borders the grandest water power and the facet flowing milks in the world. water power and the finest flouring-mills in the world.

These facts demonstrate that the agricultural products of America have "gone West." Our census reports show that the tendency of Eastern cities and States works to an increase of manufacturing centers.

Millions of people live in our cities consuming rapidly of agricultural products—pressing and demanding a constant cheapening of prices.

The past year has been one of heavy production from farms. Other wheat-raising countries are trying to drive America from the wheat-consuming people of the world. Our Western farmers are to-day forced to sell their wheat at below the cost of raising, and this state of things can

We can not afford to lose our exportations of wheat and wheat flour; neither in the interest of our millions of consumers can we bring ruin upon our agriculturists by requiring them to sell their products below actual cost. If either of these disasters come upon us it must result in a serious disturbance of our financial affairs.

I now present a statement of our exports and imports of merchandise for each one of the past five years, ending with the 30th June, 1884. These figures do not include any stocks, bonds, gold, or silver, but only the value of merchandise, such as grain, provisions, cotton, &c., and the usual importations of foreign goods.

By this table it will be seen that our exports of merchandise for the

past five years have been \$626,773,717 in excess of our imports-a situation in our commercial affairs that all will admit to be greatly to our advantage. No one can fail to see that our financial prosperity as a nation and our happiness as a people rest largely on our being able to continue in so good a work as this.

Exports and imports of merchandise.

Years.	Exports.	Imports.
1880 1881 1832 1833 1883	\$835, 638, 658 902, 377, 346 750, 542, 257 823, 839, 402 740, 513, 609	\$667, 954, 746 642, 664, 628 724, 639, 574 723, 180, 914 667, 697, 693
Total	4,052,911,272	3, 426, 137, 555

I now present a table showing the number of bushels of wheat and number of barrels of wheat flour exported from our country during the five years ending June 30, 1884:

Years.	Wheat.	Wheat flour.
1880	Bushels. 153, 252, 795 150, 565, 477 95, 271, 802 106, 385, 828 70, 349, 012	Barrels. 6, 011, 419 7, 945, 786 5, 915, 686 9, 205, 664 9, 152, 260
	575, 824, 914	38, 230, 815

Converting the flour to wheat at the rate of $4\frac{1}{2}$ bushels per barrel, and we have a grand total of 747,863,582 bushels of wheat as a part of our total exports of merchandise as given in the previous table.

I now present a table showing the value of the wheat and flour ex-

1880	\$225, 879, 502 212, 745, 742 149, 304, 773 174, 703, 800
1884	126, 166, 374
Total	888, 800, 191

By this it appears that the value of our wheat and flour exports for the past five years was \$888,800,191, so that had we been unable to export any wheat or flour our exports would have fallen below our imports \$262,026,474, a state of affairs that would have been a serious blow to our commercial and financial interests.

The present cost of getting wheat from Saint Paul to Chicago is about 12 cents per bushel. The United States engineers estimate that with the construction of the Hennepin Canal and the enlargement of the present Illinois and Michigan Canal the rate of freight can be reduced

to 6 cents per bushel.

The State of Minnesota and the Territory of Dakota raised in the year 1884, according to the Government report, over 63,000,000 bushels of wheat, of which nearly 50,000,000 goes out of their section for a market. On this alone the Hennepin Canal will bring about a great saving of freight. Divide this amount by half and we have figures that speak strongly for this improvement. Present rates of freight by thet speak strongly for this improvement. Present rates of freight by rail from points in Iowa west of Des Moines, also from Nebraska and Kansas to Chicago, vary from 14 to 22 cents per bushel on grain. Build the Hennepin Canal and a large reduction in rates must naturally ensue. The grain crops in the States and Territories tributary to this canal for the year 1884 aggregate over 800,000,000 bushels. While no such amount is shipped to market, still the influence of reduced cost of transportation bears in some proportion on the whole.

During the past summer grain that paid 12 to 15 cents per bushel to get to Chicago from points five hundred miles west was shipped by lakes and Erie Canal from Chicago to New York for 7 cents per bushel,

a distance of nearly 1,500 miles.

Coal was carried by vessels from Buffalo and Erie to Chicago during the same season for 50 cents per ton, a distance of about 1,000 miles, while to go by railroad two hundred miles west of Chicago it costs \$2

In April, 1884, before the lakes were open grain was taken by Grand Trunk Railroad from Chicago to Montreal, thence by water to Liver-

pool, for less than 10 cents per bushel; perhaps an unusually low rate, but during the summer 12 cents per bushel was not an uncommon rate.

If we look back twenty-five years we find shippers paying 50 cents per bushel freight on grain from Chicago to New York by all-water route. At that time a vessel carrying 25,000 bushels on the lakes was unusual, the majority averaging eighteen to twenty thousand capacity. Now a steam-barge carrying 40,000 bushels takes in tow two others of fifty to seventy-five thousand capacity each.

I mention these facts to show the tendency of freights, but it is safe to say that the minimum figure has been reached at which rates can

go on the lakes and Erie Canal.

What we now ask is a plan that will reduce the rates from the farms of the West to the great lakes. Water navigation has always been the great regulator, and nothing has yet been developed that disputes this True, competing railroads often make low rates, but freproposition. quently a water way is within reach and not unlikely is the power

For the past year our Western farmers have been compelled to sell their grain, especially their wheat, below the cost of production. Wheat at 25 to 50 cents per bushel is an absolute loss to the producer? We can not go any lower. We can not stand even present prices. If our farmers, to compete with India, must sell low, then a reduction must come in transportation. When it is demonstrated beyond a doubt that the building of a canal seventy-four miles in length will save millions of dollars either to the producer or the consumer, then it does seem unreasonable that the Government should hesitate as to its duty.

Two things will surely follow if the present low prices of our agricultural products are to continue—farmers must of necessity stop raising, and as a natural result an end comes to our exports. Two other certainties follow, high prices to our own home consumers and a disarrangement of our exchanges. Our imports will be liable to exceed our exports. Lose our exportation of wheat, and gold must leave our bank-vaults and go to Europe to make good the balance of trade.

I have referred in my remarks more particularly to wheat, because this great staple of the Northwest will feel the beneficial effects that will result from the building of the Hennepin Canal in a much greater

degree than any other article.

It has been stated that New York built the Erie Canal. True, but it was at a time when the practice of our Government was against internal improvements. New York has drawn in tolls from the farmers of the West many millions of dollars, and, having realized some \$35,000,000 more than it cost, she has only done an act of tardy justice in making free her canal navigation.

It is claimed that Illinois should build the Hennepin Canal. This is not proper, first, because if built by the State it would not be free; second, because her interest is very small. The States south, north, and west have a much larger interest than has Illinois in this matter. Is it unreasonable to ask the United States to do this work, when Illinois alone pays millions more every year into the National Treasury than this entire improvement will cost?

The claim has also been made that Chicago can afford to do this work. To those who are familiar with the facts, this is easily disproved. Chicago gets nearly all the Northwestern and Western products now, and will continue to get them. The course of trade is her way to reach the great lakes. Her position at the head of the lakes is absolutely impregnable; the trade does and will come to her.

The benefits arising from the construction of this canal will be gath-

ered in equal parts by the consumer and the producer. No proposition for use of national funds is before Congress to-day having the merit and the necessity equal to this enterprise. Consumers and producers demand this appropriation. The necessities of commerce require that the

work should be finished promptly.

I hope the members of this House, inspired by the patriotic motive to do what is right for all sections of our common country, will grant this request, coming, as it surely does, from more than 20,000,000 of

people.

Various boards of trade and commercial organizations throughout the country have given strong expression of their views favorable to this necessary improvement, and that Congress may be informed as to the opinions of business men I publish a portion of their resolutions as an appendix to my remarks. Legislators will do well to respect the wishes of men who have spent their lives in building up commerce and who, by their experience, have justly earned a high regard for their opinions.

APPENDIX.

A NATIONAL WORK OF GREAT IMPORTANCE.

[Memorial of the Chicago Board of Trade, adopted October 26, 1881.]

[Memorial of the Chicago Board of Trade, adopted October 26, 1881.]

Whereas this board is advised that a renewed effort is about to be made to direct the aftention of the Congress of the United States to the question of constructing a short line of canal, of capacity equal to that which may be obtained in the Mississippi River between Rock Island and Saint Paul, from a point at or near Rock Island to the Illinois River at Hermepin, thus opening direct water communication between the upper Mississippi River and the lakes via the present Illinois and Michigan Canal; and

Whereas this work is of a national character, and of great importance as a means of cheapening the cost of transporting the products of the Northwest to foreign countries, and especially to the principal points of consumption in our own country, not only on such commodities as might seek that line of transport, but also on the perhaps larger volume carried by rail, as it, if completed, would act as an efficient regulator of railway tariffs, throughout a vast area of the most productive agricultural territory in the United States, on the well-known principle that rates of freight by rail are controlled by the rates current on and the possibility of diversion to the cheaper water routes; and

Whereas the estimated expenditure necessary to place this line in successful operation, as shown by the surveys of competent engineers in the United States service, is quite small in comparison with the great benefits to be secured to both producers and consumers by its construction: Therefore,

Resolved by the Board of Trade of the City of Chicago, That Congress be respectfully but urgently petitioned to grant at its next session an appropriation for this object, which will be sufficient to commence and prosecute the work with a vigor which will insure its completion with the least possible delay.

Resolved, That this expression be communicated to the President of the Senate and Speaker of the House of Representatives, with the request that it be laid before

A GREAT NATIONAL THOROUGHFARE, ENTITLED TO CONSIDERATION.

A GREAT NATIONAL THOROUGHFARE, ENTITLED TO CONSIDERATION.

[Resolutions of the Buffalo Board of Trade, adopted December 10, 1881.

First. The Board of Trade in the city of Buffalo and State of New York most respectfully calls the attention of the Congress of the United States to the necessity for increased and cheaper facilities for transportation, for the following reasons: First, that the great extent of territory embraced within our limits, together with its rapidsettlement and increased trade, which is now crowding our railways and water channels, with a prospect in the near future of assuming much larger proportions, calls loudly for prompt action, to the end that the general welfare shall be respected.

Second. That this board of trade and the commerce it represents have a direct interest in all water routes from the port of New York city by the Eric Canal and the great lakes to the Mississippi River, for we believe it is the most feasible and economical solution of the transportation question from the Northwest to the Eastern seaboard.

Third, And as a means to that end we are not only in favor of the speedy construction of the proposed Hennepin Canal, which will connect Lake Michigan with the Mississippi River, but we invite the attention of Congress to its importance as a link in a great national thoroughfare, and as such entitled to consideration and support.

Fourth. That our representatives in Congress, in both Houses, will best reflect our wishes by securing at this session of Congress an appropriation to build said canal.

Figh. That the secretary of this board be instructed to forward to our Senators and Renzesontatives in Congress and Renzesontatives in Congress.

said canal.

Fifth, That the secretary of this board be instructed to forward to our Senators and Representatives in Congress a copy of these resolutions.

[Resolutions of the New York Produce Exchange, adopted by full meeting, December 20, 1881.]

THE UNITED STATES GOVERNMENT SHOULD UNDERTAKE TO BUILD THE HENNEPIN CANAL.

At a meeting of the board of managers of the New York Produce Exchange, held December 20, 1881, the following report of the committee on trade was submitted, and the recommendations contained therein were unanimously adopted.

F. H. PARKER, President, PAUL BABCOCK, Jr., Secretary.

Your committee on trade, to whom has been referred the question of applica-tion to Congress for the building of the Hennepin Canal by the United States,

have given to this subject the attention demanded by its important bearing on the internal commerce of the country, and respectfully report as follows:

In the opinion of your committee there can be little if any question that the proposed opening of a water way from the Mississippi River to the Illinois and Michigan Canal and the great lakes promises highly advantageous results, not only to the Northwestern States, but to the whole northern country east of the Mississippi River. Besides furnishing new means of transport to the Atlantic seaboard for the produce of Iowa, Minnesota, Nebraska, and other grain-producing States, such a canal would also act as a welcome regulator of railroad freights in the Northwest.

There can be little question, also, that neither private enterprise nor the State of Illinois, within whose territory the canal will be situate, nor any other State directly benefited, nor all these combined, will or can undertake an enterprise which is sure to meet the determined opposition of the railroad interest.

The question before us, therefore, simply is: Shall the United States build and maintain this canal, and can this exchange, in view of the well-grounded opposition to the policy of its internal improvements in general, consistently recommend such action on the part of the General Government?

After mature consideration your committee have come to the conclusion that this question should receive an affirmative answer from your board, and for the following reasons:

The ground on which the Hennepin Canal is to be built has been repeatedly surveyed, with a view to that improvement, by the United States Government, and by other competent parties; the practicability of the project has been established and the cost has been reliably ascertained. The scheme, therefore, can not be classed with a large number of internal improvements annually brought before Congress, which are indefinite in their scope and in the results expected, and of uncertain cost.

The Hennepin Canal further differs from man

and

"Whereas the building of the Hennepin Canal may justly be regarded as part
of the improvement of the Mississippi River: Therefore,

"Resolved, That in the opinion of the New York Produce Exchange the United
States Government should undertake to build the Hennepin Canal and to maintain the same free for all time to come; and further,

"Resolved, That our Senators and Representatives be requested to join the representatives of other States in providing the necessary legislation for carrying
out this plan."

L. F. HOLMAN, Chairman.

L. F. HOLMAN, Chairman, WALTER CARR. JOHN SINCLAIR. SAMUEL S. CARLL, GUSTAV SCHWAB.

NEW YORK, December 19, 1881.

THE IMMEDIATE BEGINNING OF THE WORK IS DESIRED.

[Memorial of the General Assembly of Iowa.]

[Memorial of the General Assembly of Iowa.]

On February 4, 1882, the house of the General Assembly of Iowa unanimously adopted a preamble and resolutions, as follows:

"Whereas the agricultural, manufacturing, and commercial interests of the Northwest, and no less those of the entire country, are largely dependent for their development upon a full enjoyment of facilities for the transportation of products and commodities; and

"Whereas the two great interior water routes of transportation in the United States are those of the Mississippi River from north to south and of the lakes, with the Eric Canal and Hudson from west to east; and

"Whereas a direct all-water connection between these two great routes is indispensable to a complete service to the interests which so imperatively demand improved and cheaper routes of transportation, since without such a connection there can be no real use by the Northwest of a water route to the East, nor by the East to the Northwest; and

"Whereas the General Assembly of Iowa did in 1854, again in 1870, and still again in 1874, memorialize Congress for the construction of a canal to connect the Mississippi with the Illinois, on a line running eastward from or near Rock Island, while Governors Merrill, Carpenter, and cjear have also in their official communications urged that Congress should undertake that greatly needed work of improvement: Therefore,

"Resolved, That this house (the senate concurring) respectfully memorialize the Congress of the United States to authorize, provide for, and direct, at its present session, an early construction of a canal for commercial purposes from Hennepin, on the Illinois River, to or near Rock Island, on the Mississippi River,

"Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to use all possible and proper exertions to secure from the body in which they respectively serve the passage of a bill at the present session ordering the immediate beginning of the work of constructing the canal herein m

WITHOUT SUCH A CONNECTION THERE CAN BE NO REAL USE BY THE NORTH-WEST OF A WATER BOUTE TO THE EAST.

[Memorial of the General Assembly of Illinois.]

[Memorial of the General Assembly of Illinois.]

On March 27, 1882, the senate of the General Assembly, and on March 30, the house in the same body, respectively, adopted by a unanimous vote in each case the following as constituting a memorial to Congress:

"Whereas the agricultural, manufacturing, and commercial interests of the Northwest, and no less those of the entire country, are largely dependent for their development upon a full enjoyment of facilities for the transportation of products and commodities; and

"Whereas the two great interior water routes of transportation in the United

States are those of the Mississippi River from north to south, and of the lakes, with the Eric Canal and Hudson, from west to east; and "Whereas a direct all-water connection between these two great routes is indispensable to a complete service to the interests which so imperatively demand improved and cheaper routes of transportation, since without such a connection there can be no real use by the Northwest of a water route to the East, nor by the East to the Northwest: "Resolved, That the senate (the house concurring) respectfully memorialize the Congress of the United States to authorize, provide for, and direct at its present session, an early construction of a canal for commercial purposes from Hennepin, on the Illinois River, westward to the Mississippi River, on the most feasible route.

nepin, on the Illinois River, westward to the Mississippi River, on the most feasible route.

"Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to use all possible and proper exertions to secure from the body in which they respectively serve the passage of a bill at the present session ordering the immediate beginning of the work of constructing the canal herein mentioned, and to vote liberal appropriations therefor, to the end that the said canal may be completed and opened to the commerce of the country at the earliest possible date.

"Resolved, That a copy of these resolutions, duly signed by the president of the senate, the speaker of the house, and attested by the secretary of this body, be forwarded to each of the Illinois Senators and Representatives in Congress, in order that the same may be duly presented to the respective bodies in which they serve."

CONSTRUCTION OF THE HENNEPIN CANAL,

[Resolution passed unanimously by National Board of Trade, at Washington, January 23-25, 1884.]

Resolved, That the enlargement of the Illinois and Michigan Canal and the construction of the Hennepin Canal, connecting the Illinois and Mississippi Rivers, as by survey recently made by the Secretary of War, are necessary to control and materially reduce the cost of transportation from the fields of production to the great lakes, and that the cheapest possible transport from the interior to the seaboard is indispensable to the retention of foreign markets for our cereals.

[Resolution of Mississippi River Improvement Convention, at Washington, January 23, 1884.]

Resolved, That in the interest of cheap transportation, and to afford a choice of water routes to the seaboard, we regard connections between the upper navigable waters of the Mississippi and the great lakes as of great importance, and that Congress in making appropriations ought to have regard to the establishment of the free water communication between the valley of the great river of the West and the tide water of the East, in accordance with the recommendations heretofore made by the President of the United States in his special message on the subject.

Rivers and Harbors.

SPEECH

JOHN WINANS, HON.

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WINANS, of Wisconsin, said: Mr. CHAIRMAN: Our annual river and harbor bill is looked upon

with suspicion by the people and the press, and justly so.

The one of 1882 is still fresh in our memories and will long live in the recollections of those who were identified with its passage and subsequently suffered defeat at the polls by the votes and voices of an in-dignant and outraged people. The then almost universal condemnation of the eighteen million river and harbor "steal," as it was characterized, was in no sense partisan, and the offending member, Democrat or Republican, was relegated to private life.

The bill under consideration carries some twelve millions, and if it becomes a law the Forty-eighth Congress will have appropriated to the alleged improvement of rivers and harbors upward of twenty-five millions of dollars. Will the country sanction this? Sir, in my judgment it will not, and should not, and, as a representative of a sentiment that I believe will condemn it, I must vote against this bill. Within its provisions are included many small streams unknown to commerce, and scarcely of sufficient importance to attract local attention, and we are asked to give the people's money to their attempted improvement—not to benefit commerce, but individuals and localities for purely selfish purpose

I am, sir, in favor of judicious appropriations for the improvement of

I am, sir, in favor of judicious appropriations for the improvement of such of our great water ways as need improvement, as well as to such of our harbors as are really useful to commerce. But, sir, we have been attempting too much, and have accomplished too little to warrant the continuance of our large annual appropriations, and they have assumed the character of waste and extravagance.

Those who should know, and claim to know, say that the millions given to the Mississippi River are barren of results, and still more is demanded and will probably be given from year to year, until the people cry a halt and demand the evidence showing that its navigation has been improved or its commerce benefited.

One of the many objectionable features of the bill is the appropri-

One of the many objectionable features of the bill is the appropri-

ation to the harbor at Galveston, Tex. If true, as charged and substantially admitted on this floor, that the Government of the United States has already expended in and about this harbor about \$1,600,000, and has succeeded in increasing the depth of water in the channel only three inches, it would seem to the ordinary mind that it would be a waste of money to continue the work. If what has been accomplished has cost about \$553,000 an inch, and at the rate of \$6,400,000 a foot, it is apparent that by the time the depth of twenty-four feet is obtained—as proposed by the engineers—our Treasury would be bankrupted by the attempted improvement of this one harbor.

Another feet rose of the bill is the construction of the Henneric Carel

Another feature of the bill is the construction of the Hennepin Canal—connecting the waters of the Mississippi River with the great lakes. If this proposition stood by itself, and was to be considered on its merits, I should be inclined to favor it, believing that it would benefit the great Northwest and tend to cheapen our railroad freights. But being as it is, linked with so many other projects of more than doubtful propriety, I must vote against it. I have said enough, Mr. Chairman, to explain why I shall vote against this bill, and that is all I desired to do or care to say on the subject.

Mexican War Pensions.

SPEECH

HON. JOHN W. McCORMICK,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 14, 1885,

On the bill (H. R. 5667) granting pensions to the soldiers and sailors of the Mexican war, and for other purposes.

Mr. McCORMICK said:

Mr. CHAIRMAN: I beg the indulgence of the committee for a few general remarks on the subject of soldiers' pensions. No class of citizens of this Republic, whether in the ranks of the civilian, or in the higher one of official trust, can justly ignore the claims of those men who maintained the integrity of national union and honor. Even the men who fought against them in an effort to dismember the union of States owe them a debt of gratitude for their patriotism, bravery, endurance, and valiant conduct, which leaves us a nation saved, without a single star erased from the banner of union and liberty.

a single star erased from the banner of union and liberty.

It is no small privilege to take part in the law-making power of the grandest and most powerful nation on God's footstool, while it is at the same time a privilege exacting from him who is so honored the highest sense of rectitude and integrity, loyalty and patriotism, free from any prejudice or sectional feeling in order to recognize the rights of all classes of citizens. It is an honorable thing to recognize merit under all circumstances, and to deal justly with the deserving. In all the history of the past we have the record of the achievements of those who have periled their lives in defense of home and native land, while it has been the pride of nations to properly estimate those achieveit has been the pride of nations to properly estimate those achievements by suitable honors and rewards. As before the altar so before the ballot all men are equal.

No man who has a voice in the law-making power of such a republic as ours should dare, in the light of intelligence and true patriotism, to ignore the claims of the humblest citizen, not only to the full and untrammeled exercise of the elective franchise, but most especially in re-

gard to the just claims of those who have periled their lives and their all to make our country what it is to-day.

During the sessions of the Forty-eighth Congress many just measures have come before us for consideration. Some of these have been promptly considered, and have been enacted into law. Others, equally meritorious, have have not fared so well. Of this latter class is the

Mexican pension bill. In my opinion a just criticism may be lodged against our action in regard to that important measure. The hearts of all loyal citizens of this country may well be pained at the filibustering and unnecessary delays that have accompanied this bill since it was first introduced in the House in the beginning of the first session of this Congress. And what has been the result of it all? The soldiers to whom it was intended to give relief, with their widows and orphans, who have asked at the hands of this Congress bread, have received a stone. Against

such action I must utter my solemn protest.

In the light of all the facts connected with the consideration of this bill this Congress can take to itself but little credit for its action or want of action thereon, and so the whole country will judge of the matter. I believe that this measure as it came from the Senate should become a law before this session closes, as it easily might do if we are only willing to do right and deal justly and trample under foot our narrow differences as men and act the part of liberal-minded and true

The rights of the soldiers who fought the battles of the Mexican war demand it, and we do them great injustice by withholding their just dues. The widows and orphans of deserving Union soldiers de-The petitions of hundreds and thousands of the best citizens all over the country in thunder tones demand it, and yet we pass the matter by as of little moment.

The flimsy excuse that these petitions are worked up by interested claim agents, and on that account are not deserving the attention of this body, will not relieve us from responsibility nor answer for our neglect or delay in this important matter, and we will do well not to delude ourselves or hide behind such a flimsy subterfuge. These petitioners are in earnest in this effort, and they are already wearied by our delays and are in no mood to be trifled with, and we may as well

be admonished of that fact.

If we do not heed those petitions we may in the future have occasion to regard their ballots when they again voice themselves in regard to those they place in official trust. When they so voice themselves their verdict will be right, and I believe and dare assert that our dilatory action on the Mexican pension bill will not stand the crucial test when it shall be applied, and it ought not to stand.

In this connection, Mr. Chairman, I would briefly refer to the Union

seidier and express an opinion in regard to his relations to the civil service. These relations should have the widest and most liberal scope when they come to be applied to the veteran soldier who has done valiant service to his country. Without regard to the party in power, in the name of justice as well as of patriotism let his claims be recognized above all others when capacity and fitness attend those claims; and here, if nowhere else, let the principle "to the victors belong the spoils" be null and void, and leave these scarred and maimed heroes undisturbed in places of official trust. It certainly would only be a proper recognition of merit, of justice, and of right.

Rivers and Harbors.

SPEECH

HON. THOMAS P. OCHILTREE,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 3, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. OCHILTREE said:

Mr. CHAIRMAN: The very able remarks submitted upon the Galves Mr. CHAIRMAN: The very able remarks submitted upon the Gaiveston Harbor proposition by my distinguished colleague [Mr. Reagan], whose long, arduous, and eminent services at the head of the Commerce Committee of this House enabled him to speak with profound force and comprehensiveness upon such matters, also the eloquent speech of my other colleague [Mr. MILLS] supplemented by the exhaustive arguments of the gentleman from Louisiana [Mr. BLANCHARD], and the unanswerable statements of the gentleman from Arkansas [Mr. Breck-INRIDGE] would ordinarily preclude me from obtruding my views thereon, but the fact that I am here as the accredited representative of the devoted little city whose dearest interests are involved compels me to join my feeble voice to theirs in defense of the proposition under discussion, and to repel the unwarrantable and slanderous attacks made upon her and hers by this "bird that has (attempted) to befoul its own

The distinguished gentleman from Illinois [Mr. THOMAS] has had read from the Clerk's desk an anonymous communication purporting to be an editorial from a Texas paper (God save the mark) animadverting upon the motives that actuate those supporting the item of this bill

for Galveston Harbor.

From my knowledge of that gentleman, and his well-known appreciation of fair-dealing, I must confess I was astonished to see him aim this Parthian arrow, dipped in poison, malice, and slander, at the honorable gentlemen who advocate this measure upon this floor.

Sir, the delegation in this House from the State of Texas, of which Sir, the delegation in this House from the State of Texas, of which I am the youngest and most humble member, are insensible to such attacks. They are men of such ability, such honor, such reputation, gained in cabinet and on field, bench, bar, and forum, through long and eventful years of public service, that they can treat with utter scorn and contempt any such imputation; so with regard to the gentlemen who compose the committee representing the city of Galveston, and so with the great journal published at that point that has been so wantonly assailed for the bold and determined manner in which it has seen fit to advocate the measure in question. seen fit to advocate the measure in question.

As the representative of the immediate locality proposed to be benefited, I may be allowed to speak from personal observation in respect to the futile efforts of the ablest of the Government engineers to cut a channel deep enough for our growing commerce through the bar that obstructs that harbor. I have no confidence in the scientific knowledge of any of these gentlemen as adapted to this particular work. I judge of their incapacity by the total absence of any favorable results accruing from their efforts there during the past ten years. No improve-ments can be expected from a continuation of the work either under their original or modified plans.

Engineering, sir, is a progressive art, embracing many sciences. In the line of discovery and progress no science has yet been fully matured. Theories are devised from the observation of facts or supposed facts; but when the scientists come to work upon new theories, it not seldom happens that they fail to obtain expected results, although it would seem that they ought to work to the end in view. The best engineers of the Army approved the plans of improvement at the Galveston Bar. These are the same gentlemen who condemned as impracticable, as unscientific, nay, as absurd, the plans of Captain Eads, the great civil engineer, for the improvement of the channel through the bars at the mouth of the Mississippi River. And now is it seriously proposed to give the direction of a great jetty work to engineers who have failed, and decline the services of the greatest and most successful engineer of the great

The bitterest controversies that the reading public are treated to are the disputes of the scientists. Each school of science and art is in its own opinion as infallible as each religious denomination is in respect to its own peculiar tenets. Who is to decide between them? Let success in their undertakings determine. "By their fruits ye shall know them." Were the world to leave progress to be carried on by the great and learned scientists there would be little progress, and none at all it left to the smatterers and pretenders of that school. These gentlement would not be able to agree in order to reach a starting regim. The diswould not be able to agree in order to reach a starting point. The disciples of each school would know beyond any doubt whatever that the plans of the other were doomed to failure. We have progress and improvements, because while the graduates of rival schools are wrangling over their theories some practical man—for example, Captain Eads—puts them to the test of experiment, proves them by his works, and accepts the results as conclusive on the issues raised. In this manner that great

engineer proved his superiority in genius and skill against the opposition and detraction of the whole corps of Army engineers.

The Galveston Harbor is obstructed by two bars—the inner and the outer bars—formed in part by the action of the tides and in part by deposits carried thereto by the currents of the rivers which empty into the Gulf of Mexico at this point. It is agreed on all sides that these bars can be removed by the tides and the friction of these river currents if their force were to be increased by confining their volume within

a narrower channel.

Years ago Congress recognized the importance of Galveston as a commercial point and determined to remove the obstructions of these bars. At that time the depth of the water on the outer bar was twelve feet, and a depth of eighteen feet was then considered sufficient for navigation. A survey with this object in view was ordered. The result of this survey was reported by the Chief of Engineers of the Army in his annual report for 1874. The plan adopted was in the nature of a jetty. Under this plan, with various modifications in the construction, the work has been going on nearly ten years. A jetty wall four and one-quarter miles long has been constructed, no part of which is to-day visible. In that time over one million and a half dollars have been expended, and the depth of water on the outer bar, according to the survey made by the Government engineers in July, 1883, was still thirteen feet. The annual report of the Chief of Engineers for 1874 reports the depth of water at twelve feet. After this outlay, and this lapse of ten years, that official informs us that the board of engineers say in respect to a proposition to widen Galveston Harbor-

Nothing should be done until the question of the practicability,-

Practicability, mind you, sir-

of permanently improving the outer bar shall have been demonstrated.

The engineer officers who have this improvement in charge admit that their attempts are even now but experiments, and that they are not—
to quote their own words—in the "possession of facts and data calculated to throw a needed light upon the amount (of money) necessary to
be expended for obtaining a proper depth on the bar." Now the queslated to throw a needed light upon the amount (of money) necessary to be expended for obtaining a proper depth on the bar." Now the question to be here decided is whether Congress will leave the work of opening our port to the great ships of the day to these experimentalists or place it in the hands of an engineer who has proved his ability and can estimate the cost—one who has offered to risk his own money on a result of thirty feet in the channel, a permanent result?

Mr. Chairman, the port of Galveston takes rank next after New Orleans, above all other Southern seaports, in her exports of cotton. The export of cotton from the United States in 1883 amounted to 4 626 808.

export of cotton from the United States in 1883 amounted to 4,626,808 bales. This was a larger quantity than that of any of the preceding years. Of this export New Orleans sent out 1,495,099 bales, Galveston 506,993 bales, Savannah 419,006 bales, Charleston 372,902 bales, Wilmington, N. C., 55,579 bales, and Mobile 45,270 bales. More than 11 per cent. of the total cotton export of that year was made from Galveston. If you will refer, sir, for a moment to our foreign commerce statistics, you will find that even during the previous year Galveston took

rank as the seventh city of the Union in respect to the value of its commerce.

Here are the official figures showing that fact:

Value of the imports and exports of merchandise into and from the United States, by customs districts, during the year ended June 30, 1882.

		Exports.		Total imports	Per	
Customs districts.	Domestic.	Foreign.	Total.	Imports.	and exports.	total.
New York, N. Y	\$347, 308, 334	\$14, 117, 027	\$361, 425, 361	\$496, 005, 276	\$857, 430, 637	55, 42
Boston and Charlestown, Mass	61, 273, 101	1,083,648	62, 356, 749	42, 552, 075	137, 908, 824	8.72
New Orleans, La	94, 838, 634	268, 680	95, 107, 314	9,596,762	104, 704, 076	6.77
San Francisco, Cal	44, 139, 303	820, 117	44, 959, 420	45, 702, 530	90, 661, 950	5.86
Philadelphia, Pa	38, 132, 145	15,599	38, 147, 744	33, 738, 556	71, 886, 300	4.65
Baltimore, Md	54, 956, 050	47, 301	55, 003, 351	14,599,179	69, 602, 530	4.50
Galveston, Tex	29, 627, 898	1,149	29, 629, 047	1,511,712	31, 140, 759	2.01
Savannah, Ga	22 813 347	2,220	22, 813, 347	483, 281	23, 296, 628	1.50
Charleston, S. C.	22, 813, 347 22, 573, 167	60	29, 573, 227	498, 821	23, 072, 118	1.49
Norfolk and Portsmouth, Va	18, 445, 548		18, 445, 548	186, 355	18, 631, 903	1.2
Huron, Mich.	10, 134, 522	814,068	10, 948, 520	2, 906, 247	13, 854, 837	.90
Oswego, N. Y.	1, 453, 346	11, 824	1,465,170	8, 341, 324	9, 806, 494	.60
Minnesota, Minn.	7,147,017	22,168	7, 169, 185	1,085,213	8, 254, 398	.50
Vermont, Vt	1,809,521		1, 809, 521	6, 194, 886	8, 004, 407	.5
Buffalo Creek, N. Y	420, 815	3,369	424, 184	5, 358, 215	5, 782, 399	.3
Portland and Falmouth, Me	2, 874, 557	229, 605	3, 104, 162	2, 486, 359	5, 590, 521	3
	1,901,819	5,400				.3
Champlain, N. Y.	4,711,923		1,907,219	3, 124, 968	5,032,187	.0
Wilmington, N. C		150 500	4,711,923	247, 910	3,959,833	.3
Detroit, Mich	2,647,379	173,583	2, 820, 962	2,056,979	4,877,941	. 0.
Chicago, Ill	3,714,805	8,743	3,723,548	649,090	4, 372, 638	.20
Willamette, Oreg	3, 655, 133		3,655,133	433, 130	4,088,263	.2
Richmond, Va	3, 028, 105		3,028,105	442, 364	3,470,469	.2
Niagara, N. Y	41,539		41,539	3, 270, 671	3, 312, 210	.2
Mobile, Ala	2,837,496		2,837,496	374, 892	3, 212, 388	.2
Miami, Ohio	3, 014, 123		3, 014, 123	4,578	3,018,701	.2
Oregon, Oreg	2,709,404		2,709,404	269,512	2, 978, 916	.1
Oswegatchie, N. Y	849,774	1,442	851,216	2,044,525	2, 895, 741	.1
Corpus Christi, Tex	1,798,981	200, 428	1,999,409	711,787	2,711,196	.1
Brazos de Santiago, Tex	1, 102, 861	286, 204	1,389,065	801, 447	2, 190, 512	.1
Pensacola, Fla	2,067,057		2,067,057	29,073	2,096,130	.1
Puget Sound, Wash	1,770,219		1,770,219	95, 441	1,865,660	.1
Brunswick, Ga	1,553,447		1,553,447	4,896	1,558,343	.1
Yorktown, Va	1,509,689		1,509,689	18, 255	1,527,944	.1
Paso del Norte, Tex. and N. Mex		1,162,851	1,162,851	325, 950	1,488,801	0.0
Passamaquoddy, Me	447, 229	76	447, 305	872, 305	1,319,610	.0
Hew Haven, Conn	257, 352	11,705	269, 057	1,049,008	1,318,065	.0
Key West, Fla	697, 898	3,169	701,067	472,784	1, 173, 851	1 .0
Genesee, N. Y.	304, 485		304, 485	739,001	1,043,486	.0
Saluria, Tex	871,068	13,309	884, 377	100, 084	984, 461	1 .0
Cape Vincent, N. Y	180,961	133, 818	314,779	640, 826	955, 605	.0
Beaufort, S. C.	770, 996		770, 996	8,765	779,761	.0
Bangor, Me.	116, 106		116, 106	563, 444	679,550	
Duluth, Minn	399, 237	169,686	568, 923	43,068	611, 991	1 .0
All other ports	3, 317, 241	10,741	3, 327, 982	2, 539, 300	5, 867, 282	
Total	804, 223, 632	19,615,770	823, 839, 402	723, 180, 914	1,547,020,316	100.0

It would be an interesting piece of figuring to calculate the amount of public money spent in improving a score or more of the ports on this table and compare it with that spent at Galveston, whose commerce exceeds their aggregate imports and exports.

It would also be another interesting piece of figuring to calculate the amount which a saving of 5 cents a bushel on Western wheat and compared to the compared t

amount which a saving of 5 cents a busiler on western wheat and corn transportation would amount to annually, and how much of this saving might result from making Galveston a safe harbor for large ships. Sir, the enormous and fast-growing commerce has to be lightered over the bar that obstructs our channel. Every dollar's worth passes over that bar. We are developing a large coasting trade and European trade, and our enterprising merchants are doing much to encourage the development of the much-desired South American trade. Coffee constitutes about one-half our imports. Our coastwise trade extends to every port about one-half our imports. Our coastwise trade extends to every port of importance on the Gulf and Atlantic coasts. There are two lines of steamers in this trade to New York alone:

First. The Mallory line, direct, employing seven steamers, of an aggregate tonnage of 18,588 tons, making about eighty trips a year.

Second. The Morgan lines, one to New Orleans, of nine steamers, of less tonnage, making daily trips. And the other a weekly direct to New

Regarding foreign lines, the West Indian and Pacific Steamship Company, and other steam lines of British owners, cleared from Galveston in 1883 as follows:

Destination.	Steam- ers.	Tonnage.
Liverpool	31 11 5 5 1 3	44, 296 12, 170 4, 745 5, 935 851 5, 890

The following statement, made to the collector of the port last year, will show the total inefficiency of the present jetty system as designed by the Government engineers, even if they could make it come up to their greatest aim of eighteen feet of water on the bar:

GALVESTON, TEX., June 4, 1884.

Sin: In reply to your inquiry regarding steamers loaded by our firm at this

port during the season of 1883-'84, the following is a complete list, showing ton-

Name,	Net ton- nage.	Bales.	Draught,
Australia. Chilian Hercules Haytian Westergate Phœnix General Roberts Acton Caur Beal Bernard Hall	Tons. 1,690 1,867 764 1,490 1,179 1,150 936 1,066 1,167 1,740	Number. 5,939 4,732 2,278 4,860 4,509 4,362 3,997 4,130 4,600 7,605	Fcet. 20 18 16 19 16 15 15 21

We also beg to hand you the following list of the West India and Pacific Steamship Company's steamers, for which we are the through agents at this port, and which call for homeward cargo for Liverpool. After discharging at South American and Mexican ports, the Australian, Chilian, Haytian, and Bernard Hall loaded here last season. The following list comprises all their steamers in the Gulf trade, namely:

Name.	Tonnage, gross.	Name.	Tonnage, gross.
Andeen American Australian Bernard Hall Californian Caribbean Chilian Cuban	2,147 1,838 2,498 2,678 1,831 1,852 2,118 1,324	Haytian Jamaican Texan Venezuelan West Indian Yucatan Florida	2, 336 2, 009 3, 257 1, 690 1, 804 2, 816 3, 270

All the above steamers draw from sixteen to eighteen feet in ballast, and from eighteen to twenty-two cotton-loaded. We may add that they always lighter all their cargoes at this port.

We remain, sir, yours, obediently,

WALTHEW & SONS.

A. G. MALLOY, Esq., Collector, Galveston.

True, they talk of a possible depth of twenty-five feet. But how, and when, and at what cost? Will they answer? No, sir; for this possible

result they ask an annual appropriation of \$500,000 for an indefinite

number of years—for their experimental work.

Mr. Chairman, the State of Texas is an empire of itself. Her own resources must soon be developed to an extent that will give the port of Galveston a commerce that would only be second to that of New York. Is it not the duty of Congress to make an outlet for this commerce, to give it a channel-way through the bar that now obstructs it, a channel of a depth sufficient to accommodate the class of large steamers that are now required for such trade? We want a depth of thirty feet at least in the channel, not thirteen feet or eighteen or twentyfive feet. No plan or even suggestion has been made by the Government engineers for such a depth, and yet gentlemen say ''let these engineers have control of the work.'' This, too, sir, in face of the fact that their ten years' effort leaves the bar at just the same depth it was when they commenced it. The million and a half dollars expended by them has been thrown away-sunk out of view on the bar, dissipated

at the bar—drank up as it were.

But it is not Galveston nor the great State of Texas that is alone interested in the opening of a 30-foot channel. Turn to your maps, sir, and you will see that Galveston is the natural outlet for that vast mining, grain-growing, stock-raising area of the Union west of the one hundredth parallel. I do not except any part of that vast region east of the Sierra Nevadas, and I would include the wheat lands of California also if we had the proper harbor accommodations. Our railroad connections extend even to them. Galveston is the natural outlet for all the exports of that area. Both time and money would be saved in the export of California wheat if we had a 30-foot channel through our Iowa, Nebraska, and Kansas and the Territories to the west of them are as much interested in this improvement as Texas is. The opening of such a channel would benefit not Galveston alone, but also Chicago and Saint Paul, Detroit and Milwaukee, Saint Louis and Kansas City, Omaha and Denver, Shreveport and Vicksburg, Little Rock and Memphis, and a hundred other thriving young cities of the great Northwest and Southwest.

Our railroad connections extend to all of these. We will reach out and grasp with hooks of steel a half of a continent; and not content with domestic trade bonds alone, we extend our lines into the heart of Mexico by four different routes, namely, via Matamoras, Laredo, Piedras Negras, and El Paso, besides two lines of steamers to the Mexican ports of Vera Cruz, Tuxpan, and Tampico. All the vast trade that will be developed with Mexico by Galveston enterprise must come over these routes, and make that city the chief port of export and import for that new India—that country of untold wealth. Sir, I beg to say that these are not my own views alone; a recent official report of the Bureau of Statistics sets this forth very clearly. I will quote a few passages from it:

passages from it:

The completion of the Mexican National and of the Mexican International Railroad Innes will connect the chief centers of trade and industry in Mexico with the Texas railroad system, which, as already stated, depends chiefly upon the harbor of Galveston for the facilities of ocean commerce.

In a recent report of this office in regard to commerce between the United States and Mexico it was shown that the trade between the two contiguous countries will hereafter be carried on chiefly over railroads. This appears evident from the following considerations: First, nine-tenths of the population of Mexico reside on the high table-lands, where are carried on the chief agricultural and mining industries of the country. Second, the hot, unhealthy belt of land along the Gulf coast (tierra caliente) is repellant to foreign commerce. Third, there is no port of Mexico on the Gulf north of Vera Cruz at which vessels can enter when drawing over ten feet of water, and south of that point there is no harbor at which vessels can enter when drawing over twelve to fifteen feet of water. Vessels of twenty-four feet draught may enter the harbor of Vera Cruz, but at that point are obliged to load and unload by means of lighters while lying half a mile from the shore.

For these reasons it is apparent that upon the completion of the improvement proposed to be made at the entrance to Galveston Harbor, and of the railroads in Mexico in course of construction, that port will be the most accessible of all the Gulf ports for the commerce of the central and northern portions of Mexico with countries beyond the sea.

The area in Mexico which will thus be brought within range of the commerce of Galveston is about as large as that of the State of Texas. The magnitude of this probable commercial development is of course a matter which can only be determined by the results of practical experience under the new conditions governing the commercial relations between the United States and Mexico introduced by the construction of ra

This view is fully supported by many of the best railroad men in the country, and by the boards of trade of the leading cities of the great West, all of which look to Mexico as a rich field for commercial enterprise and to Galveston as the entrepôt of the trade.

The following from the same report corroborates my statement in regard to the comparative extent and importance of the area of country which may be subserved by the port of Galveston:

which may be subserved by the port of Galveston:

The entire territory of which Galveston would become the nearest and most accessible first-class scaport, namely, the States of Texas, Kansas, and Colorado, the Indian Territory, and the Territories of New Mexico and Arizona, with parts of contiguous States and Territories, has an area of about 797,000 square miles. This is equal to the aggregate area of the New England States, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, North Catolina, Kentucky, Tennessee, Iowa, Minnesota, Nebraska, the aggregate population of which States in the year 1830 was 35,756,780, as against a population of only about 3,000,000 within the area referred to as being embraced within the range of the commercial enterprise of Galveston under the favoring condition of a first-class harbor.

The area of which Galveston would thus become the nearest and most accessible scaport is also equal to the aggregate area of Great Britain and Ireland, France, Spain, Italy, and the German Empire, the total population of which countries is about 163,000,000, and is fully equal to those countries in the extent

of land susceptible to culture, in fertility of soil, and in all the capabilities of material prosperity.

The comparison as to rainfall in this area and in the countries of Europe referred to is quite favorable to us. These facts suggest the possibility of an enormous increase of wealth and of population within this area described as being within the range of the commercial activities of Galveston. Evidently, the present development of the resources of the State of Texas and of its neighboring States and Territories are to the possibilities of such development but as a beginning. The proposed improvement of Galveston Harbor has therefore a prospective importance vastly exceeding its value to interests which would thereby be subserved at the present time.

Adopt measures, proven measures, not mere experiments of theorists, of proven failures, but measures of successful, practical men, like Captain Eads, that will facilitate the entry of ships into all our harbors. Thus eliminate every removable obstruction from interstate and foreign commerce. Lighten the tolls and charges as far as you can. Offer encouragement to American capital to go into American ships. Encourage civil talent when Military Academy science fails to accomplish needed work.

If you have, under the power to "regulate commerce," the right to restrict its modes of business, you have a fortiori the right to make its channels and modes open and free. This is all that Galveston asks of you in the enactment of your commercial regulations. In this case, sir, we want the military power to be subordinate to civil administration; surface smattering to give way to solid learning and real ability,

the pygmy to the giant.

If the plan of the Government engineers promised a favorable result, the citizens of Galveston would be the last people in the world to in-terpose any objection to its prosecution. The citizens of Galveston have thrown away a hundred thousand dollars of their own money in that plan. They object to any more public money being wasted in I protested for them against such a waste of money when that plan. last year's river and harbor bill was up for discussion. We denounce these Army engineers as incompetent. The public money appropriated by Congress has been spent by them in conducting a ten years' series of experiments; and yet the bar, like the flag, "is still there," but the jetty is nowhere. No one knows how much money the present works would cost or the time it would involve.

Mr. Chairman, I want this House distinctly to understand that it is admitted by the the highest of your engineer officers that if the so-called north and south jetties should ever be finished on the Galveston Bar according to the official plans the channel contemplated would not, even with the aid of auxiliary works, obtain a greater depth than eighteen feet. This is the depth gravely proposed by your Army engineers, in face of the fact that the class of steam-vessels now engaged in our cotton trade draw from sixteen to eighteen feet in ballast. Out upon such

incompetence and absurdity.

I will not discuss the engineering questions involved in the submerged etty system that has failed, or in the Eads jetty system that has been successful beyond promise. I will merely say that the latter system was invented—yes, I think I may justly say "invented"—by Mr. Eads, who, if not the most distinguished engineer of the age, takes equal rank with the most distinguished. By that system a pathway has been opened to the Great Eastern where a few years ago an ordinary coaster would have grounded on mud-banks. When the Galveston was being playing the played Mr. Eads were recorded in secretary to the contract of intrinsic was being played Mr. Eads were recorded in secretary. system of jetties was being planned Mr. Eads was engaged in constructing the Mississippi jetties. Without exception—I think I may say without exception—all the Army engineers who had anything to do with the Galveston Bar plan were unanimous not merely in opinion, but in positive assertion, that Mr. Eads's work must prove a total failure. They insisted that any improvement made at the mouth of the Mississippi River under the Eads plan would prove very temporary. There was no end of scientific argument pointing to the result. But Mr. Eads was no end of scientific argument pointing to the result. But Mr. Each knew what he was doing. He was not conducting an experiment. On the contary, he knew he was right, and that his detractors were as ignorant of the real science of jetty construction as they were of the true theory of tide action on riparian deposits. He was willing to borrow the money to construct his jetties, and to have payment by the Government contingent on the successful results of his skill and labor, even to the smallest detail. The fame of his great engineering feat is now world-wide. Two continents are eager to employ him. His success is as brill-

iant as the failure of the Army engineers at Galveston is complete.

At the request of the citizens of Galveston, I should say, after repeated urging, Mr. Eads returned from Europe to examine the formation of their harbor obstructions and to consider the question of applying his jetty system for its removal. He made a thorough examination of the bar and of the work done by the Army engineers, and pledged his great

reputation against any successful results from such work.

Urged by the solicitation of the people of Galveston and the entire Texas delegation in Congress, Captain Eads thereafter appeared before the committees of the House and Senate that had charge of this matter. This was last May. He presented his views with such force and clearness to these committees that no one who is now willing to give them a careful reading or who has read them impartially can fail to be convinced of the reckless extravagance and the total inutility of the work of the Army engineers at Galveston Harbor; whereas his argument in favor of his own plan bears not only the force of sound scientific reason, plainly presented even to the understanding of a layman, but also the

weight that comes with an argument illustrated by practical demonstra-tion and the complete success of an engineering feat that was pronounced impossible by his opponents. Addressing the Senate committee, he said in respect to the present submerged jetties:

Any appropriations to carry out the present plans will simply involve a waste of that much public money, because those plans are radically defective and never will accomplish the purposes designed.

To enable the committee to form an intelligent judgment upon the merits of the Galveston plan, and to forecast the probable results which will attend its completion, it will be important to refer to the general principles or natural laws which control the action of flowing water and its power to transport sand and other sedimentary matter, so far as these laws are involved in the jetty system. To enable the committee also to fully comprehend the reasons which actuated these officers in recommending the Galveston plan, it will be necessary to quote from their official reports some of the ideas which they then entertained, so that the committee may see how completely their plan harmonizes with the errors which possessed their minds at that time.

If the natural laws referred to are clearly understood by the committee, it will have no difficulty in arriving at a correct judgment in the premises. The jetty system is a method of deepening and maintaining a channel across a shoal by such artificial works as shall compel the water flowing over the shoal to pass through a narrow channel. The principles involved in the system may be thus stated in brief:

First. The current is caused by the fall of the water from a higher to a lower level, which fall is indicated by the slope or inclination of the surface of the water.

Second. The friction of the bed over which the water flows is the chief ele-

First. The current is caused by the fall of the water from a higher to a lower level, which fall is indicated by the slope or inclination of the surface of the water.

Second. The friction of the bed over which the water flows is the chief element or force opposed to the current.

Third. The force of the current will be increased by either increasing the slope of surface or by increasing the volume of water passing through the channel, or by increasing both.

Fourth. The friction of the bed controls the volocity of the current just as the application of the brakes to a railway train going down grade without the aid of the engine regulates the velocity at which the train moves. The railway brakes and the friction of the bed are to this extent identical in their effect.

Fifth. The friction increases just as the width of the bed increases. That is to say, if the bed of the channel be twice as great the friction will be twice as great. It is important to remember this fact as we proceed, because friction is one of the very important elements that are totally ignored in planning the Galveston jetties, as will be presently seen.

Sixth. The power of water to transport sand increases with the square of the velocity of the water. That is to say, if the current be made twice as rapid it will be able to transport four times as much sand.

Now, if we consider these simple facts in their application to the plan now being executed at Galveston, it will be apparent that if the jetties, instead of being located 12,000 feet a part (two and a quarter miles), were located, for instance, only 4,000 feet apart, the friction retarding the flow of the water through them would only be one-third as great. Hence, with the same slope of surface from Galveston Bay to the sea, or from the sea to Galveston Bay, the current through them would be greatly accelerated. And as the transporting power of the water increases with its velocity, it would, with this reduced width of channel be much greater, and it would more rapidly exeavate and mai

General Humphreys, Chief Engineer of the Army, considered the Eads plan impracticable. It may not be improper for me to quote the views expressed by that officer and other engineers of high military rank in regard to the Mississippi jetties when they were being constructed by Mr. Eads.

In 1874 the Chief of Engineers said, referring to the head of the South

The mean width of the pass is 700 feet, but a less width for the jetties must be taken if a channel way of suitable width with a depth of 27 feet at low water is to be attained. Assuming 500 feet for this width, then as the width of this bar, where the annual accretion of 111 feet is made, is 3,000 feet, we shall, with jetties 500 feet apart, have an annual advance of 670 feet.

General Newton said at the same time:

It is evident that in proportion as the cross-section of discharge on the outer crest of the deposit or bar widens, its progress into the Gulf will become slower, and, on the other hand, if the cross-section be narrowed, the progress of the deposit will become more rapid. Whether the relative progress be in the simple inverse ratio of the width of discharge, or in some other, it is not important here to inquire. The essential fact that as the width of the cross-section diminishes the rate of progress of the bar into the Gulf must increase is self-evident.

What became of these confident predictions? Let Mr. Eads answer. He said to the Senate committee:

He said to the Senate committee:

General Newton undertook to show that, under the influence of jetties at the mouth of South Pass, to produce only twenty-five feet depth of water the advance of the bar would be at the rate of 2.240 feet per annum! As the jetties have maintained a 30-foot depth of channel for nearly five years, during all of which time there has been no occasion to extend them a single foot, and as there has been no indication of bar advance to justify a belief that it will be necessary to extend them a single foot during the next hundred years, it must be evident that all these distinguished officers were mistaken. If General Humphreys had been correct, I should have had to extend the jetties by this time nearly three-quarters of a mile; if General Newton had been correct, I would have to be at work to-day on the jetty ends two and a half miles farther out, where the water is one hundred and sixty feet deep; and if Major Hovell had been correct, the jetties would be well on their way toward Cuba. When the stubborn facts of 1884 at the mouth of the South Pass are compared with these declarations, comment becomes unnecessary.

the mouth of the South Pass are compared with these declarations, comment becomes unnecessary.

That the entire board which approved Major Howell's plan for Galveston entertained the views expressed by these officers will be seen from the following quotation from their reports to the Chief of Engineers.

Major Howell says (Report of Secretary of War, 1874, volume 2, part 1, pages 732, 733): "The jetties are expected to act as training-walls for the lower ebb channel, while the upper will pass over them. They are calculated to give a depth on the outer bar of from eighteen to nineteen feet, and at the same time only confine and direct so much of the ebb and flood currents as may be useful,

thus preventing as great an advance of the bar gulfward as might be expected were the jetties built up to the plane of mean low tide."

At page 737 of the same volume Messrs. Tower, Wright, and Newton say:

"The letter of instructions before referred to imposes the condition that an increased depth of water shall be 'permanently' secured. If taken literally this condition can not, in the opinion of the board, be fulfilled by the present project, or by any other known method of improvement."

This opinion regarding the impracticability of securing a permanent depth of channel is based upon this mistaken theory of bar advance.

After submitting his estimate of the cost, Major Howell says:

"After construction, these jetties will, from time to time, require extension to keep pace with the extension of the bar gulfward."

Mr. Eads's plan of jetty construction was condemned by these scientists on the false theory that in proportion as the channel was narrowed

tists on the false theory that in proportion as the channel was narrowed and deepened the greater would be the rate of the "bar advance"—the formation of another bar farther out. And they admitted that the like result would follow their own work on Galveston Bar. Following the theory of these gentlemen to its legitimate conclusion proves to the Senate committee that to obtain the maximum depth of eighteen feet over the outer bar, under the plan of the Government engineers, that "it followed, by their arithmetical theory, that the magnificent width of two and a quarter miles was necessary to be established between the two jetties to restrain the phantom of bar advance."

These gentlemen-

Said Mr. Eads-

totally overlooked the fact that the friction through such a wide channel would neutralize the effect of the current, an increased force of which must be had to insure the deepening of the channel. Forgetful of the retarding effects of friction on such a channel, they then committed their crowning mistake of leaving enormous lateral outlets near the land, through each jetty, by which the current should be still more enfeebled.

Another equally important principle involved in the jetty system was likewise overlooked by them. I allude to the effect of wave action upon the sandy bottom of the shores of the sea.

Mr. Eads then goes on in the address quoted from to show this effect and to explain the laws that control the formation of bars. I will, with the permission of the House, print what he says on this subject as an appendix to these remarks in the RECORD.

The Government engineers admit that their plan carries with it its own elements of failure. Improvement will only be temporary, and at best only eighteen feet of water. On a bar this should give a passage to ships drawing from twenty-five to thirty feet. What does Mr. Eads say as to his plan? Here are his own words:

I have no hesitation in declaring that I can, beyond all doubt, and within a comparatively short time, give to Galveston as good, if not a better, channel than that through the jetties at the mouth of the Mississippi.

This is not the language of mere theory or experiment. It is the language of a man who knows exactly what he can do, who is willing to assume all financial risk, and to ask no pay until he produces the results he promises to perform. In short, Mr. Chairman, it is the language of Eads of Mississippi fame, the greatest of American engineers. Above and beyond all this he is willing to pledge to the success of his work the fame and reputation earned in a long and brilliant professional career, in which he has won honors which do not pale before those show-ered upon the constructors of the Suez Canal, the Mount Cenis Tunnel; or any of the other grand achievements of ancient or modern science.

Mr. Chairman, is not this a work of national importance? Is not the expense incident to its performance justified by the immensity of the interests of the State of Texas and the other States and Territories that look to Galveston as their nearest port of entry, and as a competing point for their traffic and travel? But I will speak of Texas alone—other gentlemen from the vast interior above us are more familiar with

the wants and resources of that region.

In 1845 Texas was admitted to the Union with a population of about 170,000; now we have grown to a population of 2,150,000. In 1850 our area of improved farming lands was only 643,976 acres; now the area has grown to about 17,000,000 acres. The value of our real and area has grown to about 17,000,000 acres. The value of our real and personal property is not below \$1,000,000,000 to-day. It is probably much greater in amount. Our agricultural products, including increase of cattle and sheep, are not less than \$150,000,000 per annum in value. We stand in the first rank as cotton producers. In wool we will soon take the lead of every State in the Union. Our capacity for grain raising, especially wheat and corn, is unlimited. Our mineral resources are simply incalculable. People imagine that we have little or no timber. Why, sir, although most of our area is made up of rich, untimbered prairies, we have of pine land alone an area larger than the State of Indiana, although you might cross our State a dozen times on different lines and miss this little spot on our map, not much larger than one of our ordinary counties. I do not mean to belittle Indiana! It is great among the other States, but small in area when compared with Texas.

In 1860 we developed are all the states of the states of the states of the states of the states. resources are simply incalculable. People imagine that we have little

In 1860 we developed our railroad system to the extent of 300 miles; now we have considerably over 6,000 miles of railroad, valued at \$160, 000,000. Outside the State there are at least 5,000 miles of railroad connecting directly with us, all intent on finding an outlet at Galveston for their traffic. We are the banner cotton State, the banner beef and mutton and wool State. There is no agricultural product of importance that we can not raise in greater abundance than any other State in the Union. If you would allow us to make our own commercial regulations we would ask no help from the Government for our port of

We would put in the jetties ourselves; we would sail our own steamships; we would send the Stars and Stripes into every sea and port of the world, and we would show you in a few years the second city of the Union in size, in population, in trade, in wealth, and in elegance. But you will not allow this; you insist upon controlling our port, in taking it under your jurisdiction, in saying what ships shall come and how they shall depart. Give us this small modicum of a right. We do not claim any exclusive privilege of track; we offer an outlet to the entire interior of the whole trans-Mississippi country. Our prosperity, the welfare of this region demand that this great work shall no longer be conducted as a mere experiment. Complete it, and all other communities under our flag must be advanced a thousand-fold beyond all the cost. Thus encourage to friendly industrial and progressive emulation the people of the great Southwest and open its ports to the granges and granaries of the vast interior of the continent, and thus perform your constitutional duty to so regulate commerce that no greater advantage by act of Congress shall be given New Orleans over Galveston, or New York or other Atlantic port over either.

APPENDIX

[Extract from Mr. Eads's address on the improvement of Galveston Harbor, delivered before the Senate Committee on Commerce May 21 and 22, 1884.]

It is simply impossible to permanently maintain between submerged jetties any increase of depth, even if such jetties could produce it. It is necessary to explain wave action so that the committee will fully understand its bearing upon the question of bar advance, as well as upon the maintenance of the channel be-

explain wave action so that the committee will fully understand its bearing upon the question of bar advance, as well as upon the maintenance of the channel between the jetties.

The waves of the sea produce no continuously horizontal motion whatever in the water over which they are passing, unless the depth be so shallow that the crest of the wave, when it sinks, will feel the resistance of the bottom. When this occurs a motion of translation or horizontal motion, invariably toward the shore, is induced in the water. Of course, the higher the waves the greater will be the depth at which this horizontal movement will be produced. The waves of the Gulf of Mexico are not high enough to produce this effect sensibly in a greater depth than twenty-five or thirty feet. Waves result from the friction of the wind, and they increase in size in proportion to the "fetch" or distance they are driven under its influence. The fetch in the Gulf of Mexico is limited to about eight hundred miles, and the waves are not, therefore, excessively high. Large waves near the shore are always driven toward the shore, for the reason that a wind blowing off the land can not create them of any considerable magnitude near it, and because the shallower the water in which the waves are traveling the slower will be their progress; hence, if the waves are moving under an impulse parallel to the shore they will be moving at right angles to that shore, and the end of the wave nearest the land will move more slowly because it is in shallower depth. This will cause the waves to come obliquely upon the shore. Hence the horizontal or translatory motion of the water induced by the waves is always toward the land. As they move onward to the beach this horizontal motion increases in velocity until under its impulse the water is driven far out on shore.

Even under the influence of severe storms the transporting power in the Gulf

it is in shallower depth. This will cause the waves to come obliquely upon the shore. Hence the horizontal or translatory motion of the water induced by the waves is always toward the land. As they move onward to the beach this horizontal motion increases in velocity until under its impulse the water is driven far out on shore.

Even under the influence of severe storms the transporting power in the Gult waves is limited to the depth of twenty-five or thirty feet. It increases in strength as they roll into the shallower water; therefore when they rush out upon the beach they are highly charged with sediment; a momentary pause ensues before the retreat of the wave occurs, and during this pause the sand is dropped on the shore. As the return current starts from a state of rest it has less power to carry the sand down to the sea than the rapid current had to bring it out upon the shore. In addition to this, the retreating current has less volume, because during the momentary pause before the ebb sets in the volume of the water, which is one of the elements-producing the current, becomes much less than it was when coming out onto the shore, much of it sinking into the beach, and, therefore, the return current, although induced by the steep slope, will be slower and incapable of transporting all of the sand back again.

In this way the sea waves are continually transporting sand shoreward on the sandy beaches of the sea, and where no littoral currents exist these beaches continue to grow seaward.

The water which issues from any tidal basin such as that at Galveston, or from any river, must struggle to reach the sea through the barriers of sand that are thus continually heaped up by the waves upon the height of the waves, it must follow that the deeper the mouth of the jetty channel is made the less will be the ability of the waves to create a bar in front of that channel. I think it would be simply income to care the feet of the single properior of the barry feet of the Mississippi River.

Instead of there being a

through each jetty near the land will be made. (See plan of works in Colonel Mansfield's report of 1880.)

What is known on the Mississippi as the outlet system has undergone the most crucial scientific discussion and careful studying during the last eight or ten years. It has been condemned by the Mississippi River Commission, who were directed by Congress to examine and report upon it, and it has been also rejected by the action of several Congressional committees as a system wholly wrong in principle where the deepening of a channel is to be sought. Although this decision was arrived at four or five years ago, the experimental plan of the Galveston jettles has remained unaltered, and the flood-tides, whose volume should be retained in their outflow to deepen the channel, are allowed to escape over the whole length of the submerged jettles.

Under the mistaken idea of facilitating the inflow of the tide, oblivious of the fact that, if it be made to flow through one single channel of moderate width it will have less friction to retard it, and will more easily fill the bay than if it be made to come in through three wide ones, they proposed two lateral channels near the land end of the jettles. The one through the south jetty, as shown on the plans published in 1880, is a mile long; the one through the north jetty is 10,000 feet, and the one through the direct jetty channel is two and one-quarter miles, making a total width of over five miles. They seem to have wholly forgotten also that these lateral outlets will offer the readiest, shortest, and easiest route for the escape of the ebb tide, which must do all of the excavation required to secure and maintain the improved channel. They evidently believed when planning these novel works that the water will flow in through these short routes to the bay, but will go out through one three times as long to deepen their channel. If we suppose the height of the water at the present outlet of Galveston Bay, between Fort Point and Bolivar Point, to be twelve inches abov

mouth of South Pass, said (see report of Secretary of War, 1874, volume 2, part 1, page 885):

"The longitudinal section of its bar and bed by its irregularities indicates very clearly that the shoaling process is going on throughout, and that the pass at the present time is hanging between the condition of a live pass and a stagnant ditch, to the last of which results it must arrive if a revolution in the delta does not redeem it. And this most probable fate will be precipitated by applying the jetty system to its mouth."

In his official criticism of the bill which embodies my proposition to produce thirty feet of water at Galveston, at the sole risk of myself and associates, and without pay if we do not succeed, this same officer says:
"Should Congress be resolved to make a change in the administration of this

"Should Congress be resolved to make a change in the administration of this work, at least it will be for the interest of the service to await the construction of the north jetty, and the observations of its effects which will lead to the possession of facts and data calculated to throw a needed light upon the amount necessary to be expended for obtaining a proper depth on the bar."

of the north jetty, and the observations of its effects which will lead to the possession of facts and data calculated to throw a needed light upon the amount necessary to be expended for obtaining a proper depth on the bar."

When we examine the reports of these officers and read the prediction of their chief regarding the South Pass of the Mississippi, which by his scientific reasoning was to be converted into a "stagnant ditch" by the application of jetties instead of being made by them, as it is, the grand highway of a nation's commerce, it can not be wondered that he should utter this plea for "the interests of the service," and declare that they will be promoted by the possession of facts and data by which a needed light can be thrown upon the problem they have in hand. The want of this "needed light" in 1874 caused the present Chief of Engineers not only to oppose the application of the proper method of securing deep water for the great valley of the Mississippi, but also to sustain a hopeless plan to give eighteen feet of water at the chief shipping port of a critical time in this absurd experiment, he recommends that the interests of Texas and the vast section tributary to Galveston be subordinated to "the interests of the service;" and in admitting the lack of this "needed light," he virtually acknowledges what every citizen of Galveston well knows, namely, that the plan to which they are clinging so tenaciously is simply an experiment, which in ten years has produced no substantial benefit whatever, and from which it is utterly hopeless to expect any.

In comparing the cost of the jetties contemplated in Senate bill 1652 with those which were constructed at the mouth of the Mississippi. River for five and a quarter million dollars, it will be observed that the distance to deep water across the bar at Galveston is more than twice as great as it was to the same depth at the mouth of the Mississippi. The cost of extending works out into the sea to twice the distance involves a much greater cost than wou

on."

The two jetties which are required at Galveston will have to be fully nine miles long, and will have to extend out into much deeper water than those designed by Major Howell. In addition to this, as I have already stated, it is absolutely necessary that they be built up, not simply to high tide, but very considerably above it, to prevent the sand from being brought over into the jetty channel from the shoals on the outer sides of the jetties.

Colonel Mansfield reports that the south jetty is only built up to mean low tide through a distance of about four and a quarter miles. The plans for the north jetty show that it is to be built up no higher and for a distance of only about one mile. It is, therefore, unfair, as well as idle, to attempt to compare the cost of this system of low submerged jetties from two to fourteen feet high, and not extending into deep water, with those which must, to be successful, extend out

into it and be built to twice or three times the average height of the other, for the reason that the cost of both systems will be as the square of their heights, other things being equal, while the extensions into the deep water will increase in a much more rapid ratio. Besides, the jetties must be capped with heavy concrete blocks or other substantial constructions to resist the force of the waves, whereas the jetty now built at Galveston has no such force to withstand in its submerged condition, and is proportioned accordingly.

In proportion as we build the jetties up to the surface of the water this force of the waves becomes more and more powerful against them. It must be apparent, then, that a jetty to resist their violence, and to stop them from breaking over into the channel, must be vastly stronger than if they be built only up to the level of mean low tide. Hence it is idle to attempt to compare the cost of jettles properly built up to the necessary height, and extending with that height from the land clear out to thirty feet water beyond the bar, with these which have been designed by the United States engineers for Galveston Harbor. As the tide sometimes rises three our four feet above mean low tide, the jettles will have to be built at least eight or nine feet higher than the one now completed by Coloned Mansfield.

The total cost of this jetty wrongly located, and of these insignificant proportions, has been \$1,500,000, including the wrecked gabionnade on the north side of the channel.

If the plan of the Government at Galveston possessed real merit, it is not at all likely that the immense territory which is to be relieved by deep water at that harbor would attain the relief sought within the next fifteen or twenty years under the present system of appropriating money to carry on public works; and this system seems so securely fastened upon the country that there is no present appearance of its abandonment. It is not unlikely that if the method by which the mouth of the Mississippi River has bee

Rivers and Harbors.

SPEECH

HON. RICHARD GUENTHER.

OF WISCONSIN.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. GUENTHER said:

Mr. Chairman: Having received the following telegrams, petitions, and resolutions relative to the improvement of the Fox and Wisconsin Rivers as a through route of transportation from the Mississippi to Green Bay, I take the opportunity offered to have them printed in the RECORD. At the same time I wish briefly to state my reasons why I, under the circumstances, do not see my way clear to comply with these requests. On Saturday last I advocated an appropriation for the improvement of the Fox River, without reference to its continuity with the Wisconsin River as a through route.

Although I fully believe that the interests of commerce will be suffi-Although I fully believe that the interests of commerce will be sufficiently advanced by completing this projected through route so as to warrant an expenditure of perhaps \$5,000,000, I still think that, in view of the opinions found in the report of the Chief of Engineers, the Committee on Rivers and Harbors was justified in not making an appropriation for it at present. At the same time I am warranted by this same report in asserting that the committee did wrong in not making an appropriation for the Fox River, and on Saturday I think I made this latter opinion perfectly clear to the members of this House.

The board of engineers appointed by order of the Secretary of War

The board of engineers appointed by order of the Secretary of War, and composed of Colonel Newton, Lieutenant-Colonel Abbot, and Lieutenant-Colonel Comstock, dated January 5, 1884, say, on page 1915 of the report of the Chief of Engineers:

The board have discussed the engineering features but have not reported upon the commercial value of the improvement of the route of the Fox and Wisconsin Rivers, which seems also implied in the words "whether in their judgment the interests of commerce and navigation will be advanced sufficiently to warrant the continuation and completion of the project," as the present moment appears a little premature; because additional and careful observations upon the Wisconsin are necessary to certify to the amount of the improvement made, and the feasibility and cost of making the improvement sufficient for the wants of commerce along a through route from west to east.

And further on, on pages 1916 and 1917, they say:

The value of a water route along the Fox and Wisconsin Rivers, as a means of through transportation from west to east, it will be conceded must mainly depend upon the improvement of the upper Mississippi, and the necessity for haste in prosecuting additional works of improvement is not therefore apparent, without looking to the further consideration that the cost of a water route along this line and its sufficiency, except through a canal along the banks of the Wisconsin, are not yet determined.

Colonel Houston in his report to the president of the board of engineers says, page 1928:

In view of what has been said, it would seem to be sound policy to suspend for the present the improvement of the Wisconsin River until at least it shall appear that the demands of commerce require it.

These opinions from the officer in charge of the work and a special

board of engineers prompt me not to demand an appropriation this year for the through route, but insist upon it that the clause in the bill directing the Secretary of War to cause a further examination, with instructions to report to the next Congress the feasibility, cost, and propriety of continuing it, should pass, as well as my amendment to appropriate a sufficient sum for the prosecution of the improvement of the Fox River as an independent work. The following are the petitions, &c., referred to:

[Telegram.]

Madison, Wis., February 12, 1885.

To Hon. RICHARD GUENTHER, M. C.:

At the request of many cities on the Fox and Wisconsin, I would urge an appropriation for the improvement of those rivers as of vital importance to this State.

J. M. RUSK, Governor,

We, the undersigned, owners and captains of vessels navigating the Fox and Wisconsin Rivers, view with alarm the doubt hanging over the appropriation for the continuance of the improvement of the Fox and Wisconsin Rivers, and therefore we earnestly petition you as representing our interest in Wisconsin, that you spare no efforts to secure the appropriation, believing as we do that the completion of this improvement will secure to the country a most valuable channel of commerce between the Mississippi and the lakes:

McKenzie Crawford, W. Colvin, B. H. Soper, G. Coughram, K. M. Hutchinson, W. D. Sherwood, R. C. Brown, F. E. Waite, O. Cook, Cook, Brown & Co., Martin T. Battis, Foote Bros. & Co., H. E. Manuel, H. L. Battis, Peter Charbaumead, Geo. F. Stroud, O. Worden, J. M. Stroud, W. H. Hevy, J. B. Tolman, A. Couru, E. P. Bangs, Gle Olesen; Geo. W. Pratt, mayor of Oshkosh; S. Radford, Alf Ward, James P. Gould, James V. Jones, D. C. Bent, J. H. Weed, O. D. Peck, Orville Beach, S. Neff, S. O. Neff, Geo. Le Duc, N. C. Holmes, J. B. Walker, O. H. Manzer, Geo. Cardiff, Frank Leach, O. G. Cornish, A. M. Johnson, George H. Jones, D. M. Shea, E. B. Jones, E. D. Monroe, E. E. White, Thos. Roche, D. M. Bealls, B. Ellenwood, Buckstaff, Edwards & Co., Jos. Straughn, H. Strand, John H. Crawford, Henry C. Westphal, A. W. Farrand, Wm. H. Wyman, J. J. Parkman, John Kinsley, Chas, Kinsley, R. A. Sprecher, Henry Little, Ph. Goodman, C. H. Fishbeck, G. Schumacher, Ben. G. Kramer, P. Schumann, E. S. Purdy, W. B. Stevens, G. W. Morrison, J. E. Wells, D. G. Muir, D. Bresse, C. J. Loomis, Dan. Wells, Henry Emder, L. D. Comstock, Klenert Bros., D. C. Stephens, Jas. Gouran, Z. J. D. Swift, J. F. Culver, L. W. Barden, David Owen, C. C. Britt, M. W. Barden, D. G. Williams, C. Haertel, Sam. Schulze, L. E. Greenleaf, Chas. Mohr, C. T. Mohr, E. W. Moran, John Graham, J. E. Jones, Ferdinand Schulze, W. T. Parry, F. L. Sanborn, J. O. Prescott, E. K. Wayn, A. J. Turner, Chas. A. Calonius, Hans Z. Tougen, jr., and Chas. T. Dering.

Dear Sir: By order of the common council of the city of Green Bay, I have the honor of sending you a copy of the following resolution passed unanimously by that body on February 6, 1885:

Resolved by the common council of the city of Green Bay, I have the honor of sending you a copy of the following resolution passed unanimously by that body on February 6, 1885:

Resolved by the common council of the city of Green Bay, That the members of Congress from the State of Wisconsin be, and hereby are, requested to use all honorable endeavors to acquaint the Committee of the House of Representatives on Rivers and Harbors with the importance of the improvements of the Fox and Wisconsin Rivers, and to obtain an immediate appropriation for the prosecution and completion of said work.

Resolved, further, That a copy of this resolution be forwarded by the city clerk to Senator Sawyers, and also, in view of the illness of our member, Hon. J. Rankin, a copy be sent to Hon. Richard Guenther, who has always been an active and carnest friend of said improvement.

Very respectfully,

Hon. R. GUENTHER, M. C., Washington, D. C.

[Resolutions of the Oshkosh Business Men's Association.]

Resolved, That we deem that the best interest of the country, especially that portion bordering upon the upper Mississippi and its tributaries, demand a liberal appropriation for the improvement of the Fox and Wisconsin Rivers.

Resolved, That we believe when the improvement of the Fox and Wisconsin Rivers is completed a large portion of the Northwest will be very much relieved of the burden at present imposed by the railroads for the transportation of the produce of that section of the country.

Resolved, That the secretary of the association forward a copy of these resolutions to our Senators and Members in Congress.

At a special meeting of the common council of the city of Neenah, Wis., held on the 7th day of February, 1885, the following resolution was unanimously adopted:

on the 7th day of February, 1885, the following resolution was unanimously adopted:

"The mayor and common council of the city of Neenah to

"His Excellency Governor Jeremiah Rusk:

"Whereas we deem the improvement and carrying on of interstate communication, and especially that of the Fox and Wisconsin Rivers, of great importance to the commerce of the Northwest, and especially to that portion of the country bordering upon the upper Mississippi and its tributaries; and

"Whereas the partial completion of the improvement of the Fox and Wisconsin Rivers, and the great interests which have grown up and depend upon the faithful execution of said work as undertaken by the Federal Government, demand that reasonable appropriations be made to aid in carrying on such improvement to its ultimate completion; and

"Whereas we believe that the carrying on and completion of this great line of water communication will result in greatly relieving the people of the Northwest from the burdens now imposed by railroad companies for the transportation of the produce of that section of the country, and work a lasting benefit to the commerce of the great Northwest, as well as a great local improvement to the commerce of the great Northwest, as well as a great local improvement to the commerce of permiah M. Rusk be requested to take such action as he may deem advisable for the purpose of securing the necessary appropriations for such work; and that the matter be brought to the immediate attention of our Legislature and members in Congress."

Adopted February 7, 1885.

GEO. A. WHITING, Mayor.

J. C. KERWIN, Clerk.

Mexican Reciprocity Treaty.

SPEECH

THOMAS J. WOOD, HON. OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the Mexican reciprocity treaty.

Mr. WOOD said:

Mr. SPEAKER: Legislation is proposed in this House to carry into effect the terms of the Mexican treaty. This treaty admits free of duty to our markets twenty-eight articles, all of which come in free under our tariff act excepting seven, and the treaty removes the tariff from these also. Mexico agrees to receive free of duty seventy-three articles from the United States, of which sixty-seven are now subject to pay an average Mexican duty of 80 per cent. of the appraised value. I regret that farm products of the United States are excluded, but it is worthy of our support for opening a new and extensive market for our machinery and manufactured goods. Should this treaty prove to be mutually beneficial to both countries, as I believe it will, it will be enlarged by another, to admit free of duties our agricultural products.

4 The producers of food and manufactured goods in the United States

want to trade with the people of Mexico, as the volume of existing trade shows, though it is hampered by high duties in the revenue laws

of both countries.

Mexico is our neighbor and only divided from the United States by a surveyor's line. She is bound to this country now by a complete railway system which promises a revolution in trade and business throughout her domain. The commercial advancement of this country, created by our capital and railway system, belongs to us. Shall the expanded trade of Mexico, through a railway system connecting her capital with the city of New York, go to other countries? The capitalists of the Unithe city of New York, go to other countries? The capitalists of the Unted States are developing this country, developing its trade; and shall other countries receive its advantages? If we do not command it other countries will, and our people will regret the loss of increased trade through their own work of development. What! Our capital invested, a railway built to the capital city of another country for the only purpose of increasing trade and commerce, and we refuse that trade and commerce by unfriendly laws on our statute-books? Developing Mexconvirts our railway system and by our capital for the heavilt of for ico with our railroad system and by our capital for the benefit of for-eign countries! This House will not do that by refusing to pass this

The trade of Mexico is not bound to any foreign country, and the Mexican people are willing to trade with us. What is the advantage of their trade? Mexico has a territory comprising 1,224,996 square miles and a population of 10,000,000 of people, and is therefore a country capable of a large and increasing trade with the United States. Her vast mineral wealth awaits development. Hear me while I review the tangible wealth of this republic, the greater part of which has gone and tangible wealth of this republic, the greater part of which has gone and is going to other countries. The annual coinage of gold, silver, and copper averages \$20,500,000. The whole amount of coinage since the copper averages \$20,500,000. The whole amount of coinage since the establishment of the mints up to 1875 was \$3,001,237,281.62. In the colonial period from 1537 to 1821 the amount of silver coined was \$2,082,260,657.44; gold, \$68,778,411; copper, \$542,893.37; making a total of \$2,151,581,961.81. Since the establishment of the republic, 1822 to 1875, silver coined, \$797,055,080.71; gold, \$47,327,383.11; copper, \$5,272,855.93—a total of \$849,655,319.84. Total silver coined, \$2,879,315,738.21; total gold coinage, \$116,105,794.11; total copper coinage, \$5,815,740.30. Grand total coniage, \$3,001,237,281.62.

In the last five years foreign capital has been invested in the mines, and the average estimate is twenty-one and a half millions per year, which would make \$102,500,000 more, making the sum total up to the year 1880 of \$3,103,737,281.62. It must be remembered that this immense metallic wealth came from the crudest process of mining and is the product of only a few of the valuable mines in this country. The best mines are not remunerative under the Mexican system of mining; but

mines are not remunerative under the Mexican system of mining; but a rapid advancement is being made in reaching and reducing the valuable ores. Our successful mining system introduced there will develop fabulous wealth in the unexplored mines of Mexico. What other country on the globe can show such a precious metallic record? Where has this vast amount of coined gold, silver, and copper gone? It is not in

Mexico.

Mexico.

If this coined wealth was in Mexico to-day it would give over \$300 per capita for every man, woman, and child. The masses of the people are poor, but the nobility are rich. This great wealth grasped by the nobility caused vice, idleness, and usurpation, until that great country was many times torn and despoiled by the ravages of merciless armies and hordes of banditti. It was the turbulent spirit of the rich nobility, always struggling to rule the Government, and not the want of ample wealth, that has kept back Mexico to the rear of civilized

progress and enlightenment. Where is this fabulous wealth? Other nations have it. For one hundred years the old countries of the East have carried away her gold and silver, given for the products of their laboring people sold in her markets. The United States has been a century witnessing this cash market go into other hands when she might have long ago called it her own. Will she refuse it now when

it is within her grasp?

During years past the trade of foreign countries with Mexico was nearly a cash transaction with the latter, as you will see by the Mexican export of precious metals. During the fiscal year of 1882 and 1883 Mexico exported nearly \$30,000,000 of gold and silver coin and bullion, while her whole export trade for the same year was about \$41,000,000. Here was about \$11,000,000 of exchange of products and \$30,000,000 of precious metals paid and exported. You may examine the statistics of the cious metals paid and exported. You may examine the statistics of the Mexican export trade for many years past and you will find that this is the proportional average. Of this \$41,000,000 of export the United States received only about \$8,500,000, while \$32,500,000 went to England, France, Germany, and other countries. What was this enormous sum of precious metals given for? For the same articles that this country is able to transport there and sell. If the history of trade in this countries is the countries of the foreign and against the first of the first try in the past is any guide for the future, our agricultural products, the products of our mills and factories will find in Mexico a willing market and coin payment.

A cash market for our products is the best in the world. Our whole country would soon feel a new life in every trade and business from the steady influx of the precious metals of Mexico, given for the products of our labor, capital, and skill. But what is the future of this undeveloped country of which we will partake if we pass this bill? The states of Zacatecas, Sonora, Chihuahua, Durango, San Luis Potosi, Hidalgo, Mexico, and Michoacan contain within their mountain ranges veins of gold and silver in inexhaustible riches. These and other states contain also metals and mineral substances, such as copper, iron, zinc,

contain also metals and mineral substances, such as copper, iron, zinc, lead, magistral, antimony, arsenic, cobalt, amianthus, and copperas in exhaustless quantities, not mined at all. Carbonate of soda in unlimited supply is found on the lands around Lake Tezcoco.

The white and colored marble quarries attract the capital of Europe. The alabaster of Tecale, in the state of Puebla, with the platina and quicksilver mines, will add to accumulating wealth in the course of development. Then there is the full supply of the spices and all the fruits of the tropics of large commercial value. What was our trade with Mexico before the Mexican Central Bailroad was built, built by with Mexico before the Mexican Central Railroad was built, built by the expenditure of sixty millions of money, mostly advanced and controlled by our own citizens?

In 1880, before the Mexican Central was built, we exported to Mexico \$7,866,493 and imported from Mexico \$7,209,593. We sold a little

more than we bought.

In 1883, when this line of railroad was not completed, but in operation for a long distance in Mexican territory, we imported from Mexico \$8,177,123, and exported to that country \$16,587,620. We sold more than double the amount we bought. We therefore brought into this country over \$3,000,000 of coin cash for our products. Since this line of railway has been completed to the City of Mexico and connected with our great network of railroads from east to west and north to south, I understand that the trade has more than doubled, though it is too early for the printed statistical report; yet who can doubt that our trade with

this country is now in its infancy?

this country is now in its infancy?

This treaty, if adopted, will give it a great stimulus and create a friendly confidence between the people and tradesmen of the two republics, and thereby her present trade and increased commerce in the future will be turned into our hands. What will we lose by fully adopting this treaty? The loss of revenue by admitting the seven additional articles free of duty only amounts to \$89,658.59. We can well afford this loss. The sugar-planter of Louisiana objects. He has no cause for alarm. During the last fiscal year the import of sugar from Mexico. for alarm. During the last fiscal year the import of sugar from Mexico was only 1,792,171 pounds, valued at \$63,419. This limited import of sugar can not be considered competition with the home product. At the present time Mexico is not a sugar-producing country. She does not produce sugar enough for home consumption.

If this was a great sugar-producing country, would not the fact have been known to the ready capitalist of Europe long before this decade, and would they not have willingly developed sugar production there as they have done in Cuba, Porto Rico, and all the Spanish Antilles? The fact that the Mexican people are short of sugar supply argues well against great sugar production in Mexico. I would rather believe that against great sugar production in Mexico. I would rather believe that with the increased trade which the treaty will give, our own sugar producers will find a market in Mexico. What will we sell to the Mexican people if this treaty is adopted? Chiefly our manufactured goods and machinery. Tools required for mining, wagons, carts, and carriages, railway coaches and railway equipments, clocks, pumps, and steam-engines, locomotives, iron and steel railway bars, iron beams, machinery and apparatus of all kinds for industrial, agricultural, and mining purposes, plows and plowshares, crude and refined petroleum. mining purposes, plows and plowshares, crude and refined petroleum, powder, stoves, staves, telegraph and barbed fence wire, all kinds of

water-pipes, and many other articles.

I regard this treaty as the beginning of a great trade, and we should accept it as a beginning, fully believing that both the contracting

parties will soon hereafter demand a new and enlarged treaty, admit-

ing free the products of the farm.

I favor commercial treaties with all the South American states be and an arrival reactes with all the south American states because their trade legitimately belongs to us and ours to them, as an American endowment; and this treaty, if successful, will be followed by others that will give us a wide trade with them. The rejection of this bill, in my judgment, would be tantamount to a declaration that we do not want any of the trade of other countries. It would be, in substance, an order to foreign tradesmen to stay away from our com-mercial centers and keep off of our business thoroughfares, and the cherished policy of two-thirds of the American people, of wider markets for the products of the farm, mills, looms, and furnaces would receive a wounding thrust in the very house of its declared friends.

I will not refuse a treaty because it excludes some of our surplus products and admits others. I would like all to be admitted; but if I

can not sell agricultural products and can sell the products of our man-ufactories I would sell them, and vice versa. That would seem to be friendship and generosity to every industry in this country, which I would, with open hands, build up for the general good of the common-

Amicable trade relations with other countries is necessary; sooner or later we must seek the markets of other countries. This country to-day is burdened with overproduction. It demands relief by an untram-

meled outlet to other markets.

In nearly every department of industry in this country there is greater In nearly every department of industry in this country there is greater production than consumption. It is a plethoric condition of business that rarely exists in any country. It demonstrates the fertility of our lands, the industry and economy of our people. It demonstrates the wealth of our mines and the climatic conditions essential to full and complete production. It demonstrates to the world our abundance of capital, capability and energy of our business men, who were willing to venture in the development of our natural resources, which have no equal in any other country. Endowed with richer resources than any other land on the globe, why will we cease to produce more than we other land on the globe, why will we cease to produce more than we consume? Why will we not sell our surplus bread and provisions to the millions barely subsisting to-day? Why will we not sell the surplus products of our looms, mills, and furnaces in all countries having no manufactories? This people can not stop production now. They are too far into the business to back out, and they will go on. What are our agencies of production?

During the last several years there has been a large import of producing laborers, who have located upon the rich lands of the great West, tilled the soil with care, and it yielded an immense surplus of West, tilled the soil with care, and it yielded an immense surplus of the staple cereals. The young farmers every year leaving the homestead to open new farms, raise more than they consume. Inventive genius has in the last quarter of a century brought into use labor-saving machinery in a thousand forms, facilitating and rapidly advancing the work of agriculture. The handiwork of the inventor in the cotton and woolen mills, in the iron and steel industries, in the refineries, and other kinds of manufacture has caused a revolution in the rapidity of all manufactured products. All these, operating upon nature's rich and convenient resources, have given this plethoric condition, and I tell you it is likely to continue, for this country is not going backward

and it can not stand still.

and it can not stand still.

The cultivated farms will not cease to grow the golden grain; new farms will be added by the American boys, and the emigration of farmers from the old countries will not cease. Capital is always restless and best serves its master when in ceaseless activity, and it will turn the wheels of every manufacturing industry though it may be idle for a season. The great manufacturing plants of America can not long rea season. The great manufacturing plants of America can not long remain idle. The millions invested in them will not be permitted to rot and rust. How will you stop this plethoric growth? Not, I trust, by telling men to quit work; not by stopping the plow, the reaping and thrashing machines; not by closing down the mills and the factories. That would be business suicide. Will you order labor to cease, improvements to suspend, business to decline until the natural growth of the country comes up to the level of consuming its own productions?

If so, how long must we wait?

so, how long must we wait:

The productive capacity of the farms and the manufacturing industries are far ahead of the consumptive power of the country. What is the remedy? It is wider markets. Sell everywhere. Make treaties, advantageous treaties, and sell. Sell our machinery and manufactured goods in one country and the products of the farm in others, if necessary. Go out into the world. Challenge England in all her ways over the sea. The sea is for America as much as it is for England. If any law on the The sea is for America as much as it is for England. If any law of the statute-book forbids this market for the surplus products of our labor, repeal the law or amend it to aid present conditions rather than preserve it to hamper the best energies of the country. Remove trade restrictions and invite rather than repel the trade of nations. Send away the surplus to other markets and let the farmer's plow turn the soil, let the reaper do the utmost in gathering the harvest. Let the thoroughfares of trade be crowded in the movement of cereal surplus. wheels of industry turn and send the manufactured products to countries where manufacturing is scarcely known and the end of stagnation in trade and plethora of business will come.

A fair commercial treaty between this country and the South American states would be the next movement of the treaty-making power, in case the pending treaty is confirmed. Our country should acquire the major part of the South American trade on equitable terms. What is the extent of this trade which other nations, more shrewd than our own, continually covet? Take the trade of Brazil, for example. Her trade with the United States, England, and France aggregates about \$110,000,000, of which the United States take \$50,266,000. The United States receives nearly one-half of the Brazilian export trade, yet Brazil receives from the United States only \$8,695,000, while England sends to Brazil goods valued at \$31,092,000, and buys Brazilian products to the amount of \$29,835,000.

France sells in Brazil \$15,657,000 and takes from Brazil \$29,216,000. Here is the fact, that our imports from Brazil are nearly one-half of the total export of that country, and we sell there about one-ninth of the whole value of goods sent into that country. No country can prosper by such unequal commerce as our country has with Brazil. We buy of Brazil over \$50,000,000 and Brazil buys about eight and a half millions from us. This trade could be equalized by a commercial treaty. The other South American states would follow the example of Brazil, and soon we would be master of the South American trade. The old countries of the East—England, France, and Germany—do not permit a plethoric condition of trade commodities at home. They load their merchant-ships and order them out to the sea.

It has just been officially announced that Germany has concluded a commercial treaty with the Transvaal Republic. England was a competitor in this treaty, but Germany outdid her. I want fair treaties, not one giving a foreign country advantages over us as the Spanish-American treaty does. By that treaty the United States takes about sixty millions of dollars' worth of the sugar and tobacco products of Cuba and the Antilles, while our trade with them can not exceed fifteen millions; and our less of resemptance of the sugar and tobacco products of the sugar and tobacco products of Cuba and the Antilles, while our trade with them can not exceed fifteen millions; and our less of resemptance of the sugar and tobacco. ions; and our loss of revenue would amount to nearly forty millions, and our people would not get free sugar at all. Under this treaty free sugar coming into our ports would not rule the price of sugar, but the imported sugars from other countries paying the duties would rule the

ported sugars from other countries paying the duties would rule the price. Our Treasury would lose a large revenue, and the consumers of sugar would get no advantage in a lower price of that article.

I would not make sugar free. That step would be such a sacrifice of revenue that very little, if any, tax reduction could be made on other high-tariff articles necessary to the comforts of life. I object to the repeal of the tariff on any one or a number of articles unless it be salt, coal, and lumber. The reduction should be general throughout the list on the basis of true reform of the customs laws. To make sugar free is to continue the high tax on woolen, cotton, and iron and steel goods. I

would treat all the industries alike.

It is said we have no merchant marine. I lament our weakness here; but if we encourage the trade of nations, soon America will have a grand merchant marine that will be a competitor of England and other countries. Every other civilized country sends away its surplus to other nations for barter and sale, and thereby keep their workingmen em-

ployed all through the year.

England sells her surplus wherever she can, so does Germany, so does France. Even Mexico and Brazil are doing the same thing. This country does not. She lags back in the wake of commercial progress with the world. Objection is made to this treaty because it abrogates the revenue laws. I do not want free trade. We must have a tariff. The question is, Shall it be a high tariff for the purpose of protection, or a tariff for the purpose of revenue? How high shall the tariff be? I say it should be high enough to bring to the public Treasury sufficient revenue. That is a pretty high tariff. Our Government requires about \$200,000,000 of revenue from the tariff. That requires a pretty high duty, and while it raises enough revenue it gives \$200,000,000. high duty, and while it raises enough revenue it gives \$200,000,000 protection to home industries. Is that not enough protection? A revenue tariff is protection to the extent of the duty fixed. I would not favor any treaty that would materially interfere with the revenue

Our country, acting upon the principle of national comity, should make a friendly power in Mexico, in whose territory there would be no enemy or neutral ground in the time of possible conflict between it and the strong nations of the east ever ready for war. The Monroe doctrine, adhered to by the United States, and the restless dissatisfaction with the Clayton-Bulwer treaty are going to precipitate a crisis at no distant day, and a clash of arms for mastery. In that time it is well for us if no foreign alliance be formed with Mexico. My friends, be not flattered into insensibility as to this coming issue by our power and prestige. It is coming; I tell you it is coming, and I beg you not to be idle in making complete defense on land and sea.

Again, shall we refuse this treaty and arrest our commanding power over contiguous territory, which will result in the ultimate extension of republican institutions until all the people of North America shall know one government and honor one flag?

I cordially support this bill to carry into effect the Mexican treaty, believing that is an important step in the direction of the world's commerce, which will bring employment to idle workmen, prosperity to the farmer, the mechanic, and the manufacturer.

Rivers and Harbors.

SPEECH

HON. BURR W. JONES,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 3, 1885,

On the bill (II. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JONES, of Wisconsin, said:

Mr. CHAIRMAN: In the few minutes I shall occupy I only wish to state my reasons for declining to vote for this bill in its present form.

Last year we were told that the river and harbor bill had been somewhat increased beyond the orginal expectation by reason of the fact that in the previous year no appropriation had been made; that in fact it was two years' expenditure in one. Now there is no such excuse; and yet the bill has attained the handsome proportions of \$12,300,000. Not only that, it begins by small appropriations three colossal schemes. It is said the improvement of Galveston Harbor, of the Hennepin Canal,

and that of Sandy Bay will each cost about \$8,000,000. There are not only millions in the bill, but millions yet to come.

I shall vote against the bill because it involves a greater expenditure of money than my judgment approves. The Secretary of War recommends about \$4,000,000 less than is provided in this bill. In my judg-

ment he recommends enough.

Extravagance is not the worst feature of the bill. The committee have again sanctioned what I regard as a very dangerous practice, to which I will now call attention. We employ Government engineers. We pay them liberally. The presumption is that they know something. Captain Eads would probably call this a violent presumption, and yet we have to indulge it. The engineers make their elaborate surveys. We pay the Public Printer thousands of dollars for printing their thousands of pages of reports.

The Committee on Rivers and Harbors come before us with their bill.

They make their explanations. Their stereotyped argument is that this or that improvement is necessary because the Government engineers approve it. That this or that appropriation is not extravagant because it is only 25 or 30 per cent. of the estimate. In short, the whole bill is based every year upon these official reports. Those reports justify the committee when they come before us and they justify us before the people. And yet what practice is now sanctioned by this

When the committee put in their bill \$2,500 to improve the With-lacooche River, or the Choctawhatchee, or the Choptank, or Butter-milk Channel, or other rivers and creeks with euphonious names, they

plant themselves on the report of the engineers.

Where the improvements are of such a character that the owner of a country mill-dam or the captain of a flat-boat could manage them with success, they invoke the science of the engineers. But when they come to the great enterprises in which millions of dollars are to be expended they ignore the engineers; they send them ignominiously to the rear.

There is, for instance, the project of the Hennepin Canal. It is true the language of the bill would give to the casual reader the impression that the work is to be carried on pursuant to the recommendation of the engineers. But the fact is that the committee utterly disregard the recommendations of the engineers by requiring that the canal shall terminate at or below Rock Island. This is not the route which the engineers nate at or below Rock Island. This is not the route which the engineers approve. They report that by this route the distance from the upper Mississippi region is forty miles greater than by the Marais d'Osier route. That at the same time by the latter route the navigation over the Rock Island rapids is avoided. The engineers report that the cost of the northern or Marais d'Osier route would be less by a million dollars. I quote a few lines from the official report:

The Marais d'Osier route presents these advantages over the others: It is the shortest and most practicable line between the two rivers. The nature of the country through which it passes renders the construction of all work upon it easier, and hence its cost of construction less. The annual cost of maintenance is less. And it is more than likely the expense of extraordinary repairs and renewals will be less. The supply of water is the best and better regulated.

Are we all engineers? Have we such special knowledge of this subject that we should reject the only official report we have, and blindly commence spending \$8,000,000 for a canal over a route which the engineers do not commend? Would we spend our own money after that reckless fashion? The Northwest may want a Hennepin Canal, but the tax-payers of the Northwest do not wish to join in paying \$8,000,000 to project a canal over a route which must be a comparative failure. Probably nine-tenths of the freights to be transported over such a canal would come from the region north of Rock Island. The vast interests of the Northwest should not be sacrificed to the wants of any single city.

I claim, as I claimed one year ago, that if this canal is to be built it

should be built on a route to be selected by competent engineers, responsible to the Government for their work. If after that precaution the work should prove a failure, we could not be accused of having disregarded the advice of skilled engineers and of squandering the public

money in reckless caprice.

But this is not the most glaring instance of the practice to which I object. The bill contains an appropriation of \$750,000 to be expended object. The bill contains an appropriation of \$750,000 to be expended under the management of Captain Eads for the improvement of Galveston Harbor—the commencement of another \$8,000,000 enterprise. What do we hear as the justification for this large expenditure? We are told that during the past ten years \$1,500,000 have been expended in improving this harbor, and that it has been money thrown away. The gentleman from Louisiana [Mr. Blanchard] says that the depth of water has been increased three inches, and no more. Well, the river and barbor enthusiasts need not despair. At this rate of progress they and harbor enthusiasts need not despair. At this rate of progress they will gain nearly a foot in thirty-six years; and in five hundred years, if the Treasury holds out and the Gulf of Mexico is not dry land, the requisite fourteen feet will be nearly won.

Members of the committee have argued upon this floor that thus far the work on Galveston Harbor has been a stupendous failure. I am not inclined to quarrel with them on that proposition. They may enjoy whatever solace there is in the triumph of that argument. But they ask us to take a long leap in the dark to the next proposition, which is that if we place Captain Eads in charge and expend \$8,000,000 more the work will be a success.

Some of us can not help indulging the suspicion that no amount of money and no number of captains can avail to change the nature of the fickle quicksand of Galveston Harbor.

Captain Eads is of the opinion that the theory of the Government engineers is superlative folly. I have not had the pleasure of reading what the engineers say about Captain Eads. No doubt they heartily reciprocate his opinion, and return his compliment. Now, which side of this interesting quarrel are we to espouse? The committee have made their choice by routing the official board and installing Captain Eads. They propose by their bill to pay him a salary of \$5,000 per year to carry on this work, for which the Government is to pay \$8,000,000 or more. Not only that, they propose to pay him a commission upon such water as he can cajole into Galveston Harbor, provided it will only stay. It was stated on the floor by one of the committee that in addition to the yearly salary this bonus, if I may so call it, would amount to \$50,000 or \$60,000.

This bill commands the Secretary of War to immediately engage the Captain Eads is of the opinion that the theory of the Government

This bill commands the Secretary of War to immediately engage the services of James B. Eads. It seems to divest the War Department of services of James B. Eads. It seems to divest the War Department of all responsibility except that it is to provide with scrupulous care that Captain Eads receives his pay. For the purposes of this work Captain Eads is to be Secretary of War. True, it is not provided that he may wholly discharge the Secretary of War. Nor do I see any way in which the Secretary of War can discharge Captain Eads.

But I can easily see that a Secretary of War and the Chief of Engineers of the Government, having some proper sense of the responsibilities of their office, might regard it as something more than an affront to have fosted over them a new commander in chief even though he he Captain Capt

foisted over them a new commander-in-chief, even though he be Captain Eads, and even though he wears the modest title of advisory engineer. Any one who will carefully read the provisions of this bill must conclude that Captain Eads is made by it the absolute autocrat of this

vast enterprise.

But this is not all. The bill not only gives Captain Eads a patent on the Gulf of Mexico and Galveston Harbor, but on the Mississippi River. On page 39 of the bill provision is made for expending \$2,800,000 on the Mississippi River. Heretofore these improvements have been managed by the Mississippi River Commission. This commission consists of seven commissioners, six of whom are engineers. They are each paid a salary

of \$3,500 per year.

By this bill Captain Eads virtually supersedes the commission, and yet the commission is not abolished. The commissioners have the poor privilege of preparing plans and estimates, but the Napoleonic Captain Paythe scratch of his pen Eads is given the unlimited power to amend. By the scratch of his pen the plans of the commission become waste paper. In other words, these commissioners are made by this bill the handy and accommodating clerks of Captain Eads.

The office of advisory engineer is created with a salary of \$3,500 per

year. Now note the language:

And James B. Eads is hereby recommended to the President for that position.

If such a bill had been presented to Andrew Jackson for his signature he would have been very likely to say, in language more emphatic than I will use, that the appointment of officers belonged to him and that the recommendation of Congress would be valuable when asked

for.

We are told that Captain Eads is a remarkable man. I am forced to believe it. If he were not he never could have induced this intelligent committee to come before the House with the remarkable propositions contained in this bill. But for one I can not sanction such legislation. I do not like to make the humiliating confession that there is but one man in America who knows anything about the improvement of rivers and harbors.

I am not inclined to condemn in this wholesale way the Government engineers. I am quite as willing to take their judgment upon this work or other works as that of Captain Eads. It is noticeable that Mr. Eads presents no plans, no estimates, no surveys to guide our judgment in this vast expenditure. He simply asks for a sublime faith in himself and for \$8,000,000, and the work shall be done. But when I reflect self and for \$8,000,000, and the work shall be done. But when I reflect that he is to have \$5,000 per year, besides a royal bonus for his work on Galveston Harbor; that he is to have \$3,500 per year for his services on the Mississippi River; when I hear it asserted that he is also to be handsomely paid by the city of Galveston, the whole business smacks too strongly of money for Captain Eads, that he should be accepted as an impartial witness. If the committee shall cling to all of the propositions contained in this bill I shall be neither surprised nor disappointed to see it meet with the utter defeat it will deserve.

Interstate Commerce.

SPEECH

HON. WILLIAM E. ENGLISH.

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 16, 1884,

On the bill (H. R. 5461) to establish a board of commissioners of interstate commerce, and to regulate such commerce.

Mr. ENGLISH said:

Mr. SPEAKER: There are in this country, I believe, some 125,000 miles of railroad and \$6,000,000,000 aggregate capital invested therein, and I should never advocate that any unjust course should be pursued by this House toward these great, necessary, and useful interests. while I am opposed to any unjust action toward the railroad corporations, I am equally opposed to any unjust action by the railroad corporations. I shall not attempt to enter into any discussion as to the constitutional merits of the pending measures to regulate interstate commerce, but shall be content to leave that question where it rightfully belongs, to the courts of the country. In my humble judgment, Congress has the right to regulate commerce between the States; and of the pending measures I much prefer the bill of which my distinof the pending measures I much prefer the bill of which my distinguished friend and near neighbor in this House, Judge REAGAN, is the author. It is simple, plain, and direct. It says what it means and means what it says. There is no circumlocution or ambiguity about it, but it strikes directly and forcibly at the evils that have arisen under the rule of corporate monopoly. Year by year, under the fostering rule of the party in power, the great railroad corporations of the country have become more and more grasping and arrogant and less regardful of the rights of all the people. Having "grabbed" the public lands right and left, in all directions, to the extent of hundreds of millions of acres, having fattened and increased at the expense of the millions of acres, having fattened and increased at the expense of the nation, they have formed great and powerful pools and combinations which place the internal commerce of the country practically at their mercy; and their mighty influence, outstretching and far-reaching in every portion of the country, has in many instances influenced courts and controlled legislation, until, arrogant and inflated with unchecked power and unbridled success, they have ceased to consider that ordinary people have any rights which powerful and unscrupulous corporations are obliged to respect. The injurious effects upon the interest of the general public of these great corporation pools and combinations is so well expressed in the decision of the supreme court of Pennsylvania in the case of the M. R. R. Co. vs. Barclay Coal Company (68 Penn., 173) that I ask leave to quote it here:

The effects produced upon the public interests lead to the consideration of another feature of great weight in determining the legality of the contract, to wit, the combination resorted to by these five companies. Singly, each might have suspended deliveries and sales of coal to suit its own interests, and might have suspended deliveries and sales of coal to suit its own interests, and might have suspended deliveries and sales of coal to suit its own interests, and might have raised the price, even though this might have been detrimental to the public interest. There is a certain freedom which must be allowed to every one in the management of his own affairs. When competition is left free, individual error or folly will generally find a correction in the conduct of others. But here is a combination of all the companies operating in the Blossburg and Burday mining regions, and controlling their entire productions.

They have combined together to govern the supply and the price of coal in all the markets from the Hudson to the Mississippi Rivers, and from Pennsylvania to the lakes. This combination has a power in its confederated form which no individual action can supply. The public interest must succumb to it, for it has left no competition free to correct its haleful influence. When the supply of coal is suspended the demand for it becomes important and prices must rise; or, if the price goes forward, the price fixed by the confederates must accompany it. The domestic hearth, the furnaces of the iron-master, and fires of the manufacturer all feel the restraint, while many dependent hands are paralyzed and hungry mouths are stinted. The influence of a lack of supply or the rise in the price of an article of such supreme necessity can not be measured. It permeates the entire mass of the community and leaves few of its members untouched by its withering blight. Such a combination is more than a contract; it is an offense.

And in direct connection with this subject of railroad pools I desire to read a brief extract from the able argument made before the House. Committee on Commerce by Mr. Chittenden, of New York, which sets forth with startling effect the immense and dangerous power of these great railroad confederations:

great railroad confederations:

This pool commenced in 1877; it was then a pool contract between the four trunk lines centering in New York. It has grown and stretched out its arms and increased, just as an English judge said such contracts would grow and increase, until now it embraces certainly more than forty—that was the last enumeration I had—of the principal railroads of this country. There is in New York city an equipped and organized pool government. It has its executive committee of the pool, and another executive committee composed of one member from each pooling railroad; it has its board of arbitration, which is intended to take the place of the judiciary; it has its corps of—I do not know how many hundred—clerks, an enormous concern, and over it all is the emperor, the commissioner, Mr. Fink, who to-day exercises a power for good or evil over the commerce and products of this country greater not only than that of any of his contemporaries, but greater than any man ever before exerted in the United States of America. He and his imperial organization are as independent of the law as it is possible for man or State to be, and the whole charter or contract which binds these forty roads into this one copartnership and confederation, judged by the principles of the common law, is as unlawful and as much against public policy, if we are to accept the declarations of the judges of the common law, as the Louisiana State Lottery or any other similar institution which is confessedly without the pale of the common law.

I do not wish to appear, Mr. Speaker, as opposing wealthy corporate

I do not wish to appear, Mr. Speaker, as opposing wealthy corporate interests, whether it be railroads, telegraphs, banks, manufactures, or what not, merely because they are corporations—far from it; but I shall oppose them now, as I have always done in the past, whenever they become oppressive monopolists. I do not desire to appear as warring become oppressive monopolists. I do not desire to appear as warring against any man individually because he chooses to invest his means in railroad or other corporations. Many worthy citizens are largely so interested. Capital always seeks the best obtainable investment by the natural laws of business, and no man is to be blamed for honestly investing his means in any legitimate business that pays him best. The railroad owner, the protected manufacturer, the banker, or whoever he may be, is not to be blamed because he has taken legitimate advantage of the partial legislation which, under Republican rule in the past, has been enacted to his benefit. The highly protected manufacturer, with a practical monopoly of his business, is not going to sell his goods for one dollar, even though that yields him a fair profit, where especial privileges enable him to successfully demand two dollars. A man may honestly avail himself of the advantages in business given him by the law, and at the same time recognize the injustice of that law. The evil in these cases is not so much with the individual benefited by the law as with the law itself and the recognized the injustice of the law is the law i

with the law itself and the people's representatives who make the law.

As for myself, in my course upon this floor, I have always endeavored to faithfully carry out the pledge I made to my constituents in my speech of acceptance, when unanimously nominated for Congress by the Democracy of the seventh Congressional district of Indiana. In referring to what my course would be if elected to Congress, I used these words:

When questions arise with the interests of grasping corporations or privileged classes on the one hand and the people on the other, you will find me on the side of the people every time. This was my platform as your representative in the last Indiana house of representatives, and this shall be my platform as your representative in the next United States House of Representatives.

And in view of that pledge I challenge the production of one vote of mine here that has not been in accord with it, or that was not right and just and for the best interests of my constituents. And in this connection I have been glad at every opportunity to vote to forfeit the outrageous land grants heretofore improperly made to these rapacious railroad corporations. I shall ever advocate the return of these millions of acres to the public domain, where they rightfully belong, and I was pleased to vote at the last session for the bill to amend the pre-emption laws with the amendment of my colleague Judge Holman, providing that the public lands shall be henceforth reserved for actual settlers only. I had the honor also to vote last session for a bill which I still hope to see become the law—the bill to amend the Pacific Railroad act, and compel that giant corporation to pay over to the Government that which of right belongs to it. Mr. Speaker, I am glad to let the light of day shine upon any vote that I have recorded here. I have ever been present in my seat voting upon all important measures, and I have always voted against increased expenditures and increased appropriations, and have I have opposed the river and harbor bill and the educational bill, both

of which in my opinion take millions upon millions of dollars from the Treasury without justification. I have supported every proposition here to better the condition of the laboring classes. I favored the bill to establish a bureau of labor statistics, and the bill to prevent the im-portation of foreign-contract labor into the country, as well as the bill to secure to working men the benefits of the eight-hour law, which has in many instances been persistently violated by Government officials. I have voted for all propositions to pension the Union soldier and his family, or to increase their pensions, and have voted at every opportunity to take up and pass the Mexican pension bill, with every amendment thereto in behalf of the Union soldier and his widow and children. These votes I know are approved by my constituents regardless of party And that those who sent me here do not feel that I have violated the pledge I gave them when nominated, and that my course in Congress meets with their approbation, it is only necessary to call attention to the resolution of indorsement which was unanimously adopted at the last Democratic Congressional convention held in my district, and before which for personal and business reasons I declined to be a candidate for renomination. It was as follows:

**Resolved. That we cordially approve of the action of the House of Representatives of the United States in placing Hon. WILL. E. ENGLISH in the seat of that body to which he was fairly elected in 1882. We hear with regret his wish and determination not to be a candidate for re-election, and we unqualifiedly express our confidence in him as a faithful representative.

> That my vote in favor of this bill will meet with equal approbation That my vote in tavor of this bill will meet with equal approbation at their hands I do not for a moment doubt. Mr. Speaker, that the Reagan bill has its defects is not unlikely, but in my humble judgment it is far preferable to the bill proposed by the committee. It creates no new offices, it establishes no commissions, but goes about correcting the evils from which the people are asking relief in a straightforward and business-like manner. Its intentions are plain, its methods are direct and simple. I believe it to be fair and just to the railroads and fair and just to the public. Did I not so believe it to be equally just to both I should not give it my support. But feeling that it is for just to both I should not give it my support. But feeling that it is for the best interests of the whole people, I with pleasure record my vote in favor of the passage of the bill.

Pensions.

SPEECH

HON. WILLIAM E. ENGLISH,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 10, 1884,

On the bill (H. R. 3947) granting a pension to Joseph Raible.

Mr. ENGLISH said:

Mr. SPEAKER: The soldier who applies for this relief is one of my constituents and is a respected citizen of Indianapolis, where I reside. And in this connection I desire to say to my esteemed friend from Virginia [Mr. George D. Wise] that in his speech against this bill at the session of last Friday night he unintentionally misrepresented my colsession of last Friday light he differentiationary insrepresented by colleague from Indiana, the chairman of the Committee on Invalid Pensions [Mr. MATSON]. This applicant has never resided in my colleague's district, and he has no personal acquaintance with him or special interest in his success. Nor have I any personal interest in this bill other

than that the right shall prevail.

This bill was originally introduced by my predecessor on this floor, and this applicant is not my political follower, but is an ardent opponent of the party to which I belong, and was equally ardent in his opposition to my election to Congress. But I do not allow political preferences to stand in the way when a gallant soldier's pension is to be considered. I am first, last, and all the time in favor of granting the fullest pension to every descriping soldier. I have so yoted at every fullest pension to every deserving soldier. I have so voted at every opportunity, and shall continue so to do. I only know in this case that this claimant was a gallant soldier in the hour that tried men's souls. I only know that he willingly responded to his country's call and was ever in the forefront of the battle in her behalf. I only know that he gave three of the best years of his life to her defense, and that he left home, family, and friends to undergo hardship and privation that the

Government might endure.

I know his reputation to be that of a good citizen in peace and a gal-lant soldier in war, and I shall not split hairs as to the exact hour that he gave up his good right arm as a monument of his service to his country. care not whether it was a few days before or a few days after, he w formally mustered out of the United States service. Sufficient that this formally mustered out of the United States service. Sufficient that this disability was in fact the result of his service in the Army, and was received in the line of duty while fulfilling the commands of his superior officers, and while he was still practically (whether technically or not) in the Government service. I shall not look for far-fetched technicalities by which to avoid pensioning this gallant defender of the Union, but shall rather seek to find them in his behalf. I know his helpless condition, I know his earnest need, I know that he is deserving of his country's helping hand, and I know, Mr. Speaker, that this bill in justice ought to pass. And I sincerely trust that the objections urged by my friend from Virginia [Mr. George D. Wiss] will not prevail against this measure of justice to a needy and worthy soldier. And, Mr. Speaker, I further hope that it will not be long until this House renders justice to every such crippled soldier in the land who is in need of Govjustice to every such crippled soldier in the land who is in need of Government aid.

I believe that we should be especially liberal with these maimed veterans who have suffered the loss of an arm or leg, and in some instances the terrible loss of both an arm and a leg. These poor disabled sufferers, undergoing a fate in many instances worse than death, must know great deprivation and want unless the Government is more liberal to them in the future than it has been in the past. The pensions now granted those suffering under this grade of disability, in my opin-

ion, is manifestly too small. Let us not be niggardly with the one-armed and one-legged heroes who are still left with us. Sometime since I had the honor to introduce a bill in this House upon this subject which I still hope to see become the law (H. R. 7772). It provides that those who have lost an arm or a leg shall be given a pension of \$50 per month, and those who lost both an arm and a leg shall be given

\$100 per month.

I understand that this is a larger pension than has ever been previously proposed for this class of pensioners, and I know that it has been intimated that I am disposed to be a little too liberal in this matter, but I prefer to err on the side of liberality in this regard rather than run the risk of doing too little. And in this bill now before us I believe the amount allowed ought in justice to this claimant to be increased to \$50 a month. It is the duty of the Government to extend every possible aid to these crippled and maimed veterans, left helpless and dependent as a result of their sacrifices for the perpetuity of the Union. They are the nation's wards, deserving of every care, and should never be allowed to know want or penury. And, Mr. Speaker, I hold that this course should be pursued by the Government to all its dependent defenders who have become disabled from any cause whatsoever which is not the result of their own gross carelessness or wrongdoing. holding these views, I have voted at every stage of our proceedings to take up and pass the Mexican pension bill, together with all the amendments thereto in the interest of the Union soldier and his widow and children.

I am glad of the opportunity to vote for the pensioning of both the Mexican and the Union soldier. They both deserve it, and it should be promptly and cheerfully granted them, and I most cordially approve the Senate amendments which increase the pensions of the widows and minor children of the Union soldier from \$8 to \$12, and which provide that the widows and minor children of the pensioned soldier shall be entitled to a pension without being required to show that his shall be entitled to a pension without being required to show that his death was actually due to his service in the Army. However, in this short digression from my argument in behalf of my disabled constituent, I shall not beable, in the short time allowed me, to take up all these amendments in behalf of the Union soldier and fully discuss them, but they are all in the line of justice and right, and I shall content myself with merely incorporating them here without further comment other than to say that I warmly approve them all. They are as follows:

than to say that I warmly approve them all. They are as follows:

(15) Sec. 8. That every person specified in the several classes enumerated in section 4693 of the Revised Statutes of the United States, and the amendments thereto, who served in the military or naval service, as mentioned in said section, for the period of three months during the war of the rebellion, and has an honorable discharge therefrom, and who is or shall become disabled from any cause not the result of his own gross carelessness, disreputable conduct, or vicious habits, and shall also be dependent upon his own labor for support, shall, upon making due proof of the facts, under such regulations as may be prescribed by the proper authority, be placed upon the list of pensioners of the United States, and be entitled to receive a pension during the continuance of such disability at a rate proportionate to the degree thereof; and such pension shall commence at the date of filing an application therefor. The highest rate of pension granted under this section, which shall be for total incapacity to perform any manual labor, shall be \$24, which is hereby made divisible upon that basis for any less degree of disability: Provided, That no person entitled to or receiving an invalid pension under existing laws, or such as may be hereafter enacted, granting pensions for disabilities contracted in the military or naval service of the United States, and in line of duty, greater than that provided for herein, shall receive the benefits of this act; but any applicant for such invalid pension having an application therefor pending, or who shall hereafter file his application for such pension, may, by a declaration over his own signature, at any time, elect to prosecute his said claim under this act or under the general laws, and his pension, when allowed, if prosecuted under this act, shall commence from the date of such election.

(16) Sec. 9. That all widows or minor children of soldiers and sailors who as such are now receiving, under existing laws, ge

cristing laws shall be entitled to and receive the rate of \$12 in lieu of said rate of \$8.

(17) Sec. 10. That if any invalid pensioner pensioned for a disability contracted in the military or naval service of the United States, and in the line of duty, has died or shall hereafter die, leaving a widow or minor child under 16 years of age, or both, at the date of the death of such pensioner, such widow and minor children shall be entitled, in the order of succession named, to an original pension in their own right, under existing laws, without being required to prove that the death of such pensioner was due to his military or naval service of the United States, and shall receive the rates now allowed by law, except that such as may be found to be entitled to \$\$ per month under existing laws shall receive in lieu thereof \$12 per month.

(18) Sec. 11. That pensions granted widows on account of minor children shall be continued without limit as to age, whenever it shall appear that such minors are of unsound mind or physically helpless, so as to render them incapable of earning a subsistence: Provided, That such widow retains the care, custody, and control of such minors; and in the event of the death or remarriage of such widow, or abandonment by her of such minors, then the pension and additional pension shall be continued to them in their own right, without limit as to age, during the continuance of such disability, payable to a duly constituted guardian.

(19) Sec. 12. That in considering the claims of dependent parents the fact and cause of death and the fact that the soldier left no widow or minor children having been shown as required by law, it shall be necessary only to show by competent and sufficient evidence that such dependent parent is without other present means of comfortable support than his or her support; and such as may be found to be entitled to \$8 a month under existing laws shall receive in lieu thereof \$12 a month from the date of this act.

(20) Sec. 13. That in all applications under the g

soundness at the time of his enlistment; but such presumption shall be subject to rebuttal by record or other competent evidence.

(21) SEC. 14. That no person shall be entitled to more than one pension at the same time under any or all laws of the United States, whether such pension shall have been already obtained or shall be hereafter obtained, unless the act under which such pension is claimed shall specially so declare.

Post-Office Appropriation Bill.

SPEECH

HON. JONATHAN H. ROWELL,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

Mr. Chairman: The constantly recurring discussion over the alleged extravagant prices paid to railway companies for carrying the mails has led the Committee on Appropriations to present upon this appropriation bill an amendment to the existing law in the shape of a new scheme by which to regulate the compensation for this service. I propose for a few minutes to address myself to a comparison of the merits and de-

merits of the present and the proposed law

Of the present method of determining the prices to be paid for this service it can be fairly asserted that it has the merit of certainty; that there is very little latitude for discrimination or favoritism on the part of the Post-Office authorities—very little discretion as to whether the smount paid shall be greater or less than a certain fixed amount for similar quantities of mail carried. It has no maximums and minimums between which the Postmaster-General may select at pleasure, and consequently offers no inducement for interested parties to seek improperly

to influence the judgment of that officer.

It will do no hurt to restate the method of determining this compensation under existing law for the purpose of the comparison I propose to make, although I may not be able to present it as concisely as has the gentleman from Michigan [Mr. HORR].

In the first place, the average daily weight of mail matter going over

each of the various mail-routes is ascertained by actual weighing for a sufficient number of consecutive days to fix the average, and that average is the weight to be paid for for the succeeding four years, although we know by actual experience that this is an ever-increasing quantity, and in consequence we pay on a less number of pounds than is actually

On a daily average weight of from twenty-five to two hundred pounds carried we pay \$50 per mile per year for each mile of road. This amount diminishes by 10 per cent. and the remainder by 5 per cent. From two hundred to five thousand pounds the amount is gradually increased, under fixed rules, until it reaches \$200 per mile, diminished by 10 and 5 per cent. as before. Above five thousand pounds the additional compensation is \$1 for each eighty pounds, subject to the same per cent. of diminution. When the amount transported, not being classed mail, is sufficient to require one or more entire cars for its proper handling and distribution, an additional sum of from \$25 to \$55, owing

to length, is allowed for each car so used.

The only discretion allowed in this whole business is in the determination of the number and length of cars required; and this is a very limited discretion, not easily susceptible of abuse. I do not discuss special fast-mail facilities, because these are determined by Congress in the annual appropriation bills and not by general law. In fixing compensation neither speed nor frequency of trips enter into the calculation, but a failure to make a trip as provided in the schedule sub-jects the railway company to fines and penalties proportioned to the

failure and the amount allowed.

The railway companies on their part are required to transport the mails on passenger trains, to furnish apartments in express or baggage cars, fully equipped and of sufficient size to accommodate the postal clerk in his work, and transport the clerk without additional charge, subject to the additional pay for entire postal cars, as before stated. They are also required to receive and deliver the mail at all postoffices not more than eighty rods from their stations, without limit as to number—from all of which it certainly appears that we may always determine with mathematical accuracy the amount of money required annually for this service, subject to be diminished by fines and penalties and to be increased by the establishment of new routes

The new scheme presented by the Committee on Appropriations goes upon an entirely different theory. It is a departure from all usual methods of ascertaining what is reasonable pay for all kinds of carrying business, and for that reason, if for no other, it should be examined with due caution. On the other hand it comes to us with the approval

of a commission appointed to examine into this very matter, with the approval of the Post-Office Committee, and finally with the express sanction of the Committee on Appropriations—weighty reasons why we should not lightly reject it.

The elements which enter into this new method of ascertaining reasonable compensation are space occupied, approximately determined by weight, frequency of trips, and speed. It is assumed as an excuse for increased pay for increased speed and for increased trips that increased speed makes additional cost, and that it is reasonable to pay for each trip made although weight must necessarily be lessened to the trip.

The trouble with the theory is it includes the necessary assumption that railroads are built and operated primarily for the purpose of carrying the mail, and ignores every other incident of failway traffic, whereas in fact mail carrying is but an incident. The trains upon which the mails are transported being primarily run for passenger traffic, their speed and frequency are regulated by the demands of this business, so that ordinarily these elements do not affect the cost of carriage and ought not to be taken into consideration. Indeed, roads which transport very large mails, requiring three or four entire cars, are accommodated by being permitted to take one car with each passenger train instead of being required to take all the cars with one train, and thereby injure its usefulness for passenger business. On the other hand, the roads which do not require entire cars, by reason of the light mail, and where apartments in express or baggage cars are used as distributing offices, usually only utilize the surplus space in cars that must go with their trains, and it is of but slight consequence whether such apartments are used on one or on all of the passenger trains. I do not deny that there will be some increase of trouble and expense; my claim is that this additional expense is small and out of all proportion to the pro-

Now, let us examine the results of the proposed scheme. In the illustrations brought before the committee by the gentleman from Michigan [Mr. HORR] comparisons were made between the present control of the property of the present control of the present the cost by the proposed method on the assumption that the trains would continue to be run at the same speed as now, and that the space now used would continue to be occupied under the new system, not exceeding the maximum allowed, and that there would be no change in the

number of trips.

I invite the attention of the House to a different kind of comparisons. Instead of making comparisons on the basis of present frequency, space, and speed, I call your attention to the permissible rates provided for in this bill in contrast with present rates. Taking the maximum space allowed on roads making six trips per week at a speed not exceeding twenty miles per hour, those roads which now receive \$42.75 per mile per year, and from that up to any sum less than \$64.12½, would receive \$40.69 per mile. From a present compensation of \$64.12½ to any sum the new pay would be \$78.25. From \$128.65 to \$149.25 the change would be to \$125.20. A present compensation of \$181 would change to \$140.85.

It will be noticed that all these smaller roads will have their compensation greatly decreased under this new method, taking the maximum space permitted, if there is no change in the number and speed of the trips-that great inequality is permitted, some suffering a small and others, as weight increases, a large deduction, and that the pay may, in the discretion of the Post-Office authorities, go much below the figures given. But the proposed act authorizes the Postmaster-General to cause the mails to be carried on two or more trains per day.

Now, notice the change that may take place under this authority. Roads now receiving \$42.75 by making twelve trips per week may receive \$81.38 per mile, or by making fourteen trips per week (two trains per day, including Sunday), \$94.90 per mile. Roads now receiving \$149.25 per mile, by doubling the trips may receive \$203.45, or by insundays, so as to make fourteen trips, \$237.25. Roads now receiving \$181 by doubling the trips may receive \$250.40, or by including Sundays, \$292. And all this possible increase is made without any enhancement of speed, and on a majority of roads by simply utilizing the passenger trains now run and the surplus space in their express or baggage cars, and this too, as I have said before, without any consideration of the surplus space in the surplus space of the state of the said before, without any consideration of the said before the sai able increase of cost to the roads. The great trunk-lines, where trips are more frequent, are secured by the bill like possibilities of greatly increased compensation over present rates; but owing to the fact that they are now paid extra for entire cars used, the possible increase per mile is not quite so extraordinary, except where the number of trips is largely increased.

Still another method of largely increasing the pay above the figures given on all the roads running their trains more than twenty miles per hour is afforded by the provision requiring the additional payment of one-tenth of a mile per linear foot of space used for every two miles of speed over twenty miles per hour; a poor gratuity, having none of the elements of reasonableness, because, as I have before stated, speed ordinarily is regulated by the demands of passenger business, and not by the requirements of the meal service.

the requirements of the mail service.

It thus appears that instead of the present certain and unvarying compensation we have here an uncertain, varying rate, extremes well spart, between which to choose; an opportunity for the exercise of sound

judgment, I grant you, but a like opportunity for erroneous judgment, caprice, interested pressure, influences which in recent times have brought discredit upon the Post-Office Department and upon the nation. It offers inducements to every railroad company in the land to bring a pressure to bear upon the Post-Office authorities to expedite the mails, to work up a public sentiment along the various routes in the same interest, and thus make it a matter of personal concern to every member of Congress. On the other hand it gives to the Postmaster-General extraordinary power, power to hold over the heads of all railroad authorities the constant danger of diminished pay, and so secure subserviency through fear; power to bind them to him and his political fortunes through discriminating favors without violating a line or letter of the law, but in strict accordance with it; power to diminish or increase the sum annually paid for transporting the mails, by several millions of dollars, and no law or authority anywhere to prevent. Congress will

be slow to vest such power in any officer.

The Democratic party can not afford to signalize its return to administrative control by taking so large a risk, considering its surroundings and the temptations which beset its pathway. It does not follow that no changes are necessary or desirable in the present method of compen-

sating the roads for this service.

I have tried to point out the dangers lurking in this new scheme, and I may be permitted to suggest one or two reforms that ought to be made. The closed mails carried in sealed cars on the great trunk-lines ought to be weighed separately from the mail carried in distributing-cars, and the pay for such carriage diminished. This is entirely practicable, and it seems to me reasonable. Instead of equal pay for all weight over 5,000 pounds when carried in post-office ears, considering that the use of the cars is paid for, there ought to be a decreasing scale for increased weight, with a fixed limit, to bring this service within the bounds of

weight, with a fixed limit, to bring this service within the bounds of reasonableness and into harmony with other carrying business. A fixed rule regulating the length and number of entire cars to be paid for seems to me to be desirable. With these amendments to existing law we would have certainly reasonableness and correct business principles. I invoke a candid consideration of these suggestions, and congratulate the House and the country on our escape, through the effectual instrumentality of a "point of order," from the dangers lurking in this new scheme—a scheme of possible, and therefore probable, plunder so long as our overfull Treasury remains a temptation to scheming and long as our overfull Treasury remains a temptation to scheming and

unscrupulous men.

Rivers and Harbors.

SPEECH

HON. JOHN W. McCORMICK. OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. McCORMICK said:

Mr. CHAIRMAN: The necessity of an appropriation of money from time to time for the improvement of rivers and harbors has long since become apparent to all persons interested in the business affairs and pros-

perity of the country.

The question is one that has long since engaged the attention of leading minds in regard to public affairs, and to oppose a justand economic application of money to the end in view would be to ignore the progress and logic of events. While honest differences of opinion may exist as to the amount of money required and the means by which it is to be applied, we must all agree as to the necessity of liberal appropriations in the interest of commerce and the cheap transportation of our native products.

It is a matter to be regretted in the discussion of so important a question as that of rivers and harbors, in which the interests of the whole people are involved, that a spirit of sectionalism or partisanship should have any controlling influence in those discussions, or that any special localities under such an influence be favored in any selfish spirit to the exclusion of others equally important and meritorious. The only beneficial result possible to be achieved by discussion from a sectional or partisan standpoint would be to elicit information as to the propriety of the application of money for those improvements which might the more

the application of money for those improvements which might the more properly and unselfishly come from other more dignified sources.

While it would undoubtedly be fair and just that well-considered and matured plans for the accomplishment in a proper order of succession, by reasonable appropriations, of those improvements which are most important, we should at the same time seek to avoid all lavish expenditures without due consideration and the well-established persuasion of their merit, based on proper information, suggested by the

highest engineering skill and experience of the country. We can not afford to apply any haphazard methods here.

Our system of harbors and water ways is indeed a vast one, and with-out caution and care it is possible to sink countless sums of money in attempted schemes of improvement, however honestly intended, that may in the end prove utter failures.

In my judgment, that caution and care are highly essential in the conothers I would specially name the proposed Hennepin Canal project, the Galveston Harbor improvement, as well as some of the methods suggested for the improvement of the lower Mississippi River.

It is not for me to say what methods for these improvements are

best; neither does it remain for me to say they are not of absolute necessity; but it will be conceded by every man on this floor that we should be informed to the fullest extent of inquiry and investigation of their practicability, and that the methods suggested for these improve-

ments are likely to prove successful.

In my humble opinion, we have not yet obtained that very desirable information in the consideration of this bill.

The American people will not be disposed to complain at anything well done for the country to promote and advance the interests of agriculture,

manufactures, and commerce, when they are assured that these interests of so great importance are being economically and properly managed.

If so persuaded, a sense of national honor and pride will be stimulated, that while millions upon millions of money are being expended in a well-devised system of internal improvements it is for the employment a well-devised system of internal improvements it is for the employment of labor, the creation of a diversity of industries, and for the convenience, safety, comfort, and welfare of the people, as well as of all the material and social interests of the country.

Such improvements would unite all portions of the country and bind

Such improvements would unite all portions of the country and bind and harmonize all sections and all classes as with bands of steel, and thus contribute greatly to make us the most wealthy, prosperous, and happy nation on the face of the globe. The natural facilities and resources of the country are already inviting thus the resources of wealth and genius, skill and energy to accomplish so desirable an end. As we look at the map of the United States, and trace our vast line of seacoast—the Atlantic on the east, the Pacific on the west, the great inland seas on the north, and the Gulf on the south—we become at once impressed with the magnitude of the work before us. Truly, in the language of Sacred Writ, "Deep calleth unto deep;" but the marriage of these can only be accomplished by a system of railroads and by the improvement of our vast natural inland facilities of water ways. These become the great arteries of communication and interstate commerce, whose competition must of necessity cheapen rates of freight and travel whose competition must of necessity cheapen rates of freight and travel and thus prevent extortion.

The general course of our vast river system is from north to south, while that of our leading railroads is from east to west, and, as if or-dered by Divine power for their highest good, they are thus naturally adapted to form our strongest bond of union and fellowship, based as they are on social and commercial interests rather than upon fran-

chises, constitutions, and compacts.

The Congress of the United States has indeed a work of great magnitude before it in just such improvements of our rivers and harbors as will most fully secure the best facilities for the interchange of the products of the soil for those of the manufacturer and for the closest possible communication between all portions of the country for the welfare and happiness and the business prosperity of the whole people. Our resources, energy, thrift, and enterprise are such that no man who has a sense of national pride will for a moment admit that our progress shall be interrupted by shoals, quicksands, or snags from reaping the full advantage of our great natural facilities.

To my mind far more consideration should be given to the improvements suggested to secure such a result, and less to the disturbance of our revenue and protective system, the agitation of which is always more or less fraught with disaster to the manufacturing interest of the country and the employment of labor and wages. We need no foreign dictation in the development of our own resources. We need not be told by any foreign power what we ought to be, or what we ought to do; but self-respect and a proper regard for national prestige, safety, and honor would suggest to us the necessity and importance of an efficient protective system, merchant marine, and navy, and last, but not least

Hasty, spasmodic efforts, or ill-considered and poorly applied appropriations of money are not in order here, but on the contrary wise statesmanship and engineering skill combined in a just comprehension of the nature of the work to be performed should characterize every

effort made to secure the end in view. The American people, above all others, are disposed to think for themselves, and to become the powerful practical exponents of that

thought in their political action. We trust such thought may be stimulated and such knowledge be diffused among all classes of citizens on this and all other economic questions of national import, so as to place them forever above sectionalism and partisanship and beyond the control of the political demagogue. The highest interests of statesmanship, the advancement of the industrial, commercial, and social welfare, the prosperity and happiness of all the people, demand it.

Rivers and Harbors.

SPEECH

OF

HON. CLIFTON R. BRECKINRIDGE.

OF ARKANSAS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 3, 1885.

The House being in Committee of the Whole on the state of the Union, and naving under consideration the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. BRECKINRIDGE said:

Mr. CHAIRMAN: When the river and harbor bill was reported to the House I gave notice of my intention to bring in a minority report. have been unable to write out that report; but in the course of my remarks I will bring before the House the propositions it would con-

rain. I did not contemplate a dissent from anything in the bill reported by the committee, but an addition to the bill.

The committee made no appropriations for harbors upon the Mississippi River below Cairo. They made a proportionable appropriation for the river below Cairo as a unit; but they left out those additional recommendations of the commission for the respective harbors to which

It is of the utmost importance to the people of this country, and especially to those north of Cairo, that the unity of the plan of treating the river should not be interfered with. This is enforced from every source. If the appropriations are broken up into disconnected parts it destroys all continuous and contiguous treatment of the river. This, I say, can not be permitted by the great States north, east, or west of Cairo. The House knows very well that the river below Cairo is not being improved for the benefit of the sparse population upon its banks, but for the benefit of the whole Mississippi Valley, of which the lower part is the least part. There are, however, certain cities of commercial importance situated upon the banks of the lower river, and it can not be expected that the commercial interests centering at these points will be wholly unmindful of their own necessities and rights.

But the proposition has been brought forward that these ports are not harbors in the usual and commercial sense. This can never be agreed to. Over against it I lay the maintained policy of Congress in cases almost without number. The position of the committee is illogical,

unusual, unjust, and unfortunate.

It was only last year that an appropriation was made for the Missouri River as a river. Before that the appropriations were for the improvement exclusively of the harbors upon that river; and all along the line of Congressional action we have these appropriations for the interior

I consider, sir, that a harbor like that at the city of Memphis has a stronger claim upon Congress for attention than even those upon our seaboard. For instance, take the harbor at New York. The improvements there enter in no wise into the general plan of improvement to connect the Atlantic Ocean with Albany, while, on the contrary, an appropriation for the improvement of these harbors upon the Mississippi River-and I cite again the Memphis Harbor-are appropriations for improvements that will in all human probability in due time be links in the general system of the river improvement. There is not a dollar expended nor a lick of work done that is not expended and done where only general river improvement is carried on. It all would be done here in time anyway. The only question is, shall we do it a little quicker than we would in the ordinary course of events? And yet in the face of a settled question and in the face of this peculiar strength gentlemen hesitate. And why?

They say that in due time the general river improvement will cover This is true; but this is selfish in our Northern friends to make us wait and suffer until we are relieved only as a tardy incident

to their relief.

They say that such improvements would benefit private property. That is true; but if that is an unavoidable incident in the discharge of our bounden duty, should it grieve us? Why should that confuse our I know the doctrine of riparian rights and risks. But there is another question in this case. This is not a river landing, where a planter hauls cotton from his gin-house a few hours before the steamboat is due. This is the city to which he ships. This is the city to which he not only ships, but also to which hundreds of thousands of other people in the interior and among the uplands and mountains ship their produce, and from which they get their merchandise and manufactured goods of all kinds.

Here are the railroad centers. Here are the warehouses, the cotton compresses, the paved wharfs, the railroad inclines, and all the other needs and appurtenances of commerce. If these are destroyed the peo-ple who own them are losers. There is no doubt about that. But is no one else a loser? Is commerce not affected by the broad funda-mental fact that it can no longer have a port here? It must either stand in its charges the expense of these risks or else it must go by rail to distant ports where stability is found, and of course that makes an equal charge upon the commerce. This may suit the railroads, but it will not pay the farmers and merchants. Who can gainsay this?

It is questionable whether Congress would sit still and see a city like Memphis, the second city of the South—for Louisville is hardly Southern—plunge headlong into the Mississippi River and be lost forever. As a case of prepay and distress the American heart would respond to

As a case of urgency and distress the American heart would respond to it. Who would say no? We would curb the great river that we only

have charge of and save the happy homes of 75,000 people.

But we do not need to go to this. This is not like a plantation landing. The landing may be swept away and the planter would want only a landing still. The untouched river bank is all he wants. But here are certain great centers, scattered over a thousand miles of river, and commerce must find stability there for its assembled needs, or else the thousands must pay tribute to less fortuitous conditions. The river is but little to these people if they can not do business upon its banks. I appeal to you then, gentlemen from the North, not to see only your own interests, not to disregard these righteous claims, and not to provoke a desperate struggle between yourselves and the commercial interests of the lower States.

And now there are two other points that I want to speak about as briefly as I can. In the first place I wish to speak of a few engineering features in connection with the Galveston Harbor improvement. As is known by this House we propose to throw overboard work there that has cost nearly \$2,000,000, or at least what little is left of it, and to change the entire management of the work at that place. This is a very grave reflection upon the military engineers who have charge of this work, and there must be very grave reasons for so radical a step. I am one of those who believe that reasons exist not only sufficient to justify the proposed step but sufficient to make it absolutely obligatory upon us.

The Government work was begun there ten years ago. The survey and plans are given in the report of 1874. At an expenditure of several hundred thousand dollars a jetty of gabions was extended from what is known as Bolivar Point into the Gulf. General Newton figures it out in his letter to our committee that this gabionnade cost \$169,000. Senator COKE, in the very able report he made to the Senate on behalf of the Commerce Committee of that body, figures the cost at \$527,000. It is not easy from the Engineer's reports to fix the exact amount; but I have figured it up twice, and it is certain, if the reports be correct, that General Newton is far too low, and I am very much inclined to think that Senator COKE is too low.

It was expected, as you will see on page 867 of report of 1875 and on page 447 of report of 1877, that this north jetty would secure the desired depth of water there. However, nature has rebuked the dis-regard of her laws and the gabionnade is gone. There is not a vestige of the structure left. This was not due to quicksand or to any such cause. The gabions were no account to begin with, and had they been strong they would have been lost just the same. They exemplified what is known as the surmerged jetty, a novel species of structure that we are largely engaged in and with apparently no earthly sign of stability

I have taken occasion, sir, to read the accounts of all the sea works in the world on the jetty plan that I could find, and I have a long list of them, and never was there any work of that kind undertaken, nor, indeed, was it ever suggested that I have been able to learn except once. The single suggestion that I speak of was in the course of the consultations of engineers and others with reference to the improvement of the mouth of the Danube. Sir Charles Hartley, the engineer in charge, stated that the plan of submerged jetties was "actually proposed to the commission by one of its technical advisers." It permitted the very force you propose to conserve to be dispersed and lost, for your only hope of power is in controlling the surface slope, which controls the currents at all depths, and they would serve no other purpose than that of "dangerous submarine reefs."

I respectfully refer those who may not have read the interesting paper I quote from to page 287, volume 21, Proceedings Institution Civil Engineers, London, to be found in the national Library.

That plan was adopted at Galveston by what is known as the gabionnade system. What is a gabion? A gabion is nothing but a huge lunch basket that is cemented on the outside as you cement the inside of a cistern, and that basket is filled with sand, is put in position, and was supposed to be irresistible to storms. These gabions did resist the storms, so far as being broken up is concerned, much better than they resisted some of the other effects of the storms and the effects of tidal currents. Being submerged, and the tides and waves sweeping over them with a dangerous overfall current, they were undermined. Footmats did not save them. The conclusion is well stated in the report of 1880, page 1226, where it says: "In fact, the gabionnade has essentially gone down below the original bottom."

And so they are gone, and that folly has not even its monument left. That would seem to have demonstrated the futility of putting down

submerged jetties, for this submerged jetty was not undermined because it had the name of "gabionnade." No other name would have saved it.

In 1880 a new method of construction was adopted. Captain Howell was replaced with Major Mansfield, the present officer in charge. What is known as the fascine system, a partial copy of the Dutch works at the

mouth of the Maas, was adopted. But the copy is like "Hamlet with Hamlet left out." The Dutch works are high. These are to be submerged. The Maas has silt to protect the fascines. These have no hope of mud to protect them from the teredo, a most destructive sea-worm. And as for gathering sand, our last submerged jetty did not collect sand, as expected. It was left "standing in a trench without sand." How can this fare better when it is substantially the same shape and height? They seem to be repeating in principle, though in a little different form, the same error that was committed before.

Over \$1,000,000 has been put out on this new work, and the people of Texas continued to pin their hope to the plan. That has gone on, sir, until it has been projected now some four and a quarter miles into the Gulf. All the prophecies with reference to it have failed.

the Gulf. All the prophecies with reference to it have failed.

There were plenty of prophecies of what would be the result of the present jetty at the different stages of its progress—prophecies of depth, of durability, and all that. I will treat of these more particularly later on. The people of Galveston put \$100,000 of their own money into the work. But after severe disappointments and about nine years of trial they threw up the case, and last session the entire delegation from Texas, a delegation conspicuous for its ability and high character, told us frankly that further work upon this system was in their opinion a waste of time and money.

Now the question is, have we enough to satisfy us? But we must go further in our examination of the work and of the men who have control of it. This will help us to come to a right conclusion as to whether one or both should be put aside. Judging as laymen, we must be largely influenced by our confidence in the men. I will call attention to some of the statements of the engineers.

You will find, sir, in the printed remarks of my colleague on the committee, General BAYNE, of Pennsylvania, a letter from Colonel Merrill, an officer of the military Engineer Corps and who seems now to be a spokesman in this matter.

Colonel Merrill states that both the Chief of Engineers and the resident engineer deny that the north jetty has yet been located.

Now, in reference to that I want to call the attention of the House to page 1225 of the report of the Chief of Engineers for 1880. It reads: From its commencement, April 14, 1877, to January 1, 1880, the Bolivar pier—

Which is the north one-

had been extended seaward from the beach 10,220 feet.

Now that statement is signed by General Newton himself, the present Chief of Engineers, who is quoted by Colonel Merrill as denying that this jetty has ever been located.

I can not comprehend, Mr. Chairman, how about two miles of this north jetty could be built, running through nearly three years, without having been located; nor can I understand how such a statement as has been presented to us can be thus solemnly certified to Congress for its guidance. Was anybody cashiered or complained of for that immense expenditure of the public funds in an unauthorized way? No, sir; and there was no occasion to do it, for it was on an accepted line. I have quoted from the last report of the board of engineers, and if you will look at their first report, in 1874, you will see that they therein make revised estimates for both the north and south jetty projected toward the outer bar, and they raise Captain Howell's estimate \$635, 401.50, making the total \$1,759,401.85, instead of \$1,124,000.35. The chart is referred to as showing the "parallel jetties," and the board takes no exception to that location, nor does it suggest any change. This report also is signed by General Newton himself. It is in the face of these facts and of many more like them, running all through the reports, that "both the Chief of Engineers and the engineer in charge deny that the north jetty has ever been located."

I will call attention to one other proof. Here is the chart with the report of 1880. It is the official map of the engineer in charge, Colonel Mansfield, with his signature upon it, and it is under these words: "Showing lines of proposed jetties." This chart is sent to Congress by the then Chief of Engineers, and it is in Colonel Mansfield's report, dated July 17, 1880, just thirty-seven days after the report of the board, of which General Newton was a member, and which gave advice to the Engineering Department to help it to a final conclusion. After it has been all digested we have this map, which the Chief of Engineers publishes with his report and without comment. Yet the north jetty is not located! I shall have occasion to refer to this map again, as well as to some of the very ample statements in this report about both of

Thus you see both of these gentlemen are frequently and in the most conspicuous manner refuted by point-blank testimony over their own signatures.

Mr. WHITE, of Kentucky. May I ask the gentleman from Arkansas [Mr. Breckinride] to give the date of that first statement?
Mr. BRECKINRIDGE. The date is not given, but Mr. BAYNE in-

Mr. BRECKINRIDGE. The date is not given, but Mr. BAYNE introduced it in his speech here on Saturday, and its general tenor indicates that it has been written quite recently.

Mr. BAYNE. I think you will find that it bears the date of January 21, 1885.

Mr. BRECKINRIDGE. It is certainly in this year. The date of the first statement from the reports is several years ago, during the progress of the work.

Mr. SPRINGER. If I do not interrupt the gentleman, I would like to ask him whether, in these comparisons that he is making, he may not be confusing the inner with the outer harbor?

Mr. BRECKINRIDGE. No, sir. The north jetty has nothing to do with the inner harbor. There is no possibility of that construction. The whole argument is predicated upon this plan, and here are the lines projected into the Gulf and drawings of cross-sections and all that.

Now, there is another statement made by the engineers, which goes to show how those gentlemen are dealing with this work, and how much confidence we can have that they know what they are about or that they would ever do any good there.

that they would ever do any good there.

This statement is in regard to the width between jetties. This officer (Colonel Merrill) says that the statement that the width is to be two and one-fourth miles between the jetties is positively denied by the Chief of Engineers and by the resident engineer. We can only go upon the data given us by the Chief of Engineers, through the War Department, and sent here for our guidance.

Now, sir, here is this chart, indorsed by the final authority and after counsel, and the width is given. It is no "study" map, and it is not so given. You see by it that the outer ends are 12,200 feet apart, considerably more than two and one-fourth miles. The inner ends are somewhat wider. Here are the dividers [producing them], and I invite any gentleman to come here and take the measurement for himself and look at this chart.

Again, it is stated by this gentleman that the statement that there were to be outlets or gaps in the jetties is entirely untrue, that nothing of the kind is mentioned. He says, "I can find no authority for the existence of these outlets." I will only ask the House to look at the printed statements on that point. Colonel Mansfield states in his last report to Congress, which was under the eye of this engineer, that upon the chart he has shown the line of the north jetty—which of course is another place where the north jetty is located. But I am now discussing the question of outlets. I read from part 2, page 1298, report of 1884:

Upon the chart is shown the line of the north jetty, as I propose. It is to project from a point abreast the 25-foot depth in Bolivar channel to 25-foot depth in the Gulf, &c.

Now, take the 26-foot point in Bolivar Channel and measure from that back to the shore, and you will find that it is over 6,000 feet out from the shore, leaving conclusively a gap of largely over a mile in extent. I furthermore state that while I have not seen the chart since it was sent to the Chief of Engineers, for our present advanced set of the report does not contain it, yet I did see it when I was in Galveston last fall, where I went in compliance with a promise I had made to the Texas delegation that I would go and examine into their wants. When I was in Galveston I saw the proposed chart, and it showed a gap of apparently several thousand feet between the shore and the inner end of the north jetty. But the statement I have quoted shows it, and of course the chart referred to is in the office of the Chief of Engineers and was examined by this officer, as he states. Then on page 1414—report of 1882—the board says: "It seems probable that they (the jetties) must be connected with the shore." Do these things indicate gaps or outlets?

The next question is as to the height of these jetties. It should be remembered that all the successful works of this character in the world (of which there are many instances, and some of them over a hundred years old) are jetties that are high enough to conserve the flow which they seek to direct upon the bar, and they are also high enough to prevent sand from being transported over them into the channel, and to prevent their being destroyed by the overfall of waves that would burrow beneath them. It is a great mistake to suppose that mere sand is a compressible base. The trouble with sand is that it is a movable base. In the report of 1830 the board say there is no more trouble here than on the bars of New England, that rubble would easily stand, and they give a cut of the shape it would take. When the foolish man built his house upon the sand, he had no trouble about the sinking of the sand; it was only when the rain descended and the floods came and the winds blew and beat upon that house that it fell, and great was the fall thereof—as was the case with the gabions, and as is the case with much of our sea-work at other places; which, however, I have not time to go into now. They deny that these jetties are to be submerged. If you will look on page 1229, report of 1880, you will find these words:

It has always been assumed that the Galveston jetties are to be submerged.

And it goes on to say that "an average height of five feet above the sand" may "prove sufficient." This is signed by General Newton himself.

Now, as for Major Mansfield upon this point, turn to page 1211, same report. This language is dated in July, about a month after the board had given its counsel, and is sent to Congress in the following December as the conclusion of things. It is by Mr. Ripley, an assistant to Major Mansfield; and on page 1206 Major Mansfield says he is indebted to him for "so clear and comprehensive an exposition of our plans." The report says:

The accompanying tracings show the form and position of each jetty. The south jetty, * * * commencing at the inner end for 4,080 feet the top, is five feet below the water. From this point it slopes up to the water surface.

And it never does get substantially above it. The north jetty amounts to the same thing.

Now, if you want an earlier expression upon this point, see page 733, part 1, report of 1874. Captain Howell, the officer in charge, says: * They may be called submerged jetties, since they will not, except on a short portion of their lines, be built up to the plane of mean low tide, while for the greater part their tops will be five or six feet below that plane.

'General Newton concurred in the report of that year that took no exception to this, but expressed the opinion that if the "piers proposed" were constructed the depth would be increased "in an important degree." Yet these gentlemen tell us that these jetties are not to be submerged. Pray, when and where and by whom have they been changed? Shall we look to the last report of all? I mean the last report of the beard. They see page 1454 propert of 1882. It seems: board. Then see page 1454, report of 1882. It says:

Weadvise that the jetty be almost if not wholly submerged, as originally intended by Major Howell.

And they speak of no part showing its head except "the outer ends."

This language also is signed by General Newton, along with the other members of that board. And yet these gentlemen in question, who are our presumed hope, guides, and support—the ones that suffering commerce and a languishing State all look to—they come and certify such things to us, as if we would never look up their past reports, but would go on suffering forever, and forever sustaining them with the people's millions in wretched experiments that the great marine en-gineers of the world tell us are but child's play. It is in vain for these gentlemen to talk about this as a mere personal question, when the commerce of the country is suffering, or to denounce honorable merchants as "mercenaries," or an honorable and eminent American as being allied with such despicable characters, when they are failing in argument, failing in works, and even failing in statements of fact. have been astounded at these proceedings.

I have been astounded at seeing a high officer of the Government certifying such gross inaccuracies to Congress, and so far forgetting himself as to indulge in billingsgate and slander toward a man and a set of eminent gentlemen who command the respect of all who know them. It has frequently been remarked with us that this at least seemed to be one project where all the lobbyists were left out, much, apparently, to their chagrin, and only plain, honest, earnest argument was employed, headed by such eminent gentlemen as our chairman of the Commerce Committee [Mr. REAGAN] and the other able and distinguished members from Texas and the eminent Senators from that State, a dele-

gation, as a whole, that is an honor to our country.

And now, sir, I come to another feature that has lessened my confidence in the present administration of this work, and which helped to make me conclude that we need to employ some one else if we do not mean to mock the sufferings of 2,000,000 of people. On page 217, part 1, of the last report, the Chief of Engineers, General Newton, says the estimate of 1880 "contemplated the obtainment of a channel across estimate of 1880 "contemplated the obtainment of a channel across the outer bar at least twenty-five feet deep." The last words are in italics. Now, sir, there are two reports from the board in 1880, and both of them are signed by General Newton. One is dated New York, June 7, of that year; and on page 1221 of the report of 1880 you find it stated that the project they had been working under, with Major Howell in charge, contemplated "deepening the outer or Gulf bar from twelve to eighteen feet, possibly." No other contemplated depth is mentioned in the report of the board.

The other reports are the same way. Where they deep the Chief.

The other reports are the same way. Where, then, does the Chief of Engineers get his authority for making that statement to Congress? As a member of the board he has uniformly stated the contrary. There is, however, a place where he gets it, and it carries a moral with it. You a member of the board he has uniformly stated the contrary. There is, however, a place where he gets it, and it carries a moral withit. You will find on page 1214, report of 1880, a statement by Major Mansfield's assistant, Mr. Ripley, regarding the effect of the jetties he proposes. He says: "We should look with confidence for an extreme depth of not less than twenty-five feet." This is the only place in all the reports, from the beginning in 1873 down to this time, where any such mention is made. But General Newton says on page 8, in his letter to our committee, that "these reports have no other value save the authority of their authors." He further says that they are "without any sanction from the proper authority." Is the prophecy of this humble assistant of any "value" to him now? Has it "sanction from the proper authority?" Go back through all the "proper authority" and the maximum purpose stated anywhere is "possibly eighteen feet." How is this to deal with Congress? What hope can we have here?

I showed before that the report of Major Mansfield was what was sent to us for our guidance. He says on page 1206, once quoted, that this report of Mr. Ripley's is "a clear and comprehensive exposition of our plans." Now the Chief of Engineers adopts it, and let us see how he proposes to give us "at least twenty-five feet" of water.

Look at the chart, which is a part of the report, and is signed by Major Mansfield in official form, and look at the text on page 1211 and following:

The scoth interest at the length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 feet and extends form the first the set text length of 15 220 fe

following:

The south jetty has a total length of 15,330 feet, and extends from the 6-foot contour at its inner end to the 13‡-foot contour at its outer end. Commencing at the inner end, the top for 4,080 feet is 5 feet below the water surface.

The north jetty has a total length of 8,090 feet, and extends from the outer end of the Bolivar gabionnade to the 12-foot contour across the bar.

We all know the history of those submerged gabions. Now, sir, here

are these submerged jetties 12,200 feet apart—over two and a quarter miles—going scarcely to twelve feet depth, and they, according to this last complexion, are to give us "at least twenty-five feet" of water. Sir, comment is unnecessary.

But the humble assistant and the officer in charge, even when their reports are sent to us professing to be the plan, and that not dissented from by the Chief of Engineers in his accompanying report, are not "the proper authority." Are they "proper authority" now? Pray who is managing this business? The board says on page 1229, report of 1880, in speaking of these jetties:

Neither, however, should be carried more than two miles seaward until the

Neither, however, should be carried more than two miles seaward until the other has progressed nearly an equal ratio.

On page 1214, same report, the local engineer says:

There can be no doubt, therefore, that the south jetty is the important one, and should be constructed first.

Now which has been done? There has been constructed nearly four and one half miles of the south jetty and not a foot of the north jetty, unless it be a trial section. Was this according to the plan? Was it by authority?

The map of 1880, says General Newton, page 8 of letter, was a "crude idea." They had been at that work for seven years. Was it still "crude?" In 1881 and in 1882 they leave out the north jetty. In 1883 they locate it, he says, in a different position. Now in 1884 we seem to have another position suspended out in the sea. Is it still crude? I believe it is more crude to-day than it ever was. It is in an inextricable tangle, and neither plan nor men offer the slightest basis

Colonel Merrill also quotes from Major Mansfield and says the south jetty has not been completed. This point is important only as additional evidence of the kind of testimony we are getting and of the faith tional evidence of the kind of testimony we are getting and of the faith we can have in the way matters are going on. I will dispose of it briefly. (See report of 1883, page 1063.) Here is a letter from Major Mansfield to the mayor-elect of Galveston in regard to what it would take to complete this jetty. Congress had failed to pass a river and harbor bill the previous session. Galveston was willing to borrow money and give it to the work, though of course it concerns the whole State of Texas. Major Mansfield says:

One hundred thousand dollars will keep the work on through the summer, and will effect the entire completion of the south jetty.

He got the money and spent it without trouble or delay to the "entire completion" of this jetty, and yet we have this unqualified statement made to us. All of the jetty had been raised to "its full height," except a 6,000-foot gap. They had concluded to bring the jetty higher than any plan had contemplated, and "the \$100,000 is necessary to close this gap." Then the jetty will be "built up throughout to level of mean low water," which, as stated, was "entire completion." That is expented of this is enough of this.

Here also Major Mansfield states that he expected this to obtain an 18-foot channel by the following fall, but the only effect of any note was the deepening of a trench on the wrong side of the jetty.

This brings me to the claim now made of the effect of this work upon

the channel.

The Chief of Engineers says in his last report that there is "a very apparent improvement in depth over the outer bar."

Major Mansfield says, as quoted here by Colonel Merrill:

The depth of water over the outer bar has been improved so that navigation has been benefited to the extent of about two feet, and this has been accomplished by the Government works, which consist of an incomplete jetty running from Fort Point out to the crest of the bar, a distance of four and one-quarter miles.

Now, the only way to tell what the effect of that jetty has been is to take the depth on the bar at the time it was begun and compare it with the depth on the bar after it is finished. On page 147 of the report for 1880 the Chief of Engineers says:

The appropriation of \$500,000 asked for is to be applied to building jetties of brush and stone directed toward obtaining an improved depth of water over the outer bar, where there is now but twelve and three-quarter feet.

Now turn to page 1301 of the last report, and we see that the present depth is stated at "thirteen feet," and as for any movements that have taken place the past year, they are summed up on page 1298 in the expression:

No benefit to navigation has resulted yet.

And on the same page Major Mansfield himself says:

The depth of thirteen feet at mean low tide in the jetty channel of one year ago has been maintained.

Mr. REAGAN. What is the date?

Mr. BRECKINRIDGE. August 28 of last year. It is the last report we have before Congress. Now, what was the original depth? The original depth was twelve and three-fourths feet, and they have got, as they certify in print here, thirteen feet, which is an increase of just three inches. As shown by their own printed statements it is only three inches. inches, yet these gentlemen report to Congress, and one of them solemnly says, "there is a very apparent improvement in depth over the outer bar," and the other one says it is two feet.

Mr. SPRINGER. What is the difference between depth at low tide there and high tide?

Mr. BRECKINRIDGE. All measurements are calculated at mean

low tide unless expressly stated to the contrary. The rise of the tide there is a trifle over a foot.

A MEMBER. Perhaps they made a mistake.

Mr. BRECKINRIDGE. I think they did. The whole thing is a mistake. If they have made a single ordinary mistake they do not explain it. I will say that we have time and again tried to get the Chief of Engineers before the committee to inform us on the subject, but we have never been able to get him there. When we urged him to come

Mr. WILLIS. I hardly think my friend ought to go that far. General Newton was invited before the committee, but replied he was on

Mr. BRECKINRIDGE. I am going to state that. Last year we invited the Chief of Engineers before our committee to give us information, and we were put off by some question of etiquette. I want to state here, as I understand it, and the chairman can correct me if I am wrong, that while we had discussed this question with Captain Eads, the engineer who represented one view, we invited the Chief of Engineers again, and he declined to come upon the statement that he was on a court-martial that was sitting in the city. Here is a great national work practically in his charge, and a committee of the Federal Congress is considering the matter in a short session; we invite him to meet us, and we are put off in this manner.

Mr. ROSECRANS. He was obliged by order of the Secretary of War to sit on the court-martial, of which the hours are fixed. Mr. BRECKINRIDGE. If it is not a matter of discretion with him

then it is all right. None of us seem to have thought of that. There was no court-martial before. It is doubtless as much our fault as his that the Secretary of War was not asked to let the court-martial wait a few hours on the wants of Congress. We have tried this two ways and during two sessions, and we must content ourselves with the printed testimony, which I have mainly gone over. I wish to condemn most strongly this whole way of dealing with the public interests.

Major Mansfield is quoted by Colonel Merrill as saying:

This structure is a most substantial one, and is not likely to deteriorate much.

I presume this means that the jetty is in a good state of preservation. I dislike very much to have to contradict that statement. It is very painful to me, as this whole business is, but I have no right to regard my personal reluctance. I hold in my hand the soundings I made on that jetty last autumn, being in company with Major Mansfield himself, and I estimate that not less than 50 per cent., as shown by the soundings on the creek of the jetty after you get a little out from the shore end, is gone. I have the soundings here in my note-book. Major Mansfield accompanied me in an open boat; I did a part of the soundings, and I had one of his employes do the other part of it, I taking down the notes as we went and making a summary statement of the first part. Major Mansfield may be erroneously quoted; but here

are the facts, and they are my guide.

Mr. ROSECRANS. Will the gentleman permit a further question?

Mr. BLANCHARD. Let meask the gentleman first when was that?

Mr. BRECKINRIDGE. It was last fall; in November of last year. Mr. ROSECRANS. I desire to ask the gentleman (as it is nec

to know in connection with such measurements) from what surface he

Mr. BRECKINRIDGE. I took it from the usual surface of measurement adopted by the engineers. The point is that this jetty is stated in this report to have been brought up by them to mean low tide. That you find established on page 1033, report of 1832, and the oral statements also were made to me. Now, I took my soundings at an unhas all the benefits of the elements on its side. I find in my notes this remark: "The pilot says the water is lower than he has seen it in a long time."

Mr. ROSECRANS. Will my friend permit another question? Did you have any means of knowing how that measurement or point from which you measured compared with the bench-mark usually taken as

the low-tide mark?

Mr. BRECKINRIDGE. The engineer who accompanied me, and also the marine men acquainted with the facts, informed me that at that time it was unusually low tide. The work had previously been a little out of higher water than that, and I am giving its present depth below a lower surface of water.

Mr. ROSECRANS. But the gentleman knows that there is a benchmark from which such comparisons are made.

Mr. BRECKINRIDGE. Of course I do not question that. We all

know that.

Mr. ROSECRANS. This bench-mark is the datum plane or line. have had much experience in water measurement, and there may be in such cases a mistake in beginning the measurement from the wrong point, instead of taking a surface point or datum plane which has been established.

Mr. BRECKINRIDGE. Nothing can affect the practical fact that in what I was informed was an unusual low condition of the tide I made this sounding on that jetty, which, as we know, had been brought visibly up to the surface of the water and a little above it, and now, at unusually low tide, I found points—there were plenty of places even

then-where a steamboat could run over the jetty, and I have the measurements here to show the facts.

Here they are, running ten, nine, and seven feet under water on the crest, though the average of course is less. Where there happened to be a spit of sand we would find it as shoal as three feet, or even eighteen be a spit of sand we would find it as shoal as three feet, or even eighteen inches; but the outer half of the jetty shows an average depth on the crest of, say, six and one-half feet, with an occasional high point. Near shore it is well preserved, owing to sand there, and to being much higher originally, as shown in the last report, than the other parts.

It is hardly necessary for me to carry this analysis further. I do not believe that there is a single essential statement in General Newton's letter or in the init terms from Colonal Marrill and Maior Manafold.

letter, or in the joint paper from Colonel Merrill and Major Mansfield, that is not as erroneous as these propositions of which I have just treated. This work is but a sample of much that is going on all around the coast. We have made appropriations for other harbors under a species of protest, for we provide a temporary harbor board, to be composed mainly of men not associated with these wretched schemes, most of which assuredly should never have been begun, and that board is to report fully

to the next Congress.

I am a plain, business man, and I try to look at things in a plain, common-sense way, and I think that surely there can be no bureau of the Government more sadly in need of refrom than this one is. The officers are free from corruption; but there is a thorough unfitness for this work. There is an easy-going, indifferent, unreliable way of doing things that needs to be stirred up and reorganized from the very bottom. The time has come for a change. The people won't stand this. They ought not to stand it. And we need to start a reform here in Congress. We should select proven ability for these works, settle upon works with greater care, and then make adequate appropriations for them. Unless we are going to complete a work in the right way it is a public duty that we should not undertake it at all.

Mr. ROSECRANS. That is right.

Mr. BRECKINRIDGE. And let me say here that this should not be a political bill, or a log-rolling measure, or a bill to distribute the public revenues, or anything of that kind. With due regard to the equities it should be a business measure for the improvement of the commerce of our country, with neither Democracy nor Republicanism

Now we propose to employ an engineer second to none in the world, to supply the Secretary of War with money, and to tell him to improve this harbor according to the plans of a man in whom we have confidence. We are not here to do anything for him, but we want to hire him to do something for us. He can make nothing but his \$5,000 a year and his \$3,000 a foot. He has not the spending of a dollar. He tells us the work must be almost entirely of stone or concrete, and he tells us the approximate cost. We find it far less than the estimates of our engineers of cost for an equal extent of inferior work upon the basis of their South Pass estimates and allowing the usual per cent. for contingencies. This eminent engineer tells us that there is not a particle of doubt about making the work a success. But he will do it as all the great jetty works in the world are done.

How idle are estimates for the present plan! The work is located wrong to start with. Had this sort of work been located right we have no assurance that we have confidence in that any amount of money thus applied would ever get and maintain a good channel. The sea has destroyed all of the north jetty. The tide and teredo have destroyed nearly, if not quite, one-half of the south jetty. The bar would move seaward if the feeble things were finished, and leave you worse off than seaward if the feeble things were missied, and leave you worse of than before. What is your condition now, after vast expenditures? What would it be in this line if you wasted millions in this way? Colonel Merrill says: "It is quite possible," in speaking of such work, "that one or the other [jetty] might require removal."

The doctrine laid down by Eads is to be sure you have mastered your the doctrine laid down by Eads is to be sure you have mastered your

subject before you begin work, and then push it with all possible speed. General Newton says Hartley's works at the Sulina mouth of the Danube "were eminently tentative in their character." to be the case. The first work was provisional, but the tracings were exactly the same, and when Hartley began his work he pushed out upon his lines with the utmost dispatch. The Dutch works of the Scheur branch of the River Maas, says General Newton, "is a case where heroic treatment has been applied, with the result of an immediate failure." The reverse is true. The treatment was feeble. The jetties were much wider apart than was the cut that supplied water for them; consequently a vast amount of dredging had to be done; and instead of the bar being dispersed by a vigorous current, it was simply turned over by slow degrees to be as bad an obstruction as it was be-fore. They have since imparted energy to the current by adequate contraction.

Now shall we stop this trifling and give these people a harbor? Here are nine hundred miles of coast and not a harbor. Here is the first cotton-growing State in the Union, here is the first wool-producing State in the Union, here is the first cattle-raising State in the Union, here are over 2,000,000 of people, \$120,000,000 annually of farm products, \$1,000,000,000 of the people's wealth, 6,000 miles of railroads carrying their commerce, not to speak of adjacent States, and all are suffering from the lack of a harbor. The entire territory dependent is

equal to all of the New England States, and New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, North Carolina, Kentucky, Tennessee, Iowa, Minnesota, and Nebraska. Shall we give this region a harbor? I say yes, and I call the attention of Congress to the striking fact that from Hampton Roads, almost at the base of the Capitol, to the Mexican line, nearly 3,000 miles, there is only one harbor entrance where a first-class merchantman or a well-appointed man-of-war can float. That is the South Pass of the Mississippi River. Pensacola is questionable and un-

Mr. DIBBLE. Will the gentleman from Arkansas permit me to interrupt him long enough to say that Port Royal, on the South Carolina

coast, has twenty-six feet of water?

Mr. BRECKINRIDGE. The commerce of that point is so small that did not remember it. I accept the statement of the gentleman. There seems to be that remote point which has twenty-six feet of water. But take a city like Wilmington or Savannah or Charleston or Mobile. They are all second or even third-class harbors; and our commerce must not be compelled to make the long and expensive hauls to New Orleans and Hampton Roads.

Mr. KING. Twenty-six feet of water does not admit a first-class

man-of-war or modern merchantman.

Mr. DIBBLE. The Great Eastern only draws twenty-eight feet. Mr. KING. In New Orleans a ship drawing twenty-nine or thirty feet can enter.

Mr. NICHOLLS rose.

Mr. BRECKINRIDGE. Do not talk across me. I have no time to yield for further interruption.

Now, Mr. Chairman, there is one other point I desire to discuss—and these remarks are much less complete and much less compact than

would like to make them.

I want to call attention to our action about the Mississippi River Commission. The bill shows that we provide for an advisory engineer for the commission, and we recommend that James B. Eads be appointed to the place, and we require the Secretary of War to carry on the improvement of that river according to the plans, &c., of the commission as the same may be approved or amended by the advisory engineer.

This, too, has been rightly called a radical step. Nothing of an ordinary character could justify us for a moment in taking such a step as nary character could justify us for a moment in taking such a step as this, and it is proper and unavoidable that the House and the country be given the reasons for our course. I will say that it is the result of the most mature consideration and counsel; and at a very full sitting of the committee, after long and protracted discussion, all present agreed to this step except my friend from Pennsylvania [Mr. BAYNE]. I do not consider it necessary to reply to the dissenting argument my friend has made. It needs no reply. It is proper to say that my friend from West Virginia [Mr. Gibson], who also dissents, was not present at that meeting. His speech needs no reply. I can not but hope that had he been present and participated in our lengthy and earnest proceedings he would have concurred in our general purpose. But of course this is conjectural.

I will try to explain the reasons for our decision.

This commission was organized under an act approved June 28, 1879.

It was composed of seven members: Col. Q. A. Gillmore, president of the commission; Maj. Charles R. Suter, Maj. C. B. Comstock, all of the Engineer Corps of the Army; James B. Eads and B. M. Harrod, civil engineers, and Hon. Benjamin Harrison, now a Senator from Indiana. The personnel has somewhat changed—Mr. Eads has gone out, Mr. Harrison has gone out; but I need not dwell upon that. In plain terms, they were to take charge of the whole question of the improvement of the Mississippi River from Cairo to the Gulf. Their jurisdiction is now somewhat enlarged. The idea of a board or commission for this vast and vital business was and still is a wise one.

and vital business was and still is a wise one.

After long and mature consideration the commission agreed upon a plan for the improvement of the river. That plan is set forth in their first report (Senate Executive Document No. 58, second session Forty-sixth Congress, and dated March 6, 1880). The report treats with great clearness of the philosophy of the case, and it lays down a plan of work in conformity thereto, reciting successful practice. It is not necessary for me to recite the accompanying dissenting report of Major Comstock and Mr. Harrison, for they concur in the general features and only dissent in "some less important points." This plan has received the approval of Congress and the country. This is evinced by several appropriations by Congress, aggregating over \$8,000,000, which, with the appropriation in this bill, will amount to over \$11,000,000. I do not include anything above Cairo. The people have applauded this; executives have recommended it, and both political parties in national convention have pledged themselves to the continuation of the work.

Now, sir, what is the plan to which we have pinned our faith, and After long and mature consideration the commission agreed upon a

Now, sir, what is the plan to which we have pinned our faith, and of which we have no reason to doubt. I can best state it by reading extracts from the first report of the commission. On page 16 it says:

It has been observed in the Mississippi River, and is indeed true of all silt-bearing streams flowing through alluvial deposits, that the more nearly the high river width, or width between the banks, approaches to uniformity, the more nearly uniform will be the channel depth, the less will be the variations of velocity, and the less the rate of caving to be expected in concave bends. * * * Uniformity of width secured by contraction will produce increased velocity, and

therefore increased erosion of bed at the shoal places, accompanied by a corresponding deposit of silt at the deep places, and consequently greater uniformity of depth.

spending deposit of silt at the deep places, and consequently greater uniformity of depth.

Uniform depth joined to uniform width—that is to say, uniformity of effective cross-section—implies uniform velocity, and this means that there will be no violent eddies or cross-currents, and no great and sudden fluctuations in the silt-transporting power of the current. There will, therefore, be less crosion from oblique currents and eddies, and no formation of shoals and bars produced by silt taken up from one part of the channel and dropped in another.

The work to be done, therefore, is to scour out and maintain a channel through the shoals and bars * * * and to build up new banks and develop new shore lines, so as to establish, so far as practicable, the requisite conditions of uniform velocity for all stages of the river.

This improvement can be accomplished below Cairo by contracting the low-water channel way to an approximately uniform width of about 3,000 feet, * * by causing, through the action of appropriate works constructed at suitable localities, the deposition of sand and other earthy materials transported by the water upon the dry bars and other portions of the present bed not embraced within the limits of the proposed low-water channel. The ultimate effect sought to be produced by such deposits is a comparative uniformity in the width of the high-water channel of the river.

These constructions will commonly be open or permeable to such a degree that * * they will sufficiently check the current to induce a deposit of silt in selected localities.

I could cite more, but this is enough. I will add, however, that an-

I could cite more, but this is enough. I will add, however, that another important feature was the closure of outlets of which the Atchafalaya was perhaps the most important. It was agreed to at once stop the enlargement of that outlet, but not to take further action until the report of Major Benyaurd, who was then making a survey of it, should be received. The estimated cost of the first step was \$10,000.

I will now turn to the second report of the commission (there was

another report the meanwhile, which, however, relates principally to other matters), which is dated November 25, 1881, and begins on page 2745 of the report of the Chief of Engineers of that year. In this report the commission shows that it has not silled the Atchafalaya, and it continues to promise that the initial step shall be taken. Running through the whole report there is a confusion of thought, and therefore I turn to the report of Mr. Eads, which accompanies the report of the commission, for a plain and clear restatement of the original plan of improvement. Mr. Eads, I believe, was also the author of the first report

report.

Mr. ROSECRANS. Did I understand the gentleman to say that the

author of the first report was Captain Eads?

Mr. BRECKINRIDGE. It is so stated.

Mr. ROSECRANS. I wish to say that I have known that all along

Mr. ROSECRANS. I wish to say that I have known that all along since I have known anything about engineering, and it is good sense.

Mr. BRECKINRIDGE. I will not go over Mr. Eads's reasoning about the Atchafalaya, in the course of which he urges most strenuously that immediate action be taken toward the closure of that perilous outlet, and says that the closure should be completed in "six years," so as to restrain "about one-sixth of its volume per annum."
This general subject is also treated with the greatest clearness and ability in the report signed by the gentleman from Illinois [Mr. THOMAS] ity in the report signed by the gentleman from Illinois [Mr. Thomas] and the gentleman from Louisiana [Mr. Ellis]—in their report accompanying the Burrows report. These two papers are masterly and complete, and no thoughtful man can read them without concluding that advocates of the "outlet" theory are among the most mistaken of men. There is no proposition more opposed to numberless facts, more inconsistent with reason, or more universally condemned by all classes of engineers. But Mr. Eads, in summing up the adopted plan on page 2775, says:

2775, says:

The plan of improvement recommended by the commission differs from any other previously proposed for the correction of the channel in the fact that it looks to a rectification of the high-water channel by the ultimate narrowing of these wide places as the only method by which a deep and uniform low-water channel can be permanently secured.

The wide places in the high-water channel create alternations of current velocity and steeper slopes to overcome the excessive frictional resistance. These cause the water to be highly charged with sediment at one part of its journey to the sea and much less highly charged at others. This creates scouring and depositing in the bed, and radical changes in the channel by the caving away of its banks.

By reducing these wide places to a width approximately the same as that of the narrow parts of the river the friction is reduced, a lower slope and uniform depth will be obtained, and the velocity of current will not be subject to its present changes. A uniform charge of current will result from uniform current velocity, and the caving of the banks will then be practically arrested, for the reason that when the water has the full charge of sediment due to its velocity it can carry no more, and can not, therefore, soon the channel more deeply, by which the undermining of the banks is effected.

Permanence of channel will not, therefore, be secured until these excessive widths are reduced. A less depth at low water than twenty feet will not insure stability of channel, for the reason that a less depth will result from only a partial reduction of the wide places. Permanence of channel will be attained only in proportion as uniformity of width of the high-water channel is attained, and when this is secured the depth at low water may be considerably more than twenty feet, but it will certainly not be less. The sooner these wide places are corrected the less will the improvement of the river cost.

There can be no doubt of the entire feasibility of so correcting the Mississippi River from Cairo to the Gulf that a channel depth of twenty feet during the low-water seasons can be permanently secured throughout its entire course.

Upon the basis of this plan the commission estimated, on page 2752 Countries of 1881, that the entire cost of improving the six reaches from Cairo to Red River, one hundred and eighty-four miles, would be \$8,226,000, and for the entire river to that point \$33,000,000. There was no material dissent from this. After this the breach between Captain Eads and the majority of the commission further widened. Captain Eads contended for a faithful adherence to the plan and doctrine laid down, while the majority of the commission seemed unable to realize the fixed laws of nature; they never seemed to clearly grasp the problem in hand, and they varied and dallied as men often do in controversy and when they immediately confront a question too great for them, the principles of which in calm moments they clearly admit.

The very simplicity of the great question seems to baffle them. They failed to grasp the central facts and ideas. The result of this was that Captain Eads afterward resigned from the commission, it being an open secret that he did so in order to escape the responsibility of errors which he had clearly pointed out but could not avert. He did not participate in the proceedings of the commission after the report I have quoted from. The country did not appreciate the force of the weak tendency that had set in, and I know that it was only near the close of the last session of Congress that, for my own part, I became fully aware and seriously alarmed at the course the commission was taking.

It then began to appear plain to me that the commission was radically and fatally departing from the plan of work we thought they were pursuing, and I have since studied the reports with greater care than before, and I have renewed my examination of most of their work. This departure has been a growth. It has been like increasing weak-ness, until now the present report comes to us, and it contains plans and statements that must be squarely met by all who have real con-

and statements that must be squarely met by all who have real convictions or any high purpose in connection with the river.

I will trace this matter. In the next report after the one I last read from—that is in the report for 1882, after Eads had ceased to take a part in the proceedings—you find in a paper from Professor Mitchell, a member of the commission, a gentleman looked upon as simply a technical adviser, the following language on page 263:

Indeed, under the general rule that the bars form at the reversion points of curves it is evident that their position must vary as these curves vary, and that the holding of the curves by revetment or otherwise is an essential early step in the control of the river. It antedates logically the retrenchment which is to deepen the water at the bars.

This is a new doctrine. It is true it is put in an obscure place, and in very small print; but it comes, as by request, from one of the commission, and it seems as if they are seeking a new conclusion.

We had previously been told that to narrow these wide and shoal places by silt-arresting works was the *only* method by which a deep and uniform low-water channel can be permanently secured.

Of course this was to be in connection with high-water treatment. We were also told that

The wide places in the high-water channel create alternations of current velocity, &c.

And then that-

This creates * * radical changes in the channel by the caving away of its

We were told that-

Permanence of channel will not, therefore, be secured until these excessive widths are reduced.

And that when we properly reduce these excessive widths where the

Uniform depth will be obtained and the velocity of current will not be subject to its present changes.

When that is done-

A uniform charge of current will result.

And that-

The caving of the banks will then be practically arrested.

This stands to reason, and it has never failed in all its numerous practice. The professor loses sight of the cross-over bars in the channel, where you find from five to fifteen feet of water, while in the caving bends the water is, say, one hundred feet deep and often deeper. submerged bars always join the lower and the upper ends of the dry bars, and they are not "at the reversion points of curves;" but they form just where the river passes the sustaining wall or bank that has been caving and spreads out and unloads at this wide and sluggish point infloods, preparatory to running with increased and destructive velocity into the next bend below. This is the bar that causes the mischief. This is the bar that was to be "scoured out" by contracting the dry bars just here and at their other parts as additional aid as the "only" method by which the river could possibly be improved. Now, this con-

traction upon these wide bars is to be preceded by something else.

If the Mississippi River were dry and you started in a buggy to drive down its bed from Cairo to the Gulf you would have a very up and down hill road to travel. In places you would be in a deep and narrow gorge, and again you would be upon a hill-top, nearly up to the brink of the bank, and a broad expanse of sand would stretch out perhaps for miles on either side of you. You would then be up on a sand bar, while your previous position was where there had been a caving bend. Now, suppose this bed be filled again with a great flood. You readily see that when the water gets to the broad and shallow bar it spreads out and loses a part of its velocity.

The velocity is also diminished by the friction opposed to the water

by this vast exposure of bottom surface. A part of the sediment that the river was able to carry before it was thus retarded by dispersion

and by friction is of course at once dropped to the bottom. Thus the bar goes on building down-stream, adding below what may be picked up at its head. But the water has a certain distance to fall before it reaches the Gulf, and it will make up for this almost no surface slope upon the bar by plunging headlong into the bend below, and in its new course it will pick up a new load of sediment from the bottom. This destroys the repose of the bank, and as soon as the sustaining pressure of the water is taken from the side of the bank by the falling of the water the bank will begin to cave in. They are land slides.

This new load of sediment will not be dropped until another wide place is reached, at which the river will again spread out and the same operation will be repeated, this new bar causing the same trouble below it that the previous bar has caused just above. Wide places and sand bars are exchangeable terms. I repeat that the cure laid down for this trouble is to remove the cause. That is to say, you will that contraction works at the wide places so as to bring the river at that point to its normal and proper width. Then the river may want to spread, but you will not let it. If you do not let it disperse, then it can not drop its load of sediment. If it is kept loaded, then it can not take up any more load when it gets into the next bend. As I said before, the slope of the surface of the water is nearly level on a bar. As soon as it gets over the bar the slope of the water is steep compared to what it was on the bar, and of course the current is correspondingly swift.

But you will soon make the water cut out the bar, and you then not

only send the current loaded into the bend, but you also, by the removal of the bar, have deprived the current of the cause of its excessive velocity. You have then brought about a general state of uniformity. Then it is that "the caving of the banks will be practically arrested." What revetting you then must do will be only an incident and easy to do. A good deal of this sort would be needed; but it will be easy to do, and comparatively inexpensive.

If it be said that the works are imperiled, I reply that you are putting them where the river is constructive and not destructive.

treat the river at its lazy parts and help it to follow its natural bent.

This then was to be done by proper contraction at the excessively wide places. The constructions for this purpose were to be "commonly open or permeable" so that they will sufficiently check the current to induce a deposit of silt in selected localities. They were to effect "the deposition of sand and other earthy materials transported by the water upon the dry bars and other portions of the present bed not embraced within the limits of the proposed low-water channel."

This is what was to be done, so that the water would be made to remove the bars, the cause of the caving, for surely we can do nothing

unless we can hold the banks.

Now, however, they are not going to effect a cure by removing the cause, but by treating the effect. They have changed their views as to what is the cause. We shall see later on how futile it is to go into the teeth of the river in this way, and then we can better judge whether or not we ought to permit the commission to commit us to this change

of plan.

What I have read from Professor Mitchell's paper prepares us to expect the expression in the main report, page 11, "the main item of cost will of course be the bank protection." This was the only prominent intimation then of these growing errors. It is very forcible in

the light of later events.

And so matters go until near the close of last session we had the commission before the River and Harbor Committee. It is sufficient to say that their influence with the committee was much greater before we heard them than it was afterward. Soon after that we were startled with the information that the extensive revetment work at Memphis and in Hopefield bend was a total loss, and that great city was in imminent peril, with the vital interests of the vast commerce that seeks its facilities in equal danger. We found that the entire work there had been upon this new plan. Last session Congress gave \$200,000 for the emerupon this new plan. Last session Congress gave \$200,000 for the emergency, and we find that it too is being spent in the same way. Not a gency, and we find that it too is being spent in the same way. Not a dollar has been or is being spent to remove the cause of all this trouble; that is, the bars above. They revet where the water is one hundred and one hundred and five feet deep, while just above lie the fatal bars, with some eight and twelve feet of depth. This is only a sample of vast quantities of work, nay, of the present prevailing policy. Reason and the adoption of the plan we thought they were adhering to has not prevented their going into this foolish and ruinous departure.

Experience teaches them nothing. The current continues to come upon them with unabated fury, stripped of its load and ready for the fray, and poor obstinate man stands there fighting the laws of God.

Why not conform to nature and seek her potent aid? Is it because their great rival told them what to do and they are unwilling to learn? Are the public interests to suffer for this? Eads told them the truth. He understood the case. It is not Eads we are fighting for or the com-He understood the case. It is not had we are lighting for or the commission we are fighting against. It is the engineering truth we want, and he happened to understand it and these gentlemen do not. We are pressing forward for the public interests. Men must stand the consequences of their errors, and pique and pride can no more control the Mississippi River than could Canute, by waving his feeble scepter, cause the tide to recede. The plain Dutch have done with their searcher what his meiostre could not call the control of th

works what his majesty could not achieve.

Look further into their last report. You find estimates for various

harbors on the river aggregating \$2,014,000, and every dollar is for revetment. You find on page 4 that they propose a systematic course of revetment for the bends from Cairo down. This they propose to do and to let the river scour out its bars, &c., aided only by revetment, impossible as a first step, instead of proceeding in the line of nature's work. This work, as is clearly deducible from their estimates, will cost at the least over \$130,000 a mile, including plant, while from what they are now trying at Memphis I think the estimate may be more safely put at \$30 a foot than at \$20, if it is to be carried to the maximum depth, and we have scarcely a hope of stability short of that. The same policy is largely practiced in the reaches under treatment. They estimated in 1880 that, say, \$1,250,000 would complete Providence reach, and they have now spent, say, \$2,000,000 on it, and the report says as much more

is required.

For Plum Point reach they estimated less than \$1,500,000, and they have spent over \$2,000,000 on it, with the intimation of spending in all \$4,000,000, with no limit then fixed. For one of the commission says, on page 32, that they will spend three times the original estimates on these reaches, and then the final sum is undetermined. The Atchafathese reaches, and then the final sum is undetermined. The Atchafalaya is not even silled yet, and to-day the whole North is in grave danger of being cut off from the Gulf, and New Orleans is in grave danger of being cut off from the North. All this is the result of deviations from the adopted plan. There is a grave duty for us to discharge here. Can we permit this? Is there a gentleman here who ever dreamed of permitting these deviations from the adopted plan for treating the Can we countenance them for a moment by look, or word, or vote? How are we to act as custodians of the public funds and of this grand river? I expect accidents; I can pardon errors; but I can not condone this radical, fundamental, foolish, and ruinous change of

policy.

Gentlemen, it must be done openly. It can not be hid in a corner. The plain way, the honest way, and the manly way is the only way. We must rebuke those who deserve it. We must in every way merit the confidence of the country. The country has given and will give freely of its money. It asks only frankness and candor of us. Can you fail to stop these departures? Can you ask money for these wretched experiments? Have you a particle of doubt of your true plan? The former offers untold expense and no results. The latter is reasonable in amount and has never failed. Where contraction has been only partially completed the results are perfect to that extent. Of course enemies to the West, the special pleaders of Eastern railroad corporations, will pervert the truth and seek to take advantage of our candor and of our dilemma; but we can not help this, and they can candor and of our dilemma; but we can not help this, and they can

not fool the House or the people. This is the condition in reports and from observation. We must make them go back to what we have confidence in. They must stop this ceaseless revetting, and first remove the bars which are the cause of the trouble. You never find a caving bend but what there is a bar above it. You never find a caving reach but what there is a bar in the middle and a surplus channel to be closed.

Mr. ROSECRANS. Will the gentleman permit an interruption of Mr. BRECKINRIDGE. Pardon me; I have only a moment left. Will the gentleman permit an interruption? The statements I make are plain in the proof.

[Here the hammer fell.]

Rent for Third-Class Post-Offices.

SPEECH

HON. CHARLES R. SKINNER,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 12, 1885,

On the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

Mr. SKINNER said:

Mr. CHAIRMAN: I desire to present some reasons for the adoption of the amendment offered to this bill extending to post-offices of the third class allowances for rent, placing them upon an equal footing with postoffices of the first and second classes.

The present law is a manifest injustice to nearly 2,000 of the most he present law is a maintest injustice to hearly 2,000 of the most faithful of our public servants—postmasters of the third class. It will be seen by a table annexed that the whole number of post-offices in the United States on the 24th of January last was 50,857. Of this number 48,525 are offices of the fourth class, embracing all offices where the salary is below \$1,000 per annum. There are only 81 offices of the first class, 404 of the second class, and 1,847 of the third class. These are fairly scattered over the entire Union. There is little reason why the

fices are supplied. It is frequently urged that post-offices of the third class are located in stores or places of business, and the salary shared by postmasters with merchants and others who actually transact the business. This impression is erroneous.

The statement may be true regarding a great number of fourth-class offices, but if members will take pains to investigate they will find that third-class offices are, with very few exceptions, located in rooms not connected with mercantile pursuits and the rent paid comes squarely out of the salary of the postmaster, in addition to demands upon him for clerk-hire, fuel, &c. I do not recall a single third-class office in the district I represent which is not wholly independent of any other business.

It seems to me selfish and unreasonable to allow rent to four hundred and eighty-five post-offices of first and second class and deny it to 1,847 post-offices of the third class, where the requirements are proportionably as great and where usually the officer devotes all his time and the whole of his salary in serving the public. The allowance asked for would result in more convenient offices and a better service to the

I had the honor to introduce a bill in the first session of the present Congress upon this subject, H. R. 5254, and by instruction of the Com-mittee on the Post-Office and Post-Roads, on February 20, 1884, I submitted the following report:

mitted the following report:

The Committee on the Post-Office and Post-Roads, to whom was referred the bill (H. R. 2410) to amend section 3860 of the Revised Statutes, allowing compensation to post-offices of the third class for office-rent, clerk-hire, &c., respectfully submit the following report:

The bill originally introduced and referred to the committee (H. R. 2410) was as follows:

"Be it enacted, &c., That section 3860 of the Revised Statutes be amended so as to read as follows:

"Sec, 3860. The Postmaster-General may allow to the postmaster at New York city, and to postmasters at offices of the first, second, and third classes, out of the surplus revenues of their respective offices—that is to say, the excess of box-rents and commissions over and above the salary assigned to the office—a reasonable sum for the necessary ocst of rent, fuel, lights, furniture, stationery, printing, clerks, and necessary incidentals, to be adjusted on a satisfactory exhibit of the facts; and no such allowance shall be made except upon the order of the Postmaster-General.'"

The purpose of the original bill was, by inserting the word "third" in the section above given, to extend to post-offices of the third class allowances of a reasonable sum for the necessary cost of rent, fuel, lights, furniture, stationery, printing, clerks, and incidentals, to be adjusted on a satisfactory exhibit of the facts, and made upon the order of the Postmaster-General. Allowances of a like character are now made by the section above referred to to post-offices of the first and second classes, which classes include all post-offices where the salary is \$2,000 or over. There is a manifest injustice in making allowances for rent, clerk-hire, fuel, furniture, &c., at a second-class office, the salary at which is \$2,000, and denying allowances at offices where the salary is \$1,000, and denying allowances at offices where the salary is \$1,000, and denying allowances at offices where the salary is \$1,000, and denying allowances at offices where the

and denying allowances at offices where the salary is \$1,900, or less, down to \$1,000.

With the exception of allowances sometimes made for distribution at separating post-offices, no postmaster at an office of the third class can, under the present law, receive any allowance for any of the expenses of conducting his office, and he is obliged to expend a large portion of his salary for office expenses which the Government now allows to offices of the first and second classes. If it is right in one case it would seem to be right in the other.

The estimate of the Post-Office Department, submitted in a later portion of this report, for allowances referred to in the original bill to offices of the third class is \$1,683,000, the number of offices being estimated at 1,800 on the 1st of July, 1884.

The committee have given the matter careful consideration, including the esti-

The committee have given the matter careful consideration, including the estimate above given, and after full discussion have adopted the following substitute for bill H. R. 2410, which is respectfully submitted:

"H. R. 5254, a bill to authorize the Postmaster-General to make allowances for rent to post-offices of the third class.

"H. R. 5254, a bill to authorize the Postmaster-General to make allowances for rent to post-offices of the third class.

"Be itenacted, dc., That the Postmaster-General may allow to the postmasters at offices of the third class, out of the surplus revenues of their respective offices—that is to say, the excess of box-rents and commissions over and above the salary assigned to the office—a reasonable sum for the necessary cost of rent, to be adjusted on a satisfactory exhibit of the facts; and no such allowance shall be made except upon the order of the Postmaster-General."

The purpose of the substitute is to authorize the Postmaster-General to make an allowance for a reasonable sum for rent only to post-offices of the third class. While the bill does not go as far as some members of the committee would desire, the substitute is accepted by them as a step in the direction of justice. It is believed that it will result in giving better accommodations to a large number of post-offices throughout the country, and thus directly benefit the people by giving them improved facilities for the transaction of postal business. The amount estimated, in order to carry out the provisions of this bill, as by a table attached hereto, is \$432,000.

In his last report to the Postmaster-General the First Assistant Postmaster-General for 1883:

"During the year one hundred and fifty-six lease cases were prepared, and at the close of the year, June 30, 1883, one hundred and eighty-eight leases were in operation, involving an aggregate sum of \$254,181 for rent.

"The leasing of buildings, rooms, and fixtures for postal purposes is one of the most important duties of this division, not only because the additional facilities for the transaction of postal business secured by leasing better accommodations results in a better service and in largely increasing the revenues of the Department.

"This increase of revenue is substantial evidence that the people appreciate improvements in this direction. And there is room for advancement, for

limit of allowance for rent should be reached when the second-class of-

The Postmaster-General also says, page 105 of his report:

OFFICE-RENT AT THIRD-CLASS POST-OFFICE

In another part of this report (under the head of "leases") I touched upon the subject of the Government paying the office-rent at third-class offices. This is an important matter, as you know, especially to a class of meritorious postmaters. I consider these postmasters, as a class, the most deserving of attention at the present time; and, as I have heretofore said, it is a great hardship to compel them to pay their office expenses. I therefore recommend that provision be made for paying at least the office rent at offices of this class.

In this connection I desire to submit the following table:

Table showing the number of post-offices in each State and Territory, number of Presidential offices of each class, whole number of Presidential offices, number of offices of the fourth class, and also number of money-order offices and stations, January 24, 1885.

States and Territories.	Whole number of offices.	Offices of the first class.	Offices of the second class.	Offices of the third class.	Whole number of Presidential offices.	Offices of fourth class.	Money-order of- fices, January I, 1885.	Money-ordersta- tions, January 1, 1885.
Alabama	1,378	1	3	18	22	1,356	90	
Alaska	7					7		
Arizona	143		1	. 5	6	137	16	
Arkansas	1,116		4	14	18	1,098	99	
California	995	4	3	50	57	948	181	
Colorado	505	1	4	28	33	473	81	
Connecticut	465	3	13	39	55	420	77	
Dakota	891		6	35	41	850	105	
Delaware	124	1		6	7	117	17	
District of Columbia	6	1			1	5	1	1 8
Florida	568		2	13	15	553	58	
Georgia	1,364	2	4	23	29	1,335	107	********
Idaho	175			5	5	170	23	
Illinois	2,184	5	25	160	190	1,994	575	1 8
Indiana	1,871	1	16	76	93	1,778	305	********
Indian Territory	145					145	7	********
Iowa	1,638	3	18	111	132	1,506	514	*********
Kansas	1,632	1	13	76	90	1,542	317	1
Kentucky	1,676	1	7	31	89	1,637	107	
Louisiana	601	1	1	10	12	589	66	1
Maine	1,010	2	7	28	37	973	119	
Maryland	830	1	4	14	19	817	68	
Massachusetts	785	6	25	86	117	668	180	10
Michigan	1,618	2	23	90	115	1,503	336	
Minnesota	1,107	2	8	42	52	1,058	182	
Mississippi	906		4	19	23	883	100	
Missouri	1,986	8	5	70	78	1,908	300	3
Montana	229		2	10	12	217	27	
Nebraska	965	1	6	44	51	914	179	
Nevada	140	*******	1	8	9	131	24	
New Hampshire	508		6	26	32	476	78	
New Jersey	752	4	15	.43	62	690	91	9
New Mexico	189		3	4	7	182	25	**********
New York	3,148	10	45	166	221	2,927	486	18
North Carolina	1,846		3	21	24	1,832	108	
Ohio	2,717	6	39	91	136	2,591	456	4
Oregon	463	1	1	13	14	448	62	
Pennsylvania	3,874	5	36	125	166	3,708	389	10
Rhode Island	126	1	4 2	6	11	115	21	
South Carolina	805	1		16	19	786	57	
Tennessee	1,842	2	8	64	27	1,815	118	
Texas	1,651	1	1		77	1,574 235	252 23	
Utah		1		3 20	5			********
Vermont	516	2	6	23	26 81	490 2,012	94	
Virginia	2,043	2	2	9	11	340	108	
Washington		1	2 2	14	17	1,122	62	**********
West Virginia	1,139	1	15	67	83	1,396	266	
Wisconsin		10011200	15	3	4	1,396	11	
Wyoming	106	********	1	3	4	102	11	
Total	50, 857	81	404	1,847	2,332	48, 525	6,992	75

The estimate of the Post-Office Department furnished to me at the time the report was made (February, 1884), when the number of third-class post-offices was 1,745, was \$419,975—a very insignificant amount when we consider the vast sum carried in the Post-Office appropriation bill, and when we consider further the great advantage to the general public in improved offices and increased facilities which would follow a small expenditure by postmasters in better equipping their offices for the convenience of the millions who use them.

A bill has already passed the Senate, and now lies upon the Speaker's table, as follows (S. 1508):

table, as follows (S. 1508):

An act to authorize the Postmaster-General to lease premises for use of postoffices of the first, second, and third classes.

Be it enacted by the Senate and House of Representatives of the United States of
America in Congress assembled, That the Postmaster-General may lease premises
for use of post-offices of the first, second, and third classes, at a reasonable annual rental, to be paid quarterly; but no lease shall be made for a term exceeding ten years; and whenever any building, or part of a building, under lease,
becomes unfit for use as a post-office, no rent shall be paid until the same shall
be put in a satisfactory condition for occupation as a post-office, or the lease may
be canceled, at the option of the Postmaster-General; and a lease shall cease and
terminate whenever a post-office can be moved into a Government building.

A similar bill was introduced by me at the first session of the present

A similar bill was introduced by me at the first session of the present Congress, and reported favorably from the Committee on the Post-Office and Post-Roads. The report made upon that bill, April 12, 1884, is as follows:

Mr. Charles R. Skinner, from the Committee on the Post-Office and Post-toads, submitted the following report (to accompany bill H. R. 5091): The Committee on the Post-Office and Post-Roads, to whom was referred the

bill (H. R. 5091) authorizing the Postmaster-General to lease premises for use of post-offices of the first, second, and third class, have had the same under consideration, and respectfully report:

The bill (H. R. 5091) as originally introduced is as follows:

[Here follows H. R. 5091, which is similar to Senate bill 1508, referred to above.]

A slight amendment was made to the bill by adding thereto the following words: "Provided, That this act shall apply to the District of Columbia."

The object of this amendment is to give the Postmaster-General authority to lease branch offices in the District of Columbia.

The necessity for the enactment of the proposed law lies in the fact that the Postmaster-General, under existing law, has no authority to lease a building for post-office purposes for a longer period than one year or beyond the life of the annual appropriation. The Court of Claims has recently rendered a decision upon this point. While leases are often made, in fact, for a longer period than one year, they are made without authority of law, and the Department can not be bound for more than one year.

In his last annual report (page 10) the Postmaster-General says in reference to leases as follows:

"The only authority for renting buildings to be occupied as post-offices is the

one year, mey are mane without authority of law, and the Department can now be bound for more than one year.

In his last annual report (page 10) the Postmaster-General says in reference to leases as follows:

"The only authority for renting buildings to be occupied as post-offices is the annual appropriation for the payment of their rent. Under it the Department can not take a lease for more than one year. For obvious reasons landlords demand a higher rate for one year than for several years. It has been the practice of my predecessors to take leases from one to ten years, and sometimes for a longer period. All leases for more than one year are now made subject to the condition that Congress shall make the necessary appropriation to pay the rent. I recommend that authority be given to the Postmaster-General to rent at reasonable rates suitable buildings for four years, or such other time as may be deemed advisable."

The First Assistant Postmaster-General, 1883), says:

"Great embarrassment in leasing buildings for post-office use now exists, on account of a lack of well-defined authority to make contracts beyond the fiscal year; or, in other words, in the absence of a special statute it is deemed best not to bind the Government for a longer term than the fiscal year covered by the appropriation applicable for the payment of rent. This should be remedied without unnecessary delay.

"One of the primary objects in making a lease for a term of years is a minimum rental. This can generally be secured when reasonable assurance can be given that the rent will be paid for four or more years, but parties having capital to put into buildings for postal purposes will not accept annual leases at low figures. The Government is therefore obliged to pay higher rates than private citizens; and, practically, leases are little more than yearly allowances for rent. In my judgment it will not be advisable to name a specific term of years. Generally the time should be limited to four years, but cases occur where it is in the inte

Suspension of Silver Coinage.

SPEECH

HON. ABRAM S. HEWITT,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1885,

On the provision of the sundry civil bill authorizing the Secretary of the Treasury to suspend the coinage of standard silver dollars.

Mr. HEWITT, of New York, said:
Mr. Speaker: At the present time all of our national obligations are paid in gold, or in greenbacks which are redeemable in gold, or in silver dollars or silver certificates which have up to this time been kept equivalent to gold. The gold dollar of 25.8 grains is by law the standard of value in the United States. Because the gold dollar is the standard of value we are enabled to make all domestic and foreign exchanges with ease and certainty and without discount for inequalities of value in

The maintenance of a uniform standard of value is a matter of pri-The maintenance of a uniform standard of value is a matter of primary concern to society, and is one of the fundamental conditions of good government and national prosperity. Any disturbance in the standard of value unsettles business, destroys confidence, and restricts the area of employment. No physical calamity, not earthquakes nor famines produce such disastrous results as a fluctuating standard of value. If, therefore, we are threatened with such a calamity we owe it to the people to avert it by prompt action. The vote of every man in this House on the pending proposition to give authority to the Secretary of

House on the pending proposition to give authority to the Secretary of

the Treasury to suspend the coinage of silver during the ensuing fiscal year, in case he shall find that its continuance will destroy the equivalency which now exists between the various kinds of currency used as money, will depend upon the opinion he may form as to the probability of a suspension of payments in gold or its equivalent for the national obligations. Is there any reason to fear an early suspension of gold

payments?

It is a fact that the silver dollars which we coin are to-day only worth for the metal they contain 83 per cent. of the gold value of a dollar. A month ago they were worth 85 cents each. It is well known that the money of lesser value, as soon as there is enough of it to meet the daily requirements of business, invariably drives the more valuable money out of circulation. It is therefore certain that the continued coinage of silverdollars intrinsically worth less than the gold dollar, will sooner of silver dollars, intrinsically worth less than the gold dollar, will sooner or later drive gold money out of circulation, It is only a question of amount, and therefore of time, if we go on coining silver dollars of less

Are we approaching an amount of silver coinage sufficiently large to begin the expulsion of gold at an early date? In the opinion of the most intelligent and skillful financial authorities the time is near at hand. We have coined nearly 200,000,000 of 83-cent dollars. It is found that the country uses about 100,000,000 of those dollars, mainly in the

form of paper certificates, in its current operations. Beyond this amount there is a very prompt return of the excess to the Treasury, notwithstanding the most persistent efforts to keep them in circulation.

The silver saturation point has therefore been reached, and already in New York silver certificates are daily purchased for the payment of duties at one thirty-second per cent. discount. The Treasury has reached the point where its current regular receipts are mainly in silver certificates. the point where its current regular receipts are mainly in silver certificates. Its gold balances have only been maintained by bearing the cost of transportation of bullion and coin at a very heavy and an increasing charge. The Secretary of the Treasury has warned us in his annual report that the time is not far distant when we shall pass from the gold to the silver basis unless the coinage of silver dollars shall be suspended. I think I am safe in saying that he has made strenuous and successful efforts to prevent the suspension of gold payments during his term of office, which will expire on the 4th of March. The steady progress toward such a state of the Treasury as will necessitate the stoppage of gold payments will be apparent from the following statestoppage of gold payments will be apparent from the following statements prepared at the Department, showing the percentage of gold secured from customs at New York has diminished from 49 per cent. in July to 19.7 per cent. in December, while during the same time the percentage of silver receipts has increased from 32½ per cent. to 43.9 per cent.

During the same time the net gold in the Treasury has run down from 61 per cent. to 521 per cent., while the percentage of silver has

risen from 10 to 19 per cent.

At this rate the suspension of gold payments is only a question of time, and there is danger that it may occur before Congress shall meet again in December. In that event the responsibility will be charged to a Democratic administration, and, in case we fail to take action to avoid it, upon a Democratic House. The former charge will be unjust; the latter charge will be true, because we can avert this calamity by giving to the new administration the power temporarily to suspend the coinage of silver in case it shall be found necessary in order to preserve the gold standard. This authority will not be exercised unless it shall be found to be necessary, but if the authority shall not exist, in case the necessity should arise, then the country will properly hold this side of the House responsible for the convulsion and distress which will

If these views are correct no member will hesitate to vote for the proposed measure unless he desires to place the country on a silver basis. There may be gentlemen who think that this is a result desirable to be I entreat them to consider well the consequences of their reached.

action.

All property or wealth is either visible or invisible. The bulk of the visible property, such as lands, houses, railways, factories, and stocks of merchandise and commodities of all kinds, is owned by the rich. The invisible property, on the other hand, is mainly order of permanent moderate means and by those who gain their daily bread by their daily bread by their daily breads in property because it yields an income. It is usually The invisible property, on the other hand, is mainly owned by people of labor. Labor is property, because it yields an income. It is usually the only property which the workman has to sell. If he possesses any other property beyond his household goods it is in the form of savings deposited with a benefit society or in a savings bank or, if he be somewhat forehanded, accumulated in the form of a life insurance. But his property is thus always invisible to the eye, although it has a money value in common with the visible and substantial property of the rich. value in common with the visible and substantial property of the rich. Any change in the value of the money which measures his property is of no less consequence to the poor man than it is to the rich. Indeed it is of infinitely greater consequence, for if money be debased in value, that is, be diminished in purchasing power, all forms of visible property at once rise in price to make up for the diminution in the value of the medium of exchange. The rich man, therefore, who owns the visible property is not injured by the debasement of money, except so far as he has invisible property in the form of debts due from others. Against loss from this cause he can, and usually does, protect himself

on long engagements by stipulating for payment in gold of a fixed standard of weight and fineness.

But the poor man and the working classes can not thus protect them-The wages which the workman receives are adjusted to the exselves. The wages which the workman receives are adjusted to the existing standard of value. When this is debased they do not rise in a corresponding degree. They are determined by demand and supply, and in times of depression in business like the present, when there are two men everywhere seeking for one man's job, a rise of wages is impossible. Debasement in the purchasing power of money at such a time means actual loss of wages to the extent of the diminution in the purchasing power of the circulating medium. But this is not all. His savings, whether in bank or benefit society or life insurance, shrink in exactly the same manner. These savings are out in the form of leans sayings, whether in bank or benefit society or life insurance, shrink in exactly the same manner. These sayings are out in the form of loans, repayable in the legal tender of the land, and will always be repaid in the cheapest legal tender. The effect therefore of debasing the money of the country is to rob the most deserving and industrious portion of the people of a portion of their daily earnings and accumulated savings. It is estimated that the accumulation of the people in savings-banks, benefit funds, and life insurance exceeds \$3,000,000,000; debasement in the currency to the extent of 15 per cent. means, therefore, a loss of \$450,000,000, which will practically be transferred from the earnings and savings of the producing classes, the widows, orphans, and helpless mem-

savings of the producing classes, the widows, orphans, and helpless members of the community, to the pockets of those who have borrowed the money in gold or its equivalent, and will return it in 85-cent legal-tender silver coin, if its production be continued so long as to drive

gold out of circulation.

Does any man doubt that this result will follow from the continued coinage of silver? As surely as the pouring of water into a vessel will drive out the air just so surely will silver coin, or its representative in

drive out the air just so surely will silver coin, or its representative in the form of silver certificates, drive gold out of circulation.

This continued coinage of silver is advocated by some gentlemen on the theory that it will make money plenty. This view proceeds upon the idea that the community will use an unlimited quantity of money; whereas the fact is that only so much money will be used as is necessary to make the daily exchanges, and the surplus if any lies idle. It will not be given away, nor will it be loaned upon securities that are not regarded as available. Hence to-day, with an excess of money greater than has ever been known in the financial world, it lies idle in the money centers, and is just as hard to procure elsewhere as it was prior money centers, and is just as hard to procure elsewhere as it was prior to the existence of the excess

When, therefore, silver coinage has been carried so far that it can no longer be exchanged for gold, as heretofore it has been by the practical redemption of the silver dollars with gold dollars at the United States custom-houses, where they are receivable in lieu of gold, then the intrinsic value of the silver dollar will assert itself, and gold will go to

a corresponding premium.

The first effect will be a temporary contraction of the currency, whereby business will be deranged, and then a steady advance in the prices of all commodities, but not in the wages of labor, corresponding to the silver standard. Thus will occur the transfer of \$400,000,000 to \$500,000,000 of property from those who have earned and saved it to the pockets of those who have borrowed it. The result will be ruin to many, and a scandal to all who love justice.

Now, what possible justification can be offered for persisting in a course which must surely end in such a disgraceful and ruinous catastrophe? The object is to restore bimetallism throughout the civilized world; that is, to return to the old fixed ratio of 15½ to 1 between silver and gold. If this result could be accomplished the prospect might justify great risks. But what prospect is there of such a result? Alone, it is confessed by the enlightened advocates of bimetallism all over the world, we can not succeed. We have tried it alone and failed. We have simply made a market for the silver which other nations have desired to sell. Since we began, instead of advancing in price, it has fallen in value from 55 pence to 48 pence per ounce. Indeed, it is absurd to suppose that the coinage of \$24,000,000 a year could affect the price of \$6,000,000,000 of silver, which is the estimated stock in the world. With help and universal agreement success might be attainable. But

who will help us? We have tried to get co-operation and have failed. One resource only is left to us; that is, to suspend the coinage of silver temporarily, and try further negotiations. I have myself no hope that such negotiations will succeed, but it is certain that there is no possibility of success until we stop the coinage of silver and force England, France, and Germany to face the consequences of the depreciation of silver in their oriental transactions.

For those who desire bimetallism this is the only possible chance. For those who believe as I do, that silver will henceforth occupy a subsidiary place in the money of the world, the suspension of silver coinage is a necessity in order to avoid greater evils, a more serious derangement of business, and an indefinite postponement to the revival of business, which can not occur until this disturbing cause, unsettling the measure of all values, shall be removed. As matters now stand there is no light from any quarter. There is plenty of idle capital but no confidence. There is plenty of idle machinery but no demand for its products. There is plenty of idle labor but no demand for its employ-

This is a land of plenty, filled to overflowing with the bounties of

nature, and yet we are hungry and naked and cold, perishing in the midst of abundance. The suspenion of the coinage of silver will do more, in my opinion, to bring this deplorable condition of things to an end, in this country at least, than any other remedy which I can

Table A .- Statement showing the cash in the Treasury and the proportion of gold, silver, and United States notes.

Date.	Cash in the Treasury less amount held for outstanding certificates.	Gold coin and bull- ion, less amount held for gold cer- tificates.	Per cent. of net gold to net cash.	Silver dollars and bullion, less am't held for silver cer- tificates.	Per cent. of net silver to net cash.	United States notes, less amount held for "currency cer- tificates" (act June 8, 1872).	Per cent, of net notes to net cash.	Silver certificates issued in exchange for gold deposits during month.
January 3	\$252, 849, 272 252, 548, 777 246, 989, 161 251, 813, 751 251, 671, 597 247, 256, 088 241, 834, 617	\$154, 465, 980 133, 729, 954 119, 048, 060 122, 996, 373 130, 514, 382 134, 670, 790 138, 015, 070	61.1 52.9 48.2 48.8 51.8 54.5 57.1	\$27, 169, 227 43, 189, 403 47, 157, 367 50, 899, 970 50, 501, 940 46, 831, 660 44, 535, 392	10.7 17.1 19.1 20.2 20.0 18.9 18.4	\$25, 181, 787 27, 993, 801 29, 562, 989 26, 027, 641 20, 894, 872 16, 172, 171 9, 625, 683	10.0 11.1 11.9 10.3 8.3 6.5 4.0	\$150,000 505,000 1,135,000 4,330,000 3,240,000 7,290,000
January 2. 1885. February 2. February 24.	239, 423, 682 234, 673, 005 241, 196, 823	141, 641, 222 124, 744, 078 126, 638, 630	59.2 53.2 52.5	36, 815, 537 41, 698, 078 45, 760, 197	15.4 17.8 19.0	10, 940, 772 13, 892, 412 18, 413, 439	4.5 5.9 7.6	575,000 (*) (*)

*No issues since January 16, 1885.

Table B .—Statement showing the receipts of the Government, the amount thereof received from customs, the receipts from customs at New York and the percentage of such receipts to the aggregate, and the kinds of money received in payment of customs at New York, with percentage.

Month.	Total receipts.	Total receipts from customs,	Per cent. of total.	Receipts from customsat New York.	Per cent, of total.	Customs receipts at New York, paid in gold or gold certifi- cates.	Per cent. of cus- toms at New York.	Customs receipts at New York paid in silver dollars and sil- ver certificates.	Per cent, of customs at New York,	Customs receipts at New York paid in United States notes.	Per cent, of cus- toms at New York,
July 1884. July September October November December	\$32, 296, 802 39, 394, 631 30, 696, 655 26, 941, 019 23, 343, 182 23, 112, 018	\$17, 450, 528 18, 413, 709 17, 662, 633 15, 183, 179 11, 727, 835 11, 557, 897	54.0 46.7 57.5 86.3 50.2 50.0	\$13, 111, 000 12, 828, 000 11, 992, 000 10, 369, 000 7, 712, 000 8, 083, 000	40.6 32.6 39.0 38.5 33.0 35.0	\$6,519,000 5,871,000 4,090,000 2,635,000 1,563,000 1,590,000	49.7 45.8 84.1 25.4 20.3 19.7	\$4,260,900 4,176,000 3,777,000 3,344,000 3,265,000 3,550,000	32.5 32.5 31.5 32.2 42.3 43.9	\$2,332,000 2,781,000 4,125,000 4,390,000 2,884,000 2,943,000	17.8 21.7 34.4 41.4 37.4 36.4
Total six months	175, 784, 307	91, 995, 781	52.3	64,095,000	36.5	22, 268, 000	34.7	22, 372, 000	34.9	19, 455, 000	30.3
January	26, 615, 211	14, 522, 162	54.5	10, 298, 000	33.7	2,848,000	27.6	4, 192, 000	40.7	3, 253, 000	31.6
Total for period	202, 399, 518	106, 517, 943	52.5	74, 393, 000	36.7	25, 116, 000	83.7	26, 564, 000	35.7	22,708,000	30,5

The Speedy Delivery of Letters.

SPEECH

HON. CHARLES R. SKINNER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

Mr. SKINNER said:

Mr. CHAIRMAN: I desire to call the attention of this committee to the importance of the section of the bill now under consideration, and to give some reasons why it should become law. Sections 3, 4, 5, and 6 of the bill, embodying H. R. 1071 introduced by me at the opening of this Congress, and favorably reported from the Committee on the Post-Office and Post-Roads, is as follows:

SECTION 3. That a special stamp of the face valuation of 10 cents may be provided and issued, whenever deemed advisable or expedient, in such form and bearing such device as may meet the approval of the Postmaster-General, which, when attached to a letter, in addition to the lawful postage thereon, the delivery of which is to be at a free-delivery office, or at any city, town, or village containing a population of 4,000 or over, according to the last Federal census, shall be regarded as entitling such letter to immediate delivery within the carrier limit of any free-delivery office which may be designated by the Postmaster-General as a special-delivery office, or within one mile of the post-office at any other office coming within the provisions of this section which may in like manner be designated as a special-delivery office.

SEC. 4. That such specially stamped letter shall be delivered from 7 o'clock a.

m, up to 12 o'clock midnight at offices designated by the Postmaster-General under section 1 of this act.

SEC. 5. That to provide for the immediate delivery of letters bearing the special stamp the postmaster at any office which may come within the provisions of this act may, with the approval of the Postmaster-General, employ such person or persons as may actually be required for such service, who, upon the delivery of such letter, will produre a receipt from the party addressed, or some one authorized to receive it, in a book to be furnished for the purpose, which shall, when not in use, be kept in the post-office, and at all times subject to examination by an inspector of the Department.

SEC. 6. That to provide for the payment of such persons as may be employed for this service the postmaster at any office designated by section 1 of this act shall keep a record of the number of letters received at such office bearing such special stamp, which number shall correspond with the number entered in the receipt-books heretofore specified; and at the end of each month he may pay to such person or persons employed a sum not exceeding 80 per cent. of the face value of all such stamps received and recorded during that month: Provided, That in no case shall the compensation so paid to any one person exceed \$80 per month: And provided further, That nothing in this act shall in any way interfere with the prompt delivery of letters as now provided by law or regulation of the Post-Office Department.

Some of the reasons advanced in favor of this provision are given in a report made February 12, 1884, by instruction of the Committee on the Post-Office and Post-Roads, which report is as follows:

THE SPEEDY DELIVERY OF LETTERS.

The Committee on the Post-Office and Post-Roads, to whom was recommitted the bill (H. R. 1971) to provide for the more speedy delivery of letters at free-delivery offices, and a special stamp to insure said delivery, respectfully submit the following report:

The committee has carefully considered the provisions contained in the bill named, and submit herewith a substitute therefor, of which the following is a synopsis:

Section 1 provides that a special stamp of the face value of 10 cents may be issued whenever deemed advisable or expedient by the Postmaster-General. Whenever such stamp shall be attached to a letter in addition to the lawful postage thereon it shall be regarded as entitling said letter to immediate delivery within the carrier limit of any free-delivery post-office, whenever said office may be designated by the Postmaster-General as a special-delivery office, or within one mile of the post-office at any other city, town, or village containing a population of 4,000 or over, as determined by the last Federal census, whenever the said office is in like manner designated as a special-delivery office.

Section 2 provides that said specially stamped letter shall be delivered from o'clock a. m. up to 12 o'clock midnight at offices designated under provisions

Section 2 provides that said specially stamped letter shall be delivered from 7 o'clock a. m. up to 12 o'clock midnight at offices designated under provisions of section 1.

Section 3 provides that such persons as are actually needed to deliver such specially stamped letters may, upon the approval of the Postmaster-General, be employed by postmasters at properly designated post-offices, who shall take a proper receipt upon the delivery of letters.

Section 4 provides for the payment of such persons employed in the following manner: Postmasters at special-delivery post-offices shall keep a record of the number of specially stamped letters received during each month, which number shall correspond with the number received in the receipt-books prescribed in section 1, and may pay to persons employed in this service a sum not exceeding 80 per cent. of the face value of the stamps so received and recorded each month, but in no case shall the compensation exceed \$30 per month for each person.

By the provisions of section 4 it is rendered absolutely certain that the system proposed by the bill will prove itself self-supporting. Wherever a small number of such letters are received at any office, the compensation will be regulated by the number of specially stamped letters delivered, and not more than 80 per cent. of the face valuation of stamps received and recorded. This will leave a margin of 20 per cent. for the expense of preparing stamps and receipt-books. Wherever a large number are received and delivered at large post-offices, the compensation shall not exceed \$30 per month. Section 4 also provides that nothing in the proposed act shall interfere with the prompt delivery of letters according to the present free-delivery system as prescribed by law or regulation.

The committee believe that the provisions of the bill. how presented have removed all reasonable objections which were urged against the bill heretofore considered. The bill is not designed to benefit any one city, but directly or indirectly every post-

the service to send a letter to that point. It therefore follows that the beneats will be enlarged and extended as the number of special-delivery offices is increased.

It may be called an innovation, but every step which has been taken to improve and enlarge the postal system of the country, by adding facilities or removing obstructions, may have as justly been thus classified. The issue of the first postage-stamp was an innovation, but its issue proved the wisdom of the suggestion. The disuse of the old regulation which required a post bill to be sent with each letter, and the sending of transcripts of all such bills quarterly to the Post-Office Department, was an experiment, but it proved labor-saving, economical, and convenient, and greatly hastened correspondence. The establishment of the registered-letter system, the money-order system, the free-delivery system, the postal-note system were all innovations in one sense, but experience has proved that they were great public wants which have proved more than self-sustaining, and they have all contributed largely to the convenience of the public, and to the perfection of the postal system. The reduction of letter-postage from 3 to 2 cents, less than a year ago, was an experiment, but it has pleasantly disappointed all fears respecting the inroads of the change upon the revenues of the Government, and little doubt is now expressed that the Post-Office Department will still prove self-sustaining notwithstanding the reduction.

of letter-postage from 3 to 2 cents, less than a year ago, was an experiment, but it has pleasantly disappointed all fears respecting the inroads of the change upon the revenues of the Government, and little doubt is now expressed that the Post-Office Department will still prove self-sustaining notwithstanding the reduction.

The fullest discretion is given the Post-Office Department in inaugurating or extending the service proposed by this bill, and it contains no compulsory provision as to its establishment or continuance. Every precaution is taken, also, to render the system absolutely self-supporting, and the committee believe that when the system is nonce established and its advantages are fully understood it will yield a handsome revenue to the Government even at a greatly reduced rate, and the Government will be asked to extend the advantages offered generally throughout the country.

In this connection the committee submitthe following extract from the report of the First Assistant Postmaster-General touching this matter:

"In view of the large excess of postage on local matter alone over the entire cost of the service (\$1,021,894.01), and in view of the fact that experience has demonstrated that local correspondence is increased in proportion, especially in the large cities, and hence the postage on local matter in proportion to the facilities given, I have no hesitation in recommending its extension, nor in advising liberal appropriations to bring it up to the highest practicable standard in cities where it is now in operation.

"As stated in my last report, this service meets the general demands of business and social life, but fails to meet the dispatch required in the delivery of letters of exceptional importance.

"Letters are now delivered by carriers at stated hours during the day from about 7 a. m. to 6p. m., the frequency of trips warying in different cities, and also frequent in the surburban districts. Between these deliveries two or three hours frequently intervene in the large cities priva

It will thus be seen that the Committee on the Post-Office and Post-Roads guarded the bill against misconception of its purpose or misconstruction of its application.

The system proposed certainly presents these advantages:

1. It will not cost the Government anything, but will most assuredly vield a profit.

2. It will not cost any individual anything who does not care to take advantage of its privileges.

3. Its expense will fall solely upon those who use it.

APPROVED BY THE PRESIDENT.

In his message to Congress at the opening of the present session, December 1, 1884, the President of the United States said:

cember 1, 1884, the President of the United States said:

The free-delivery system has been lately applied to five cities, and the total number of offices in which it is now in operation is one hundred and fifty-nine. Experience shows that its adoption under proper conditions, is equally an accommodation to the public and an advantage to the postal service. It is more than self-sustaining, and for the reasons urged by the Postmaster-General may properly be extended.

In the opinion of that officer it is important to provide means whereby exceptional dispatch in dealing with letters in free-delivery offices may be secured by payment of extraordinary postage. This scheme might be made effective by employment of a special stamp whose cost should be commensurate with the expense of the extra service.

In some of the large cities private express companies have undertaken to outstrip the Government mail-carriers by affording, for the prompt transmission of letters, better facilities than have hitherto been at the command of the Post-Office.

It has always been the policy of the Government to descript the services of the extraordinary of the Government to the proper transmission of letters, better facilities than have hitherto been at the command of the Post-Office.

Office.

It has always been the policy of the Government to discourage such enterprises, and in no better mode can that policy be maintained than in supplying the public with the most efficient mail service that, with due regard to its own best interests, can be furnished for its accommodation.

RECOMMENDED BY THE POSTMASTER-GENERAL.

In the report of the Postmaster-General for 1884 (page 13) that officer, who certainly has been in a position for many years to make a close study of the question, says in reference to a

SPECIAL STAMP FOR SPECIAL DELIVERY.

Special stamp for special delivery.

The necessity and demand in cities for prompt transmission and delivery of letters passing between business men and others has resulted in the establishment, in many places, of what may be termed letter-express companies, which, by the employment of messenger boys, are enabled greatly to facilitate intercourse of this character among merchants, professional persons, and others engaged in active life. It is done at a small expense and with so much system and promptness as seriously to diminish the revenues of the Department at several letter-carrier offices.

The patronage which is extended to these companies affords evidence that the free-delivery system, notwithstanding its facilities and benefits, has not progressed so far as to meet all the wants of energetic business life in large commercial cities. Therefore further improvement of the service in this particular should, in my judgment, be attempted, not only to prevent a loss of revenue, but with a purpose to make it as useful as possible. I am of opinion that the public have a right to expect that this Department should make the same effort to serve them promptly and faithfully in the transmission and delivery of letters as is done by private parties.

I know of no way in which this can be better accomplished than by the use of a special postage-stamp for letters mailed and intended for special and prompt delivery at free-delivery offices. This stamp should be of the denomination of 10 cents, and, when affixed to a letter, in addition to the proper postage charge, should insure for it as speedy a delivery as possible after its reception at any letter-carrier office. This outside distribution could be effected by employing messenger boys, at a small salary, and in such numbers as the circumstances should warrant. I am satisfied such an effort to accommodate the public would still further commend the free-delivery service to its patrons in the large cities where it is in operation.

HEARTILY INDORSED.

HEARTILY INDORSED.

This provision then comes before us approved by the President, recommended by the Postmaster-General, and indorsed by two of the prominent standing committees of this House—the Committee on Appropriations, always careful, watchful, and conservative, and the Committee on the Post-Office and Post Roads—before whom it was considered patiently and critically. With these indorsements there should not be an objection to it or a vote against it.

I do not like to leave this subject without referring in this public manner to the interest manifested in this whole subject by Mr. Joseph S. Fay, of Boston, Mass. Among his many letters of interest and advice, I desire to append the following:

MAGNOLIA, FLA., January 28, 1884.

vice, I desire to append the following:

My Dear Sir: Professor Baird, of the Smithsonian Institution, has sent me a copy of a bill introduced by you "to provide for the more speedy delivery of letters," &c. This matter has been the subject of much conference between Professor Baird and me for a dozen years or more, and up to the present year I have vainly called official attention to it. It was noticed by Postmaster-General Ramsey, who asked how it could be done, and I answered by giving him just about the scheme which you embody in your bill in very concise, definite, and business-like terms, and that was the last I heard of it. I had renewed the agitation by addressing Postmaster-General Gresham, and, through a friend, Assistant Postmaster-General Hatton, and I am very glad you have taken the matter up so promptly and efficiently. It will be one of the most popular enactments possible if passed. It does not go far enough, and to be the most popular act ever passed it should embrace all post-offices as well as those of free delivery. The large profit on 10 cents in the cities would more than pay any loss on the less frequent country deliveries, and it would be a great boon to the people at large.

In Great Britain all letters are delivered free in the regular rounds of the postmen, but no country has yet adopted the special delivery of letters as soon as received at the office addressed. The United States will take the lead in this. Your bill, though limited in its operation, is a step in the right direction, and if adopted and passed by Congress I predict that the experiment will be so successful that its extension to every post-office will soon follow.

I am here for a few weeks for my health, but my usual winter residence is in Boston, in summer at Wood's Holl, where at that season Professor Baird is located with the Fish Commission.

With no more interest than others in the measure you have so intelligently brought forward, I thank you sincerely for your part in its promotion for myself and in behalf of t

Hon. Charles R. Skinner, Member of Congress, Washington, D. C.

P. S.—Mr. Morse, of Boston, knows who I am—only one of fifty millions—a private citizen.

Power to Originate Revenue Bills.

SPEECH

HON. JOHN D. WHITE,

OF KENTUCKY.

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 23, 1885,

On the following resolution, offered by Mr. Hurd:

"Whereas certain bills appropriating money from the Treasury of the United States, originating in the Senate, have passed that body and have been sent to this House for its concurrence, which are now upon the Speaker's table, to wit, Senate bill No. 398, entitled 'A bill to aid in the establishment and temporary support of common schools,' and many others; and

"Whereas it is asserted that these bills are in violation of the privilege of this House to exclusively originate bills for raising revenue: Therefore,

"Bett resolved, That the Committee on the Judiciary be hereby directed to inquire into the power of the Senate to originate bills appropriating money from the Treasury of the United States, and report to this House at as early a day as practicable. And said committee shall have leave to report at any time."

Mr. WHITE of Ventralry, said:

Mr. WHITE, of Kentucky, said:
Mr. SPEAKER: It is rather late in the session for the gentleman from Ohio [Mr. Hurd] to ask the House to call on the Judiciary Committee to define the words "raising revenue" as they occur in article 1, section 7, clause 3, and page 5 of the Constitution. His eloquent speech has the appearance of a premeditated and premature attack upon the Blair educational bill.

That bill is an effort in the right direction to dispel the dark cloud of ignorance which is not confined to any race nor any section of the United States. Its passage is demanded by the best interests of our common states. Its passage is demanded by the best interests of our common country. Until now the greatest opposition has come from the localities intended to be most benefited. The resolution before us, if carried, will tend to defeat the bill making an appropriation to supplement the common-school fund of the several States. You have the Democratic majority here to pass the resolution, but I desire to remind gentlemen on that side of the House that in the Democratic national platform adopted July 10, 1884, at Chicago will be found the declaration that your party believes in "a free ballot and a fair count," also in "the diffusion of free

believes in "a free ballot and a fair count," also in "the diffusion of free education by common schools, so that every child in the land may be taught the rights and duties of citizenship." Was that mere buncombe? The Republican party is committed to national aid to common schools for the benefit of all classes of society. We have an abundance in the Treasury and its expenditure is demanded by the great bulk of the people for the intellectual development of illiterate white and colored citizens more than for any other one purpose. Our future prosperity as a virtuous and intelligent people depends in a great measure upon the fate of the principle adopted by the Senate in the passage of the Blair bill, which appropriates \$77,000,000 of the people's money for the education of the children throughout the land in the common schools of the several States.

eral States.

As bearing on this subject, I append to my remarks the very instructive article on "The Freedman's case in equity," by Mr. George W. Cable, published in the January number of The Century for this year, to which I invite careful attention:

ble, published in the January number of The Century for this year, to which I invite careful attention:

The greatest social problem before the American people to-day is, as it has been for a hundred years, the presence among us of the negro.

No comparable entanglement was ever drawn round itself by any other modern nation with so serene a disregard of its ultimate issue, or with a more distinct national responsibility. The African slave was brought here by cruel force, and with everybody's consent except his own. Everywhere the practice was favored as a measure of common aggrandizement. When a few men and women protested they were mobbed in the public interest, with the public consent. There rests, therefore, a moral responsibility on the whole nation never to lose sight of the results of African-American slavery until they cease to work mischief and injustice.

It is true these responsibilities may not fall everywhere with the same weight; but they are nowhere entirely removed. The original seed of trouble was sown with the full knowledge and consent of the nation. The nation was to blame; and so long as evils spring from it, their correction must be the nation's duty.

The late Southern slave has within two decades risen from slavery to freedom, from freedom to citizenship, passed on into political ascendency, and fallen again from that eminence. The amended Constitution holds him up in his new political rights as well as a mere constitution can. On the other hand certain enactments of Congress, trying to reach further, have lately been made void by the highest court of the nation. And another thing has happened. The popular mind in the old free States, weary of strife at arm's-length, bewildered by its complications, vexed by many a blunder, eager to turn to the cure of other evils, and even tinctured by that race feeling whose grosser excesses it would so gladly see suppressed, has retreated from its uncomfortable dictatorial attitude and thrown the whole matter over to the States of the South. Here it re

inferior race, is drawing near a second seed-time. For this is what the impatient proposal to make it a dead and buried issue really means. It means to recommit it to the silence and concealment of the covered furrow. Beyond that incubative retirement no suppressed moral question can be pushed; but all such questions, ignored in the domain of private morals, spring up and expand once more into questions of public equity; neglected as matters of public equity they yield the red fruits of revolution. There must arise, nay, there has arisen in the South itself, a desire to see established the equities of the issue to make it no longer a question of endurance between one group of States and another, but between the moral dibris of an exploded evil and the duty, necessity, and value of planting society firmly upon universal justice and equity. In the substance of the society of the substance of the substance of the society of the substance of the substance of the Southern States sity, and value of planting society firmly upon universal justice and equity, necessity, and value of planting society firmly upon universal justice and equity, necessity, and value of planting society firmly upon universal justice and equity, necessity, and value of planting society firmly upon universal justice and equity, necessity, and value of planting society firmly upon universal justice and equity, necessity, and value of planting society firmly upon universal justice and equity, necessity, and the substance of the Southern States sity, and value of the substance of the Southern States sity, and value of the substance of the Southern States in the substance of the Southern States in the substance of the Southern States and the errors that are being committed against them.

If we take up this mask, the difficulties of the situation are plain, We have, always called themselves the community; second, the removal of the entire political machinery by which this forcing process was effected; and, third, these revisions leaf the substance o

threw him into loathsome jails as a common felon for returning to his native land.

It will be wise to remember that these were the acts of an enlightened, Godfearing people, the great mass of whom have passed beyond all earthly accountability. They were our fathers. I am the son and grandson of slave-holders. These were their faults; posterity will discover ours; but these things must be frankly, fearlessly taken into account if we are ever to understand the true interest of our peculiar state of society.

Why, then, did this notion that the man of color must always remain an allen stand so unshaken? We may readily recall how, under ancient systems, he rose not only to high privileges, but often to public station and power. Singularly, with us the trouble lay in a modern principle of liberty. The whole idea of American government rested on all men's equal, inalienable right to secure their life, liberty, and the pursuit of happiness by governments founded in their own consent. Hence, our Southern forefathers, shedding their blood, or ready to shed it, for this principle, yet proposing in equal good conscience to continue holding the American black man and mulatto and quadroon in slavery, had to anchor that conscience, their conduct, and their laws in the conviction that the man of African tincture was, not by his master's arbitrary assertion merely, but by nature and unalterably, an alien. If that hold should break, one single wave of irresistible inference would lift our whole Southern social fabric and dash it upon the rocks of negro emancipation and enfranchisement. How was it made secure? Not by books, though they were written among us from every possible point of view, but, with the mass of our slave-owners, by the calm hypothesis of a postive, intuitive knowledge. To them the statement was an axiom. They abandoned the methods of moral and intellectual reasoning, and fell back upon this assumption of a God-given instinct, nobler than reason, and which it was an insult to a freeman to ask him to prove on l

Yet it was found not enough. The slave multiplied. Slavery was a dangerous institution. Few in the South to-day have any just idea how often the slave plotted for his freedom. Our Southern ancestors were a noble, manly people, springing from some of the most highly intelligent, aspiring, upright, and refined nations of the modern world; from the Huguenot, the French chevalier, the Old Englander, the New Englander. Their acts were not always right; whose are? But for their peace of mind they had to believe them so. They therefore spoke much of the negro's contentment with that servile condition for which nature had designed him. Yet there was no escaping the knowledge that we dared not trust the slave caste with any power that could be withheld from them. So the perpetual alien was made also a perpetual menial, and the belief became fixed that this too was nature's decree, not ours.

Thus we stood at the close of the civil war. There were always a few Southerners who did not justify slavery, and many who cared nothing whether it was

just or not. But what we have described was the general sentiment of good Southern people. There was one modifying sentiment. It related to the slave's spiritual interests. Thousands of pious masters and mistresses flatly broke the shameful laws that stood between their slaves and the Bible. Slavery was right; but religion, they held, was for the alien and menial as well as for the citizen and master. They could be alien and citizen, menial and master, in church as well as out; and they were.

Yet over against this lay another root of to-day's difficulties. This perpetuation of the alien, menial relation tended to perpetuate the vices that naturally cling to servility, dense ignorance, and a hopeless separation front true liberty; and as we could not find it in our minds to blame slavery with this perpetuation, we could only assume as a further axiom that there was, by nature, a disqualifying moral taint in every drop of negro blood. The testimony of an Irish, German, Italian, French, or Spanish beggar in a court of justice was taken on its merits; but the colored man's was excluded by law wherever it weighed against a white man. The colored man was a prejudged culprit. The discipline of the plantation required that the difference between master and slave be never lost sight of by either. It made our master caste a soild mass, and fixed a common masterhood and subserviency between the ruling and the serving race.* Every one of us grew up in the idea that he had, by birth and race, certain broad powers of police over any and every person of color.

All at once the tempest of war snapped off at the ground every one of these arbitrary relations, without removing a single one of the sentiments in which they stood rooted. Then, to fortify the freedman in the tenure of his new rights he was given the ballot. Before this grim fact the notion of allenism, had it been standing alone, might have given way. The idea that slavery was right did begin to crumble almost at once. "As for slavery," said an old Creole sugar-plan

id:

"I am a Southerner;
I love the South; I dared for her
To fight from Lookout to the sea,
With her proud banner over me:
But from my lips thanksgiving broke,
As God in battle-thunder spoke,
And that Black Idol, breeding drouth
And dearth of human sympathy
Throughout the sweet and sensuous South,
Was, with its chains and human yoke,
Blown hellward from the cannon's mouth,
While Freedom cheered behind the smoke!"†

Throughout the sweet and sensuous South.

Wais, with its chains and human yoke,
Blown hellward from the cannon's mouth.

While Freedom cheered behind the smoke!"†

With like readiness might the old alien relation have given way if we could only, while letting that pass, have held fast by the other old deas. But they were all bound together. See our embarrassment. For more than a hundred years we have made these sentiments the absolute essentials to our self-respect. And yet if we clung to them, how could we meet the freedman on equal terms in the political field? Even to lead would not compensate us; for the fundamental professision of American politics is that the leader is servant to his followers. It was too much. The ex-master and ex-slave—the quarter-deck and the forecastle, as it were—could not come together. But neither could the American mind tolerate a continuance of martial law. The agonies of reconside, and whipping and killing on the other, were but huge accidents of the siduation. The two main questions were really these: on the freedman's side how to establish republican State government under the same recognition of his rights that the rest of Christendom accorded him; and on the former master's side, how to get back to the old semblance of republican State government, and—allowing that the freedman was de facto a voter—still to maintain a purely arbitrary superiority of all whites over all blacks, and a purely arbitrary equality of all blacks among themselves as an alien, menial, and dangerous class.

Exceptionally here and there some one in the master caste did throw off the as a leader by the newly liberated thousands around him. But justas promptly the old master race branded him also an alien reprobate, and in ninely-nine cases out of a hundred, if he had not already done so, he soon began to confirm by his actions the brand on his check. However, we need give no history here of the dreadful episode of reconstruction. Under an experimentative true its issues rest to-day upon the pledge of th

us who once ruled over him that, be his relative standing among the races of motion of the control of the contr

^{*}The old Louisiana Black Code says, "That free people of color ought never to * * * presume to conceive themselves equal to the white; but, on the contrary, that they ought to yield to them in every occasion, and never speak or answer to them but with respect, under the penalty of imprisonment according to the nature of the offense." (Section 21, page 164.)

† Maurice Thompson, in the Independent.

Another sort among our good Southern people make a similar but feebler admission, but with the time-worn provise that expendisonly makes a more imperent order. Somebody must be outraged, it seems; and if not the freedman, then it must be a highly refined and enlightened race of people constantly offended order. Somebody must be outraged, it seems; and if not the freedman, then it must be a highly refined and enlightened race of people constantly offended order. Somebody must be outraged, it seems; and if not the freedman, then it must be a highly refined and enlightened race of people constantly offended in must be a highly refined and enlightened race of people what the backs, and though the larger part of uselaim to be sealed by nature as an exclusive upper class, and though he larger part of uselaim to be sealed by nature as an exclusive upper class, and though we have the courts completely though we have the courts completely though we have a super military experience, with ninely-nine hundrediths of all the military equipment and an experience with ninely-nine hundrediths of all the military equipment of the court of the court

rags, with vile odors and the clanking of shackles and chains, nine penitentiary convicts chained to one chain, and ten more chained to another, dragged laboriously into the compartment of the car where in one corner sat this mother and child, and packed it full and the train moved on. The keeper of the convicts told me he should take them in that car two hundred miles that night. They were going to the mines. My seat was not in that car, and I staid in it but a moment. It stank insufferably. I returned to my own place in the coach behind, where there was, and had all the time been, plenty of room. But the mother and child sat on in silence in that foul hole, the conductor having distinctly refused them admission elsewhere because they were of African blood, and not because the mother was, but because she was not, engaged at the moment in menial service. Had the child been white, and the mother not its natural but its hired guardian, she could have sat anywhere in the train, and no one would have ventured to object, even had she been as black as the mouth of the coal-pit to which her loathsome follow-passengers were being carried in chains.

Such is the incident as I saw it. But the illustration would be incomplete here were I not allowed to add the comments I made upon it when in June last I received. I said: "These are the facts. And yet you know and I know we belong to communities that, after years of hoping for, are at last taking comfort in the assurance of the nation's highest courts that no law can reach and stop this shameful foul play until we choose to enact a law to that end ourselves. And now the East and North and West of our great and prosperous and happy country, and the rest of the civilized world, as far as it knows our case, are standing and waiting to see what we will write upon the white page of to day's and to morrow's history, now that we are simply on our honor and on the metile of our far and peculiarly famed Southern instinct. How long, then, shall we stand off from such ringing moral q

If communities nearer the great centers of though grow inpatient with them, distinctions are, as it seems to them, ruthlessly assailed? There is but one right thing to do: it is to pour in upon them our reiterations of the truth without malice and without stint.

But I have a much better word to say. It is for those who, not voiced by the mewspapers around them, showed both then and constantly afterward in public when the product of the control of the truth without malice and without stint.

But I have a much better word to say. It is for those who, not voiced by the mewspapers around them, showed both then and constantly afterward in public without the product of the control of the cont

^{*}See "The Convict Lease System in the Southern States," in the Century for February, 1884.—Ed.

proved and known; but it is simply tyramnous to assume them without proof. It know that just here tooms up the fuge bugbear of social equality. Our eyes are filled with absurd visions of all Shantytown pouring its hordes of unwashed imps into the company and companionship of our own sunny-headed darlings. What utter nonsense! As if our public schools had no gage of cleanlines, decorum, or moral character! Social equality: What a Golssend it would be if the advoin the direction of social equality by tending toward the equalization of all whites on one side of the line and of all blacks on the other. We may reach the moon some day, not social equality; but the only class that really effects anything toward it are the makers and holders of arbitrary and artificial social distinctions of the social scale in the public school as out of it; and it is no small mistake to put them or their parents of their guard by this cheap sparation on the line of soic.

But some will say this is put the superaction of the social scale in the public school as out of it; and it is no small mistake to put them or their parents off their guard by this cheap sparation on the line of soic.

But some will say this is not a purely artificial distinction. We hear much prements of their guard by this cheap sparation on the line of soic.

But some will say this is not a purely artificial distinction. We hear much sisten a thing, We do not know. It is no proved. And even if if were established, it would not necessarily be a proper moral guide. We subordinate instinct to society's best interests as apprehended in the light of reason. If there is such a thing, it behaves with strange malignity toward the remnants of Africance to the descendants of—for example—Pocahonulas. Of mere near feding we all know there is no searcity. Who is stranger to it? And as another man's motive of private preference no one has a right to forbid it or require it. But as to its being an instinct, one thing is plain: if there is such an instinct, so far from excessing

Rivers and Harbors.

SPEECH

HON. RICHARD GUENTHER,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, February 25, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. GUENTHER said:

Mr. Chairman: I am not in favor of placing the improvements of rivers and harbors entirely under the control of the military branch of the Government by dismissing all the civil engineers now employed and replacing them by the lieutenants and captains of the Army. Mr. Chairman, I do not deem such a step one in the direction of progress, but rather the opposite. I do not think it would be in the interest of

economy, but rather the reverse. It would, in my opinion, demoralize the whole Engineer Department by removing many gentlemen now employed upon the works of improving rivers and harbors, men who now perform a great deal of the brain-work, who furnish practical experience the men who were educated as civil engineers-and supplanting them by the graduates of West Point, not even officers of the Engineer Corps, the graduates of West Point, not even officers of the Engineer Corps, who, I grant, may be all good soldiers and first-class Army engineers, but who in the nature of things are not the best qualified to carry on great feats of hydrographic and civil engineering. I am in favor of a strict separation of the military and civil branches of the Government. My aim is to make our Army and Navy officers the peers of any in the world with reference to their specific calling. But, on the other hand, I want to make our public service as perfect as possible and completely free from military interference. For the problematic saving of \$400,000, or even a good deal more, I am unwilling, if I can prevent it, to continue the anomaly of having the military assume or encroach more and more upon the civil branches, or what should be essentially a civil branch of Government.

Would you like to go back to the time before 1863 and place the Suervising Architect's office again under the charge of an officer of the Engineer Corps? Look at the public buildings erected before 1863, at their monotonous uniformity, their lack of architectural beauty, and compare them with similar structures built since that time. Mr. Chairman, this proposition intends to remove all the assistant engineers, all

of whom are civilians.

Go through the whole list and you will find that the assistant engineers are not officers of the Army, are not graduates of West Point. Take the defenses of the Penobscot and Kennebec Rivers, Portland Harbor, and the navy-yard at Kittery, Me., and Portsmouth, N. H., improvement of rivers and harbors in the States of Maine and New Hampshire, and you find that while the officer in charge is an officer of the Corps of Engineers, a graduate of West Point, his assistant is a civilian and the draughtsman. The defenses of Boston and the navy-yard at Charlestown and improvement of rivers and harbors on the eastern coast of Massachusetts are in charge of an Army officer; his three assistants are civilians. The fort at Willets Point and Fort Schuyler, East River, New York, are in charge of a lieutenant-colonel in the Army; his assistant is a civilian; and so on through the whole list.

The Corps of Engineers, all of whom were appointed from the Mili-The Corps of Engineers, an of whom were appointed from the Mintary Academy, comprising the Chief of Engineers, colonels, lieutenant-colonels, majors, captains, first lieutenants, and second lieutenants, consists of one hundred and six officers. There are on the temporary roll, according to the Blue Book of 1883, the only one at my disposal, two assistant engineers; one at \$4,200, the other at a salary of \$3,600 per annum. They are civilians, residents of Washington, D. C. Why are they employed? Simply because they can not be spared. The number of excitent prepared on the various inverse. they employed? Simply because they can not be spared. The number of assistant engineers, civilians, employed on the various improvements, with salaries from \$100 to \$250 per month, is two hundred and twenty-seven. You propose to turn out these two hundred and twenty-seven civil engineers and substitute in their places—whom? Army, officers. You could not fill their positions by the members of the Corps of United States Engineers, because they are already employed; and besides, there are only one hundred and six.

You propose to take two hundred and six.

You propose to take two hundred and twenty-seven officers from the Army, believing them to be competent to take the places of men who have devoted their life exclusively to the study of civil engineering, while these graduates of West Point for a few years while at the academy got a smattering of it, and since did not pay any attention to it at all.

You may just as well fill the places on the bench with graduates of West Point, for law is one of their studies. You have at the academy, three professors of civil and military engineering and two professors of law. The course at the academy comprises tactics, with seven in-structors; civil and military engineering, with three professors; natural structors; civil and military engineering, with three professors; natural and experimental philosophy, with three professors; mathematics, with nine professors; history, geography, and ethics, with two professors; chemistry, mineralogy, and geology, with four professors; modern languages, with seven professors; law, with two professors; practical military engineering, military signaling, and telegraphy, with two instructors; ordnance and gunnery, with two instructors; drawing, with

There are in the Engineer Department forty-eight draughtsmen, with salaries from \$100 to \$150 per month, not one a graduate from West Point. Why have they not been employed in that capacity, having had instruction in drawing by four professors? The reason is that they are not proficient, not having even attained that grade of perfection necessary for the proper discharge of the duties of a draughtsman.

I should be in favor of transferring the business of improving our rivers and harbors with reference to navigation to a civil department. It does not seem necessary, to my mind, that the luster of the Army

officers should be thrown around the business of civil engineering.

I do not think that the best interests of this country demand that the 4,500 persons, non-civilians, employed in the improvements of rivers and harbors should be bossed by one hundred and six Army officers; that from ten to eighteen millions of dollars per annum should be expended under the control of these one hundred and six shoulder-strapped aristocrats. Keep them in their proper sphere, educate them for the purposes of a military career but do not let them encroach upon the civil branches of life. Not even in Germany, in the country of military despotism, where man begins with the lieutenant in the army, are public works for the improvement of rivers and harbors for commercial

public works for the improvement of rivers and harbors for commercial and navigation purposes carried on by them, but by competent civil engineers, who had special training in their line and who devoted themselves solely to the study of their profession as civil engineers.

It is time for us to do away with the traditions of the past. If we can not employ the graduates of West Point for military purposes only, restrict their number in some way. Employ them, if you please, in the War Department in a clerical capacity, or let them do such engineering work as they are capable of, where they can make themselves useful in time of peace without detriment to the public service, but do not place them in positions for which civilians are much better qualified. In time of peace without detriment to the public service, but do not place them in positions for which civilians are much better qualified, and where, by reason of their lack of experience and proper training, they would waste much more of the people's money than their salaries would amount to were they kept on waiting orders. Do not establish a rule which would prevent us from availing ourselves of the services of the best engineering talent at our command and confining ourselves to the mediocrity of the Army and placing a civil branch of this Government entirely in the hands of overbearing martinets who usually look upon the civilians as inferior beings and who, in the security of life positions and pensions, of promotion not based upon true merit but on length of service, lack the stimulus that prompts men in civil life to excel; that ambition to work their way to the top of the ladder in their chosen profession on their own merits by hard work and incessant

Let us look for the bright flowers of civil-engineering genius, talent, and skill in the sunshine of civil, rather than in the cold, somber shades

of military life.

Aid to Education.

SPEEUH

HON. THOMAS J. WOOD.

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 13, 1885,

On the educational bills before Congress.

Mr. WOOD said:

Mr. SPEAKER: The Blair and Willis educational bills provide that certain sums of money shall be distributed to the several States of the Union in proportion to illiteracy of the people in each of them. The provisions of these bills do not interfere with the educational system of any State, but direct that the money shall be used for educational pur-

poses by aiding the common schools therein.

The troublesome question is the power of Congress to pass one of these bills. There is no express power in any provision of the Constitution authorizing Congress to enact a law for the purpose stated in

either of them.

The several powers of the Constitution are-

First. Express powers. Second. Implied powers. Third. Incidental powers. Fourth. Inherent power.

There is no controversy about the first power. I hold that Congress has power to pass one of these educational bills under any one of the other three powers. I will consider them in their order.

As to the second power I say there is not in the whole Constitution a grant of powers which does not draw after it other powers not expressed, but essential and vital to their exercise; not independent but auxiliary to the grant itself. No provision of the Constitution expressly excludes implied and incidental powers as did the Articles of Confederation. This subject is well considered in the Federalist, where

cogent reasoning is applied to it.

What is the grant of power in the Constitution bearing upon the subject of these bills? Section 4 of the fourth article of the Constitution

The United States shall guarantee to every State in this Union a republican form of government.

Here is a naked declaration of power. No way is pointed out, no means are defined to inform Congress how this power shall be executed. Now, every means that can be used consistent with the power to carry it into effect is implied from the nature of the original grant. Congress may adopt proper means to carry into effect this express power, whether it be military forces, peace commissioners, or by a compromise of the complaints of the people of the State against a republican form of government.

Many reasons might be assigned why the people of a State would not

desire to maintain a republican form of government, but one strong one, among all others, might be that the people through ingnorance were incapable of self-government; incapable by illiteracy of participating in the affairs of the State through the exercise of suffrage.

pating in the affairs of the State through the exercise of suffrage.

If general ignorance is the cause Congress may exercise power to remove it, though years are required to do so, by liberal grants of money for the purpose of diffusing general intelligence and thereby creating respect among the people for a government republican in form, and a decent regard for the rights of mankind.

The Indians are incapable of self-government through illiteracy, and no republican form of government would be maintained by them, and now the Government is providing, as it has often done, for their education and mental elevation in order to make them law-abiding and supplies of self-government, and therefore fit to live under and supplies of self-government, and therefore fit to live under and supplies of self-government. and capable of self-government, and therefore fit to live under and support a republican form of government in the State where they may re-

It is conceded that the colored people as a body in the South, where large numbers congregate, are incapable of understanding and maintaining a republican form of government in the absence of intelligent

white people.

In such cases Congress may exercise the power to promote intelligence and education among them in order to make them self-governing, and and education among them in order to make them self-governing, and therefore capable of maintaining independently of the power of the General Governmenta republican form of government. If general illiteracy among the people of a State is the cause of the failure of a republican form of government, Congress may donate money to remove the cause through educational means, and that is true where illiteracy is so dominant as to constitute a balance of power against intelligence or is a standing menace to the safety of the Commonwealth.

In such cases Congress may provide means to remove the cause and all threatening danger to a republican form of government. What is a grant of power without the employment of means necessary to its exe-

grant of power without the employment of means necessary to its execution? The axiom is clearly established in law and in reason that whatever is required to be done the means to that end are authorized. Whenever a general power to do a thing is given every particular power necessary for doing it is given.

Suppose there is universal famine in a State, and the people thereof, starving in all its borders, organize in open rebellion against all State law and constitutional authority and annihilate the republican form of government therein existing?

In such a case Congress could order troops with bayonets, powder, and lead, to reduce the people to submission, or it may appropriate money to buy them bread and thus allay their opposition to State authority, and restore to the State a republican form of government.

There is no defined way to execute this general power of the Constitution. Congress itself is the sole judge of the means necessary to carry into effect this grant of power. Congress is the sole judge of the means necessary to carry into effect any grant of power in the Constitution, provided always that the means employed are properly incident to the express power. No one would claim that means used entirely foreign to the object to execute a power would be a proper execution of it. The manner of carrying into effect the great powers of the Constitution is left to the wisdom and conservative judgment of the legislator where the means of execution are not defined. Otherwise the creation of naked powers would be absurd, as they would remain forever dormant or in a paralytic state. Judge Story, writing on this question, aptly

It would be almost impracticable, if it were not useless, to enumerate the various instances in which Congress, in the progress of the Government, have made use of incidental and implied means to execute its powers. They are almost infinitely varied in their ramifications and details.

But incidental powers are expressly conferred on Congress by the Constitution, and in these words:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof.

This provision constitutes Congress the judge of what laws are necessary to carry into effect the powers of the Constitution. Although it is surplusage under the reasoning of judicial decisions and eminent writers on constitutional powers, as it existed already as an incident, yet it does prove that the framers of the Constitution intended to leave the means of executing the powers to the deliberate judgment of the

legislator.

Then the question is, Is general intelligence and enlightenment of the people supportive of a government republican in form? Does the intelligence of the people aid and maintain such a government? If so,

Congress may adopt measures to that end.

I have briefly discussed the incidental powers of Congress and the implied powers of the Constitution, and I pass on to the inherent power of that instrument. This power sounds strange, but hear me through. In order that the application of this power may be more readily understood I make a statement of facts:

The real purpose of these measures is to provide means for the education of the colored people in the Southern States, although they embrace all classes of illiterate people in every State.

A few years ago 4,000,000 of illiterate colored people were released from slavery and the adult males clothed with all the rights, duties,

and conditions of American citizenship. No one pretends that they possessed any mental qualifications to become good citizens and an intelligent factor in the administration of the Government. The old exslaves can not be materially improved, but the young people can be taught the superiority of republican government, the rights and privileges it confers upon the citizen, respect and obedience for the laws of the State and Federal Union.

the State and Federal Union.

What is the foundation of the Federal Union? What is the basis of the General Government? The theory is that it rests only upon the consent of the governed. Who are the governed? I answer, all classes of the people, white and black. The people of their own free will can enlarge or restrict its powers, or change the system entirely, and do so peaceably and rightfully. The people are the sovereign. They rule through their own selected agents, who act by defined official powers. These are responsible to no sovereign save the sovereignty of the people, who hold them accountable for violations of official duties. In a word, the Federal system is in the hands of the people. They control by the elective franchise. Shall it be an intelligent franchise? They maintain it by consent and self-government. Need it be said that such a system of government can only be sustained and perpetuated by the virtue and intelligence of the people, and without which it could not long survive?

long survive?

Now, there is a large percentage of unintelligent and illiterate people in this country exercising a fundamental power in the enactment and administration of law who can know nothing of the effect or benefit of it. Can they safely and independently execute so great a trust without any intelligent conception of the rights and duties of citizenship? Are they fit to deposit the ballot that may determine the destiny of the Republic? Are they fit to deposit the ballot to determine any policy of the Government? How can they select proper agents to administer the Government when they have no understanding of its powers and purposes? They can not pass judgment upon any policy beneficial or injurious to the commonwealth. This Government has been preserved through the predominance of general intelligence, and all will concede that it would long since have disappeared had ignorance and illiteracy dominated.

There are several hundred thousand of illiterate colored citizens in the Southern States, who were suddenly granted the obligations of citizenship without knowledge of its duties and responsibilities, and the number is increasing. This mass of ignorance, suddenly granted the highest boon in the power of mankind, American citizenship, may join a dangerous crusade against the best interest of the whole country. It is a lurking enemy around the basis of republican institutions, and a powerful element, if left alone, that may strike our federal system and threaten civil liberty. It is a mercenary and menacing power that may be ready to rend the Constitution itself.

I ask, does not the whole Constitution, as a means of government, permit the exercise of power to preserve itself? Can this organic law be dissolved because there is no express power therein given to preserve it against any preconceived contingency? When the foundation of republican government is being undermined, shall we say there is no power given to preserve it? Does not the organization of this Government as a whole carry with it at all times inherent power which may be exercised for its own safety? I answer, is not the power of preservation innate, inwrought in the organization, so as to be inseparable from the Government itself, inseparable as the "inherent qualities of the magnet," inseparable as the inherent rights of men to life and liberty? Is not preservative power so interwoven in the great framework that it can not be excluded? I would say preserve the Constitution and the Federal Government by express powers, if any there be, but if none, still preserve the Government. Though in doing so I employed means not named in the organic laws, yet I would have the Government left to all by the exercise of them.

When the very foundation of this Government, to wit, intelligence and virtue of the people, is being affected by growing illiteracy, can not power be rightfully exercised to prevent its continuance and preserve the structure? The central life of government holds ready all power on earth for its own preservation. All say there is ample power of preservation against all armed warfare. But is it the idea that the only mode of preservation is force, military force? Can not there be peaceful means used to preserve the Government, or is the military force the only one? When the increasing illiterate population, white and black, now numbering over 2,000,000 voters, uniting with powerful factions, give consent for some other worse form of government, then it is

too late for peaceful remedies.

The will of the people to dissolve this Government for another is irresistible and there would be no contest about it. If the will of the people is an intelligent one, an enlightened one, the theory is it would stand as the best ever founded by mankind, but an illiterate or ignorant will might destroy the best for the worst ever produced. Warpowers, not given by any law, may be exercised as a state necessity. Peace powers may be assumed as a state necessity, for the Government may be peacefully dissolved as well as forcibly by war. The Government has a right to fortify itself against the attack of growing illiteracy, and in doing so it aids itself. When intelligence is generally diffused the Constitution is aided and strenghtened. Is that a harmful exercise of power? I think not, because it gives me my Government, after

its exercise, better founded than it was before, and that can not be a violation of the Constitution.

The manumitted slaves enfranchised forced an unexpected mass of illiteracy into a political power in the affairs of government. It was the result of state necessity, which continues itself to make this new political force an intelligent and supportive power to the Government. We are brought face to face with a proposition that underlies the Government and all its civil institutions. All will admit that class ignorance and general illiteracy is inimical to a government founded on popular intelligence. It has contempt for law and all government policy, and is a sure element of disturbance and destruction wherever found. Men exclaim there is no danger, that the illiterate population is impotent for evil. I answer that the illiterate population of the whole country is a powerful factor for evil. It now holds the balance of political power. The census returns of 1880 show 10,000,000 voters in the United

The census returns of 1880 show 10,000,000 voters in the United States and Territories. The total number over 21 years of age who can not read or write is 4,204,363, of whom 2,056,463 are whites and 2,147,5900 are colored, including 300,000 Indians and 100,000 Asiatics. Assume one-half are females, which leaves over 2,000,000 illiterate voters who can not write their names or read their ballots. The illiterate voters constitute one-fifth of the whole voting population; one voter in five can not read his ballot or write his name. Generally they are in the power of low demagogues, and possess no higher aim than prejudice, jealousy, and revenge. They can not tell the Constitution of their country, if under the eye, from the advertisement of a horse jockey. They know nothing of the laws of the State wherein they reside. To them the Declaration of Independence is a dark blank and the Bill of Rights an enigma. I read a part of the report of the committee on this subject:

The illiterate voters of Maine, New Hampshire, Massachusetts, and Connecticut, of New York, New Jersey, Pennsylvania, Ohio, in short of every Middle, Southern, and most of the Western States, have power, if combined, to decide any political issue that is now, or for years is likely to be, pending between political parties. They represent ten of our fifty millions of people.

Illiterate voters of the States and Territories

States and Territories.	White.	Colored.*	Total.
Alabama	60, 174	206, 878	267,052
Arizona	3,550	633	4, 183
Arkansas	50, 235	68, 444	118,679
California	22, 625	22,100	44,725
Colorado	7,055	465	7,490
Connecticut	23, 339	1,497	24,836
Dakota	3, 206	458	3,664
Dclaware	6,462	7,935	14, 397
District of Columbia	3,569	19,447	23,016
Florida	10,885	39, 753	50, 638
Georgia	71,693	247, 318	319,011
Idaho.	510	943	1,453
Illinois	99, 356	10,397	109,753
Indiana.	77,076	8,806	85, 882
Iowa	35, 815	1,958	87,773
Kansas	17,095	11,498	28,593
Kentucky	124,728	90,738	215, 461
Louisiana	34, 813	178,789	213,602
Maine	16, 234	335	16,569
Maryland	84, 155	66,357	100,512
Massachusetts	81,671	2, 221	83, 892
Michigan	48, 291	3,758	52,049
Minnesota	27,645	769	28, 414
Mississippi	27,789	208, 122	235, 911
Missouri	89, 924	40, 357	130, 281
Montana	525	777	1,302
Nebraska	7, 821	496	8,317
Nevada	1,807	1,638	3, 445
New Hampshire	10,694	81	10,775
New Jersey	37, 348	7,844	45, 192
New Mexico	33, 623	5,209	38,832
New York	182,050	10,134	192, 184
North Carolina	116, 437	174, 152	290, 589
Ohio	92, 616	14, 152	106,768
Oregon	2,904	2,387	5, 291
Pennsylvania	174, 286	15,551	189, 887,
Rhode Island	18,611	1,139	19,750
South Carolina	34, 335	200,063	234, 398
Tennessee	118,784	126, 939	245, 673
Texas	65, 117	121,827	186, 944
Utah	5,385	518	5,903
Vermont	12,872	129	13,001
Virginia	71,004	214, 340	285, 344
Washington	1,011	1,884 7,589	2, 895 52, 879
West Virginia		981	46,779
Wisconsin	45, 798 285	144	429
11 Journal			
Total	2, 056, 463	2,147,900	4, 204, 363

*Including Indians and Asiatics.

The people who intelligently support the General Government have a right to ask aid to arrest the growth of illiteracy. Their social relations, their business affairs, their personal safety are threatened by this element growing in their midst. There was a time when a certain class in Europe and America refused education of their children. Now they ask for it, not only on account of its elevating influence over the vices and on mind and morals, but for the aptitude and intelligence it gives to the manner of labor. They know now that an intelligent labor means quick work, better work, and more work. An intelligent care

penter or bricklayer will do more and better work than an ignorant one, command better wages and higher respect of the employer, all of which increases regard and dignity for labor. In every business relation the intelligent laborer is the best and safest employé, makes more for his employer, makes better wages for himself, and is a better citizen. The poor workmen of overcrowded Europe see the preferment of intelligent labor because of correctness of work and the saving of materials to the employer, and are using all means at command to educate their children. The old governments have responded liberally to their call, as I show by the following statistics, beginning with France:

Government aid to primary education.—In 1860 the government aid to primary education amounted to 5,424,036 francs; in 1870 (under the empire), 9,817,513 francs; in 1877 (under the republic), 22,035,760 francs. In 1882 the government aid will be about 50,000,000 francs, in order to enable all the communes to enforce the obligatory school law. In addition to the above amount the departments spend this year 25,000,000 francs, and the communes 60,000,000 francs for primary education. During the two weeks from April 15 to April 30, 1882, the government has spent 1,244,835 francs for new school-houses. The total amount spent by the government aione in 1881–82 for all phases of instruction amounts to 114,353,941 francs, or \$22,717,880.

2. BELGIUM.

The following table shows the government grants to education from 1831 to 1882:

TO TOTAL THAT I HAVE BURNESS OF DESIGNATION OF THE PARTY	Francs.
1831	217,000
1843	466,000
1845	711,000
1852	1, 230, 000
1857	1,689,000
1864	3,707,000
1870	6, 525, 000
	11,500,000
	20, 400, 000

The population of Belgium is 5,403,006.

In 1830, when Belgium separated from Holland, there were only 1,146 public primary schools. In 1875, there were 4,152 public primary schools and 2,615 adult schools. In 1874,106 per cent. of the conscripts were illiterate; in 1850, 35.35 per cent.; and in 1878, only 19.59 per cent.

3. ITALY.

Italy has a population of 28,209,620, and a school population (6-12) of 4,527,582. Of this number 2,057,977 attend school, against 1,604,978 in 1879. The number of public elementary schools has risen from 32,782 in 1870 to 41,108 in 1879. The annual grant to these schools in 1882 is 31,000,000 lire (\$4,500,000). The 7,422 private elementary schools receive no state aid. In 1873 the government grant was 15,000,000 lire (\$3,000,000); in 1876, 29,000,000 lire (\$4,000,000); and in 1878, 24,000,000 lire (\$4,800,000). This shows an increase of 16,000,000 lire, or \$3,200,000

24,000,000 lire (\$4,800,000). This shows an increase of 16,000,000 lire, or \$3,200,000 since 1873.

The above grants are made in addition to large buildings and gardens given for educational purposes in nearly every city and town of the kingdom. According to the census of 1861, out of a population of 21,777,334, there were 16,999,701 who could neither read nor write—7,889,238 males, and 9,110,463 fe-

males.

In 1871, out of a population of 26,801,154, there were 19,533,792 who could neither read nor write.

The present minister of public instruction has taken energetic steps to provide accommodations for all the children of school age, and to enforce the law which makes attendance at school obligatory for all children between the ages of 6 and 12.

4. ENGLAND.

The annual parliamentary grants to elementary schools in England and Wales was: In 1840, £30,000; in 1850, £180,110; in 1858, £688,873; in 1862, £774,743; in 1863, £721,386; in 1866, £649,000; in 1867, £682,201; in 1868, £680,429; in 1869, £840,-711; in 1870, £914,721; in 1873, £1,313,078; in 1875, £1,566,271; in 1877, £2,127,730; in 1879, £2,783,404; in 1882, £2,749,863.

The number of schools has risen from 10,751 in 1872 to 17,614 in 1880; the number of seats from 2,397,745 in 1872, to 4,240,763 in 1880; and the average number of children in attendance from 1,445,326 in 1872, to 2,750,916 in 1880.

The population of England and Wales is 25,968,286.

5. SCOTLAND.

Population, 3,734,870. The parliamentary grant to elementary schools amounts to £488,512 for 1882-83. The number of elementary schools has increased from 1,962 in 1872 to 5,056 in 1889; the number of seats from 257,412 in 1872 to 602,054 in 1880, and the number of children in average attendance from 206,090 in 1872 to

6. IRELAND.

Population, 5,159,839. Number of elementary schools, 7,522. Number of pupils, 1,031,995. The parliamentary grants for popular education in Ireland amounted to a total of £2,948,669 in the ten years, 1860-69; in 1868 it was £360,195; in 1872, £450,300; and in 1882-83 it amounts to £729,868.

7. PRUSSIA.

Population, 27,251,057. The government expenditure for education amounts to \$11,458,556 in 1882, against \$10,000,000 in 1881. As nearly all the Prussian schools derive income from endowments, the government grants are chiefly devoted to the establishment of new schools and the improvement of old ones.

8. RUSSIA.

8. Russia, with a population of 78,500,000, and a school population of 15,000,000, has only 28,357 elementary schools and 1,213,325 pupils. The annual government grant to all grades of schools amounts to \$9,000,000. Of this amount only \$475,000 is devoted to elementary education. The finances of Russia exhibit large annual deficits, caused partly by an enormous expenditure for war, and partly by the construction of railways. According to official returns, the total war outlay incurred by Russia during the four years 1876–79 amounted to \$728,984,635.

The mass of the population of Russia is as yet without education. In 1860 only two out of every hundred recruits levied for the army were able to read and write, but the proportion had largely increased in 1870, when eleven out of every one hundred were found to be possessed of these elements of knowledge.

10. AUSTRIA.

Education until recently was in a backward state in Austria, the bulk of the agricultural population, constituting two-thirds of the empire, being almost entirely illiterate. During the last twelve years, however, the Government has made vigorous efforts to bring about an improvement by founding new schools at the expense of the state wherever the conveniences were too poor. A law was passed in 1868 making education obligatory for all children between the ages of 6 and 14 was passed of 6 and 14.

of 6 and 14.

The government expenditure for public education has increased from \$2,300,000 in 1870 to \$6,500,000 in 1881.

In this connection, as illustrating the educational impulse moving the whole

British Empire, we annex the following data of schools in the Province of On-

tario:

"The population of Ontario is 1,913,460, and the school population 489,924. In 1844 there were in the province 2,505 schools, with 96,755 pupils; in 1875, 5,058 schools, with 494,055 pupils; and in 1880, 5,245 schools, with 496,855 pupils. The total expenses for education were \$275,000 in 1844, \$2,297,694 in 1881, \$3,258,125 in 1873, \$3,433,210 in 1875, and \$3,414,257 in 1880."

It will be observed that in every instance cited the nation assumes the duty and exercises the power not only of assisting but of controlling the subdivisions which make up the whole and provides for compulsory attendance of the child. The principle is fully recognized that when the general welfare demands, individuals and subdivisions must submit, if necessary for any cause, to receive compulsory blessings, coupled with which is the duty which implies the right of the whole to provide for the protection and safety of all the parts by the utmost exercise of its powers. True, their governments are not so complex as ours, but the principle is still the same. Self-preservation dictates this policy everywhere.

These statistics show that foreign governments aid the poorer classes to educate their children by very liberal grants, and they do so upon the ground that it makes a better, more moral, and more useful people. It makes life and property safer, and the Government stronger. It makes labor better and more useful in every condition of life. You can trust intelligence and skill, but you must watch ignorance all the

can trust intelligence and skill, but you must watch ignorance all the time. The action of the old governments of the East is conclusive on the question of policy. They are not founded upon or dependent upon the will or intelligence of their people, while our Government is.

If important to them to encourage general education of the masses of the people how much more important it is to our own country, resting as it does upon the masses of the people; and more important to this country still because it is new and developing and unfixed, in comparison with the old governments. This Government is met with unsolved problems of legislation growing out of new conditions continually arising, which require intelligent thought by the people and their patient forbearance until wisdom leads the way through; and more still, because in this country there is a clash of conflicting interests arisstill, because in this country there is a clash of conflicting interests arising from our multiplied resources, rapid development, and quick growth, which do not exist in any comparative degree in the old governments.

With them different interests are permanently fixed and move along in regular grooves, while in this country new and enlarged development is constantly going on, changing and overshadowing previous conditions, which often taxes the patient bearing of our intelligent peo-ple before a satisfactory adjustment is established. All must see, there-fore, that general intelligence is the only anchor of domestic safety

and the certain guarantee of peace.

I desire to read a part of the statement made by the committee on the Blair educational bill, which shows the number of illiterates in each State and the proportion of money due each under this bill.

States and Territories.	Number of illiterates in each State.	Proportion of \$15,000,000 to each State.
Alabama	370, 279	\$1,127,869 83
Arizona		16,740 82
Arkansas		466, 735 53
California		147, 983 82
Colorado		28, 373 77
Connecticut.		63, 933 36
Dakota	3,094	9,424 32
Delaware	16,912	51,514 96
District of Columbia	21,541	65, 613 89
Florida	70, 219	213, 887 07
Georgia	466, 683	1,360,596 42
Idaho	1,384	4,215 66
Illinois	96, 809	294, 880 21
Indiana	70,008	213, 244 37
Iowa		85, 644 38
Kansas	25, 503	77,682 14
Kentucky	258, 186	786, 434 56
Louisiana		905, 612 35
Maine	18, 181	55, 379 33
Maryland	111, 387	339, 284 80
Massachusetts	75, 635	230, 384 21
Michigan	47,112	143,503 15
Minnesota		62,598 35
Mississippi		961, 354 15
Missouri	138, 818	422, 839 63
Montana	1,530	4,660 38
Nebraska,		23,850 18
Nevada	3,703	11,279 34
New Hampshire	11,982	36, 497 17
New Jersey	39, 136	119, 208 26
New Mexico	52,994	161, 419 72
New York	166,605	567, 539 75
North Carolina	367, 890	1,120,692 94
Ohio	86, 754	264, 252 68
Oregon		16, 375 30
Pennsylvania	146, 138	445, 136 35
Rhode Island		53, 170 98
South Carolina	321,780	980, 141 88
Tennessee		1, 201, 296 71
Texas		780, 455 26
Utah	4,851	14,776 15
Vermont		39,576 68
Virginia		1,098,067 77
Washington	3,191	9,719 79
West Virginia		158,516 89
Wisconsin	88,693	117,858 88
Wyoming	427	1,300 64
Total	4, 923, 451	15,000,000 00

Mr. Chairman, I plead for the purpose of these measures because I

desire to see white and black, the poor and the ignorant, educated. I plead for them because the purpose is to create independent thought on all questions among the people receiving the benefits. I plead for them because they mean general intelligence and enlightenment. And lastly, I plead for them because they will make suffrage more sacred and the ballot more pure, which will ever uphold and maintain a republicant form of government in every State of the Union and walks. publican form of government in every State of the Union and make stronger and better the bonds now holding the States together for the purposes of the best government of men.

General Grant.

SPEECH

HON. OTHO R. SINGLETON,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Λ rmy.

Mr. SINGLETON said:

Mr. Speaker: I wish to put upon record to-day something more than a mere negative vote upon this bill. I rise to protest against the establishment of a privileged class of citizens who are to be foisted upon the Government, draw money from the Treasury not needed for an economical support, but in this case to be added to an income of \$15,000 a year—a sum greater than the estates of nineteen-twentieths of the people of the United States.

people of the United States.

Although the Constitution of the United States discourages any legislation tending to build up one class of people at the expense of another, yet this bill, with some others heretofore passed, proposes to establish a privileged order of persons, pension them on the Government for life, mere fungi upon the industrial interests of the country, and I must say the outgrowth of a mawkish and morbid sentimentality. To must say the outgrowth of a mawkish and morbid sentimentality. To bestow upon General Grant the gratuity of \$17,000 per annum proposed in this bill would be to confer upon him that which was never offered to the Father of his Country, and which, if offered, would have been declined with that characteristic manliness and patriotism which prompted him to refuse a third term as President of the United States. The passage of this bill will certainly be a wide departure from the practices of the Government in its early history, and well calculated to awaken distrust and dissatisfaction in the public mind.

Every candid and impartial mind in its efforts to comprehend the

awaken distrust and dissatisfaction in the public mind.

Every candid and impartial mind, in its efforts to comprehend the utility or justice of this measure, will want to know whether there is any pecuniary necessity in the case of General Grant which requires the passage of the bill; and if not, whether it will add anything to his reputation, or enhance in any way the public estimate of his civil or military services. I had supposed that having so large an annual income his best friends would not ask the passage of this bill upon the plea of pecuniary necessity. During his eight years' service as President he drew from the Treasury of the United States about \$300,000, a large portion of it under a law which he, as a co-ordinate branch of the Government, aided in passing.

A donation of \$250,000 was made him at one time by his friends and admirers, which is held in trust for his benefit, and, as stated before, yields him an annual income of \$15,000. Besides this, houses and lots, horses and carriages, with innumerable other valuable presents, have

horses and carriages, with innumerable other valuable presents, have been lavished upon him. Now, it is said that financial disaster has overtaken him. Suppose this to be true, whose fault is it? Has it come to this, that the Government is to become sponsor for or guarantor against all the financial blunders of General Grant? If so, when and where will the matter end? What distinguished gentleman will

and where will the matter end? What distinguished gentleman will next apply?

The only bill bearing any analogy to this that ever received my support was the one which provided for retiring General Shields with the pay of brigadier-general. This was an exceptional case, growing out of his advanced age, his infirmity from wounds received in battle, and his absolute poverty. This was a case that pleaded trumpet-tongued for relief, and, I am proud to say, the House of the Forty-sixth Congress heeded the appeal and responded nobly to the call. A bill was passed with only 6 dissenting votes to retire him on a brigadier's pay, that the few days remaining of a well-spent life might be relieved from poverty and want. A nation's gratitude was due to this battle-scarred and maimed hero of two wars, and ex-Senator from three different States, whose pecuniary necessities were such that he was forced to pawn the swords bestowed upon him for gallant services in the field and deliver lectures to prolong existence.

and deliver lectures to prolong existence.

This bill went to the Senate—may I be allowed to say a Republican Senate—and was there amended by adding to it the name of General

Grant. Then was heard the potent voice of the Senator from Vermont, the author of this bill, inveighing in terms of animated rhetoric against its passage, either in its original or amended form. I read from the RECORD his own language.

from the RECORD his own language.

Now, what is this species of legislation that we are called upon to pass? It is unequal; it is unjust; and it is contrary to any principle that the United States has ever before undertaken to advance or to enact into laws. General Shields has a pension, according to existing laws, that he has enjoyed for many years. This body has passed a bill increasing that pension, and I must presume that if he deserves it the other House will concur in the passage of that bill; and yet you propose to take this gentleman and another who has been added, and who ought to have been added if this sort of legislation is to proceed, as many others might be—you propose to take him and foist him into a branch of the public service with which he has no connection and which is founded upon a principle that does not apply to him at all.

If the Congress of the United States wish to give to General Shields the sum of \$50,000, let them say so; but why do you take from the ranks of civil life one or two volunteer soldiers and place them in the regular Army of the United States by an act of legislation and an executive act, to the exclusion of those who have spent their whole lives in the military service of the country, and who beyond the number of three hundred are always from the retired-list? And in respect of these two individual cases the present law must necessarily exclude some two worthy persons who are now entitled to the places, under the regular law, that these persons would fill. If Senators believe that the people of these two distinguished soldiers ask anything of this sort, if Senators believe that either of these two distinguished soldiers ask anything of this sort, then I think they are greatly mistaken.

His speech had the effect to defeat the bill and the life of the second of the united states ask anything of this sort, then I think they are greatly mistaken.

His speech had the effect to defeat the bill, and the gallant Shields, wounded in the house of his supposed friends, mortified and chagrined at the ingratitude of his countrymen, soon passed away. Peace be to

at the ingratitude of his countrymen, soon passed away. Peace be to the ashes of the gallant dead!

But the friends of General Grant, nothing daunted by defeat, now that Shields is out of the way, have rallied again in the Senate and sent us the present bill. What change has come over the spirit of the Senate's dream? Where was the able and eloquent Senator from Vermont when this great wrong, as he had denominated it, was being perpetrated? Was it the poverty of General Grant that prompted the hot haste of the Senate in passing this bill with only a few moments' debate? Was not General Shields poor and infirm from wounds received in his country's service? Was it defeated in the Senate before upon principle? If so, what new revelation has dawned upon the minds of the former opponents of this bill? It is said that men change, but principles never. The passage of this Senate bill fully establishes the truth of this saying.

ing.

But it is said this gratuity, bounty, or pension, as it may be denominated by its friends, is to be bestowed for "public services." Does this refer to his military or civil services? If to the former, I will not attempt to underrate them. But concede all that is claimed for General Grant in a military point of view, and I insist that he has been fully rewarded for all his services. He has been honored by the American people as no other man save Washington was ever honored, and I am not sure that I ought to make this exception. Twice elected President of the United States, drawing for one-half the time double the salary paid to Washington: secured in ample fortune by his friends, which never hap-United States, drawing for one-half the time double the salary paid to Washington; secured in ample fortune by his friends, which never happened to the Father of his Country; honored with a vote of thanks by Congress; his follies overlooked, his faults condoned, his friends rewarded, himself féted and caressed ad nauseam, and his trip around the world attended with all the "pride, pomp, and circumstance" of a triumphal march, what of earthly good remains to be secured to a reasonable man? What but prurient ambition or greed of gain can make him appear at the bar of this House, in the person of friends, and plead for further honors or more ample fortune? Is the pecuniary debt of the country to General Grant never to be liquidated, the account never to be closed? Will he leave nothing to be enjoyed by others equally meritorious? I would not strip from his brow one laurel that has been placed there by public acclaim; but all that is excellent of earth is not embodied in any one man. embodied in any one man.

Surely he has been amply rewarded for all his military services. But overzealous friends point to his civil services, and claim for them such pre-eminence as to merit all the honors and rewards which a nation can bestow. This is doubtful ground and admits of disputation. When he entered upon the duties of President the country had but recently emerged from a civil war in which alienation of feelings between different sections had been engendered and a heavy public debt incurred. As a wise statesman it should have been his policy, as it was his duty, to reconcile as far as possible brethren estranged and set on foot measures of economy that the public debt might be extinguished at as early a day as possible. To this end every subordinate officer in the Government should have been held to the plumb-line of honesty and fidelity. Did General Grant adopt this course? Let the history of his administration answer the question. Did he lift the Constitution from the dust into which the events of the war had cast it, and with the return Surely he has been amply rewarded for all his military services. But

dust into which the events of the war had cast it, and with the return dust into which the events of the war had cast it, and with the return of peace banish the maxim, inter arma leges silent? Did he give place to peaceful methods of legislation and judicial supremacy? What measures did he adopt to promote conciliation and harmonize estranged sections of our country? By whose orders were legislative assemblies in the States dispersed at the point of the bayonet? By whose order was a major-general of the United States Army sent to Louisiana with violent purposes in his heart, who, without stint, abused and maligned her people in a communication to the War Department, and manifested great anxiety to try, condemn, and execute her citizens by drum-head

court-martial? Who was it that removed the brave but generous Hancock from the position of military governor of the Southern military division of the United States because he declined to interfere with the division of the United States because he declined to interfere with the civil authorities of the State of Texas by exercising military power? Who was it that instigated Congress to attempt the passage of the "force bill," under the provisions of which he, the President, would have secured the power to suspend the writ of habeas corpus in the States of Louisiana, Mississippi, and Alabama? Who was it that stationed troops at the polls on election days to intimidate voters and secure the election of his political friends? And in 1876, when the people of the United States had chosen Mr. Tilden President by a popular majority of 260,000 and by a majority of nineteen in the electoral college, who was it that massed troops in Washington, and placed them constructively at the doors of this Hall to overawe Congress and force a compromise, by which the people's rights were sacrificed, their ballots disregarded and a man installed into office who was never elected? Call you this quieting dissensions and promoting peace? If so, it was the you this quieting dissensions and promoting peace? If so, it was the

regarded and a man installed into office who was never elected? Call you this quieting dissensions and promoting peace? If so, it was the peace which reigned in Warsaw.

But again: Did he manage our finances with that skill and economy which ought to challenge our admiration and secure our confidence? Under whose administration was silver demonetized and thereby one-fourth of our currency destroyed? Upon whose recommendation was the law passed declaring all our bonded indebtedness payable in coin, when by the terms of the contract it was payable in currency, thereby increasing the burdens of the people hundreds of millions of dollars? Whose Cabinet but his was ever defiled by the presence of a jobber in post-traderships, and, when impeached before the Senate with evidence sufficient to convict, was allowed to escape merited punishment by the tender of his resignation and its acceptance by General Grant? Whose friends but his ever organized themselves into a whisky ring to deffaud the Government of its revenues, and, when overtaken and convicted after a fair trial, received pardon at the hands of the nation's Chief Executive? What administration but his, in a time of profound peace, before the war or since, up to its date, has cost the people \$180,000,000 in one year?

Where now are the evidences of his financial ability, the triumphs of his statesmanship? What did he while in office but punish his supposed enemies and reward his friends, even to the extent of the most shameless and disgusting nepotism.

Mr. Speaker, I have spoken plainly because I feel strongly, but I have said nothing that the facts of history will not fully prove and nothing

shametess and disgusting nepotism.

Mr. Speaker, I have spoken plainly because I feel strongly, but I have said nothing that the facts of history will not fully prove, and nothing but what it is my duty to say as a Representative upon this floor.

But lest I may be charged with prejudice and injustice, I will call to the stand a witness whose testimony General Grant's friends will not impeach, and whose whole experience as a public man, at the time of speaking, was had under Grant's administration—one who speaks in no uncertain terms nor minces language in his description of things. I read from the speech of Senator HOAR, of Massachusetts, delivered in the Senate on the occasion of the impeachment of Secretary Belknap. Mr. HOAR said:

My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of a Senatorial office. But in that brief perical I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt from friendliest lips that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others beyond question was her corruption. I have seen in the State in the Union foremost in power and wealth four judges of her courts impeached for corruption, and the political administration of her chief city become a disgrace and a by-word throughout the world. I have seen the chairman of the Committee on Military Affairs in the House, now a distinguished member of this court, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our military school. When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of the three committees of Congress, two of the House and one here, that every step of that mighty enterprise had been taken in fraud. I have heard in highest places the shameless doctrine avowed by men grown old in public office that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service, and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President.

These things have passed into history. The Hallam or the Tacitus or the Sismondi or th

Mr. Speaker, so impressed were the people with the truthfulness of this word picture, drawn by a master hand, that at the next Presidential election General Grant's majority of 760,000 was overcome, and a majority of 260,000 given for Mr. Tilden, a difference of over one mill-

Here, then, was a popular verdict as to the merits of General Grant's civil services, which, together with his rejection by his own party at

Chicago as a candidate for the third term, ought forever to settle the question of his statesmanship and show to this House the folly of voting him a gratuity of \$17,000 a year during the rest of his life.

The people have not asked it to be done, neither in primary meetings nor through their State Legislatures, although the matter has been under discussion for years. Dare we then say to the people, you must stint yourselves, eat coarse food, and wear threadbare clothing

that General Grant, for the balance of his life, who has already been munificently rewarded for his services, "may fare sumptuously every day, and be clothed in purple and fine linen?"

If hero-worship in this favored land of ours has taken such deep root in the hearts of our people, and has attained to such stalwart growth as to secure their assent, much less the approval of this measure, then may we lament the degeneracy of the times, and exclaim in the impassioned language of another, O tempora! O mores!

General Grant.

SPEECH

HON. ROBERT T. DAVIS.

OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES.

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. DAVIS, of Massachusetts, said:
Mr. SPEAKER: I trust that this bill will pass the House with entire unanimity. It should pass, not only as the evidence of grateful appreciation of the priceless services of its illustrious beneficiary, but as an act of justice to the nation. It will prove to the present and coming generations that the Government of a free people is ready and willing generations that the Government of a free people is ready and willing to reward extraordinary instances of the most eminent public qualities when successfully exerted in critical periods of its history. And who is there who loves his country that is not proud of the military fame of our great commander—so inseparably and gloriously associated with the triumph of Union and Liberty—a triumph beneficent to every section and to all classes, and yet to be hailed South as well as North as the best possible result of that inevitable and giant conflict of forces in which the combatants on either side were irresistibly impelled by inherited and historic influences to assume their respective registions

herited and historic influences to assume their respective positions.

It is the glory of Grant that he successfully wielded the superior military resources of the Government against soldiers as brave and generals as skillful as our own—for they were each Americans, each inheritors of the best blood of historic races and of common traditions inheritors of the best blood of historic races and of common traditions of civil and military greatness. And is it not to-day a cause of universal pride and joy that after the great conflict ended with its strange vicissitudes, its defeats and triumphs, the tears and sighs, the sorrow and despair of that great agony, the final victory was a victory of our country, our whole country, North and South, East and West, the vindication of its Constitution, and of the principles of the great Declaration, and the consecration of the national idea in the heart of every American. The clemency and generosity of our great leader in the hour of victory attests the grandeur of his character, and won for him the enduring esteem and admiration of the conquered, who were subdued not more by the fortune of war than by the generous kindness of dued not more by the fortune of war than by the generous kindness of

Unquestionably, more than any man who has yet lived, or it is to be Onquestionably, more than any man who has yet fived, or it is to be hoped will live for a thousand years, Grant has given his country a military history. Vicksburg has no parallel in modern and but one in ancient history, when the greatest genius of antiquity led the victorious legions of Rome, whose conquering tread had resounded through subjugated nations and continents, against a fortified position held by an uncivilized though gallant foe; but nowhere was his greatness of soul so manifest as in the bloody and dreadful march through the Wilderness upon Petersburg and Richmond.

He knew well in advance the fearful cost of that campaign; knew that countless thousands of the noblest, best, and bravest of our sons must lie down in death that our country might live. He heard in anticipation the wail of horror that rose from every hamlet and hearth as those devoted men fell before the murderous fire of a gallant and determined enemy, who had staked all upon that issue, and were fight-ing under their chosen and superb leader with the courage of despair. He heard the censures, deep and bitter, which his apparently reckless waste of human life incurred.

The greatest poet of the last generation made inanimate nature sympathize with the inevitable fate of the soldiers who were marching to the most famous of European battles:

And Ardennes waves above them her green leaves, Dewy with nature's tear-drops, as they pass, Grieving, if aught inanimate e'er grieves, Over the unreturning brave—alas!
Ere evening to be trodden like the grass
Which now beneath them, but above shall grow
In its next verdure, when this fiery mass
'Of living valor, rolling on the foe,
And burning with high hope, shall molder cold and low.

How much more strongly do his mournful lines apply to this cam-

paign of death.

paign of death.

Who doubts that through the dark cloud of battle he saw the majestic and benignant genius of his country beckoning him on to conflict and to victory, that above its din and tumult he heard its commanding voice saying, "Fail not, falter not; you are the chosen leader in this supreme moment; upon the issue of this campaign rests the destinies of unborn and untold millions of the race." That calm, determined, and have a pullistened and characteristic and the improved field of A proported. heroic soul listened and obeyed; and the immortal field of Appomattox will testify forever to his glory and success.

It is for us, in behalf of our own and future times, to prove to this

great citizen, now in his old age and visited by sickness, misfortune, and sorrow that a grateful country remembers and values his inesti-

mable services.

American Citizenship.

SPEECH

HON. WILLIAM E. ROBINSON,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 28, 1885.

The Resolution-Committee on Foreign Affairs-Expatriation and naturalization—Retaliation and reprisals—Algerine slavery—Efforts to change the law— W. E. Robinson's petition—The '48 troubles—Webster and Hulsemann—The W. E. Robinson's petition—The '48 troubles—Webster and Hulsemann—The Koszta case—The Fenian troubles—The Fortieth Congess—Charles Francis Adams—Consul West—The country roused—Bill on expatriation—Field day in the House—Bill discussed—The bill in the Senate—Lord Stanley surrenders—Discussion in Senate—Speeches on the bill—Passage of the law—The bill as passed—Opinions on the bill—A. S. Hewitt on W. E. Robinson—The Forty-seventh Congress—Americans in prison—Congress assembles—Numerous adjournments—The case comes up—The great difficulty—Was the imprisonment legal?—The yeas and nays—Delay in Committee on Foreign Affairs—Another field day—Gladstone perplexed—The right thing at last—British insolence—More resolutions—Incompatible with public good—The last efforts—Dishonoring our own record—Misrepresentations of the press—Ireland, why love her?—Irish heroes—Richard Montgomery—More Irish heroes—Joseph Reed—More heroes—Stark and Sullivan—A few more—Anthony Wayne—Other illustrious Irishmen—My labors—Injustice to Mr. Robinson—Annexation of Ireland—An exploded bomb—Letter from Mr. Bancroft—Ireland an American colony—Should be restored—An offer to my critics—Letter from Rev. Dr. Talmage—Other friendly testimonials—Fanny Parnell—Other letters—Looking back—Forty-two years—The Twenty-eighth Congress—Shall I return—True to American ideas—An immigrant's greeting—Hall brightest banner!

Mr. ROBINSON, of New York, said: Mr. Speaker: On the 5th day of December last, now three months ago, I offered a resolution of inquiry which was on that day referred to the Committee on Foreign Affairs:

THE RESOLUTION.

The resolution offered and referred on said 5th day of December, 1884, reads as follows:

The resolution offered and referred on said 5th day of December, 1884, reads as follows:

Resolved, That inasmuch as this House has the right and the desire, never yet fully granted or gratified, to obtain full information concerning the imprisonment of all American citizens recently arrested and imprisoned by the British Government as "suspects," the President is hereby requested to communicate in full to this House all correspondence by mail, telegram, and cable, whether in cipher or otherwise, between the State Department and our minister at London, and between the Department, our minister, and our consuls to and from each other, and to and from the persons so arrested and imprisoned, claiming to be American citizens, concerning the arrest and imprisonment more particularly of the following American citizens, to wit, Michael P. Boyton, William Brophy, Joseph Dalton, James F. Daly, M. B. Fogerty, John L. Gannon, Henry George, Michael Hart, M. Hickey, James Lynam, John R. McCormick, John McEnery, Daniel McSweeny, D. Hayes O'Connor, Henry O'Mahony, Philip O'Sullivan, Patrick Slattery, Joseph B. Walsh, and James L. White, and any others whose cases are known in the Department of State, with the dates of their several arrests, the specific charges, if any, against each, the dates when the attention of our minister or consuls was called thereto, the demands, if any, with dates, made for their trial or release, as provided in the law of July 27, 1855, the answers made thereto, the dates of their final release, with reasons therefor, whether any one of them was ever brought to trial, or found guilty; whether any demand for apology or indemnity has been made by any one of these citizens, or by their Government, for their unjust and lengthened imprisonment; what reply was made to the instructions given to our minister, as stated by the Secretary of State under date of August 5, 1882, the latest information vouch-safed to this House on this subject, when four of our citizens were still held without accusations because

COMMITTEE ON FOREIGN AFFAIRS.

I have no desire to say an unkind word of any member of the Committee on Foreign Affairs of either this or the last Congress, yet I may

be permitted to say that during the entire continuance of both Congresses, during which insults and indignities have been offered to our citizenship such as have never before been offered or endured by any nation, we have had no report from that committee, to which such matters are referred and intrusted, upon these outrages, and we have experienced great delays in having mere resolutions of inquiry referred to that committee reported within the time prescribed by our rules. Several such resolutions of vital importance to the honor of our nation have been delayed for months, and many worthy of immediate and thorough investigation, including that now under consideration, have never been and never will be taken up or considered at all.

I am sure that a brief sketch of the history of this question of American citizenship must prove interesting to all American citizens, and

that I propose now to give.

EXPATRIATION AND NATURALIZATION.

Although England at the close of our Revolutionary war had formally acknowledged our independence, she submitted to her destiny with great reluctance. Her military and naval officers missed no opportunity to show their contempt for ours, and many personal difficul-ties and duels resulted therefrom, in which the gallant Decatur was prominent, and English insolence was frequently chastised.

As early as 1797 fears were entertained that in case of war with England our naturalized citizens found fighting in our Army or Navy would be executed as traitors to their native country on account of England's claim to perpetual allegiance, by which they ignored our

naturalization laws

Accordingly, on the 17th day of June, 1797, a measure was introduced in Congress declaring the right of expatriation; on the 22d of that month it was fully discussed in the House of Representatives by Samuel Sewall and Harrison Gray Otis of Massachusetts, Albert Gallatin of Pennsylvania, William B. Giles and Thomas Claiborne of Virginia, Robert G. Harper, then of South Carolina, and others. It was finally postponed till the first Monday of November in that year, and was never taken up again.

THE SECOND WAR.

The outrages committed on our flag by England impressing our seamen on the ground that she could take her subjects anywhere and compel them to serve her cause on the ground of perpetual allegiance led to the second war, and during its continuance, on the 21st of January, 1814, Thomas B. Robertson, of Louisiana, offered a resolution in the House of Representatives providing for the appointment of a committee to inquire into the expediency of providing by law for the exercise of the right of expatriation, but after a lengthy discussion by Thomas J. Oakley of New York, John C. Calhoun of South Carolina, Nathaniel Macon of North Carolina, and others, it was laid on the table.

RETALIATION AND REPRISAL.

At the battle of Queenstown Heights, in the second war with England, General Winfield Scott was forced to surrender, with about three hundred men, to the superior forces of General Sheaffe. In the subsequent exchange of prisoners the British officers at Quebec selected those who, exchange of prisoners the British officers at Quebec selected those who, by confession or accent, were adjudged to be Irishmen, to be sent to England to be tried and hanged for high treason. Twenty-three were selected, some adopted citizens of the United States, and several had American families at home, whom they had left to fight for their adopted country. General Scott came on deck while this selection was going on and told the men to answer no more questions, and that the United States would not fail to avenge their gallant soldiers by retaliation or a refusal to give quarter in battle. The naturalized citizens were put in irons and sent to England. On the 13th of January, 1813, General Scott reported the facts to the Secretary of War, and the same day his letter was sent to Congress. On the 3d of March, 1813, a bill was passed in Congress vesting the President of the United States with the power of retaliation. the power of retaliation.

In the battle and capture of Fort George, May 27, 1813, General Scott made a great number of English prisoners, and from these he immediately selected twenty-three to abide the fate of the twenty-three Irish-Americans sent to England. This led to the taking of other hostages, men and officers whose lives depended on the fate of these twenty-three Irish-Americans. The number imprisoned by the British as hostages was very large. There were 1,200 American prisoners confined at one time at Chatham, and thousands of Americans, native and naturalized, impressed. After peace had been declared, these twenty-three Irish-Americans, after a confinement of over two years in British prisons, were returned to the United States, all but two who had in the mean time died natural deaths. The survivors received their land bounties and their long arrears of pay. General Scott's mode of pro-tecting American citizens was different from the Lowell method.

Early in the second war the United States brig of war Nautilus was captured. Six of her crew were selected as British subjects to be sent to England and tried for their lives. Commodore Rodgers selected double the number of English prisoners, including a midshipman, whom he held as hostages for the captured Americans. They were all afterward released.

For many years Algerine slavery was the terror of the civilized world.

The appearance of a corsair of the Barbary powers created more alarm than the approach of a plague or the occurrence of an earthquake. Many of our citizens became the victims of this cruelty, and were thrown into dungeons and subjected to nameless sufferings. The gallant Decatur in 1805, and again in 1815, opened these prisons with the guns of our Navy. The Dey of Algiers held some of our citizens prisoners in 1815. Decatur sailed from New York on the 20th of May, in that year, with an American squadron. On the 15th of June he arrived at Gibraltar. On the 17th he attacked an Algerine frigate and captured her after two broadsides and the death of her admiral, and on the 28th appeared before Algiers and demanded the release of our prisoners. He gave three hours for the return of our citizens, and promptly on time they were restored to the Stars and Stripes.

There was no delay in examining passports or in picking flaws in the proof of citizenship. That was not the plan of Decatur. The thunder of his cannon shook the shores of the Mediterranean, and the blaze of his guns lighted the gloom of the darkest dungeons of Algerine of his guns lighted the gloom of the darkest dungeons of Algerine slavery. Just before the expiration of the three hours' time appointed by Decatur a boat shot out from the shore. With his ringing trumpet he hailed the boat: "Are the prisoners here?" The response was, "They are, sir; every one." That was the American way of protecting American citizenship—so different from the Lowell method. In forty days after his departure from New York he had vindicated our flag and rescued our prisoners, and in seventy days had compelled three hostile powers to sue for peace on terms dictated from his own quarter-deck. His flag-ship was the Guerriere, captured by Hull from England, and another of his squadron was the Macedonian, taken by himself from the same power. No wonder that the Algerine said to the British consul, "You promised if America assailed us that your navy would be on hand; I see that two of your frigates are here."

EFFORTS TO CHANGE THE LAW.

On the 12th of February, 1814, William Findlay, of Pennsylvania, in discussing the supply bill to carry on the war, made a very important speech on the question of expatriation, but nothing was done to

establish the right or provide for its exercise.

After the war, on the 15th of December, 1817, Mr. Robertson, of Louisiana, again introduced his measure in the House, and the resolution to appoint a committee to prepare a bill was adopted. One week afterward, on the 22d of December, Mr. Robertson reported from the committee a bill providing for the exercise of the right of expatriation, but after discussion by James Johnson, of Virginia, Lewis McLane, of Delaware, and others, it was defeated by striking out the first section by a vote of 70 to 58.

W. E. ROBINSON'S PETITION.

For a quarter of a century nothing more was done on this subject. In the Journal of the Senate of the United States for the 27th of February, 1842, page 176, the following entry appears:

Mr. Clay presented the memorial of William E. Robinson, praying that the rights secured to native citizens may be extended to naturalized immigrants from foreign countries; which was referred to the Committee on Foreign Relations.

In that petition I said that-

In that petition I said that—

No act of Congress, no decision of our courts has shaken the power of the feudal principle of perpetual allegiance, a principle at war with the spirit of our Revolution, which makes man the vassal of the lord and chains him to the soil on which he was born as the property of his superior. That England would still assert her power over our naturalized citizens in case of a war may be seen from the proclamation issued by George the Third in 1807, by which he recalled from foreign service all seamen and seafaring men who were natural-born subjects of Great Britain, and ordered them to withdraw themselves from such service and return home on pain of being proceeded against for a contempt, and that no naturalization papers would be respected.

I followed this up by sending several similar petitions to Henry Clay, of Kentucky, and in the Congressional Globe, second session Twenty seventh Congress, reporting the proceedings in that body of March 29, 1842, at page 365, Mr. Clay declared that the United States would protect the naturalized citizen with the cannon of the country.

Senator Lewis F. Linn, of Missouri, who had served in the last war, called Mr. Clay's attention to the fact that during the war thirty-three soldiers of the American Army were made prisoners by British troops and sentenced to be executed because they were of British origin; but as peace was soon after declared the execution did not take place.

Mr. Clay said he recollected the incident referred to, and had the American soldiers been executed we should have retaliated by executing some British officers. He thought England would never act toward any of our citizens on the doctrine of perpetual allegiance—an exploded doctrine—a doctrine which could not be maintained in practice. He asked that the subject be referred to the Committee on the Judiciary.

WEBSTER AND CASS

It is proper to notice here that in 1842 Mr. Webster, then Secretary of State, made very earnest efforts with and appeals to the British Government to surrender the claim of perpetual allegiance, but they were rejected or declined.

Lewis Cass also, in his able examination of the right of search, did much to establish the true American doctrine on this subject.

THE '48 TROUBLES.

The question then took another sleep for six years, till 1848, when the popular uprising in Ireland took place under Smith O'Brien. An Irish directory had been formed in New York, including Horace Gree-ley, Robert Emmet, Charles O'Conor, and John McKeon, all natives of this country except Robert Emmet. This directory openly advo-cated men, money, and arms to aid Ireland in her struggle for inde-pendence. No American was allowed to travel through Ireland unpendence. molested, and numerous arrests of American citizens were made on the most frivolous grounds. Indeed, an order was issued by the British Government to arrest all Americans found traveling in Ireland, and ambng those arrested were James Bergen, of Boston, and Frank Ryan, of Cincinnati. I brought these cases to the attention of our Govern-

James K. Polk was President, James Buchanan was Secretary of State, James K. Polk was President, James Buchanan was Secretary of State, and George Bancroft was our minister to England. A long and angry correspondence between the governments ensued, but England delayed the release of our citizens till it suited her convenience. That correspondence was published on the call of Congress, and a newspaper called The People, published in New York, by Devin Reilly, John McClenahan, and myself, in its first number of January 13, 1849, reviewed that

correspondence in a slashing article of six or eight columns, the ablest exposition of the question at issue ever published in the United States. When it suited the convenience of England, and not before, our citizens were released, and Bergen and Ryan were welcomed to New York with a grand reception by Horace Greeley and others.

WEBSTER AND HULSEMANN.

The political earthquake of 1848 shook almost every throne in Europe, and kings and emperors were trembling at the progress of American ideas. As they regained confidence they renewed their efforts to curb that progress

Our next difficulty about citizenship occurred with a continental power. During the Hungarian struggle for independence, in the memorable summer of 1849, the administration of President Taylor sent out Mr. A. Dudley Mann as American agent to visit Hungary and report on the real state of things in that country, with a view of being among the first to acknowledge her existence as an independent nation in case her brave defenders should succeed in placing her in that position. This fact having been communicated to Congress by President Taylor in a special message roused the wrath of Austria.

Chevalier J. G. Hulsemann was then the Austrian minister at Wash-*Chevalier J. G. Huisemann was then the Austrian minister at Washington, and he addressed a lengthy and saucy letter to our Secretary of State, Daniel Webster, under date of September 30, 1850, in which he complains that Mr. Mann's instructions designated the Austrian Government as an "iron rule," and represented Kossuth, the rebel chief, as "an illustrious man," and said he made "ample allowance for the ignorance of the Cabinet at Washington" and the mendacious rumors

of the American press.

This Austrian letter roused the feelings of the somewhat saturnine Secretary of State, but he restrained his wrath for nearly three months, and then, on the 21st of December, 1850, poured it out in a long letter rarely matched in diplomacy. He drew a vivid sketch of the progress, power, and extent of this country in comparison to which Austria was but as "a patch on the earth's surface," and he declared that it was not only our right but our duty to sympathize with the peoples of all countries trying to adopt institutions similar to our own.

THE KOSZTA CASE,

The next time in which this question came up was in 1853, in the celebrated correspondence between Chevalier Hulsemann and our Secretary of State, William L. Marcy, in which higher ground for protection of our citizens was taken by Mr. Marcy than had ever been taken before or since.

Martin Koszta, by birth a Hungarian and an Austrian subject, took an open and active part in the political movement under Kossuth in -'49, designed to detach Hungary from the dominion of the Emperor of Austria. At the close of that disastrous movement Koszta, with many of his compatriots, fled from the Austrian dominions and took many of his compatriots, hed from the Austrian dominions and took refuge in Turkey. Austria demanded their extradition, which Turkey firmly resisted. After long confinement at Kutaieh, they were in 1851 released on condition that they should go into foreign parts with the concurrence of Austria. Koszta came to this country, and on the 31st of July, 1852, before a proper tribunal in the city of New York, made a declaration under oath of his intention to become a citizen of the United States, renouncing all allegiance to any other state or sovereign, and particularly to the Emperor of Austria.

After remaining in this country one year and eleven months he returned to Turkey in an American vessel to attend to some private business. He landed at Smyrna and put himself under the protection of the American consul and claimed the right of a naturalized American citizen. After consultation the American chargé d'affaires ad interim at Constantinople and the American consul at Smyrna furnished Kosztawith a tezkereh, a species of passport or letter of safe conduct, which foreign consuls have a right to give under Turkish law to those to whom they wish to extend protection. While waiting for an opportunity to return to

the United States he was seized by a band of lawless men, cruelly treated, and thrown into the sea. Immediately afterward he was taken up by a boat's crew lying in wait for him, belonging to the Austrian brig of war, the Huszar, forced on board, and there confined in irons.

This was on the 21st of June, 1853. Capt. Duncan N. Ingraham, now living in South Carolina, happened oppportunely to have come into the port of Smyrna with the United States sloop of war Saint Louis, and having learned that the design was to carry Koszta to Trieste, in Austrian territory, on consultation with our chargé d'affaires and consultation with our chargé d'affair sul, on the 2d day of July, 1853, he sent a message to the commander of the Huszar in which he demanded the surrender of Koszta into his hands, and if this was not complied with by 4 o'clock on the afternoon of that day he would take him by main force. Following this demand he drew his sloop of war up to within a half-cable's length of the Austrian vessel, loaded his guns, and got ready for action, when the Austrian yielded and agreed that Koszta should be delivered in charge of the consul-general of France until the difficulty was settled.

The Austrian Government addressed a circular letter of complaint to the principal European cabinets against the action of Captain Ingraham. The cabinets of St. Petersburg and Berlin instructed their representatives at Washington to intimate their general concurrence in the view taken by Austria, but on the 21st of September, 1853, by general consent of the parties concerned, Koszta was released and sailed from Smyrna for the United States on board the American bark Mimosa, and thus the matter of his personal liberty was settled. In the mean time Hulsemann had written an excited and lengthy letter to Secretary Marcy under date of August 29, 1853, in which he protests against Captain Ingraham's conduct as an act of war and calls upon the Government of the United States to surrender Koszta to Austria; to disavow the conduct of its agents in this Koszta affair; to "call them to a severe account," and to tender to Austria a satisfaction proportionate to the magnitude of the outrage.

o this Mr. Marcy replied in a long and vigorous letter, dated Septo this Mr. Marcy replied in a long and vigorous letter, dated september 26, 1853, in which the American doctrine of the right of expatriation and the duty of our country to defend all persons clothed, however slightly, in American nationality are set forth in language which contrasts strongly with our doubtful diplomacy in these later days. The conduct of our consul, Mr. Offley, of Mr. Brown, our chargé d'affaires ad interim, and particularly of our gallant Captain Ingraham, was approved, and the demand of Austria for apology firmly rejected.

This was the high character of American citizenship and the invincible sanctity of protection to all persons who, even though not fully naturalized, were clothed with American nationality, which Mr. Marcy left to his successors in the State Department.

THE FENIAN TROUBLES.

But in 1866 England saw fit to insult our flag in her indiscriminate But in 1866 England saw fit to insult our flag in her indiscriminate arrest of numerous American citizens. Some were native Americans, such as General William J. Nagle, Capt. John McCafferty, Capt. John McClure, and John H. Rogers (now a respected officer of this House). Most of them had served gallantly and with great distinction in the Union Army. General Nagle had prominently distinguished himself at the terrible battle of Fredericksburg. Col. John H. Gleason, Col. John W. Byron, General Thomas F. Bourke, Col. John Warren, Capt. Patrick J. Condon, Capt. John McClure, and many others who had won distinction and brevets on our battlefields, were cast into prison, some charged with crime and overt acts, but many of them on mere suscharged with crime and overt acts, but many of them on mere suspicion. Others were tried and convicted and punished for words spoken and acts done in the United States. To those who established their nativity in the United States—Nagle, McCafferty, and George Francis Train—a mixed jury of half aliens was accorded; but to those who were naturalized citizens of the United States equal privileges were denied.

Their certificates of the United States equal privileges were denied. Their certificates of naturalization were treated, as described by the correspondent of the New York Tribune, as of "no more account than an old programme of the performance of Christy's Minstrels."

Notwithstanding the declaration of Mr. Clay that England would never dare to act upon the exploded doctrine of perpetual allegiance, England did act upon that doctrine, and made a marked and offensive difference between the native and naturalized citizens of the United States, and her judges announced that exploded doctrine in the most offensive way. Stephen J. Meany, John Warren, Eugene Costello, and others were held and punished for words and acts spoken and done in the United States.

While trial by a mixed jury was accorded to native American citizens, it was denied to all naturalized citizens on the specific doctrine of perpetual allegiance and in contempt of our laws of naturalization.

It is worthy of notice here that Secretary Seward submitted the ques tion to Attorney-General Stanbery, whether our citizens had the right to claim a jury of half foreigners as provided in British law, and he gave his opinion that they could not claim it, while the British judges and lawyers decided that they could. They only denied it to naturalized citizens, and thus made an offensive distinction.

THE FORTIETH CONGRESS.

In November, 1866, members to the Fortieth Congress of the United States were elected, and fortunately among those so elected was myself. Under ordinary circumstances this Congress would not have met until

the first Monday in December, 1867, but the quarrel between Congress and President Johnson resulted in its meeting on the 4th of March, nine months before its regular time.

Immediately after its organization, on the 7th of March, 1867, I offered the following resolution, which was unanimously adopted:

Resolved, That the President of the United States is hereby requested to communicate to this House all correspondence, documents, and proceedings in possession of the Departments relating to the arrest, imprisonment, and treatment of American citizens in Great Britain or its provinces within two years last

This resolution was answered by President Johnson on the 21st of March, 1867, and the House was informed that the publication of the correspondence might be detrimental to the public good.

On the 27th of March, 1867, Mr. Banks, chairman of the Committee on Foreign Affairs, by instructions of the committee, reported a resolu-

on Foreign Affairs, by instructions of the committee, reported a resolution extending the sympathy of the House of Representatives "to the people of Ireland and of Canada in all their just efforts to maintain the independence of states, to elevate the people, and to extend and perpetuate the principle of liberty."

Mr. Banks yielded the floor to me as a member of the Committee on Foreign Affairs, and I stated that while I supported the resolution I was a few forms of the committee of the commit

in favor of a much more decided expression of sympathy. I was followed by Mr. Pile, Mr. Banks, Mr. Wasburne, of Wisconsin, Mr. Wood, and Mr. Eldredge, and the resolution was unanimously adopted.

Congress then adjourned over from March 30 till the 3d of July. On the 10th of July, 1867, I obtained unanimous consent to introduce a resolution asking the Committee on Foreign Affairs "to report immediately whether any American citizen had been arrested, tried, or convicted and sentenced in Great Britain or Ireland for words spoken or acts done in the United States," and had read by the Clerk reports of the trial of Stephen J. Meany, with the comments upon it in the New York Herald of March 11, 1867. My resolution was unanimously adopted.

July 20, 1867, Mr. Cullon, from the Committee on Foreign Affairs, reported a resolution asking the President of the United States for information on my resolution of the 10th. Mr. Banks presented a communication from the Secretary of State, reporting that the Department had heard of only one case, that of Captain McCafferty. I stated that the Department of State seemed to be ignorant of the fact known to al-most everybody else, that Stephen J. Meany, William J. Nagle, and General Halpine had been so arrested. The resolution was unanimously adonted

On this 20th day of July, 1867, Congress, by concurrent resolution, took a recess to the 21st day of November.

Four months then intervened, and in the mean time nothing had been done about our citizens in British jails, and immediately on the reas-sembling of Congress, on the 21st of November, I took the floor. I had been urging attention to the case of our citizens in several resolutions and speeches, but without much earnest support. A quarter of a cent-ury had passed since I had petitioned Congress through Henry Clay, of Kentucky, to declare the right of expatriation and that our natu-ralized citizens should stand on equal footing with our native citizens. Thrice the question had come before Congress, and, although advo-cated by such statesmen as Claiborne, Gallatin, Macon, Otis, and Calhoun, it had failed, and I resolved to make a determined and successful fight for it.

CHARLES FRANCIS ADAMS.

In the mean time our minister to England, Charles Francis Adams, was accused of neglecting our citizens then in British jails, and two men, claiming to be American citizens and known since then as two of the Manchester martyrs, had been sentenced to death on the 23d of November. Their friends claimed and they proclaimed in court that had it not been for the neglect of Mr. Adams their lives might have

Accordingly, on the first day of the reassembling of Congress, in or-Accordingly, on the first day of the reassembling of Congress, in order to call special attention to the subject and to obtain the floor on a privileged question, I moved to impeach our minister for neglect of duty, and to request the President to telegraph to Mr. Adams to demand his passports and return home. Also, that the Secretary of State be requested to impart to the House all information concerning our imprisoned citizens, "without reference to its public effect, to be considered if need he in secret session of the House." sidered if need be in secret session of the House."

After speaking a few minutes the House adjourned till Monday, the 25th of November, when I continued and concluded my speech, which was afterward printed in pamphlet form and widely circulated. I closed by declaring the principles on which the United States would act in protecting her citizens abroad: First, that no American citizen should be arrested in foreign countries without proper charges or sworn information, on which he was to have a fair and speedy trial, even under suspension of habeas corpus; second, that no American citizen without charge of crime should be ordered by any foreign government to quit its country; and, third, that the benefits of English law shall be fully accorded to adopted as well as native citizens—the same as to aliens of other countries. I also moved the following resolution, for action by the Committee on Foreign Affairs:

Resolved, That the committee be requested, at their earliest convenience, to report a bill or declaration providing for the expatriation of such of our citizens

as may wish to be naturalized in other countries, and how far we shall protect the rights of natives of other countries naturalized in the United States.

In the mean time, on the 23d of November, 1867, while I held the cor, the Manchester martyrs were executed. God save Ireland! floor, the Manchester martyrs were executed. CONSUL WEST.

On the first Monday of December, 1867, the first session of Congress terminated, and immediately the second session was opened. Having received several letters from several of these American prisoners concerning the conduct of our consul at Dublin, W. B. West, I brought the matter before the House immediately on its assembling on the 2d of December, 1867, and moved that the Committee on Foreign Affairs inquire into Mr. West's conduct, and detailed the indignities heaped upon Capt. P. J. Condon, General Denis F. Burke, John H. Rogers, and others who had been imprisoned for months without any charge being brought against them, and were finally marched between police

officers to the ships on which they were compelled to embark and leave the country. This was a clear infringement not only of national law but in violation of our treaties with England. Even in the Jay treaty it was stipulated that even in time of war citizens of the United States should be allowed a year to arrange their business in safety provided they violated no law.

THE COUNTRY ROUSED.

In the mean time vast meetings had been held in the principal cities of the Union. A meeting was held in Cincinnati, November 23, 1867, estimated at 50,000. The same evening a meeting of the soldiers of our late war, estimated at 7,000, was held in and at Cooper Union, and on the 26th another meeting at the same place, estimated at 10,000, and addressed by Horace Greeley, General Cochran, Judge Charles P. Daly, John McKeon, A. Oakey Hall, General Halpine, and others. At these meetings stirring resolutions were adopted sustaining my movements

in Congress and returning thanks to me by name.

The day before I made the last speech above referred to, Mr. Norman B. Judd, a member from Illinois, who had been our minister to Prussia, called on me and informed me that he was going to make a statement supporting my views. Accordingly, as soon as I had concluded my remarks Mr. Judd took the floor and made a strong speech, which

he opened as follows:

Mr. Speaker, I have listened with attention to the detail of grievances made by the honorable gentleman from New York [Mr. ROBINSON], and I say here and at this time that any member of this House who will listen to that detail of wrongs and not feel his blood flow a little quicker through his veins, is not the American citizen that I supposed him to be."

The public meetings in our large cities, and the joint resolutions adopted by the Legislatures of several States in favor of this measure, roused the country to active measures, and our Congressmen were not slow in taking the hint that this subject could not longer be neglected. On the floor of the House a dozen members were on their feet at one time clamoring for recognition. Numerous bills were presented during the months of December and January, which, with all my resolutions, joint resolutions of Legislatures, and the communications from the President and Secretary of State, were all referred to the Committee on Foreign Affairs. That committee consisted of N. P. Banks (chairman), Godlove S. Orth, Shelby M. Cullom, C. C. Washburne, Denis McCarthy, Austin Blair, Leonard Myers, W. E. Robinson, and George W. Morgan.

On the 20th of December, 1867, fretting under the delay of the committee, I obtained unanimous consent to read a long petition from General W. J. Nagle, dated Kilmainham Jail, November 25, 1867, and also a statement signed by the mayor, city clerk, and other officials of Brooklyn, and the sheriff of Kings County, demanding the immediate release of our citizens, all of which I had printed in the official record; and

I offered the following resolution:

Resolved. That the President of the United States be, and hereby is, requested by this House to take immediate action on the cases of William J. Nagle and John Warren, now in British prisons, one held without trial since June 1, 1867, and the other convicted by a jury to which the challenge allowed by English law to citizens or subjects of other countries was refused; that a new trial be granted to one and a speedy trial to the other, or liberty to both.

Mr. Benjamin objecting, the resolution was not considered.

BILL ON EXPATRIATION.

On the 27th of January, 1868, Mr. Banks reported a bill which had been matured by the committee, which provided that if any naturalized citizens were wrongfully arrested, or held in any way liable to perpetual allegiance, the President should seize citizens or subjects of the power thus acting as reprisals or hostages.

On the 29th of January the bill came up for discussion, and half a

dozen speeches were made upon it.

January 30 the discussion was continued, and six or seven more speeches were made.

FIELD DAY IN THE HOUSE,

February 3, 1868, was a grand field day in the House on American citizenship. Mr. Hopkins, of Wisconsin, presented the joint resolutions of the Legislature of that State declaring the duty of Government to protect our citizens abroad. After the morning hour had expired I rose and asked if it would be in order now to suspend the rules to introduce a resolution which I had in my hand. The Speaker [Mr. Colfax] ruled that a contested-election case was the first matter in

order. After one speech had been delivered on the election case I asked unanimous consent to introduce my resolution. Several members called for the regular order, and my resolution was not received. I protested that American citizens are rotting in English jails and we can get in

everything but their claims.

Mr. Eldredge, of Wisconsin, a few minutes later, got the floor and yielded to me. I introduced a long preamble reciting the facts in the trial of Stephen J. Meaney, John Warren, General Halpine, Augustus Costello, and W. J. Nagle, and a resolution requesting the President to examine these cases, and if he found the allegations in the preamble to be true to demand the immediate release of any and all our citizens charged with or convicted for words or acts spoken or done in the United States; to demand an immediate new trial for any American citizen who had been denied his challenge to the array of the jury on the ground of perpetual allegiance, and to demand the immediate release of William J. Nagle.

And in case of such demand being refused the President is hereby requested to order the arrest of and detain in custody any subjects or citizens of Great Britain who may be found within the jurisdiction of the United States, and to withdraw all intercourse of the United States with Great Britain.

Mr. Bingham, Mr. Maynard, and Mr. Banks objected, whereupon I moved to suspend the rules to enable me to offer the resolution. On a division there were—ayes 60, noes 30; and the motion to a rules, requiring two-thirds, was lost, whereupon I demanded the yeas rules, requiring two-thirds, was lost, whereupon I demanded the yeas rules, requiring two-thirds, was lost, whereupon I demanded the yeas division there were—ayes 60, noes 36; and the motion to suspend the and nays, which were ordered, and resulted—yeas 97, nays 30. The Speaker declared that I was entitled to the floor for one hour. A very spirited debate ensued, Mr. Banks and Mr. Bingham opposing the adoption of the resolution and advocating its reference to the Committee on Foreign Affairs, Mr. Eldredge, of Wisconsin, and Mr. Pruyn, of New York, opposed its reference.

I wanted immediate action, and said:

I wanted immediate action, and said:

The time is past when the British lion can trample upon American citizens with impunity. We should not sleep one night upon this matter. We can not stand by and see the flag of the Union made the foot-rug of Europe, British officials seemed to calculate that we would delay the vindication of American citizenship till eternity's bell should ring. This inquiry had been before the Committee on Foreign Affairs eleven months. What has been done? How long must our citizens pine in chains and dungeons before we can get some department to listen to their cry or shed a tear of pity over the clanking of their chains? Six, nine, ten, twelve months have elapsed, and still one hundred American citizens, American soldiers, without crime alleged against them, lie prostrate and helpless this day beneath the foot of this toothless, fangless British lion, and we can not get a vote to look into the matter. There is a bundle of dusty red tape which I want to cut in order to get at something immediately practical and effectual. The chains are on the limbs of American citizens.

The iron of the British despot is pressing on the bones of sovereigns superior to their sovereign, with more brain, more intellect, each one of them, than their sovereign has. And while we adjourn from day to day from our comfortable seats to our plentiful meals and our soft, downy beds, these American citizens, soldiers, heroes, are insulted in every quarter of Great Britain. We seem to be rolling a stone all the time uphill, and before we get it two steps up we are two steps down again. We are eating and drinking and faring sumptuously, and swinging round the circle of fashionable frivolity, while one hundred American citizens, unconvicted and charged with no crime, are to-day pining in cold, damp British jails, badly fed and poorly clothed, while no man is raising a hand to liberate them or a voice to comfort them or a cup of consolation to their quivering lips. I intend, God giving me strength, to press this subject

Mr. Banks, promising prompt action by the Committee on Foreign Affairs, moved to refer the whole subject to that committee. I protested that this would be death to the movement, but it was carried. I called the yeas and nays, which were ordered, and resulted—yeas 80, nays 39, not voting 69. Among those voting with me against the reference were Mr. Beck, of Kentucky; Brooks, of New York; Butler, of Massachusetts; Holman, of Indiana; Judd, of Illinois; Kerr, of Indiana; Lawrence, of Ohio; Pruyn, of New York; Randall, of Pennsylva-

The prisoners were allowed to remain in jail, some for another year, and all were released with broken health, and without remuneration for injuries and outrages inflicted on them.

The next day, February 4, the expatriation bill was again taken up, and four speeches were made upon it.

February 5 and 6 the question was further discussed.

February 10, 1868, the President sent in a lengthy answer to my res-

olution, including the correspondence on the arrest of our citizens. It was published in two volumes.

February 11 and 12 the bill came up again, and twenty speeches

were made.

February 13 the bill was further discussed, and was then referred back to the committee, with many proposed amendments and substi-tutes which had been offered with the intention of having an amended bill matured and reported.

On the 17th of February Mr. Starkweather introduced a bill which

dozen or more speeches, passed—yeas 104, nays 4. During the entire debate there was no speech made directly against the bill.

SPEECHES ON THE BILL,

From the Index to the Congressional Globe it appears that among those making more than one speech the following members spoke the number of times set opposite their names:

	Times.	Time	8.
Mr.	Baker, of Illinois 5	Mr. Morgan, of Ohio	4
	Banks, of Massachusetts 26	Orth, of Indiana	6
	Boyer, of Pennsylvania 5	Paine, of Wisconsin	3
	Butler, of Massachusetts 3		7
	Chanler, of New York 4	Pruyn, of New York	4
5%	Cullom, of Illinois 2	Robinson, of New York	6
	Donnelly, of Minnesota 2	Spalding, of Ohio	2
	Eldredge, of Wisconsin 2	Van Trump, of Ohio	7
	Garfield, of Ohio	Wilson, of Iowa	5
	Higby, of California 6	Woodward, of Pa	2
	Ingersoll, of Illinois 3	Wood, of New York	2
	Jenckes, of Rhode Island 8	Washburne, of Illinois	5
	Judd, of Illinois11	Randall, of Pennsylvania	2
	Maynard, of Tennessee 4	Griswold, of New York	2
-			

I may here state that during the entire discussion of this great question in the House of Representatives, James G. Blaine, of Maine, and JOHN A. LOGAN, of Illinois, both prominent members and ready de-baters, neversaid a word upon it. The nearest approach either of them made to a speech was by Mr. LOGAN, who asked me some questions to which I replied.

THE BILL IN THE SENATE.

In three days, April 23, it was reported to the Senate, and referred to the Committee on Foreign Relations, consisting of Senators Sumner (chairman), Fessenden, Cameron, Harlan, Morton, Patterson of New Hampshire, and Johnson. In that committee it slept for two months, till June 23, when it was reported to the Senate.

Irritated at the long delay in the Senate on this bill in demanding the release or retrial of Warren and Costello, on the 15th day of June, 1868, I obtained unanimous consent to offer the following resolution,

which was read, considered, and agreed to:

Resolved, That the President of the United States is hereby requested by this House to take such measures as shall appear proper to secure the release from imprisonment of Messrs. Warren and Costello, convicted and sentenced in Great Britain for words and acts spoken and done in this country by ignoring our naturalization laws; and to take such other measures as will secure their return to our flag with such ceremonies as are appropriate to the occasion.

LORD STANLEY SURRENDERS

The next day, June 16, 1868, Lord Stanley addressed a note to Mr. Thornton, the English minister at Washington, in which he says that

Her Majesty's Government were prepared to negotiate a naturalization treaty "and no longer hold to the doctrine of indefeasible allegiance." On the 22d of the same month Mr. Secretary Seward addressed a note to Mr. Moran, our chargé d'affaires in London, inclosing my resolution of the 15th, at the request of the President, and calling attention to the bill then pending in the Senate (act of July 27, 1868), which tion to the bill then pending in the Senate (act of July 27, 1868), which had passed the House, requiring the President to make reprisals in case of a denial to naturalized Americans of the rights conceded to native American citizens. Mr. Seward directed that a copy of my resolution and his note should be left, after reading, with Lord Stanley.

Within a week afterward (June 28, 1868) Lord Stanley wrote a note to Mr. Thornton, which he was to show to Mr. Seward, leaving a copy, in which he acknowledges the receipt of Mr. Seward's note and my resolution, and stating that Her Majesty's Government had a sincere desire to dispose of the naturalization question in a manner satisfactory to

sire to dispose of the naturalization question in a manner satisfactory to both countries. He tried to answer my resolution by stating that Warren and Costello had cruised along the coast of Ireland with the intent to land men and arms in Ireland. He does not state under what law an American citizen could be punished in England for any intent he might have had while on American soil or on an American deck, if he did not attempt to carry that intention out by any overt act in British

This correspondence may be seen at length in the Washington Daily Chronicle of December 4, 1868. It was copied from English newspapers and was not communicated to Congress by our Government.

Lord Stanley's declaration of England's willingness to surrender England's pet theory of perpetual allegiance to the American doctrine on

expatriation and naturalization was cabled to Mr. Sumner, who read it to the Senate.

DISCUSSION IN SENATE.

July 10, Senator Conness, of California, a native of Ireland, succeeded in making the bill the special order for the next Monday, July 13. It came up as a special order, but went over. July 16 and July 17 efforts to take it up proved ineffectual. The committee seemed inclined to let the measure die, but public opinion had grown too strong to be trifled with. In the mean time both of the great political parties had made this question a principal plank in their platforms.

At length, July 18, 1868, it came up for discussion in the Senate and Mr. Sumner led off. The Senate committee had stricken out the House

section for reprisals and insisted that the President should report to

Congress. Five speeches were made; July 20, four more were made; July 22, eight or ten Senators spoke upon it, including Sumner, Conness, Buckalew, Williams, and Conkling.

July 23, debate continued at great length.

PASSAGE OF THE LAW.

Saturday, July 25, debate was resumed, and Congress was to adjourn Monday, July 27. The vote was taken and the bill passed—yeas 39, nays 5. On the same day it was sent to the House and immediately passed as amended by unanimous vote, and on the 27th of July, 1868, it was signed by President Johnson and became a law.

THE BILL AS PASSED.

As finally passed the bill is the great bulwark of American citizenship in foreign lands. In consequence of its passage treaties were made with us by England, Prussia, and other countries, and if faithfully executed will easily prevent the imprisonment of any innocent American citizen by any foreign government. It was practically ignored by Lowell in the outrages perpetrated on our citizens in 1881–'82. Its full text is as

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenships and

Whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenship; and

Whereas it is claimed that such American citizens, with their descendants are subjects of foreign states, owing allegiance to the governments thereof; and Whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That any declaration, instruction, opinion, order, or decision of any officer of this Government which denies, restricts, impairs, or questions the right of expatriation is hereby declared inconsistent with the fundamental principles of this Government.

Sec. 2. And be it further enacted. That all naturalized citizens of the United States, while in foreign states, shall be entitled to, and shall receive from this Government, the same protection of person and property that is accorded to native-born citizens in like situations and circumstances.

Sec. 3. And be it further enacted. That whenever it shall be made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons for such imprisonment, and if it appears to be wrongful and in violation of the rights of American citizenship the President to use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate such release, and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

OPINIONS ON THE BILL.

How great and grand this law appears in our history may be seen by few extracts from some of our leading statesmen during its passage through Congress, and afterward on various occasions:

a few extracts from some of our leading statesmen during its passage through Congress, and afterward on various occasions:

Mr. Judd, of Illinois, formerly our minister to Prussia, and well acquainted with the question, addressed the House at length on the 2d day of December, 1867. He said he had listened attentively to the gentleman from New York [Mr. Robrison], and the question was a national one. "The honorand dignity of the nation were involved in the question, and to neglect or delay action upon it as it was now presented would sink this proud country almost out of the list of mations." He concluded his remarks by this expressive sentence:

"To settle this conflict upon the basis of Americanism would possess for me more attraction than the reputation of having purchased a hemisphere. I regard the protection of national clitzenship as far above the acquisition of territory, and so I believe the future historian will write it."

Mr. Wilson, of Iowa (now Senator), chairman of the Judiciary Committee of the House of Representatives, in a speech delivered by him January 30, 1868, said:

"We are not now dealing with a mere question of election, nor playing a pleasing game for the votes of naturalized citizens. Whoever views the present occasion through such glasses will greatly mistake the magnitude of the proportions of the subject with which we are dealing. The stern fact that we are breasting the current and immemorial doctrine of most of the nations of the earth respecting the right of expatriation should place us on a higher plane of statesmanship than that which consults merely the present and transient effect of its action."

Speaking of the second section of the bill as it was finally adopted, protecting mative and naturalized citizens alike, Mr. Wilson said:

"Thus far the section challenges the attention and practice of every nation from which we have drawn the foreign element of our population. It is affirmative, agressive, and boldly American. Let this be declared as the policy of his country and no

Godlove S. Orth, of Indiana, long time a member of Congress and a distinguished member of the Committee on Foreign Affairs, at a meeting in Cooper Union, New York, held on the 3d day of April, 1882, said:

In 1868 the American Congress formulated for the first time into law the sen timent of protection to American citizens. Now, then, what is that law? It is as sacred to American citizens as any line in the Declaration of Independence. It is as important to the protection of the citizen abroad as the Constitution of the Government is important to the protection of the citizen at home. Under this law we plant ourselves, upon this law we stand, and from this law no

power on God's earth can move us. [Tremendous cheering, renewed again and again, the whole audience rising.]

In Barnes's History of the Fortieth Congress my biography was written by Horace Greeley while this measure was pending, and he refers to it in these words:

If this question shall be ultimately settled to the satisfaction of the large class more especially interested, the credit will be largely due to Mr. Robinson's ardent and indetatigable efforts.

And the New York Tribune, under better editorial influences than it now enjoys, published on the 14th of May, 1870, the ratification of the treaty with England, made in pursuance of the law of February 27, 1868. And Mr. Greeley, in his editorial, thus refers to it:

Yesterday's cable telegram informed us that the Royal assent was given to the British naturalization law. Thus England abandons her doctrine of perpetual allegiance and acknowledges the right of expatriation. It should not be forgotten that this measure owes its success in a large measure to WILILIAM E. Rob-INSON, of Brooklyn, who first introduced and urged it through the Fortieth Congress, which Congress deserves the credit of having passed the law.

A. S. HEWITT ON W. E. ROBINSON.

On the 2d day of March, 1882, Hon. ABRAM S. HEWITT, of New York, delivered a speech in this House, from which I make the following ex-

In 1867 American citizens who had gone to Great Britain were seized, brought to trial, convicted, and put in prison. The excitement thus produced in the minds of our adopted citizens resulted in the election of Hon. WILLIAM E. ROBINSON to the Fortieth Congress, for the express purpose of securing such action on the part of the administration and such legislation from Congress as might be necessary for the protection of our naturalized citizens, resident or traveling in foreign lands. And this legislation he succeeded in securing: and after carefully examining the steps by which it was secured, I am prepared to say that he is fully justified in claiming the legislation of 1868 as his work, and in declaring in this House or elsewhere—

Alone I did it. .

ing the steps by which it was secured, I am prepared to say that he is fully justified in claiming the legislation of 1868as his work, and in declaring in this House or elsewhere—

Alone I did it.

He claims no more than his just due when he asserts that prior to this legislation the flexibil declaring in this House or elsewhere. Alone I did it.

He claims no more than his just due when he asserts that prior to this legislation the flexibil declaring European nation, but after our legislation of devirne of political servitude, had not been shandoned, except as the result of the war of 1812, by any leading European nation, but after our legislation of 1868 it was expressly abandoned by all of them; so that in fact the rights of our naturalized them had been asserted in the war of 1812.

In securing this legislation there is a stril whenever my colleague from Brook. Lyn has taken the floor, and the occurrences of the Fortisth Congress. That Congress assembled in extra session on the 4th of March. On the 7th of March Mr. Rourssox introduced the familiar resolution of inquiry, calling upon the President for information as to American citizens held under arrest in Ireland. On the 20th March Secretary Seward sends a letter refusing to furnish the correspondence on the ground that its publication might be detrimental to the publication might be detrimental to the publication might be detrimental to the publication should be a string the Committee on Foreign Affairs to report immediately whether American citizens had been arrested, tried, and convicted or sentenced for words spoken or acts done in the United States. Again there was a seene, but the motion was carried. On the 20th of July the State Department stated to the Committee on Foreign Affairs to wash the motion was carried. On the 20th for July the State Department stated to the Committee on Foreign Affairs that is done on the control of the publication of impeachment against our minister to England, and made a speech in which so culture the resolution of the p

teen years of misrepresentation. I can afford to wait for future tributes in coming years for my recent actions, which have been so perseveringly ridiculed, misrepresented, and belied. If these tributes are delayed

ridictied, misrepresented, and belied. If these tributes are delayed till after my death they will be appreciated by my children, who have felt with me the great injustice done me by a licentious press.

It is a source of pride to me, and will be to my children, that I was privileged to achieve this great work for mankind, to revolutionize the law of nations, and to establish for the first time in the world's history that a man had a right to himself. Amid the clash of arms in our second war, waged upon this very question, while Decatur, Porter, Rodgers, Stewart, McDonough, Perry, and Blakeley at sea, and Macomb, Brown, and Jackson on land, all Irish, were struggling, at the cost of countless millions of money and thousands of precious lives, to establish the right of expatriation, an Irish boy was born in an humble cottage in Tyrone, who found his way to the Congress of his beloved adopted country, to whom the credit is given of accomplishing what our naval and military heroes whom I have named and our statesmen—Albert Gallatin, Harrison Gray Otis, John C. Calhoun, Nathaniel Macon, Lewis Cass, and Daniel Webster—failed to secure.

With that law on our statute-book and fearlessly administered there would have been no fear of any American citizen ever being held in a foreign prison again, even for one hour, without specific charges being made against him.

My first term in Congress ended on the 4th of March, 1869, and under the same system of misrepresentation about my devoting too much time to Ireland, &c., I did not receive a renomination.

THE FORTY-SEVENTH CONGRESS,

In November, 1880, new troubles for American citizens in Ireland were anticipated, and the people of Brooklyn returned me again to Congress. The administration of James A. Garfield came into power on the 4th of March, 1881, and about that time England, in defiance of our law and of her treaties with us, chose to fill her jails with guiltless American citizens. James Russell Lowell was our minister to Eng-

land and James G. Blaine was Secretary of State.

Congress was not to assemble till the following December, but a special session of the Senate was called for the 4th of March, 1881, and on the 12th of April, on motion of Senator Burnside of Rhode Island, a resolution was adopted calling upon the President for information touching the arrest and imprisonment of Michael P. Boyton, who claimed to be a citizen of the United States. Mr. Boyton had a passport from the State Department certifying that he was a citizen of the United States. In December, 1880, and January, 1881, he was tried at Dublin, in common with prominent members of Parliament from Ireland and officers of the Irish Land League. officers of the Irish Land League. As definite charges for commission of crime were made against him, and he had a reasonably speedy trial, he made no appeal for protection as an American citizen, and on the 25th of January, 1881, he was acquitted by a disagreement of the jury.

AMERICANS IN PRISON.

On the 2d of March, 1881, two days before the inauguration of Mr. Garfield, the British Parliament passed the "coercion act," which enabled their Government to arrest persons on mere suspicion; and on the 8th of that month, four days after Mr. Garfield's inauguration, Mr. Boyton was again arrested without any intention of trying him for or charging him with crime, but holding him for eighteen months at the discretion of the Lord Lieutenant. He at once telegraphed to Mr. Lowell, demanding the protection of his Government against this outrage, with a written protest against it.

I forbear through shame to go into the delays interposed in this case for a month or more, which time was diligently occupied by our minister and consuls in picking flaws in Mr. Boyton's certificate of citizenship. Our courts had preserve long are decided that in all such assets

ship. Our courts had properly long ago decided that in all such cases the certificate was prima facie evidence, and the examination of the detalls how the certificate was obtained should not be allowed to delay proceedings upon it. Mr. Boyton had his passport under the broad seal of the State Department. He had fought in our war and was on that ground entitled to citizenship. His father was naturalized, and had often voted in our elections, as he had done, and was just as much a citizen as James Russell Lowell; and yet the agents of our Government had managed to argue the seal of the State Department off our official documents, to favor the unjust and outrageous acts of the British official documents, to favor the unjust and outrageous acts of the British Government upon our citizenship, and had refused to do anything for Mr. Boyton till this demand for information was made by the Senate.

And not only so, but this resolution which should have had an immediate answer was not even noticed, but was delayed for thirty-eight days, till the last day fixed for the adjournment of the special session, when no action could be taken upon it. And it was never referred to again. There it lies in the Senate without notice of the injustice done to Mr. Boyton.

One would naturally suppose that even if Congress was not in session the Government would take means to protect its citizens abroad. Other citizens had been arrested whose citizenship could not be questioned. ibuted to its success; but so far as it was opposed, it was opposed only by Reiblicans. It owed its final triumph solely to the courage and persistence, in
June and July, 1881, Mr. Henry O'Mahony, of Buffalo, John McEnery, and others were arrested, and their cases were brought to the notice
of Mr. Lowell. June, July, August, September, October, November,
and December of 1881, and January and February of 1882—nine months passed, and yet Mr. Lowell, up to the 22d of February, 1882, made no report to the State Department, and the State Department seemed rest-

ful in blissful ignorance of their fate.

In March (3d), 1881, Mr. Joseph B. Walsh, Joseph Dalton, a native citizen of Kenosha, Wis., and others were arrested.

CONGRESS ASSEMBLES.

The Forty-seventh Congress came together on the 5th of December, 1881, and Mr. Keifer, of Ohio, was elected Speaker of the House. No other business being transacted except the election of officers of the Honse.

NUMEROUS ADJOURNMENTS.

On the second day I rose to a question of privilege, but the Speaker ruled that the drawing for seats took precedence, and after the drawing the House adjourned until Friday, the 9th. On the 9th I again sought the floor, but Mr. Robeson, of New Jersey, moved to adjourn again till Tucsday, the 13th. I objected to adjournment, as I had important business to bring before the House. Mr. Kelley, of Pennsylvania, asked if my resolution was so ephemeral that it would not keep till Tuesday, the 13th, and the House adjourned till the 13th. Here was over a week wasted without attempting to attend to any business, and the House refused to listen to the appeal of our imprisoned citizens,

whose imprisonment was not ephemeral.

Upon the 13th the day was spent in calling for some thousands of bills. When this business was about half through the call was susbills. When this business was about half through the call was suspended, and Mr. Robeson, of New Jersey, moved to adjourn over three days more, till Friday, the 16th. I objected, and demanded the yeas and nays, but they were refused, and so all business went over; our citizens still in jail without a word of sympathy. It was also agreed that on the 16th the only business to be transacted would be to finish the call of States. I said I had matters of importance (the case of our imprisoned citizens) and I would object to any understanding that precluded me from calling up their cases. Mr. Cox, of New York, said it was too late now to object. I replied that if my objection was too late I would fling it in notwithstanding its lateness.

The House met again on Friday, the 16th, and immediately after the

The House met again on Friday, the 16th, and immediately after the reading of the Journal I said: "I have a resolution here" (the resolution about our imprisoned citizens). Mr. Burrows, of Michigan, called for the regular order, which the Speaker declared took me off the floor. I claimed my resolution as a matter of privilege. The Speaker ruled against me. I then said: against me. I then said:

Our citizens are suffering unjust imprisonment abroad, and yet nobody can be heard in their behalf. The House will hear from me hereafter.

The call of States then proceeded, and when New York was called Mr. Cox presented a resolution of inquiry about our imprisoned citizens, but no statement of their case was allowed, and the matter was referred to the Committee on Foreign Affairs. A petition at an earlier day had been presented by Mr. Upson, of Texas, from citizens of San Antonio, asking Congress to attend to their cases. After the call was completed as far as Rhode Island, the House, on motion of Mr. Robeson, of New Jersey, adjourned till Monday, the 19th. On Monday, the 19th, the call of States was concluded, and on motion of Mr. Robeson, of New Jersey, it was ordered that the House adjourn over till Wednesday, the

On the 21st the House met. The Speaker announced the committees, and after some unimportant business I asked for consent to offer a resolution concerning the imprisonment of our citizens by England. Mr. Robeson, of New Jersey, objected, and so on this 21st day of December, 1881, both Houses adjourned over till Thursday, January 5, 1882, and thus one whole month was wasted; and, although we had nothing else to do, not a moment could be spared for the consideration of the case of innocent citizens suffering unjust imprisonment for months, and Congress steadily neglecting and refusing to devote one minute to the consideration of their wrongs and sufferings.

On the 4th of January, 1884, the House reassembled, and soon after its opening Mr. Robeson again moved an adjournment over till January 9, which was carried.

THE CASE COMES UP.

On the 23d of January the question finally, after so much delay, came before the House. Congress had been in session for eight weeks, our citizens still in prison and no attention given them. Mr. Orth, of Indiana, reported from the Committee on Foreign Affairs that they had had certain resolutions, petitions, and memorials before them relating to the artain resolutions, petitions, and memorials before them relating to the arrest of American citizens in Great Britain, and reported a resolution asking the President for information. I took the floor and commenced to speak, but before I concluded the announcement of the death of Senator Burnside came up in order, and the question went over till the 26th of January. On the 26th I continued and concluded my remarks. I referred to the correspondence on protecting American hog products in England while we refused any protection to living American citizens. I quoted from Lord John Russell's interference in the Madiai case in Tuscany: to the case of English prisoners in Abyssinia, where England Tuscany; to the case of English prisoners in Abyssinia, where England burned the capital and killed the king in rescuing her prisoners; to the case of Koszta, &c., and concluded by offering an amendment to Mr. Orth's resolution that the President be requested, if any American

citizen is now detained in any British prison, to make the demand provided for in the act of July 27, 1868. I pronounced the other method a humbug. My amendment was ruled out of order, and the resolution was adopted.

THE GREAT DIFFICULTY.

This was the main difficulty. We kept resolving to inquire when we should have been demanding, and the Government kept all the time ignoring the law which, after such exhaustive debate, had been made for this very contingency, and of which the Secretary of State and our minister to England seemed never to have heard. My demand was that the law of July 27, 1868, should be followed and the demand therein provided should be made. Had this been done our citizens would not have been kept in prison one hour. I said the course pursued in inquiring and not acting would require a thousand years to get a fly out of a molasses cup.

The debate was continued, Mr. S. S. Cox, Mr. Orth, Mr. Dunnell, and

others taking part in it.

It is a curious fact that Mr. Orth, in ridiculing any attack on London, referred to the safety of London Bridge and the Tower of London recently attacked. It has been shown that if our demand for the release of our prisoners had been denied the destruction of London would not have been so difficult.

WAS THE IMPRISONMENT LEGAL?

In this debate and in the correspondence of the State Department with Mr. Lowell, the false idea was adopted that if England chose to imprison her own citizens on mere suspicion, under the suspension of habeas corpus, she could do the same with ours. This monstrous doctrine I challenged, and in order to have it settled I introduced the following resolution on the 6th of February, 1881:

Resolved, That the Attorney-General of the United States is hereby directed to communicate to this House his opinion in writing on the following question: If Joseph Warners Keifer, Speaker of this House, or Alonzo B. Cornell, governor of the State of New York, or Charles Carroll, a laborer in the department of public works in the city of New York, being a citizen of the United States, visit any part of the British Empire, and should there be arrested without having committed any crime, and without any definite charge of crime being alleged against him, could the English Government, by suspending the habeas corpus, or otherwise, lawfully detain him indefinitely on suspicion, without trial or without any right in our Government to demand his release? Also his opinion on the application of the law of July 27,1868, to such cases, and the President's duty under it.

The idea that England could arrest and keep in prison indefinitely, without trial, any of our distinguished citizens—say the Speaker of the House, or a governor of a State, or the humblest citizen of the Republic—who had committed no crime, by suspending law and proclaiming the district in which he was found, was so monstrous that I introduced this resolution, which was most sensible and timely. Had it been adopted and had the Attarney General answered it as it deserved to adopted, and had the Attorney-General answered it as it deserved to be answered, our citizens would have been instantly released. The Anglicised press, however, chose to pour its senseless ribaldry upon the resolution and upon its author; and on the 14th of February Mr. Orth, from the Committee on Foreign Affairs, reported it back with a recommendation to lay it on the table. On a division the vote stood—yeas 85, nays 45; from which it appeared that there were only forty-five members of the House caring enough for our citizens to inquire into the legality of their cruel imprisonment.

Mr. Cox and myself demanded the yeas and nays. They were or-02. When the dered, and resulted in the affirmative—yeas 117, nays 102. When the members could escape being put on record there were two to one against this very timely resolution, but when they had to go on record 102 voted against smothering the inquiry, and it was carried by a majority of 15. I give the yeas and nays without comment, as follows:

YEAS-117.

Aiken,	Farwell, Sewell S.	Miles,	Smith, A. Herr
Aldrich,	Fisher,	Moore,	Smith, Dietrich C.
Anderson,	Fulkerson,	Morey,	Spaulding,
Armfield,	Garrison,	Norcross,	Speer,
Atkins,	Grout,	O'Neill,	Stone,
Bayne,	Guenther,	Orth,	Strait,
Beltzhoover,	Hall,	Pacheco,	Thompson, Wm. G.
Bowman,	Hammond, John	Payson,	Tucker,
Briggs,	Hawk,	Peele,	Tyler,
Browne.	Hazelton,	Pierce,	Updegraff, J. T.
Burrows, Julius C.	Heilman,	Phister,	Updegraff, Thomas
Butterworth,	Hepburn,	Pound,	Urner,
Candler,	Hiscock,	Prescott,	Valentine,
Cannon,	Hoblitzell,	Ranney,	Van Aernam,
Carlisle,	Horr,	Ray,	Wadsworth,
Carpenter,	Houk,	Reagan,	Wait,
Cassidy,	Hubbs,	Reed,	Walker,
Caswell.	Humphrey,	Rich.	Ward,
Chalmers,	Jacobs,	Richardson, D. P.	Washburn,
Cook,	Jadwin,	Robertson,	Watson,
Cox, Wm. R.	Jones, James K.	Robeson,	Webber,
Crapo,	Joyce,	Robinson, Geo. D.	West, .
Crowley,	Kasson,	Robinson, James S.	White,
Dawes,	Kelley,	Ryan,	Williams, Chas. G.
Deering,	Kenna,	Scoville.	Willits,
De Motte,	Lewis,	Shackelford,	Wilson,
Dowd,	Lindsey,	Shallenberger,	Wood, Walter A.
Dunnell,	Manning,	Sherwin,	A CONTRACTOR OF THE PARTY OF TH
Errett,	Marsh,	Shultz,	
Evins.	Mason,	Skinner.	

NAVS-102. Darrell,
Davis, G. R.
Davis, L. H.
Dibrell,
Dibrell,
Dugro,
Ellis,
Finley,
Flower,
Stockslager,
Thompson, P. B.
Tillman,
Townsend, Amos
Turner, Henry G.
Turner, Oscar
Upson,
Vance,
Warner, NAY
Bragg,
Brewer,
Brumm,
Buchanan,
Burrows, Jos. H.
Caldwell,
Chapman,
Clardy,
Jones, George W.
King,
Ladd,
Latham,
Leedom,
Lord,
Martin,
Matson, Clark, Clements, Cobb, Colerick, Cox, S. S. Covington, Beach, Berry, Black, Blackburn, Blanchard, Bland, Bliss. Cravens, Culberson, Mutchler, Blount, Ford, Forney, Geddes, George, Mutchier,
Oates,
Phelps,
Randall,
Rice, John B.
Rice, Theron M.
Richardson, John Gunter, Hardenbergh, Hardenbergh,
Hardy,
Hardy,
Harmer,
Harris, Henry S.
Haseltine,
Hatch,
Herbert,
Hewitt, A. S.
Hewitt, G. W.
Holman,
Hooker,
House,
Hutchins,
So the report of Martin,
Matson,
McKinley,
McLane,
McMillin,
Miller,
Mills,
Morrison,
Mosgrove,
Moulton,
Muldrow,
Murch, Richardson, John Ritchie, Robinson, Wm. E. Rosecrans, Scales, Scranton, Shelley, Simonton, Singleton, Jas. W. Sparks, Springer, Stephens, Vance, Warner, Wellborn, Wheeler, Whitthorne, Williams, Thomas Wise, George D. Wise, Morgan R. Young.

So the report of the Committee on Foreign Affairs was agreed to.

The Democrats voting with the Republicans were 25; the Republicans voting with the Democrats, 18. Had the 25 Democrats voted with ans voting with the Democrats, 18. Had the 25 Democrats voted with the great majority of their party the vote would have been—yeas 92, nays 127. Why these Democrats voted against their party I never could understand. The British minister here and the English Government interpreted it to mean that Congress did not really care whether Irish-American citizens were insulted or not. And the British minister thought it of importance enough to communicate my resolution and the vote "tabling" the same, which he informs his lordship was the same as killing it, in a special dispatch the very day the English victory was achieved in this House.

PUBLIC MEETINGS.

About this time the country became fully aroused to the importance

About this time the country became rully aroused to the importance of this question, and petitions, resolutions, and remonstrances came into Congress by the hundred. Meetings were held in all the leading cities of the Union and resolutions passed and forwarded to Congress.

At the meeting held in Buffalo, April 9, 1882, the chair was taken by Grover Cleveland, then the mayor of that city and now elected President of the United States. To that meeting I had been invited, both by letter and telegram, but could not get away from my duties here. In opening that meeting Mr. Cleveland took the correct ground and announced the American doctrine as follows:

We have a right to say and we do say that mere suspicion, without examina-tion or trial, is not sufficient to justify the long imprisonment of a citizen of America. Other nations may permit their citizens to be thus imprisoned. Ours

That is in glorious contrast to the monstrous doctrine allowed to dominate our diplomacy under Mr. Lowell:—that England by proclaiming a district in which she could find an American citizen might hold him on suspicion, without legal charge or trial, at her discretion or the will of the lord-lieutenant.

Many of the State Legislatures also passed resolutions, particularly New York, New Jersey, Illinois, &c., most of them mentioning me by name. Many of these resolutions were published in the CONGRESSIONAL RECORD. In the issue of March 17, 1882, appeared the following from my own city of Brooklyn:

DEAR SIE: I have been instructed by the executive committee of the Land League of Brooklyn to inform you of their cordial and hearty approval of your action in regard to the incarceration of American citizens in British dungeons. May God speed you in your noble and heroic struggle. Please convey to the Representatives who have so ably sustained you our sincere and heartfelt thanks, and assure them that they, as you, shall ever retain a place in the hearts of all true Irishmen.

JAMES DIXON, Secretary,

Hon, WILLIAM E. ROBINSON.

The convention of delegates from the various Land League branches of Boston and vicinity, in March, 1882-

Resolved, That our thanks are eminently due and are cordially tendered to Hon. W. E. ROBINSON for his noble and manly exertions to obtain the release of American citizens now incarcerated in British prisons.

DELAY IN COMMITTEE ON FOREIGN AFFAIRS.

By a rule of the House all resolutions of inquiry from the President and heads of Departments shall be reported back within one week. The resolution asking information from the State Department about our imprisoned citizens was referred to the Committee on Foreign Affairs our imprisoned citizens was referred to the Committee on Foreign Anairs on the 23d of January, 1882. On the 14th day of February it was brought before the House and recommitted to the committee with instructions. That committee consisted of Messrs. Williams of Wisconsin (chairman), Orth, Kasson, RICE of Massachusetts, Dunnell, Lord, Walker, BLOUNT, Wilson, DEUSTER, and BELMONT.

The week passed, a month passed, and no notice was taken of it, while many of our citizens pined away dreary lives in British prisons. I did not desire to make myself too conspicuous, and should have preferred to have others move in the matter, but as no one did so I called up the matter on the 24th of March, 1882, and stated that if something

were not soon done I should move to impeach our minister. At the request of members of the committee the matter was laid over.

On the 4th of April the President sent us a reply to the House resolution of January 31, with a letter from Secretary Frelinghuysen, and it contained just ten lines as printed in the RECORD, informing us that the negotiations had been "conducted in a spirit of entire friendship." The cruel incarceration of our innocent citizens did not create a ripple on the surface of our placidity! The next day, April 5, the President favored us with a larger installment of information in reply to our resolution.

Upon the 14th of April, 1882, Senator Voorhees, of Indiana, made an eloquent speech on the case of Daniel McSweeney. The resolution which he offered and spoke upon was never afterward referred to.

which he offered and spoke upon was never afterward referred to.

April 22, 1882, came on and no report from the committee on the
resolution of January 23. I had now waited another month, and as
no one else took it up I asked, for information, how long we were to
wait, and said, "This House is despised; the Government of England
despises this country; what are we to do?" and I moved to discharge
the committee and bring the matter before the House:

That committee is bound by our rules to report in one week. They have had it now three months before them, and we can not get a report, while our citizens are still in British jails.

On the 24th of April I again brought up the motion to discharge the committee and have the House act upon it immediately. At the request of the committee I allowed it to go over till the next day.

April 25 I brought up the subject again, and was antagonized by a contested-election case (Lynch against Chalmers). That question was voted down, and I again renewed my motion. Mr. Kasson and others contended that my motion was not privileged and therefore not in orcontended that my motion was not privileged and therefore not in or-der, and Mr. Kasson raised the question of consideration. On a division there were 59 for considering my motion as a privileged question and 78 against it. I called for the yeas and nays, and they were ordered; and here a curious fact developed itself. Whereas I could only get 59 on a mere division, upon the yeas and nays, where every one was bound to put himself on record, I had 144 in my favor and only 62 against me.

ANOTHER FIELD DAY.

The question now came squarely for discussion, and we had a field day in the House. I spoke at length, and my speech was printed in pamphlet form and extensively circulated. It was of course ridiculed by the Anglicised part of our population, but it was liked by those who cherish American ideas. I was followed by Mr. Cox, of New York, and Mr. Orth, of Indiana. The principal part of Mr. Orth's speech was devoted to throwing doubts on the citizenship of O'Mahony, and yet in that speech he read a letter from our consul at Cork, dated June 22, 1881, ten months before, stating that he had seen and forwarded to

22, 1881, ten months before, stating that he had seen and forwarded to our minister at London the naturalization papers of Mr. O'Mahony. What better proof of his citizenship was required? Nobody doubted their genuineness. It was said that O'Mahony held the position of poorlaw guardian in Ireland, and that holding any such position was proof against his citizenship; while it is well known that Mr. Lowell himself holds a position under the British laws and was elected at his own wish lord rector of a British university. Is he therefore not a citizen of the United States?

I think it not out of place to say here that I had a statement of O'Mahony's case from himself, sent to me with the request that I would lay it before Congress, which I tried several times to do, but was re-

lay it before Congress, which I tried several times to do, but was refused even to have it printed in the RECORD, on the objection of an Englishman who was then a Representative from Vermont in this House.

Mr. Orth was followed by Mr. DEUSTER, the German member from Wisconsin, by Mr. Williams of Wisconsin, chairman of the Committee on Foreign Affairs, who suggested that the Gladstone government might be willing to grant our wishes concerning these prisoners, but were afraid of English sentiment, which placed them "between the devil and the deep sea." He delivered a fervent eulogy on Ireland, praising her virtues and picturing her wrongs, and said some complimentary things of myself. Mr. De Motte of Indiana, Mr. BLOUNT of Georgia, Mr. WILSON of West Virginia, and Mr. Lord of Michigan followed. followed.

Mr. WILSON referred to the Eisenstrick affair between Germany and Nicaragua in 1876-'77 and 1878, in which, for less provocation than in these cases, Nicaragua was compelled to apologize, to salute the German flag, and pay \$30,000. In this case the United States acted as arbitrator, but in our own case we did not demand a salute of our flag nor compensation to our citizens.

Mr. BLOUNT, of Georgia, in his speech referred to myself, and said: I believe that the agitation in this House by that gentleman [Mr. Robinson] has produced speedy action on the part of this administration. I believe that for months before the matter had been allowed to lag.

At the conclusion of the debate the original resolution was modified by Mr. Cox to the satisfaction of all parties and unanimously adopted. Thus my proposition to discharge the committee and adopt the resolu-

tion was successful.

It was at the conclusion of my speech that, after hearing the demands that were to be made and the successful issues to be anticipated, I indulged in this flight of fancy:

When I came here I found the American Eagle drugged and drowsy, his blood

poisoned with political pyemia, his beak filled with Lowell garbage, and his pinions wet with the mildew of monarchy. I roused him from his ignoble slumber, I brushed the mildew from his plumage, I gave his majestic voice to the music of liberty, and his imperial wing to fan the tempest and soar to the

GLADSTONE PERPLEXED.

The pressure in the House of Representatives and the action taken thereunder by the President led to the relief of Ireland by the resignation of the lord-lieutenant and of Buckshot Foster. The Washington Post in its issue of May 6, 1882, remarked editorially:

Hon. WILLIAM E. ROBINSON, of New York, is a very modest man; otherwise he might claim the distinction of having forced the British Government to a change of policy.

Whether this remark was intended seriously or otherwise, there is a heap of truth in it.

The killing of Cavendish and Burke on that day was a terrible reverse to these feelings of triumph. It emboldened the oppressors of Ireland. It strengthened the Gladstone government and enabled it to hold on to power and to continue its insults to our citizens. Had it not been for their death our action on that 25th of April would have resulted in the unconditional release of our citizens and the destruction of Gladstone's administration.

On the 15th of May, 1882, I again brought the case of our prisoners before the House, who were still retained in prison, and inquired whether degrading offers had been made to our imprisoned citizens to accept their liberation on insulting conditions.

On the 23d of May the President sent some additional information

On the 20th day of June, 1882, the committee having failed to report my resolution of May 15, I gave notice that if it was not soon reported I would move to take it from the committee and have it acted on in the House. I also mentioned that while in our great debate of April 25 we were told that only two American citizens were in prison, and that they would soon be discharged, there were now nine of our citizens lingering in British jails without charge of crime or hope of trial. On the 28th of June Mr. Orth reported a resolution from the Com-

mittee on Foreign Affairs, as a substitute for mine of June 15, calling on the President for additional information, and inquiring whether any proposition had been made by any person holding office under our Government to any American citizen in British prisons to accept release upon conditions.

Mr. Orth moved the previous question, on which I called for the yeas and nays; but they were refused, and, under the rule, fifteen minutes only were allowed to each side.

THE BIGHT THING AT LAST.

Mr. Wilson occupied the half of the time allowed to the opposition, but as an improvement for the first time offered the resolution for which I had been all the time contending, to request the President to demand the release of our prisoners under the law of July 27, 1868.

Mr. Wilson was a member of the Committee on Foreign Affairs, and had the committee's consent to offer his resolution as his own but not as a resolution of the committee. At the suggestion of Mr. McLane, of Maryland, he omitted the words, "not amounting to an act of war," which are in the statute of July 27, 1868.

At the conclusion of Mr. Wilson's remarks I was allowed seven and

a half minutes, which I indignantly declined, and denounced the frivo-

lous conduct of our Government.

Mr. Wilson's resolution was passed unanimously. At a later hour he seems to have become frightened with the boldness and propriety of his own resolution, or to have been asked by others to modify the language by adding "in accordance with such precedents and usages as exist between the two governments." Where he got this phrase I do not know, but I know it is not in the law of July 27, 1868, and I objected and recovered it properties and a weakening in the face of the jected and pronounced it nonsense and a weakening in the face of the enemy. Mr. Williams, chairman of the committee, said it was important if not vital, and the words were added. Without the modifications it was the only sensible resolution of the kind that had been of-It was the resolution I wanted from the first, but for which I could not get a hearing. It was adopted, but no reply was ever made

BRITISH INSOLENCE.

On the 3d of July, 1881, I introduced a resolution asking information from the Secretary of State relating to the conduct of the British min-ister in relation to the proceedings in Congress touching the imprison-

ment of our citizens in British jails.

It was an important resolution and should have been adopted. The British minister had actually gone to the Secretary's office to express not only his disgust with my pertinacity, but to question the conduct of Mr. Orth and of the House in passing resolutions distasteful to him and disrespectful to England. This insolence should have been noticed and rebuked. On the 25th of January, the day I made my first speech on the subject, Minister West wrote to Lord Granville as follows:

I called Mr. Frelinghuysen's attention to the terms of this resolution and to the language used in debate upon it. I remarked to Mr. Frelinghuysen that although not much importance need be attached to such language as that used by Mr. Rosinsox, still the wording of the resolution was calculated to produce a bad effect and might cause unnecessary irritation.

Imagine what Lord Granville would have said if our minister had gone to him to browbeat him for any speech made or resolution adopted in the House of Commons.

In the House of Commons.

Yet so little notice was taken of this insolence except by myself that the committee never reported it back, and the Anglified press of the country, including the New York World, then claiming to be a Democratic organ and edited I believe by William H. Hurlbert, roundly abused me for daring to question the English minister's right to supervise our legislation, and that New York World, in its issue of July 4, 1882, took occasion to assure the British minister that I was of no importance—the very idea that West had previously communicated to Granville; and that same World, on that same national holiday, suggested that the press agent in Washington should suppress all mention of my doings. This idea was the last resort of the Anglified editors, which was in some respects afterward carried out, and wisely, too, for which was in some respects afterward carried out, and wisely, too, for as long as the press published what I did, no matter how they abused me, the American people approved of it and I could well afford to let the Anglo-maniacs rave.

MORE RESOLUTIONS.

On the 17th of July, 1882, Mr. Cox and myself both presented resolutions of inquiry concerning our imprisoned citizens, Mr. Cox's inquiring more particularly about Mr. McSweeney. Mine was as follows:

quiring more particularly about Mr. McSweeney. Mine was as follows:

Resolved, That the President of the United States is hereby respectfully but
urgently requested to inform this House when it may expect an answer to its
resolution of June 28—now twenty days ago—adopted unanimously, calling for
any additional information not heretofore communicated to Congress relative
to our citizens still suffering unjust imprisonment in British jails; and whether
any proposition has been made to any American citizens to accept their release
upon conditions; and whether he has yet made the demand which this House
upon conditions; and whether he has yet made the demand which this House
upon conditions; and whether he has yet made the demand which this House
upon the report all the facts and proceedings as soon as practicable in compliance
with the imperative provisions of the law of July 27, 1868; and whether any correspondence has taken place with James Russell Lowell—nominally our minister to Great Britain, but really doing police duty and detective work under
Lord Granville in discovering imperfections in certificates of American citizenship, even when certified under seal of our courts and State Department—relative to his resignation or recall, as requested by numerous petitions and resolutions presented to this House from the principal cities and States in the Union.

The same day July 17, Lake introduced the following additional

The same day, July 17, I also introduced the following additional resolution:

Resolved. That the Secretary of State is hereby directed to inform this House whether he can not now communicate the telegrams relating to our citizens in British prisons, the publication of which was thought to be incompatible with the public interest as expressed in his letter to the President of April 5, 1882, and that he is hereby directed to communicate every item of correspondence relating to these citizens, by mail or cable, not hitherto communicated, which, even if their publication may be deemed incompatible with the public interest, may be considered in secret session of this House or of its Committee on Foreign Affairs.

These resolutions of Mr. Cox and myself were referred to the Committee of Foreign Affairs, and from that chamber of somnolency they never returned, and of course neither President nor Secretary felt called upon to give information.

INCOMPATIBLE WITH PUBLIC GOOD.

One of the monarchical ideas that have crept into our legislation is, that on resolutions of inquiry the phrase is introduced "if not incompatible with the public welfare." I fought against this phrase, and kept it out of my resolutions.

kept it out of my resolutions.

How ridiculous it is! Who has the right to judge of the public good if not the representatives of the people? The President is chosen as the head servant of the people; the Secretaries are his assistant servants of the people. Suppose the master of any establishment wants to examine into its affairs and asks the employes for information, and they should inform him that it is incompatible with the good of the establishment to communicate it! Congress is the master of all public business, including the public welfare, and they, not the President or his assistants, should judge what is or is not compatible with that public welfare. There is provision made for secret sessions of the House as well as of the Senate, and there all questions of compatibility to the public interests should be decided. public interests should be decided.

THE LAST EFFORTS.

On the 5th of August, 1882, the President sent his last message of the subject to the House. It was in answer to the resolution of this House of June 28. It should have been answered in twenty-four hours. but over five weeks were taken, and it was not sent in till Saturday af ternoon, August 5, and Congress was to adjourn on Tuesday, the 7th Of course no further notice was taken of it for that session, and no no tice has been taken since, except the resolution which I am now trying to get this House to rescue from the Committee on Foreign Affairs before this Congress also goes into history.

In that last message the President informed us that four citizens still

remained in prison—O'Mahoney, McSweeney, Slattery, and Gannon, the last named an American by birth; and we have no official information how, when, or on what terms they were released, or whether they were released at all. McSweeney got out, at any rate, for we saw him here during the last election, but no member of this House knows any-

thing about the release of the others.

DISHONORING OUR OWN RECORD.

During the whole dreary discussion of this subject every one of these seventeen prisoners produced passports, or naturalization papers, and

in every case, even in the cases of native citizens, months were spent in diligent efforts to pick flaws in their title to citizenship. Had Decatur withheld his demand to the Dey of Algiers, or Captain Ingraham his demand on the commander of the Austrian man-of-war for the liberation of our citizens till the archives of our country were searched for proof of the regularity of the papers of their citizenship, the most brilliant passages of our diplomatic history would never have been written.

You may take all the cases in history where any nation has found any of its citizens imprisoned in foreign countries and you can not find

any of its citizens imprisoned in foreign countries and you can not find any but our own which permitted the transgressing party to delay action by raising these quibbles. Mr. Boyton's claim was more easily proved than Mr. Blaine's would be. Mr. Boyton had the undoubted seal of the United States to prove his citizenship. Mr. Blaine could produce no proof that he was born here. What would he say if he were arrested in a foreign country and thrown into a loathsome prison and his Government refused to ask his release or speedy trial till they could spend some fourteen or eighteen months in hunting family Bibles or church records to ascertain his place of birth?

MISREPRESENTATIONS OF THE PRESS.

In my efforts in the Forty-seventh Congress to achieve the liberation of our citizens, as well as in my efforts to establish the great American doctrine of expatriation and naturalization, for which Mr. Hewitt so fully gives me credit, the Anglified press kept prating about my wasting the time of Congress in talking on Ireland. It will probably astonish those who read these remarks that during the entire four years of my service in the Forty-seventh and Forty-eighth Congresses, now closing, I have not spoken a single word upon any Irish subject. My speeches were all on great American subjects.

One of the silly stories told about me was that I had remarked, on one occasion, that I did not care tostay in the House because there was nothing going on there except some American business. Now, I believe I was foremost in opposing everything that was not American. I opposed the conferring of foreign decorations; I was opposed to thanking foreign despots for presents sent to us; I opposed all measures that were not truly American, and several foolish efforts to legislate for the benefit of foreign potentates are now hung up in the House on my objection; such as thanking England for the Alert.

jection; such as thanking England for the Alert, &c.

IRELAND-WHY LOVE HEE?

But even if I had devoted some time to Ireland, we could hardly call

her interests foreign subjects.

I confess that I have a warm spot in my heart for Ireland. Into that heart two eyes of Irish blue are ever looking. I have bathed my soul in her sorrows and flooded my memory with her sufferings. In fifty years absence from her I have felt increasing love for her, and the palpitations of her heart have the suffering to the palpitations of her heart have the suffering to the suffering that her the suffering the sufferin You ask me why I, as an American, love her? I reply I could not be an American unless I did love her.

There is a fearful amount of woful or willful ignorance among our There is a fearful amount of world or willful ignorance among our younger population in regard to the Irish element in this country and its services in the cause of our country. There is a moral deafness to her claims which must not be allowed to grow into a national disease. There were two parties in the Revolution, as there are now—the friends of England, who were the enemies of our independence, and the friends of Washington, who were mostly Irish and their descendants. At the

of Washington, who were mostly Irish and their descendants. At the Declaration of Independence I presume the Irish element was about two-thirds of our population. The people of New England had a strong infusion of Irish blood, which wrote its name in red letters at Lexington and Bunker Hill, at Bennington and Saratoga.

The English element were almost all against us. Fifteen hundred of them were driven to sea by Washington at Boston, on St. Patrick's Day, in 1776. The Irish troops from New Hampshire, Massachusetts (including Maine), New York, Virginia, Maryland, Delaware, North Carolina, and South Carolina, indeed from all the States or colonies, flocked to Washington's army, and the illustrious generals who stood Carolina, and South Carolina, indeed from all the States of colonies, flocked to Washington's army, and the illustrious generals who stood around him were mostly Irish. A little Irish society in Philadelphia, of some hundred members, known as "The Friendly Sons of St. Patrick," furnished Washington more generals than all the descendants of the Mayflower, and of this society, composed exclusively of Irishmen, George Washington was a member, having been naturalized to fit him for membership. This incident shows how Washington loved the Irish and won his way into their society by becoming an adopted son of St. Patrick. Let us look at our Revolutionary battlefields and see what brilliant Irish officers were around Washington in every battle for our Independence. Here the Irish won the love of every true American and the hatred of every worshiper of England.

IRISH HEROES.

John Armstrong. He or his father emigrated from Ireland to Lancaster, in Pennsylvania. Distinguished in our Indian wars, commanding the expedition against Kittining in 1756, and among his officers Hugh Mercer, who afterward fell at Princeton. A brigadier in Washington's army, and commanded the Pennsylvania militia at Brandywine and Germantown. In Congress 1778–787. His son, John Armstrong, prominent in Washington's army, and aid to General Gates and General Mercer, whom he carried dead from the field of Princeton,

married a sister of Chancellor Livingston and aunt of Mrs. General Montgomery. His daughter married William B. Astor. Senator of the United States from New York, brigadier-general in the second war, and Secretary of War in President Madison's Cabinet. Left numerous distinguished descendants, among them his grandson, the present John Jacob Astor. His sons—four of them—his son John being aid to General Brown. Thus three generations of John Armstrongs conspicuous in their country's heroism.

ous in their country's heroism.

Ephraim Blaine, one of whose descendants is James G. Blaine.

Richard Butler, elder of five brothers of the family of Ormond, in Ireland—distinguished at Saratoga and Stony Point, and fell in battle at St. Clair's defeat—his brothers William, Thomas, Percival, and Edward, all gallant officers, Thomas receiving the thanks of Wayne on the field at Monmouth, and of Washington at Brandywine, each of these five brothers giving gallant sons to the American Army. Percival's son, William Orlando Butler, of Kentucky, recently deceased, serving in the second war and that with Mexico, succeeding General Scott in chief command of our army in Mexico. In Congress four years and Democratic candidate for Vice-President in 1848.

Rev. James Caldwell, the fighting parson of New Jersey.

Rev. James Caldwell, the fighting parson of New Jersey.
William Campbell, born in Virginia, of Irish parents, commanding at the important battle of King's Mountain, after a march of two hundred

The sons of Benjamin Chambers, of Chambersburg.

The Clintons, of New York; General George, and General James, father of DeWitt Clinton.

John Dunlap, a native of Tyrone; an officer of Washington's body uard of Princeton and Trenton; the editor of the first daily paper published in the United States.

Rev. John Craighead, the fighting clergyman of Chambersburg, born in Ireland.

George Ewing, father of Thomas Ewing, who was United States Senator, member of the Cabinets of Harrison and Taylor, and father of Mrs. General Sherman.

John Fitzgerald, the favorite aid of Washington, one of the finest

John Fitzgeraid, the lavorite and of Washington, one of the linest horsemen in the American Army.

John Gibson, and George, his brother, whose rifle sharpshooters were known as "Gibson's Lambs." Three generations of George Gibsons have distinguished themselves in the American Army.

Joseph Graham, of North Carolina, joined the Revolutionary army at the age of 19, received six saber wounds and three bullet wounds at Charlotte; fought at Cowan's Ford, defeated six hundred with one hundred men; commanded in fifteen engagements before he was 23; was a major-general in the second war; left twelve children, the youngest of whom was William A. Graham, Secretary of the Navy in Taylor's Cabinet, and Whig candidate for Vice-President on the ticket with Winfield Scott.

William Gregg, commanding the vanguard at Bennington.

Edward Hand, adjutant-general of the Revolutionary army, and major-general in Washington's provisional army in the threatened war with France, celebrated for his noble horsemanship.

John Hezlett (or Haslett as it is now spelled), commanding Delaware troops at Long Island and fell with Mercer at Princeton. His son Jo-

seph, governor of Delaware.

William Irvine, illustrious general and trusted friend of Washington, commanded the advanced troops at Monmouth, commander of Pennsylvania troops to suppress the whisky rebellion. His brothers, Andrew and Matthew, distinguished in the war—Matthew the fighting surgeon of Lee's Legion, remarkable for personal manly beauty.

William Jasper, the brave Irish sergeant at Fort Moultrie, fell at the

sault on Savannah.

John Kelly covered Washington's retreat from Princeton, destroying bridges in front of Cornwallis's pursuing forces, emerging from the river with a coat of frozen mail; died at 90 in Pennsylvania. His grandson, James H. Kelly, Senator from Oregon. Simon Kenton, companion of Daniel Boone.

Henry Knox created and commanded Washington's artillery, and was with Washington in every one of his battles; Washington's Secretary of War and the Navy; founder of the Society of the Cincinnati.

James Knox, father of President Polk's mother.

John Lacy, a brigadier in the Army.

Andrew Lewis, born in county Donegal; his father, John, shot a landlord and emigrated to America. He had four brothers, all distinctions of the county between the Victimia.

guished in the war and giving many distinguished sons to Virginia.

Benjamin Logan: his son William the first white child born in Ken-

tucky; was United States Senator from that State.

Pierse Long, of New Hampshire.

Charles Lynch: his brother John founded Lynchburg, and his son

Charles founded Lynch law and was governor of Mississippi.

Robert Magaw commanded the best disciplined troops in Washing-

Kopert Migaw Commanded a regiment at Brandywine and Ger-ton's army.

Alexander Martin commanded a regiment at Brandywine and Ger-mantown; governor of North Carolina, Senator of the United States.

Hugh Maxwell was a lieutenant at Bunker Hill and fought at Sara-toga. 'His brother Thompson assisted in destroying the tea at Boston.

William Maxwell, conspicuous at Monmouth.

Denis McCarthy, one of the invited mourners at Washington's fu-

Andrew McCrary, killed by a cannon-ball from the British fleet at Bunker Hill.

John McClure: his men were known as the "Chester Creek Rocky Irish" of North Carolina.

Major Macdonough, father of Commodore Macdonough, of Lake Cham-

William McRee, of North Carolina, lieutenant-colonel in the Revolutionary war; his grand nephew was the distinguished Colonel McRee

of the second war.

Captain Molly (Margaret Corbin), who on the fall of her husband took his place in serving agun at Monmouth. Covered with blood and dust, she was presented by General Greene to Washington, who conferred upon her the rank of sergeant, and Congress voted her half-pay

Richard Montgomery, the first general of the continental army that rectard Montgomery, the first general of the continental army that fell in the cause of American liberty. He was born in Convoy Castle, near the town of Raphoe, in County Donegal. His father's name was Thomas. He had two brothers, Alexander and John, and one sister, who married Lord Ranelagh. His brother Alexander represented the county for many years in the Irish parliament. I shall not pretend to sketch the life or services of General Montgomery. He came here in 1772 and married the eldest daughter of Chancellor Livingston, one of the great American family descended from old John Livingston, the Irish Presbyterian preacher. In 1789, thirteen years after her husband's death, this beautiful, gifted, and amiable lady visited Ireland to see Convoy Castle, on the banks of the Finn, now dear to her as her own Hudson. Her country had taken its place among the nations of the earth. Its liberator had just been inaugurated its first President, taking the oath of office before her father.

The rebels had become the heroes of history and Washington's name The rebels had become the heroes of history and Washington's name was everywhere almost idolatrously mentioned. Washington had furnished her with letters to distinguished persons in Europe, among others to Sir Edward Newenham, an Irish gentleman and a member of the Irish Parliament, who, on the death of Montgomery, appeared in Parliament and at levees in full mourning, to express his Irish sympathy with the then detested Revolution, and who presided at a public meeting in Dublin, held to reprobate and stop sending the military of the kingdom to the colonies and "hiring the Hessians and Hanoverians from the carcass butchers of Germany." and who had gathered in his elegant the carcass butchers of Germany," and who had gathered in his elegant house in Dublin, in an apartment called his "American room," busts and pictures of Washington and other illustrious Americans, with Arnold's picture reversed and his treason written under it. Into this room Sir Edward introduced Mrs. Montgomery, which gave her much satisfaction. She had sent him Washington's letter, and he and Lady Newenham called upon her at Lord Ranelagh's, twelve miles from Dublin, and pressed her to accept the hospitality of their home, which she promised to do after visiting her gallant husband's relatives, whose descendants still own the grand old castle of Convoy.

The Duke of Leinster and the illustrious Lord Charlemont waited

upon her. General Massey, with whom her husband was well acquainted at the first siege of Quebec, promptly paid his respects to her, and everywhere, particularly in Ireland, she was received with honor and homage. I think it a disgrace to America that the representatives of this grand Irish family, which furnished the first and grandest martyr to American liberty, should not have been invited with other welcome but less worthy guests to the grand centennial celebration of the crowning glory of Yorktown. It was but a poor return for the cordiality of that Irish hospitality that welcomed and worshiped the illustrious

widow of our glorious American general.

MORE IRISH NAMES.

Alfred Moore, of North Carolina, afterward appointed by Washington judge of the Supreme Court.

James Moore, commanded at the battle of Moore's Bridge, North Carolina.

Daniel Morgan, the renowned hero of the Cowpens, born July 4, 1736, at Ballinasceen, in the County Derry, distinguished at the capture of Burgoyne. Trumbull puts him conspicuous in his picture of that event.

Stephen Moylan, one of five brothers, four of them dedicated to George Washington, the other to God and Ireland, as the Catholic bishop of Cork; founder of Moylan's Dragoons; a fine cavalry officer. Morgan and Hand of the rifles, Knox of the artillery, Moylan of the cavalry all Irish.

Timothy Murphy, whose rifle brought down Frazer and saved the day at Stillwater.

Andrew Pickens served at Cowpens and Eutaw, married the celebrated beauty, Rebecca Calhoun, aunt of John C. Calhoun; his son and grand-

son governors of South Carolina.

Andrew Porter fought at Trenton, Princeton, Brandywine, and Germantown; received on the field of Germantown the thanks of Washington. His sons George B., governor of Michigan, David R., governor of Pennsylvania, and James M., Secretary of War in Tyler's Cabinet. His family giving the United States commodores, admirals, statesmen, and soldiers.

David Ramsay, historian, surgeon, and soldier in the war. brother Nathaniel stayed disaster at Monmouth.

George Reed fought at Bunker Hill, Trenton, and Saratoga, and suffered at Valley Forge. His father-in-law, John Woodburn, was Horace Greeley's great-grandfather.

Joseph Reed was a great lawyer, a wise statesman, and a brave soldier. His grandfather came from Ireland to New Hampshire, and then to Trenton, N. J., where Joseph was born. His father, Andrew, was a Philadelphia merchant. Before the Revolution he wrote a series of able letters to Lord Dartmouth, giving the American view of the question. July 4, 1775, one year before the Declaration, he was appointed Washington's secretary at Cambridge, and remained the most confidential friend of Washington through the war. When he was away Washington would beg of him to return, as he knew no other person with whom he could live in unbounded confidence. Washington could find no other who could grasp the great problems with which he had to struggle, and he was in distress for want of him. It was to he had to struggle, and he was in distress for want of him. him that Washington, in the dark days, unbosomed himself to say that he wished he had, in place of accepting the chief command, retired to the back country and lived in a wigwam, if in doing so he could have justified himself to his conscience and to posterity.

Washington always had great faith in the Irish settlers of Western Virginia, and at one time said, if beaten along the whole seaboard he

could retire to the mountains and there maintain the cause of freedom against the world. Washington went to Philadelphia in May, 1776, and induced Congress to appoint Reed adjutant general, and as such he joined Washington in June in New York. It was he that refused to receive Lord Howe's letter to Washington unless it was properly addressed. He helped Washington in conducting the retreat from Long Island. He refused to leave the Commander-in-Chief in his difficulties, even when his wife Esther, whom he adored, wrote to him to come to her in sickness. In the retreat across New Jersey and at Trenton and Princeton Colonel Reed's services were conspicuous and valuable. was he who at Washington's request reconnoitered the enemy before the battle of Princeton with six officers, chosen for their bravery and fidelity, including John Dunlap and James and Samuel Caldwell, natives of Ireland and members of St. Patrick Society. It was a bold and hazardous undertaking, but successfully performed, and the seven horsemen returned with twelve British dragoons, captured almost in sight of men returned with twelve British dragoons, captured almost in signt of the British army. He was elected by Congress as brigadier-general, which he refused, but served, acting without rank or pay. He was chosen the first chief-justice of the State of Pennsylvania. This he declined and staid in the Army. He was again elected to Congress, and visited Valley Forge and made important reports to Congress. It was to him that the British commissioners offered \$50,000 and any office in the colonies in the gift of His Majesty if he would desert the then almost headers are the British company of the British conditions and that the British conditions are the statement of the British conditions and the british conditions are the statement of the British conditions and the british conditions are the statement of the statement most hopeless cause of the Revolution, and that everything should be granted to the colonists except independence, and it was this grand Irish-American patriot that returned the noble answer:

I am not worth purchasing; but such as I am the King of Great Britain is not rich enough to do it.

That answer was given on a Sunday evening, at Philadelphia. The next morning Reed joined his friend Colonel Moylan, the Catholic Irishman from Cork, and with his dragoons crossed to Jersey and reconnoitered the rear of the splendid British army. News had come from Catholic France that her army and navy would be allied to ours. The gloom was lifted from Valley Forge. Washington's army again crossed the Delayance and in one week of the Peach had informed the Points. the Delaware, and in one week after Reed had informed the British commissioners that all the gold in England could not bribe one Irish American patriot to betray the cause of freedom he was in the thickest American patriot to betray the cause of freedom he was in the thickest of the fight at Monmouth, where Washington, on the 28th of June, 1778, informed His Majesty's general, through the roar of Irish Knox's artillery, the crack of Irish Morgan's rifles, the sweeping charge of Irish Moylan's dragoons, and the flashing foam of Irish Wayne's bayonets, that all the forces of the British Government could not crush the

onets, that all the forces of the British Government could not crush the cause of Irish American liberty.

The three tempting offers that England made to Barry, Morgan, and Reed, all Irish, were all rejected. The fourth she made to Benedict Arnold, and it was accepted. In December, 1779, Reed was, by unanimous vote of both branches of the State government, elected president of the State of Pennsylvania, and was thrice re-elected, and it was in his presidency that Pennsylvania, the first of all the States, abolished slavery by a bill the inimitable language of which was from his pen. His epitaph, written by Washington's Attorney-General, truly characterizes this great Irishman's life as "active, useful, and glorious."

MORE HEROES.

Griffith Rutherford, a brave Revolutionary general, was born in Ireland and settled in North Carolina. He commanded a brigade at the battle of Camden. He emigrated to Tennessee and was president of its Legislative Council. North Carolina and Tennessee each named a county after him.

Thomas Robinson, a native of Ireland and resident of Delaware, a brother-in-law of Anthony Wayne, served in the Revolution as a brigadier-general. He was, I believe, the first American officer that appeared in his American uniform at Drury Lane Theater. He was received with cheers. A few moments afterward an officer in British uniform appeared in an adjoining box, and was received with hisses. It was Benedict Arnold.

John Smilie, born at Newtonards, in Ireland, served in the Revolution, was a member of Congress for twenty years. He was chairman of the Committee on Foreign Affairs that reduced the time for naturalization from fourteen to five years, and who recommended the declaration of the second war with England.

The Smith family in the Revolutionary Army were generally Irishamong them the presidents of Hampden Sidney, Princeton, and Union colleges-Samuel Smith, captain in the Revolutionary war and major, general in the second, Madame Patterson Bonaparte's uncle, and Representative and Senator in Congress, and mayor of Baltimore at the age of eighty-four.

Richard D. Spaight, born in Ireland, fought at Camden-member of Congress, and governor or North Carolina.

STARK AND SULLIVAN.

John Stark, born in New Hampshire, his father being one of the first colony that settled at Derry, in that State. In looks, gesture, wit, and brogue John Stark was as Irish as if he had been brought up in Tyrone or Cork. I have often listened to Daniel Webster imitating John Stark's Irish brogue. When Jared Sparks, in 1834, commenced the publication of his American biography, he very properly selected this Irish-American hero and patriot as the first subject, and the biography is by Edward Everett. His parents were married in Ireland. He had seen long and severe service before the Revolution; but he entered the seen long and severe service before the Revolution; but he entered the contest with the experience of age and the vehemence of youth. He fought at Bunker Hill. At Trenton he led the van of the right wing, under General Sullivan. He fought at Princeton; but it was at Bennington, August 16,1777, that he erowned himself with immortal glory. That victory revived the drooping spirit of the country and led to greater victories. He was one of the oldest generals that entered the Revolutionary army, and was the last survivor but one (Sumter), and in 1822, at the age of 94, he died.

Walter Stewart was known as the "boy colonel" and the handsomest officer in the Revolutionary Army. He was born at Derry, in

somest officer in the Revolutionary Army. He was born at Derry, in Ireland. He so thoroughly enjoyed the friendship of Washington that

jealous rivals thought his promotion was due to partiality. He was colonel at twenty-one and afterward brigadier-general.

John Sullivan was one of the master minds and great generals of the war. He had two brothers, Ebenezer and Daniel. When the war commenced Daniel had two saw-mills in Maine, in what is now known as the town of Sullivan. To prevent the enemy from getting these mills he set fire to them and went into the war for American in-

dependence.
These O'Sullivans trace their heroic deeds back to days before the These O'Sullivans trace their heroic deeds back to days before the commencement of the Christian era. To their antique glory the English nobility are but mushrooms or toadstools. In the seventh century they were kings in Ireland. Philip O'Sullivan, of Ardra, was an officer in the Irish army at the seige of Limerick, and went with Sarsfield to France. His son John, born in the county of Limerick, 1692, came to America in 1723. On the way over he became acquainted with a young lady from the County Cork. They got married and settled in Maine, and called the place where they settled Limerick, where they died, he at the age of 106, she five years after him. They became the parents of four illustrious American patriots, Ebenezer and Daniel, already mentioned, and James, the eminent attorney-general and afterward the governor of the State of Massachusetts. John was their third son. He was a delegate to the first Continental Congress, and, only that his sword was wanted in the field, would have been a signer of the Declaration of Independence. He and John Langdon in 1774 only that his sword was wanted in the field, would have been a signer of the Declaration of Independence. He and John Langdon in 1774 seized the military stores at Fort William and Mary, afterward Fort Sullivan, at the entrance to the harbor at Portsmouth, N. H. This was the first military exploit in the Revolution, and, had it not been for the powder thus secured, Bunker Hill, which, for want of it, was a partial defeat, would have been an impossibility or a disaster. The first engagements in the Revolution atsea and on land were commanded first engagements in the Revolution at sea and on land were commanded by O'Brien and O'Sullivan. He was afterward, in 1775, sent back to Congress with his compatriot, John Langdon, who gave his plate and Tobago rum to enable John Stark, another Irishman, to conquer at Bennington, but he soon dropped the quill pen at Philadelphia for the steel pen of Bunker Hill and Trenton. After the fall of our Irish Montgomery and the death of his successor, Thomas, the command devolved on General Thompson, also Irish, and on the 4th of June, 1776, General Sullivan took command, the third Irishman who had chief command of the northern division of the Continental Army.

In Angust, 1776, he fought at the battle of Long Island. He was temporarily in command; but General Putnam coming with re-enforcements ranked him and took command. He was taken prisoner and afterward exchanged. In the retreat across New Jersey General Sulli-

afterward exchanged. In the retreat across New Jersey General Sullivan succeeded Lee and effected a junction with Washington. At the battle of Trenton Washington himself took command of one of the two columns and put Sullivan at the head of the other. Victory followed and Princeton succeeded, and Sullivan was there, again conspicuous and

ington put him in command of his own and Wayne's divisions, and those two Irish generals had the advantage of the British troops till the other wing failed. They received the thanks of Washington. other wing failed. They received the thanks of Washington. He was chief in command in Rhode Island and in the expedition against the Indians, over whom he gained a signal victory in 1779. He was afterward sent to Congress again, was attorney-general and president (thrice elected) of New Hampshire, and subsequently appointed United States judge by his old friend Washington, which he remained till his death in 1795. Much of the best blood of New England, in law, literature, and medicine, came from this Limerick family.

William Thompson, born in Ireland, commanding eight companies of Pennsylvania riflemen, joined Washington in August, 1775; was commander of the Northern Army, and served till his death in 1781.

William Thomson, born in Pennsylvania of Irish parents, probably

brother of Charles Thomson, the great secretary of Congress, served gal-lantly at the South, defeated the British at Sullivan's Island, for which he received the thanks of Governor Rutledge, the Irish governor of South Carolina.

John White, a Georgia colonel, son of an Irishman, with two officers and three men, captured a captain and one hundred and seven British

regulars; severely wounded when Pulaski fell.

These are but a few of the hundreds of gallant Irish Revolutionary soldiers whose bravery and blood purchased American Independence. I mention in conclusion one more.

ANTHONY WAYNE.

It might have been better had I taken this brave soldier as the only theme and as a fair specimen of Irish-American soldiers in the Revolutheme and as a fair specimen of Irish-American soldiers in the Revolution. As it is, I must only very briefly refer to him. His grandfather lived in Ireland, where his son Isaac, the father of Anthony, was born. In 1722 the family settled in Pennsylvania, where, on the first day of the year 1741, Isaac's only son, Anthony, was born. His Uncle Gilbert was his teacher, and his nephew distracted the brains of two-thirds of the school by his boyish military exploits. At 26 he married into the Penrose family, of Philadelphia. When resistance to England began he mustered a volunteer corps, and in January, 1776, Congress made him a colonel of one of the regiments sent under Major-General Thomas to re-enforce the Northern army.

The was at the affair of Three Rivers, where his Irish fellow-officers, Thompson and Irvine, were taken prisoners. He saved the brigade from capture. In February, 1777, Congress made him a brigadier-general, and on the advance of the British general on Philadelphia and eral, and on the advance of the British general on Finiadeaphia and his subsequent retreat, Washington sent four corps in pursuit, and, what is remarkable, their four commanders were all Irish—Sullivan, Maxwell, Morgan, and Wayne, two native-born and two the sons of Irishmen. These Irish generals drove the British from New Jersey, and were warmly eulogized in Washington's report to Congress. At Brandywine and Germantown he was conspicuous. Of the two columns moving to the latter battle the right was commanded by two Irish generals, Sullivan and Wayne. Wayne drove the enemy two miles and carried his part of the field. His horse was shot under him, and he

was wounded.

If others had done as well Germantown would have been our Yorktown. When the reverse came he covered the retreat and saved the army. At Valley Forge he again saved it; this time from starvation by successful foraging. When the British evacuated Philadelphia, Washington sent out his Irish general, Maxwell, to break down the bridges and obstruct the roads. He dispatched another of his Irish generals, Daniel Morgan, with six hundred troops, to assail the enemy's right flank, and he selected Wayne to command the thousand select soldiers to attack the rear of the enemy's army, and when the British turned upon Lee and La Fayette the field was saved by two Irish heroes, Wayne and Ramsay, till Washington had time to reorganize his shattered and re-Ramsay, till Washington had time to reorganize his shattered and retreating troops, and then, after pouring the storm of his rage upon Lee, he turned the storm of his Irish generals on the enemy. Morgan's rifles, Knox's artillery, and Wayne's bayonets, all Irish, under the incomparable Washington, a naturalized Irishman, routed the English forces, and the glory of Monmouth flung back its effulgence on the gloom of Valley Forge. Washington in his official report says: "The catalogue of those who distinguished themselves is too long to admit of particularizing individuals." I can not however, forbear to mention of particularizing individuals. I can not, however, forbear to mention Brigadier-General Wayne." In writing of the battle Wayne himself says that the Pennsylvania (Irish) troops showed the road to victory. His great achievement, however, was at the storming of Stony Point. Washington thought it of the greatest importance that this stronghold

of the Hudson should be captured, and of course chose this Irish-American general for the service. It was washed by the Hudson on two sides and covered by a marsh on the third side, which the tide overvan succeeded Lee and effected a junction with Washington. At the battle of Trenton Washington himself took command of one of the two columns and put Sullivan at the head of the other. Victory followed and Princeton succeeded, and Sullivan was there, again conspicuous and brave. In May, 1777, Washington organized his army into five divisions and gave Sullivan the command of one. At Brandywine and Germantown he displayed courage and bravery. At the latter Wash-

writer is no more." It was twenty minutes past midnight when, through the morass now overflowed by the tide, over the double row of abatis and the supposed impregnable works on the summit under a of abatis and the supposed impregnable works on the summit under a hot fire of musketry and a shower of shells and grape, the daring assailants rushed upon the enemy, not a ball in their muskets, but with Wayne's favorite weapon, the bayonet. A musket-ball struck Wayne on his head and he fell; but rising on one knee he exclaimed: "March on! Carry me into the fort; I will die at the head of the column." This was the most brilliant affair of the war. General Lee declared it

the most brilliant exploit in military history.

After some other noted services, at Fort Lee and elsewhere, he again shone forth at Yorktown. He had hung upon Cornwallis's rear as he retreated to Yorktown, and at one time attacked the main army of the enemy with a mere handful of men, striking such terror into the heart of the British commander that he was afraid to attempt to capture his of the British commander that he was afraid to attempt to capture his pursuers, which he could easily have done. At the investment of Yorktown, Wayne, with Clinton, another Irish general, opened the first parallel on the 6th of October, 1781. On the 11th the second parallel was commenced, and Wayne commanded. On the 14th, after dark, the attack on the two redoubts was made by La Fayette, and his chief support were two battalions of Pennsylvania (Irish) troops under Wayne, and on the 19th Yorktown surrendered, but it was Wayne all over,

and on the 19th Torktown sale.

always ready, resolute, and rapid.

After Yorktown he was ordered South to support Greene. He resolved to the support of Georgia from the enemy. His last service was to any to conquer cued the State of Georgia from the enemy. His last service was to take possession of Charleston at the close of the war, and to conquer the Indians who had baffled Harman and defeated St. Clair. He died in 1796. Such are but a few of the labors and hardships these brave

Irishmen endured to make a free home and a refuge for mankind.

All these, and hundreds of others, illustrious heroes in the Revolutionary war were Irishmen or sons of Irishmen—most of them born in Ireland.

OTHER ILLUSTRIOUS IRISHMEN.

I have not time to mention, as I intended, what services were rendered by Irishmen in other walks of life, in Congress, in the pulpit, at the bar, on the bench, in the Navy, as surgeons, as merchants with their money, and in all ways that secured our success.

The great captain, the first commodore of our Navy, John Barry, and Captain Porter, the present Admiral's grandfather, were conspicuous in that grand navy that has given us the records of Barry, Porter, Rodgers, Decatur, Stewart (Parnell's grandfather). Perry, Macdonough, Bleakly, and our present Admiral and Vice-Admiral Porter and Rowan, all Irish. The great men who advocated and declared our Independence, Thornton, Livingston, Smith, Taylor, Ross, Read, McKean, Lynch, Carroll, Rutledge, all signers, and above them all Charles Thom-son, the secretary of Congress, born at Magherd, in the County of Derry, and all Irish.

Derry, and all Irish.

The great Revolutionary governors of the States, Rutledge, of South Carolina; Burke, of North Carolina; Clinton, of New York; Read, of Delaware; Weare, of New Hampshire; Reed, of Pennsylvania; Livingston of New Jersey, and others, all Irish. Rutledge, Clinton, and Livingston, all governors in the heat of the Revolution, and all rendering great, transcendent services to our cause of freedom. Cochran and Ramsay, conspicuous among our surgeons, both Irish. But above all in the pulpit! Who can estimate the power of that pulpit, which gave hundreds of elegent divines, particularly the Presbyterian Irish? I can dreds of eloquent divines, particularly the Presbyterian Irish? I can mention only half a dozen. Rodgers, of New York; McWhorter, of New wark; Caldwell, of Elizabethtown; Duffield, of Philadelphia; Patrick Alison, of Baltimore; Waddell, of Virginia, the celebrated blind preacher, and, grandly in the front of all, the illustrious Catholic archbishop of Baltimore, John Carroll. Thus, in the Army and Navy, in the pulpit and from Congress, America holds up the endless roll of her Irish heroes, and exclaims, "These are my jewels."

And he who can hear the name of Ireland mentioned with dishonor or refuses to join in the chorus of her praise is not a true American. Without Knox, Morgan, Montgomery, Reed, Stark, Sullivan, and Wayne we should have had no independence, and without Ireland we should not have had them.

Much pride I take in my course and in what I secured for American citizenship, yet no member of Congress ever attended more diligently to other public questions and matters of local interest to my constituents. I first introduced into Congress the bill for the public building in Brooklyn, and after fourteen years' absence came back to help it through. It was on my motion that the Brooklyn Bridge bill was carried through Congress in the last hours of the Fortieth Congress, and only for my prompt diligence that bill would have been delayed for two years

In the Gowanus Bay improvement and in all improvements of New York Harbor, from Sandy Hook to Hell Gate, I was quite as prominent as any member from New York or Brooklyn. In the postal reform movement my speeches will not compare unfavorably with others. On American shipping, rivers and harbors, diplomatic matters, French spoliation claims, on needy and worthy claimants for pensions, on the letter-carriers, and other public and private matters I fear not to ap-

peal to my record, and I take especial pride in my speeches and services for the worthy granddaughter of the author of the Declaration of Independence.

Perhaps my speech on diplomacy and decorations, delivered on the 14th of May, 1884, was the thing for which I got the most abuse. The columns of the anglified press fairly boiled over with vituperation. It seemed as if I had broken all the commandments at once and perpetrated other outrages too horrible to mention. I confess I was staggered and I sought advice. As soon as my speech was published I sent a copy of it, marked "personal," to my old friend Charles A. Dana, editor of the New York Daily Sun. It was a formidable octavo pamphlet of forty-eight pages, and I hesitated to ask him to read it through, but I begged of him to look it over at his leisure and tell me the worst; to pick out the worst paragraph he could find and publish it, with his opinion whether it was so horrible as had been represented in the press. In the Sun of July 14, 1884, the following editorial appeared, written by Mr. Dana himself:

INJUSTICE TO MR. ROBINSON.

The somewhat celebrated oration of Hon. WILLIAM E. ROBINSON, of Brooklyn, on diplomacy and decorations was delivered in the House of Representatives two months ago to-day, but it has only recently come to hand in the Congressional Record.

We have read this speech with considerable interest, for Mr. ROBINSON has been roundly abused for his utterances on that occasion, and we desired to see whether he had, in fact, lost all the good sense and bright wit which formerly distinguished many of his intellectual efforts.

We do not think that he has been so unfortunate. There is enough truth and there is enough lively enunciation of sound American doctrine in his remarks on sham diplomacy to make half a dozen good speeches. Whenever he is led into bitterness of sentiment or betrayed into hyperbolic phraseology, it is only because his hatred of humbug is genuine and hearty. The principles which he maintains are in the main correct; his language certainly does not lack vigor. Two years ago Judge Black wrote to Mr. Robinson: "I can not but admire the man who has done as much as you have to make up and sustain the great issue between free government and despoticrule on both sides of the Atlantic." We can not see that Judge Black would have occasion, if he were still alive, to change his opinion of Mr. Robinson's course in Congress.

ANNEXATION OF IRELAND.

Another thing for which I got roundly abused, as if I had lost all Another thing for which I got roundly abused, as If I had lost all common sense, was my joint resolution (House resolution 362, Forty-seventh Congress, second session) offered on the 26th of February, 1883, read twice, and ordered printed, and referred to the Committee on Foreign Affairs. It was offered at a time when "society" here was singing the praises of England and abusing Ireland. I introduced it more for the preamble than for the resolution, because that preamble contained more solid and undeniable truth than is generally in order in either House. I reproduce it here:

Joint resolution for the relief of England, the benefit of Ireland, and the glory of the United States.

Joint resolution for the relief of England, the benefit of Ireland, and the glory of the United States.

Whereas there does not exist on the face of the earth to-day such a blot upon civilization as the English Government in Ireland: The people evicted from their ancestral homes and dying on the highways from famine; habeas corpus suspended; trial by jury abolished, and a whole people's lives and liberties left at the mercy of corrupt judges and perjured informers; strangers arrested without cause, and kept in prison without remedy; the people's chosen representatives in prison; newspapers suppressed and editors criminally punished for publishing the truth; foreign bayonets keeping in prison patriotic gentlemen, chosen by the people while so confined as mayors of their cities and representatives of intelligent constituencies in Parliament; red-handed murderers acknowledging their diabolical crimes, to the perpetration of which they were probably instigated by the minions of government, allowed to escape the punishment which they deserve on condition that they swear away the lives of less guilty men, whom they cajoled into their schemes of assassination, and throw emningly concocted suspicions on wholly innocent men; curfew law enacted in one of the most refined capitals of Europe (Dublin), and hundreds of innocent and honorable men arrested on suspicion in attempting to make calls of business or pleasure in seasonable hours; hired detectives, equaling the adult male population of the city, dogging the footsteps of its people; the houses of the alien despots and of their bribed judges, spies, and informers guarded by foreign bayonets to shield them from the wrath of a people reduced to famine and driven to despair and madness by cruelties unparalleled in history, and a subsidized press and perverted machinery of public opinion employed to misrepresent to the world and to libel an oppressed people manfully contending against overpowering adversities for human rights; and

Whereas the people of Ireland are panning

long tied the oppressed and oppressor together for mutual injury and destruction; and
Whereas it is the duty of civilized nations to protest against organized barbarism, and to terminate, if possible, a system of such shocking cruelty as the English Government in Ireland; and
Whereas Ireland was looked upon and appealed to by the patriots of the Revolution as one with them in the revolt against the English Government; that she furnished more troops to the Revolutionary army and more of its generals and other officers and left more of its gallant blood upon our battle-fields than any State in the Union; that peace should not have been agreed upon without including Ireland within the territory of the new Republic, and she should not have been left to be punished by England in revenge for the aid she rendered us, and to struggle aione for the doctrines of the Declaration of Independence till quenched in the blood of Emmet and Fitzgerald; and

Whereas Ireland is nearer to us and more necessary to our national safety than much of our acquired territory; that we need her for the eastern landings of our ocean ferries and cable anchorages; that her people and ours are sympathetic and congenial; that a vast majority of our people are of Irish extraction, and searcely a family in Ireland that has not already one or more of its members honored in American citizenship; that while Ireland is a burden to England and a blot upon her name, in our Union she would rival New York, and be second to no State in the Union in wealth, intelligence, and culture; and Whereas our country's greatest achievements have been the conquest, purchase, and annexation of the Territories of Louisians, Florida, Texas, and Mexico, all of which would be rivaled if not eclipsed by the restoration of the lost pleiad to the sisterhood of her love: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby requested to open communications with the Government of Great Britain to obtain its consent to the restoration of Ireland to the United States, by purchase or otherwise, as in the case of Louisiana, Alaska, and other portions of our territory.

AN EXPLODED BOMB.

That bomb exploded here right in "society," and such consternation was never seen in the British camp since Mad Anthony Wayne took Stony Point.

Now, those who read these preambles and this resolution can judge whether there is anything in them except their truth so terribly alarming. I know they were not popular in circles where the aristocracy were attending "a german" at the British embassy and the fascinating beauties of its attachés were "distributing the favors." But there

was a heap of American truth and republican common sense in them. And here lies my great difficulty. The snobs who so largely control the press here do not think that anything American is really refined, and very few of them knew that Ireland had been looked upon by Franklin and other founders of our Republic as one of the revolted

LETTER FROM MR. BANCROFT.

A short time after offering my first resolution I called with my daughter upon Mr. and Mrs. Bancroft to take leave, at the close of the session, when he remarked that he had read my joint resolution and that I had got hold of the old American idea of Ben Franklin.

On my return to Brooklyn, I wrote to Mr. Bancroft on the subject and received in reply the following letter from the illustrious historian, which he dated on Saint Patrick's Day:

My Dear Sir: I have your letter of March 8. You will find in my history, volume 5, page 24 of the so-called centenary edition, and in volume 8, page 53 of my octave edition, a summary account of the plan inviting Ireland to accede to the union, and to save you trouble I inclose to you the pages to which I refer you. As you may like also to have the exact documentary authority, I add a copy of the first article, and the thirteenth of Franklin's plan of confederation and perpetual union. The whole plan of the confederation proposed on the 21st of July, 1775, you will find in Force's American Archives, volume 2 of the fourth series, pages 1887, 1888, and 1899.

It has given me much pleasure to reply to your inquiries.

Yours, truly,

Hon. WILLIAM E. ROBINSON.

IRELAND AN AMERICAN COLONY.

The following is the thirteenth article of Franklin's plan of confederation referred to by Mr. Bancroft:

ABTICLE XIII. Any and every colony from Great Britain upon the continent of North America not at present engaged in our association may, upon application, and joining the said association, be received into the confederation, namely: Ireland, the West India Islands, Quebec, Saint John's, Nova Scotia, Bermudas, East and West Floridas, and shall thereupon be entitled to all the advantages of our union, mutual assistance, and commerce.

I doubt whether any of the snobs who scribble lies about me from this metropolis know very much about our Revolutionary history, further than that their fathers had to leave the country. Let me suggest to them that if they will study my speeches they will acquire more American knowledge than they are ever likely to learn while drinking the Queen's health at the British minister's in champagne imported free of duty and in detriment to our tariff receipts.

SHOULD BE RESTORED.

When I offered this joint resolution I knew as well as I know now that the ignorant would ridicule the proposition; nor did I then nor do that the ignorant would ridicule the proposition; nor did I then nor do I now expect that so much common sense would be appreciated. Yet certain facts remain. Ireland never will submit herself to English rule. There is enemity between them which can never be eradicated. She has been, is now, and will be a burden to England. In every throb of her existence she is republican. She would bloom into a grand existence under our genial sway. The overarching heavens would ring with the music of Ireland's enrollment among the free States of the Union; and the desolations of Connegnara would rejoice under the music of a thouthe desolations of Connemara would rejoice under the music of a thousand looms as Lough Corrib dances to the sea. Ireland wants us for the blessings we would confer and we want her for the eastern terminus of our steam-ferries and the anchorage of our cables. We can never be entirely independent till both ends of the Atlantic cable throb upon American soil. What is Florida, or Alaska, or any other acquisition of territory compared with what Ireland would be to our Union?

Outside of the hostile garrison, including the pay and pension roll and the absentee landlords that keep Ireland in bondage, there is not one honest Irishman that does not loathe English rule and who does not love the United States.

Henry Clay upon one occasion said that Kentucky was the Ireland of America, and that it seemed as if some convulsion of nature had separated Ireland from this country, where she naturally belongs. John Bright once expressed the hope that Ireland might be taken in tow and conveyed nearer to America. Horatio Seymour told Lord Houghton upon one occasion that at the end of the Revolutionary war we ought to have kept Great Britain, including Ireland, for a coaling station. Henry George, at the Saint Patrick's Day dinner in Brooklyn, in 1883, said:

I want to second the motion of Mr. Robinson for the annexation of Ireland. AN OFFER TO MY CRITICS.

After every speech I made there were violent howlings from the pack that have been in full cry upon my footsteps. I have made many speeches on many subjects, of which about a dozen have been republished in pamphlet form, and I challenge my most virulent assailant ished in pamphlet form, and I challenge my most virulent assailant to select from any of them a passage unworthy of myself or of the grand constituency I represent. If my challenge is accepted I shall furnish copies of all my speeches, and shall submit them to an impartial tribunal not of my own party and not of Irish sympathy. I should name any three prominent citizens—say Mayor Seth Low, General Horatio C. King, and Dr. Storrs, or Dr. Talmage, and if they will select any passage from any of my speeches which they will say is worthy of censure I shall acknowledge the truth of all the charges made against

LETTER FROM REV. DR. TALMAGE.

Upon all my speeches and acts here I hold numerous testimonials from literary men, journalists, venerable bishops and clergymen of all

First of all I take this letter, which I have just received from Rev. Dr. T. De Witt Talmage, whose church is in my district:

BROOKLYN, February 23, 1885.

BROOKLYN, February 23, 1885.

Dear Friend: I can not let your Congressional term of office close until I have thanked you for the able manner in which you have represented our city in the councils of the nation. From the time that, in my boyhood, I heard you make the most stirring and electrifying political address I have ever heard until the present time, I have watched your course with ever-increasing interest.

There have been passages in your speeches which are unsurpassed in the annals of American eloquence. With pen as well as voice you have done a service which ought to be an everlasting satisfaction. I have noticed that some of the finest and most graceful things you have said have been derided by those who had no capacity to appreciate them. But that is the lot of mortals.

Well done, good and faithful servant of God and country!

With congratulation and cordial greeting, yours, &c.,

T. DE WITT TALMAGE.

Hon. W. E. ROBINSON.

Where are my slanderers who say that I have not represented the intellectual portion of the Brooklyn people? That letter came so unexpectedly. I had not seen nor written to its distinguished author for months. I take pride in preserving it for the gratification of my chil-

OTHER FRIENDLY TESTIMONIALS.

One of the most venerable and venerated Episcopal bishops in the United States, and not of Irish blood, who had read my speech on our imprisoned American citizens, for which I was so roundly abused, writing to his friend in Washington, says:

Oftentimes have I reverted to those very pleasant days spent with you; and of the many kind attentions of the Hon. Mr. Robenson. Please tell that kind friend that I not only received but read his speech with much pleasure. He does not seem to be much afraid of the British lion or to admire the English minister. I wish that there were in our legislative halls many more such honest and outspoken men.

Another clergyman, and one of the most accomplished doctors of divinity in Brooklyn, after reading the same much-abused speech, says: I sincerely congratulate you on an effort which might well crown a lifetime of study. It has made you hosts of admirers throughout the length and breadth of the land and has made your constituents proud of you.

A gentleman connected with the Government here, not prejudiced by party or race in my favor, whose residence is in Brooklyn, writes:

As a constituent who has with silent interest followed your course in the House of Representatives, and heartily indorsed all public measures originated and supported by you, I deem this the proper time to express to you my sincere regret that your retirement will remove from Congress one of the nation's best counselors. The country can ill spare any of her broad, honest, fearless, and faithful servants, especially at a time which is pregnant with important issues.

I have before me hundreds of letters, which those so desiring can see, like these, from all professions and all denominations, which I shall not further refer to and should not have quoted only to counteract the idea so sedulously circulated in a prejudiced press that my conduct in Congress has not been laudable.

FANNY PARNELL.

A single sentence, however, from one of the many letters I have from the late Miss Fanny Parnell I must give:

I have read with the greatest interest your speech, in which you surpass yourself. I always read every line of all your speeches, for where should we be
without the consistent and eloquent advocacy you have always given our cause?
It does you, I think, the highest honor that the newspapers to which you allude
should be hostile to you. We can tell what a man is just as well by the nature
of his enemies as by the nature of his friends. Hoping you will continue with
steady success your career as Ireland's advocate in America,
I remain, yours, very truly,

FANNY PARNELL.

FANNY PARNELL

Ireland never had a better friend than this gifted girl so lamentably taken away in early womanhood, the granddaughter of old Ironsides, Charles Stewart, and the sister of the illustrious Charles Stewart Par-

OTHER LETTERS.

There are many letters in my possession, running back for nearly fifty years, from distinguished men, bearing testimony to the importance of my labors in the cause of truth and true republicanism, from which I my labors in the cause of truth and true republicanism, from which is might quote largely similar complimentary tributes to myself. Among them are numerous letters from Henry Clay, Daniel Webster, Archbishop Hughes, Thurlow Weed, Ogden Hoffman, Horace Greeley, George Washington Parke Custis, Washington Hunt, William H. Seward, James T. Brady, Judge George W. Woodward, Jeremiah S. Black, General James Shields, General Thomas Francis Meagher, and other illustricated in the complex control of the control of the control of the complex control of the control ous men, on subjects of public interest, in which my name is kindly and favorably mentioned. But I have neither time nor room now. At some future time, if life and health permit, I may publish them in a volume, which, aside from all personal matter, will be interesting to the public.

And now to conclude.

LOOKING BACK.

It is now within one year of half a century since, after a long voyage I arrived in this my adopted, country. I was alone in a strange land, without friends or means of support. What money my venerated father could spare me on leaving home had been spent on the way, and on landing I changed my last sovereign for American coin, and soon after, on declaring my intention to become an American citizen, foreswore on declaring my intention to become an American citizen, foreswore all allegiance to all kings, princes, and potentates whatsoever, and have ever since religiously kept my oath. The education I had received in Ireland enabled me, after brief reviewing and within a year, to enter Yale College. How I got through that venerable university is now to me a marvel and a mystery. My early inclinations to journalism enabled me to earn something in contributing to the editorial columns of the New Haven Daily Herald, while the venerable Thomas G. Woodward, its editor, took post-prandial naps in the editorial chair.

But even with this and other efforts I ran deeply in debt, some of which I paid off with interest when that increment exceeded the principal. My buoyant Irish temperament, and my tendency to oversleen.

cipal. My buoyant Irish temperament, and my tendency to oversleep the hour of morning prayer, threatened me frequently with college discipline. Some of my fellow-students who afterward became judges and ministers were so full of mischief that they could not keep it to themselves, the knowledge of which involved me in punishment which I did not deserve, except in refusing to betray. The sainted president of that institution, Jeremiah Day, and the illustrious Professor Silliman the elder, father of Professor Silliman recently deceased, often kindly excused my eccentricities, while others of the faculty were inexprable, and in due time I received my diplomas in regular form, and orable, and in due time I received my diplomas in regular form, and have ever since met a cordial welcome at alumni meetings and commencements. As years accumulate and age creeps upon me I feel every year an increasing desire to rest for a while my weary frame in the cool shade of the majestic elms that weave their groined arches over the college campus. My venerable teachers have almost all departied, and my younger companions are sinking on the downward slope of life, crowned with liberal honors in the public service of the Republic.

Of those whose acquaintance I made in New Haven I recall the venerable forms of Trumbull, the painter, Webster, the lexicographer, and Percival, the poet. Among my fellow-students were Chief-Justice Waite and Senator Evarts.

While in college I founded the Yale Banner and the Beta of Psi Upsion, and on leaving was chosen valedictorian of my class before the literary society of "Brothers in Unity," of which I was also for a term president. There, too, I made the acquaintance of Horace Greeley, which ripened into friendship unbroken till his death. Soon after leaving college I became his assistant editor and Washington correspondent in the first half of the present century, and made myself a name of some importance. I was admitted to the friendship and enjoyed the hospitality of Henry Clay and Daniel Webster, of John C. Calhoun and John Quincy Adams and their illustrious contemporaries. That friendship I never lost and never forfeited which on my part has triumphed over death.

FORTY-TWO YEARS.

Forty-two years ago I took my seat in this House as a journalist, and am now the oldest Congressional character in Washington. When I took my seat the father of this House [Mr. Kelley, of Pennsylvania] had been but just admitted to the bar, and for seventeen years afterward was not thought of for Congress till his controversy with the then youthful George Northrop.

THE TWENTY-EIGHTH CONGRESS.

It was the Twenty-eighth Congress in which I first took my seat. Among the Senators in that Congress were Richard H. Bayard (uncle of the present Senator), John J. Crittenden, Rufus Choate, Thomas H. Benton, Levi Woodbury, and James Buchanan; Calhoun, Webster, and Clay were not Senators in that Congress.

From my seat in this House in the old Hall, on the right of the Speaker, I daily looked down upon the venerable John Quincy Adams

(the chair in which he sat is now in my possession in Brooklyn), and around him on the western side of the main entrance was Joshua R. around him on the western side of the main entrance was Joshua R. Giddings, Dixon H. Lewis, Stephen A. Douglas, Robert C. Winthrop, Hamilton Fish, John P. Kennedy (Horseshoe Robinson), George P. Marsh, Alexander Ramsey, Thomas L. Clingman, and Alexander H. Stephens. On the eastern side were Robert Dale Owen, John P. Hale, Howell Cobb, John Slidell, Hannibal Hamlin, and Andrew Johnson. Wisconsin, Iowa, and Florida were Territories, the last named represented by David L. Yulee, now of Washington. With all these Senators and Representatives I was personally acquainted. All but six have crossed the dark river whose waters murmur through the vale before me.

From these and other great Gamaliels, at whose feet I sat for many years, I learned my Americanism, and I know that it is genuine—Webster, Clay, and Calhoun; John Quincy Adams, Seward, and Greeley; Cass, Crittenden, and Clayton; Silas Wright, Marcy, and Dickinson; Douglas, Lincoln, and Benton. These for thirty years were my friends and advisers. Oh! si sic omnes! Would that all around me in this House and in yonder Senate inherited the principles of those to whose seats they have succeeded! Give me back the fading glory of former

SHALL I RETURN?

Sir, is it any wonder that I should feel sad in addressing the House to-day, perhaps for the last time? I presume I can come back again, for I feel that a vast majority of the voters in my district regret that I am not again returned as their Representative. I was not defeated by the people. Had I been renominated I should have received the largest majority ever given to any Representative from Brooklyn. Indeed I was strongly urged to run without a nomination from either party, with assurances that I would be elected over both candidates. Had I done so many votes would have been lost to the party to which I belonged, and they were not chargeable with my defeat, and so I refrained. Still I may never return again. At my age the future is uncertain. I submit quietly to my fate, whatever it may be. I confess that I desired to come back again and my constituents so desired.

For useful work here I am now more competent than I ever was before, and if death claims me within the next two years I should have preferred to die in harness here. I return to my quiet home and my loving children and my still faithful constituency. I have fought the good fight; I have finished my course; I have kept the faith.

TRUE TO AMERICAN IDEAS.

I have tried to be true to American interests and to oppose all encroachments of foreign feeling and foreign fashions. Twice on the Holy Evangelists I forswore all foreign allegiance and vowed fidelity to the Stars and Stripes. Why did you make me swear against all foreign despots if you did not expect me to keep my oath? Before I touched your shores I was a republican, and soon, very soon, after landing I declared my intention of citizenship. I had heard of Washington and Jefferson and free America in songs and stories over my cradle.

I was born in that glorious era when the red flag of England went down beneath the starry banner in many a battle by sea and land, under American generals and commodores whose relatives were my father's neighbors. I had read of the majestic scenery of this great country, and I had grown up to love every famous name that lighted the page of American history; and when on that September afternoon in 1836 I floated into the harbor of New York and saw the American flag floating from mast and fortress I felt inspired. The fingers of early frost were denyling the foliage on either side in growns class. The frost were dappling the foliage on either side in gorgeous colors. The wavelets broke into music on either shore, while far away the masts and spires of New York pierced the clouds, and up the majestic Hudson imagination quickly traveled to cataract and prairie; and under that inspiration I tried to express the feelings which filled my heart then, warm it now, and will throb in its emotions till death stills its pulsa-

Hail, brightest banner that floats on the gale! Flag of the country of Washington, hail! - Red are thy stripes as the blood of the brave, Bright are thy stars as the sun on the wave! Wrapt in thy folds are the hopes of the free—Banner of Washington! blessings on thee!

Mountain-tops mingle the sky with their snow; Prairies lie smiling in sunshine below; Rivers as broad as the sea in their pride Border thine empires but do not divide; Niagara's voice far out-anthems the sea— Land of sublimity! blessings on thee!

Hope of the world! on thy mission sublime When thou didst burst on the pathway of time Millions from darkness and bondage awoke! Music was born when Liberty spoke! Millions to come yet shall join in the glee— Land of the pilgrim's hope! blessings on thee!

Empires shall perish and monarchies fail, Kingdoms and thrones in thy glory grow pale; Thou shalt live on, and thy people shall own Loyalty's sweet where each heart is thy throne! Union and freedom thine heritage be, Country of Washington! blessings on thee!

Public Buildings-The Evils of the Present System and the Remedy.

SPEECH

HON. STROTHER M. STOCKSLAGER,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (H. R. 7523) defining the duties of the Supervising Architect of the Treasury, and for other purposes.

EARLY HISTORY OF PUBLIC BUILDINGS.

Mr. STOCKSLAGER said:

Mr. SPEAKER: There are now some two hundred public buildings belonging to the United States outside the District of Columbia, the greater number of which have been erected since 1865. The first law passed for the erection of public buildings is in section 3 of the act of July 16, 1790, "providing for the establishment of the temporary and permanent seat of the Government of the United States." It provides (Statutes at Large, volume 1, page 130):

* * * According to such plans as the President shall approve, the said commissioners, or any two of them, shall, prior to the first Monday in December, in the year 1800, provide suitable buildings for the accommodation of Congress, and of the President, and for the officers of the Government of the United States.

Under this law the Executive Mansion was erected and the Capitol

begun, but there is no record showing how much was expended upon the public buildings of the District of Columbia prior to 1803.

The next reference in the laws to public buildings is in section 3 of the act of February 25, 1799, "respecting quarantines and health laws," which provided-

That there shall be purchased or erected, under the orders of the President of the United States, suitable warehouses, with wharves and inclosures, where goods and merchandise may be unladen and deposited from any vessel which may be subject to a quarantine or other restraint, pursuant to the held laws of any State as aforesaid, at such place or piaces therein as the safety of the public revenue and the observance of such health laws may require.

The first appropriation to carry this act into effect was May 1, 1802, when there was appropriated \$69,026.12. March 14, 1804, there was appropriated \$5,000, and March 1, 1805, \$15,533.21. Of these sums \$73,654.18 was expended, as follows:

1802. Joshua Sands, for erecting storehouse and wharf on Staten Isl-

and, \$15,070.85.

1804. David Gelston, New York, agent for purchase or erection of wharves and stores, \$4,353.15.

1802. James Simmons, purchase of a house and lot on Sullivan's Island and erecting a wharf at Point Comfort, \$8,220.18.

1802. Lazaretto, Philadelphia, \$29,238.33. 1804-'06. Lazaretto, Baltimore, \$15,161.27.

1804-'06. Lazaretto, Baltimore, \$15,161.27.

The first custom-house erected was at New Orleans, under appropriation of \$20,000, February 13, 1807, of which sum \$19,200 was used. It was built under the direction of the Secretary of the Treasury.

April 30, 1816, Congress appropriated \$250,000, to be applied by the Secretary of the Treasury, under the direction of the President, in the hire, purchase, or building of custom-houses, warehouses, and stores in such manner as he shall deem most expedient.

March 3, 1817, \$50,000 more was appropriated for purchasing or

March 3, 1817, \$50,000 more was appropriated for purchasing or erecting, for the use of the United States, suitable buildings for customhouses or public warehouses, in such principal district in each State where the Secretary of the Treasury shall deem it necessary for the safe and convenient collection of the revenue of the United States. 9, 1818, \$200,000 was appropriated, and March 3, 1819, \$100,000. Of these sums \$87,493.37 was returned to the Treasury. The remainder 9, 1818, \$200,000 was appropriated, and March 3, 1819, \$100,000. Of these sums \$87,493.37 was returned to the Treasury. The remainder was expended on custom-houses at Alexandria, Va.; Baltimore, Md.; Boston, Mass.; Charleston, S. C.; New Haven, Conn.; New Orleans, La.; New York, N. Y.; Norfolk, Va.; Philadelphia, Pa.; Portsmouth, N. H.; Providence, R. I.; Salem, Mass.; Savannah, Ga.; Wilmington, N. C. There were comparatively few public buildings erected during the first half of this century. At the close of the year 1849 there were only forty-one public buildings in the country outside the District of Columbia. Twenty-seven of these were custom-houses and fourteen.

only forty-one public buildings in the country outside the District of Columbia. Twenty-seven of these were custom-houses and fourteen marine hospitals. Twenty-eight of these were purchased, twelve built, and one, at Monterey, Cal., obtained by conquest. The system by which these were built was very imperfect, and when Hon. James Guthrie became Secretary of the Treasury, in 1853, he reorganized it. In his first annual report, December 6, 1853, he thus referred to the

The construction of these buildings is confided to the Department, and almost everything but the amount of the appropriation left to the discretion of the Secretary. No system had been devised for the due performance of this duy, nor had the management of the business been confided to any particular branch of the Department. An architect had been employed in the Department at a salary

of \$3,000 per annum, with traveling expenses allowed when absent inspecting the works, &c. He was paid out of the several appropriations, according to the time given to each work. Local architects and superintendents had also been appointed, and were paid out of the appropriations, but there was no system of keeping or rendering accounts at the respective works, nor of keeping the same in the Department.

With a view to a more efficient management application was made to the Secretary of War for a scientific and practical engineer to be placed in charge of the construction of these buildings, and Capt. Alexander H. Bowman, of the Engineer Corps, was detailed and assigned to that duty. General regulations for the conduct of the business have been adopted and sent to those in charge of the respective works, and a department of construction organized for the supervision of the whole. * * * The architect has also been retained to aid the Department in his particular line.

This organization continued until 1862, the only change being that

This organization continued until 1862, the only change being that S. M. Clark succeeded Captain Bowman as engineer in charge in 1859-'60. He continued in charge until 1862. July 28, 1862, Isaiah Rogers was appointed to the head of the Department as Supervising Architect. He states that he was unable to make a report in 1862 "for the reason that the records of this office were so imperfect and confused that it was utterly impossible for me to procure the necessary information in time."

A reorganization was effected, and it has continued with little change until the present time.

It seems that the expenses of the office were paid out of the expenditures for public buildings, a certain portion being charged to the appropriation for each building. In the appropriation act of March, 1864, the following clause was inserted in section 6, providing for increased

clerical force in the Departments:

In the construction branch of the Treasury, one superintending-

"Superintending," evidently a slip of the penarchitect, one assistant architect, two clerks of class 4, four of class 3, two of class 1, and one messenger at an annual salary of \$500.

Appropriations were made in pursuance of this law, except that "superintending," before "architect," was changed to "supervising" in the act of March 4, 1865, until the act of July 20, 1868, when, after making the appropriations for the "construction branch of the Treasury," the law says:

And the clause in act of March 14, 1864, providing for the officers, clerks, and messengers in the construction branch of the Treasury Department, is hereby continued in force until July 1, 1869, and no longer.

The only effect of this repeal seems to have been that of causing a larger appropriation to be made the next year. Since that time there have been but slight changes in the organization of the Supervising Architect's Office.

THE POLICY OF ERECTING PUBLIC BUILDINGS.

The policy of erecting public buildings where they are needed for the transaction of Government business has been so long established and has been so uniformly practiced under every administration for fifty years that it may be assumed to have become a settled policy of the Government. The amount of money disbursed on account of the purchase or erection of public buildings outside of the District of Columbia from the foundation of the Government until the year 1850 was \$3,931,-974.68, and this sum was increased at the end of the fiscal year 1861 to \$21,871,139.72. Unfortunately similar data can not be obtained for the following years, except with so great labor that it was impossible to have it completed in time to incorporate it here. But though there was a falling off in the amount appropriated during the years of the war, there has been a large increase in the appropriations for public buildings since that time. For the fiscal year ending 1871 there was appropriated over four million dollars for the erection of public buildings. ings, and in 1880, for the fiscal year ending 1881, over four and a half millions.

It will thus be seen that for the first sixty years of the Republic, or from 1790 to 1850, the average annual expenditure for public buildings was but \$65,535.82. But from 1850 to 1860 the average annual expenditure was \$1,793,016.50. In 1870 \$4,000,000, and in 1880 \$4,-500,000. The growth of this policy of the Government, though slow, especially prior to 1850, was steady, and since that time has been more rapid, and continued steadily through all the administrations and by all political parties.

all political parties.

It may be confidently assumed, therefore, that whatever individual members of this House may say, and whatever tactics they may adopt to prevent the majority of the members of this body from considering bills for the erection of public buildings, that policy will not be abandoned, but will continue to grow as the country grows, and the convenient and economical transaction of the growing and ever-increasing business of the Government shall require.

In the appendix will be found a statement showing amount of money expended for public buildings outside of the District of Columbia, by

expended for public buildings outside of the District of Columbia, by States, to the present time. This list was prepared with great labor by Mr. H. M. Beadle, clerk to House Committee on Public Buildings

and Grounds, and is accurate.

NEED OF REORGANIZATION.

That there is need of a reorganization of the construction branch of the Treasury Department there can be no question. A department that spent over four million dollars in 1883, and three and a quarter million in 1884, should not only be organized by law, but have its powers, duties, and responsibilities well defined. This has never been done.

Secretary Guthrie put this branch of the Treasury in a much better shape than it had ever been before; but it was only by rule of the Treasury Department and not by law that it was done. Practically now, as Secretary Guthrie reported in 1853, "the construction of these buildings is confided to the Department, and almost everything but the amount of the appropriation left to the discretion of the Secretary."

Captain Bowman, the engineer in charge of these works, repeatedly recommended that the construction department of the Treasury be better organized, and that a system of erecting the public buildings be devised which would secure the speedy completion of the buildings, and thus prevent the waste and unnecessary expense which followed appropriations doled out in dribbles and want of a properly organized force to carry into effect the wishes of Congress. In his report of September 30, 1857, he says:

The duty of erecting these buildings devolves upon the Secretary of the Treasury, but he has no voice in designating the points at which they shall be located. No provision is made by law to enable him to discharge the duties assigned him in the construction of these buildings. The present bureau or office of construction, to which, under the Secretary of the Treasury, this duty is assigned exists, from necessity, without special authority of law. The large amounts appropriated annually for the erection of public buildings require, if the system is to be continued, a permanent organization of the office charged with the expenditures of the money so appropriated.

The change which was made in 1862, which put the control of this branch of the office under an architect instead of an engineer of the Army, was made by order of the Secretary, as the appointment of an "engineer in charge" was by the order of a former Secretary. It was not recognized by law until 1864, when certain offices were created for the "construction branch of the Treasury;" but there has never been any law defining the duties of the officers and employés of that "branch" of the

One result of this lack of regulation by law is that numerous complaints have been made against this branch of the Treasury, and several investigations have been made by Congress and by the Treasury Department. The limits of cost of the buildings fixed by law was in many instances greatly exceeded. In fact, the Supervising Architect, in his report of October 31, 1868, said:

In the preparation of designs I have not considered myself limited by the amount of the appropriation made, except in cases where the cost was specially restricted to the amount, but have prepared designs for buildings large enough to accommodate the offices for whose use the building was intended, and not more costly than the importance of the locality and the dignity of the Government demanded.

ment demanded.

There is now no check upon the Supervising Architect except the vigilance of the Secretary of the Treasury. His duties are largely technical, and such that the Secretary must rely upon him in almost everything pertaining to his office. A headstrong, rash Supervising Architect, not to say a corrupt one, may put the country to great expense. It is easy to cite cases in point. Let us take the New York post-office building as an illustration. Congress, by resolution of January 22, 1867, appointed a commission to purchase part of the City Hall Park of New York city for \$500,000, and "to procure plans and estimates for a suitable building upon said site, to be submitted to the Postmaster-General and Secretary of the Interior, and should such plans and estimates meet their approval they shall communicate the same, with such additional and secretary of the Interior, and should such plans and estimates meet their approval they shall communicate the same, with such additional suggestions as they may think proper, to Congress." The above named officers approved of said report, and transmitted it to Congress February 25, 1868. The history of this we quote from the report of the Commit-tee on the Post-Office and Post-Roads of the House (Report No. 58), sec-ond session of the Forty-first Congress, submitted April 14, 1870:

tee on the Post-Office and Post-Roads of the House (Report No. 58), second session of the Forty-first Congress, submitted April 14, 1870:

The report of the Committee on the Post-Office and Post-Roads in the Fortieth Congress formally approved of the plans of the commission and of the erection of a building in accordance therewith.

The architects who prepared the plans made careful estimates of the cost of the building, which amounted to, including a liberal allowance for contingencies, the sum of \$8,542,930. Your committee examined these architects under oath, and they all reaffirmed the correctness of their plans and estimates. This plan proposed to utilize, by inclosing within the walls of the building all the ground embraced in the purchase. These plans were criticised and objected to by the Supervising Architect of the Treasury, chiefly, among other things, on account of the alleged extravagant cost of such a building, and also on the ground that the use of 55-feet girders, clear span, above the drive-way, "to support the floors and partitions," were a violation of sound principles of construction.

His estimates, however, did not materially differ from those of the New York architects for a building after their plan, but he claimed that a building of either granite or marble, of the same size and general style and plan, dispensing with what he thought was unnecessary iron work, could be constructed for much less. His estimate for a building according to the plans of the Congressional commission was \$3,425,878.46. His estimate of a marble building, "first class," "equal capacity," &c., \$2,495,212.22. And for a "granite building," first class," "equal capacity," &c., \$2,495,212.22. And for a "granite building," first class," "equal capacity," and similar design, was only \$2,156,555.06. During the last session of the Fortieth Congress, without other legislation providing for the erection of such a building, an amendment was made to an appropriation bill appropriating \$200,000 to commence the construction of

working plans of the basement or foundation) for a building embracing some 10,000 square feet less area than the one projected by the New York architects, and has furnished the committee with estimates showing that the building he is erecting will cost \$3,864,088.85, being \$1,707,533.77 more than his estimate of March, 1808, for a larger building. The Supervising Architect alleges that his estimate of March, 1868 (of \$2,156,555.06), was made upon false quantities furnished him by his computer, as he believes intentionally, which, however, is denied by the computer, who verifies the computation and estimate he then made.

This building cost the Government in the end \$9,311,690.67.

The post-office and subtreasury at Boston, Mass., is another example of the way laws have been evaded by the Supervising Architect. Congress provided for the erection of a post-office and subtreasury at Boston, and on April 13, 1870, enacted the following:

and on April 13, 1870, enacted the following:

For continuing the work on the building for post-office and subtreasury in Boston, Mass., \$500,000: Provided. That no part of this sum beyond the sum of \$250,000, or any other sum appropriated for this purpose, shall be expended until a contract or contracts for the completion of the entire building, in conformity with plans to be approved by the Secretary of the Treasury and Post-master-General, and at all times under their direction, shall be entered into with the lowest responsible bidder or bidders, and for a sum not exceeding \$1,500,000, including all sums expended for that purpose, except that for the site; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful.

This limit was most forcibly affirmed in two subsequent acts, namely, that of July 15, 1870, and that of March 3, 1871. Notwithstanding this limit of \$1,500,000 was so positively fixed by law, and the expenditure of the money made conditional on a contract or contracts for the completion of the building for that sum, plans and specifications were made for a much more costly building; and there was actually expended upon this building, over and above the cost of the site (\$1,-320,005,84), up to Sentember 20, 1893, 42, 202,691,10, and there was 329,095.84), up to September 30, 1883, \$4,303,681.19, and there remained in the Treasury at that time \$196,518.03 to be expended upon it, and \$50,000 more were appropriated July 7, 1884, for its completion, besides \$30,000 for furniture, which was appropriated May 1, 1884. This has been done under the present laws controlling the expenditure This has been done under the present laws controlling the expenditure of money for public buildings, and it may be done again, showing the necessity of further legislation upon the subject to prevent Congress being overreached by this department.

But perhaps a still more striking illustration of this vicious system, as well as the deception practiced upon the people through Congressional legislation, may be found in the case of the Philadelphia public

The limit of cost of the building was fixed by the original act, June 8, 1872 (Statutes at Large, volume 17, page 342), at \$1,500,000. By act of March 3, 1873, the limit was extended to \$3,000,000 (volume 17, page 523). The gentleman from Pennsylvania [Mr. RANDALL], on the 20th of February, 1873, in a speech in this House, approved of that extension of limit and supported the bill, but he added that he would oppose any further extension. (Globe, third session Forty-second Congress volume 92 pages 1548)

gress, volume 93, page 1548.)

The next year, however, on the 23d day of June, 1874 (volume 18, page 228), the limit of the cost of this building was again extended to \$4,000,000, and, although the gentleman from Pennsylvania [Mr. RANDALL] was a member of that House at the time, I have been unable to find when he control the pennsylvania and the pennsylvania [Mr. RANDALL] was a member of that House at the time, I have been unable to

DALL] was a member of that House at the time, I have been unable to find where he opened his mouth against that extension, although he had pledged himself to do so.

But the most astounding statement is yet to follow.

Notwithstanding this limit of \$4,000,000, which was fully twice what it should have been, there has been expended on that building to this date \$5,716,000, or \$1,716,000 beyond this limit, every dollar of it, too, while the gentleman was Speaker of this House or a member of the Committee on Appropriations. Comment is unnecessary. I merely state the facts and defy contradiction. An impartial country will understand, and not fail to appreciate, how disinterested and how honest such individuals are when they cry combination against others, and filibuster against the consideration by the House of bills for public buildings, each standing upon its own merits, and to be fully considbuildings, each standing upon its own merits, and to be fully considered and amended if the House desired to do so.

NECESSITY FOR STRICT LEGISLATION.

That there is a necessity for binding down the construction department of the Treasury so that the work on public buildings shall be done by contract, with every possible guard against any violation of the law, is shown by a history of what is called the

"FIFTEEN PER CENT. CONTRACTS."

The first we hear of these contracts was in 1862, when it was discovered by an investigation made by the Committee on Expenditures on Public Buildings of the House of Representatives. That committee in its report of July 10, 1862, cites the terms of a contract as follows:

For all carving or ornamental work such additional sums shall be paid as the superintending architect, or the duly authorized agent of the first part (the Secretary of the Treasury), shall ascertain to be its fair cost, increased by 15 per cent.

Under this contract the cost of much of the work on the Charleston (S. C.) custom-house and the Treasury building in this city was increased fivefold. A scandal followed, and the office of "engineer in charge" was abolished and the business put in charge of a supervising architect. C. P. Dixon seems to have had an interest in these contracts.

On the 1st of September, 1869, the Supervising Architect of the Treas-

ury, without proper advertisement, entered into a contract with this same C. P. Dixon as treasurer of the Dix Island Granite Company, of Maine. By the terms of this contract the Dix Island Granite Company was to furnish all the granite for the New York post-office building, and the Government was to pay in addition to a fixed price for the stone in the rough "the full expense and cost of such working descriptions." the Government was to pay in addition to a fixed price for the stone in the rough "the full expense and cost of such working, dressing, insuring, and boxing of said stone as may be required by the party of the first part (the United States) to be done at said quarry, increased by 15 per cent. thereof." The report of the Committee on the Post-Office and Post-Roads of the House, submitted April 14, 1870, contained the following comment on this contract:

Unless the expenditures for these purposes, shall more carefully be scrutin-ized than usual, by competent and honest agents of the Treasury Department, it will be seen that a great facility would be offered to the Dix Island Company to augment the amount of such expenditures.

Similar contracts were made with the Old Dominion Granite Company, of Virginia; the Hurricane, the Bodwell and Clark's Island Granite Companies, of Maine, and the Cape Ann Granite Company, of Massa-chusetts; and the evils pointed out by the Committee on the Post-Office and Post-Roads were such as any thoughtful person might have fore-seen—the cost of the work on all the buildings where this stone was

seen—the cost of the work on all the buildings where this stone was furnished under these contracts was greatly increased.

The Dix Island Granite Company made a contract by which it was agreed that if they were ordered to employ at any one time more than one hundred granite-cutters they would erect for the Government suitable boarding-houses, storehouses, sheds, shops, stables, &c., and furnish steel for tools, and they were to receive from the Government 15 per cent. on the gross cost of all these buildings, tools, &c. In pursuance of this agreement the Government did order that some seven hundred extra stone-cutters should be employed, and buildings, shops, sheds, tools, &c., were furnished, costing a very large sum (\$180,000), which was paid by the Government, with 15 per cent. additional.

When the contract on the New York building was completed, these buildings, shops, tools, &c., were ordered to be sold, and the sale was advertised; but somehow there was no bidder other than the Dix Island Granite Company, who bid them all in for less than \$2,000. Shortly

Granite Company, who bid them all in for less than \$2,000. Shortly after another contract was made by this company to furnish stone for the Philadelphia post-office building, and these buildings, sheds, shops, tools, &c., were resold to the Government for a sum almost equal to their first cost.

To be more exact: The tools, buildings, furniture, &c., above referred to was appraised at \$102,779.98. They were all sold to that company on the 1st day of December, 1873, for \$1,461.35. The purchase-money was paid on the 24th day of August, 1874. They were purchased back again by the Government on the 24th day of April, 1875, at the sum at which they were appraised when sold by the Government, to wit, \$102,779.98. The account would stand thus:

15 per cent. on original cost	\$27,000	00
Profit on purchase\$102, 779 98, less \$1, 461 35=	=101, 318	63
15 per cent. on purchase from themselves	15, 416	99

143, 735 62 Or a clear profit of ...

in two years upon an investment of \$1,461.35.

The amounts furnished for the New York post-office are as follows, as per statement of September 2, 1869:

Shops and sheds	\$49,030 73
Labor	2, 682, 035 26
Material	137, 008 57

	2,86	3,074	56
15 per cent.	43	0, 200	00
Philadelphia building, 15 per cent.	. 10	3,010	47

These contracts were evidently not viewed with favor in the Supervising Architect's office, for Mr. Potter, in his report for 1875, says of them:

Ing Architect's office, for Mr. Potter, in his report for 1870, says of them:

Upon my entry into this office there were in process of execution contracts for cutting granite for the superstructures of several of the largest buildings now being constructed under the supervision of the Treasury Department. These contracts, known as the percentage contracts, provide for the payment to the contractors of the actual cost of all labor and materials used in the work of cutting, dressing, and boxing the stone, increased by 15 per cent. of the same. While there are advantages in this system of executing this very important branch of the service, I am persuaded that it is founded in a mistaken principle, and that, as long as the profits to the contractors are in proportion to the extent of the expenses of their work, the Department will find great difficulty in keeping the cost of the same within reasonable limits.

In January, 1877, the contract with the Old Dominion Granite Company was modified with the consent of the contractors, who were to receive a fixed price per cubic foot for stone in the rough and also a fixed price per cubic foot for working, dressing, and boxing the same. Secretary Sherman's attention was called to these contracts in 1877.

The Attorney-General examined them at the former's request, and gave it as his opinion that the contracts might be canceled or modified. On the receipt of this opinion Secretary Sherman appointed Assistant Secretary French, Col. T. L. Casey, and Supervising Architect James G. Hill a commission to examine the contracts, and report "whenever in their opinion a legal contract could be made with the contractors for the completion of the work to prepare a form of such agreement to be submitted to the proper department for approval." This commission, strange to say,

made no written report; but under their direction and with the consent of the contractors the other 15 per cent. contracts were modified as those of the Old Dominion Granite Company's contracts had been modified.

The committee, consisting of Hon. John C. New, Mr. D. S. Alexander, and Mr. W. F. MacLennan, appointed by Secretary Folger in

1883 to investigate the charges presented by Hon. Thomas H. Murch against Mr. James G. Hill, Supervising Architect, heard some evidence and made a report particularly upon the modification of these contracts. They avoided making any extended report, as the matter only came before them incidentally; but they said enough to show how these contracts trammeled the action of the officers of the Government, who evidently felt they were unfair and unjust to the Government, yet a delicate matter to get rid of. This committee says:

yet a delicate matter to get rid of. This committee says:

It is not claimed by the Supervising Architect that the prices under the modified contracts are as low as might have been obtained had the commission appointed by Secretary Sherman deemed it advisable to cancel instead of modify the existing 15 per cent. contracts, thus permitting them to readvertise for new proposals. But for reasons satisfactory to them and approved by Secretary Sherman, it was decided to be in the interests of economy to modify these contracts. * * Upon the question whether it was in the interest of the Government to modify rather than to cancel these contracts your committee does not feel called upon to pass. We were not appointed to investigate that subject. Your committee find that the prices agreed upon were largely in excess of the then ruling market rates, and had the contracts been canceled and new ones made by advertising for proposals the Government would undoubtedly have secured these lower rates. But very important legal and prudential as well as economical considerations entered into the settlement of that question, which appear to have been weighed with great care and deliberation by the commission, whose work was subsequently approved by the Secretary of the Treasury.

Mr. Hill, in his report for 1877, in giving an account of the modifi-cation of these contracts, says the terms were not as favorable as the cation of these contracts, says the terms were not as favorable as the Government might have had by making new contracts, but that under the circumstances it was thought best to modify them. The Secretary of the Treasury evidently feared the courts might not take the same view of the contracts that the Attorney-General had taken, and that there might be a heavy suit before the Court of Claims over the matter if the contracts were canceled.

I think it is unnecessary to proceed with this part of the subject further; and I submit that a system under which such a great abuse could grow, in the face of the investigation and report of Mr. Farnsworth, ought not to continue another day.

MODIFICATION OF THE FIFTEEN PER CENT. CONTRACTS

I wish to refer here to the result which followed a modification of these contracts. The modification consisted, in substance, in paying what had been rated as the cost of the work for cutting the stone. For what had been rated as the cost of the work for cutting the stone. For instance, if the cutting of a stone under the 15 per cent. contracts was \$1,200, the cost to the Government would be \$1,380. Under the modified contract the cost of the same stone would be \$1,200—a saving of \$180 to the Government. But the contractor, instead of paying the workman \$1,200 by day's work, at \$4.50 per day, to cut the stone, paid him only \$2.50 per day, and compelled him to cut it in one-third the time he had been given under the old contract, or gave him \$400 for cutting the stone by the piece. The result was that the Government saved \$180, the contractor made \$800 instead of \$180, and the workman lost what the contractor gained. lost what the contractor gained.

FAVORITISM.

There had also grown up in the Supervising Architect's Office a favoritism that was far from being conducive to the interests of the Govvoritism that was far from being conducive to the interests of the Government. The law regarding advertising for proposals for materials for Government use was either violated or evaded by sharp practices, and the supervision of the Secretary of the Treasury seems to have been insufficient to prevent abuses, which grow little by little, but which are none the less hurtful to good government. It is the tendency in the Executive Departments, greater now perhaps than in the years following the war, to exercise a discretion which the law does not give them, making it a rule to go the extreme verge of the law, instead of keeping elegals within its provisions so that no one could charge them with a respective production. clearly within its provisions, so that no one could charge them with exceeding the powers and duties assigned to them. And in this office the ceeding the powers and duties assigned to them. And in this office the disposition to exceed its powers seems to have been marked from the very beginning. The committee appointed by Secretary Folger to investigate Mr. Hill reports many facts which go to show how the head of this branch of the Treasury Department violated, evaded, or exceeded the law. Even his predecessor, Mr. Potter, permitted the pressure to complete the New York post-office building to cause him to violate the law, so that in completing that building he had work done costing some \$200,000 in excess of the appropriations.

\$200,000 in excess of the appropriations.

The committee just referred to, appointed by Secretary Folger, in its report has this to say of the responsibilities of the Supervising Architect and the business which is necessarily left to his charge:

tect and the business which is necessarily left to his charge:

As the investigation progressed, your committee was impressed with the belief that the business of the Supervising Architect's Office has outgrown the system under which it is conducted. At the time of the organization of the office, in 1853, under Hon. James Guthrie, then Secretary of the Treasury, and perhaps for many years after, this system may have been sufficient for the purpose intended. But the business of the office has grown with the country, until the disbursements for a single year almost equal the aggregate amount expended outside the city of Washington for the first fifty years of this century. Since Mr. Hill's appointment, in August, 1876, the disbursements aggregate over twenty-three and a half millions. There are under his control one hundred and sixty-two public buildings outside the city of Washington, on which \$1,088,973.32 have been expended for repairs under his direction. The last Congress pro-

vided for the erection of thirty-nine more, the appropriations for which aggregated \$4,123,500. Each year new buildings are ordered, and all become a charge upon the Supervising Architect.

The discretionary power which must lie with the head of such an office is necessarily very great. He passes upon proposals, upon work to be performed, material to be furnished, prices to be paid, and then decides whether such proposals, work, material, and prices are acceptable to the Government. He assumes unrestricted power to plan buildings and equip them. He fixes the compensation of superintendents and inspectors, and he judges of the necessity and nature of repairs, alterations, and incidental additions.

In the case of the fire-proof shutters for the Cincinnati building he designates the firm to do the work, giving it to one not the lowest bidder by over \$20,000. He passes upon a bill for extra work amounting to \$26,000 on a contract that involved less than \$200,000, and on his approval it was paid. He may award a contract to the lowest bidder and thereafter so change the plans as in effect to make a total abrogation of the contract, and the bills for extra work under such modified plans and specifications may grow to an enormous amount. This unlimited power that is assumed by the Supervising Architect would enable him, if so disposed, practically to abolish all competition in the interest of favorite contractors.

He gives an order for a safe or an elevator: he determines the slate-roof fastener.

disposed, practically to abolish all competition in the interest of favorite contractors.

He gives an order for a safe or an elevator; he determines the slate-roof fastener to be used; he designates the person who shall be paid thousands of dollars for making plans for heating apparatus, and he decides whether this heating apparatus shall be for steam or hot water. Whether a wall shall be of brick or stone is for him to say. Everything entering into the construction of a building must have his approval, and every dollar disbursed is practically paid because he recommends it. A proper understanding of many accounts of his office requires a technical knowledge of the business, so that the Auditor and Comptrollers who pass upon them can know little more than is shown upon their face. His approval, therefore, becomes final. To give it is to secure the payment of the money; to withhold it is to send the claimant to Congress or to the Court of Claims.

Theoretically, these are the acts of the Secretary of the Treasury, for under the law he is charged with this duty, while the Supervising Architect is simply in charge of the duties pertaining to that branch of the Secretary's office. He is without authority, either by statute or departmental regulation, to make a contract, to accept a bid, to advertise for proposals, or in any way to bind the Government in any case. The circular issued by Secretary Sherman, and bearing date June 11, 1877, made the Assistant Secretary, Hon. H. F. French, the legally responsible head of the Supervising Architect's office, and for all purposes of legalizing the acts of the Supervising Architect this is better than if it were done directly by the Supervising Architect this is better than if it were done directly by the Supervising Architect this is the technical knowledge of an architect is or ought to be required for the determination of questions coming within this discretion. The Secretary, therefore, is compelled expressitate to rely upon the judgment and advice of Supervising Archit

When placed at the head of the Committee on Public Buildings and Grounds I knew but little about the system under which our public buildings have been erected. In the short time which I have been connected with the committee I have devoted all my spare time to a study of the subject, and though I have not mastered it, I feel competent to speak upon it. Congress has not, it seems to me, legislated wisely in the matter. If my recommendations were of any weight, Congress would no longer legislate upon the subject in the manner it has been doing. It has been authorizing the erection of public buildings without sufficient knowledge of the wants of the localities where they were authorized, and in many cases it has been deceived by the representations made, not only as to the necessities of the public service at many places, but as to the cost. but as to the cost.

Estimates have often been submitted with the deliberate purpose to mislead. I would recommend that hereafter Congress would pass no bill until it had before it all the information the Treasury Department could furnish on the merits of the several localities asking for public buildings. Then it can judge in which localities public buildings are most needed, and knowing what such buildings will cost, it will fully understand what it is doing. In providing for the erection of a public building the limit should be fixed and the whole amount appropriated at once, so that every part of the work may be contracted for at one time. If this is done, contracts can be obtained at less amounts than if the appropriate is done, the second contracts can be obtained at less amounts than if the appropriate is done, contracts can be obtained at less amounts than if the appropriate is good to be a second contracts. propriations are doled out in small amounts every year. The buildings having been authorized, and the limit of cost fixed in each case, the necessity of extending the limit would be rare indeed.

THE COMMITTEE ON APPROPRIATIONS.

The Committee on Appropriations are not free from blame in making appropriations for public buildings, for it has often made appropriations for public buildings beyond the limit of cost fixed by law. It did this in several instances in the last session, and it has done so in every Congress for years. It has not given to the House the reasons for such extension.

for years. It has not given to the House the reasons for such extension. Such legislation has a germ of evil in it which has already developed into gigantic proportions. If Congress does not respect its own laws, but evades them by such phrases as "for the continuation (or completion) of the work" on a certain building, how can it expect the Executive Departments to respect them?

In the sundry civil appropriation bill, which was passed in this House a few days ago under whip and spur by a suspension of the rules, which cut off all debate except thirty minutes on a bill carrying \$22,000,000, much of which was questionable, there were fifteen different instances of appropriations in excess of the limit fixed by law, in some of which the House Committee on Public Buildings and Grounds had reported adversely or had refused to report favorably. This is had reported adversely or had refused to report favorably. This is notably true of the appropriation of \$20,000 to purchase land in Galveston, Tex.; \$60,000 for an extension of limit at Columbus, Ohio, and an extension from \$175,000 to \$500,000 at Minneapolis, Minn. following is a list of appropriations beyond limit in that bill:

Buffalo: Limit, \$175,000; appropriated, including furniture, \$225,000. Limit exceeded, \$50,000.

Charleston, W. Va.: Limit, \$75,000; appropriated, \$90,853.30. Limit exceeded, \$15,853.30.
Columbus, Ohio: Limit, \$250,000; appropriated, \$310,000. Limit exceeded, \$60,000. Not favorably considered by House Committee on Public Buildings and Grounds.
Dallas, Tex.: Limit, \$75,000; appropriated, \$100,000. Limit extended by bill to amount of appropriation.
Galveston: For site, \$20,000. Not favorably considered by House Committee on Public Buildings and Grounds.
Greensborough, N. C.: Limit, \$50,000; appropriated, including approaches, &c., \$55,000.

\$55,000. Jackson, Tenn.: Limit, \$50,000; appropriated, including approaches, &c.,

So5,000.

Jefferson City, Mo.: Limit, \$100,0000; appropriated, \$132,000, and limit extended to amount of appropriation.

Kansas City, Mo.: Limit, \$300,000; appropriated, \$365,000.

Saint Joseph, Mo.: Limit, \$75,000; appropriated, \$140,000; limit extended to \$300,000.

\$300,000.
Leavenworth, Kans.: Limit, \$100,000; appropriated, \$160,000.
Montgomery, Ala.: Limit, \$125,000; appropriated, \$160,000.
Minneapolis, Minn.: Limit, \$175,000; appropriated, \$200,000; limit extended to \$500,000. House Committee on Public Buildings and Ground's agreed to report extension of limit to \$300,000.
Poughkeepsie, N. Y.: Limit, \$75,000; appropriated, \$125,000.
Shreveport, La.: Limit, \$100,000; appropriated, including approaches, &c., \$105,000.

Syracuse, N. Y.: Limit, \$200,000; appropriated, \$303,000.

To these the Senate has added more than a million dollars. The Committee on Appropriations and the Supervising Architect of the Treasury have been the fruitful instruments through which this immense and in most cases unnecessary increase of the limit of cost of public buildings has been accomplished—the Committee on Appropriations by ignoring the work of the proper committee and arrogating to itself the right to determine these increases, and the Supervising Architect ignoring the action of Congress fixing limits of cost. It is sincerely to be hoped that in future there will be less of both.

NEEDS OF GOVERNMENT ONLY BULE TO DETERMINE PLAN AND KIND OF BUILDING

The needs of the public service, and that only, should be the guide of the size and style of the building to be erected. When that is ascertained the material for its construction and the style of its architecture must depend upon the locality and somewhat upon the climate. A wise architect would not construct a building in New Orleans on the same plan as he would a building in New York, although it was intended for the same purposes. The style and ornamentation ought to be becoming to the simplicity of a republican people.

PURPOSES OF THE BILL.

In drawing the bill, which I hope to have acted upon before the ador favoritism. Will the House bear with me while I discuss these propositions?

Capt. A. H. Bowman, the engineer in charge, in his report of November 24, 1854, says:

vember 24, 1854, says:

The preparations of plans, specifications, estimates, and contracts in this office, under the immediate direction of the Department, where the number of occupants and the precise amount of business to be transacted in each building are known, has many advantages. Errors committed in buildings already in use can be avoided, a proper apportionment of office room made, and such an arrangement of the different offices as will facilitate the transaction of business effected. This can be better done when the conveniences and inconveniences of similar buildings are subjects of frequent discussion with those who occupy them than if the buildings were designed by some one less acquainted with the uses for which they are required, and who would probably be more likely to make a beautiful than a suitable structure.

This is the strongest statement made in favor of the Government's employing architects to design the public buildings to be erected by it that I have read. But it seems to me that if this argument was ever of great weight, it is less applicable now than when the report was made. "Architecture's noble art" was then known to but few people in this country; now in no country are there better architects practicing their profession in the United States. The amount of talent and vigor their profession in the United States. The amount of talent and vigor in the profession is seen in every part of the land, in the adaptation of structures to the uses for which they were intended, and at the same time in the designing of them according to well-matured views of harmony, beauty, and propriety. The architects outside of the construction branch of the Treasury are able to find out from observation of the public buildings already erected, and from conversation with those who use them, what is best suited to the public wants, as well as the Supervising Architect or his subordinates. I have not, however, my own opinion to depend upon. Mr. William A. Potter, late Supervising Architect, in his report of October 1, 1876, took the same position. He said:

I desire particularly to invite your attention to a subject which presented itself to me very shortly after my entering upon the duties of this office. I refer to the manner in which designs are prepared for the public buildings erected under the Treasury Department. These designs have heretofore been made by the Supervising Architect, and have been so made up to the present time, but the very strong reasons which present themselves against this practice have convinced me that it should be remedied as speedily as may be. I have given much thought to this subject, and while I am not now prepared to present for your consideration any specific plan by which the radical defects of this method of procedure in designing the public buildings throughout the country may be rem-

edied, the vital point of any system which may be adopted must be to remove the power from the Supervising Architect to make designs, and restrict his duties to those simply of a supervisory nature. I will, as concisely as possible, state what reasons have led me to form my opinions in regard thereto.

Experience has shown that it is difficult, if not impossible, to separate the office of the Supervising Architect from political control to a greater or less degree, and thus it is possible that the incumbent may be, both by nature and want of proper study and experience, totally unfit to fulfill this most responsible duty, and the country is liable thereby to be burdened by structure unterly lacking in those architectural qualities which should be found in the works of a great nation. The stamp of inefficiency so imprinted in the national architecture is not of a nature soon to pass away, for not only will it remain itself a monument to a vicious system, but its teachings for evil can never be fully estimated. But should this evil be escaped, there remain yet others.

The immense amount of routine work which occupies the attention of the Supervising Architect, the varied nature of the duties which devolve upon him, and the fact that he is at no time free from interruption, leave him no opportunity for the proper study of the designs which he is required to make. This work is done under all the disadvantages of want of time, want of quiet, and almost entire preoccupation with other matters, which must always result in work of an imperfect and unsatisfactory character. Architecture is an art, and like all arts he who practices it successfully must give himself up to it without restraint. No good work has ever been done without severe study, and the artist must be able to throw himself unreservedly into the contemplation of the problem. And, furthermore, the objects for which the buildings erected in this office are constructed are, with very slight exceptions, so nearly alike, that the difficulty, the impossibilit

I can add nothing to the weight of these words, but I desire to call attention to the indorsement of Mr. Potter's recommendation by Mr. James G. Hill, who succeeded Mr. Potter as Supervising Architect, in his report for October 1, 1876, as follows:

I desire to call attention to the remarks in the last annual report of the Supervising Architect in regard to the manner in which designs for the public buildings are prepared, and to recommend the passage of an act by Congress requiring such designs to be obtained under competition, and that the duties of the Supervising Architect be restricted to those of a supervising architect.

Such a law is asked for by the architects of the country, who feel that the Government is not treating them as their character and talents deserve in providing that the public buildings shall be designed by one man, who holds the office of Supervising Architect, and Mr. Potter was only speaking the universal opinion of his fellow-architects when he recommended that the designing of public buildings be given to other architects. I think the character of the buildings erected since the war will show that the words of Mr. Potter were wise and timely.

war will show that the words of Mr. Potter were wise and timely.

The system by which designs for public buildings should be attained is by no means a settled question. If a private person wants a building erected he goes to the architect in whom he has greatest confidence and arranges with him for designs, or if the building is to be large and expensive he may ask several architects to make designs. But it has been found that in public business such a course would soon create scandal and lead to fraud and corruption. The best means so far devised is to have a board of competent persons to select one plan from a number of plans offered by architects competing for the first prize. If the board is composed of competent judges, and the competition is honestly and fairly conducted, the chances are that ninety-nine times in a hundred the best plan will be selected, and a good plan is sure to be secured in every in-

The problem is to have a board of competent persons, free from any political bias, who will honestly conduct the competition. This bill political bias, who will honestly conduct the competition. This bill provides that a board of seven persons, consisting of the Secretary of the Treasury, the Postmaster-General, the Attorney-General, the Chief Engineer of the Army, the Supervising Architect, the Architect of the Capitol, and an architect selected by the President, shall select the plans for the public buildings. The Secretary of the Treasury, the Postmaster-General, and the Attorney-General are put upon the board because they are at the head of the Departments which will occupy the buildings, and they ought to pass upon the arrangement of them.

Objection has been made that they can not understand architecture well enough to decide between plans. That is by no means certain. Men can often form a good judgment of things which they could not possibly make, and a board composed entirely of architects would not, in my opinion, be as successful as it would be if there were several laymen upon it. And who is a better judge of a building than the head of

nn my opinion, be as successful as it would be if there were several laymen upon it. And who is a better judge of a building than the head of the Department which is to use it? The three architects on the board will be able to inform the others as to the points in architecture, and the Chief Engineer, who must be something of an artist, can judge between them. Other plans there may be, but none have been presented to me which promise to work as well as this. But if a better plan can be devised the committee will unhesitatingly accept it.

This board will also have charge of the selection of sites, the decision

as to what materials shall be used in the construction of buildings, the letting of contracts, &c. There can not be much fraud practiced on such a board, and favoritism can not well find place among them; and under the rule that everything which is done must be published to the world, the chances are that neither extravagance nor corruption can gain a foothold in the board, and we shall have the public buildings designed and erected with as few faults and as few scandals as are possible among men.

PARTISAN POLITICS.

The evils of partisan politics are nowhere greater than when they are obtruded into the business of the erection of public buildings. If a Senator or Representative in Congress succeeds in having a public building in his State or district, the greatest harm that is done is that

building in his State or district, the greatest harm that is done is that a building is erected which could have been done without for several years; but when they bring a pressure to bear upon the Architect's Office to have contracts let to persons solely on account of party reasons, or have superintendents of buildings appointed for the same reason, they often do great harm to the public interests.

To prevent such things the bill places the construction of the public buildings solely in the hands of the Supervising Architect, who is made responsible for the manner in which the work is done. And in order that he may have the whole matter in his own hands he is given the appointment of superintendents of buildings, for whom annual salaries are provided instead of a per diem wage, so that there may be no inducement to prolong the erection of a public building beyond the time necessary for its construction.

necessary for its construction.

A few words more and I have done. There are few matters of greater A few words more and I have done. There are few matters of greater importance than that of providing a new system under which public buildings may be erected. If this, which I have proposed and the committee have perfected, is not a good one, provide another, but do not let this Congress adjourn until we have attempted to adopt a new system of designing and constructing public buildings. To me it is of little importance how it is done or who does it so it is done well.

In criticising the conduct of the office of Supervising Architect I deor capacity of Mr. Bell, the present Supervising Architect. In the short time he has been at the head of the office I have seen nothing in the administration of its affairs that is not commendable. But the interests involved are too great to leave their determination to one officer, however capable and honest he may be, unless his duties and powers are defined and limited by law.

APPENDIX A. RECAPITULATION BY STATES AND TERRITORIES.

States and Territories.	Amount appropriated.	Cost of build- ing and site.		
Alabama	\$627,900 00	\$608,593 14		
Alaska	6,000 00	5, 989 31		
Arkansas	307,250 00	306, 745 79		
California	4, 395, 898 73	4, 633, 980 87		
Colórado	288, 377 99	112,532 83		
Connecticut	1,087,886 46	1,086,582 42		
Dakota	30,000 00	533 45		
Delaware	103,500 00	102, 924 97		
Florida	470, 425 00	196, 172 36		
Georgia	482, 100 00	476, 438 15		
Idaho	116,740 15	118, 991 05		
Illinois	7, 802, 944 12	7,718,281 70		
Indiana	954, 900 00	836, 652 91		
Iowa	627, 370 67	552, 238 58		
Kansas	456, 200 00	350, 965 09		
Kentucky	1,301,770 33	1,043,817 22		
Louisiana	5,542,991 22	5, 398, 252 01		
Maine	2, 107, 407 15	2,078,008 28		
Maryland	2,561,429 06	2, 198, 389 94		
Massachusetts	8, 336, 563 60	8, 239, 675 48		
Michigan	1,098,392 07	891, 401, 46		
Minnesota	721, 817 38	596, 779 31		
Mississippi	303, 276 16	217, 693 52		
Missouri	7, 143, 091 20	6, 860, 806 18		
Montana	107, 301 18	107, 278 93		
Nebraska	629, 836 00	627, 943 05		
Nevada	426, 787 66	426, 787 66		
New Hampshire	274,300 00	231, 967 34		
New Jersey	708, 719 31	685, 744 11		
New Mexico	150,000 00	97, 824 86		
New York	16, 388, 371 91	15, 855, 545 85		
North Carolina	595, 287 60	507, 906 73		
Ohio	7,722,754 37	6, 854, 234 28		
Oregon	734, 628 90	669, 263 30		
Pennsylvania	9,777,966 18	9, 155, 198 59		
Rhode Island	354,777 68	326, 463 23		
South Carolina	3,521,396 58	3, 386, 883 90		
Tennessee	1, 803, 915 09	1,432,932 12		
Texas	464,500 00	338, 437 95		
Utah	65,000 00	64, 998 90		
Vermont	297, 350 60	252, 276 38		
Virginia	1,057,345 39	907, 484 03		
Washington	145,545 75	79, 897 83		
West Virginia	451, 411 00	447,076 80		
Wisconsin	601, 887 27 40, 413 00	601, 723 74		
Wyoming	40, 418 00	40,109 92		
Totals	93, 193, 226 76	87, 730, 425 54		

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, and total cost of each building.

Locality.	Years appropriations were made.	Amounts appro- priated.	Cost of site.	Cost of building and site.	Limit of cost.	Remarks,
ALABAMA.			MY 00 , 2, 1	WINDS	(A)	
Mobile: Custom-house (old),	1828-'30	\$16,500 00		\$16,118 37		
Custom-house (new)	1850-'58	400,000 00 51,400 00	\$15,000 00 10,000 00	\$16,118 37 390,964 93 51,400 00	\$100,000 00 10,000 00	THE HEALTH HOUSE STATE OF THE S
Montgomery: Court-house and post-office	2021AC 3949N	160,000 00	13,000 00	150, 109 84	125,000 00	In course of construction.
Total		627, 900 00		608, 593 14		
ALASKA TERRITORY.	3			-50 05 100		
Agency buildings on St. George and St. Paul					E 119 455	
IslandsKodiac	1872					Site acquired from Russia. Buildings transferred from War Department.
Sitka						Twenty-seven buildings acquired from Russia.
Total		6,000 00		5, 989 31		
Little Rock :	生生	SHILLS HILL	1830 191			
Court-house and post-office	and the same	248,000 00	29,729 25	247,665 18	100,000 00	Undermined by river.
Marine hospital	1842-'53	59, 250 00	1,000 00	59,080 61		
Total		307, 250 00		306,745 79		
CALIFORNIA. San Francisco:	(Steiner	Openier V	Des Children			The second secon
Appraiser's stores (old)	1854	100,000 00 840,000 00		99,598 14 840,000 00	*100,000 00	Site custom-house reservation.
Custom-house	1850-'56	793, 562 39	150,000 00	774, 389 75	*400 000 00	Location was changed and site purchased after limit was fixed.
Marine hospital (old)	1850-'58	224, 303 96	600 00	224, 303 96		
Subtreasury	18/4-7/	107,000 00	283, 929 10	74, 247 77 390, 929 10		Site Government reservation. Old branch mint remodeled.
Branch mint	The Mark		100,000 00	2, 230, 512 15		Includes machinery.
Total		4,395,898 73		4, 633, 980 87		
Denver:						
Penitentiary Court-house and post-office	1863-'67 1882-'84	45,000 00 175,000 00	65,829 17	44,154 84	300,000 00	Belongs to State. In course of construction.
Branch mint.		68, 377 99	25,000.00	68, 377 99		The state of the state of the state of the state of
- Total		288, 377 99		112,532 83		
Hartford: CONNECTICUT. Custom-house and post-office	1872-'84	847,000 00		846, 998 92	400,000 00	Site donated by city, First limit, \$300,000.
Middletown: Custom-house	1832-'36.	20,950 00	3,500 00	20,676 64	200,000 00	one delined by city, That have, con, or
New Haven:	and areas	7,481 88	3,000	7,481 88	Samuel Com	
Custom-house (old)	1854-'58.	190,800 00	25,500 00	189,770 40	88,000 00	
Custom-house	1832-'34	21,654 58	3,400 00	21,654 58		
Total		1,087,886 46		1,086,582 42		Reserved to the preserved of the second
Sioux Falls:		Street .				
Penitentiary	1881	36,000 000		533 45	30,000 00	In course of construction June 30, 1832.
Dover: DELAWARE.	1079 170	62,000 00	10,498 55	£1 000 07	40,000 00	
Post-office	1873-'78			61,828 97		Comment of the billion of the billio
Custom-house		41,500 00	3,500 00	41,096 00	25,000 00	
Total		103,500 00		102, 924 97		SERVICE OF THE SERVICE STATES
Custom-house (old)	1833-'39.	6,125 00	1,000 00	6,125 00		
Court-house and post-office	1856-'57 . 1884		3,000 00 500 00	3, 091 74 26, 596 20		
Pensacola: Custom-house	a contract the same	51,000 00		49,177 43	*85,000 00	Site acquired from Spain. Building destroyed by
Court-house and post-office	1882-'84	200,000 00	19,547 60	39,951 41	200,000 00	fire December 11, 1880. In course of construction.
Marine hospital	1854	1 Section 1		The state of the state of		
Court-house	Tomas Santa Sa			-		Site and building acquired from Spain.
Marine hospital Tallahasse:		25,700 00		25, 093 52		of and the manual state of the last
Court-house and post-office	1857	50,000 00			20,000 00	Balance covered into Treasury.
Total		470, 425 00		196, 172 36	20,000 00	Callagran III management are some more in
Atlanta: GEORGIA.		3,0,120 00		200,272 00		
Court-house and post-office	1875-'80.	275,000 00	20 59	272,784 59	110,000 00	Site donated,
Marietta: Court-house	1854	5,000 00		5,000 00		Permanent lease of rooms for United States courts
Savannah: Custom-house (old)				29,100 00		
Custom-house (new)	45500000000		20,725 00	169,603 56	San Contract	
Total	J	482, 100 00	* Build		1	

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, &c.—Continued.

Locality	Years appropriations were made	Amounts appropriated.	Cost of site.	Cost of building and site,	Limit of cost.	Remarks.
Dalo.						Immania .
Boisé City: Penitentiary	1867-76	\$41,740 15 75,000 00		\$41,738 15 77,252 90		Out 3 - 1 3
Assay office	1869	100000000000000000000000000000000000000				Site donated.
Total		116,740 15		118,991 05		
Cairo:						
Custom-house	1857-'71 1882	282, 066 54 60, 000 00	\$15,031 46	280, 120 06 42, 136 21	\$60,000 00	Do. In course of construction.
Chicago: Custom-house and post-office (old)	1854	447,733 88	59,433 88 69,000 00	441,953 32	*153,000 00	Destroyed in great fire, 1871.
Custom-house and post-office (old)	1871-'81	5, 820, 000 00	69,000 00 1,259,385 65	69,000 00 5,816,735 75 57,436 67 421,528 90	4,000,000 00	Old custom-house site exchanged for this.
Marine hospital (old)	1848-'54 1864-'73	57,712 00 421,652 43	10,000 00	57, 436 67 421, 528 90		Site owned by the United States.
dalena : Custom-house	1856-'58	85, 200 00	16,500 00	77, 917 66	*50,000 00	
Marine hospital	1855-'58	51, 238 24		48,797 58		Sold November 5, 1868.
Post-office and court-house	1882	150,000 00	37,043 00	107, 174 95	225,000 00	In course of construction.
Post-office and court-house	1882	127,500 00	15,633 20	56, 032 89	175,000 00	100
Court-house and post-office	1856-'70	299,841 03	9,000 00	299, 447 71	*50,000 00	
Total		7, 802, 944 12		7,718,281 70		
INDIANA.	11970	A STATE OF THE STA			THE PERSON	
Evansville: Custom-house and post-office	1873-'80	340,000 00	98, 916 15	336, 132 24	*200,000 00	
Marine hospital	1851-757	62,500 00		57, 899 02	15,000 00	The second secon
Court-house and post-office		90,000 00	25, 199 12	25, 697 02	100,000 00	In course of construction.
Court-house and post-office	and the same	387, 400 00	47,160 00	386, 763 12		
Post-office, &c	1882	75,000 00	20, 212 33	30, 161 51	150,000 00	Do.
Total	••••••	954, 900 00		836, 652 91		AND THE RESERVE OF THE PARTY OF
Burlington:	11-11 20-			in superal d		
Marine hospital	1854-'58 1882	29,045 15 100,000 00	4,500 00 15,314 56	28, 445 59 25, 922 51	*15,000 00 100,000 00	Do.
Des Moines:			a de la demanda de la desarta			20.
Court-house and post-office	1866-'71	248, 437 00	15,000 00	248, 434 12	***************************************	Author trade 1 The Orbit
Custom-house and post-officeFort Madison:	1856-'66	194, 888 52	20,000 00	194, 436 36	*88,000 00	4381 Commence of the Commence
Penitentiary	1838-'42	55,000 00		* 55,000 00		
Total		627,370 67		552, 238 58		Control of the contro
Lecompton:	0.0000			1000 000		Assessment of the second of th
Capitol building	1854-'55	50,000 00		49,539 10		Ceded to State.
Court-house and post-office	1882	110,000 00	10,442 70	10,442 70	100,000 00	Building not begun.
Court-house and post-office	1878-'84	296, 200 00	10,000 00	290, 983 29	*240,000 00	In course of construction. First limit, \$200,000 second, \$220,000.
Total		456, 200 00		350, 965 09		The state of the s
Covington:		ONES VITE		H2033 (E)		
Court-house and post-office	1873-'75	305,000 00	30,660 55	294, 891 49	130,000 00	The same statement
Court-house and post-office	1882-'84	100,000 00	17,880 72	58, 271 22		In course of construction.
Custom-house and post-office	1851-'75 1842-'54	290, 145 00 69, 500 33	22,500 00 6,000 00	289, 827 90	75,000 00	
Marine hospital	1882	340,000 00	141,174 85	67, 627 71 141, 480 85	500,000 00	Building not begun.
Paducah: Court-house and post-office	1880-'84	135,500 00	7,447 50 1,000 00	133, 397 28	100,000 00	In course of construction.
Marine hospital	1842	101110000000000000000000000000000000000		58, 320 77		
Total		1,301,770 33		1,043,817 22		The same of the sa
New Orleans: Custom-house (old)	1807	20,000 00		19,200 00		Site owned by United States.
Custom-house (No. 2)	1820-'39 1845-'81	85,581 33 4,179,854 50		85,581 33 4,156,959 47		The state of the s
Marine hospital (No. 1)	1837-'50 1854-'58	134, 696 00 529, 810 84	12,000 00	122,722 70 529,810 84		Sold in 1873, but forfeited after \$10,000 were paid.
Marine hospital (new)	1882	100,000 00 50,000 00	17,504 10	76, 239 41	100,000 00	In course of construction. Site donated by State.
Branch mint						Site donated by city.
Boarding station	1856	12,000 00		12,000 00		Site donated by State. Building torn down as
Boarding station, "The Jump"		1 0 0 0		12,130 42		material used in building "The Jump." This is total cost to date.
Southwest Pass: Boarding station	March 100 Co. (100 Co.) (100 Co.)		3,500 00	3,500 00		South Commission of the second second
Shreveport; Post-office and court-house	The second section of		10,015 05	10,015 05		September 1 may
. One-control man court-mouse	1004	100,000 00	10,010 00	10,010 00	1 200,000 00	Danama not negati.

*Building.

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, &c.—Continued.

Locality.	Years appropriations were made.	Amounts appropriated	Cost of site.	Cost of building and site.	Limit of cost.	Remarks,
MAINE.			TES ST		THE RESERVE	
Bangor: Custom-house	1850-'70	\$215,800 00	\$15,000 00	\$209,878 58	\$50,000 00	
Bath: Custom-house (old)	STATE	5,500 00				Covered into Treasury. Building obtained as a par-
Custom-house (new)	47000	105, 391 25	15,000 00	99, 849 95	25,000 00	tial settlement of a judgment against Bath Bank.
Belfast:						
Custom-house	1854	37,890 79	5,600 00	86,580 98	*20,000 00	
Custom-house	1833-'70	6,150 00	1,800 00	2,550 00		Building purchased and repaired.
Custom-house	1847-'53	37,534 40	5,814 71	36,044 00		
Custom-house Kennebunk:	1854-'58	24, 809 68	3,000 00	23, 397 32	*13,000 00	
Custom-house	1832	1,600 00		1,575.00		Building purchased.
Machias: Custom-house	1867-'78	25,766 91	1,000 00	25,766 91		
Portland: Court-house and post-office	1866-'72	402, 214 64		401, 998 14		Erected on old custom-house site.
Custom-house (old)	1828-'48	22,100 00 360,031 71		21,584 31 359,742 54		Building purchased and afterward rebuilt. Burned
			40 500 00		4000 000 00	in 1866.
Custom-house (new)	1864-'72 1852-'70	545, 906 99 112, 000 00	40,500 00 12,446 15	545, 900 23 109, 519 50	*300,000 00	Act April 20, 1870, provides that no money shall be expended until contracts have been made to com-
Rockland: Custom-house and post-office	STATE AND ADDRESS OF THE PARTY	145,000 00	12,000 00	144, 828 11	50,000 00	plete the building within the limit.
Waldoborough: Custom-house and post-office		25,000 00	2,000 00	24, 324 68	12,000 00	
Wiscasset:		.0004.0000.000				Building purchased; afterward rebuilt.
Custom-house		34,710 78	1,800 00	31,468 03		Bunding purchased; alterward rebuilt.
Total		2,107,407 15		2,078,008 28	***************************************	Maria and the second of the se
Baltimore:		. 75			i oli il i	
Court-house	1856-'66	309,000 00	50,000 00	255, 158 97		In Supervising Architect's report these buildings
Court-house and post-office	1856-'72	350,000 00	200,002 00	349,735 94		are not rightly designated. Building purchased and repaired. Includes two adjacent lots and buildings.
Custom-house	1833-'46	266,000 00 285,657 99	180,000 00° 30,000 00	265, 920 61 284, 499 76		Includes two adjacent lots and buildings,
LazarettoPost-office and court-house	1804-'37	46,771 07 1,304,000 00	553,500 00	45,703 88 997,370 78	2,011,835 00	In course of construction.
	The second second					The course of community
Total		2,561,429 06		2, 198, 389 94		
MASSACHUSETTS. Barnstable:		IN DESCRIPTION				
Custom-houseBoston:	1855-'56	83,770 75	1,500 00	83,723 74	*20,000 00	A HALL COLOR OF THE STREET, ST. ST.
Custom-house (old)	THE RESERVE OF THE PARTY OF THE	110,000 00 29,000 60	105,000 00	110,000 00 29,000 00		Masonic temple purchased,
Custom-house (new)	1835-'78 1868-'84	1, 194, 562 00 5, 906, 652 42	180,000 00 1,329,095 84	1, 192, 721 27 5, 841, 586 42	†68,158 00 *1,500,000 00	In course of construction. No money to be ex- pended until contracts to construct the building
Chelsea:					The state of the s	within the limit are made.
Marine hospital (old)	1802	15,000 00 32,171 39	4,068 00	14,842 34 32,168 06		
Marine hospital (No. 2)	1855-'68	369, 700 00	50,000 00	368, 130 80		
Fall River: Custom house and post-office	1872-'81	518,000 00	132, 856 65	492, 953 99	200,000 00	Limit repealed 1875.
Houcester: Custom-house and post-office	1854	53,000 00	9,000 00	49,858 32	*40,000 00	
New Bedford:		31,745 00	4,900 00	31,740 00		
Custom-house		The second second		of the later of the same		
Custom-house	Comment III	23, 200 00	3,000 00	23, 188 50		
	1836	19,762 04	5,000 00	19,762 04		
Custom-house	2000				The second secon	
Total	1 2 3	8, 336, 563 60		8, 239, 675 48		
Total				8, 239, 675 48 1, 000 90		Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Jointresolution
Total Detroit: MICHIGAN. Court-house	1848-'51	1,000 90		1,000 90		Building purchased at sale on a judgment against
Total Detroit: MICHIGAN. Court-house Custom-house and post-office Marine hospital.	. 1848-'51 . 1855-'70	1,000 90 224,591 17 114,800 00	24,000 00 23,000 00	1,000 90 221,547 38 101,807 75		Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Jointresolution
Total Detroit: MICHIGAN. Court-house	. 1848-'51 . 1855-'70 . 1854	1,000 90 224,591 17 114,800 00 250,000 00	24,000 00 23,000 00 88,546 42	1,000 90 221,547 38 101,807 75 101,963 05	*118,000 00 *75,000 00 600,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3, 1843. In course of construction.
Total Detroit: MICHIGAN. Court-house	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00	24,000 00 23,000 00 88,546 42 69,996 01	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04	*118,000 00 *75,000 00 600,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction.
Total Detroit: MICHIGAN. Court-house and post-office	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00	1,000 90 221,547 88 101,807 75 101,963 05 211,409 04 7,765 00	*118,000 00 *75,000 00 600,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction.
Total Detroit: MICHIGAN. Court-house and post-office	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00	24,000 00 23,000 00 88,546 42 69,996 01	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04	*118,000 00 *75,000 00 600,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction.
Total Detroit: MICHIGAN. Court-house and post-office	. 1848-'51 . 1855-'70 1854 . 1882 . 1874-'78 . 1882 . 1872	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00	1,000 90 221,547 88 101,807 75 101,963 05 211,409 04 7,765 00	*118,000 00 *75,000 00 600,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3, 1843. In course of construction.
Total Detroit: MICHIGAN. Court-house and post-office	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78 . 1882 . 1872	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00 246,000 00 1,098,392 07	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00 5,205 00	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04 7,765 00 245,908 34 891,401 46	*118,000 00 *75,000 00 600,000 00 100,000 00 200,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction. Building not begun.
Total Detroit: MICHIGAN. Court-house	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78 . 1882 . 1872	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00 246,000 00 1,098,392 07	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00 5,205 00	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04 7,765 00 245,908 34 891,401 46	*118,000 00 *75,000 00 600,000 00 100,000 00 200,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction. Building not begun.
Total Detroit: MICHIGAN. Court-house	. 1848-'51 . 1855-'70 . 1854 . 1882 . 1874-'78 . 1882 . 1872	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00 246,000 00 1,098,392 07	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00 5,205 00	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04 7,765 00 245,908 34 891,401 46	*118,000 00 *75,000 00 600,000 00 100,000 00 200,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction. Building not begun. Site donated. In course of construction. No money to be expended until contracts to corre-
Total Detroit: MICHIGAN. Court-house	. 1848-'51	1,000 90 224,591 17 114,800 00 250,000 00 212,000 00 50,000 00 246,000 00 1,098,392 07	24,000 00 23,000 00 88,546 42 69,996 01 7,316 00 5,205 00	1,000 90 221,547 38 101,807 75 101,963 05 211,409 04 7,765 00 245,908 34 891,401 46	*118,000 00 *75,000 00 600,000 00 100,000 00 200,000 00	Building purchased at sale on a judgment against Bank of Michigan for \$33,415.70. Joint resolution March 3,1843. In course of construction. Building not begun. Site donated. In course of construction. No money to be expended until contracts to coraplete building within the limit are made.

* Building.

†What "old building will bring" to be added to limit.

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, &c.—Continued.

Locality.	Years appropriations were made.	Amounts appropriated.	Cost of site.	Cost of building and site.	Limit of cost.	Remarks.
MISSISSIPPI.	27/18/B					
fackson:	1881-'84	\$115,000 00	\$4,475 00	\$73, 130 46	\$100,000 00	In course of construction.
Natchez:				The same of the same of		In course of construction,
Oxford:	1842-'56	66,750 00	7,000 00	66,750 00	***************************************	
Pontotoe:	1882	50,000 00	6,151 90	6, 286 90	50,000 00	Po.
Court-houseVicksburg:	1854	4,000 00		4,000 00		
Marine hospital	1850-'57	67, 526 16		67,526 16		Tambella.
Total		303, 276 16		217, 693 52		21 24 25 25 25 25 25 25 25 25 25 25 25 25 25
MISSOURI.	- 118					
	1878-'84	350,000 00	9,105 98	302, 203 39	300,000 00	Do.
Innibal: Post-office	1882	37,500 00	13,311 50	19,072 00	75,000 00	Do.
lefferson City:	1882	100,000 00	10,342 55	15,602 55	100,000 00	Do.
Saint Louis:	1850-'61	376,600 00	37,000 00	375, 118 00	*75,000 00	
Custom-house (new)	1870-'84	6, 065, 700 00	368, 882 65	6, 045, 272 54	4,000,000 00	Do.
aint Joseph:	1842-'74	123, 291 20		90, 882 20		Site ceded by War Department,
Post-office, &c	1882	90,000 00	11,770 00	12,655 50	75,000 00	In course of construction.
Total		7,143,091 20		6, 860, 806 18		W STATE OF THE STA
MONTANA.	1 11					THE PARTY OF THE P
Deer Lodge : Penitentiary	1867-'75	48,795 00		48,772 75	40,000 00	The state of the s
Ielena: Assay office		58,506 18	1,540 00	58,506 18		N WILLIAM TO
Total		107, 301 18		107, 278 93		A STATE OF THE STA
NEBRASKA.			ME CONSIN	THE RESERVE	700	
lineoln:	1873-'80	199,500 00	436 35	198, 916 27	130,000 00	Site donated.
Omaha:	1855-771		200 00		100,000 00	one donated.
Capitol	1869-'75	58, 336 00 371, 500 00		58, 332 34 370, 694 44	100,000 00	Do.
Total		629, 336 00		627, 943 05		
NEVADA.						The state of the s
Carson City: Branch mint		426, 787 66		426,787 66		Site donated. Cost includes machinery.
NEW HAMPSHIRE.						
Portsmouth:	1816	8,000 00		8,000 00		
Custom-house (old)	1856-'58	166,300 00	19,500 00	165, 670 96	*88,000 00	
Concord: Post-office, court-house, &c	1882	100,000 00	52,716 38	58, 296 38	200,000 00	In course of construction.
Total		274, 300 00		231, 967 34		
NEW JERSEY.			H to be s			
Jersey City:	1873-'76	112,000 00	71, 383 05	111,870 58	300,000 00	Building purchased and remodeled,
Newark:		-201-0400020000000	50,000 00			Danaing parenased and remodeled,
Custom-house and post-office		162,000 00		159,873 00	88,000 00	
Custom-house and post-office			2,000 00	3,374 66		
Revenue office	1833-'35	719 31		719 31		Repairs. Building owned by United States,
Court-house and post-office	1871-'78	410,000 00	82,375 93	409, 906 56	250,000 00	
Total		708,719 31		685, 744 11		
NEW MEXICO.					Note the second	
Santa Fé: Capitol	1850-'60.	130,000 00		77, 837 59	130,000 00	The same of the same transfer
Penitentiary	1853	20,000 00		19,987 27		
Total		150,000 00		97, 824 86		
Albany:	100		1 4476		- 10 E	
Custom-house and post-office	1872	780,000 00	155,700 90	761,500 90	500,000 00	In course of construction.
Brooklyn: Atlantic Dock stores	1856	100,000 00		100,000 00		Purchase of three stores.
Post-officeBuffalo:	1881-'84.		408, 608 98	408,608 98	800,000 00	In course of construction.
Custom-house and post-office	1854-'57	290, 800 00	45,000 00	280, 165 08	88,000 00	
	1856-'73.	30,000 00		30,000 00		Perpetual lease of half the county court-house
Canandaigua: Court-house and post-office	2000 10.			1 1 1 1 1 1 1 1 1 1 1 1 1		
Canandaigua: Court-house and post-office New York: Assay office		713, 358 75	530,000 00	713, 358 75		Building purchased.
Canandaigua: Court-house and post-office	2132511307	559,000 00	14,000 00	534, 350 91 10, 362 40		Section 19
Canandaigua: Court-house and post-office New York:	1867-'81	559,000 00 11,000 00 70,000 00	14,000 00	534, 350 91 10, 362 40 70, 000 00		For mortgage on building.

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site &c-Continued.

Locality.	Years appropriations were made.	Amounts appropriated.	Cost of site,	Cost of building and site.	Limit of cost.	Remarks,
NEW YORK—Continued.	1				barren de	
New York:—Continued. Court-house and post-office	1856	\$9,327,295 96	\$508,585 25	\$9,311,690 67	\$3,000,000 00*	expended until contracts are made to complete
Subtreasury	1862-'78	261,700 00		256,051 77		the building within the limit,
Ogdensburg: Custom-house	1856-'73	231,701 88	8,100 00	231, 616 12	*100,000 00	
Oswego: Custom-house	1854-'58.	131,100 00	12,000 00	131,088 15	*88,000 00	
Plattsburg: Custom-house and post-office	1855	79,900 00	5,000 00	71,366 38	*50,000 00	
Poughkeepsie: Post-office, &c			37, 164 87	43, 194 37	75,000 00	In course of construction,
Rochester: Court-house and post-office			75, 655 43	86,956 21	300,000 00	Do.
Staten Island:	- many and a	and have and		and will the		20.
Public stores		161,033 75 20,000 00		146,081 93 20,000 00		
Suspension Bridge: Custom-house	1867	6,000 00		6,000 00		Building purchased.
Syracuse: Post-office and court-house	1882	245,000 00	70, 291 05	93, 448 52	200,000 00	In course of construction.
Utica: Court-rooms		17,000 00		12,000 00		Perpetual lease of rooms in City Hall.
Court-house and post-office West Point:	1872-'82		161, 192 25	405, 990 25	200,000 00	
Custom-house	1835	6,800 00				Covered into Treasury.
Total		16, 388, 371 91		15, 855, 545 85		The state of the s
NORTH CAROLINA.						
Charlotte: Branch mint		33,072 97	1,500 00	33,072 97		
Greensborough: Court-house and post-office		50,000 00	13,400 00	13,537 50	50,000 00	In course of construction.
Ocracoke: Marine hospital		and the annual state of	1,100 00	8,927 07		
Plymouth: Custom-house		and the state of		100 00		P
Raleigh:			0.700 FD		***************************************	Bought at marshal's sale 1830 of property of a pub- lic creditor.
Court-house and post-office Wilmington:			8,120 53	349,532 00	100,000 00	March 3, 1857, \$41, 879.47 returned to surplus fund.
Custom-house (old)	1843-'48	15,000 00 42,250 00		15,000 00 42,039 75	40,000 00	
Marine hospital	1855-'81.	53, 374 00	* 6,500 00	45, 697 44		
Total		.595, 287 60		507, 906 73		
Cincinnati:						
Custom-house (old)	1850-'66	339, 083 90	50,000 00	333, 173 13	75,000 00	\$46,671.13 was for alterations.
Custom-house and post-office (new) Marine hospital (1) Marine hospital (2)	1854-'58	5, 800, 000 00 186, 000 00	708, 036 60	5, 362, 473 74 180, 367 23	3,500,000 00	In course of construction.
Cleveland:	and the second	WEST CONTROL	50,000 00	87, 861 69		Do.
Custom-house	1856-'80 1842-'66	488,566 81 107,703 66	30,000 00 12,000 00	302,040 53 107,703 66		
Columbus: Court-house and post-office		The state of the s	59, 326 74	95, 949 30	250,000 00	Do.
Sandusky: Custom-house		86, 450 00	11,000 00	84, 121 23	*59,500 00	200
Toledo:				The same of the sa		
Custom-house (new)		89,950 00 325,000 00	12,000 00 53,251 70	89,717 34 205,826 43	*40,000 00 *250,000 00	Do.
Total		7,722,754 37		6, 854, 234 28		The state of the second second
OREGON.			100			
Astoria: Custom-house	1851	116, 128 90	7,900 00	76,047 85	10,000 00	
The Dalles: Branch mint	200000000000000000000000000000000000000	110,000 00		103, 280 00		Site donated; work suspended.
Portland: Custom-house		396, 500 00	15,000 00			Site donated; work suspended.
Penitentiary			15,000 00	396, 379 71 60, 000 00	100,000 00	
Salem: State-house	1848-'55	52,000 00		33,555 74		
Total		734, 628 90		669, 263 30		The the programme store some of the contract of
PENNSYLVANIA.						
Erie: Custom-house	1849	29,000 00		29,000 00		Building purchased.
Court-house and post-office	1882,	100,000 00	36, 177 50	42,337 72	50,000 00	In course of construction.
Post-office	1875-'77	410,000 00	110,927 88	400, 984 32	*300,000 00	
Appraisers' stores	1856-172	779, 905 55	250,000 00	648, 201, 23		
Court-house and post-office (old) Court-house and post-office (new)	1856-'70 1872	249, 473 81 6, 126, 000 00	161,000 00 1,491,200 99	248, 478 40 6, 097, 110 89	4,000,000 00	Building purchased. In course of construction; first limit, \$1,500,000;
Custom-house (old)		106, 456 58		78, 232 11		second limit, \$3,000,000.
Charles because (mann)	1844-'66	351,912 82		351,799 78		
Custom-house (new)	1802-770	38 070 92		28 070 09		
Lazaretto	1802-'70	38,070 93 413,504 16	31,666 67	38,070 93 413,504 16		

*Building.

APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, &c.—Continued.

Locality.	Years appropriations were made.	Amounts appropriated.	Cost of site.	Cost of building and site.	Limit of cost.	Remarks.
PENNSYLVANIA—Continued. Pittsburgh:—Continued.						Seauthon-seasons and
Custom-house	1851-'60 1842-'52	\$114,474 00	\$41,000 00	\$114,140 87		Only alto supplement
Marine hospital (old)	1874	71,171 96 37,396 37	30, 331 13	71,171 96 30,381 13		Only site purchased,
Scranton: Post-office, &c	1882	75,000 00	35, 474 67	35, 474 67	\$75,000 00	Building not begun.
Williamsport: Court-house and post-office		75,000 00	22,081 24	22,081 24	100,000 00	Do.
Total BHODE ISLAND.		9,777,900 18		9,155,198 59		
Bristol: EHODE ISLAND. Custom-house	1855-'58	31,400 00	4,400 00	27,890 01	*12,500 00	
Newport: Custom-house	1828-'75	32,873 68	1,400 00	32, 365 60		
Providence:		and annual		The state of the s	The same of	The state of the s
Custom-house (new)	1853-'66	13,504 00 277,000 00	40,000 00	13, 454 40 252, 753 22	200,000 00	
Total		354,777 68		326, 463 23		
Charleston: SOUTH CAROLINA.						Called the
Court-house	1869-'80	48,602 08	60,000 00	48, 159 88		Building purchased, old club house.
Custom-house (old)	1838-'75	90,596 56 2,806,915 43	130,000 00	90, 561 61 2, 802, 625 52		Building purchased and repaired.
Marine hospitalColumbia:	1830-'45	38, 382 76		33, 235 77		Will also and the same of the
Court-house and post-office	1857-'75	536, 899 75	5,000 00	412,301 12	*75,000 00	
Total		3,521,396 58		3, 386, 883 90		
Jackson: TENNESSEE.						
Court-house and post-office Knoxville:	1882	50,000 00	6,848 67	73,130 46	50,000 00	In course of construction.
Custom-house and post-office	1856-'74	515, 415 19	10,300 00	418, 830 71	*88,000 00	
Memphis: Court-house and post-office	1857-'84	616,000 00	25,000 00	456, 295 05	400,000 00	Part of site donated. In course of construction.
Marine hospital Nashville:	1880-'84	76,000 00	5, 693 17	50,840 63	30,000 00	In course of construction.
Custom-house and post-office	1856-'82	546,500 00	38,500 00	433, 835 27	150,000 00	
Total		1,803,915 09		1, 432, 932 12		
Austin: TEXAS,	-110					
Court-house and post-office	1877	186,000 00		185, 767 52	100,000 00	Site donated. \$2,000 donated toward site. In course of construc-
Dallas: Court-house and post-office	1882	75,000 00	11,346 95	18,095 65	75,000 00	tion.
Galveston: Custom-house and post-office	1854	116,000 00	6,000 00	113,954 78		Building not begun.
Custom-house	1882	87,500 00	20,620 00	20,620 00	125,000 00	
Total		464,500 00		338, 437 95		
Fillmore City: UTAH.	-		With the late			
State-houseSalt Lake City:	1850	20,000 00		20,000 00		
Penitentiary	1853	45,000 00		44, 998 90		
Total		65,000 00		64,998 90		
Burlington: VERMONT.						
Custom-house and post-office	1854-'74	62,283 60 43,650 00	7,750 00 1,750 00	58,436 51 37,174 53	*40,000 00	
Island Pond:	CONTROL ENGINEE	200000000000000000000000000000000000000	The same of the sa	The same of the sa		G
Custom-house Newport:	1866	10,000 00				Covered into Treasury.
Custom-house	1867	10,000 00				Do.
Court-house and post-office	1856-'57	75, 417 00	1,900 00	71,514 95	*25,000 00	
Custom-house	1866	10,000 00				Do.
Windsor: Custom-house	1856-'64	86,000 00	4,700 00	85, 150 39	*25,000 00	
Total		297, 350 60		252, 276 38		
Alexandria: VIRGINIA.				404,210 00		
County jail	1826-'28	11,699 16		11,699 16		
Custom-house (old)	1838-'44 1820-'22	18,550 00 8,246 46		8, 246 46		Building purchased.
Custom-house and post-office (new) Abingdon:		75,715 50	16,000 00	73,591 82	*50,000 00	
Court-house and post-office	1882	25,000 00	157 43	157 43	50,000 00	Site not purchased.
Court-house and post-office	1880-'84	. 110,300 00	14,500 00	99,975 58	70,000 00	
Harrisonburg: Court-house and post-office	1882	50,000 00	12,011 00	12,011 00	50,000 00	Building not begun,
Lynchburg: Court-house and post-office	1882	75,000 00	14,144 70	14,687 70	100,000 00	Do,
Norfolk:			14,144 /0		100,000 00	
Custom-house (old)	1818-'36 1849-'80	38, 002 33 229, 658 25	13,500 00	38,002 33 217,820 47	130,000 00	one the first survival and the survival and
Marine hospital Petersburg:	1800-'48	22, 210 34	20,000 00	217, 820 47 21, 755 35		
Custom-house and post-office	1854-'70	113,200 00	15,000 00	111, 183 38	*82,000 00	
Richmond: Custom-house	1852-'70	279, 763 35	61,000 00	279, 763 35	150,000 00	
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APPENDIX B.

Table showing the location of public buildings by States, the amount of appropriations, the cost of the site, &c .- Continued.

Locality.	Years appropriations were made.	Amounts appropriated.	Cost of site.	Cost of building and site.	Limit of cost.	Remarks.
washington.	1853-'75	\$40,274 75		\$12,079 35	\$35,000 00	
Capitolort Townsend :					\$33,000 00	
Marine hospital	1882	18,000 00	\$18,000 00	18,144 00		Site and building purchased.
Penitentiary	1857-'74	87, 271 00		48,684 48	40,000 00	
Total		145,545 75		79, 897 83		all their offs of in fall of wall the wave to
WEST VIRGINIA.						
Court-house and post-officerkersburg:	1881-'84	89,700 00	8,150 00	88, 285 15	75,000 00	In course of construction,
Post-office	1873-'78	243,000 00	17,841 40	240, 299 07	150,000 00	
heeling: Custom-house	1854-'60	118,711 00	20,500 00	118, 492 58	*88,000 00	HOREN IN ENDING
Total		451,411 00		447,076 80		both the most offer the property
WISCONSIN.	In Est		THE RESERVE		heresular.	harda (Charles and Aleka each week Dales
idison: Court-house and post-office	1857-'72	350, 082 74	10,885 94	349, 938 68		a lumpal and the state of the s
llwaukee: Custom-house Public buildings when Territory		211,804 53 40,000 00	12,500 00	211,785 06 40,000 00	*98,000 00	n Storier sundant die Sie beiter den Maliere nere offen velle er seine
Total	SCHOOL STATE	601,887 27		601,723 74		or surviving river (10 selv ber in
WYOMING. aramie City: Penitentiary	1870-'74	40,413 00		40, 109 92		

*Building.

States and Territories.	Amount appropriated.	Cost of build- ing and site.	States and Territories.	Amount appropriated.	Cost of build- ing and site.
Alabama	\$627,900 00	\$608,593 14	Montana	\$107,301 18	\$107,278 93
Alaska	6,000 00	5, 989 31	Nebraska	629, 336 00	627, 943 05
Arkansas		306, 745 79	Nevada	426, 787 66	426, 787 66
California		4, 633, 980 87	New Hampshire	274, 300 00	331, 967 34
Colorado		112,532 83	New Jersey	708, 719 31	685, 744 11
Connecticut		1,086,582 42	New Mexico		97, 824 86
Dakota	30,000 00	533 45	New York	16, 388, 371 91	15, 855, 545 85
Delaware	103,500 00	102, 924 97	North Carolina	595, 287 60	507, 906 73
Florida		196, 172 36	Ohio		6,854,234 28
Georgia		476, 438 15	Oregon		669, 263 30
Idaho	116,740 15	118, 991 05	Pennsylvania		9, 155, 198 59
Illinois	7, 802, 944 12	7,718,281 70	Rhode Island	354,777 68	326, 463 23
Indiana		836, 652 91	South Carolina	3,521,396 58	3, 386, 883 90
Iowa		552, 238 58	Tennessee	1, 803, 915 09	1, 432, 932 12
		350, 965 09	Texas		338, 437 95
Kansas		1,043,817 22	IItoh		64, 998 90
Kentucky		5, 398, 252 01	Utah		252, 276 38
Louisiana		2, 078, 008 28	Vermont		
Maine			Virginia		907, 484 03 79, 897 83
Maryland	2,561,429 06	2, 198, 389 94	Washington		
Massachusetts	8, 336, 563 60	8, 239, 675 48	West Virginia	451,411 00	447,076 80
Michigan	1,098,392 07	891, 401 46	Wisconsin	601,887 27	601,723 74
Minnesota	721,817 38	596, 779 31	Wyoming	40,413 00	40, 109 92
Mississippi	303, 276 16	217,693 52			
Missouri	7, 143, 091 20	6, 860, 866 18	Totals	93, 193, 226 76	87, 730, 425 54

Alcoholic Liquor Traffic Commission.

SPEECH

OF

HON. WILLIAM E. ENGLISH,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 23, 1885.

The House having under consideration the bill (H.R. 2142) to provide for a commission on the subject of the alcoholic liquor traffic—

Mr. ENGLISH said:

Mr. SPEAKER: As a member of the Committee on the Alcoholic Liquor Traffic, to whom this bill was referred, and as the author of the report made thereon to the House, I desire the attention of the House for a few remarks in connection therewith. This bill provides for the appointment by the President, by and with the advice and consent of the Senate, of a commission of seven persons to investigate the alcoholic liquof traffic, its relations to revenue and taxation, and its general economic, criminal, moral, and scientific aspects in connection with pau-

perism, crime, social vice, the public health, and the general welfare of the people; and also to inquire as to the practical results of license and prohibitory legislation in the several States of the Union.

In so far as the proposed investigation of the said traffic relates to revenue and taxation, I am of the opinion that all necessary information important for the General Government to have on that subject is already accessible, and that there is no need of an investigation by a special commission. And in so far as it relates to its general economic, criminal, moral, and scientific aspects, and the practical results of license and prohibitory legislation in the several States, I am of the belief that it is better to leave these matters to investigation and regulation by the law-making power of the States themselves rather than by the General Government. This bill was referred by the Committee on the Alcoholic Liquor Traffic to a subcommittee of three, of which I had the honor to be the chairman. At the request of a majority of that subground which was adopted by the full committee without change and with but one dissenting voice. Mr. Speaker, as is stated in that report, I can not see that there is any great, urgent necessity for the passage of this bill, even if it were admitted that Congress had the right to enact this sort of legislation.

Since 1873 the advocates of a national prohibitory law have been endeavoring to procure the adoption by Congress of legislation of this character, and I am in duty compelled to say that I can not conscien-

tiously support any measure here which looks to the enaction of absolute prohibition. I believe that the great majority of those who clamor for laws of this nature are conscientious and honest in their intentions, and firm believers in the theories which they advocate; but, Mr. Speaker, these are, in my opinion, theories which the history of past events show can never be made practical. I am earnestly in favor of every movement for the promotion of temperance and sobriety, and will support ever proper measure to that end; but I believe those interests to be injured rather than advanced by intemperate efforts at absolute prohibition. In several of the States strict prohibitory laws have been adopted; but it would seem that little success has followed the experiment, and that there has been no very apparent lessening of the evils of intemperance in those States.

In the State of Maine prohibitory laws have been upon the statute-

In the State of Maine prohibitory laws have been upon the statute-books more or less continuously for thirty years, and yet I take it that it will not be positively claimed that the liquor traffic has been really suppressed in that State. And in the States of Iowa and Kansas the public press statements indicate that the efforts at absolute prohibition have not been conspicuously successful, and it would appear that one of the worst results of the law there has been to decrease the use of beer and other lighter and less harmful drinks and to greatly increase the use of strong drink of the worst grades manufactured. I clip the following from a leading Republican paper on the practical workings of

the law in the State of Iowa:

Conviction is made difficult from the fact that nearly all the business men are opposed to the law in sympathy with the liquor dealers. Formerly a large amount of beer was sold, but it is so bulky that its transportation and storage without detection is almost impossible, and as whisky can be carried about the person, whisky of the vilest quality is the only beverage.

I believe that the only true method of dealing with the liquor traffic is by a strong, stringent license system faithfully and rigidly enforced, I believe that the only true method of dealing with the inquor tanks is by a strong, stringent license system faithfully and rigidly enforced, and around which is thrown every wise, proper, and necessary restriction—a well-regulated and well-executed system, which will promote the virtues of sobriety and temperance, while duly regarding the personal and property rights of the citizen. There is an inherent disposition in all mankind to resent any unreasonable or arbitrary attempts to interfere with their natural rights, and laws to be effectively administered must be sustained by public opinion and must not conflict with the inalienable rights which naturally belong to a free people. Otherwise the evil aimed at will in the end rather be increased than diminished. These are among the important reasons why absolute prohibition never has been and in my opinion never can be really successful. The people demand reasonable and just laws faithfully executed rather than fanatical and impractical measures invasive of personal rights and not in accord with public sentiment.

Mr. Speaker, I have not arrived at my conclusions upon this important subject without due consideration. I have had previous occasion to give this matter much thought and investigation. At the time of my election to Congress this was the all-absorbing issue of the campaign. A prohibition amendment to the constitution of Indiana was pending,

A prohibition amendment to the constitution of Indiana was pending, A promotion amendment to the constitution of indiana was pending, and upon this issue the two great parties divided—the Republicans favoring the submission and adoption of the amendment, and the Democracy in opposition thereto. I had the honor of presiding over the first convention held in the State that took a stand against the amendment, and the convention which unanimously nominated me as a candidate for Congress declared unconditional opposition to all prohibitory and sumptuary legislation; and upon this platform I was elected to Congress from a district heretofore Republican after an expertionally class. gress from a district heretofore Republican after an exceptionally close

and exciting contest.

I gave the question a full investigation then, and I have still further investigated it during the consideration of the pending bill, and the more thoroughly I examine the subject the more strongly am I confirmed in my previous convictions of opposition to prohibitory legisla-tion. However, I shall not detain the House further in this connection or attempt to discuss the bill fully in all its various aspects, but in conclusion will read the following extract from my report, previously made upon this bill, as more clearly setting forth my views upon this very important measure:

The power to regulate the retail liquor traffic has, from the foundation of the Union, been regarded as the exclusive right of the States rather than of the General Government. Attempts have been made by some of the States to entirely prohibit the manufacture or sale of spirituous or mail tiquors, but with little apparent success, and the interests of true temperance and sobriety, so much to be desired, would seem to demand wise and stringent restrictions and effective safeguards in connection with the liquor traffic rather than impractical efforts at absolute prohibition. To the several States of the Union properly belongs the right to enact such local police regulations as will throw every proper restriction around the liquor traffic compatible with the personal and property rights of the citizen, but uniform police regulations enacted by Congress practically suited to the different wants and requirements of the people of all the various States would be difficult to frame and more difficult to execute.

cute.

Any attempt to control the personal habits and private conduct of the individual should be opposed, so long as he does not interfere with the personal rights of others or the peace and order of society in general. As it is a matter of grave doubt whether Congress has the right to regulate the liquour traffic in the several States of the Union, and as there seems to be no great, pressing, or urgent necessity for the passage of this bill, your committee hold that it is not advisable to attempt the exercise of doubtful powers by the General Government in these matters which appear more properly to belong to the States themselves. Your committee therefore recommend that the bill be reported back to the House with a recommendation that it do not pass, and they ask to be discharged from the further consideration of the subject.

Contested Election-Massey vs. Wise.

SPEECH

HON. MORTIMER F. ELLIOTT.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES.

Tuesday, March 3, 1885,

On the contested-election case of Massey vs. Wise.

Mr. ELLIOTT said:

Mr. SPEAKER: Having submitted to the House the report of the committee in this case, I deem it my duty to state the reasons govern-ing the majority in reporting that John S. Wise was duly elected a member of Congress from the State of Virginia and that he is entitled to

memor of congress from the State of Virginia and that he is entitled to retain the seat which he now occupies.

John S. Wise and John E. Massey were opposing candidates at the November election in 1882 for the position of Representative in Congress from the State of Virginia at large. According to the returns as certified by the State board of canvassers, Wise received at said election certified by the State board of canvassers, Wise received at said election 99,992 votes, and Massey, his competitor, received 94,184 votes, giving Wise a majority of 5,808. The contestant seeks to overcome this apparent majority, and in his brief claims that the contestee received 15,712 illegal votes, which, deducted from the number of votes returned as cast for him, would elect the contestant by quite a decided majority. These votes, with a few exceptions, are claimed by the contestant to be illegal for the following reasons:

By the laws of Virginia the payment of a capitation tax of \$1 prior to the day of election is made a prerequisite to the right to vote. A very large number of the citizens of Virginia neglected to pay the capitation tax assessed against them to the officers first charged with the collection of the same.

The revenue laws of Virginia so far as they relate to the questions

The revenue laws of Virginia so far as they relate to the questions involved in this case are as follows:

SEC. 23. The treasurer (of each county or city), after ascertaining which of the taxes assessed in his county or corporation can not be collected, shall as soon as practicable in each year, after the 15th day of June, make out lists of three classes, to wit, first, a list of property on commissioner's land-book improperly placed thereon, &c.; secondly, a list of other real estate, &c.; and thirdly, a list of such of the taxes so assessed, other than on real estate, as he is unable to col-

SEC. 25. The first and third lists mentioned shall be verified by the oath of the treasurer and his deputies to the effect that they verily believe no part of the taxes or levies embraced has been or could have been collected.

Section 26 of same act provides that said lists shall be presented to the court, and the court, if satisfied as to their correctness, shall direct the clerk to certify copies thereof to the auditor of public accounts.

Section 29 of same act is as follows:

A certified copy of the first and third lists heretofore returned shall be placed by the auditor of public accounts, within sixty days after receiving the originals, or as soon thereafter as practicable, in the hands of any sheriff, sergeant, constable, or collector for collection, the same to be accounted for within one year thereafter; said officers to have the same power of distress as treasurers, and shall account for the same in like manner, and he and his sureties shall be subject to all such remedies as are given to the Commonwealth against treasurers for failure to pay, and his compensation shall not exceed 20 per cent. of the amount collected and paid into the treasury.

Prior to the election in 1882 the auditor of public accounts, S. Brown Allen, appointed a collector for each city and county in the State and placed in their hands the delinquent personal property and capitation taxes which had been certified to him by the clerks of the different counties of the State.

The form used in making the appointment of collectors was as fol-

DEAR SIR: Inclosed herein I send you a list of delinquent capitation and personal-property taxes for —— county for the year 1881, amounting to the sum of \$-, and hereby appoint you collector of the same pursuant to section 29 of the act approved April 1, 1879, prescribing the duties of certain county officers, &c. You will please sign the inclosed receipt for said list, and, together with the bond herein duly executed, return the same to me.

I am, very respectfully,

S. BROWN ALLEN.

S. BROWN ALLEN,
Auditor of Public Accounts.

The testimony shows that the two collectors appointed by the auditor of public accounts issued capitation-tax receipts to the number of from fifteen to sixteen thousand. Perhaps twelve hundred of this number were issued either in blank without payment of the tax, or on election day. I am compelled to estimate the number issued in blank and on election day, as the witnesses are not able to state the number with

on election day, as the witnesses are not able to state the number with accuracy. Indeed, they all say they do not know the number so issued. The evidence shows that the remainder of the receipts were issued by the collectors prior to the day of election, and they were paid for and the names of the tax-payers were inserted in the receipts prior to their delivery. It is true that a great number of these receipts were paid for by and delivered to others than the persons against whom the taxes were assessed.

The contestant contends that the auditor of public accounts had no power to appoint collectors to receive the capitation tax, and that the

payment of such tax to the collectors appointed by him was no payment, and the votes cast on such receipts were illegal and should be thrown out for that reason. Section 29 of the revenue laws of Virginia, which I have read, provides that the delinquent lists shall be placed by the auditor in the hands of any sheriff, constable, or collector for collection. It is contended by the contestant that the section referred to contemplates that the delinquent-list shall be placed in the hands of an existing officer, and does not give the auditor power to appoint collectors. I think there is much force in this position, but I shall not attempt to elaborate my views upon it, as I do not deem it necessary to determine that question.

The auditor of public accounts was at the head of the revenue deartment of Virginia. He had the supervision of the collection of the delinquent personal and capitation taxes certified to him by the respective county clerks, and it became his duty under the law to place them in the hands of one or more sheriffs, sergeants, constables, or collectors for such purpose, and even if he was not authorized, under a proper construction of the revenue laws of Virginia, to select private persons as collectors, yet such persons so appointed to collect the delinquent taxes were acting under color of office, and the tax-payers were not bound, at the peril of forfeiting their right to vote, to know whether

the auditor had exceeded his powers in appointing them.

The purpose of the law was to compel the payment of the tax, and that purpose was accomplished and the money reached the treasury through these collectors, the accredited agents of the auditor; and it would be manifestly unjust to hold that the citizens who paid their taxes in good faith to the persons held out by the auditor of public accounts as the proper ones to receive them should be disfranchised, because it is doubtful whether the auditor did not exceed his authority.

Auditor Allen did not inaugurate the practice of appointing tax-collectors to receive the delinquent personal and capitation taxes. John E. Massey, the contestant, was the auditor who preceded Allen, and he appointed collectors in every county of Virginia to receive the delin-

quent personal and capitation taxes.

Mr. Massey when he was auditor had no doubt of his right to appoint these collectors. He appointed them in 1880 and again in 1881,

and in many instances Allen appointed them in 1880 and again in 1881, and in many instances Allen appointed the same persons who in previous years had been appointed by Massey.

I do not mean to be understood that Massey is estopped by his own conduct from saying that the appointment of these collectors was without authority of law; I refer to the fact merely to show that it had been the practice for two years prior to 1882 for the anditor to appoint these the practice for two years prior to 1882 for the auditor to appoint these collectors, and that I think greatly strengthens my position that they were acting under color of office.

The contestant can hardly ask the House to say that these collectors were not acting under color of office. I judge that the friends of Mr. Massey would rather they had some other and better reason for over-

turning a majority of nearly 6,000 votes than that he did what he knew to be illegal or that he was profoundly ignorant of his duties.

A word in relation to the point made that the tax was not in all cases paid by the voter himself. The rule is well settled that a tax may be paid by an agent as well as by the person himself, and although the person paying the tax was not authorized to do so prior to its pay-ment, yet the voter by accepting the receipt adopts the act and as of the date when the payment was made.

The courts have passed upon this very question, and I quote from the opinion in one of the cases I have examined.

In re District Attorney of Dauphin County, 11 Philadelphia Reports, 649, the court says:

From the adoption of the Constitution in 1790 down to the present time the practice to pay taxes through an agent has always been held as good and valid as when done by the voter in person, and the presentation of the receipt at the polls and claiming the right to vote by virtue of it has always been considered sufficient evidence of the adoption of the agency.

It is averred, however, in the petition, and when that is demurred to we must take it to be true, that these voters had their taxes paid without their knowledge or previous authority conferred on the person paying.

We must hold in this as in other cases, that a subsequent ratification is equivalent to an original command. * * The only doubt which can exist on this branch of the case arises out of the constitutional mandate that the tax must be paid at least thirty days before the election, and whether the voter is obliged to show that he assumed and acknowledged the payment by the agent before that time.

On careful consideration we are satisfied that the ratification adopts the extended to the consideration and co

On careful consideration we are satisfied that the ratification adopts the act as of the time of its performance. It is thus carried back by relation to that period. Such is the doctrine laid down by ancient and modern writers and by udicial decisions.

From what I have said my conclusions are obvious, that the votes cast on receipts issued by the tax-collectors appointed by the auditor of public accounts, which were paid for by the voters or other persons for them prior to the day of election, were legal votes, and were properly received and counted. If, however, I am not correct in this position, it is impossible to determine from the evidence for whom the persons who voted on these tax-receipts cast their ballots.

I am satisfied that a large portion of this vote in some of the counties was cast for Wise; and I have a suspicion that it was pretty generally cast for him throughout the State, but I challenge any man on this floor to make a list of a thousand persons by name who voted for Wise

on these tax-receipts. XVI---169

The evidence upon the subject is that the collectors were members of the Readjuster party; that Readjusters paid the taxes and took the receipts, that these receipts were used largely by the colored voters, and that as a class they favored Wise.

Under evidence so vague and uncertain as this where would you commence to throw out votes? Suppose you find John Jones on the list as having voted and he is also marked as a colored voter, could you throw out his vote and take it off Wise on the proof that the tax-receipts were issued largely to colored voters, and that they, as a rule, to which there were confessedly exceptions, favored Wise?

There is no proof as to who Lohn Lones favored what party he ested

There is no proof as to who John Jones favored, what party he acted with, whether he voted on one of the tax-receipts issued by Allen's collectors or not, but from this exceedingly general evidence as to the political affiliations of the colored men as a class it is proposed to throw out his vote. How do you know he is not one of the colored men who voted for Massey; perhaps one who had not yet learned that Massey had ceased to be a Readjuster?

No rule has as yet been established by the courts or by Congress which would justify the indiscriminate throwing out of votes upon such

loose and uncertain testimony.

I need not dwell longer on this branch of the case, as the minority of the committee in their report concede that it would be unwise under the department of the State the circumstances to reverse the decision of the department of the State government which is in charge of the tax system of Virginia. The minority say:

There can be no doubt that many capitation-tax receipts were issued in blank; that many were issued on the day of election, and that many were issued in gross and then distributed; and it is claimed with much force that any payment of taxes for delinquent voters without the authority previously given, especially when made by political agencies, approximates bribery.

But we can not say that the evidence is clear that a sufficient number of votes illegal for any cause were cast for the sitting member to justify the rejection of his majority.

Thus it will be seen that all the members of the Elections Committee agree that Wise was duly elected. The case was heard at great length by the full committee, and their unanimous verdict ought to have some weight with this House. It is a case requiring weeks of patient investigation to understand, and this House of necessity, so far as the questions of fact are concerned, must depend largely upon the committee. It is claimed, however, by the contestant and by the minority of the

committee that the sitting member has since his election disqualified himself from holding the office of Representative in Congress. It is claimed that the contestee, after his term of office as Representative commenced, was appointed by the Attorney-General to an office under the United States, which he continued to hold until he qualified as a member of the House. Article 1, section 6, last clause, of the Constitution of the United States is as follows:

And no person holding an office under the United States shall be a member of either House during his continuance in office.

The only evidence before the committee on the subject was the admissions of the contestee made during the arguments of counsel. He stated that on the 5th day of March, 1883, he was employed by the Attorney-General to assist the United States district attorney of Virginia in the trial of certain enumerated cases then pending in the United States district court of Virginia; that all the cases had not been disposed of, and that he expected to assist at the trial of the cases still undetermined when they should come on to be heard.

The contestee by the terms of his agreement with the Attorney-Gen-

eral was to receive for his services as special counsel in said cases not less than five hundred nor more than one thousand dollars, as the At-

torney-General should thereafter determine.

Under these facts was the contestee appointed to an office within the meaning of the clause of the Constitution which I have quoted? And if the arrangement between him and the Attorney-General constituted him an officer, did he continue such officer after he qualified and entered upon the performance of the duties of a member of Congress?

The contestee was employed by the Attorney-General under section

363 of the Revised Statutes, which is as follows:

The Attorney-General shall, whenever in his opinion the public interest requires it, employ and retain in the name of the United States such attorneys and counselors at law as he may think necessary to assist the district attorneys in the discharge of their duties, and shall stipulate with such assistant attorneys and counselors the amount of compensation, and shall have supervision of their conduct and proceedings.

It will be seen that the Attorney-General is not authorized to appoint an officer of the United States. He is simply authorized to retain and employ attorneys and counselors at law whenever in his judgment the regular law officers of the Government need assistance in the trial of cases in which the Government has an interest. To retain an attorney to assist in the trial of a case for the Government is no more the appointment to an office than the hiring of a lawyer by a private individual would be. The Government is the client of the attorney so hired, and his employment ceases with the entry of final judgment in the case he is employed to try, or sooner if the agent of the Government thinks proper to dismiss him and retain another attorney. When so retained the position of the attorney is essentially that of an employe under contract, the contract alone defining his duties and fixing the measure of his compensation for the work he has agreed to per-form. His duties are not defined nor is his compensation fixed by law. If he is an officer what is his name, what is his tenure, what his duties, and does the office continue in case of his death or resignation? Is he an officer when the jury retires for deliberation, and when the verdict is rendered and judgment entered does he cease to be one, and is the office

itself abolished by the ending of the case?

If Wise had been employed to try one case he would have been an officer of the Government the same as though he had been retained to

try fifty cases

Suppose him to be trying the case on the day before the first meeting of the Congress to which he was elected, if the verdict is rendered on that day his term of office has expired before he is required to qualify as a member of Congress and his seat in this House has not been forfeited; but if the jury deliberate past midnight and the verdict is rendered in the afternoon of the next day, he was continuing in office under the Government at the time he qualified as a member of Con-

gress and thereby forfeited his right to a seat in this House.

Is it not clear that Wise occupied a contract relation to the United States, and not that of an officer of the Government? He agrees for \$1,000 to assist the Government in the trial of ten of her cases and receives a retainer at the time the agreement is made. Would he not

have been liable under that contract if he had refused to perform it according to its terms? Could he have kept the retainer and refused to perform any service under the agreement?

The term "office" embraces the ideas of tenure, emoluments, and duties, and the latter must be continuing and permanent, not occasional and temporary. Authorities are numerous and satisfying on this question, and I will refer the House to a few of them. Chief-Justice Marshall, in United States vs. Maurice et al., 2 Brockenbrough's Reports,

Although an office is an employment it does not follow that every employment is an office. A man may certainly be employed under a contract, express or implied, to do an act or perform a service without becoming an officer. But if a duty be a continuing one, which is defined by rules prescribed by the Government and not by a contract, which an individual is appointed by Government to perform, who enters on the duties appertaining to his station without any contract defining them, if these duties continue though the person be changed, it seems very difficult to distinguish such a charge or employment from an office.

In United States vs. Hartwell, 6 Wallace, 385, the Supreme Court

An office is a public station or employment conferred by the appointment of Government, and embraces the ideas of tenure, duration, emolument, and duties.

The case of the United States vs. Germaine (99 United States Reports, 508) is directly in point, and in principle rules the question raised in this case.

The defendant in that case was appointed by the Commissioner of Pensions to act as surgeon, under the act of Congress of March 3, 1873, which is as follows:

That the Commissioner of Pensions be, and is hereby, empowered to appoint at his discretion civil surgeons to make the periodical examinations of pensioners which are or may be required by law, and to examine applicants for pensions when he shall deem an examination by a surgeon appointed by him necessary, and the fee for such examinations and the required certificates thereof in duplicate, including postage on such as are transmitted to pension agents, shall be \$2, which shall be paid by the agent for paying pensions in the district in which the pensioner or claimant resides, out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe.

He was indicted in the district of Maine for extortion in taking fees from pensioners to which he was not entitled. The law under which he was indicted is as follows:

Every officer of the United States who is guilty of extortion under color of his office shall be punished by fine of not more than \$500 or by imprisonment not more than one year, according to the aggravation of the offense.

The question presented to the supreme court was whether the surgeon was an officer of the United States. The court held that the defendant was not an officer of the United States, and in the course of the opinion use the following language:

If we look to the nature of the defendant's employment we think it equally clear that he is not an officer. In that case (referring to United States vs. Hartwell, 6 Wallace, 385) the court said the term embraces the ideas of tenure, duration, emolument, and duties, and that the latter were continuing and permanent, not occasional and temporary. In the case before us the duties are not continuing and permanent, and they are occasional and intermittent. The surgeon is only to act when called on by the Commissioner of Pensions in some special case.

If this case is to be followed, it is clear that the contestee was not an officer of the United States at the time he qualified as a member of

The contestant in his original brief, when considering the power of the auditor of public accounts to appoint tax-collectors, states the position which I have taken on this question with much force. He says:

One who performs duties under contract is not an officer, but one who acts under law prescribing and requiring their duties concerning the public seems to be considered an officer. * * An officer is one who exercises a power continuously and as a part of the regular and permanent administration of the Government. * * * An office implies tenure, duration, fees, rights, powers, and duties [citing Burrill's Law Dictionary, 767].

If these extracts which I have read from page 3 of the contestants'

original brief state the correct doctrine, what becomes of his subsequent allegation that the contestee was an officer of the United States?

I have taken more time, perhaps, than was necessary in discussing the question whether Wise was an officer of the United States by virtue of his contract with the Attorney-General. I do not think it very material to a proper decision of this case to determine whether Wise held an office under the United States at the time he qualified as a member of Congress. It has been many times determined by this House that a member-elect may continue to exercise the functions of an office under the United States which he held prior to his election or to which he was appointed after his election down to the time when the time arrives for him to enter upon the performance of the duties of a member of Congress

When that time arrives he must make his election which of the two offices he will hold from that date. If he appears upon the floor of the House on the day it is organized and takes the oath of office, he elects to hold the office of Representative, and such election is equivalent to a formal resignation of the other office, and from that moment forward he can no more perform the functions of the other office than he could had he formally resigned and the resignation been accepted.

It is true that Wise stated before the committee that he expected to assist at the trial of the cases yet undisposed of, but I can not see how that is of a feather's weight. If he had been United States district attorney for Virginia on the first Monday of December, 1883, and as member of Congress elect he had appeared upon that day and been sworn as a member, would not such action on his part have operated as a legal abandonment of the office of district attorney, and could he have continued himself as such officer by his declaration made a month afterward that he intended to hold on to the office of district attorney

If, instead of taking upon himself the obligations of a member of Congress the first moment he could do so, he had continued after the meeting of Congress to perform the duties of district attorney, his continuing to exercise the functions of that office would have been treated as an election to continue as district attorney and an abandonment of the position of member of Congress. The first moment he was under obligation to elect between the two offices he did so, and his right to the one, the duties of which he had been lawfully performing up to that time, was absolutely gone.

Authorities upon this point are more than abundant. I quote from McCrary on Elections, section 239:

If there is a statutory or constitutional provision prohibiting the same person to hold both the offices at the same time, then of course the question of their incompatibility does not necessarily arise, for in such case the acceptance of the second is type facto the abandonment and resignation of the first, though the duties of the two may be entirely compatible.

In the case of General Robert C. Schenck it was held that his acceptance of the position of major-general of volunteers after his election as a Representative did not operate as a forfeiture of his seat as a member a Representative did not operate as a forfeiture of his seat as a member of Congress, he having resigned the position of major-general prior to the meeting of Congress. If he had not resigned but had appeared and qualified as a member of Congress the first moment he could have done so, such action on his part would have had the same effect upon the office of major-general as did his formal resignation.

The facts in General Blair's case were the same as in that of General Schenck's, except that Blair continued to hold his commission in the Army and to everyise his functions under it after the meeting of Congress and the same as in the process of the same and the everyise his functions under it after the meeting of Congress and the same as in the

Army and to exercise his functions under it after the meeting of Con-After the time came for him to enter upon the duties of member of Congress he continued to perform the duties of an officer of the Army, and this House held that by refusing to qualify as a member of Congress at the first opportunity, and continuing to act as an officer of the Army, he elected to retain his office in the Army and abandoned the office of member of Congress

Mr. DAWES, the then chairman of the Committee on Elections, in the course of his very able report in the Blair case, says:

A man in the discharge of the duties of one office is tendered another whose duties he is required to enter upon at a certain time, but the functions of both he can not perform. When the time arrives at which the duties of the latter office commence he is at liberty to choose. If he takes the latter the functions of the former, *pso* facto*, cease as the result of his choice. When he accepts one office the law interprets the act as a surrender of any incompatible office.

I again quote from McCrary on Elections, section 243:

There can be no doubt but that the accepting of the office of Representative in Congress and entering upon the discharge of its duties amounts to a resignation and abandonment of any incompatible office previously held, and hence a formal resignation is not necessary in any such case.

My position on this case, briefly stated, is this: John S. Wise, the contestee, was duly elected by a majority of from four to five thousand votes over his competitor, John E. Massey, the contestant; that he did not at any time after the 3d of March, 1883, hold any other office under the United States, but that if he did, if what I call an employment to try a given number of cases should be held to be an office within the meaning of the Constitution, then that, under all the authorities on the subject, including the precedents in this House, he had a right to accept another office even after his election, and continue to exercise the functions thereof down to the time when he could qualify as a member of Congress. Then he was bound to elect which office he would hold,

which he did by qualifying as a member of this House on the first day Congress convened. Such election was an abandonment of the office, if such employment can be dignified as an office, which he received by appointment from the Attorney-General.

There is not a single line of authority in conflict with these positions, especially the latter, and it seems to me that it is the imperative duty of the House to declare that John S. Wise is entitled to retain the seat

he now occupies.

Note by Mr. Turner, of Georgia.—While the argument in this case was pending before the Committee on Elections on the question involved, Mr. Wise, in propria persona, stated in effect that he intended to continue in the position which he occupied under sections 363 and 366 of the Revised Statutes as special assistant to the United States district attorney of the eastern district of Virginia, and based his defense on this question upon the proposition that this position was not "any office" under the Constitution. It was on this account that the reports of the majority and of the minority of the committee did not discuss the effect of his qualification as a member of the House upon the tenure of his position under the Department of Justice. I reassert my entire confidence in the views presented in the minority report, and regret that I can not now present the argument in support of that report.

Refunding the Bonded Debt of the United States.

SPEECH

HON. ORLANDO B. POTTER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 15, 1885.

The House having under consideration the bill (S. 1155) to provide for the issue of circulating notes to national banking associations—

Mr. POTTER said:

Mr. SPEAKER: In discussing this measure, with the disposition on the part of the House to close debate at an early hour, it is apparent to me that no such thorough discussion of the question as its magnitude demands can possibly occur. With regard to the bill now before the House, having given at least as much consideration as average men to this subject, I entertain the clear and undoubting opinion that instead

this subject, I entertain the clear and undoubting opinion that instead of strengthening the credit of the country, instead of answering the end which it proposes to meet, it is likely it will tend strongly, and I believe it will be the first step that will inevitably lead, to the overthrow of our system of banking in this country.

What are the difficulties of the present hour? They are simply these, that the bonds of this country have gone to so high a premium under the operation of the laws that exist, that citizens can no longer profitably use them for purposes of banking. The difficulty is that the bonds that can now be used, that are not already due and payable, are at a premium—the four-and-a-halfs, due in about seven years, and the fours, due in twenty-two and a half years, are severally at a premium of from 12 to 14 and from 20 to 25 per cent.

of from 12 to 14 and from 20 to 25 per cent.

What does this bill propose? It proposes inevitably to increase that premium and aggravate the difficulty. It proposes that banks shall be allowed to issue 10 per cent. more in bills upon the bonds. And what is the effect of that? To make the bonds worth for that purpose 10 per cent. more in market. The premium instead of being on the fours 22 to 25, as it has averaged during the last year, will be from 25 to 30 at least. Under the operation of the premium that exists, and has existed during the past year, bankers have been disposed to sell their bonds in order to realize the premiums and thus to diminish the circulation of the country. And yet we are asked to increase directly the premium upon the bonds in order that they may be profitably, as it is said, induced to increase circulation. That this bill can have no such effect, that with certainty it will have precisely the contrary effect,

such effect, that with certainty it will have precisely the contrary effect, can not be doubted by any one who has studied the question.

But, sir, it is not merely this that is the only or principal objection to this bill. There is another objection that surely this House, in charge of the revenue legislation of this county, should not disregard. We owe, sir, a large debt, and there are but \$190,000,000 of it payable within the next seven years. At the rate at which the public debt has been paid during the last two years we are inevitably confronted within two years or a little more from this time with this state of facts: With our Treasury full perhaps overflowing money yield up in the Treasury. our Treasury full, perhaps overflowing, money piled up in the Treasury of the United States, and not one dollar of debt which we can pay for the next five years thereafter, we are asked by this bill to place the nation, of whose financial interests we are the guardians, and for which this House is responsible, upon its knees during those five years before the holders of the 4 per cent. bonds, to ask them at what price the nation may pay its debt!

Mr. KELLEY. Will the gentleman permit a question?
Mr. POTTER. I have but a short time, and I would rather not be interrupted.

By this legislation we are asked to raise the premium on these bonds to at least from 5 to 10 per cent., when we know that within two years this Government must be upon its knees before those very 4 per cent. bondholders, and must accept whatever terms they shall see fit to grant. If there were no other objectionable feature than that in this bill, it should restrain every member of this House from voting for such a

proposition.

But, sir, there is still another objection to this bill that should be fatal to it. It is this: From the time that this system of banking and currency was established down to the introduction of this bill, down to this hour, there has never been a proposition entertained by either branch of this Government to do anything that should possibly interfere with what I at least regard, and what I know many others regard, as the very key to the permanency of the system. This system of banking is not one by which the Government becomes a banker, as is sometimes thereof not by which the Government mediately at the sometimes the system. times charged, not by which the Government becomes it banker, as is sometimes charged, not by which the Government undertakes the responsibility of the circulation, or, in fact, the redemption of the circulation. The redemption of the circulation and the responsibility for its issue is placed, where it should be placed, upon those citizens who associate together and issue money, providing for its redemption through the Government itself.

ernment itself.

Now, sir, the cardinal principle of that system has been that the banks should themselves redeem the currency; that they should never be a favored class; that they should never place themselves in such a relation to the country that it should be taxed for the purpose of redeeming their circulation. From the beginning to this hour they have been required to deposit with the Government a margin of at least 10 per cent, together with the 5 per cent. redemption fund, making 15 per cent. upon the par of the bonds; so that, in actual fact, the banks have always, through the Government, provided for the redemption of their bills and for every expenditure concerning it.

While that condition lasts this system may continue in profitableness and in usefulness to the country so long as the debt continues. But when that keystone is removed, when the people find that we are exposing this nation to taxation to maintain a fund in the Treasury of exposing this nation to taxation to maintain a fund in the Treasury of the United States with which to redeem in gold the bills that the banks shall issue, then this system will perish, and it ought to perish. I, sir, have certainly no unfriendliness to the national banks. To the suggestion of their plan and in the maturing of it I gave a quarter of a century ago as much reflection as I was able to give to any subject. I have watched the working of the system from that time to this, and in the benefits it has conferred upon the country it has not gone beyond what I anticipated. It will continue to confer those benefits. It will continue to propose the prosperity of the country so long as it remains

the benefits it has conferred upon the country it has not gone beyond what I anticipated. It will continue to confer those benefits. It will continue to promote the prosperity of the country so long as it remains not a system of banking by the Government, but a system by which citizens, by associating themselves together and making the required deposit of national bonds, may, through the Government, issue a currency redeemable by their own money, their own deposits, in gold at all times. I beseech gentlemen, if they would preserve that system, if they would not, influenced by a temporary expediency, strike a deathblow to this financial system, not to pass this bill.

Look one moment at the actual facts. We are asked to authorize—to direct the Secretary of the Treasury to issue upon the 3 per cent. bonds notes to the full par value of the bonds. Now we are not yet six months removed from the time when, for at least one half month, in the greatest market in the world for these bonds, where the money of the country and of the Continent centers, these 3 per cent. bonds could not be sold at par; yet our money was not disturbed. Why was it not disturbed? Because every bill-holder as he looked at his bill and saw the quotation of the selling price of the bonds said, "Well, they can fall 10 per cent. more at least and still leave my money safe." So it was that through this great panic nobody, from the wealthiest to the humblest, neither the laborer nor the millionaire, no man, no matter how much he had to discharge or to receive, doubted for an instant that his money was good and equal to gold.

Pass this bill, and, when the next such crisis returns, that confidence will be gone, and gone forever. I do not believe that we can calculate upon such crises as being impossible or even improbable in the future, and if you pass this bill, when the next crisis arrives, at the very moment when we shall most need confidence and certainty in our money, we shall have instead a deep distrust, which will inevitably suspend specie pa

very moment when we shall most need confidence and certainty in our money, we shall have instead a deep distrust, which will inevitably suspend specie payments throughout the country and bring upon us all the untold calamities which would result from such suspension.

I appeal to this House, as the guardians of the financial interests and financial safety of the country, not to remove this great safeguard for the mere purpose of enabling those who wish and expect to sell 4 per cent. bonds at a premium to realize that anticipation.

It is claimed on behalf of this bill that it will make the bank circula-

It is claimed on behalf of this bill that it will make the bank circula-It is claimed on behalf of this bill that it will make the bank circulation sufficiently profitable to induce its increase. I have made a most careful examination of that subject and of the probable effect of the bill in that respect, and the result is that in no place, in no locality, where interest is materially above 7 per cent. can circulation be taken out under this bill except at a loss. Where 8 per cent. prevails there will be certain loss in circulation under this bill. Possibly it may enable the holders of 4 per cent. bonds in the great markets to realize. It may induce others in those markets still to try their hands at the business

and go into national banking; but beyond those great centers, at the very points from which the great body of the national currency now goes out, it not only affords no advantage, but it provides for nothing but

positive and certain loss.

From a calculation carefully made upon this bill, it appears there is an absolute loss upon circulation where interest is 8 per cent. For the purpose of enabling those in the great centers who wish to realize the benefits of selling these bonds at the advance which this measure will cause, shall we in a great national system undertake to make this change which renders the issue of currency absolutely impossible without loss

in every section where interest is worth 8 per cent.?

Mr. Speaker, I have prepared a bill which at the proper time I intend to offer as a substitute, by moving to recommit the pending bill with instructions to report the bill which I hold in my hand and which

I send to the Clerk's desk to be read.

The Clerk read as follows:

A bill to refund the bonded debt of the United States at 2½ per cent. interest, to reduce taxation upon circulating bank-note currency, and to secure such currency against unnecessary disturbance and fluctuation by applying the national revenues economically to payment of the national debt.

rency against unnecessary disturbance and fluctuation by applying the national revenues economically to payment of the national debt.

Be itenacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to receive at the Treasury any bonds of the United States bearing interest at the rate of 4 per cent, per annum or 4½ per cent, per annum, and to issue in exchange therefor an equal amount of registered bonds of the United States of the denominations of fifty, one hundred, five hundred, one thousand, five thousand, ten thousand, and fifty thousand dollars, of such form as he may prescribe, and bearing interest at the rate of 2½ per cent, per annum, payable semi-annually at the Treasury of the United States. Said 2½ per cent, bonds to be issued in exchange for 4 per cent, bonds shall be payable at the pleasure of the United States after the 1st day of July, 1907; said 2½ per cent, bonds to be issued in exchange for 4½ per cent, bonds shall be payable at the pleasure of the United States after the 1st day of September, 1891.

Sec. 2. In the said exchange of 2½ per cent, bonds for 4 per cent, and 4½ per cent, bonds, provided always the moneys on hand and applicable are sufficient, the Secretary of the Treasury is hereby authorized to pay such a sum in each case as shall be equal to the aggregate present worth of the quarter-yearly payments of interest from which the United States is released by such exchange, all interest in ascertaining said present worth being computed at the rate of 3 per cent, per annum, reinvested quarter yearly.

Sec. 3. All said 2½ per cent, bonds and the interest thereon shall be exempt from the payment of all taxes and duties of the United States and from taxation in any form by or under State, municipal, or local authority.

Sec. 4. On and after date of the approval of this act the duty upon the circulating notes of mational banking associations shall be considered a deduction from the inter

Mr. WILKINS. Does the gentleman from New York offer this propo-

The SPEAKER. The Chair so understood the gentleman.

Mr. POTTER. I am simply giving notice that I shall offer it at the Mr. FOTTER. 1 and simply giving above the research proper time in the proper way.

Mr. WILKINS. Is it read as a part of the gentleman's remarks?

The SPEAKER. It is read in the gentleman's time.

Mr. BUCKNER. Has the gentleman from New York any estimate

as to the amount of the draft upon the Treasury which there would be

in making the exchange which his bill proposes?

Mr. POTTER. I shall explain that point if I am allowed time. Although I had supposed this proposition to be pretty clear upon its face, I desire to say a few words in explanation of it. As I have said, the difficulty of the situation is the great premium upon our present bonds, in connection with the fact that after two years we shall have no possible means by which we can apply the moneys of the Government to the payment of the debt except upon the terms which holders

of the 4 per cent. bonds may themselves choose to grant.

Now, what is the plain and obvious method of doing away with the difficulties of this situation? There is a plain open way, which any private individual, any member of this House in his own affairs, would have entered upon without consulting committees, without taking advice from any source other than his own judgment. This premium represents what? It represents exactly, or very nearly, the interest upon these bonds in excess of the market rate of interest upon them today. The premium has been, as I have said, from 21 to 25 per cent. during the past year. If any one will take the pains to compute he will ascertain that this premium represents exactly the present worth of what the excess of interest above 2½ per cent. will amount to during twenty-two and one-half years. If the bonds were reduced now to the market rate of interest which supports these securities at par, does anybody doubt that they would remain at par or very nearly par?

Now, the bondholders throughout the length and breadth of this

country have signified their willingness to have not the premium, but that portion of the public debt represented by this excess of interest above 2½ per cent. paid at its present worth at this time, or at the convenience of the Government at any time in the future, and thereafter to hold their securities at a rate of interest which will maintain them at par and no more. We can pay that portion of the public debt to every national-bank bondholder with about \$34,000,000. Thirty-four million dollars is the present worth of this excess of interest above 2½ per cent., which maintains these bonds at 112 to 114 and 122 and 125 in the market. I repeat, the holders of these bonds have with single-per cent. gular unanimity expressed their willingness to receive this present worth. What will be the effect of paying it?

If it should extend, as I believe from the consultations I have been able to make with the ablest and best posted men in the country on this subject it will extend, not only to the national banks, but to the great body of the savings banks, and to a very large part, if not all, of the private holders, except where the bonds are held in trust, the result will be that during the next twenty-two years the whole body of our debt will remain at about par. We can then, after paying this installment will remain at about par. We can then, after paying this installment which we are now permitted to pay, proceed to pay the debt as we please; and one dollar in money will extinguish one dollar of the principal of the debt. By pursuing that course we shall save to this country in taxation many millions of dollars, and we shall relieve the nation from occupying the attitude of suppliants to the bondholders for the fifteen long years in which it may be engaged in paying the national debt. debt

Mr. BLOUNT. What would be the cost of the exchange of these

Mr. POTTER. The Secretary of the Treasury informs me that the cost of the whole exchange of the bonds will be but a few thousand dol-

lars; a mere trifle. It is nothing but the printing of the bonds.

Mr. BLOUNT. I mean the cost of the exchange; the amount of money necessary to make the exchange.

Mr. POTTER. I have already stated approximately the amount of money necessary to refund all the bonds now deposited by the banks. To state it exactly, the amount is \$34,383,400; and this is computed by the Treasurer's actuary and indorsed by the Secretary himself.

Mr. BLOUNT. I understood the gentleman to make an estimate of

\$250,000,000 before this.

Mr. POTTER. I am now speaking of the bonds deposited by the banks.

Mr. McMILLIN. There is another point in his bill which he offers as a substitute. It is known by law the Government is paying 41 per cent. interest on these bonds. Now, your bill provides that the interest, with the stipulations provided in the bill, shall be paid at present, or when presented by the bondholders, and in making that payment or in ascertaining what the present worth is you only give the Government the benefit of 3 per cent. interest. How does the gentleman explain?

Mr. POTTER. I will explain it. Two hundred and fifty million dollars of these bonds which mature September, 1891, bear 4½ per cent. They were issued when that was the market rate of interest for such bonds, and the lowest interest at which money could be obtained. With regard to the 4 per cent., the same remark can be made. Since that time the rate of interest has changed in the country, owing to the increased credit of the country, and owing perhaps to the accumulation of money in the country. The rate of interest has materially fallen, to so great an extent that by the statements monthly laid before us from the Treasury those who have consulted them will have seen the highest rate which now can be realized by the purchase of Government bonds is from 2.45 to about 2.68 per annum. That is, the Government can not invest its money so as to realize more than 2.45 to 2.68 on its in-

westment, and this even in case of bonds not held by the banks.

When they are held by the banks the Government makes only $2\frac{1}{10}$, because the bonds return in taxes 1 per cent. upon the 90 per cent. issued on the bonds, and nine-tenths of 1 per cent. deducted from the 3 per cent. the Government pays on the bonds, leaves the actual receipt on any portion of the debt held by the banks which the Government can pay 2.10 per cent. interest. This bill provides that the Secretary may in his discretion and as fast as he finds it for the interest of the country and no faster—not in the discretion of the bondholders; not upon a demand of the bondholders; not until the money is in the Treasury, which he can not use as profitably in any other way—refund those bonds so as to make upon the money used in refunding 3 per cent. compound interest on the actual investment for the whole twenty-two years; a rate one-half per cent. higher than has been realized or can be realized now

under the present law.

Mr. McMillin rose.

Mr. POTTER. Let me go on. I have placed a provision made by the Secretary of the Treasury on the circular letter I took the liberty the Secretary of the Treasury on the circular letter I took the heerly to send to members, showing also what would be the amount to be paid by the Government to enable it to realize 3½ per cent. instead of 3 per cent. upon the money used in refunding. I wish to say that a large part of these bonds are held in savings banks, some considerable part by private holders, and it can hardly be expected that savings banks or private holders would refund these bonds and give to the Government

the same rate of interest the Government is paying them.

Mr. McMILLIN. The point I have made to the gentleman is that we pay to these parties 4½ per cent. interest, but only go back in the

we pay to these parties $4\frac{\pi}{2}$ per cent. interest, but only go back in the proposed arrangement $3\frac{1}{2}$ per cent. in discount.

Mr. POTTER. We must pay the bonds, principal and interest. Interest is as much a part of the debt as the principal. No difference can be made between the principal and the interest. The Government is under obligations to pay the whole debt, principal and interest, as the bond provides. But Government can not use its money in payment of its bonds so as to make over 2.10 per cent. in bank-held bonds, or in case of other bonds 2.45 per cent. to 2.68 per cent.

Government can not, like a private individual or a banker, loan out its funds at interest and thus realize a high rate. When its funds are

accumulated in the Treasury in excess of the amount required for the current expenses of the Government, including all maturing obligations, this excess must either lie idle in the Treasury, abstracted and withdrawn from the currency and business of the country, earning no interest at all, or must be applied to payment of that portion of the public debt now due and payable, or to purchase of Government obligations not yet due. In no other way than one of these can the surplus in the Treasury be applied to extinguishment of the public debt. By a moment's reflection the honorable member from Tennessee [Mr. McMII-LIN] can not fail to see that in purchasing the obligations of Government before maturity we must pay the market price of them, the price which they command in market. To ask the holders to surrender them to Government at less than their market price would be to ask them to give to Government a part of their present value without considera-tion. I do not think the honorable gentleman would advise a holder of these bonds, whether a savings bank holding them in trust for its depositors, or any other holder, that the bonds ought to be surrendered positors, or any other holder, that the bonds ought to be surrendered to Government for any price less than their market price at the date of surrender, or its equivalent to the holder, nor can he conclude that the Government will be wronged by taking up these 4 per cent. bonds by an exchange for $2\frac{1}{2}$ per cent. bonds and the present payment of such sum as will realize to the holders the present market value of the 4 per cent. bonds, provided Government gains by such exchange great and manifest advantages to the country.

I desire now to call the attention of the House to some of the advant-

I desire now to call the attention of the House to some of the advantages which will be secured to the country by passage of this substitute bill. The bill gives greater freedom to the Secretary of the Treasury than he now has in payment of the public debt by relieving him from the necessity of applying surplus funds only to payment of bonds now payable at pleasure of Government when such application would injuriously disturb or contract the currency and endanger the business and prosperity of the country, and enabling him to apply such surplus either to the purchase of bonds not due or to refunding the debt into $2\frac{1}{2}$ per cent. bonds or the payment of bonds now payable at the pleasure of Government as the payment of bonds now payable at the pleasure of Government, as the payment of bonds now payable at the pleasure of Government, as the interest of the country may require. Under the present law the surplus is applicable only to the payment of bonds due, and payable at the pleasure of Government. Of such bonds uncalled for payment there are but \$184,190,500 all bearing 3 per cent. interest, of which \$146,018,200 are held by national banks and deposited to secure national-bank circulation, and \$38,172,300 by other holders.

By payment of these bonds deposited to secure circulation Government.

ment saves but 2.1 per cent. interest after deducting the tax received from the circulation secured by the same bonds. Payment of these bank-held bonds destroys the security for the bank notes to the amount of 90 per cent. of the bonds and contracts the bank-note circulation to the same amount, unless others bonds are purchased and deposited in place of the bonds paid. The only other bonds available for this purpose, not liable to immediate payment, are the 4 per cent. and 4½ per cent. bonds, which now bear so high premium that they can not safely and profitably be purchased by banks for this purpose. Payment, thereand prontably be purchased by banks for this purpose. Payment, therefore, of the 3 per cent. bonds held by banks and now payable causes contraction of the currency and operates to discourage and paralyze business. If Government now had the option to pay other bonds at an equal or greater saving of interest than can be made by paying those held to secure the currency, and thus avoid disturbance and contraction of the currency, it can not be doubted it would be its interest and duty to pay such other bonds before paying those held to secure the currency.

This substitute bill provides such an option without injustice to any class of bondholders, and at the same time enables Government to realize a greater saving by .9 per cent. annually upon the amount applied to payment of the debt than can be realized by paying the bonds held to secure the currency. It also provides (section 5) that when greater saving to the country can be made by purchasing bonds not yet due than by payment of bonds due and payable at Government option, this may be done. This freedom of choice and action thus secured to the Secretary of the Treasury will enable him to protect the Government against corners by holders of Government bonds, and also enable that officer to go steadily forward in payment of the debt without the slightest disturbance to the curreney, and in such way that this payment will constantly promote and invigorate the business of the country.

This bill, therefore, promotes and facilitates payment of the debtin-

stead of postponing it. Under its operation the debt will be paid with less money and less taxation by very many millions than under the present law. Payment will proceed as fast as the surplus funds in the Treasury thus applicable warrant, and entirely at the convenience and under control of Government. By payment of this small installment—the present worth of the excessive interest now—all the funds will be reduced to par, and will continue at or near par during their entire payment. Each dollar applied to the public debt will extinguish a dollar of the debt, and the country will be no longer at the mercy of the

bondholders in applying the surplus to payment of the debt.

Perhaps the greatest and most immediate advantage to the country Perhaps the greatest and most immediate advantage to the country from the passage of this bill will be the prompt and permanent restoration of confidence and certainty in its currency and business. By its passage every business man in the country will be made certain that the currency can not be capriciously or unduly contracted during the next twenty-two and one-half years, and that it will at all times be equal to gold. This is precisely the confidence which is necessary to, and must precede, the general and permanent restoration of prosperity throughout the country. With this confidence restored and based upon the sure foundation of a stable and sufficient currency, at all times and under all circumstances equal to gold, capital will no longer remain timid and idle, and labor no longer remain unemployed. An era of prosperity and healthy activity and progress will commence, which should have, and under wise legislation in these halls will have, no check for the next twenty-two and one-half years.

the next twenty-two and one-half years.

During this time coin will be largely accumulated in the country, and it will be the duty of those who shall then occupy the places which we now occupy to determine whether the interests of the country rewe now occupy to determine whether the interests of the country require that any portion of the currency shall longer rest upon the national credit. For one I am content to discharge my own duty in my own day, and to leave to those upon whom responsibility may then be placed to determine what the interests of the country may require placed to determine what the interests of the country may require twenty-two years hence. I know that if this bill passes my country will be paying a lower interest upon its debt than is paid by any other civilized country in the world; that upon the bonds of the nation securing this debt, which can at all times be purchased at or near par, citizens can always supply themselves with a currency sufficient for the advancing commerce, enterprise, and development of the country, everywhere of the same value and everywhere equal to gold within the boundary. where of the same value and everywhere equal to gold within the boundaries of the Republic or the field of its commerce. And with this I am content, without anticipating the duties of another generation.

I can not close without reminding the House that the opportunity now offered may never again occur. There is no one who has examined the subject who can doubt that our debt may now be refunded at 2½ per cent., and by the same act the stability and sufficiency of the currency, equal always and everywhere to gold, be secured and made certain for the next twenty-two and a half years.

I appeal to the members on this floor, and ask whether the petitions and letters from all parts of the country from the business men and commercial bodies do not attest this. This is no plan to promote the interest of banks. I have never had an interest in a bank in my life. This bill seeks only to secure and make certain the stability and sufficiency of the currency for the next twenty-two and a half years while we pay the remainder of the debt. By passing it now we can restore confidence and prosperity to the country, and make certain that the currency cannot be injuriously contracted, but will be at all times adequate to the advancing wants of business and at all times redeemable in gold, not with the funds of the Government, provided through taxation, but with the funds of the banks themselves deposited with and held by the Government, in the 10 per cent. margin now sought by this Senate bill to be withdrawn and destroyed.

Let this be done and Government assume this burden of redeeming the bills of the banks, and these institutions and those interested in them will no longer ask that the interest upon the national debt be reduced Government will then be left to its only remaining resources for maintaining the bonds always at par in gold—the payment of an interest high enough at all times to secure this, and a sufficient fund in the Treasury, provided and maintained through taxation of the people, to redeem the bills of the banks at all times and in all conditions of the

funances and business of the country.

Our national banking system now unites the interests of the banks at all times and under all circumstances with the Government in the necessity to keep the national bonds above par. At its origin near twenty-four years ago, in trging its adoption upon Secretary Chase, I said:

It makes it for the direct interest of every bank and banker to keep the United States stocks above par. It also puts upon the banks, and not upon the Government, the redemption of the circulation, the Government only acting as trustee in selling the deposited stocks in case the bank fails to redeem.

This responsibility and interest ought never to be removed from those issuing national-bank notes upon the bonds of the nation, and can not be without destroying the keystone by which the banks of the country are made at all times to seek their own security and prosperity by supporting the credit of the country, upon which they and their business rest for their foundation.

Fortunately, banks, bankers, and business men throughout the country are now all united in the necessity of keeping high and uppermost the national credit. They are therefore now unanimous and earnest in favor of refunding the debt in $2\frac{1}{2}$ per cent. bonds. While this situation continues Congress is master of it, and may secure the prossituation continues Congress is master of it, and may secure the prosperity of the country—so far as stability and sufficiency of a currency at all times equal to gold can secure this—by the passage of this refunding bill and with the aid and acquiescence of all the bankers and business men of the country. This is the day of our opportunity. We can not let it pass unimproved without grave responsibilities to the country with whose interests we are now charged.

If it passes unimproved, other schemes like the one before us for promoting the interests of bondholders without regard to the interests of the country and endangering if not destroying the redeemability

of the country, and endangering if not destroying the redeemability of a bank-note currency in gold, will be pressed for enactment into law at our hands, and the opportunity of to-day may never again return. It certainly will never again return if the bill now before us—the Mc-Pherson bill—or any bill accomplishing the same objects which it will

accomplish shall be passed.

I will print in connection with my remarks some tables illustrating these two bills and their operation.

Statement furnished by the Government actuary.

MEMORANDUM.

The present value of \$1.50 a year, the excess of \$4 over \$2.50, for twenty-two and one-quarter years (the interval from April 1, 1885, to July 1, 1907), improved at 3 per cent. per annum, compound interest, reinvested quarter-yearly, is \$34.28.7.

The same improved at 3½ per cent. per annum for a like period is \$23.12.

The present value of \$2 a year, the excess of \$4.50 over \$2,50 for six and five-twelfth years (the interval from April 1, 1885, to September 1, 1881), improved at 3 per cent. per annum, compound interest, reinvested quarter-yearly, is \$11.63.4.

The same improved at 3½ per cent. per annum for a like period is \$11.45.

E. B. ELLIOTT, Government Actuary.

UNITED STATES TREASURY DEPARTMENT, January, 1885.

Amount in money required in refunding under Potter bill:
For refunding all 4 and 4½ per cent. bonds now deposited as security for circulation, \$34,383,400.
For refunding entire present capital of all national banks, \$127,000,000.
For refunding entire amount of 4 and 4½ per cent. bonds now outstanding,

Comparison of Potter bill and McPherson bill for earning value to a national bank of United States bonds deposited to secure circulating notes.

Assume \$100,000 of 4 per cent, bonds—to-day's market being 122‡ per cent,

IF FIVE PER CENT, PER ANNUM BE OBTAINABLE FOR LOANS. Potter bill:

4,000 7,725

Ordinary investment of the money, viz, \$122,500, at 5 per cent. per 6, 125 \$1,600 Net gain from note issue per annum... McPherson bill:

\$2,680 3,950 6,630 Ordinary investment of \$122,500 at 5 per cent.....

Difference against the McPherson bill... 1,095 Say about 1 percent. per annum greater profit from note issue under the terms of the Potter bill.

IF EIGHT PER CENT. PER ANNUM BE OBTAINABLE FOR LOANS. McPherson bill:

Net gain from note issue..

6,950 9,630 Ordinary investment \$122,500 at 8 per cent....

Net, from the issue of circulating notes under McPherson bill, loss... Say loss on circulation .14 per cent. per annum.

Potter bill: \$2,500 6,700 11,160 9,800

Ordinary employment of \$122,500 at 8 per cent. per annum.... Net, from the issue of circulating notes under the Potter bill, gain ... 1,360 Say profit on circulation I.1 per cent. per annum. General Grant.

SPEECH

HON. JAMES M. RIGGS. OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. RIGGS said:

Mr. SPEAKER: As I voted against a Senate bill a few days ago which provided specifically for the retirement of General Grant, and propose now to vote for the bill under consideration, I desire to say a few words, not by way of apology or excuse for the vote I propose to give on this occasion, but to explain a position which, unless rightly understood,

might seem inconsistent.

might seem inconsistent.

The bill against which I voted so recently mentioned General Grant by name and provided for placing him on the retired-list of the Army. It was similar in structure to the bill passed last year for the retirement of General Porter, which was vetoed by the President, and was subject to at least some of the most serious objections which the Executive presented in his veto message on that occasion. To have passed that bill and sent it to the President for his signature could, in my judgment, have done no good. It might have compelled President Arthur to have stood apparently in the attitude of refusing to sign a bill to retire General Grant; but why should any one desire to do that? No good result could come from it. The fact that the bill was subject to such objections and could not receive the President's approval was a sufficient reason for voting against it.

The bill now under consideration has not those objectionable features, and if passed will no doubt receive the approval of the President, and while it does not name General Grant, but only provides "that the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to appoint on the retired-list of the Army of the United States, from among those who have been generals commanding the armies of the United States or Generals-in-Chief of said Army, one person; and the total number now allowed by law to compose said retired-list shall be, on such appointment, increased accordingly," yet no one doubts that the President will, if it be passed, sign it, and, under its provisions, appoint General Grant; and no one can doubt that the Senate will give its consent to such appointment.

In fact, those who oppose the bill do so on the ground that General Grant will be the appointee under it if passed, while, as they insist, no such provision should be made for him. The gentleman from Tennessee [Mr. MCMILLIN] and the gentleman from Indiana [Mr. Stock-SLAGER] in their remarks have urged against this bill that its passage will be bad policy; and the gentleman from Indiana [Mr. Stock-SLAGER] The bill now under consideration has not those objectionable feat-

will be bad policy; and the gentleman from Indiana [Mr. STOCK-

SLAGER] says:

I amopposed to building up in this country the English system of civil pensions. England has to-day a civil pension-list of over \$20,000,000. We are going rapidly in the same direction, and for one I enter my solemn protest against it.

I suppose we are all opposed to building up the English system in this country. But can we not pass the pending bill and permit General Grant to be placed on the retired-list without establishing the English system? Can we not trust ourselves?

If we can not, then our constituents ought not to trust us.

It is not proposed by any one to place General Grant on the retired-list for any service he has rendered the Government in a civil capacity. I am opposed to him in politics—have always been opposed to him; and had he been nothing more than twice President of the United States I would never vote to make any such provision for him as is now

States I would never vote to make any such provision for him as is now proposed. But he has been more, much more, than twice President.

Throughout the civilized world he is recognized as the chief military representative of this country. As a military man he is singularly esteemed by other nations. He is now in feeble health, and no doubt has but a short time to live. Under the circumstances is it wrong to do him the honor and the good now proposed? I think not. I believe my constituents will approve my action in voting for this bill. I believe nine-tenths of the American people will approve its passage. I believe the Congress and the people of this country can trust themselves to do this for the acknowledged military representative of our great Government without incurring the danger of building up an expensive, useless, and vicious civil-pension list, such as has been menpensive, useless, and vicious civil-pension list, such as has been mentioned. I want to make a record here, so far as I am personally con-

I will not vote for this bill because of anything General Grant did while President. He did much during that period which never did, and I presume never will, meet my approval. I will vote for it because he bore a most conspicuous and most honorable part in that great military struggle which determined whether the Government of our fathers should continue to exist in its entirety. I may be wrong,

but if I am to err I prefer that the error shall be upon the side of generosity and good feeling.

One thing more and I will have said all I want to say. The gentle-

man from Indiana [Mr. MATSON] has said:

It has not been demonstrated to this House that General Grant is in actual need of this relief. There is no proof of that fact, while there are tens of thousands of men who served their country who are at this very hour in distress and in sore need of relief, and the pension of this Congress had better be given to them than to one who already has a sufficient income. When they have been relieved it will be time enough to relieve General Grant and others who are not in distress.

All that may be true. I have never understood that we pay pensions simply because the recipients are in distress. Our pension system was not devised for the mere purpose of dispensing governmental charity. Its object is to pay to those who serve their country in the military or naval service what they ought to have.

I admit there are many of the Union soldiers of the late war who are needy, but will a refusal to pass this bill benefit them? The only way to benefit them is to pass this bill benefit them? The only way to benefit them is to pass the legislation necessary to guarantee to them what they ought to have. I believe our pension laws ought to be amended, but refusing to pass the bill now under consideration will not amend them. This Government is able to do for General Grant what is proposed by this bill, and have enough left to pay pensions to all soldiers who ought to have them. Let both be done.

A genuine Government Postal Telegraph—A brief statement of some proceedings in the attempt to obtain the desired legislation—A comparison of plans, and a commendation of the true

SPEECH

HON. CHARLES A. SUMNER,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 28, 1885.

On the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

Mr. SUMNER said:

Mr. CHAIRMAN: In this act making appropriations for sundry civil expenses for the fiscal year ending June 30, 1886, it is provided, on page 64, that for telegraphic reports and messages over commercial lines and for the rent of leased lines \$136,000 are appropriated; and scattered through the bill are provisions for the payment for telegraphing, among other items named under the different headings of the measure. This necessarily, without recourse to the extreme margin of license sometimes reached in the discussion of appropriation bills, gives opportunity for, if it does not invite, discussion on the subject of a genuine postal telegraph. telegraph.

And, incidentally, advantage may be taken of this occasion to refer to some small criticism that has been made because of an amendment proposed and adopted in the House when the Army bill was under consideration. If the amendment referred to was unnecessary or out of place, then the Committee on Appropriations of the House of Representatives, by the insertion of some of the items to which I have referred, has been in error by unnecessary provisions for expenditures on telegraph account. But it has not been in error, and the criticism alluded to was

account. But it has not been in error, and the criticism anuded to was as baseless as it was otherwise contemptible.

Here is an appropriation of \$136,000, in payment for telegraphic reports and messages over commercial lines and for the rent of leased lines of telegraph, in the Signal Service of the United States. The actual value of the services thus provided for, the cost price to the telegraph companies, is far less than the aggregate of the appropriation (the Government regime more than it did thirteen years agg); but upon that ernment paying more than it did thirteen years ago); but upon that subject it is not my purpose at present to dwell. That is an insignificant matter compared with the main proposition which is legitimately brought up for consideration at this time. If we are to continue to pay for services performed absolutely by third parties, when they should be rendered directly by the Government to itself, we may expect that extortion will be characteristic of the transaction.

A part of the functions of this Government as laid down in the organic law is the carrying of the mail for the inhabitants of the nation. The reasons which justified that provision of the Constitution on which The reasons which justified that provision of the Constitution on which I have already dwelt in connection with this subject—whereby the "transmission of intelligence" among the people was assumed as a Federal Government duty by our fathers—need not be recapitulated here; but for some of them I beg the present hearer or the future reader of my remarks to refer to a speech delivered by me on the subject of postal telegraphy at the former session of this Congress. The reasons of policy why the Congress of the United States should not fail to do its bounden duty and provide for a genuine Government postal tele-

graph are growing in importance and multiplying in number every year. And yet this Forty-eighth Congress is about to close without legislation upon this subject.

After earnest and strenuous efforts made from the very beginning of this term in behalf of the great, legitimate, and constitutional Government enterprise referred to, it may be worth while to inquire whether any progress whatever has been made touching this matter; what efforts have been made; what has been the character of such endeavors. Having regard to the circumstances, has there been progress by way of enlightenment in or out of Congress? Has the information imparted been manifestly or demonstrably adapted to and calculated for an advance in the struggle for emancipation and for popular rights and privileges in the premises?

Let us take a hasty and necessarily a superficial glance at a portion

of the record.

On the first day for the introduction of bills, in the first session of this Congress, I presented for the consideration of Congress and the country the measure which I will place in the appendix to my remarks on this occasion. [See Appendix A.] It will be seen that whatever may have been its defects of detail it unquestionably provided for a complete network of telegraph lines to be constructed and owned and operated by the General Government, touching every post-office in the country south of the northernmost boundary of Washington Territory—every post-office situated in a town of four hundred inhabitants or more; and there was added the privilege and authority for the Postmaster-General to extend lines to post-offices in smaller villages along the routes, while provision was made for inquiry and preparatory work toward the construction of a cable line to our Alaska possessions. By the language of the bill work was to begin as nearly simultaneously as possible at the thirty-two different points named, and prosecuted with all possible distants. patch. In the homely language of the market, it was undeniably a measure that "meant business." In a recent speech, January 29, 1885, by Hon. William Roche, before the members of the house of representatives of the Ohio Legislature, it has been characterized as "the only genuine postal telegraph bill ever presented to Congress." Mr. Roche is and for many years has been a practical telegrapher.

What was the situation when this bill was introduced? There is no

time to enumerate all the difficulties or the obstacles that were confronted by those who advocated a postal telegraph act at such a time, but some of the hindrances to the favorable consideration ought to be

set down, reviewed, and remembered.

As usual, the proposition for a postal telegraph was denounced and opposed in every way not only by the agents and emissaries but also by the highest officers of the Western Union Telegraph Company. It may be said that the officers were invited to put in an appearance on the occasion. Be it so. Let the forms stand as they may on the minutes. We all know perfectly well that with or without invitation they were here with their appliances to object and obstruct, and if possible defeat.

There was the usual laugh of the lobby, echoed and articulated in local and metropolitan dailies, but it must be confessed that there was not so much insolence at the beginning as has been witnessed on similar occawhen insolence at the beginning as has been withessed of similar occasions at other Congresses. I remember, sir, when a president of the Western Union Telegraph Company actually sat in the chairman's seat of a committee of the House of Representatives and began the questioning of witnesses who had been by some means summoned to disclose facts touching the arrogance and extortions and outrages of a general character in connection with Associated Press dispatches—reversing the order of the courts, and cross-examining the person summoned at the very outset! Still, atour first session, last year, there was reliance upon this method for preventing fair and candid and earnest consideration. There was the guffaw of the official and his counselors and carriers.

What was my bill? How does it read as a financial proposition? "Why, it is ridiculous"—so it was said. The first speeches of the lobbyists and other agents who were brought here to attack every proposition relation to a postal telegraph were deriving. A nybody who han

sition relating to a postal telegraph were derisive. Anybody who happened to be elected to Congress could introduce a bill. That was an easy operation. And silly men might be expected to present foolish propositions. And bill No. 98, introduced by the member from California, was of this order. So it was said. In what respect was it of

The idea of constructing a Government postal telegraph connecting the post-offices of the United States as before enumerated, at a total expenditure of \$25,000,000! How absurd! Why, the Western Union Telegraph lines were said to be worth \$120,000,000. Gentlemen who sit about me, honorable and intelligent Representatives, for whom my respect has deepened with every hour of communion, who were not and who did not affect to be closely informed upon the subject, reported to me these words of criticism, and I might say of contempt, with an inquiring inflection; with the question often plainly asked as to whether it was possible that a construction could be had for such a sum as I had provided, or that I could be guilty of submitting a plan and an estimate of cost that was so wholly impracticable, as was alleged by the talk of the gentlemen of the corridors and the reading-rooms of the hotels and the

considered? It is a challenge! That is what the Representative of intelligence and purpose having in hand such a subject does intend it to be, in the most militant sense.

Has there been no progress? Here was the general report—circulated these many years—to the effect that the Western Union Telegraph property with all its franchises and patents was worth \$120,000,000. I said that for \$25,000,000 you could build telegraph lines connecting every post-office where there were four hundred inhabitants or more, and sup ply with the necessary instruments and furniture strictly pertaining to the business of carrying the letters of the people by lightning. The appalling sum of the Western Union Telegraph Company at first was \$120,-000,000. But when the inquiry came into the committee-room at the other end of the Capitol, the unrecorded babble from the officials of the great monopoly fixed the value of the lines at not less than \$100,000, 000—a slight reduction for round numbers' sake? And so the report went into some of the newspapers of the country. My bill implied the declaration on my part that \$25,000,000 would more than duplicate the Western Union lines. When the statements came to be made in form, uttered for record by the reporter, the estimate was \$80,000,000 to \$90,-000,000. 000,000. My bill was a challenge. I said that the absurdity was on the other side; that it was ridiculous to claim any such valuation. There was much of rising emphasis in these statements, and for the Western Union monopoly officers and agents it appears that the reiteration was tantalizing.

The inquiry at first was almost entirely confined to the Senate committee. The officers of the great monopoly and their immediate agents could hardly condescend to come to this end of the Capitol. But the investigation was going on here, and there was a little publicity gained for it. It became necessary, it would appear, that some notice should be taken of the challenge and the accompanying assertions made in the southern wing of the Capitol with reference to this matter. And right at this point let the importance of the statement of enormous cost be fully and explicitly understood.

Whenever the subject has been broached before a public audience during the last twenty years it has been said at the time by some honest listeners, or subsequently stated in the columns of some venal sheet published in the neighborhood, that it was reported that a Government postal telegraph would cost the nation over \$100,000,000, and that a proportionate expenditure year by year would be required for maintenance and extension. Thousands upon tens of thousands of good people have had their minds closed at once to any consideration of this subject by this very statement. Such was the intention and effect of the original proclamation of cost—which the unsophisticated readers had been led to believe and the corrupt papers had been hired to repeat.

But it became necessary to take a little notice of the agitation that had been stirred up at this end of the Capitol of the nation. So an

agent of the monopoly came over, and among other things graciously informed us at an open meeting of a committee that the Western Union Telegraph lines were worth from \$70,000,000 to \$80,000,000. A few days thereafter I received a letter from Hon. Gardiner G. Hubbard, informing me that a subcommittee of the House Committee on Post-Offices would hear him on the postal telegraph on the following morning at half past 10, and adding that he would be pleased if I would be present and ask any questions which I might desire to propound in the course of his remarks. This able and courteous gentleman has been for many years an advocate of a system of postal telegraphy known as the contract system; at first proposing to organize a company for the purpose of taking the contract. Mr. Hubbard has never disguised his plans or purpose in any respect, and he has plainly said that he and his associates could make money on a contract such as he has suggested with greatly reduced rates as compared with the tariff in existence at the time when he submitted his propositions. This personal statement is, of course, somewhat to one side, and is uttered because I do not wish to be placed in a false position with reference to this distinguished gentleman, for

m a false position with reference to this distinguished gentleman, for whom I have the highest personal respect.

Now, Mr. Hubbard has been studying this subject in America and Europe for many years. He is justly proud of his inquiries in this consideration and of the efforts which he has made, legitimately and honorably, in and around the Halls of Congress, with reference to this matter. And, therefore, it was with unusual and (as it appeared to me) with a severe emphasis that on the occasion to which I refer to wit, on the 1st day of April, 1884—he said before the subcommittee of the Post-Office Committee of this House that the Western Union Telethe Post-Office Committee of this House that the Western Union Telegraph lines could not be duplicated for less than \$60,000,000. My sole question on that occasion was for a repetition of that statement on his part, that there might be no mistake as to what he said. He repeated the statement. And it was not strange to observe that it was immediately followed by an exclamation from some one in that open cham--an honorable member of the House Committee on Post-Offices and Post-Roads—to the effect that then the stock of the company was "not so very much watered after all."

But my challenge remained in House bill No. 98. And thereafter in other forms I distinctly reiterated it; thereby confronting so able and intelligent a gentleman and so respected a personal friend as Mr. Hubbard. Even Mr. Hubbard had been grossly deceived. But it will transpire that I put him upon fresh inquiry.

Has there been any progress? I can go no further into detail in this branch of inquiry, and hasten to the conclusion. Within a few weeks after the date last named, Mr. Hubbard placed himself upon record before a Senate committee on post-offices as declaring that the Western Union lines were worth about \$43,000,000; and that many would doubtless believe, and say, that his estimate was as much too high as others would contend that it was too low. All the time my challenge bill said \$25,000,000. And we have now come down from \$120,000,000 to \$43,-000,000—a paring down of \$77,000,000.

Finally, a little over one month before the adjournment of Congress, a report comes from the Senate committee, in which we are informed that the Western Union lines are not worth above \$30,220,965—a reduction of \$90,000,000. Has there been any progress in practical enlightenment? (See page 6, report of Senate Committee on Post-Offices

and Post-Roads, May 27, 1884.)

Mr. Chairman, the telegraph lines owned by the Western Union Telegraph Company are not worth \$12,000,000. I intended, if I had had opportunity upon this floor at the last session, after the report from the subcommittee on postal telegraphy, to demonstrate that the wires, poles, insulators, and instruments belonging to that company could be dupli-

cated for less than \$15,000,000.

Mr. Chairman, a new member upon the floor of this House labors under great disadvantages, few of which are known to the general public, and none of which are fully estimated until experience has taught the lesson. The limitations of the rules are sometimes iniquitous; but the customs which no rules can at once do away with, and with reference to which we have hardly a right to complain, are of such a character as to forbid that frequent entrance upon debate which a gentleman endowed with an ordinary amount of modesty can only afford to do and maintain his self-respect after having established large relations of personal acquaintanceship. It is not a question of courage on the one hand, and I might say that it is not a question having in it much of the element of courtesy on the other. It is difficult to obtain recognition, not only here but before committees, when you are almost absolutely a stranger in a strange council; and hence I have to apologize for or explain with respect to my failure to speak out more freely here and elsewhere in formal manner on these and kindred subjects.

Under all the circumstances, I return in the circle of contemplation and retrospect with some sentiments of cheer over what has been ac-

complished

There has been progress; at least the people of this country now know that the lines of the Western Union Telegraph Company are not

worth \$120,000,000, nor yet one-fourth of that amount.

And hundreds of thousands of our fellow-citizens know that the challenge has been made, which involves the assertion here that for less than \$25,000,000 you can link every post-office south of the northernmost boundary of Washington Territory, and not representing over four hundred inhabitants, with the telegraphic wires, adequate to carry the letters of the people that are or will be ready for such transmission by a genuine

Government postal telegraph at a reasonable charge.

Writes Charles E. Buell, one of the most experienced telegraph-line managers and instrument makers in this country, in a letter to me

from Springfield, Mass., dated February 18, 1885:

It would be of the greatest advantage to the Government and the people at large if an investigation could be made in Congress that would show the working conditions of the lines of all telegraph companies and their relations and contracts with railway and other corporations. In the first instance, the testimony of the officials and employée of the Western Union Telegraph Company would show that their lines are so dilapidated as to be worthless, and but for contracts with other companies could not deliver messages over long stretches.

And again, under later date, Mr. Buell says:

It is believed that the entire property of the Western Union Telegraph Company could be shown to be worth not much, if any, over \$10,000,000; and to pay dividends on their vast capital not only labor but the property is being sacrificed.

Observe that in this-last quoted remark Mr. Buell, who is an authority on all such matters, refers deprecatingly to the outrageous wage-reduction, to which I shall hereafter more particularly refer.

But if my estimate of cost was "absurd," how much more ridicu-

lous was the proposition to be found in House bill No. 98, which I introduced on the first bill day of last session, for a uniform rate through-out the Republic of ten words for 10 cents? Yet we had not proceeded very far in the inquiries instituted during the last session before the confession was made on the part of the Western Union Telegraph Company officials that in the event of a reduction of tariff to a maximum sum much larger than the one I had named, there soon would be a patronage amounting to 100,000,000 dispatches every year. On this I hastened to place the Simple Simon multiplication of tens—in a speech before a subcommittee of the House Committee on Post-Offices and Post-Roads-and to the astonishment of the great monopoly calculators the result was a gross income in one year of nearly one-half the amount reresult was a gross income in one year of hearly one-hair the amount required for the construction of the all-connecting system of lines. (See my speech before House Committee on the Post-Office and Post-Roads, March 25, 1884.) Thereupon, immediately after having declared that Government competition would necessarily and inevitably be ruinously absorbing in its grasp of public patronage, there was the low-voiced response about the competition of private lines. But if the private lines could not live or pay dividends to-day, with their monopoly, at the figures proposed in the Senate bill, which are from 50 per cent, to five times as much as those proposed in my bill, how shall they live and compete with the Government and its uniform 10-cent rate throughout the coun-

try? Answer me that.

Mr. Chairman, there never was such cheatery in public declamation

Mr. Chairman, there never was such cheatery in public declamation of the American people on any subject presented for the consideration of the American people and their Representatives as there has been with respect to telegraphy. The nine hundred and ninety-nine out of 1,000 citizens who have no special information on this subject (and this is no impeachment of their character for general intelligence) have been led to believe, for instance, that the cost of a local battery was \$5 a day, when the expense for that time did not reach as many cents. And so far as possible the actual cost of everything connected with the business has been covered up, or has been magnified; and this has been done in conjunction with the systematic suppression of all information touching individual or organized efforts to bring about a reform with respect to telegraph management. These efforts for concealment and misrepresentation have largely contributed to keep the majority of our people in the belief that we are well served and judiciously and economically provided for by

the telegraph monopoly of the land.

Has there been progress? I remember when first in my adopted and beloved State I began to agitate this question by the delivery of public lectures upon the subject, that I was surprised myself, even after what I had learned in private conversations, on discovering the lack of correct or exact information among the people on this subject. And so was I induced more and more to make such lecturing a part of my missionary service—a service by the way in which I intend to continue so long as I shall have strength of body and of mind and occasional opportunity for such public and patriotic service amid the exactions of a laborious professional life. For I regard the proposition for a genuine Government postal telegraph as the main question of importance before the people of this country; and I have become more and more convinced during the last twenty years of its due pre-eminence as a topic for popular and Congressional consideration.

Stop a moment to think—and when you are about to send a dispatch by telegraph or are writing a letter for which you anxiously wish the speediest delivery, give pause to reflect—about the advantage of an uniform rate of ten cents for ten words between all stations in this Republic. How much of your present mail correspondence could then go by lightning? What benefit, what satisfaction in such daily communications! How the pangs of partings would be assuaged! How the ties of friendships could be maintained and strengthened! What thousand and one misunderstandings would be prevented? What thousand and one misunderstandings would be prevented or corrected! And in business, how vast and incalculable the advantages to the common people! Well, your Government could and should give you this cheap method of intercommunication. O, citizens of the United States, your Government can do this and make a profit from the enterprise. Will Senators and Representatives be instructed accordingly within the next

Ah! but you would interfere with a legitimate private enterprise, and by governmental interference you would "rob the widows and orphans" who have stock in the Western Union Telegraph Company. In this kind of speech the agents of Jay Gould and company did not fail to largely indulge before the committees at the last session. And as their drivel in this vein is in print, there can be no question of propriety in regard to referring to it. It is not shielded from answering or contemptuous notice by the "etiquette of committee confidence." Nay, it is a matter of monopoly newspaper appeal. Talk of that which is despicable in the way of statement or argument! I decline to repeat obvious replies to such appeals. But where do they come from? They come from men who have reduced the wages of the laborers in their employ to the point of poverty. They have within the past few years cut down from \$100 a month to \$56 a month as an average for operators upon their lines. How many poor widows and orphans have been pinched by the outrageous and grinding tyranny of wage-reduction that has been practiced against the worthy people by whose skill the telegraphic dispatches of the day are transmitted!

And in the same breath—for these things push in with the force of a flood—let it not be forgotten that it has even been a matter of boast, a flood—let it not be forgotten that it has even been a matter of boast, sometimes uttered above a whisper, that the work of the monopoly was more cheaply performed, so far as the operators and line-men were concerned, than it would have been, or would be, under direct Government postal telegraph management. And you are actually invited to maintain for your telegraphic intercommunication this monopoly because the corporation can exact from your citizens the severest toil requisite in the business for a sum far less than that which any administration of

Federal Government would have the conscience to fix.

Has there been progress? Looking at the bills reported from the committees—bills for a contract by the Government for telegraphic service—we may reply both "Yes" and "No." Any reports bringing the subject up directly for discussion might be hailed as a sign of progress. We will glance at something of their origin and history. And in order to do so we must step back a little in the record of events.

I intended before arriving at this stage of my remarks to have drawn attention to the fact that whereas it had been stated in 1883 by the officers of the telegraph monopoly, or some of them, that it was impos-

sible to reduce the then existing tariff of charges for telegraphic transmission without bringing financial disaster upon the corporation, as soon as it was ascertained that there was to be an active and earnest effort for Government postal telegraph at the first session of this Congress the tariff was reduced; and shortly afterward it was announced that profits and dividends would not be less on this account. The charge for a message across the continent was reduced from \$1.50 to \$1, although an appeal for such reduction between the shores had been met by the telegraph officers, a short time prior to the reduction, with declarations about the "absolute impoverishment" that would ensue upon

Here is testimony of a double consequence—having, in fact, three bearings. First, testimony to the fact that high telegraphic rates are kept up to prevent a certain class of people from using the telegraph lines for commercial purposes, in order that the telegraph monopoly may play with the markets of the country and the world. Second, here is testimony establishing either the ignorance or the unscrupulous character of the men of business who, being related to the monopoly as officers, undertake to say that a reduction will prove disastrous, when experience was ample to show them, and did past all question demonstrate to a candid judgment, that a reduction would result in no loss, if it did not produce additional gain. Third, there was testimony to the value of agitation on this subject, and agitation in the only form that is effective as against these monopolists—directed toward and existing in or about to exist in the Congress of the United States

The first overland telegraph line from the Missouri River to the Pacific Ocean was constructed with money given by the General and by State Governments. The profits in the very first year after its construction amounted to as much as the original cost of the line. This

much in passing.

It having been ascertained that great and unusually favorable interest had been aroused in the two Houses of Congress with respect to the proposition for a genuine postal telegraph, it became necessary that the proposition for a genuine postal telegraph, it became necessary that there should be a diversion. Or, if you please, outside of the old monopoly were persons of wealth who had observed or ascertained something with respect to the enormous profits connected with the telegraphic business, and who had been watching for an opportunity to lift up their little temporarily competing telegraphic enterprise into such formidable proportions as would enable them to call for a partnership, open or secret, with the Jay Gould corporation.

There may be some latitude of speculation as to the exact status of

parties who now put in an appearance before the Legislature of the nation with a proposition for a contract—a so-called postal telegraph contract. Be that as it may, the inquiry, the investigation having for its object and outcome a genuine postal telegraph had reached such a point, had acquired such a momentum, that it was either considered dangerous by the existing great monopoly, and so demanded catching or counter propositions, or it was believed to be at a proper flood-tide for the little but rising rival speculators, when there appears in the literature of this subject what is known as the Johnny Mackay contract-job bill.

Now, I have not time to fully discuss the character of that measure, and to show as fully and unanswerably as I can that a contract-job postal telegraph—"postal telegraph," so called—would be of comparatively little advantage as compared with, or over and above, existing accommodations, and arrangements that are certain of existence in the future without governmental action in the premises. I must principally con-fine myself now to the history of the interjected scheme, and often leave my respected hearers to draw their own particular inferences as to origin, motives, &c., as the narrative proceeds, or as they do me the honor to

The committees, and especially the members of the subcommittees, of the two Houses were apparently favorably impressed, as some of the individual members for years had been, with the project for a genuine postal telegraph. Now, then, who comes upon the scene? My personal knowledge of these particulars is of course mainly restricted to

what occurred at this end of the Capitol.

There is produced a bill providing for a contract with the Johnny Mackay Cable and Postal Telegraph Company. It is brought here by none other than two persons formerly residents upon the Pacific coast, both of whom had long ago acquired an aromatic reputation as lobby-ists and manipulators of Legislatures. In the room of one of these persons, whose character and reputation is clearly shadowed forth in what is known as the Huntington-Colton correspondence, this Johnny Mackay bill is first read by a distinguished and honored Representative, who is then and there advised that a genuine postal-telegraph system means "centralization;" and that this contract-job text presents the proper plan for legislation. The bill is brought into the committee-room not by the usual methods of introduction. And not until it has been partly considered by sections in committee, a consideration not theretofore accorded to some of the postal-telegraph bills that had been regularly introduced into this House, was it offered here and referred; a manifest attempt to impose upon the honorable gentlemen of the committee, who in their integrity and their simplicity it was probably hoped might possibly be betrayed into a sudden favorable report in behalf of the iniquitous lobby measure, the real character of which these honor-able gentlemen did not at first for a moment suspect.

When Mr. Hubbard and associates came asking for a national charter and a contract, in years gone by, they said that they expected to make a profit from franchise and operations. But Johnny Mackay and his lobbyists endeavored to pose exclusively in the attitude of public benefactors!

Before the committee appears one of the two individuals to whom I have already referred, and as his appearance was heralded in advance and his words before the committee reported at length and printed in public newspapers—having been put in grammatical shape by the considerate reporter—there is no breach of committee etiquette in this announcement. He came to advocate the passage of the Johnny Mackay contract bill. And on his first or second appearance, when quickly questioned as to the value of the franchise he sought, he frankly or inadvertently admitted that it was worth \$46,000,000 to his company to secure the privileges and prerogatives granted in his measure. There were two members of this House listening attentively, one of whom was accustomed to hear and record with accuracy the language of public speakers, who have reported and who can now testify to the fact of the making of this admission. Indeed the admission was caught up and italicized on the instant by one of these hearers. The injurious effect of such an admission upon the prospects of his bill flashed upon the mind of its advocate when I remarked that the people of the United States were entitled to that \$46,000,000, retained in their own pockets or in their multiplications of the states were entitled to the states were or in their public Treasury or otherwise saved to themselves, if there was to be anything in the form of a governmental system of postal telegraph. Then came retraction or denial as to the utterance, and a desperate endeavor to support the denial by the evidence of those who failed to listen when the important confession was made.

But I assert it here who am entitled to speak on this subject, and competent withal. I say that if you pass a Johnny Mackay contract bill or any contract-job proposition of the kind that has been outlined before this Congress, and whether you intend it as the contract by the congress and whether you intend it. bill or any contract-job proposition of the kind that has been outlined before this Congress—and whether you intend it or not—you are in one way and another taking from the people of the United States within a decade of service or a seven-years' charter existence more than \$46,000,000. And this is counting nothing beyond the mere fact of relative disadvantage in the payment of prices that are or will be far in excess of the tariff that should be; this is not taking into consideration the fact and inevitable effect of continuing to keep the commercial interests of this country, ay, and the political control of affairs to a great extent, under the espionage and at all times under the pressure and sometimes under the absolute and exclusive control or dictation of a sometimes under the absolute and exclusive control or dictation of a

telegraph corporation management.

It may be, it must be presumed that the contract-job gentleman had ciphered on profits of the seven years of permit to run a wire into the principal post-offices of the land, or take messages on a Government stamp and with Government connection prestige. Reflect upon the profits which this indicates as the fruits of the tariff then existing.

Mr. Chairman, why should the people of the United States pay from 50 per cent. above reasonable rates to ten times the figures on a reasonable tariff for telegraphic transmission of their letters? For the ben-

efit of the few soulless incorporators. What else for?

Ah, but there are no sinister objects in the original propositions for a contract job such as was laid before honorable committees of this Congress in behalf of the Johnny Mackay combination. I declare that manifestly—on the very face of the submission—there were. But if you insist that there were not or could not have been, I might inquire why it was then that ten thousand shares of the stock of the so-called Postal Telegraph Company was sent to a member of this House, without request or agreement of any kind for a consideration, after he had been elected a member of this body? That honorable gentleman exhibited this stock to two of his fellow-members upon the floor of this Chamber before he returned it to the source of corruption from whence it came. If 10,000 shares were sent to one Representative, how many shares to other Representatives who returned the bribe without exposure? And what does this indicate as to the stock-watering process planned and already begun, in hope and expectation of the passage of a job-contract measure by the Senate and House of Representatives?

What the people need, what the people want and call for when they are enlightened upon this subject, what the people should have in the premises, is a genuine postal telegraph system, such as exists in every other civilized nation outside of the North American Continent; and anything short of this means not only all of the evil we at present suffer in the way of relatively extortionate charges for the transmission of letters by telegraph, but an increasing oppression in the form of wagereduction, and multiplying and enlarging outrages in methods of manipulating the politics of the country for the benefit of soulless corporations and their retinue of agents and flunkies. This is the simplicity

of the whole matter.

It is claimed that a contract-job plan for a postal telegraph exactly follows the present system of mail carriage on railroads and steamboats. I deny it. The real analogy in this connection is more aptly between the mail-bag and the electric wire—the former and its custodian being always the sworn employé of the Government, directly responsible to and paid by the Government, and none other. It will be remembered that when the first telegraph lines were constructed many simple-minded folks were led to believe or imagine that the noise or the music made

by the playing of the wind on the strands and through the insulator passages was caused by the rushing of little rolls of letter pages through the belly of the wire. We now laugh at such imaginings, but they sug-

gest a correct comparison at this time.

It is claimed that by the contract-job system the Government will obtain a postal telegraph for the people without the expenditure of a dollar from the national Treasury. There is a falsehood in this claim. But, as I have elsewhere and repeatedly shown, under my bill there would be no outlay required from the public Treasury save such as might be necessary for the engraving and the printing of the bonds for the loan authorized and a small additional expense, perhaps, on stationery accounts. I will append to my speech an editorial from a newspaper, the management of which is neither politically nor personally friendly to me, drawing special attention to this proposed people's loan for a people's line, and I will express here the hope that the readers of my remarks on this occasion will do me and will do the cause of a genuine postal telegraph the justice to note the provisions of my bill in the particulars just indicated. Mr. William H. Storey, a well-known and experienced telegraph superintendent, writes as follows to a member of this House:

The best brief argument in favor of Mr. Sumner's bill is presented in the bill itself. It is on all accounts vastly preferable to the other bills on the same subject now pending in Congress.

Have we had any indications of popular demand as a direct specific result of the agitation in Congress, in this Forty-eighth term of the National Legislature?

April 12, 1884, Tammany Society, New York, by unanimous vote, adopted the following resolution, which was introduced by Hon. Henry

A. Gumbleton:

Resolved, That we favor the passage of the Sumner bill, relating to the postal telegraph system, now pending in Congress, and believe that such a system honestly administered will give the people of this country a cheap and reliable means of communication under the management of able officers directly responsible to the people, and thus take this adjunct of the post-office out of the dangerous control of gigantic, corrupting monopolies.

The New York Anti-monopoly League and Lodges of the Knights of abor, embracing or representing a membership of over one hundred

Labor, embracing or representing a membership of over one nundred thousand persons, passed a similar resolution.

Both houses of the Legislature of California promptly and by overwhelming vote approved the text of my bill. And this winter, without suggestion of mine, the house of representatives of the Ohio Legislature, by more than a two-thirds vote, passed a similar preamble and resolution. The fact that this preamble and resolution was defeated in the senate of the Legislature of Ohio only contributed to the emphasis of indorsement, inasmuch as it is notorious that agents of the Western Union Company brought all their accustomed appliances to bear in the city of Columbus in order to secure such a defeat; thus marking the city of Columbus in order to secure such a deleat; thus marking the appreciation which the monopoly has of the force of such approvals, and giving another exhibition—as announced by some of the papers in the interior whose correspondents and publishers are not bound by the Associated Press ligatures—of the corrupt motives, dispositions, and deeds of the masters of this great telegraph corporation.

Later still, both houses of the Michigan Legislature, as I am in-

formed, without a dissenting voice passed this preamble and these reso-

Whereas the interests of the people of the State of Michigan, of whatever occupation, calling, or profession, and of every shade of political belief, demand that the Government of the United States undertake the business of transmitting by telegraph, 'intelligence between the inhabitants of the land,'' as proposed by the measure now before Congress known as the "Sumner postal telegraph bill: "Therefore,

Be tt resolved by the General Assembly of the State of Michigan, That we heartily indorse the postal telegraph bill introduced in Congress by Hon. CHARLES A. SUMNER, of California, believing it to be an eminently wise and practical measure, and one imperatively demanded by the interests of the people of the United States.

States.

Resolved, That our Senators and Representatives in Congress be, and are hereby, earnestly requested to support and by all honorable means endeavor to secure the passage of said bill.

Resolved, That the governor of Michigan be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Con-

Mr. J. B. Taltavall, editor and publisher of the Telegraphers' Advocate, writes to me under recent date that after a careful comparison of views the telegraphers of the country are practically unanimous in their support of my measure, "believing it to be in all respects a most excellent bill, and best adapted to give the country a true postal telegraph

system. Mr. Chairman, it is easy enough to bring forward propositions for which great ameliorating force and effect may be claimed by the adroit and audacious demagogue; against which the real monopolists and op-pressors of the people will neither raise nor entertain any objection. In fact, it is a part of the policy of the monopolists of the country to en-courage the introduction into legislative bodies, as well as to applied the presentation before popular audiences, of propositions in which and by which it may plausibly be claimed that there is a remedy for a vast number of political evils or amelioration for some one great and growing social grievance, when in point of fact the propositions are of no practical value whatsoever. Indeed, we have probably all of us seen or heard commendations bestowed by monopolists upon plans of reform, to be accomplished through legislation and otherwise, which it was asserted and declared would be wholesale in scope and permanent and increasingly beneficent in effect. This is an old trick of the arch enemies of the people. The monopolists not only encourage but have learned to instigate and foster advocacies of the character indicated; and alas! some of their emissaries are to-day applauded by the multitude who have not as yet discerned the particular phase of imposition in which

their present pets are engaged.

There should be no great or widespread mistaking as to the true radical reform proposition. The one that comes down to every-day service and touches the heart of the matter—this is of the kind of propositions and touches the heart of the matter—this is of the kind of propositions that are abhorrent to the monopolists. And the men who suggest or promulgate or plead for them are hated and slandered and ostracized to the extent of the ability of the chief organized oppressors of the land. Now the monopolists are well aware of the fact that if the people through and by their Government once possessed the control and reasonable use of the telegraph as a transmitter of correspondence, there would be little less than a revolution in those departments of business and social activity that are affected by instantaneous and cheap intercommunication.

We have few noble specimens of metropolitan journalism in this country. Our leading dailies throughout the length and breadth of the land are as a rule the serfs of the telegraph monopoly. Some are most ably conducted in all respects; and yet when it comes to questions affecting the telegraph monopoly they are dumb or hesitate not to publish that which the mercenary masters of the great lines digitate or desire. which the mercenary masters of the great lines dictate or desire. And if you pass a contract-job bill they will remain the slaves of a telegraph

if you pass a contract-job bill they will remain the slaves of a telegraph combination, with its associated press attachment, the same as they now are and have been during the last twenty years of our national life. With what unblushing impudence does the Jay Gould telegraph monopoly and its avowed and its secretly bound allies—some of the latter professing competition at this moment, perhaps—talk about the "partisan management" of a Government telegraph, when in addition to the record relating to this subject, to which I referred in my speech in this House one year ago, in addition to the record showing the contribution of the telegraph monopoly to the great "Presidential steal" of 1876—'77, we have the very recent history of the attempt to manipulate the news by telegraph in New York so as to defeat the will of the people as expressed by the vote of that Commonwealth at the last election!

The honest man connected with the management of the telegraph and news monopoly in New York city at the time alluded to—I refer to Mr. Heuston (who ought to be summoned before a committee of in-Mr. Heuston (who ought to be summoned before a committee of inquiry appointed and empowered to investigate by the next Congress)—will testify to the shameless efforts of Jay Gould and others to misrepresent and misreport and otherwise give aid and comfort to a diabolical scheme for changing the true count of the ballots in the Empire State in November last, for the purpose of depriving Grover Cleveland of the electoral vote of that Commonwealth and transferring it to another. Finding that it was impracticable to carry out his plan and purpose in the direction indicated, Mr. Jay Gould gives the extreme illustration of his effrontery and his brazen hope to yet secure "amiable relations" with the incoming administration by telegraphing congratulations to the President-elect. I should add that report says that the hailing dis-

the President-elect. I should add that report says that the hailing dispatch was appropriately and promptly consigned to the waste-basket. Give us a genuine Government postal telegraph and you at once emancipate the press of this country from a thralldom that has prevented free thought and honest advocacy through the columns of the majority

of the city dailies of our country.

Mr. Chairman, I am apprehensive, in fact I am convinced, that anything short of the comprehensive measure which proposes and disposes, plans, and appropriates money adequate to the construction of an entire network of telegraphic lines (such as is provided for in the bill which I have introduced) will not bring to our people the achievement designed and desired under the name of a postal telegraph. If you start out with the construction of skeleton lines—lines between principal cities—you will have competition concentrated side by side, with consequent losses to the Government, with resultant claims in favor of private management in all or in principal particulars, such as will end in

the relinquishment of the Government enterprise.

The sum which I have set down as sufficient for the comprehensive construction is, as compared with benefits sure to follow, an insignificant price for the great achievement. Pass this, or a substantially similar measure, and let the administration proceed to faithfully act upon and measure, and let the administration proceed to fathfully act upon and under it, and there can be no manner of question that within a few short months the people of this country who are accustomed to correspondence will be transmitting a large proportion of their communications over the electric wire, and by their patronage yielding to the Government not merely a great interest upon the investment, but rapidly returning the capital sum itself into the coffers of the nation.

And pray do not forget that under the terms of House bill 98, which I will append to my speech, the General Government will not have to advance more than five or six thousand dollars—for bond and circular printing, &c .- in order to obtain for our people the vast and incalculable benefits of a genuine Government postal telegraph. To avoid the objection of "enormous cost to the Government," among other reasons, this plan of a popular loan was devised and submitted by me.

By the general contract-job bills which have been reported the fig-

ures are set at from 50 per cent. to ten times above the proper charges

for the beginning of operations. The contract bills fix a tariff of 20 to 50 cents for ten-word messages. My bill is for a uniform charge not exceeding 10 cents for ten words between all offices. Pass bill number 98, or one of such a pattern, and within a few years the tariff therein prescribed may be reduced more than one-half, with a following patronage that will maintain the lines and provide good wages for the laborers engaged in operating and in preserving and extending the constructions. Nor will the time then be far distant when between all points in our great nation the lightning will take the plain text or the cipher of the citizen at rates that will literally rival in cheapness the postage charges of to-day. The people of this country should rise up a person and demand the passage of a genuine postal telegraph bill.

APPENDIX A.

IN THE HOUSE OF REPRESENTATIVES, December 10, 1883.

Mr. Charles A. Sumner, of California, introduced the following bill:

"A bill to enlarge the postal facilities of the people of the United States

IN THE HOUSE OF REFERENTATIVES, December 10, 1853.

Mr. CHARLES A. SUENER, of California, introduced the following bill:

"A bill to enlarge the postal facilities of the people of the United States.

"Be it enacted by the Senate and House of Representatives of the United States of with such facilities for the transmission of letters, in addition to those now had by due course of mail, as are possessed and enjoyed by every other civilized nation, it is determined and declared that the postal system of the United States and include and embrace a postal telegraph; and the Postmaster General is core as the postal telegraph; and the Postmaster General is core as the postal telegraph; and the rostmater of said postal telegraph; and the work of construction of the lines or saids to the propared plans and specifications for the construction of the lines or said postal telegraph; and extal work in the building of such lines shall be begun at as early a date as practicable; and the work of construction and extension of said postal telegraph; and extal work in the building of such lines shall be begun at as early a date as practicable; and the work of construction and extensions of the properties of the proper

master-General from reducing at any time the rates for transmission of dispatives between any points on any of the routes or lines of the postal telegraph, postal-telegraph stamps, of convenient denominations, which may be distributed for sale in the same way as are the existing postage-stamps. If such to the business of lines of the postal telegraph, shall be transmitted without such stamp or stamps afficiated thereto, except as hereinafter provided; but such measurement of the postal telegraph, shall be transmitted without such stamp or stamps afficiated thereto, except as hereinafter provided; but such measurement of the postal telegraph, shall be transmitted without such stamp or stamps afficiated thereton, the postal telegraph shall be transmitted without such such measurements of the postal telegraph of the postal telegraph at all times, under such interests of the postal telegraph offices of the people of the United States. And the testion to the postal telegraph offices of the people of the United States. And the testion to the postal telegraph offices of the people of the United States. And the testion to the postal telegraph offices of the people of the United States. And the testion to the postal telegraph offices of the people of the United States. And the testion to the postal telegraph of the postal telegraph of the properties bearing an engraved stamp of an appropriate banders, and of such demoninations as he may select and determine with such interests of the postal telegraph control to the postal telegraph of the postal tel

residing in the United States or sojourning therein and persons residing or sojourning in foreign countries, over the lines of the postal telegraph of this Government to and from the borders of the United States of America.

"Sec. 16. That the Postmaster-General is hereby authorized, as soon as he may deem it expedient, to seek to ascertain the best route for a line of telegraph wires or cables between some point in Washington Territory and the town or port of Sitka, in Alaska; and for this purpose he shall, through the Department of State or otherwise, inquire as to the terms and conditions upon which a telegraph line of wires or cables can be constructed through British Columbia and over or under waters within the jurisdiction of Great Britain, from the border of this nation in Washington Territory to the border of this nation in Alaska; and the Postmaster-General shall report the results of this inquiry in his next annual report to the President of the United States.

"SEC. 17. That all persons shall have the right to correspond by telegraph in the manner herein prescribed. Telegrams shall be privileged communications in law to the extent that private letters now are. They may be written in sceret letters or cipher, and shall be transmitted in the order in which they are received at the several offices. All provisions of law relating to the secretion or destruction, or to the receipt, transmission, and delivery of mailed letters, and to the sale of stamps and stamped paper, and their improper use, shall, so far as pertinent, apply to telegrams and telegraphic stamps. Every postmaster shall be accountable for all stamps and stamped paper furnished to him. Any person connected with the post-office who shall willfully remove from any telegram any stamp affixed thereon, or who shall, contrary to his duty, disclose or in any way make known or intercept the contents of any telegram, or any part thereof, or who shall hillure or destroy any of the property of the postal telegraph department of the system of the Unit

APPENDIX B.

The following convenient index and summary of House bill 98 is from the San Francisco Morning Call of January 2, 1884:

SUMNER'S POSTAL TELEGRAPH BILL.

The following convenient index and summary of House bill 98 is from the San Francisco Morning Call of January 2, 1884:

SUMNER'S POSTAL TELEGRAPH BILL.

**Congressman SUNNER'S postal telegraph bill provides for the construction of new lines to every town in the United States containing four hundred inhabitants or more south of the northernmost boundary of Washington Territory, Separate provision is made for aline to Alaska. The rates proposed are 10 cents for each ten words or less, exclusive of address and signature, and 5 cents for each diditional ten words or less. The telegraph system is to be put under the direction of an official to be created and designated the Fourth Assistant Postmaster-General. The duties of the office shall be under the general supervision of the Postmaster-General, it being required, however, that the chief of the Telegraph Bureau shall be a competent electrician. Funds for the construction of telegraph lines are to be obtained by the sale of United States bonds (\$25,000,000), bearing 3 per cent, interest, in amounts not exceeding \$50 each, redeemable in twenty years from date of issue and payable in thirty years. The cities at which the interest is made payable are New York, Chicago, and San Francisco. Postmasters are authorized to ack as agents for the sale of such bonds. The eighth section of the bill provides that the Postmaster-General shall cause to be issued postal-telegraph cards of the denominations of 10 cents and 20 cents, on one side of which word-spaces shall be ruled for the writing of postal-telegraph messages. These postal-telegraph cards of the denominations of 10 cents and 20 cents, on one side of which word-spaces shall be ruled for the writing of nostal-telegraph enseages. These postal-telegraph cards may be deposited in any letter-box on a letter-carrier route, and if the number of words written does not exceed the number paid for by the purchaser of the card the postmaster shall order them dispatched in the order in which they are received. This will enable

APPENDIX C.

A POSTAL TELEGRAPH-A MORE RAPID METHOD OF CARRYING THE LETTERS OF

A POSTAL TELEGRAPH—A MORE EAPID METHOD OF CARRYING THE LETTERS OF THE PEOPLE.

Low uniform rates between all points: ten words for 10 cents, twenty words for 15 cents, thirty words for 20 cents, forty words for 25 cents.

A people's loan for a people's line. Bonds in the sum of \$50 or less payable in twenty to thirty years. (See section 10.)

Impartial press reports guaranteed. Construction to be authorized simultaneously in all parts of the Union.

The people's line can be speedily built by the people, on the plans and specifications published by the Postmaster-General. (See section 14.) The people of each locality, on routes named, can proceed at once to build.

The profits of the telegraph monopolists, legitimate and by market secrets and manipulations, are enormous. The cost of the electrical force is nominal. The rates fixed in preceding bill will pay profits to the General Government. There never will be any speedy and permanent and perfect emancipation from telegraph monopoly, extortion, and tymnny save by a Government postal telegraph. The preceding bill is the only comprehensive and direct proposition for a complete Government telegraph now before Congress.

"Some that oppose a postal telegraph allege as a chief objection that it will be too great a power in the hands of any party, and will increase the facilities

for corruption in politics. The fact that the leaders of both parties are lukewarm toward the project is a pretty good indication that they do not regard it as much of a lever."—Scaramento Biee.

In the nature of the case, a Government postal telegraph could not be a party lever, as it has been under private monopoly management. No partisan advantage could be taken of a postal telegraph.

The New York Anti-Monopoly League has passed the following resolution: "Resolved, That we call upon Congress in the name of the American people to take up at once and with earnest purpose those few great measures that are at this time of fundamental importance to the country; that we especially and emphatically call upon both Houses to take favorable action upon Mr. SUMNER's bill providing for a postal telegraph."

"Two bills designed to introduce and establish postal telegraphy in connection with the Federal postal service have been already offered in the present Congress. Edmunss has introduced one in the Senate and SUMNER another in the lower House. There can be no doubt that the Summer bill is incomparably better than the other. Under the provisions of the Edmunds bill, it will require eight years for anything approaching the general introduction of postal telegraphy. Meanwhile the telegraph monopolists would continue to enjoy the immense revenues hitherto derived from fettering that great element of nature which Franklin's genius tendered as a blessing to mankind. The oppressive monopolies of railroad shipping, and manufacturing, while harmful in every State, have not been more boldly infamous in their careers than the monopoly of the telegraph privilegres.

"While Edmunds has pretended to yield to the universal appreciation of this fact, he has yet marked his measure with the features of unnecessary delay. The relief demanded is of such a character that the people will not brook dilatory methods in obtaining it. And there is no reason why such relief should not come promptly. Summer was loyal to this idea when he prepare

Penny Postage.

SPEECH

HON. WILLIAM E. ROBINSON,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 12, 1885,

On the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1836.

Mr. ROBINSON, of New York, said:
Mr. CHAIRMAN: On the 16th day of December, 1881, now over three years ago, I offered a joint resolution to reduce the postage on single letters from 3 cents to 1 cent, which was read, ordered printed, and referred to the Post-Office Committee. That committee did not rise to the ferred to the Post-Ome Committee. That committee did not rise to the level of statesmanship, which required the passage of that bill. They afterward adopted a half-way measure, reducing postage to 2 cents. Had they adopted my suggestion the revenue on 1-cent postage would be greater now than under the 2-cent law.

At the opening of the next Congress, on the 11th of December, 1883, I again introduced a bill for a uniform 1-cent postage law. Again the committee have failed to rise to the level of statesmanship, and are urging

half-way measures and driblets of reform, retarding the approach of that certainly coming day when a uniform penny postage will carry the correspondence of the American people to all parts of the United States. It is a mere question of time how long this reform can be delayed by the bunglers of legislation. It is as sure to come as the rising of to-mor-

row's sun.

on the 24th of September, 1882, I published a long letter in the New York Sun, in which I gave a history of our postal system and reasons for coming at once to a uniform penny rate of postage on all single letters; and on the 21st day of December, 1882, I delivered an extended speech on the subject advocating that rate.

After the introduction of my bill I received numerous letters from prominent men in all parts of the country approving the measure, and many newspapers and incorporated associations published articles and passed resolutions in favor of it.

The New York Grocers' Monthly Review of October 1, 1882, saver.

The New York Grocers' Monthly Review of October 1, 1882, says:

Hon. W. E. Robinson, of New York, and Hon. John Hill, of New Jersey, are the two champions in Congress in favor of cheap postage. The cheap postal subject should enter largely into the discussion of the day, and should receive the attention and have the support of those Representatives who have the interest of the people at heart.

The American Grocer and Dry Goods Chronicle of December 18, 1884,

Says:

The penny postage bill (H. R. 1001) is by far the most important, and is not, as some may at first conclude, an impracticable measure or one likely to reduce the revenues of the Department. It was introduced in the House of Representatives December 11, 1833, by Hon. W. E. ROEINSON. It is more than probable that the first year of penny letter postage would find the Department self-sustaining. No other measure aiming to benefit the postal service will secure as great benefits to the people as Mr. ROEINSON's bill providing for penny postage. Give it encouragement by asking your Representatives in Congress to support it. Let every business man whom the provisions of the bill most directly affect write a personal appeal, backed up by weighty petitions, to his Congressman.

This advice was followed, and petitions were sent from a large num-

ber of individuals and associations.

The Brooklyn (N. Y.) Eagle of January 5, 1885, says:

Congressman Robinson's bill establishing a uniform rate of penny postage to any part of the United States is now waiting action in the House. There is a disposition to concede that the reduction of letter postage to 2 cents was but a half-way measure, the tendency of which was to interfere with the more radical change proposed. Strong efforts are being made to secure the passage of the bill. The business community is practically united in its support, and every day Congressmen are in receipt of letters urging them to vote for the change.

The present postage laws inflict upon the people the most unjust and offensive system of taxation. The people want cheap postage, and you refuse to give it to them. The conveyance of written sealed letters is the legitimate business of the post-office. It is not its business to become a common carrier nor to run package-express companies. If you can carry merchandise at 1 cent a pound you should not charge more than that for letters; and if 1 cent a pound does not pay expenses you have no right to impose a tax upon the letter-writing community for have no right to impose a tax upon the letter-writing community for the benefit of other parties. If you can convey a pound of newspapers or of books for 1 cent you can convey a pound of sealed letters for 1 cent, and all that you charge over that is oppressive, unjust, and unequal taxation. Yet in this bill you propose to convey one kind of postal matter for 1 cent a pound and another kind for 32 cents a pound.

Mr. Cyrus W. Field, who is a millionaire, comes to the post-office in New York with a pound of his newspapers and asks how much it will less to convey it to San Francisco. He is informed that it will be

will cost to convey it to San Francisco. He is informed that it will be cent. A poor widow who has a sick child in Newark wants to write a few words of consolation, and she presents a half or a quarter ounce of the same material and asks how much that will cost. She is informed that it costs 2 cents. She asks: "How can that be? This rich man can convey his package of paper at 1 cent a pound, and you will not let me send mine for less than thirty-two times as much; is that fair?"

The postmaster is dumb and she remains unable to solve the mystery of demonstration of the same man that the control of the same man that the same man

of democratic postal equality. It is a democratic axiom that one class of people should not be taxed for the benefit of another class. Now, it you lay a tax for conveying half an ounce of matter for the letter-writer and only I cent a pound for the newspaper writer, you violate this democratic axiom and tax the former for the benefit of the latter. It is unjust taxation of the poor for the benefit of the rich. Every poor man's breakfast-table is taxed in favor of the wealthy monopolist.

While the people of the United States have been clamoring for post-

age reform, what reform has Congress granted? Last session you passed law allowing transient newspapers to be sent at 1 cent for four ounces. There was little benefit in that to anybody. These transient newspapers are in a great measure sent by poor people in place of letters, conveying intelligence either by clandestine writing or signs. They accumulate in vast amounts of unclaimed matter, which are never delivered and give vast trouble to the post-offices throughout the country. Would it not be preferable to allow the people to write a letter of half an ounce at 1 cent than to burden the mails with matter at 1 cent for

That reform was frivolous and useless. In this bill you propose to load the mails with matter at 1 cent a pound. Not one in a thousand will receive any benefit from it. You also propose to put the price of sealed letters at 2 cents an ounce. Very few desire this ridiculous reform or will be benefited by it. I understand that there are only about 5 per cent. of the letters sent through the mails that are over half an This reform, therefore, can benefit only five out of every hun-It is intended to tax ninety-five of our people for the benefit of the five. Half an ounce is the proper standard weight for letters. The thousand millions of letters that are sent or will be sent yearly through our mails average less than one-third of an ounce. The reform wanted is for the ninety and five who want to send letters under half an ounce, and not for the five who make them over half an ounce. driblets of reform. It is a vicious kind of legislation that enacts general laws as riders upon appropriation bills.

The country calls for a reform-postage bill to emancipate the letter-writers from the unjust burdens imposed upon them. Can we not have a committee on postage that will formulate and report a new and sensible postage law; that will find out what the conveyance of letters, the legitimate part of the post-office system, costs, and put upon each letter, which scarcely ever exceeds half an ounce, the proper paying charge for conveyance? The people have a right to have their letters conveyed at the lowest paying rates. Very few want any increase of weight, but all want a reduction of rate. No man dares and no man does deny that the first-class matter conveyed through our mails can be carried and handled at 1 cent on the half ounce. Every cent collected on letters to make up for the losses on other matter is an oppressive tax on the people using the mails for their legitimate purposes. It is a wonder

that they do not rise in rebellion against the outrage.

Now, I am not opposed to reducing the rate of postage on second-class matter or newspapers. I am in favor of every reduction that can be made upon the conveyance of public intelligence, but I am opposed to all legislation that compels the continuance of a system that robs the many for the benefit of the few. Make newspaper postage free if you like, and if it be a public benefit to have knowledge conveyed free, let it be charged to the Treasury, and not exacted by unjust taxation of 100 per cent. on the great mass of the people, who pay the postage on first-

class matter and pay double what it costs.

I believe the time will come when postage on single letters will be reduced much below 1 cent, and that postage stamps will be sold at four or five for 1 cent. This will be the grand system of educating the people. Set all your people—men, women, and children, of all races and all conditions of life—to writing letters in place of spending their time in scenes of dissipation and folly, and you will soon have an edu-

cated and intelligent population.

Give us a well-digested and consistent postal law. Cut down the enormous folly of franking, abandon the abused system of penalty envelopes, abolish the postal-card abomination, encourage newspaper cirvelopes, abolish the postal-card abomination, encourage newspaper circulation by conveying them at the very lowest possible rates, but above all see that the sealed letters carrying messages of business, of sympathy, and of love shall be conveyed at their cost, and not taxed to favor other classes of postal matter. Let the rate of transportation on the 70,000,000 pounds of newspaper matter conveyed during the year, paying only about 3 per cent. of the postal revenue, bestill further reduced if justice will allow, make it free if you please, but let the 35,000,000 pounds of letters, which pay nearly the entire amount of postal revenue, be relieved from the tax now unjustly imposed upon them to pay for the transportation and handling of other postal matter. the transportation and handling of other postal matter.

Abolishing the Internal-Revenue System.

Who steals my purse steals trash;

But he that filches from me my good name, Robs me of that which not enriches him, And makes me poor indeed.

REMARKS

HON. JOHN D. WHITE, OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885.

Rising to a question of privilege-

Mr. WHITE, of Kentucky, said:

Mr. SPEAKER: I rise to a question of privilege.

The SPEAKER pro tempore. The gentleman will state it.
Mr. WHITE, of Kentucky. A paper published in New York called
The Voice, which claims to be a temperance journal, has seen fit to publish the following paragraph about myself:

LEGISLATIVE MEASURES-DO THE WHISKY MEN WANT THE EARTH?

Mr. White, of Kentucky, has introduced a bill into the House of Representatives providing that the office of Commissioner of Internal Revenue be abolished and the whole system of internal taxation done away with. This bill is said to have been framed at the instance of the whisky men. Mr. White is the Congressman who recently applied an insulting term to Speaker Carlisle.

That was sent to me by Mr. R. B. Neal, editor of The Worker, a temperance paper published in Louisville, Ky., otherwise I would not have seen it. Now, Mr. Speaker, if that came from a source claiming to be an enemy to the cause which I have advocated and maintained I should treat it with the same indifference I have treated hundreds of others of a similar character, but coming as it does from a paper professing the principles of temperance, of which I believe every member on this floor will accord to me that I have been a consistent and persistent advocate ever since I became a Representative in the Forty-fourth Congress and during the Forty-seventh Congress and also during the present Congress, I think it requires some personal notice at my hands.

Now, sir, it is a matter of record that in the Forty-fourth Congress I introduced a bill into this House for the prohibition by the national Congress of the sale of intoxicating liquors for any other purpose than mechanical, medicinal, or scientific. In the Forty-seventh Congress I introduced the same bill. In the Forty-eighth Congress I introduced a similar bill, slightly modifying it and providing for punishment, which before I had left to the wisdom of the committee. I will send to the

Clerk's desk a copy of that bill to be read.

Mr. HENLEY. How long is this matter about being read to last?

Mr. CURTIN. What is it all about?

The SPEAKER pro tempore. The gentleman from Kentucky rises to question of personal privilege and is stating his question of privilege to the House

Mr. WHITE, of Kentucky. I ask the Clerk to read. The Clerk read as follows:

A bill (H. R. 596) to lessen crime and human suffering from alcoholism by re-stricting the use of distilled spirits to scientific, mechanical, and medicinal pur-

poses.

Whereas the injurious effects from the use as a beverage of intoxicating liquors

stricting the use of distilled spirits to scientific, mechanical, and medicinal purposes.

Whereas the injurious effects from the use as a beverage of intoxicating liquors are universally admitted; and Whereas spirituous liquors are powerful instruments for evil and corruption in our elections; and Whereas the unbridled traffic in spirituous liquors promotes contentions, riots, ignorance, and poverty; and Whereas the effects of alcoholism is visited through the parent "upon the third and fourth generations;" and Whereas the effects of alcoholism are filling our prisons, houses of correction, and institutions of charity with criminals and sufferers, and covering the land with woe and misery: Therefore,

Be themself, de., That on and after the 30th day of June, 1884, no person, except as hereinafter provided, shall manufacture or sell or keep for sale that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, or any other intoxicating liquor which can be produced by the fermentation of grain, starch, molasses, or sugar, including all dilutions and mixtures of sugar. No person shall manufacture, sell, or keep for sale as a beverage any intoxicating liquor whatever, including all, wine, and beer.

Sec. 2. That any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding 5500, or imprisoned not exceeding one year, or both, in the discretion of the court.

Sec. 3. That no intoxicating liquors whatever, including ale, wine, and beer, shall be imported into the United States from any foreign port or place. All goods or merchandise imported contrary to this section, and the vessel wherein the same shall be imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner and under the sam

SEC. 8. That nothing in the preceding sections shall be construed so as to limit the time of any license for the manufacture or sale of intoxicating liquors which is at present operating: *Provided*, That no extension of time nor any new license shall be hereafter granted for the sale of any intoxicating liquors what

Mr. WHITE, of Kentucky. Now that bill which the Clerk has read was referred to the Committee on the Alcoholic Liquor Traffic and was reported back by Mr. KLEINER, accompanied by the following report:

The Committee on the Alcoholic Liquor Traffic, having considered the bill (H. R. 596) to lessen crime and human suffering from alcoholism by restricting the use of distilled spirits to scientific, mechanical, and medicinal purposes, report the same back adversely, and recommend that it lie on the table.

Mr. LORE. I make the point that this is not a matter of personal

privilege.

The SPEAKER pro tempore. The gentleman from Delaware makes the point that the gentleman from Kentucky is not stating any ques-

tion of personal privilege.

Mr. WHITE, of Kentucky. I thought that was admitted, Mr. Speaker, or I should have addressed myself to that point of order.

The SPEAKER pro tempore. So far as the gentleman from Kentucky has gone the Chair has been unable to see any question of personal privilege in what the gentleman has stated.

Mr. WHITE, of Kentucky. I appeal from the decision of the Chair.
Mr. HEWITT, of Alabama. I move to lay the appeal on the table.
Mr. WHITE, of Kentucky. I wish to call the attention of the Chair to Rule IX:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only.

Now, sir, here is a charge in the extract which I have just read from the New York paper, which was sent to me by my friend the editor of a temperance paper in the city of Louisville, to whom I have already referred, calling my attention to the fact that this article in The Voice did me great injustice. Otherwise I would never have seen it. It charges me with preparing a bill in the interest of the whisky men, in this article which is headed, "Do the whisky men want the earth?" I claim this not only affects me as a Representative, but affects the honor and dignity of this House, for I am a member of this House. a member of the House, after having advocated certain principles, introduces a bill that I have introduced here and then can present other bills which seem to favor the whisky interest, and can be justly charged that he is doing it for the whisky interest, it seems to me it rises to the dignity of a personal question at least.

It is to address myself to that question that I have risen, and to recite the history of this subject and my action with it, that I began in the way I did, and no one made the point of order, or else I should have begun by reading the rule under which I made the point of order. But in order to save the time of the House and consume as little of its time as possible at this late hour in the session I did not adopt that

I now yield the floor to the decision of the Chair. If I am entitled to the floor on that decision I will proceed, otherwise I will take my

The SPEAKER pro tempore. The gentleman presents, certainly, a question of personal explanation, but the Chair has been unable to see that a question of personal privilege under the rules of the House is presented, and which would give the gentleman the right to occupy the floor.

Mr. WHITE, of Kentucky. May I be permitted to call the attention of the Chair to the last sentence but one in the newspaper article to which I first called attention and which I have sent to the desk?

The SPEAKER pro tempore. The Chair will cause the sentence to be read.

The Clerk read as follows:

This bill is said to have been framed at the instance of the whisky men. Mr. White is the Congressman who recently applied an insulting term to Speaker Carlisle.

Mr. WHITE, of Kentucky. The Chair will observe, as stated in that article, that a direct charge is brought against me. In response I wish to state that I have never in my life applied an insulting term or epithet to the Speaker of this House

There is not a man on this floor who has a higher regard for the Speaker of the House than I have, and I am ready to offer the usual resolution complimenting him in the very highest terms on the fair, impartial, and proper manner in which he has discharged the duties of his office. The last clause but one in the article accuses me of having prepared or framed a bill at the instance of the whisky men, and I claim in that I have the right not only to deny that charge, which I do most emphatically, but to show conclusively by the RECORD that it is false from the beginning to the end; and I was proceeding to address myself to that subject when I was interrupted by the gentleman from Delaware, who made the point that I did not present a question of

I understood the Chair had recognized it as such by allowing me to proceed for some time, and of course I did not have the rule read, for the reason that I did not suppose there could be any question as to the fact that I had the right to take the floor for that purpose. As I have said, I now yield to the decision of the Chair.

The SPEAKER. The Chair stated that it would hear the gentle-

man on his question of privilege, no point of order having been made. The Chair indulged the gentleman from the beginning of his remarks until the point of order was made. The gentleman from Delaware having made the point of order, the Chair was then ready to decide the question.

If, however, the gentleman desires to be heard further the Chair will indulge him.

Mr. WHITE, of Kentucky. Mr. Speaker, what is this bill which The Voice criticises in the article to which I have called attention? I desire to read it for the information of the House. It is a joint resolu-

tion which I introduced on the 26th day of January, 1885—No. 319.

Mr. LORE. I make the point of order that the gentleman does not

The SPEAKER pro tempore. The gentleman from Kentucky will proceed, and the Chair will determine whether or not he presents a question of privilege. So far the Chair thinks the gentleman has not

Mr. WHITE, of Kentucky. This is a joint resolution which I introduced in the following terms:

Whereas it has transpired that the Commissioner of Internal Revenue and the present Secretary of the Treasury have, by unwarranted regulation, assumed to extend the bonded period for distilled spirits for two hundred and eight days, in direct violation of the action of the Forty-seventh and Forty-eighth Congresses; and
Whereas the tobacco tax is an unnecessary burden upon the people, and is a fraud, useful only upon our statute-books for the purposes of the tobacco monopolists; and

fraud, useful only upon our statute-books for the purposes of the tobacco monopolists; and
Whereas the present system of internal-revenue taxation is far less beneficial to the people than useful to continue a highly protected and infernal industry, manipulated by unscrupulous capitalists, who strive to corrupt Congress and to control the Government in the interest of their monopoly of the tobacco and whisky trade; and
Whereas there is no longer any guarantee that the laws in relation to internal revenue will be honestly executed, although \$5,000,000 be annually appropriated for that purpose: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts or parts of acts concerning the superintendence of the assessment or collection of any duties or taxes imposed by any law providing internal revenue be, and the same are hereby, abolished from and after July 1, 1885.

Mr. Speaker, for that joint resolution The Voice of New York arraigns me as having framed a bill at the instance of the whisky men. It is well known to the House, because for four years the question has been discussed, that there is a whisky lobby in Washington, that there

is a whisky combination, reaching from the great lakes to the Gulf and from the Atlantic to the Pacific Ocean, in favor of reducing the tax on

whisky and intoxicating liquors generally.

When that was proposed in the Forty-seventh Congress I opposed it because it was giving to the whisky monopoly every cent that the tax was reduced. If there were 100,000,000 of gallons in bond and the tax was reduced from 90 to 50 cents it was equivalent to giving to the whisky ring \$40,000,000, and hence I opposed it. Again, when in the Forty-seventh Congress a modified bill came into this House asking for the extension of the bonded period for two years, or practically a loan of the money invested in the whisky in bond, I opposed that also.

Mr. LORE. Mr. Speaker, I must insist upon the point of order that

the gentleman does not state a question of privilege, and beg the Chair to pass upon it. There is nothing in what he has stated to show that

to pass upon it. There is nothing in what he has stated to show that his character as a Representative on this floor has been assailed.

Mr. WHITE, of Kentucky. I suppose we had as well settle the question here, and I submit to the ruling of the Chair. The Chair understands the point I have made, and I submit to the ruling of the Chair.

The SPEAKER pro tempore. The Chair will state to the gentleman from Kentucky that the Chair does not think the criticism of a newspaper upon the character or manner of introducing a bill in the House of Representatives is that sort of an attack upon a member in his representative capacity that raises it to the dignity of a question of privilege under the rules of the House.

Mr. WHITE, of Kentucky. I appeal from the decision of the Chair, and I desire to be heard on the appeal.

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. WHITE, of Kentucky. Mr. Speaker, this is a very serious matter not only to me, but it is rapidly becoming one to the whole country. At the last Presidential election more than 150,000 voters severed

their strong attachments to the Democratic and Republican parties to

enter their protest against the proceedings of both parties.

Mr. TUCKER. I submit, Mr. Speaker, that the gentleman is not addressing himself to the appeal.

The SPEAKER pro tempore. The gentleman is entitled to be heard

on the appeal.

Mr. TUCKER. But he is not proceeding in order, I submit, by ad-

dressing himself to the question on which he appeals.

Mr. WHITE, of Kentucky. I have listened to the gentleman from Virginia many a time, and must confess I have always been disappointed, because he seldom sticks to the text himself, and he ought not to object to my using some discretion in this matter.

The question of order, as I understand, that has been raised is whether the article which I have read constitutes a question of personal privilege. I believe it does, for reasons which I have partially stated and others which I propose to submit.

The SPEAKER pro tempore. Will the gentleman yield a moment to receive a message from the Senate?

Mr. WHITE, of Kentucky. Certainly.

Mr. WHITE, of Kentucky. I would like to explain that when I introduced the first resolution in the Forty-fourth Congress to prohibit the sale of intoxicating liquors as a beverage, I was then persuaded as I am now thoroughly convinced that the use of alcoholic liquors as as I am now thoroughly convinced that the use of alcoholic fiquors as a beverage was simply to imbibe a poison, and as the law prohibits the sale of prussic acid, of arsenic, and other poisons except under regulation, that there should be some power to prohibit the sale of intoxicating liquors which is dragging down to death hundreds of thousands of strong, able-bodied men every year and making widows and orphans, filling the poor-houses, filling the jails and the penitentiaries. I quote from the National Journal as follows:

[From the National Journal, December 17, 1881.]

OUR NATIONAL LIQUOR BILLS.

OUR NATIONAL LIQUOR BILLS.

Estimates are made from time to time based on returns from the Internal Revnue Office, police and other places, hospitals, insane asylums, poor-houses, and other charitable institutions, from which it is calculated with reasonable certainty that our liquor bills amount yearly to not less than—

1. Direct expenses, \$600,000,000.

2. Indirect expenses, \$600,000,000.

3. Intemperance burns and destroys property amounting to \$10,000,000.

4. It destroys 70,000 lives.

5. It makes 30,000 widows.

6. It makes 30,000 widows.

7. It makes 500 maniacs.

8. It instigates 250 murders.

9. It causes 500 suicides.

10. It consigns to jail 500,000 criminals.

11. And greater even than all this, it endangers the inheritances of liberty left us by debauching the voters and making instruments for upholding corruption by means of the ballot-box.

Mr. TULLLY. I rise to a point of order that the gentleman is not

Mr. TULLY. I rise to a point of order that the gentleman is not

discussing the question before the House.

Mr. WHITE, of Kentucky. The report on that bill I have had read from the Clerk's desk, that it was beneath the dignity of this House. Subsequently I introduced a bill for a commission on the subject of the alcoholic liquor traffic. It is as follows:

Abill to provide for a commission on the subject of the alcoholic liquor traffic. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, a commission of seven persons, not more than four of whom shall belong to the same political party nor be advocates of prohit ition, who shall be selected solely with reference to personal fitness and capacity for an honest, impartial, and thorough investigation, and who shall hold office until their duties shall be accomplished, but not to exceed two years. It shall be their duty to investigate the alcoholic liquor traffic, its relations to revenue and taxation, and its general economic, criminal, moral, and scientific aspects in connection with pauperism, crime, social vice, the public health, and general welfare of the people; and also to inquire as to the practical results of license and prohibitory legislation for the prevention of intemperance in the several States of the Union.

SEC. 2. That the said commissioners shall serve without salary; that the necessary expenses incidental to said investigation, not exceeding \$10,000, shall be paid out of any money in the Treasury prototherwise appropriated, one of the resum of \$10,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. It shall be the further duty of said commissioners to report the result of their investigation, with such suggestions and recommendations as they may see fit to make, and the expenses attending the same, to the President, within eighteen months after the passage of this act, to be transmitted by him to Congress.

The report on that bill I hold in my hand. It was submitted by

The report on that bill I hold in my hand. It was submitted by Mr. ENGLISH, and is as follows:

The report on that bill I hold in my hand. It was submitted by Mr. English, and is as follows:

Mr. English, from the Select Committee on Alcoholic Liquor Traffic, submitted the following report, to accompany bill H. R. 2142:

The committee, to whom was referred the bill (H. R. 2142) to provide for a commission on the subject of the alcoholic liquor traffic, beg leave to report the bill back to the House with a recommendation that it do not pass.

The power to regulate the retail liquor traffic has, from the foundation of the Union, been regarded as the exclusive right of the States rather than of the General Government. Attempts have been made by some of the States on thirty prohibit the manufacture or sale of spirituous or malt liquors, but with little apparent success, and the interests of true temperance and sobriety, so much to be desired, would seem to demand wise and stringent restrictions and effective safeguards in connection with the liquor traffic rather than impractical efforts at absolute prohibition.

To the several States of the Union properly belongs the right to enact such local police regulations as will throw every proper restriction around the liquor traffic compatible with the personal and property rights of the clitzen, but uniform police regulations enacted by Congress practically suited to the different wants and requirements of the people of all the various States would be difficult to frame and more difficult to execute. Any attempt to control the personal habits and private conduct of the individual should be opposed, so long as he does not interfere with the personal rights of others or the peace and order of society in general.

As it is a matter of grave doubt whether Congress has the right to regulate the liquor traffic in the several States of the Union, and as there seems to be no great pressing or urgent necessity for the passage of this bill, your committee hold that it is not advisable to attempt the exercise of doubtful powers by the General Government in these matters, whic

Now, sir, from that report any one can see that the House, representing the American people, does not believe that it is a matter for the National Government to meddle with. Again, in the Democratic platform [cries of "Vote!"] was a protest against sumptuary laws, and a declaration that all laws interfering with individual liberty should not be passed.

Mr. TOWNSHEND. Is it in order to move to go to the Speaker's table for the purpose of taking up the Mexican pension bill? [Laugh-

table for the purpose of taking up the Mexican pension bill? [Laughter and applause.]

The SPEAKER pro tempore. The Chair has recognized the gentleman from Kentucky to a question of privilege.

Mr. TOWNSHEND. I understand the gentleman yields to me to call up the Mexican pension bill.

Mr. WHITE, of Kentucky. I will for that purpose.

Mr. TOWNSHEND. I move that the House go to the business on the Speaker's table for the purpose of taking up the Mexican pension bill.

Mr. TUCKER. I withdraw my objection to the bill of the gentleman from Indiana.

Mr. WHITE, of Kentucky. I only yielded to allow the Mexican pension bill to be called up.

I now ask the attention of the House to a letter from quite as prominent a temperance organ as the editor of The Voice. I refer to General Green Clay Smith, who was the Presidential candidate of the Temper-

ance party in 1876. Mr. Speaker, I shall print the entire letter of General Smith to which I have alluded, but I desire to call attention especially to one sentence which coming from such an authority offsets in my opinion the vile charge which has been brought against me by this pretended "Voice"

of the temperance cause. General Smith says:

I am perfectly satisfied in my own mind, after a great deal of thought, that the true policy is to repeal the tax on all liquors and tobacco. The Government can not afford to derive revenue from crime. Sooner or later the practice will recoil with redoubled force on the nation. The sooner, therefore, we right ourselves in this matter the better. Throw the matter open free to all. Give the little man an equal chance with the big man, and by this means you destroy the ring monopoly absolutely.

The entire letter is well worth serious consideration. It is as fol-

LOUISVILLE, KY., January 24, 1885.

My DEAR WHITE: Your letter received, and read with pleasure and proper consideration. You are clearly right; the great question before the American people is "How to manage and prohibit the manufacture and sale of liquors as a beverage." There are four essential points to be regarded and practiced in the introduction and accomplishment of any great and invaluable end: First, agitation; second, education; third, consecration; fourth, concentration. We

have had for a great number of years agitation, and it seems we have about passed that step in this great work. We want now general education on the subject. The people must know the whole character, force, and power of the ring; its workings, internally and externally; its members, who they are and the amount of money employed in all its departments and for what purpose, and where it comes from and where it goes; the oppressions and crimes of every grade and the increase; the moral and religious wrongs and the effect on our civil and religious liberty. This education must apply to both state and nation, and both must be called upon to assist in its overthrow. This will bring us to consecration to principle. When men are properly educated then will they adhere to and dare to die for principle, and this leads of course to concentration of forces to the accomplishment of the end.

A party is needed for this work and it must be independent of all others, and by the might of its principles, the power and undeniableness of its facts, grow and strengthen until it will be respected and obeyed. We have reached that position; forever hereafter the great pivotal State of New York will be directed in its administrative power by the Prohibitionist. Not only New York but other States, for in the next national election we will poll from one to two millions of votes, if not more. We are educating rapidly, and our men are perfectly consecrated to their views and purposes, and the work of concentration is going on every day.

I am perfectly satisfied in my own mind after a great deal of thought that the true policy is to repeal the tax on all liquors and tobacco. The Government can not afford to derive revenue from crime; sooner or later the practice will recoil with redoubled force on the nation; the sooner therefore we right our selves in this matter the better. Throw the matter open free to all, give the little man an equal chance with the big man, and by this means you destroy the ring monopoly absolutely. Our prison-houses

It is a beautiful idea in the administration of our affairs that an officer of his own volition can override the will of the people, expressed by their representatives, and absolutely do away with an act of Congress. While it is a fearful step, yet I am of the opinion it will inure to the benefit of our cause. A desperate move to defraud the Government and rob the people. Let the people know all about it, keep such acts before the minds of the honest, true citizens, and they will right matters ere long.

Your friend, truly,

GREEN CLAY SMITH.

That I think is a fit and perfect answer to the misrepresentation of The Voice. But I desire to call the attention of this House to a better reason why I introduced joint resolution No. 319. The House will remember that Judge Folger, the late Secretary of the Treasury, held that nothing but Congressional legislation could postpone the collection of the whisky tax. But Secretary McCulloch or Commissioner of Internal Revenue Evans has extended the bonded period for distilled spirits by a simple ruling for six months beyond the time authorized by law. The Louisville (Ky.) Courier-Journal gives credit to Commissioner Evans, for whom it has acquired great affection, as follows:

GIVING MR. EVANS JUSTICE—THE COMMISSIONER NOT OPPOSED TO A LIBERAL POLICY TO THE WHISKY INTEREST.

[Special to the Courier-Journal.]

Washington, January 15.

Washington, January 15.

The following paragraph appears editorially in the Louisville Evening Times of Tuesday:

"Col. Walter Evans, Commissioner of Internal Revenue, gives notice that he was, and still is, opposed to the policy recently adopted by the Secretary of the Treasury practically extending for seven months the whisky bond period. As Colonel Evans will soon return to Kentucky and re-enter State politics, we gladly put him on record in the matter as a foil against Johnny White's tomahawk."

In justice to Commissioner Evans your correspondent will state that he was not and is not opposed to the policy or the ruling of the Secretary of the Treasury. On the other hand, it is known here that the Commissioner of Internal Revenue was one of the firmest supporters of a liberal policy to the whisky interest, and as soon as the opinion of the Attorney-General was delivered it was he who made the regulations, and he was the only officer of the entire Government who could issue a regulation in the premises. The Secretary of the Treasury could not and did not make a regulation in the premises. The Commissioner, as the law exclusively authorizes, made the regulations, which were simply approved by the Secretary without the slightest change. The Secretary could neither make a regulation on the subject nor compel the Commissioner to make one. The law on that subject is plain.

What is the result? The result is that the whisky ring has circumvented Congress and laughs at those who are innocent enough to hope with Mr. BLOUNT, of Georgia, who introduced a bill to compel the col-lection of the whisky tax as required by law, as follows:

A bill to enforce the collection of taxes on distilled spirits in bonded warehouses. Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, directed, immediately on the expiration of the three years allowed for the payment of the tax on all distilled spirits in bonded warehouses, to proceed to collect the same, notwithstanding any action which may be begun after said time in the process for its exportation.

The fact must not be lost sight of that the chairman of the Committee on Ways and Means favored the extension of the bonded period for distilled spirits for two years, as shown by the following report, and will not likely object to any informality by the Commissioner of Internal Revenue favoring the whisky ring:

Mr. Morrison, from the Committee on Ways and Means, submitted the following report, to accompany bill H. R. 5265:

The Committee on Ways and Means, having considered the subject of extending the time for the payment of the tax on distilled spirits now in warehouse, beg leave to report:

The production of distilled spirits in the United States has become larger than demanded by the market. The taxes are the largest paid by any domestic in-

dustry. It suffers in common with other industries from the present depression of trade. The burden from which it chiefly suffers is that directly imposed by the Government. Its relief would probably prevent serious disaster and bankruptey not only to the interest itself, but to associate business interests. This bill proposes not to relieve any liability for taxes now imposed by law, but simply to postpone their payment for a period not exceeding two years, on condition of further security and of the payment of interest on the postponed taxes at the highest rate (of interest) paid by the Government on any of its bonded debt.

It is not without significance that Mr. HEWITT, of New York, in the course of the debate on the whisky-bonded extension bill, 1884, said:

Taxation has nothing to do with morality. I have been brought up to believe that taxation is for revenue, and for revenue only. * * * It is just as legitimate to produce whisky as it is to produce pig-iron.

Hon. T. F. BAYARD, who was dined and wined by the Louisville whisky men on his return a few years since from the Nashville horseraces, said of the whisky business:

The parties engaged in this business are citizens of the United States; their business is as honest and as honorable as any other.

Who can harmonize the assertions above with the National Democratic platform adopted at Chicago July 10, 1884, which declares the following doctrines:

We oppose sumptuary laws which vex the citizen and interfere with individual liberty.

We are opposed to all propositions which upon any pretext would convert the General Government into a machine for collecting taxes to be distributed among the States or the citizens thereof.

Now, Mr. Speaker, what are the facts about the growth of the whisky monopoly, which is not satisfied to attend to its own work of legalized death and destruction, but which seeks to control the government of States, the deliberations of Congress, and dictates to the Treasury officials how they shall perform their executive duties regarding the collection of taxes.

The following tables from the reports of the Commissioner of Internal Revenue will throw much light on the vexed subject:

1865. 16, 936, 777 16, 936, 777 16, 936, 777 16, 936, 777 2, 723, 715 18, 731, 422 \$1.50 and 1866. 23, 814, 651 14, 599, 289 6, 681, 551 29, 482, 078 3, 786, 094 33, 286, 172 \$2, 186, 93 1867. 32, 299, 629 14, 148, 132 17, 887, 272 4, 654, 816 29, 184, 409 4, 378, 543 33, 542, 952 \$2, 186, 93 1869. 16, 365, 651 6, 709, 547 27, 278, 420 4, 128, 188 14, 290, 781 4, 364, 900 18, 655, 631 \$2, 188 1870. 53, 367, 884 61, 183, 559 16, 685, 166 1, 178, 226 33, 735, 324 11, 353, 907 45, 671, 281 \$2and 50e 1871. 54, 576, 446 59, 503, 972 6, 744, 360 780, 153 31, 157, 314 15, 124, 534 46, 281, 848 50 cents. 1872. 68, 235, 567 62, 971, 413 14, 650, 148 2, 358, 630 43, 311, 665 8, 968, 307 52, 099, 372 50 and 70c 1873. 68, 236, 567 62, 971, 413 14, 650, 148 2, 358, 630 43, 131, 665 8, 968, 307 52, 099, 372 50 and 70c <		Quantities of s	pirits distilled frui		als other than	Amou	Amount of tax collected.		
1863 (ten months). 16, 149, 954 \$3, 229, 991 \$1, 946, 539 \$5, 176, 530 20 cents. 1864. 85, 295, 393 85, 295, 393 28, 431, 788 1, 897, 352 30, 329, 150 20 cents. 1865. 16, 936, 777 16, 936, 777 16, 936, 777 16, 936, 777 16, 14, 599, 299 6, 681, 551 29, 482, 078 3, 786, 094 33, 268, 172 \$2 cents. 1867. 23, 814, 651 14, 599, 299 6, 681, 551 29, 482, 078 3, 786, 094 33, 268, 172 \$2 1868. 16, 395, 651 6, 709, 547 27, 278, 420 4, 128, 188 14, 290, 731 4, 364, 900 18, 655, 631 \$2 1870. 53, 367, 884 61, 183, 559 16, 685, 166 1, 178, 226 37, 375, 324 11, 325, 907 45, 671, 231 \$2 1871. 54, 576, 446 59, 503, 927 11, 671, 886 915, 629 39, 245, 999 16, 309, 965 55, 606, 944 50 cents. 1872. 54, 576, 446 59, 503, 922 6, 744, 300 780, 153 311, 778, 91 68, 275, 745 64, 914, 471 10, 103, 392 950, 213 31, 17, 789 16, 357, 727 <t< th=""><th>Fiscal year ending June 30—</th><th>Produced.</th><th>n, tax-</th><th>Tune Ounc</th><th>Exported.</th><th>On spirits withdrawn from warehouse tax- paid, and on spirits distilled from fruit.</th><th>From all other sources relating to distilled spirits.</th><th>Total.</th><th>Rates of tax per gall spirits distilled from rals other than fruit 1895, and from all ma whatever prior to that</th></t<>	Fiscal year ending June 30—	Produced.	n, tax-	Tune Ounc	Exported.	On spirits withdrawn from warehouse tax- paid, and on spirits distilled from fruit.	From all other sources relating to distilled spirits.	Total.	Rates of tax per gall spirits distilled from rals other than fruit 1895, and from all ma whatever prior to that
1001	1864 1865 1866 1867 1868 1869 1870 1870 1871 1872 1873 1874 1875 1876 1876 1877 1878	16, 149, 954 85, 295, 394 16, 936, 777 23, 814, 051 32, 299, 639 16, 395, 651 53, 367, 854 71, 337, 099 54, 576, 446 68, 275, 746 68, 236, 567 68, 805, 374 60, 930, 425 57, 959, 647 59, 912, 268 56, 103, 063	16, 149, 954 85, 295, 393 16, 985, 777 14, 599, 295 14, 148, 132 6, 709, 547 61, 183, 559 76, 339, 807 59, 503, 97 59, 503, 97 62, 971, 413 61, 763, 700 62, 580, 998 56, 989, 389 56, 989, 385 49, 571, 128 51, 885, 989	6, 081, 551 17, 887, 272 27, 278, 420 16, 685, 166 11, 671, 886 6, 744, 360 10, 103, 392 14, 650, 148 15, 575, 224 13, 179, 596 12, 595, 850 13, 091, 773	4,654,816 4,128,188 1,173,226 915,629 780,153 950,213 2,358,630 4,060,160 2,529,528 5,499,252	Gallon-taz. \$3, 229, 991 28, 431, 798 16, 007, 707 29, 482, 078 29, 164, 409 14, 290, 731 33, 735, 324 30, 245, 099 31, 157, 314 33, 117, 789 43, 131, 665 43, 807, 094 46, 877, 938 51, 330, 490 52, 671, 291 45, 626, 533 47, 709, 464	\$1, 946, 539 1, 897, 539 1, 897, 539 2, 723, 715 3, 786, 904 4, 378, 543 4, 364, 900 11, 335, 907 16, 360, 995 15, 124, 534 16, 857, 727 8, 968, 307 5, 636, 996 5, 204, 053 5, 035, 875 4, 798, 139 8, 794, 283 4, 860, 821	30, 329, 150 18, 731, 422 33, 268, 172 33, 542, 952 18, 655, 631 45, 071, 231 55, 606, 094 46, 281, 848 49, 475, 516 52, 099, 372 49, 444, 090 52, 081, 991 56, 426, 365 57, 469, 430 50, 420, 816 52, 570, 285	20 and 60 cents \$1.50 and \$2, \$2, \$2, \$2, \$2 and 50 cents. 50 cents. 50 cents. 50 cents. 70 cents. 70 cents. 90 cents. 90 cents. 90 cents. 90 cents.

[Note.—The production for 1863 and 1864 includes spirits distilled from apples, peaches, or grapes.]

Statement of the aggregate quantity, in taxable gallons, of distilled spirits of the different kinds known to the trade, produced, withdrawn, and remaining in warehouse in

	Bourbon whisky.	Rye whisk	y. Alcohol.	Rum.	Gin.
1. Remaining in warehouse July 1,1883	Gallons. 55, 837, 112 8, 896, 832	Gallons. 17,897,29 5,089,95	Gallons. 229, 523 12, 385, 229	Gallons, 512, 892 1, 711, 158	
Total	64, 733, 94	22, 987, 25	3 12,614,752	2, 224, 050	714, 426
CR. (Lost by leakage or evaporation in warehouse. (Withdrawn for export during the year (Withdrawn for export during the year (Withdrawn for scientific purposes. (Withdrawn for transfer to manufacturing warehouse. (Withdrawn for transfer to manufacturing warehouse.	17, 492, 895 2, 649, 755 3, 401, 410 2, 318 1, 640 8, 864 41, 177, 056	962, 64 710, 85 16 1, 81 332, 86	3 1,925 3 4,100,791 1 14,171 3 49,066 55,386	1, 054, 363 17, 094 664, 942 415 487, 236	1,100
Total	64, 733, 94	22, 987, 25	3 12,614,752	2, 224, 050	714, 426
		High wines,	Pure, neutral, or cologne spirits.	Miscella- neous.	Total num- ber of gal- lons.
1. Remaining in warehouse July 1, 1883. 2. Produced and bonded during the year.		Gallons. 207, 969 6, 745, 688	Gallons. 1,062,401 28,538,680	Gallons. 4,680,099 11,426,470	Gallons. 80, 499, 993 75, 435, 739
Total		6, 953, 657	- 29, 601, 081	16, 106, 569	155, 935, 732
28. {Withdrawn on payment of tax during the year			27, 395, 849 17, 806 595, 342 4, 187 159, 897	11, 278, 235 200, 749 105, 575 1, 219	78, 342, 474 3, 858, 494 9, 586, 738 20, 837 214, 050
7. Lost by easualty, &c., during the year		411,071	1,428,000	13, 439 4, 507, 352	410, 588 63, 502, 551
		6, 953, 657	29, 601, 081	16, 106, 569	155, 935, 732

Total.

Table showing the stock on hand, production, and movement of spirits for the fiscal years 1890, 1881, 1882, 1883, and 1884.

	1880.	1881,	1882.	1883.	1884.
Quantity of spirits actually in warehouses beginning of fiscal year	Gallons. 19, 212, 470 90, 355, 270	Gallons. 31, 363, 869 117, 728, 150	Gallons. 64, 648, 111 105, 853, 161	Gallons. 89, 962, 645 74, 013, 308	Gallons, 80, 499, 993 75, 435, 739
- Total	109, 567, 740	149, 092, 019	170, 501, 272	163, 975, 953	155, 935, 732
Quantity of spirits withdrawn, tax-paid, during fiscal year	61, 100, 362 16, 765, 666 337, 843	67, 372, 575 15, 921, 482 1, 149, 851	70,730,180 8,092,725 1,715,722	75, 441, 087 5, 326, 427 2, 708, 446	78, 342, 474 9, 586, 738 4, 503, 969
Total	78, 203, 871	84, 443, 908	80, 538, 627	83, 475, 960	92, 433, 181
Quantity of spirits remaining in warehouses at end of fiscal year	31, 363, 869	64, 648, 111	89, 962, 645	80, 499, 993	63, 502, 551

The following statement shows the quantity of spirits, as per original gauge, withdrawn from warehouse for all purposes during the stated period, and the amount and percentage of leakage allowed thereon under the provisions of the act named:

Year.	Total quan- tity with- drawn.	Leakage allowed.	Percentage of with- drawals.
1880	Gallons, 78, 199, 283 84, 335, 900 80, 281, 611 83, 291, 190- 92, 022, 593	Gallons. 75, 834 811, 466 1, 231, 336 2, 291, 013 3, 858, 494	.096 .962 1.583 2.750 4.193

The following statement shows the quantity and percentage of production of distilled spirits removed in bond for export during each fiscal year since the passage of the act of June 6, 1872:

Year.	Taxable (proof) gallons exported.	Percentage of production.
1873 1874	2, 358, 630 4, 060, 160	8.45+ 5.90-
1875	587, 413 1, 308, 900	0.96+ 2.25-
1877 1878	2, 529, 528 5, 499, 252	4.22+ 9.80+
1890 1880	14,837,581 16,765,666 15,921,482	20.63+ 18.55+ 13.52-
1882 1883	8, 092, 725 5, 326, 427	7.64
1884	9, 586, 788	12.70+

The following table shows the quantity of distilled spirits in taxable gallons, at 90 cents per gallon tax, placed in distillery warehouses during the fiscal year ended June 30, 1884, the quantity withdrawn therefrom during the year, and the quantity remaining therein at the beginning and close of the year;

Summary of operations at distillery warehouses for the year ended June 30, 1884.

Distilled spirits—	Quantity.	Total.
Actually remaining in warehouse July 1, 1883	80, 499, 993 449, 606 6, 235, 474 41, 697	07 00e mo
Produced from July 1, 1883, to June 30, 1884		87, 226, 770 75, 435, 739
Total		162, 662, 509
Withdrawn tax-paid (including deficiencies on export bonds and casualties disallowed) Exported, proofs of landing received Allowed for loss by casualty Withdrawn for scientific purposes and for the use of the United States Allowed for loss by leakage or evaporation in warehouse Allowed for loss by leakage in transportation for export, &c Withdrawn for transfer to, and received at, manufacturing warehouse	78, 366, 625 5, 633, 964 589, 789 20, 837 3, 858, 594 36, 858 170, 238	88, 676, 905

Summary of operations at distillery warehouses, &c .- Continued.

Distilled spirits—	Quantity.	Total.
Withdrawn for exportation, proofs of landing not re- ceived Withdrawn for transfer to manufacturing warehouse, not received at warehouse. Not actually in warehouse, claimed to have been lost by casualty. Actually remaining in warehouse June 30, 1834	10, 148, 599 85, 137 249, 317 63, 502, 551	73, 985, 60
Total		162, 662, 50

SPIRITS WITHDRAWN FROM WAREHOUSES FOR SCIENTIFIC PURPOSES AND FOR THE USE OF THE UNITED STATES,

The quantity of alcohol withdrawn free of tax from distillery warehouses for the use of colleges and other institutions of learning in the preservation of specimens of natural history in their several museums, and for use in their chemical laboratories, and of spirits of various kinds for the use of the United States, amounted during the year to 20,837 gallons, or 7,838 gallons less than the quantity withdrawn during the previous year.

Number of persons who paid special taxes in each State and Territory during the special-tax years ending April 30, 1883 and 1881.

	1883.	1884.
Rectifiers Retail liquor-dealers Wholesale liquor-dealers Manufacturers of stills Brewers Retail dealers in malt liquors. Wholesale dealers in malt liquors	1,468 187,871 4,647 26 2,378 7,998 2,582	1, 406 180, 068 4, 291 25 2, 240 8, 220 2, 705
	206,970	198, 955
Retail dealers in leaf-tobacco Dealers in leaf-tobacco. Manufacturers of tobacco. Manufacturers of cigars Peddlers of tobacco. Dealers in leaf-tobacco, not exceeding 25,000 pounds	3,382 449,612 1,060 16,724 1,403 1,208	3, 378 449, 872 701 15, 349 1, 415 1, 054
Total	680, 362	670, 724

Statement showing the number of grain and molasses distilleries registered in the United States during the fiscal years 1877, 1878, 1879, 1880, 1881, 1882, 1883, and for 1884.

Number. 1, 308 1, 154 1, 257 4, 738
*

There are in the United States, according to Tenth Census,

	Total.	Male.	Female.
Saloon-keepers and bartenders Traders and dealers in liquors and wines Distillers and rectifiers Traders and dealers in drugs and medicines	68, 461	67, 153	1,308
	13, 500	13, 368	132
	3, 245	3, 237	8
	27, 700	27, 580	120

Even here in Washington city there are more than 1,200 places licensed to sell intoxicating liquors, and about three hundred of them

are on Pennsylvania avenue, between the President's mansion and this And more disgraceful still, you sit here and without protest allow all kinds of intoxicating liquors to be sold in our Capitol restau-

I may be pardoned for quoting from my colleague from the second district of Kentucky, who alluded to me in his speech on March 22, 1884, as follows. Mr. CLAY said:

I take it there is no moral or religious question connected with the bill, and there should be none in the discussion of the question connected with it; and there will be none unless my colleague on the other side of the House from the State of Kentucky [Mr. White] should deem it necessary to lug into this discussion some of his temperance proclivities and great moral ideas.

I need hardly say that the New York Voice and my colleague enter-tain views very diverse.

If my colleague intended by that remark to exhibit me to this House as a man having temperance proclivities, moral ideas, and religious convictions he has said it well. I trust I shall, in justice to God, my country, my constituents, and my family, always be able to view every question from a moral standpoint.

But if the gentleman sought to parade my views before the Representatives here as fine-spun theories, or to hold me up before the country as an extremist on religion or temperance, I simply say to him and to this House that I do believe in God, the maker and ruler of the universe, but I have never attempted to force my views on any one; and, as for temperance, I hold that every sound, mature person has "the right to life, liberty, and the pursuit of happiness" in his or her own way, provided they have due respect for the will of the majority, which must always govern in a republic.

Ten years ago, in my first candidacy for public office, I expressed my views on temperance and attempted to set them forth in a bill presented to the Forty-fourth Congress, which I reintroduced in the Forty-seventh Congress and again in this Congress (H. R. 596), which has been reported upon adversely by your Democratic Committee on Alcoholic Liquor Traffic. The bill to establish a commission to collect facts relative to the control of the collect facts relative to the collect fact tive to the alcoholic liquor traffic met with the same fate at Democratic

Again Mr. CLAY said:

The whisky that is now in bond in the State of Kentucky is held and owned by individual citizens throughout the United States, and they are calling upon you not to relieve them on account of the original plant in the manufacture, not to prevent a failure on account of their investment, but to relieve them against an excise tax which is 500 per cent, more than the value of the original plant.

Notwithstanding this fact, it remains true that the whisky men and

their representatives protest against the repeal of the entire whisky tax. Like the tobacco monopolists, they want the system kept up, but favor an occasional reduction with timely notice.

I have consulted with my constituents in regard to the propriety of this move to abolish the internal-revenue system. It is well known in my State that the internal-revenue system has ceased to be what it was intended for, namely, an instrument to collect revenue to help pay off the war debt, and it has come to be a monopoly to protect the gigantic distilleries that make from one hundred to five hundred barrels of distilleries that make from one hundred to five hundred barrels of whisky a day. Those distilleries are the beneficiaries of an army of officers, who are paid \$5,000,000 a year, and who go about hunting up and arresting the most ignorant and poverty-stricken people throughout the States of Georgia, Alabama, Tennessee, West Virginia, Kentucky, and other portions of the country on the most technical grounds.

Seeing that the tax was not going to be paid; seeing that from time to time whisky rings received the privileges which they desired, to wit: first, extension for sixty days; then, second, extension of the bonded paried for distilled spirits for one year by a promise to pay interest:

period for distilled spirits for one year by a promise to pay interest; third, extension for three years without interest; then repeal of stamp taxes; after that the leakage clause of seven and a half gallons per barrel; then still further extension, in defiance of the action of Congress, for six months by a regulation of the Treasury Department which was without warrant of law.

On April 13 and 15, 1882, I called the attention of Congress to the insatiate demands of the whisky ring as follows:

Mr. Chairman, the Republicans of this House held a solemn caucus here and declared as Republicans, and published our actions to the public, that we would not reduce the tax on whisky from 90 to 50 cents a gallon, but in less than a fortnight the Committee on Ways and Means, for some unknown purpose, brought in a bill which was better for the large distiller and the bonded-ware-house man than would have been a reduction of the tax from 90 cents to 50 cents a gallon on whisky. This is a beautiful record to go before the country with, as accessories to the schemes of the Democratic party and renegade Republicans.

Now, observe that on November 1, 1881, there were 67,442,185 taxable gallons of spirits remaining in distillery warehouses, or more than the total amounts for the three years preceding 1881. But, sir, on the 1st of March, 1882, there were 69,243,835 gallons in distillery warehouses in three States alone—Kentucky, Maryland, and Pennsylvania.

The enormous profits realized under the Carlisle bill are not enough to satisfy the whisky kings. This success under three years' protection and gross indulgence makes them supercitious in demanding as a right the continuance of the policy adopted by the Democratic party.

Why, sir, I remember when in the Forty-fourth Congress the Democratic party, with thirty-two smelling committees, were night and day studying how to turn out public officials, cut down the salaries of poorly-paid clerks, cut off loyal claims, turning out one-armed and one-legged soldiers, and crippling and starving every branch of the Government to seem to save \$40,000,000 in order to make a record before the country as great economists and retrenchers and reformers.

Even the boss salary-grabber from Pennsylvania, the late Speaker RANDALL, joined in the Democratic war-whoop of "retrenchment and reform."

Now, I charge that under the operation of the old Carlisle bill every useful industry in the country has been badly damaged, and more than \$40,000,000 of money which should have gone into the public Treasury have been given away to the large manufacturers and owners of distilled spirits. And now the perpetutors of this great wrong ask Republicans to become accessories to their criminal legislation, and to "show our faith by our works"—on the devil's side—by extending the bonded period indefinitely and pro rata "outage" for five years beyond the provisions of that Carlisle bill.

Why, sir, that bill extended the time from one to three years, and stopped charging for warehouse stamps (an item amounting to hundreds of thousands of dollars), also the charge of 5 per cent. interest formerly collected for all time over one year allowed in bond, and allowed shrinkage from one to seven and one-half gallons, according to time in bond. I assert, without fear of successful contradiction, that the Government lost more dollars by that Carlisle bill than the Forty-fourth Congress saved by its parsimony, and that its evil effects on the useful industries have been as harmful as the temporary Democratic ascendency was pernicious.

Now we Republicans are asked to condone this Bourbon Democratic legislation, and besides sanctioning what they have done to extend the bonded period five years longer, and allow five gallons for "outage" under the new law in addition to the seven and one-half gallons spirited away under the old law. Nor does it stop there. In the machinery of the extension bill passed by the House is a speculating scheme for special bonded warchouses which are to reap a harvest by storage charges imposed on small distillers, who are forced to remove their spirits to such special bonded warchouses which are to reap a harvest by storage charges imposed on small distillers, who are

emergency.

Its mission is to develop the vast latent agricultural and mineral resources of our growing and prosperous country; to encourage honest, industrious, and decent immigrants to come and find homes among us; and to enact laws to prohibit the criminals, vagabonds, and moral lepers from touching our shores or desecrating our free institutions.

If the Treasury Department can extend the bonded period six months it may extend it indefinitely.

After six years' experience in Congress I am prepared to say that in my humble judgment more can be done to prevent the use of alcoholic liquors as a beverage by a total abolition of the internal-revenue system, with all of its machinery, than in any other way; and I therefore favor a remission of the vexed question to the several Congressional districts of the United States for settlement as shall seem to each of them wisest and best.

In conclusion, I beg to repeat to the House and to remind the country that the most fruitful source of crime, misery, poverty, and demoralization known to this country is due to the use of intoxicating liquors, and that the responsibility of correcting the evil rests with the people, first in their homes, then in the States, and finally in Congress and the Territories.

Mr. RANDALL. I ask the gentleman to yield to me for the purpose

of submitting a privileged question.

The SPEAKER pro tempore. Does the gentleman yield for that pur-

Mr. WHITE, of Kentucky. Certainly. Before yielding the floor, however, I ask permission of the House to extend my remarks and print some papers and extracts which I will not detain the House by reading. There was no objection, and it was ordered accordingly.

General Grant.

SPEECH

HON. BYRON M. CUTCHEON. OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. CUTCHEON said:

Mr. Speaker: I am glad of the opportunity to vote to place General Grant upon the retired-list of that Army which more than any other living man he has rendered illustrious.

Whatever other names may live, whatever other names may perish in the annals of this land, the place of U. S. Grant is fixed in history as securely as that of Alexander, Casar, Bonaparte, or Wellington. He was the one general of our Army who always brought victory with him.

He came to Donelson, and Buckner surrendered. He appeared before Vicksburg, and Pemberton and his thirty thousand

became prisoners of war.

He came to our beleaguered Army at Chattanooga, and Mission Ridge and Lookout Mountain became at once and forever the synonym of

glorious victory.

He came to the ever-gallant but often-baffled Army of the Potomac,

and he never relaxed his iron grip upon the enemies of the Union until hesent them to their homes the paroled prisoners of the great Republic.

Victorious in battle, he was magnanimous in victory. His triumph was not more welcome to his friends and to the friends of the Union than was his magnanimity grateful and unexpected to the vanquished. The Revolution had but one Washington, the civil war can have but one Grant. By the side of the names of Washington and Lincoln the name of Grant will ever stand, one of the grand triumvirate of the first century of the Republic. No honors that we have paid and no benefactions that we can render can ever outmeasure the greatness of the obligation we owe him in the few remaining years of his life. There were single days when the value of the services of General Grant would outweigh them all. To say that General Grant has committed errors in both military and civil life is simply to say that he is human.

To say that his business disasters have been sad is simply to say that

no man is equally great in all directions; and it appeals all the more strongly to our sense of gratitude for the great services rendered by him

in the hour of our greatest need.

But above all errors and above all disasters he stands the great, heroic figure of this generation, the envoy of victory, the hero of Vicksburg and of Appomattox, the conqueror of peace, and the restorer of a reunited country.

We owe it to him, we owe it not less to ourselves, we owe it alike to the past and to coming generations, that neither the critic of the present nor the historian of the future shall be able to say, pointing to Gen-

eral Grant, that republics are ungrateful.

Let us then, forgetting all resentments, burying all animosities, foregoing all criticism, recognize in General Grant the embodiment of the spirit of patriotism and heroic sacrifice which made this second century of the great Republic possible.

General Grant.

"Gratitude is the curse of republics."

SPEECH

HON. WHARTON J. GREEN,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. GREEN said:

Mr. GREEN said:

Mr. SPEAKER: At the risk of being thought churlish or ungracious, or of other imputation of motive, I am impelled by sense of duty to raise my voice and enter protest against the passage of the bill under consideration. I but anticipate the charge of sectional hostility which such opposition is sure to engender. Full well I know that the motives of any hailing from my quarter of our common country who dare oppose this and kindred measures are liable to misconstruction and certain of vituperation.

But, sir, no man is worthy to occupy a seat on this floor who permits himself to be tongue-tied by such puerile, personal considerations. God knows I am actuated by no latent sentiment of lingering hate in opposing this and kindred measures. Neither do I believe that others

like situated are so actuated.

Brave men bear no malice after a fair fight, an honest hand-shake, and a genuine make-up. The opposite is equally certain. The skulker and the deserter, the bounty-jumper and the contractor, the homeguard, the blackguard, and the demagogue—all of whom, like the warhorse in Holy Writ, snuff the battle from afar—are implacable in hate, even twenty years after guns are grounded and sabers sheathed. Every side in every struggle turns out these valiant mouthers and strutters; side in every struggle turns out these valiant mouthers and strutters; harmless as doves in war, but mischievous as serpents in peace, or, as John Phœnix has it, "soldiers in peace, citizens in war." But take "the soldiers" in our terrific strife, and I venture to say that since the first recorded battle between brothers in the purlieus of Paradise never was there such deadly hate in battle or such mutual rubbing of eyes and genuine forgiveness after the smoke of battle was dispelled. It is an English attribute, and we are English. The sword-wearers and the gun-bearers on the victor side held out the right hand of fellowship and said, "Let us be brothers again." After such a pass at arms none but heroes could do it, and none but men imbued with the

spirit of freedom could say it. And may I not be pardoned for adding that none have ever accepted the dread arbitrament of battle with more composure and less complaint than the losing side, of which I was but an humble component, derided as rebels and belied as traitors by heroic "implacables" of genus named?

They dared, endured, and for opinion suffered as no mailed host has ever done as long as the clash of arms continued. But when "grimvisaged war had smoothed his wrinkled front," they went back to their desolated hearth-stones bearing little of this world's gear, and

leaving even their hate behind.

As one of that fold, realizing full well that the cherished convictions of earlier years are dead and buried, but as an American citizen, and as a lawmaker, too, still wedded to the free traditions of my forebears, I as a lawmaker, too, still wedded to the free traditions of my forebears, I venture to raise my voice, unattuned to eloquence, in honest and earnest protest against this unprecedented proposition. It is not done in the spirit of malediction of a confederate soldier, but of an American legislator. It is uttered in no carping spirit of reprisal or revenge for blasted hopes and dream dispelled by the would-be beneficiary. So far from it, Mr. Speaker, that were I his bosom friend, regard for his fair fame and good name would prompt even more strenuous hostility to this ill-advised step of his injudicious friends. For, sir, is it not an imputation upon the honor of the leading soldier of the victorious side to infer that he would take a service pension (and, say what you will, it is nothing more or less) while one is refused even to a meritorious drummer boy, whose rat-a-tat sounded charge or checked retreat in the great armies which he led? What better right the first man than the last man to a service pension? And I repeat, disguise it as you will, it is but such.

It were invidious to give to the first and withhold from the second, and so on to the last. Carried out to its legitimate conclusion, and so far from being cursed with a redundant revenue and overplethoric Treasury, as we now are, unless we curtailed our prohibitory tariff on many articles, there would soon be a lamentable deficiency. There is nothing like a fat pension-roll to make a lean treasury.

Good soldiers in war, synonym in time of peace for good citizens, are, I am sure, opposed to such a wholesale, bankrupting spoliation bill

as one for general service pensions imports.

Again, Mr. Speaker, the passage of this bill, ay, its introduction, subjects the recipient of its benefits to the imputation of avarice, the subjects the recipient of its benefits to the imputation of avarice, the besetting sin of senility and littleness, from which true greatness has ever been supposed to be exempt. Of a surety, Mr. Speaker, it is not the soldier vice. "On the contrary, quite the reverse." For near two hundred years we read of no great English speaking soldier who has tarnished his epaulets or his escutcheon with greed of gain. Ay, Mr. Speaker, since the great Marlborough, "little Jack Churchill," bartered a sister's honor, not to speak of his own, for pounds, pence, and promotion, a soldier with "an itching palm" has been the scoff and scorn of soldiers. There has been there may be there will be free. promotion, a soldier with "an itening paim" has been the scorf and scorn of soldiers. There has been, there may be, there will be, free-lances and soldiers of fortune, who are willing to pit blood 'gainst bounty, and who demand equivalent after, whether the first was spilt or simply endangered. It is simply a question of "barter" with Capt. Dugald Dalgetty. But while barter may be pardonable in a Shylock, where even a pound of live human flesh is involved, it is sickening, it is nauseating in a nation's idol, where the consideration is but an atom

Fancy him to whom you proud pile was but yesterday completed, standing like suppliant or mendicant in yonder aisle, either in person or by proxy, hat in hand and begging recognition for service rendered. Had the abject picture ever been presented to a country's scorn the shaft had never been erected. Such was the claim of Sulla, "the manslayer," who would throttle country and silence conscience to gain that which he most desired.

Aurelius, the grandest figure in ancient story, did not, he could not have done it. Aristides was a citizen of Athens, and had rendered some service to the State. He died, the purse-bearer of the State. He lived in penury and died a pauper, and was buried by charity, and yet no prince of recorded time has had his epitaph, and but few deserved it—the briefest, proudest, grandest ever chiseled by stone-worker.

Apposite to the bill, Mr. Speaker, candor compels the confession that

last session did tax my constitutional conscience to its utmost tension to vote for a kindred but I think much more meritorious measure.

To give its claims in brief:
Some forty years ago a President called for an army to uphold the honor of his country. The call was answered, honor was upheld, and more than an empire added. The roll of heroes who did it had dwindled down to a fraction. Borne down with wounds, and poverty, and age, this band of superannuated heroes did venture to ask an obolus of their country. I tried to say "No," but it was not in me to do it. A Democratic House with singular unanimity accorded it. A Re-

A Democratic House with singular unanimity accorded it. A Republican Senate thought proper to kill it with a rider. Now, sir, if these old veterans who had given us a foothold on the Pacific and extended our sway from ocean to ocean, worn down with years, and tottering on the brink of the grave, are not entitled to the poor pittance asked for, upon what principle of equity or propriety can younger soldiers in later wars expect a recognition of their service in the manner suggested in this bill? in this bill ?

Judged from the successful standpoint, no man can overrate the mag-

nitude of the work he accomplished; but, I repeat, let us not, for his own sake as well as ours, insult him with a pecuniary recompense. Ay, let us not measure his merit by the metallic standard. Merit so measured is apt to dwindle in public esteem; to grow dim instead of brighter with advancing years. 'Tis an old saying: "Republics are ungrateful;" but of all men who have lived or died, none has less right to complain of the ingratitude of republics than he.

Perhaps had my lot been cast on this side of the Potomac instead of

the other I might add that few have illustrated in their own person the force of the antithetical aphorism, "Gratitude is the danger, the curse

of republics."

of republics."

Better the Ostra of Athens or the Tarpeia of Rome to curb the undue and dangerous popularity of a favorite than the gratitude which would prompt a free state to establish a pernicious precedent in his behalf.

Mr. Speaker, I believe I am within bounds in saying that with the exception of two or three of his retiring Presidential predecessors, so far from their being men of wealth, there was not one of them that could be called moderately well off. The list includes the Sage of Monticello, author of the Declaration of Independence, and coadjutor of the bill of rights, and by common consent the wisest political thinker of the New World, if not of the world. He died almost in penury and left his family destinte. family destitute.

And there was his neighbor, Madison, deep, learned, didactic, and abstruse, whose counsels had most contributed to shape that inspired abstruse, whose counsels had most contributed to snape that inspired instrument, revered by our sires next to the Bible, the Constitution of our country. He, too, died a poor man. They both had a neighbor, who was called to the same exalted post which they had filled. He it was who dared to flaunt in the faces of the potentates of the Old World his "doctrine," which, considering the time, would be thought impudent if it were not sublime, and made by force of public sentiment the recognized "doctrine" of all his successors. He died among

ment the recognized "doctrine" of all his successors. He died among strangers, and there too was he buried, for reason why, he left not the wherewith to pay hearse-hire back to his loved Virginia. Virginia brought him home and gave him a cubit of earth.

And after a pause stalks on and off the Presidential stage that sturdy, self-poised, self-reliant, and unbending nature, most aptly called "Old Hickory," who left his impress on his age and the age succeeding and the ages to succeed as few have done in the annals of time. He lived up to his salary in generous but unpretentious hospitality, as a gentleman President should, and went out a poorer man than when he entered. Each and all they served their country well, and died without a blot.

man President should, and went out a poorer man than when he entered. Each and all they served their country well, and died without a blot. In dire need, did either pray for pension? Woe had it been to injudicious friend had one dared done so for them. They were as poor but as proud as Scotch lords, and would have taken tendered bounty, from what source coming, as unpardonable affront.

Mr. Speaker, I do not underrate or decry either of their legitimate successors. But in the presence of this august body I dare swear that if they were not entitled to pecuniary recompense none other since has been. If they would have scorned it with disdain the propriety of any who have filled the high office which they adorned, asking for recognition of service rendered, may well be doubted.

who have filled the high olince which they adorhed, asking for recogni-tion of service rendered, may well be doubted.

The world has lately had cause to hope that he too was of the Cato-nian school. It was but the other day that the world was startled and his true friends delighted to read the head-line in the telegraphic col-umn, "He declines;" and a few days later, "He declines again." It had been proposed by the highest recommendatory source to put him on the pension-list, but he declined with ungracious if not overzeal.

on the pension-list, but he declined with ungracious if not overzeal. Zealous friends started to raise another large fund for his benefit; but he declined again. A wealthy friend offers to tear up a hundred-and-fifty-thousand-dollar mortgage in his behalf, but again the proposition is vetoed. Even his enemies were forced to cry, "Brave!" It is for him to say whether his enemies shall say, with show, "The previous baits were inadequate; a shark is never caught with a sardine hook." In conclusion, Mr. Speaker, I ask this House through you if this great soldier is fit and meet object of charity? Unless he is belied he is the recipient of an annual income—placed by the considerate care of friends who gave it beyond even the reach of his honest creditors, and that is where no honest man should wish to have his money placed—greater than that enjoyed by either of his predecessors. If injudicious speculation or financiering has entailed upon him loss, whether that loss be the result of cupidity or overconfidence in another, be his the blame and be his the penalty. Thousands to-day are paying the penalty attaching to misplaced confidence in a wild-cat concern whose only basis of credit was his own great name, not for finance, but for Government patronage.

ment patronage

My sympathy, Mr. Speaker, is more with the confiding fools who fondly trusted that an institution paying 3 per cent. a month to the head of the firm was a fit depository for honest savings. Are these victims to be satisfied out of the amount asked for? Then add a cipher to the sum demanded and it will pay them a bare I per cent, per annum on their confidence deposits in that model banking-house. In the absence of specific statement by the framers of the bill we are constrained to believe that such purpose is foreign to the pension. But were it otherwise, I would still vote "no." "If that be treason," or to employ the post bellum euphemism, "disloyalty," any who please can make the most of it. I for one do not propose to stifle my conscience to prove my loyalty.

General Grant.

SPEECH

HON. THOMAS J. HENDERSON,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. HENDERSON, of Illinois, said:

Mr. SPEAKER: I have no disposition to discuss the merits of the bill

Mr. Speaker: I have no disposition to discuss the merits of the bill to restore General Grant to the Army and place him on the retired-list with the rank and pay of General. If any man in this or any other age ever merited so distinguished an honor as this bill proposes to confer, it is General Ulysses S. Grant, and I believe it to be a reproach to the Republic which he contributed so much to save that the conferring of such honor upon him has been so long delayed.

I have no sympathy with those who stop to inquire into the income or the necessities of General Grant in the consideration of this bill, whether they favor or oppose its passage. If this bill is passed, as I earnestly hope it will be, it should be placed on higher ground, ground which is more honorable to the nation and to General Grant, than that of his misfortunes or his necessities. I wish in my heart the honor now proposed by this bill had been conferred upon General Grant with less reluctance, and when he was in the full vigor of his health and there was no question as to his necessities. It would have been far more honorable to him and to the country which he has served with more honorable to him and to the country which he has served with

so much distinction.

so much distinction.

It will be remembered that in the Forty-seventh Congress a bill to place General Grant upon the retired-list of the Army passed the Senate and was referred by the House to the Committee on Military Affairs, of which I was then chairman. That bill was never reported back to the House by the committee. But it is due to myself and to some other members of the committee to say that we earnestly desired to report the bill back favorably to the House, and when a majority of the committee decided otherwise we prepared a minority report, but as the majority of the committee did not make a report to the House we were unable to present our views as the minority of the committee. And as the report then prepared and signed by Hon. Anson G. McCook, Hon. George R. Davis, Hon. Henry J. Spooner, and myself, members of the Committee on Military Affairs, briefly presents the reasons which controlled us in favoring the passage of the bill, I ask that the same may be incorporated into and made part of my remarks. It is as follows: porated into and made part of my remarks. It is as follows:

us in favoring the passage of the bill, I ask that the same may be incorporated into and made part of my remarks. It is as follows:

Mr. Henderson, chairman of the Committee on Military Affairs, submitted the following as the views of the minority:

The undersigned, members of the Committee on Military Affairs, to which committee was referred Senate bill 59, to place Ulysses S. Grant, late General and ex-President of the United States, upon the retired-list of the Army, beg leave, in connection with the unfavorable report of the majority of the committee, to submit the following views of the minority:

Without intending to offer at any great length the reasons which induce us to favor the passage of said Senate bill, we are of the opinion that the distinguished services of General Grant during the late war of the rebellion are of such high character as to entitle him to the recognition by the Government which said bill proposes to make. Surely but few men, if any, in the history of the world have served their country with greater distinction and honor than Ulysses S. Grant did during the late war for the preservation of the Union.

Educated by his country as a soldier, when internal war threatened to overthrow the Government he at once offered his services to the governor of his State, and, beginning his career as colonel of an Illinois regiment, found himself at the close of the war at the head of the Army, with the highest military rank and distinction known to the country, and which should be dear to the hearts of the American people as long as they shall be animated by a love of noble deeds and great achievements. And yet no recognition, we believe, has ever been made of the distinguished services of General Grant by the Government of the United States, which he did so much to preserve, further than a vote of thanks by Congress.

It is true a patriotic and grateful people twice elected him to the high and honorable office of President of the United States. But while that office is one of great honor, it is

THOS. J. HENDERSON, ANSON G. McCOOK, GEO. R. DAVIS. HENRY J. SPOONER,

Beginning of a Civil Pension-list—The Act placing General Grant on the Retired-list virtually a Civil Pension—Reasons why it should not pass.

SPEECH

HON. STROTHER M. STOCKSLAGER.

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (S. 2530) to authorize an additional appointment on the retired-list of the Army.

Mr. STOCKSLAGER said:

Mr. SPEAKER: No man will go further than I will in according to General Grant due meed of praise for his great services to the country as a leader of our armies in the late war. I shall not seek to detract a single laurel from his brow, for whatever individuals may think, the civilized world has decreed and the future historian will accord to him blood, to bestow large sums upon any person, simply because misfortune has overtaken them or they are upon beds of sickness. We should not legislate upon any such principle.

upon what grounds do the friends of this measure place it? It is hardly claimed, and certainly has not been demonstrated to this House, that General Grant is in need of this aid. Indeed, it is quite certain he is not. Mr. George W. Jones, editor of the New York Times, in a statement published in the New York Herald of November 30, 1884, after the financial misfortunes of General Grant had overtaken him,

used the following language:

used the following language:

It has been extensively circulated that the literary work of General Grant was all that the ex-President had to live upon during the coming years of his life, and therefore an interview was sought with George Jones, editor and proprietor of the New York Times, to whose exertions the raising of a trust fund of \$250,000 in behalf of General Grant some years back was almost entirely due. Mr. Jones in a business-like way responded to all pertinent queries.

"I'll tell you all about this," said Mr. Jones, "When the fund of \$250,000 was complete, desiring to invest it in some permanent and safe way, I counseled with ex-Governor Morgan, who advised that it be invested in Wabash stock. I suggested that perhaps Governments would be better, as I could put it where a certainty of 6 per cent. per annum could be returned. The Governor explained to me that his suggestion applied to a section only of the Wabash road, which involved an investment only of some \$2,000,000, from which the income was almost a certainty.

to me that his suggestion applied to so, 200,000, from which the income was almost a certainty.

"For what, said I, would you guarantee the income?"

"He replied that for 5 per cent, he would guarantee \$15,000 a year for ten consecutive years. Whereupon I made the arrangement."

"Has that been regularly paid?"

"It has, down to date."

"Without exception?"

"Well, there was one time when it was not paid for a few weeks, but, upon the representation that it would be paid—as it since has been—we did not press the estate of Governor Morgan for the guarantee. It is arranged between the executors, as it was with Governor Morgan, that in default of the payment by the road the principal and interest should be returned to us in behalf of General Grant. That is as certain as anything can be in life. The original fund can not be touched and the per annum income is assured."

"Of one thing the public may be certain—the money was raised by Grant's friends for Grant. It has been safely invested, and its income is abundantly guaranteed. It was raised for Grant and Grant alone will have it.

From this uncontradicted statement it seems General Grant has an assured annual income of \$15,000. Quite enough, I take it, for the comfortable support of himself and family. Then upon what other ground is it based? It must be sympathy and nothing more. But, sir, if I am called upon to legislate in favor of the objects of my sympathy, it will be for the poor wounded and disabled soldier who is in poverty and distress, and is unable to keep the "wolf of starvation" away from his door, and the widows and orphans of such brave soldiers as went down door, and the widows and orphans of such brave soldiers as went down to death in defense of their country, who for years have been knocking at the doors of Congress and of your Pension Office, but who, on account of some technicality of the law, or some inabilty, perhaps on account of poverty, to make the necessary proof, are denied the little pittance for which they so humbly beg, and to which they are so justly entitled, but notwithstanding are permitted to go down to death feeling that a great injustice has been done them. ing that a great injustice has been done them.

Sir, if the rules of this House must be suspended, in the name of the classes to which I have referred let us take up and pass the bill inclasses to which I have referred let us take up and pass the bill increasing the pensions of widows and orphans from \$8 to \$12 per month, dispense with the proof of prior soundness, repeal the limitation to the arrears-of-pensions law, pension the old veterans of the Mexican war, and thus make smooth the path of these poor, dependent, and helpless persons as they pass down the declivity of life into the "valley and shadow of death." They would not only be acts which appeal to our sympathies, but they are acts which are demanded by every considera-

tion of justice and good faith, and are entirely in accord with the settled Policy of the Government.

But I have a more serious objection than this to the placing of Gen-

eral Grant upon the retired-list of the Army.

It is a civil pension. General Grant is just as much a civilian to-day as General Rosecrans or General Slocum, who are honored members of this House. They are both brave and noble soldiers, and performed valiant and distinguished military services for their country, but to grant them a pension or to place them upon the retired-list would be simply a civil pension or a retired-list for civilians. To this I am most earnestly opposed. I think it a dangerous precedent and one to which I can never give my sanction.

I have uniformly opposed all such cases. I had the honor of making I have uniformly opposed all such cases. I had the honor of making the first extended speech ever made in the American Congress against the anti-American, anti-republican principle of civil pensions. I opposed with all my might granting a pension to Mrs. Meikleham, Thomas Jefferson's granddaughter, who was said to be living upon the charity of friends, because of the dangerous principle involved. I also opposed placing General Pleasonton and General Averill who, it was alleged, and I doubt not truthfully, were forced to resign and did not leave the Army of their own accord, because of the same principle. And having made my record, I can not permit my sympathies or the appeals and clamors of the public to deter me from performing my

The American people duly appreciated General Grant's military services, and revived for him the rank which was created for Washington; a rank which he might have held and enjoyed all the emoluments bea rank which he might have held and enjoyed all the emoluments belonging to it during his life had he chosen to do so. But his political ambition led him into another field. He voluntarily gave up this exalted life position, which the people in their generosity and out of gratitude for his services gave him, and took the position of Chief Magistrate of the country, which he held for eight years, when he retired to private life and became once more a private citizen. This is certainly all the honor which any man could ask and all the country could give. Placing Country when the retired life rill give him are additional. ing General Grant upon the retired-list will give him no additional honor, but will establish a precedent which will work incalculable mischief in the future.

mischief in the future.

Therefore, much as I appreciate General Grant's achievements, which are a part of the country's heritage, and deeply as I sympathize with him in his losses and his illness, I can not lend my voice or my vote to a measure which will give him no additional honor and nothing that he really needs, but will be another step in the direction of a civil pension-list such as England is to-day groaning under.

The Public Lands—Squandered on Railroad and other Corpora-tions—Forfeiture of unearned Land Grants demanded by the People, but refused.

SPEECH

HON. STROTHER M. STOCKSLAGER,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 2, 1885,

On the disposition of the public lands.

Mr. STOCKSLAGER said:

Mr. SPEAKER: For the second time in the history of our country the question of the disposition of the public lands has become a great overshadowing question. That question is now one upon which public opinion is greatly absorbed, and which is attracting more attention among thoughtful persons than any other public question which is now being agitated. And, Mr. Speaker, when we pass in review the history of the land question and the land systems of the countries of the Old World, its influence upon the patriotism and prosperity of the people and upon civilization, we can not wonder that the public mind when once aroused upon this great question will brook no delay, but dewhen once aroused upon this great question will prook no delay, but demands that the most effective, rapid, and powerful remedies shall be applied to the change of the policy pursued by this Government for the last twenty years. The people demand that the fearful engine of the decimation and squandering of our public lands—granting them in large bodies to great corporations—shall be reversed, and we shall at once return to the true policy of the Government, the granting of the public land without cost in small quantities to actual settlers public land without cost, in small quantities, to actual settlers.

Mr. Speaker, I say it is the second time in the history of our coun-

try that this question has loomed up until it is considered one of transcendent importance. As far back as 1849 it was a prominent question in American politics. In that year, on the 24th day of December, the first homestead bill was introduced in the House by Hon. Stephen A. Douglas, and a similar bill was introduced in the Senate on the 7th day of January, 1850, by Andrew Johnson. The agitation of the subject continued, and such measures were supported by such able and distinguished legislators as Douglas, Pendleton, Vallandigham, Holman, and S. S. Cox.

When the Republican party met in national convention at Chicago in 1860 and put forth its platform, conspicuous among its principles therein enunciated was the following resolution:

That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the homestead policy which regards the settlers as paupers or suppliants for public bounty; and we demand the passage by Congress of the complete and satisfactory homestead measure which has already passed the House.

Thus recognizing the bill passed by the Democrats in the House as the correct principle upon the subject of public lands.

It is a part of the political history of the country that the Republican party was successful in that campaign, electing its President and securing control of Congress. It carried out its pledge to the people by the enactment of a homestead law. This was a beneficent law, and I am frank to confess that if it had been carried out in good faith and the principles contained in it applied for all time to our public domain, it would have been one of the greatest and most far-reaching measures ever enacted by a legislative assembly on earth. Considered in its effects upon the future of the country, while the Republic stands, it was of transcendent importance. of transcendent importance.

The peaceful repose of our country was soon disturbed by the clash The peacetal repose of our country was soon disturbed by the clasm of arms, and the attention of the great body of our people was so riveted upon that terrible conflict, which was to decide whether or not the Government should live, that the subject of the public lands was for years little thought of by the people.

But alas, sir, the representatives of the people, who had obtained power upon a pledge to apply the beneficent principles of the homestead law to the public domain, and while the people were lulled into

repose by the passage of the law and their attention drawn away from the subject by the horrors of civil war, in violation of their pledges to the people and in betrayal of a high trust began a reckless and whole-sale system of giving away the public lands that before had never been dreamed of.

The American people were amazed when they learned that on the 1st day of July, 1862, just forty-one days after the homestead law was approved, the same Congress, with a reckless disregard of their own action never before witnessed, granted to the Union and Central Pacific Rail-roads a magnificent belt of land forty miles wide, extending from the Missouri River to near the Bay of San Francisco, and containing, to the Union Pacific 16,115,000 acres and to the Central Pacific 15,260,000 acres.

Thus the homestead law, by which the millions of acres of unsettled land was pledged to the people as a heritage to the actual settlers—to the men of toil who would cultivate them and make them blossom and bloom and bear fruit-was violated, disregarded, and set aside, and a most gigantic system of reckless squandering of the lands inaugurated. This was an entire change in our land system, both in the manner of disposing of the public lands and of the amounts to be given. Before that date not a single acre of the public domain was ever granted to a railroad or other corporation. Donations of the public lands had been made from time to time to the States, aggregating in all 31,600,846 acres, for the purpose of being disposed of by the States in aid of education, for military roads, for internal improvements, and for railroads. But the grants were all to the States.

The first grant to a State for railroad purposes was to the State of Illinois, in 1850, for the Illinois Central Railroad, and was of the saved Illinois, in 1850, for the Illinois Central Railroad, and was of the saved sections, six sections in width on each side of the road. That State in making the grant to the railroad wisely reserved to herself 7 per cent. of the gross earnings of this road, from which she is now deriving nearly a half million dollars annually, and which will for all time to come contribute largely to the expense of the State government. The grants which followed up to 1862 were generally limited to six sections per mile, and in most cases the sale of the land was restricted to actual settlers of one hundred and sixty acres each at \$2.50 per acre.

As before remarked, until the Republican party came into power not an acre of the public lands had ever been granted to a railroad or other corporation.

corporation.

The Republican party inaugurated a new policy, and it was kept up by that party until we find in round numbers 200,000,000 acres of the public domain granted to railroad corporations. It is difficult for the mind to grasp this vast quantity.

mind to grasp this vast quantity.

We see a belt eighty miles wide, extending from near Lake Superior to the Pacific Ocean, covering some of the best agricultural, pasture, and timber lands in the country, that has been granted to the Northern Pacific Railroad Company. Then we see a belt forty miles in width, from the Missouri River to near the Bay of San Francisco, held by the Union and Central Pacific Railroad Companies. Near the Pacific coast we see a belt extending longitudinally through California, owned by the Western and Southern Pacific Companies, which, as is well known, is owned and controlled by the same parties that own and control the Central Pacific. And we see a belt, forty miles wide, stretching through Kansas into Colorado and New Mexico toward Arizona and old Mexico, that is represented by the Atchison, Topeka and Santa Fé Railroad Company. Then another belt, eighty miles in width, extending across New Mexico and Arizona to near the Pacific, represented by the Atlantic and Pacific Company, being substantially the Atchison, Topeka and Santa Fé Company.

There are but a vortion of the grand helts of country covered by

These are but a portion of the grand belts of country covered by these enormous grants.

The mind is staggered in an effort to contemplate this imperial estate granted to great corporations. It can only be grasped by comparison. You could carve out of it 1,250,000 homesteads of one hundred and sixty acres each. It is equal to two hundred and forty States the size of Rhode Island. It is equal in area to seven States like Pennsylvania, with her 45,215 square miles; four and one-half times as large as all the New England States; equal to the thirteen original States, which have 204,001,280 acres. The total area of Great Britain and Ireland is 74,137,600 acres, or but little more than one-third these grants. There is not among all the enlightened nations of modern Europe one that has an area which equals that of our railroad kings.

that has an area which equals that of our railroad kings. The empire of Austro-Hungary and the kingdom of Italy, with Switzerland and the Netherlands added, have an area of only 250,012,720 acres.

The creation by law of this most gigantic land monopoly the world has ever seen must in the very nature of things be felt upon our institutions and upon our people. The example of the Federal Government has been followed by some of our States, which have granted millions of acres of their public lands to railroad corporations, or sold them in large bodies to individuals. All the barriers have been thrown down, and foreign and domestic capitalists have been reading a rich down, and foreign and domestic capitalists have bean reaping a rich harvest for themselves in the purchase of vast areas of land. But so far as the people are concerned, they, through their unworthy representatives, have sown the wind, and they are destined to reap the

Land monopoly has been the curse of every country in the world where it has obtained. The people of the Old World have struggled for hundreds of years in vain and futile attempts to get back to a rational system of land holdings. The happy and contented Russian villagers who were made slaves by the great landlords have struggled for lagers who were made slaves by the great landfords have struggled for centuries to get back to their old system, and although their lot is now much improved, it is far from being desirable. England ever since she adopted the old feudal system, upon the invasion by the Normans, has struggled to obtain a rational system of land-holdings. Poor, unhappy Ireland, with her huge estates, is another familiar example. The only true system is that of a division of the land into small tracts

among owners who reside upon and cultivate it. The whole world's experience for thousands of years teaches this doctrine, and the nation which has such system to the fullest extent has the most prosperous people. In the proportion in which you reduce the small holdings of land, and as a consequence increase the number of large holders and tenant farmers and agricultural laborers, just in that proportion do you degrade the agriculturist and bring poverty and misery upon him.

Mr. Probyn, in his work entitled, "Systems of Land Tenure in various Countries," in discussing the land system of Ireland and in contemplating what an impartial man familiar with this subject in that country would suggest as reforms, says:

He would probably set aside primogeniture, entails, and strict settlements. On large estates held by corporations he would look with no friendly eye. The "dead hand" fills him with peculiar horror. He everywhere wishes to see the living hand grasping the living soil.

Mr. Francis A. Walker, in his very recent work entitled "Land and its Rent," in discussing the subject of small holdings and the advantages presented by such a system, says:

tages presented by such a system, says:

The "magie of property" in transmuting the bleak rock into the blooming garden, the barren sand of the seashore into the richest mold, has been told by a hundred travelers and economists since Arthur Young's day. In his tireless activity, "from the rising of the lark to the lodging of the lamb," in his unceasing vigilance against every form of waste, in his sympathetic care of the drooping vine, the broken bough, the tender young of the flock and the herd, in his instinate knowledge of the character and capability of every field, and of every corner of every field within his narrow domain, in his passionate devotion to the land which is all his own, which was his father's before him, which will be his son's after him, the peasant, the small proprietor, holds the secret of an economic virtue which even the power of machinery can scarcely overcome.

Let us see what the effect of this ominously wrong system has been

Let us see what the effect of this ominously wrong system has been upon the agriculturists of this country.

The following table exhibits the number of farms of different sizes held in the United States and Territories in 1870 and 1880 respectively:

Number of farms in United States in the census years 1870 and 1880.

	1880.	1870.	Increase+ Decrease-
Under three acres. Three to ten acres. Ten to twenty acres. Twenty to fifty acres.		6, 875 172, 021 294, 607 847, 614	- 2,523 -32,132 -39,858 -66,140
Total decrease in the number of small farms in ten years			140, 653
Fifty to one hundred acres. One hundred to five hundred acres. Five hundred to one thousand acres. From one thousand acres up.	1,032,910 1,695,983 75,972 28,578	754, 221 565, 054 15, 873 3, 720	+278, 680 +130, 929 + 60, 099 + 24, 858
Total number of farms	4,008,907	2, 659, 985	+1,348,922
Total increase in the number of large farms in ten years			494, 566

It will be observed that there has been a marked increase in the num-

ber of large farms, they having increased, from 1870 to 1880, 494,566, while the small farms have decreased in number 140,653. This speaks volumes, and to the student of history is a solemn warning, which fills

his heart with sadness for the future of our country.

But, Mr. Speaker, we have not only made great land monopolists of corporations, which, as John Randolph, with bitter sarcasm, yet biting truth, declared, "have neither souls to damn nor bodies to kick," but aliens and foreign corporations are gradually absorbing vast tracts of our best lands, until we find that already it is but little trouble to set out a list of owners of an aggregate of more than 20,000,000 of acres in tracts ranging from 5,000 to 5,000,000 each. I append a list of a few of such alien holders. I doubt not a careful examination of the subject would develop a list much more extensive that the one given

An English syndicate, No. 3, in Texas	3,000,000
The Holland Land Company, New Mexico	4,500,000
Sir Edward Reid, and a syndicate, in Florida	2,000,000
English syndicate, in Mississippi	1,800,000
Marquis of Tweedale.	1,750,000
Phillips, Marshall, & Co., London	1,300,000
German syndicate	1,100,000
Anglo-American syndicate, Mr. Rogers, president, London	750,000
Bryan H. Evans, of London, in Mississippi	700,000
Duke of Sutherland. British Land Company, in Kansas. William Whalley, M. P., Peterboro, England.	425,000
British Land Company, in Kansas	320,000
William Whalley, M. P., Peterboro, England	310,000
Missouri Land Company, Edinburgh, Scotland	300,000
Robert Tennant, of London	230,000
Dundee Land Company, Scotland	247,000
Lord Dunmore	120,000
Benjamin Newgas, Liverpool	100,000
Lord Houghton, in Florida	60,000
Lord Dunraven, in Colorado	60,000
English Land Company, in Florida.	50,000
English Land Company, in Arkansas	50,000
Albert Peel, M. P., Leicestershire, England	10,000
Sir J. L. Kay, Yorkshire, England	5,000
Alexander Grant, of London, in Kansas.	35,000
English syndicate (represented by Close Brothers) Wisconsin	110,000
M. Ellerhauser, of Halifax, Nova Scotia, in West Virginia	600,000
A Scotch syndicate, in Florida	500,000
A. Boysen, Danish consul, in Milwaukee	50,000
Missouri Land Company, of Edinburgh, Scotland	165,000
Autovari Dana Company, or Danisangu, Scottana.	200,000

In addition to this, Mr. Speaker, we have interlopers, foreigners, and others, without any right whatever, squatting upon and fencing up tracts of thousands of acres of the public lands, and driving from them with shotguns the actual settlers who desire to make a home upon them. So great has this evil become that this House at this session has passed a bill to declare such inclosures a nuisance and providing penalties for thus fencing up the public lands. I append a list, furnished by the Secretary of the Interior in response to a resolution of Congress, which gives such as have been brought to the notice of the Secretary. How many more such cases exist and the thousands of acres included it is impossible to tell:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE, Washington, D. C., January 23, 1884.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,

Washington, D. C., January 23, 1884.

Sin: I am in receipt, by your reference, of a letter dated the 16th instant, from Hon. L. E. PAYSON, a member of the Committee on Public Lands of the House of Representatives, in which he asks to be furnished, for the use of the committee, such information and facts as may be in possession of the Department in regard to the alleged evils growing out of the unauthorized fencing of the public lands by individuals and corporations for grazing purposes and for the benefit alone of the parties making the inclosures, as well as suggestions as to a remedy for such evils.

In reply I have the honor to state that the following cases of unlawful fencing of the public domain have been submitted to you by this office with the recommendation that the Attorney-General of the United States be requested to have proper suits instituted to compel the removal of the fences, namely, the inclosure of W. J. Wilson, containing about 40,000 acres of public lands in Kansas and Nebraska, reported to the Department June 2 and October 9, 1883; the tracts fenced by Nichols, Beach & Co., Keith & Hershey, in Lincoln County, Nebraska, containing 1,083.31, 1,413.38, and 380.38 acres, respectively, reported to the Department September 1, 1883; the inclosure of about 5,000 acres of land in Mancos Cañon, Colorado, by John White, reported upon August 25, 1883; the inclosure of Weber Cañon, Colorado, containing about 6,000 acres, by one Alberson, reported upon September 27, 1883; the inclosure of Chick, Browne & Co., containing about 30,000 acres, in Colorado, reported December 17, 1883; and the Brighton Ranch Company's inclosure, containing about 52,000 acres of land in Custer County, Nebraska, reported to the Department, that the proper United States district attorneys have been directed by the Attorney-General to institute suits, as recommended, in all the cases except that of Chick, Browne & Co. Reports have been acreaided the proper district attorney for sa

nally for the fencing; and in order to maintain a civil suit it is necessary in the first place to have the ease thoroughly investigated for the purpose of obtaining the exact description of the land inclosed and all facts in regard to the fencing; and then that these facts should be examined by this office, and if deemed sufficient, by this office submitted to the Department, and by the Department to the Attorney-General, and by him to the proper United States district attorney, who is required to examine the facts, prepare the papers, and see that proper service is had upon the parties, after which other long delays are necessarily caused in tourt. During all this time the intruders retain control over the Government lands, and legitimate claimants are prevented from going upon and purchasing the same. When judgment is obtained, if it should be in favor of the Government, its only effect is to compel the parties to remove their fences.

Your attention is respectfully called to my annual report for 1833 (page 30), in which I state, among other things in reference to the subject, that—

"The practice of inclosing public lands by private persons and companies for exclusive use as stock ranges is extensively continued in States and Territories west of the Mississippi River. These ranges sometimes cover several hundred thousand acres. Special agents report that they have ridden many miles through single inclosures, and that the same often contain much fine farming lands.

"Foreign as well as American capital is understood to be largely invested in

"Foreign as well as American capital is understood to be largely invested in stock-raising enterprises involving unlawful appropriation of the public lands, Legal settlements by citizens of the country are arbitrarily prohibited, public travel is interrupted, and complaints have been made of the detention of the mails through the existence of these inclosures. Reports have been received of the use of violence to intimidate settlers or expel them from the inclosed lands, "A frequent incident to this control of large bodies of land is the acquirement of title by stock-owners to the valleys, water courses, and other especially valuable lands within the inclosures by means of fraudulent or fictitious entries caused to be made under the pre-emption, homestead, and desert-land laws, Investigations of such entries are in progress in several districts.

"I renew the application that an act be passed imposing penalties for the un-

"I renew the application that an act be passed imposing penalties for the unlawful inclosures of public lands, and preventing by force and intimidation legal settlement and entry."

I would therefore suggest that it be recommended to Congress to pass a law making it a penal offense for any person to build or retain a fence, or to commit a trespass on any public land to which he has no claim under the laws of the United States, or to encourage or assist in any way others in building or maintaining fencing, or committing trespasses on said lands.

Very respectfully, your obedient servant.

N. C. McFARLAND, Commissioner.

Hon. H. M. Teller, Secretary of the Interior.

Department on the laws of maintaining force of the Interior.

DEPARTMENT OF THE INTERIOR, Washington, March 3, 1884.

DEAR SIE: Referring to our conversation on the subject of foreign companies controlling inclosures of the public lands, I send you the inclosed memorandum, which I think contains the facts you wanted. The land described, with the exception of perhaps a few thousand acres, is all Government land.

Very respectfully, yours,

H. M. TELLER, Secretary,

Hon. L. E. PAYSON, House of Representatives.

The Arkansas Cattle Company have fenced in the following described public land in the States of Colorado and Kansas, viz:

Beginning on the north bank of the Arkansas River, on the line between sections 19 and 20 in township 23 south, range 41 west, and running a northerly direction to section 20 in township 15 south, range 41 west; thence a northwest-crly direction to section 20 in township 15 south, range 44 west; thence a south-west-crly direction to southeast corner of section 36 in township 15 south, range 48 west; thence a southeast corner of section 36 in township 15 south, range 48 west; thence a southeast corner of township 19 south, range 49 west, and thence a southeasterly direction to the bank of the river in section 26; township 22 south, range 46 west of the sixth principal meridian. Also all that other tract or parcel of land being on the south side of the Arkansas River, in Bent County, Colorado, and bounded as follows, viz: Beginning on the south bank of the Arkansas River on the east line of township 23 south, range 42 west, and running south on said township line to the south line of said township; thence west along the south line of said township it; thence west along the south line of said township it in said township, and thence north to the Arkansas River on the north line of section 21 in said townships, or 921,600 acres, embraced in the inclosure.

On March 24 1884 Secretary Teller sent to the House a supplemental report.

closure.

On March 24, 1884, Secretary Teller sent to the House a supplemental report relative to unlawful fencing of public lands in the State of Nebraska. The report is a special one, made by United States deputy surveyor G. W. Fairchild, Mr. Fairchild says:

port is a special one, made by United States deputy surveyor G. W. Fairchild. Mr. Fairchild says:

The whole country embraced in my contract (Northwestern Nebraska) is occupied and run by capitalists engaged in cattle-raising, who have hundreds of miles of wire fence constructed to inclose all desirable land, including water courses, to form barriers for their cattle and to prevent settlers from occupying the land. They also represent that they have desert and timber claims upon the land they have inclosed. Upon their fences they have posted at intervals notices as follows: "The — who opens this fence had better look out for his scalp." The fences are built often so as to inclose several sections in one stock ranch, and the ranches are joined together from the mountains clear round to the mountains again. Persons going there, intending to settle, are also informed that if they settle on the land the ranchmen will freeze them out; and they will not employ a man who settles on or claims land, and that he can not get employment from any cattle-men in the whole country.

My chief object in addressing you is to report the wholesale destruction of valuable timber on the Government land of this whole region by the cattle-men, who pretend to own and raise it. There are acres after acres of bare stumps, which but a short time ago were growing timber. There were thousands of logs cut during last summer and hauled out to accessible points, to be used for fences, canals, landing-chutes, and houses in Nebraska and Wyoming.

With all the curses which we have heard heaped upon the land sys-

With all the curses which we have heard heaped upon the land system of England and the land monopoly of England and Wales, it is no comparison to our own. The great landholders of England are mere "pygmies" when compared with our "giants." In a recent work entitled "Land and labor in the United States," by William C. Moody, the author, at page 88 of his book, gives the following as the size of English land holdings:

The following is a list of the whole number of land-owners in England and Wales who are possessed of 50,000 and more acres of land each, and the actual amount of their holdings, by which it will be seen that there are but three who own more than 100,000 acres each, and no one has an estate that reaches 200,000

Size of English land holdings.	
Names of owners.	Acres.
Marquis of Ailesbury	55, 051
Duke of Beaufort	51,085
Duke of Bedford	87,507
Earl of Brownlow	57, 799

	Acres.
Earl of Carlisle	78,540
Earl of Cawdor	51,538
Duke of Cleveland	106,650
Earl of Derby	56,598
Duke of Devonshire	148, 629
Lord Leconfield	66, 101
Lord Londesborough	52,655
Earl Londsdale	67,950
Duke of Northumberland	191,480
Duke of Portland	55, 259
Earl of Powis	64,095
Duke of Rutland	70,039
Lady Willoughby	59, 912
Sir W. W. Winn	91,032
Earl of Yarborough	55,370

The same author adds:

But in the United States, we have a saw-maker in Philadelphia with his 4,000,000 acres; two butchers in California with 800,000 and more acres; a cattleraiser in New Mexico with his 750,000 acres; and numbers of them in Texas whose acres are counted by hundreds of thousands. In the great Northwest the land holdings for agricultural purposes—for grain, grass, and vegetables—by hundreds, range to 50,000 acres and upward, occupied by tenants, or machinery, or by both. The whole country, from the Mississippi to the Pacific, is dotted—no, they are not dots—is patched with these huge holdings. In comparison with the monopoly of the lands here shown that of the English landlords appears quite insignificant. And yet we are only in the third decade of our movement.

This great absorption of the public lands has gone on with such marvelous and startling rapidity that an examination of the History and Statistics of the Public Domain, just issued from the General Land Office, develops the fact that there remains to-day unoccupied less than 50,000,000 acres of agricultural public lands in the United States, and that includes the irrigable public lands.

Talk about giving the 2,000,000 soldiers who served in the last war one hundred and sixty acres of public land each! Every thinking person knows that the policy of the Republican party has made this wise and beneficent policy utterly impossible, and the pretense by the members of that party that any such thing is contemplated is, in the light of the facts, the sheerest nonsence. The lands which have been wantonly wasted by that party in building up giant land monopolies is sufficient to have given every soldier of all our wars now living and the widows of such as have died one hundred acres of the public domain. There is now left, after the fourteen years of uninterrupted Republican rule, of agricultural land less than one-fourth of an acre each.

But, Mr. Speaker, the Republican party had an opportunity afforded it to repair some of the wrong done the people of the United States in squandering 200,000,000 acres of the public domain upon greedy, grasping railroad corporations. In each grant made a time was fixed within which the roads should be completed. On the 2d day of May, 1882, the time for the completion of the last grant expired.

The time for the completion of the Northern Pacific grant of 47,000, 000 acres expired on the 4th day of July, 1879. Some of the roads were never constructed at all, and many of them were not constructed within the time, but the Supreme Court having decided that these

within the time, but the Supreme Court having decided that these grants vested from the beginning in the corporations, and on the for-feiture of the grant an act of Congress is necessary to restore the lands to the public domain, the Departments of the Government treated these grants as still existing, notwithstanding the forfeiture. I present a table from the annual reports of the Secretary of the Interior for 1880-'81, volume 2, page 318, which presents in detail a large number of these grants at that time.

Land grants which have been forfeited by the failure of the corporations to complete their roads in conformity with law

		act ap-		ections	i indemnity within—	by act	quan-
Name of railroad.	States in which lo- cated.	Grant by a	Grant to-	Alternate securithin-	With ind within	Extended	Estimated tity of granted.
					22 12 1		Acres.
Fulf and Ship Island	Mississippi	Aug. 11, 1856	State	6 miles	15 miles		 652, 800, 0
labama and Florida			States	6 miles	15 miles		419, 520, 0
Coosa and Tennessee.			State	6 miles	15 miles		132, 480. 0 840, 880. 0
Mobile and Girard		June 3, 1856 June 3, 1856	do	6 miles	15 miles		150,000,0
Alabama and Chattanoga, formerly Northeast and Southwest Alabama, and Wills Valley Railroads.	Alabama	June 3, 1856	State	6 miles		Apr. 10, 1869	897, 990.00
Pensacola and Georgia	Florida	May 17, 1856	do	6 miles	15 miles		1,568,729.8
Florida, Atlantic, and Gulf Central	do	May 17, 1856	do	6 miles	15 miles		183, 153, 9
North Louisiana and Texas, formerly Vicksburg, Shreveport and Texas Railroad.	Louisiana	June 3, 1856	do	6 miles	15 miles		610, 880. 0
New Orleans, Baton Rouge and Vicksburg			Company.	20 miles	30 miles		3, 800, 000, 00
Saint Louis and Iron Mountain	Missouri		State	10 miles	20 miles		640, 000.00
Little Rock and Fort Smith	Arkansas		States	6 miles			1,009,296.3
	Missouri	July 28, 1866	do	10 miles	20 miles.	TOTAL SERVICE CONTROL OF THE SERVICE	
Detroit and Milwaukee	Michigan	June 3, 1856	State	6 miles	15 miles		355, 420.00
Houghton and Ontonagon, formerly Marquette and Onto-	do	June 3, 1856	do	6 miles		June 18, 1864	} 552, 515. 2
nagon. North Wisconsin, formerly Saint Croix and Lake Superior,	}	Mar. 3,1865	do	10 miles		May 20, 1868)
and branch to Bayfield.	Wisconsin	June 3, 1856 May 5, 1864	do	6 miles 10 miles		May 5, 1864	1, 408, 455, 6
wisconsin Central, formerly Portage, Winnebago and Superior.	do	May 5, 1864	do			Apr. 9,1874	1,800,000.00
Saint Paul and Pacific, Saint Vincent extension, formerly branch to Red River of the North.	Minnesota	Mar. 3,1857 Mar. 3,1865	Territory State	10 miles	20 miles	Mar. 3, 1873 June 22, 1874	}2,000,000 0
Saint Paul and Pacific, Brainerd branch, formerly branch to Lake Superior.	do	July 12, 1862 Mar. 3, 1865	do	10 miles	20 miles	Mar. 3,1873 June 22, 1874	}1,475,000 0
Hastings and Dakota		July 4, 1866	do	10 miles	20 miles		550,000 0
Oregon Central	Oregon	May 4, 1870	Company.	20 miles	zo miles		1,200,000 0
		July 27, 1866 Mar. 3, 1871	do	The State of the S	Designation of the Control of the Co		
Texas Pacific	do	June 22, 1874	}do	do			18,000,000 0
Northern Pacific	do		do	do	and the second		48, 215, 400 00

Total number of acres embraced in these grants......

Length in miles of railroads as definitely located......

Number of miles of railroad completed before expiration of grants.....

Such was the condition of these grants when the Forty-seventh Congress assembled in December, 1882. The Republican party had a majority in that body. Already the murmurings of discontent at these immense grants and the demand for the forfeiture of every acre which had not been earned by the building of the roads according to contract were heard throughout the land. Early in January bills were introduced in the House by Judge HOLMAN, Judge COBB, and others, declaring these lands forfeited. That Congress was in session more than twelve months during its existence, and yet not a single acre of that land was forfeited.

That Congress adjourned and nothing was done toward forfeiting these lands which honestly belong to the people, but the great corporations were left in quiet possession of nearly a hundred million acres of land to which they had no shadow of a right. With that party the voice of the great corporations, of monopoly, is greater than the will of the

people. It leans for support upon the thousands of corporations which its legislation has built up and fostered at the expense of the people. But the sublimity of cheek necessary to promulgate the following resolution, which appears in the platform of that party adopted at Chicago last year, can only be found in the ranks of that party. Here it is:

The public lands are a heritage of the people of the United States, and should be reserved as far as possible for small holdings of actual settlers. We are opposed to the acquisition of large tracts of these lands by corporations or individuals, especially when such holdings are in the hands of non-resident aliens, and we will endeavor to obtain such legislation as will tend to correct this evil. We demand of Congress the speedy forfeiture of all land grants which have lapsed by reason of non-compliance with acts of incorporation in all cases where there has been no attempt in good faith to perform the conditions of such grants.

unearned grants. And it is a notorious fact that nearly all the opposition to the forfeitures came from that side of the House. Again, although some of the bills passed this House daily in the first session of this Congress, and many of them have been in the Senate for a long time, yet with one or two exceptions none of them have passed that body.

And, Mr. Speaker, the policy of that party is indicated not only by its action in Congress, but the whole country has just been startled to learn that one of the last acts of the retiring Secretary of the Interior has been to engage his whole force for days, and perhaps weeks, in issuing patents to the lands granted to what is known as the "Backbone land grant," in Louisiana, amounting to about 700,000 acres. Bills were pending in Congress at the time for its forfeiture, and an earnest protest signed by Senator Van Wyck, Mr. Cobb, Mr. Hol-Man, Mr. Lewis, and Mr. Henley against issuing such patents. But the protest was unheeded, and the grant has been confirmed by letters

THE RECORD OF THE DEMOCRATIC PARTY.

But, Mr, Speaker, let us look at the record of the Democratic party upon this subject. I have already shown that the first homestead bill ever introduced in this House was introduced by Stephen A. Douglas, and the first bill ever introduced in the Senate was by Andrew Johnand the first bill ever introduced in the Senate was by Andrew Johnson, both of whom were at the time leaders in the Democratic party. I have also seen that the Democratic party passed through this House the first homestead bill which was ever passed in it. I have also seen that the Democratic party during the nearly sixty years of its power in the Government never granted an acre of the public lands to a corporation. Hence, when that party surrendered power March 4, 1861, it did so with a homestead bill passed the previous Congress and our magnificent rubble decrease acres to the back of the confidence of the property of the process.

nificent public domain carefully husbanded.

The uniform policy of that party had been to acquire and husband the public lands for the benefit of the Government and the people. The people having decided, at the last election, that the Republican party was unworthy, and elected a large majority of Democrats to this body, it became the duty of that party to respond to the voice of the people and restore to the public domain such of the public lands as were not earned and beyond the reach of forfeiture to the Government, to attempt, in some degree at least, to right the great wrong done them by the Republican party in violation of its pledges, and which it refused to right in the last Congress. How well that party has adhered to its antecedents and kept faith with the people a glance at our Calendar will show. I desire to call the attention of this House and the country to what has been done.

On the 21st day of January, 1884, the following resolution, introduced by Judge Holman, passed this House:

Resolved, That in the judgment of this House all the public lands heretofore granted to States and corporations to aid in the construction of railroads, so far as the same are now subject to forfeiture by reason of the non-fulfillment of the conditions on which the grants were made, ought to be declared forfeited to the United States and restored to the public domain.

Resolved, That it is of the highest public interest that the laws touching the public lands should be so framed and administered as to ultimately secure free-hold therein to the greatest number of citizens; and to that end all laws facilitating speculation in the public lands or authorizing or permitting the entry or purchase thereof in large bodies ought to be repealed, and all of the public lands adapted to agriculture (subject to bounty grants and those in aid of education) ought to be reserved for the benefit of actual and bona fide settlers, and disposed of under the provisions of the homestead laws only.

Resolved, That the Committee on the Public Lands is hereby instructed to report to the House bills to carry into effect the views expressed in the foregoing resolutions; that said committee shall be authorized to report such bills at any time, subject only to revenue and appropriation bills; and the same shall in like order be entitled to consideration.

This resolution gave the Committee on Public Lands a right to report at any time, and distinctly committed the House to the repeal of the pre-emption and timber-culture laws and the disposal of the public lands to actual settlers under the homestead laws only.

As to the work done by this House during this Congress I refer to
the following lists of bills passed by the House and of others reported
favorably by the Committee on Public Lands but not yet passed:

LANDS FORFEITED TO THE UNITED STATES

Bills passed the House declaring certain lands heretofore granted to the following railroads forfeited to the United States:

The Gulf and Ship Island Railroad Tuscaloosa and Mobile Railroad Coosa and Tennessee Railroad Savannah and Albany Railroad (estimated) New Orleans and State Line Railroad Little Rock and Fort Smith Railroad Texas Pacific Railroad Oregon Central Railroad California and Oregon Railroad Atlantic and Pacific Railroad Sioux City and Saint Paul Railroad	688, 800 140, 060 900, 000 120, 800 1, 057, 024 14, 309, 760 1, 130, 880 2, 126, 526 49, 294, 883	way mail transportation, as submitted by the committee, received the indorsement of the Committee on the Post-Office and Post-Roads. I desire to state, as one member of that committee, that they never received the unanimous approval of the committee; but, on the other hand, the bill as reported by that committee was essentially different in many particulars from the paragraph now under consideration. Beyond this simple statement upon the subject of inland mail transporta-
'Atlantic and 'Pacific Railroad	49, 294, 883	yond this simple statement upon the subject of inland mail transporta- tion it is not my purpose at this time to discuss the general question.
Total	71, 307, 134	Mr. TOWNSHEND. It is not different as to the principles of the bill. The gentleman will not claim that.

LANDS FORFEITED TO THE UNITED STATES

Bills pending in the House, favorably reported by the Committee, declaring certain lands heretofore granted to the following railroads forfeited to the United States:

1			Acres.
ı	New Orleans, Baton Rouge and Vicksburg Railroad		903, 218
ı	Oregon and California Railroad	3,	701, 760
ı	Marquette, Houghton and Ontonagon Railroad	die.	627, 200
ı	Ontonagon and Brulé River Railroad		232, 848
ı	Marquette and State Line Railroad		540,848
ı	Northern Pacific Railroad (estimated)	48,	215, 040
ı	Southern Pacific Railroad	7,	500,000
	H. R. 7238, to restore all lands held in indemnity limits for railroad and wagon-road companies, and for other		
			000, 000
ı		161	720 914

Of all these none but the grant to the Texas Pacific, 14,309,760, have passed the Senate and become law. Some others passed the Senate at the present session of the Forty-eighth Congress, but with such amend-

ments as prevented them from receiving the sanction of the House.

The Committee on Public Lands have also favorably reported a bill prohibiting the holding of lands by aliens. The report made by Judge OATES, of Alabama, is a very able document, and presents very cogent reasons for the enactment of the bill into a law. It should be passed; and thus prevent the accumulation of lands in the hands of citizens of other governments who have no interest in our own except to specu-

late upon lands which should be given to actual settlers.

We have thus seen that while the Democratic party has been true to We have thus seen that while the Democratic party has been true to the people, and as between the people and the great corporations—aggregated capital and monopoly—they have stood by the people, the Republican party has violated its promises, betrayed the people into the hands of the corporations, and then refused them the partial relief which was still in reach and to which they were so justly entitled. And now to make their record still more sinuous they hypocritically declare that they are in favor of the forfeiture of these lands. It is not true, and I warn the people that that party will never forfeit these lands. Their professions in that direction are a mere hollow pretense and a sham.

And now in conclusion, Mr. Speaker, I desire to again say that I deem these measures of vast and far-reaching consequence. No man can study the land systems of the different countries of the world, as I have done within the last week, and observe how uniformly for hundreds of years the monopoly of land, the ownership of the land by the few, has brought poverty, misery, and distress, and how the opposite, or the division of the land and its ownership by the many, has had the opposite effect, without feeling deeply the importance of our action upon this subject; that notwithstanding the solemn warnings of history, we are rushing with headlong speed into the very system which has proven so baleful in other countries. Let us take warning and reverse our course ere it is too late.

Post-Office Appropriation Bill.

SPEECH

HON. HENRY H. BINGHAM,

OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 10, 1885.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes—

Mr. BINGHAM said:

Mr. BINGHAM. No; not with reference to the general principles of the bill.

Mr. TOWNSHEND. Only different as to the rates.

Mr. BINGHAM. I desire to congratulate the Committee on Appro-Mr. BINGHAM. I desire to congratulate the Committee on Appropriations for their liberal and generous action in the make-up of this appropriation bill, especially with reference to the legislation included and submitted. I regard many of the paragraphs as more than wise and involving radical changes earnestly demanded by the people in the administration of the Department of Posts in this country. Permit me to state that to my mind it is a singular condition of public affairs, Mr. Chairman, that one of the most important committees of this House, the Committee on the Post-Office and Post-Roads, after having held their many meetings and formulated their public measures during two sessions of this Congress, should not have been allowed a single day for their discussion before the House.

It is but one of the very limited number of committees that has not

been given a day in court for the consideration of their proposed legislation; and we come to this House to-day only after having made an earnest appeal to the gentleman in charge of this appropriation to consent to incorporate on the bill important amendments that should have been deliberated upon in the House and consummated after a full and fair debate, wherein the merits of the measures recommended and the convenience of the people might have had a hearing, and not under the rule be subject to a point of order when we come to consider the bill

by paragraphs.

The measure to which I desire principally to refer in the half hour at my disposal is with reference to the change from one-half an ounce to one ounce as the maximum weight for the 2-cent rate. It is well for this House to understand the principle that in the classification of postthis House to understand the principle that in the classification of postages mail letters pay 64 cents a pound under our 2-cent rate; under the 3-cent rate they paid 96 cents a pound. Your newspapers issued from known offices of publication go through the mail at the rate of 2 cents a pound, and it is wisely proposed in this bill that they shall go at the rate of 1 cent per pound—sixty-four cents a pound for letter matter, 2 cents for newspapers; and I think the only bill that the Post-Office Committee has succeeded in carrying through this House during the present Congress was the reduction in the rate of the transportation on transient newspapers carrying them through the mails at 4 cents per transient newspapers, carrying them through the mails at 4 cents per pound, or 1 cent for four ounces, instead of the old rate of 8 cents per

pound, or 1 cent for four ounces, instead of the old face of 8 cents per pound.

The third-class matter is composed of circulars, books and general publications, which pay the 8-cent rate. Merchandise transportation pays 16 cents; and it is perhaps proper for me to state here that letter-matter, paying 64 cents per pound, makes the profit or net results to the Government by which the losses on the second, third, and fourth class mail matter are made up. Letter matter, in the collection of the revenues of the Post-Office Department, pays about 56 per cent.

of the total.

I have made the statement as to the charges for the different rates of matter, in order to bring forcibly before the House the fact that while newspapers can go through the mails at 2 cents a pound sealed communications are charged at the rate of 64 cents a pound. This measure of reduction has not only received the examination of the Post-Office Department but it has been regarded as of so much importance that President Arthur, in his annual message, invited the attention of Congress to the subject.

Permit me to read his recommendation:

I approve the recommendation of the Postmaster-General that the unit of weight in the rating of first-class matter should be one ounce instead of one-half ounce, as it now is. In view of the statistics furnished by the Department it may well be doubted whether the change would result in any loss of revenue; that it would greatly promote the convenience of the public is beyond dispute.

Postmaster-General Gresham, in his last annual report to Congress, went into this subject critically and with great detail. The present Postmaster-General repeats the recommendation of his predecessor, and announces the fact that a change in the minimum basis of weight on letter-matter would be a change largely reaching the convenience of the people. I will read to the House his recommendation:

I renew the recommendation of my predecessor, that the unit of weight in rating letters and sealed packages (first-class matter) be changed from one-half ounce to one ounce.

By careful investigation in several large offices it is found that less than 6 per cent. of all the letters conveyed in the mails exceed half an ounce in weight, It is evident, therefore, that an increase of the unit of weight to one ounce would diminish the revenues but very little, and there is reason to believe this diminution would be more than compensated by the increased postage on small packages, which, heretofore sent as third or fourth class matter, would, in the event of the proposed change, be sealed and sent as first-class matter.

It is also believed the proposed change would result in a material saving of time to post-office clerks, by largely obviating the necessity of examining unsealed packages with a view of detecting written matter, and would diminish the number of losses in small packages, since sealed matter is less liable to loss than that which is unsealed.

This recovers in addition has received the very experience of the proposed change with a view of detecting written matter, and would diminish the number of losses in small packages, since sealed matter is less liable to loss than that which is unsealed.

This measure in addition has received the unanimous approval of your Committee on the Post-Office and Post-Roads; and had a day been given for the consideration of our bills I am well assured that after intelligent and full discussion this House would have approved the

basis of weight in letter matter since 1851. There have been changes on all divisions covering every other classification of mail matter, but weight of letter matter stands to-day as it was enacted in 1851. Her Majesty's Government changed the basis of the weight of letters in 1871, and every succeeding report of the department points with gratification to the general public convenience secured by the change, not only so far as it concerns the demands of the people, but in addition refers to the increased revenues that came to the British service.

We have been instructed this much in the change of postage from 3 cents to 2 cents: that the people when they could give to their correspondence or their communications secrecy determined to accept a respondence or their communications secrecy determined to acceep a higher rate of postage, and sent their circulars or their postal-cardeom-munications through the mails as sealed correspondence. A change from 3 cents to 2 cents made this great inroad on the postal card, namely, the annual increase in the postal card averaged 14 per cent. Immediately upon the going into effect of the 2-cent rate the first year postal cards lost their average 14 per cent. increase, and decreased 4½ per cent. in circulation. They lost 14 per cent. plus 4½ per cent. the first year that the 2 cent rester went into effect.

cent. in circulation. They lost 14 per cent. plus 4½ per cent. the first year that the 2-cent postage went into effect.

There has been no means of determining the inroad that the 2-cent postage made on circular matter. But the Department states it has been immense. Therefore we have been instructed by that change that if you give a fair, cheap rate the people will avail themselves of the benefits of a sealed letter in preference to an open communication.

We to-day carry—that which the gentleman from Texas [Mr.Reagan] fully understands—he long haul of all legal documents, insurance papers, bankers' communications that are weighty; but the moment that it comes to the question of a short distance the rate of postage at 64' cents a pound throws this yast amount of matter into the express comcents a pound throws this vast amount of matter into the express companies, which receive the large benefits that should be diverted to the postal service. It is believed by the Post-Office Department that by the change from the basis of half an ounce to one ounce all this vast matter that to-day is carried the short distance by the express com-

panies would come into the mail, where it properly belongs.

Another point. Sixteen cents a pound is the rate for what is called fourth-class matter—on merchandise. To go into the fourth-class rate the package must be left so open that examination may be made by the postal authorities. It is believed by the Department that a vast amount of this matter (if the rate was made 2 cents an ounce, or 32 cents a pound) instead of 64 cents a pound), that now goes as fourth-class, or mer-chandise, would be diverted also into the mails. And in that connec-tion I desire to make this statement: Out of the losses that the Post-Office Department through their inspectors are called upon to investigate, there are ten losses in fourth-class matter to one loss in any other mail matter. Fourth-class matter, as I have said, is merchandise, and left open under the law. Therefore parts of it can be taken, or often, as is the case in small packages, the clerk or the post-office employé, having a knowledge of the contents of the package, appropriates it. It is believed that a large amount of this matter, if allowed to go through the mails at the 32-cent pound rate, instead of the 64-cent pound rate, would go sealed, and large benefits revert to the Department

There is another matter in connection with this. It is stated by the Postmaster-General in his report, upon an examination that I asked Postmaster-General in his report, upon an examination that I asked for a year ago, and upon a second examination that I asked for in the month of December last, that the large offices of the country endeavored to estimate the actual weight and count the number of letters that exceeded the half-ounce weight. Two tests were made of this—three days a year ago, and three days last December. Those tests resulted in this wise: Six per cent. of the letter matter going through the mails exceeds the half-ounce weight; but 2 per cent. exceeds the half-ounce up to the one ounce. Therefore whatever might be the alleged or claimed loss to the Department by virtue of this change would be small, but 2 per cent. of the weight between the half-ounce and the ounce.

Remember, also, the fact that your revenues from letter matter in the Post-Office Department is 56 per cent. It is believed and confi-dently asserted by the Department that in the first year the increase from the conveyance through the mails of legal documents, bankers' communications, insurance papers, together with the vast amount of fourth-class matter that now goes as merchandise at 16 cents per pound; would not only fully compensate for that loss, but would in addition bring a profit to the Department. That is the judgment of the Department after two careful examinations into this entire subject.

One of the most troublesome questions of accounts in the Department with post-offices is that which is called the due or the underpaid post-

with post-offices is that which is called the due or the underpaid postage. You get a letter of average size which turns the scale on half an
ounce. You are called on to pay the deficient postage of 2 cents. Those
letters go into the big offices, and as they are picked out by the clerks in
separating the mail, are thrown aside.

They remain there until they go into the hands of the rating clerk.
He takes those letters and places upon them stamps indicating the
amount of postage due. That amount is charged either against the
box department, if the letters are delivered through the carriers. Then elligent and full discussion this House would have approved the the carrier department if they are delivered through the carriers. Then those departments make their collections and make their returns, thus It is well for us to remember that there has been no change in the requiring this additional amount of detail account work.

But should the parties to whom the letters are addressed not be found the letters upon which these stamps are placed, indicating that the postage has not been fully paid, have to go through all the ramifications of a return and a final sending to the dead-letter office, and there has to be a complete adjustment of the postmaster's accounts in order that he may receive credit for the debit charges for these 2-cent order that he may receive credit for the debit charges for these 2-cent stamps, which is the rate over the half-ounce. It is one of the most complicated and troublesome accounts that postmasters have with the Post-Office Department, and it is believed by the Department that, in view of the amount of labor that is expended in all the branches of the office concerned, a change of weight from the half-ounce to the ounce would result in a dollar-and-cent benefit to the Government.

In the correspondence that the Department has had with half a dozen of the leading postmasters of the country-I mean the postmasters of the large cities—without a single exception every one has recommended this change as one that would meet the convenience of the people, and, they believe, at the same time bring revenue to the Department.

Mr. WEAVER. Does this bill make that change?

Mr. BINGHAM. This bill makes that change.

If we can consummate this proposed legislation we will have the cheapest letter-postage of any of the civilized nations of the world—

2 cents for one ounce of letter matter for any distance.

Now, Mr. Chairman, in the limited time that is allowed me I desire Now, Mr. Chairman, in the limited time that is allowed me I desire to call the attention of the House to this general bill, which is before it for consideration. While I appland the liberal spirit of the gentlemen who have incorporated in this bill wise legislation, I charge them at the same time with illiberality and an unfair and inadequate recognition of the wants of the people. It seems to me that the instruction that this House gave the Committee on Post-Offices and Post-Roads at the first session of this Congress should have borne fruit in their deliberations

session of this Congress should have borne fruit in their deliberations upon this bill. They came in here in the first session of this Congress with a bill reducing the appropriations from the amounts recommended by the Department between four and five million dollars.

What did this House do? On every item of reduction, without a single exception, this House accepted the recommendations of the Department and condemned the action of the committee in making the reductions. But it seems that has had no effect upon the committee, for it comes in to-day with the same items and with the same failure to recognize either the recommendations of the Post-Office Department or the judgment of this House.

Let me advert at this point to the one item of appropriation for the letter-carrier service. The Department asks \$4,535,000. This bill proposes to appropriate \$4,100,000, and yet in the exhibit of the gentleman [Mr. Townshend] he shows you that the service this year has expended under the appropriation \$4,059,000. The constituency that I represent know the requirements and the necessity of the letter-carrier represent know the requirements and the necessity of the letter-carrier service. The great cities can not get along without it. The hundreds of thousands, the millions, of letters that pour into the offices of Philadelphia, New York, Boston, Chicago, and the other great centers must be got out of the offices as quickly as they get in.

The accumulation of mail matter is so rapid that it requires an output as rapid as the input, and that can be had only through the letter-carrier service. This bill appropriates \$4,100,000 for that purpose the company year is \$4,000,000 but we

carrier service. This bill appropriates \$4,100,000 for that purpose. Your rate of appropriation for the current year is \$4,050,000; but we find by the deficiency bill that, under the law made by this Congress granting the carriers leave of absence, the Department is \$50,000 in deficiency. The Department has not violated the law in a single particular, but it will receive from this House the \$50,000 deficiency under the law. The carrier service, as appropriated for under this bill, is creatly the express the carrier service of this way. \$4,100,000 exactly the same as the carrier service of this year, \$4,100,000. Your carriers are paid under a general statute. The 4,000 carriers who are to-day doing that service get their promotion under a general statute. They go in at \$600; after a year's service they receive \$800; after another year's service they get \$1,000. This bill, by \$200,000, fails to meet the requirements of the law as it stands to-day on your statute-

The gentleman from Illinois [Mr. Townshend] speaks of the liberal spirit of his bill, yet he fails to appropriate up to the requirements of the law. What are you going to do in the large cities, with their 10 and 15 per cent. increase? You have got to meet it somehow. The recommendation of the Department simply asks that it shall be allowed the increase of facilities and of man force which is absolutely necessary to meet the increased demands of the mail service. Therefore I say to the House that the Committee on Appropriations have failed to be impressed by the judgment of the House, when, in the last session of this Congress, after full and intelligent discussion, the House voted the supplies that the Department had asked for.

The gentleman from Illinois [Mr. Townshend] in his bill makes a

reduction of \$3,800,000, under the recommendations of the Department in this wise: He makes a reduction of \$2,000,000 in railroad transportation, and he makes a reduction of \$700,000 in postmasters' salaries. If the gentleman had a desire to bring in a bill that would seem to be small in the amount appropriated, why did they not cut down the items of railroad transportation and postmasters' salaries? It makes no difference whether this House appropriates one million or five million dollass for those two items.

If the gentleman from Illinois [Mr. TOWNSHEND] wanted to impress the country with the limited amount of appropriations contained in this bill he might have made his reduction on those two items. Of the \$3,700,000 reduction he has made \$2,700,000 in those items. They are paid under the general statute. The general statute regulates the pay of postmasters as it regulates the pay for railroad transportation. The railroads do the work and send their bills to the Department. The postmasters do not send to the Department all the money they receive for the sale of stamps.

Under the law he retains and keeps out his own salary, sending to the Department only the surplus. Therefore, if the gentleman desired to impress the House with economy in his bill he might have made the item for postmasters' salaries and railroad transportation less than the sums appearing upon the face of the bill without hurting any one.

appearing upon the face of the bill without nurring any one.

The Department came here last year asking for an appropriation of \$50,000,000. The committee appropriated \$49,000,000. Here in the deficiency bill already before the committee is an application, covering the several items of deficiency, for \$1,100,000. For what they failed to appropriate last year for railroad transportation and for postmasters' salaries the Department comes in to-day with deficiencies, inviting the attention of Congress to the law governing the case; and your Committee on Appropriations will, of necessity, report the deficiencies faorably to the House because they come under the statute.

One other point. Clerk-hire for post-offices is another important item in the working of the Department. This bill on its face assumes to give \$200,000 additional for clerk-hire for the next fiscal year as compared with the present fiscal year. The Department asks for \$400,000 additional. What is the status of the clerical force of the postal service to-day? The Department has already communicated to Congress that there will be for this fiscal year a deficiency of \$75,000 on clerk-hire. Therefore, if that deficiency is met by Congress, this bill will appropriate but \$125,000 additional for the clerical force in the post-offices

throughout the country. Eight thousand clerks in these post-offices are paid out of this appropriation.

There are 2,300 separating offices at which the compensation is paid out of this appropriation for clerk-hire. This bill virtually gives but \$125,000 additional for this force. In other words, it will allow the appointment of about one hundred and fifty-six additional men for the entire service at a compensation of \$800 per annum each. And in this large service at a compensation of \$500 per annum each. And in this large service, embracing 8,000 subordinates, not a man can receive promotion, not a man can receive increased pay. Every man will be required to remain at his present stipend, without any reward for long or faithful or valuable service. or faithful or valuable service.

In the first session of this Congress, when the Postmaster-General came in asking for an increase of clerical force, I then said that his estimates were too low, that the service could not live upon his recommendation. The truthfulness of the statement I then made is borne

out to-day, when the Department comes to this House asking a defi-ciency appropriation of \$75,000 for this service.

This bill allows under the general law the appointment by the Post-Office Department of postmasters and the establishment of new offices wherever they are required. The general statute allows this; and this bill, together with the general law, provides the compensation for these Wherever over the country you want to locate new offices it can be done under the general statute, and the officers under that statute can receive their compensation.

Silver-Dollar Coinage.

SPEECH

HON. AYLETT H. BUCKNER.

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, February 28, 1885,

On the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

Mr. BUCKNER said:

Mr. Speaker: Seven years will have expired in a few days since the coinage of the silver dollar of 412½ grains at the rate of over \$2,000,000 per month was authorized by law. The number of dollars coined under the month was authorized by law. month was authorized by law. The number of dollars coined under the act of February 28, 1878, was 191,947,194 on the 1st day of this month. The price of silver bullion purchased under the continuing appropriation of that act has been as follows: March 5, 1878, \$1.2029; March 10, 1881, \$1.1390; February 4, 1885, \$1.0829; and the sum paid for silver bullion has aggregated the sum of \$168,777,370.22 up to December 31, 1884; and the question which presses upon the attention of Congress is whether the time has not arrived when wise policy demands of us that we shall stop this laws are residuary of measurements. that we shall stop this large expenditure of money, or in some way

modify the compulsory feature of the act under which this coinage is

It may be well to revert to the history of the passage of the act for the coinage of the silver dollar in order to discover the reasons of its enactment, and the circumstances and facts connected with its passage in the form we find it in our statutes. It is well known that the original the form we find it in our statutes. It is well known that the original bill authorized free and unlimited coinage, and was passed in this House during the Forty-fifth Congress on a suspension of the rules, without debate, on the motion of my esteemed colleague [Mr. Bland], by more than a two-thirds vote. It was referred to the Committee on Finance in the Senate, where the questions involved in the bill had been much discussed in the debate on the resolution introduced by Senator Matthews, of Ohio, in reference to the payment of the public debt. The Committee on Finance in the Senate reported an amendment in the nature of a substitute for the House bill, substantially in the form now on the statute-book, with the exception of the section providing for the issue of certificates based on deposits of silver dollars, which was added to the substitute in the Senate.

The purpose of the Senate amendment was to give the difference between the market value of silver and the legal value of the dollar to the Government, instead of to the mine and bullion owners, as would have been the effect of the House bill. This difference in value was at the time between 8 and 10 per cent., and the amount of bullion authorized to be purchased was not less than two million and not more than

four million dollars' worth per month.

And in order to obtain the co-operation of other nations in establishing and maintaining a fixed relation in the value of gold and silver, and thus assure an appreciation in the value of the latter metal, the President was authorized to invite a conference among the European nations interested in the full remonetization of silver and making a fixed ratio between it and gold. If silver had not been depreciated below the value of gold by causes too well known to require any recapitulation, it can not be doubted but that the Senate would have passed the Bland bill as it came from the House, and we should have put silver on the same footing with gold, and we should have had free coinage for both metals at the ratio of 16 to 1 of gold. And but for this disparity (of the two metals) in their commercial or market value there would have been at that time no necessity or propriety in having a conference with other nations with the view of fixing an international ratio between the two metals.

It was this depreciation of silver, as compared with gold, the hope that our monthly purchase of from two to four millions of bullion would bring silver to a parity with gold, and the desire on the part of this Government that it should have the assistance of other nations in restoring silver to its time-honored position as international money, that led to the rejection of its free and unrestricted coinage by the Senate, and forced that body to adopt as a substitute the measure under which we have been since operating—restrictive in the amount of bullion purchased, compulsory in the sum to be coined, and abnormal, extraordinary, artificial, and only adapted to the then existing monetary conditions. This substitute for the House bill was afterward vetoed by the President, and became a law by a two-thirds vote of both Houses, there having been a very brief discussion in this House, where the bill originated.

That it was a prevailing opinion among the ablest and most steadfast friends of bimetallism in the Senate that the effect of the passage of the Senate bill would be to increase the market value of silver to that of gold is established by the debates in the Senate during its pendency there. Senator JONES, of Nevada (volume 28, page 1081, CONGRESSIONAL RECORD, Forty-fifth Congress), is reported as saying:

My own opinion is that at the rate of 16 to 1, eighteen months will not have elapsed before silver will be back at its old place where it stood before demonetization took place, at 2 or 3 per cent, above gold, and that it will be the metal that will be excluded from the country.

Senator Thurman (page 1095) in the same debate said:

coinage under it should cease

Let me say to the Senate of the United States that this bill will bring back silver to its true value.

And in a colloquy with Senator Blaine as to the payment of United States bonds, on the same page, he is reported as follows:

In three years hence not your silver dollar of 425 grains, nor any other man's dollar of 435 grains, nor any other man's dollar of 435 grains, but the dollar of 412 grains will pay them at par with gold.

Senators Wallace, Ferry, and Windom (see Congressional Record, volume 28, page 1074) expressed similar opinions, and the former offered an amendment to the effect that if silver was worth less than .97 of a gold dollar after 100,000,000 had been coined under the present act the

coinage under it should cease.

Mr. Speaker, I refer to the opinions of these distinguished advocates of the remonetization of silver to show that they hoped and believed that the effect of the act of February, 1878, would be to advance the market value of silver and bring it up to a parity with gold. When they refused to give the right of free and unlimited coinage to silver as gold bullion now has, and when they restricted the dollar coinage to a maximum and minimum sum, the profit or seigniorage to accrue to the Government, it is incredible that they expected to continue it if under its operations the then gap between silver and gold should not

be closed. They could never have intended to invest hundreds of millions of dollars in the purchase of bullion after it was demonstrated that the divergence between the two metals was increased instead of being diminished, and after it was apparent that our standard dollar ed no international function, but was dwarfed to a mere silver token

Except that the effect of the act has been to remonetize the silver dollar and increase our domestic circulation the act of 1878 could not have been intended to be other than tentative, experimental, and tem-And is there any doubt that its failure to equalize the value of the two metals has been demonstrated after our experiment of near seven years' duration? Shall we give it another trial of seven years more in order to be convinced that this Government, unaided and alone, can not bring the white metal up to the value of the yellow in the markets of the world? If it was experimental and not designed to be the permanent policy of the Government, why shall it be continued when in spite of our legislation and in defiance of our predictions and our hopes we find that the divergence in the value of the money metals

in 1878, instead of being lessened, has doubled in 1885.

Mr. Speaker, it is somewhat remarkable that at the late silver convention held at Denver the present restricted coinage of the siver dollar was not only not defended, but impliedly condemned. The silver miners are not satisfied to receive for the one-half of the silver output 14 to 16 per cent. more than the other half commands in the market, and they therefore demand that restricted coinage of silver shall ce and that the doors of the mints be opened to the free and unlimited and that the doors of the mints be opened to the free and unlimited coinage of the whole product of their mines. Such a proposition is absolutely preposterous and impracticable, after the experience of the last seven years, and in face of the fact that gold has been steadily advancing, or silver has been steadily declining, until the silver dollar is worth less than 85 cents as measured by gold, and that bimetallism has been losing ground among the nations of Europe from necessity and not from choice, since the passage of the act of 1878. If the purpose of the silver miners and bullion owners of the mountains is to make this country purpoly more probability and to discard gold as one of our money metals. purely monometallic, and to discard gold as one of our money metals, in disregard of the teachings and practice of the founders of our Gov-

ernment, no more effective policy to that end could be adopted.

Our people are thoroughly bimetallic, and will never be content with a monetary circulation composed exclusively either of gold or silver. Their traditions as well as their interests demand the use of both metals—with the values of each regulated at such a ratio as that neither shall be degraded to the condition of a mere money token, and both shall perform their part in the commercial exchanges of the world on terms of perfect equality. This can only be done by the concerted action of the chief nations of Europe with our Government; and to bring about this concert of action the first step must be taken by us, and that step should be to suspend the operations of the silvercoinage act for a time, in whole or in part, and at once enter upon negotiations with European nations to establish a fixed ratio of valuation
between the two metals, and open their mints to the free coinage of
both gold and silver on such terms as may be agreed upon. If we pursue our present policy there is nothing more certain than that the gap between the market value of the two metals will continue to grow, wider and wider, and this country will be compelled to make its choice between gold or silver monometallism. I would regard either as a great calamity to this country and the world, and I have an abiding conviction that the present is an opportune period for taking prompt and decisive action on this important question.

My reasons for this opinion must be stated very briefly and with but little elaboration. As I have said, the operations of the act of 1878 have failed to accomplish one of the chief results hoped and expected from it, and that was to bring silver to a parity of value with gold. friends of bimetallism in Great Britain and on the continent of Europe friends of bimetallism in Great Britain and on the continent of Europe regard it as an important step in the desired direction that the United States repeal or modify the provisions of this act. As evidence of this I make an extract from a letter from the secretary of the International Money Standard Association of Great Britain to a gentleman in the city of New York, in which he uses the following language:

It is in times of sharply falling prices as at present that the association can count upon a better hearing, and the object of the association is, by the distribution of their own literature and through the press, to enlighten public opinion on the subject; but the turning point in the movement is generally supposed here to be the suspension of legal-tender silver coin on your side.

Surely the online of men many of them of the greatest learning and

Surely the opinion of men, many of them of the greatest learning and practical experience in Europe, and not a few of them professed converts to bimetallism, who have witnessed the long-continued prostration of business and the fall of prices on the other side of the water which the statistics to the state of the st which they attribute to the demonetization of silver by Germany and other nations and the resultant appreciation of gold, should be heeded by the bimetallists of America. I am free to say that I believe that the cessation of our futile attempt to uphold the value of silver, with out the help of other silver-using nations, will in all likelihood tend to its further depreciation and fluctuation in value, and thus may add to the embarrassments of trade and commerce between the nations of the world.

This may give strength and influence to the bimetallic movement among the rulers of Europe, and create a public opinion in favor of sup-

plementing the stock of gold with silver and of equalizing both metals as a necessity to the commerce and exchanges of the world. Desperate diseases, among peoples as among individuals, sometimes require desperate remedies; and as silver, by the mischievous action of governments, is the sick man of the monetary world, it may be that he will

be sicker before he is better.

But if our policy of compulsory coinage has failed to produce the fruit anticipated from its adoption, its influence upon other nations has been positively deleterious to the cause of bimetallism on the Continent of Europe. Since 1878 Italy has resumed payment of her inconvertible paper, and has drawn upon the decreasing stock of gold to the amount of \$80,000,000 for the purpose of resumption. Holland has put some millions of her depreciated silver on the market in order to replenish her stock of the yellow metal, and the little Kingdom of Greece is preparing to follow in the footsteps of Italy, while Austria-Hungary is reported to be making negotiations for \$150,000,000 as a preparatory step to withdrawing her irredeemable circulation.

Thus state after state is engaging in the scramble for gold, not because the states prefer to resume on gold, but because resumption in depreciated silver would be no resumption, and because they are unwilling to become "the monetary India of Europe," the sink of all the deto become "the monetary India of Europe," the sink of all the de-based metal of the continent. Is it not apparent that all Europe will in a few years close their mints against silver, except for the purposes of subsidiary coinage, and learn to rely upon gold exclusively as a money metal, unless some decisive steps are taken by the bimetallic nations of the world to arrest this gold monometallic tendency? It is the United States alone of all the great nations of the world that is at-tempting to uphold silver, and our efforts in that direction have produced a contrary effect by their failure to arrest the downward tendency of silver, and by the increasing number of nations that have become and will become gold monometallies. Let us proclaim to the world in some form that we will no longer bear this burden alone, but that others must share it with us; and when this resolution is once taken, I, in common with all the friends of bimetallism in other countries, will be greatly mistaken if the great and small powers of Europe do not agree upon a fixed ratio between the metals and again open their mints to the free coinage of silver as well as gold.

But, Mr. Speaker, what does this scramble for gold among the nations of the world mean? What influence has it had, and is it destined to have, on the commerce and the business of the world, on the prices of commodities, and the wages of the toiling masses? Is there any connection between the demand by the nations of the world for gold for monetary purposes and the general shrinkage in values, the fall in the prices of commodities and the depression in business that prevails in Europe and America, and in fact throughout the civilized world? Has the growing disuse of silver as money, and the consequent increased drafts upon the diminishing stock of gold, by the United States and the states of Europe, had any influence upon the prices of labor or its production? These questions are receiving the best thought of statesmen and economists, and they involve the gravest considerations touching the progress and advancement of civilization and the interest of our com-

mon humanity.

It is universally conceded that the stock of gold for many years past has increased little, if any, beyond the annual wastage and its use in the arts and manufactures and other uses than money. Its production, according to the estimate of the Director of the Mint, has fallen off in the last three years from \$103,000,000 in 1881 to \$94,000,000 in 1883, and at least one-half the yearly production is used by four of the great nations of the world for other purposes than money. The London Bullionist, an accredited authority on monetary questions, estimates that in 1874 the gold money in circulation throughout the world was \$3,460,000,000 for a population of 90,000,000 then using it; whereas in 1884 it had increased to \$3,895,000,000 for a population of 223,000,-

In 1874, according to these estimates, the gold circulation was equal to \$36 per capita, and in 1884 the gold circulation per capita was but \$17 among gold-using peoples. In England it is conceded by many of her most eminent economists and statisticians that the purchasing power of gold has very largely increased owing to the absorption by Germany first, and then by the United States, of from seven to nine hundred millions of the world's supply of gold; and that the fall in the prices of commodities consequent upon this increased purchasing power has averaged from 25 to 60 per cent. on the leading and important articles of commerce. In fact, it is admitted by all that gold has grown and is growing scarcer, prices have declined and are now declining, and trade has suffered and is now suffering, not only in all parts of the European continent, but throughout the world, America

This unusual condition of things can not be attributed to any mere local cause, because the effect is general and not confined to any state or people. It exists as well in free-trade countries as in those that are more or less protective. It affects the productions of manual labor as well as the products of the factory and of machinery; and it includes the entire output of the farm as well as that of the mine and the shop. The cause of such universal depression in the prices of commodities must be as general and widespread as the effect. The fall in prices has

been coeval with the demand made by Germany first, followed by the United States and other countries, on the world's diminished and diminishing supply of gold, and must continue with any additional strain

upon this supply.

Gold is in fact the sole measure of the value of all commodities here and elsewhere throughout the civilized world. London is the clearing-house of all nations, and there gold is the yard-stick by which the values of all products are measured. For local exchanges paper substitutes and silver may and do affect domestic prices to a large extent; but the immense mass of silver francs in France and the two hundred and fifty millions of dollars, half-dollars, and quarter-dollars in the United States play no part either in the international exchanges of the world or in determining the prices of commodities in the great marts of trade abroad! Every additional state in Europe or elsewhere that goes upon the market to purchase gold for resumption or for the use of its people for circulation increases the purchasing power of this metal, and appreciates its value as compared with other commodities, including the silver of Colorado, the cotton of the South, the iron of Pennsylvania, and the wheat and provisions of the Northwest, and thus adds to the burdens of the tax-payer and the debtor.

It has been said by high French authority that France would have been hopelessly bankrupt in 1848 but for the great influx of gold from California and Australia, which created a degree of commercial prosperity which enabled the French people to surmount the difficulties in which they were entangled. In this country, as we all know, the product of gold from the mines gave an impetus to the prosperity of all classes that has never been surpassed before or since. If there is any truth in the theory that the amount of circulation stands in a certain relation to the question of price, and that a full and increasing circulation has the effect to advance prices, it must follow that a scant and decreasing circulation will create a fall in prices—such as we are witnessing at this time throughout the commercial world—and that shrinkage in values, being common to all nations and peoples and to every product of human labor, can be attributed to no cause that is not alike com-

mon to all nations and all commodities.

Are we then entering a long night of falling prices, depressed labor, and unprofitable business? Impressed as I am with the conviction that the business of the world can not be carried on without the use of both silver and gold, and sharing in the opinion of one of the most eminent statisticians and economists of Great Britain, expressed in the Paris conference of 1878, that the effort of more of the nations of the world to adopt the gold standard would produce a "tremendous crisis," and believing so long as we maintain our position of attempting and failing to uphold the value of silver that gold monometalism will from necessity be adopted by other important states, it seems to me that there can be no permanent and lasting improvements in prices of the leading articles of American production unless we remove what I conceive to be the chief obstacle to full remonetization of silver and the mints of Europe are opened to the coinage of silver. There will of necessity be an improvement in many branches of production, but prices will remain low and comparatively unremunerative.

The continued appreciation of the only standard of value, all other

things being equal, will depress more or less the prices of all commodities, and especially the productions of my section and of the South We must make one monetary mass of the gold and silver of the world if we would secure advancing or even stationary prices and give re-munerative employment to labor. The two metals must be harnessed together at an agreed ratio of valuation, and they must each perform all the functions of domestic as well as international money. The mints of the important commercial nations must be opened to the free if not unlimited coinage of both gold and silver, so that each may exchange its silver for gold and gold for silver on the same terms as to

Both metals must be made to perform all the functions of money, in foreign as well as in domestic exchanges. Powerful, wealthy, and abounding in resources as we are we can no more accomplish these desired results unaided, and without the assistance of other nations, than I can transmit a letter to London or Paris at the same rate of postage as I can send it to Saint Louis, without the concurrence and agreement of Great Britain and France. The millions of coined silver in France and in the United States are, in the expressive language of the dis-tinguished French bimetallist, M. Chernuski, but silver greenbacks. Their circulation is confined to prescribed limits, and perform but a part of the office of a circulating medium, while it should perform, with gold, the office of an international circulation. What the world needs is rated, not unrated, bimetallism, and this seems impossible under our

Mr. Speaker, I have not attempted to elaborate any of the propositions I have advanced. My purpose has been to present as concisely as possible some of the reasons which have brought me to the conclusion that the time has arrived when we should make known to the commercial nations of the world, alike interested with this Government in the full rehabilitation of silver and its restoration to its former place as one of its money metals, that we will no longer continue the efforts in which we have so signally failed. Nor have I thought it would add to our ability to solve the grave and momentous problem

before us to criticise either by way of condemnation or approval the errors, mistakes, or delinquencies of the executive officers of the Government in the execution of the dollar-coinage act. However much they may have failed to put into execution the intention of Congress as expressed in its legislation, and whatever may have been the hostility of Secretary Sherman or his successors to that legislation, it can have no

Secretary Sherman or his successors to that legislation, it can have no legitimate influence on our opinions as to the present status of silver here and elsewhere to-day, and in helping us to a proper judgment as to our best policy in the future.

The acts of past administrations belong to history. It is the present and the future that concern us. It is of no avail to be told that silver has had no friends in the Treasury Department, and that the execution of the laws of Congress in its interest has been helf-hearted and nonof the laws of Congress in its interest has been half-hearted and perfunctory, in response to the fact that silver has been declining in value every year since the passage of the act, after the extraordinary expenditure of \$3 per capita of the whole population to bring about a parity of value between the two metals, or that prices of all commodities have declined and are declining in spite of our large gold, silver, and paper circulation. But if the past is to be resurrected to prejudice our judgments and disturb our reason, we should not forget to screen our own record—the record of the legislative department—as to the

Let us at least "take the mote out of our own eye before we cast out the beam out of our brother's." When we determined to substitute silver subsidiary coinage for fractional currency Congress ordered the latter to be destroyed as it was redeemed. Instead of requiring the destruction of the small-note circulation, filling the channels of circulation which the silver dollar should have supplied, we have to the day taken no step to prevent the circulation of even the one and two dollar bills, except those of the banks, and this was done under the provisions of the original national banking acts when both metals had provisions of the original national banking acts when both metals had been driven out of the country. Even in the last Congress the sum of \$150,000 or \$160,000 was appropriated to pay for the printing of new issues of one and two dollars, notwithstanding the boards of trade and the chambers of commerce in every city in the United States petitioned this House to provide for their early destruction in anticipation of the danger which these bodies now deem imminent. I doubt whether any people can parallel our extraordinary stupidity and extravagance in the treatment of the silver dollar.

We first invest millions to buy bullion to secure a plentiful circulation of silver dollars for the people. We are at all the expense of providing mints, and pay all the cost of coinage. Not satisfied with this, we appropriate year by year between one and two hundred thousand dollars to issue one and two dollar notes in sufficient quantities to drive the silver dollar into Government vaults, and being deposited there,

the silver dollar into Government vaults, and being deposited there, silver certificates are issued with many of the functions of money, which become congested in the money centers and are exciting alarm among business men by their tending to drive both gold and greenbacks out of circulation. To complete this picture of folly and extravagance, we are called upon every now and then to expend large sums to make provision for the custody of our immense mass of coined silver, when, by proper legislation, three-fourths of the whole amount of the coined dollars would now be in the hands and pockets of the people and in bank vaults. Human ingenuity could not have devised legislation more un-

vaults. Human ingenuity could not have devised legislation more un-wise and extravagant, or better calculated to defeat one of the prime objects of coinage—that of providing a coin circulation for the people. I have not called attention to this question on account of any appre-hension of imminent financial disaster growing out of the withdrawal of our gold coinage consequent upon the accumulation of silver certifi-cates in the channels of business and in the coffers of the Treasury. This dread of the future in the money centers in the present depression of trade and business will of itself tend to precipitate a financial panic; but with our present favorable trade balances, with large crops on hand, and the liquidation of indebtedness that has already taken place, there would seem to be no good reason for present alarm. That a much longer continuance of the policy of fabricating depreciated coinage and storing it in Government vaults, on which certificates having the function of discharging all indebtedness to the Government are issued, will in time bring the business of the country to an exclusive basis of un-

in time bring the business of the country to an exclusive basis of unrated and depreciated silver would seem not to admit of question.

If that is desirable, we should certainly adhere to the present policy of buying bullion, for the longer it continues the cheaper we shall buy bullion, and the more dollars we shall store and the more vaults we shall build. I do not place my objection to a continuance of the purchase and coinage of silver to any fear of imminent financial disaster. I object to it because it is a demonstrated failure. I object to it because them are ablest to the propoles. cause it involves a worse than useless expenditure of the people's money; I object to it because it creates a necessity for bimetallic nations in Europe to become gold monometallic; I object to it because it endangers the position of silver as the equal of gold as a money metal; I object to it because it is an obstacle to real bimetallism, and will intensify the demand for gold and prolong indefinitely the present shrinkage of values, the general depression of business and the disorganization of labor, and last, but not least, I object to it because it fetters and embarrasses the incoming administration, and transfers to it the heritage of probable financial disturbance in the not distant future. Aid to Common Schools.

SPEECH

HON. HARDEMAN. THOMAS OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 26, 1885,

On the bill (S. 398) to aid in the establishment and temporary support of com-mon schools.

Mr. HARDEMAN said:

Mr. SPEAKER: I propose at the proper time to amend the bill under consideration, giving the power to the executive of a State, if deemed advisable by him, to appropriate ——, or so much thereof as may be necessary, for the establishment of a school or schools of technology be necessary, for the establishment of a school or schools of technology in said State; and the further sum of \$10,000 annually to maintain the same. If this bill is to become a law, and this vast amount of money is to be appropriated, as is alleged, for the education of the people, I insist that some portion of it be so applied as to confer practical benefits and results upon those upon whom it is expended. Friendly as I am, and have ever been, to the common schools of my State and the country, I am satisfied that if half of the money expended for their support had been applied to building up a system of technical training more good would have resulted to the State and country industrially, educationally, and morally. cationally, and morally.

I do not underestimate the advantages of universal education as an enlightening agency among the people, yet I can not indorse all that has been claimed for it upon this floor as a preventive of crime and immorality, for the statistics of the country do not verify the prophecies of educational enthusiasts that as you educate the people you would, to that extent, lessen vice and crime. In sorrow, yet truthfully, has it

been said that

In spite of the vast amount expended in education; in spite of the improvements which have been going on for fifty years in philosophy and in methods of education; in spite of the vast multiplication of schools and colleges and the diffusion of free tuition, which has everywhere reduced the number of the illiterate; in spite of all this, the degeneration of society in happiness, in virtue, in health, in mental and physical capacities has been going on singularly parallel with the improved systems of education.—Buchanan's Moral Education.

The history of crime, says Samuel Royce (a learned investigator), in his work, Deterioration and Race Education, is but the history of our education. Professor John Draper, Herbert Spencer, Ruskin, Huxley, and other great thinkers have asserted that the common system of education as now practiced is not a conservative moral power in the prevention of crime, and the statistics of crime and immoral reference is the provention of crime and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime, and the statistics of crime and immoral reference in the prevention of crime and crime in the prevention of crime in the preventio vention of crime, and the statistics of crime and immoranties, as inrhished in reports of bureaus, prison-houses, and houses of reformation, confirm these assertions. Gladly would we disguise the fact if we could; but truth forces the confession that in this age of progress and educational advancement there has been a fearful increase in crime, in pauperism, intemperance, insanity, suicides, and disruption of mariin pauperism, intemperance, insanity, suicides, and disruption of martal relations. This increase has been charged against illiteracy; but the charge is not sustained by the tables of statisticians. Of 2,923 convicted and sentenced to the penitentiaries in New York in 1882, 2,499 could read and write, 2,127 drank; and of 17,341 arrests made by the police of New York in the months of October, November, and December, 1882, according to police reports, twenty-seven thirtieths could read and write. Richard Vaux, president of board of inspectors of the State penitentiary of the eastern division of Pennsylvania, in his State reports says: State reports, says:

Four times as many convicts during a period of twenty-six years were received in the east penitentiary of Pennsylvania who were educated to the extent of reading and writing as were wholly illiterate, and a far larger number of convicts have attended school than who never went to school.

I give his statistics showing the number received and the number and percentage of illiterates:

Years.	Received.	Illiterate.	Per cent.	Read and write.	Per cent.
1850 to 1859*	1,605	243	15, 14	1,115	60.47
1860 to 1869	2,383	410	17, 21	1,617	70.37
1870 to 1876	1,650	361	21, 88	1,235	74.85

*Buchanan, Moral Education, 317; Samuel Royce, Deterioration and Race Education, volume 1, page 473, and volume 2, page 376.

Verifying his statement that "more persons convicted of crime are educated than those who are illiterate." Only 11 per cent. of the convicts in 1876 in the State of Massachusetts, says the report of the State commissioner, were illiterate, and it is charged in that same report "that there is hardly a State or country in the civilized world where atrocious and flagrant crimes are so common as in educated Massachusetts." (Samuel Royce, volume I, page 462.)

The Philadelphia Times, in an article a few years since reviewing the condition of society and the frequency of crime among its people, says: What a terrible satire upon our boasted free-school system! Nine-tenths of the young criminals sent to the penitentiary have enjoyed its advantages, but three-fourths of them never learned to do an honest stroke of work.

In the province of Ontario, from 1874 to 1880, of 3,859 persons committed to provincial prisons, only 14 per cent. were illiterate; 2,792 habitaal drinkers. Of 264 persons committed in Connecticut in 1882, 253 could read and write; 11 could not; 55 were temperate; 209 intemperate. The statistics of Massachusetts are cited particularly, not to disparage that grand old Commonwealth, but because it is universally conceded that in education, refinement, ay 'in every thing that elevates a people and dignifies a State, she has generally led. For this reason I now refer to statistics furnished by herself as strongest proof that education and refinement have not lessened crime or pauperism. I quote from one of her State reports. In 1876 "only 11 per cent. of her convicts were illiterate; in 1880, 25 per cent.; in 1881, 23 per cent. Of 213 convicts in 1882, 172 could read and write, 41 were illiterate." "One in every 364 natives is poor, and 1 in every 546 a convict." "The amount of crime is above the general average of the United States, and the number of insane, idiotic, deaf and dumb, was 16,513. The objects of State charity had increased from 29,066 in 1872 to 82,997 in 1877. In 1876, 148,936 tramps were counted in her limits. In 1875, 20,000 were detained in her common prisons, 852 in that of the State; 1 in 22 of her general population were poor, 1 in 380 criminals."

This is indeed a sad showing for a State of her great enlightenment, but the history of Massachusetts, plainly told by her own statisticians,

but the history of Massachusetts, plainly told by her own statisticians, is but the history of other States almost her equal in educational advantages and refining influences. "In Maine population had increased from 1850 to 1880 one-seventh. Crimes, such as murder, arson, rape, robbery, and piracy, had tripled. Divorce, insanity, and suicides had all largely increased despite of temperance laws and New England education." (Buchanan's Moral Education, page 335.)

From 1820 to 1840, a period of twenty years, says Judge Stoddard, only two convictions for murder or arson are known to have occurred; in 1880 there were thirty-three prisoners for homicidal crimes alone.

in 1880 there were thirty-three prisoners for homicidal crimes alone. In the United States crime has outstripped population. In 1850 the population was 19,553,668; convicts, 5,645; 1 to every 3,463 inhabitants. In 1860 the population was 26,922,537; convicts, 19,086. In 1870 the population was 33,589,377; convicts, 32,901; 1 to every 1,021 inhabitants. (Boyce's Deterioration and Race Education, volume 1,

Page 36.)

The same may be said of other countries. According to Potter, crime has increased since the beginning of this century to 1850 in England and Wales to five times; in Ireland from 1805 to 1849 to twelve times; in Scotland from 1815 to 1849 to seven times. While the population increased 79 per cent., crime has risen 482 per cent. In Holland, according to Guringer, crime has increased 72 per cent., and the prisoners 34 per cent. These are not isolated examples of countries, or States of our own, for the statistics of other nations, and other States in our Government, give similar results and establish the fact that the educational system of this age "has but little restraining influence upon crime." Those same statistics prove also that it is not proof against pauperism,

insanity, suicide, or intemperance.

It is asserted in these authorities that in Germany, France, and Eng. It is asserted in these authorities that in Germany, France, and England 3, 4, and 5 percent. of the population are paupers, or that 30,000, 40,000, 50,000 respectively of each million of their population are paupers. In 1847 every eighth man in London and every tenth man in England was a pauper. In 1852 every seventh man in Marseilles and every thirteenth man in Paris was a pauper. In 1855 every twelfth man in Italy, every sixth man in Belgium, and twice as many in Flanders were paupers. In 1869 Paris had 317,742 persons out of a population of 1,799,880 dependent upon public charity. Prussia gave relief to 4.89 per cent. of its entire population. Sweden, with a population of 4,000,000, had a pauper population of 148,000. Norway, with a population of 1,700,000, had 180,000. Denmark, with about the same population, had 74,324 paupers.

In Belgium in 1856, 226,000 families lived upon alms; 220,000 in utter misery; 273,000 in poverty; only 89,630 in comfort; or, to particularize, of its 908,000 families 446,000 are public paupers. Of every one hundred Belgians forty-nine lived in utter destitution, forty-two in poverty, only nine comfortably. In England the counties lying be-tween London and the southern coast are by far less illiterate than the north-middle counties and have yet a great deal more pauperism. In north-middle counties and have yet a great deal more pauperism. In the great State of New York, in our own country, the progress of pauperism is alarming and increasing yearly, rising from 58,219 in 1871 to 69,813 in 1884. In addition to this last number 122,391 were supplied by charities outside city and county poor-houses. The following table of statistics of the board of State charities in Massachusetts shows the increasing pauperism of that State: In 1872, wholly and partially supported, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid and Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid and Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid and Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid and Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1874, 41,130; 1876, 73,739; 1877, 82,997. (Royce, Detaid Indian Country Poorted, 29,066; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130; 1874, 41,130;

in 1826 to 36,039,364 in 1850, or in ratio of 100 to 113, suicides had risen in the ratio of 100 to 209. In Denmark from 1835 to 1856 the proportion of suicides had risen from 219 to 392 in every million of population." In Prussia suicides had increased from 510 in 1823 to 2,180 in 1858. In most European countries suicides have increased from 3 to 5 per cent., while population has been 1.64 per cent—a sickening feature; and I call particular attention to the statement below:

In the suicides in a million population in France there were—farmers, 90; industrials, 128; liberal professions, 218; the poor, 569. (Royce, Det. and Race, volume 1, page 233.)

In the rural districts at a late period there were 110 suicides in a million population; in educated Paris 640; in Copenhagen 477; while in the least educated nations of Europe, the Spanish and Sclavonian, there was less than half the average rate of France, Germany, and England.

So the tables show the terrible fact of a yearly increase in insanity, In England and Wales there were: Idiots and insane in 1859, 36,762;

in 1869, 53,177; in 1876, 64,916. In France in 1850, 20,061; in 1860, 28,761; in 1869, 38,545 in the asylums. These do not include the very large number in private institutions and homes.

In the Rhenish Provinces of Prussia the ratio of insane to population was, in 1828, 1 insane to 1,027 population; in 1856, 1 insane to 666 pop-

In Wurtemberg, insanity had increased since 1832 76.3 per cent.; population, only 13.5 per cent.

Massachusetts, according to Dr. Irwin's health report, had an annual increase in 1867 equal to 1 for every 1,546; in 1871, 1 for every 1,389; in 1872, 1 for every 1,357 population.

In the United States, the increase in fifty-four asylums were: In 1839,

1,329 insane, 961 annual new cases; in 1849, 7,029 insane, 2,961 annual new cases; in 1859, 13,696 insane, 5,342 annual new cases; in 1869, 22,549 insane, 8,769 annual new case

Says this same author, volume 1, page 28:

The increase of insanity for a century has been steady, large, and universal in the ratio of the spread of our civilization. The universally educated Scandinavians have 3.4 insane in 1,000 population. The cultivated German, 3 in 1,000. The less educated Romanic nation, 1 in 1,000; and the most barbarous Selavonic races, 0.6 in 1,000. Again, the ratio of insane to population is larger in cities than in the country, and the professionally educated, who compose 5.04 per cent. of the population, yield 13.8 of the insane.

The statistics might be further extended to show the increase of intemperance, divorce, and illegitimacy in our most thoroughly educated States; yet why continue the sickening recital, for the world knows notwithstanding this increase in crime and pauperism, suicide and insanity, that at no time in her history has so much money been expended in the education of the masses as is being annually spent in this age. The United States, with her \$200,000,000 of school property, and \$100,000,000 annually for teachers; England, France, Belgium, Germany, and other states, with millions of schoolars and millions of money for their schools are described as a school of school are school. for their education, should verify the prediction that there would be a diminution of crime and pauperism and vagrancy and suicide and immorality. Yet says a learned investigator:

Alas, alas! nearly all statistical records seem to agree in the alarming fact that during all this development of education the misery and degradation of human beings has not been alleviated, but terribly aggravated.

Surely too much has been claimed by the friends of education in its preventing crime; for if the history of crime verifies the fact, despite of educational prognostics, that society has been degenerating in those great elements that make communities moral and governments sound

and pure, there must be some mistake in the claim of its friends, or some fatal error in the educational systems as practiced. I am constrained to believe the fault lies largely in the system.

Read the works of the authors treating on crime and you will discover that their investigations lead them to the conclusion that work is the surest preventive. Does the education of this age fit a man for the "labor of life?" It is not broad and comprehensive enough for that. "labor of life?" It is not broad and comprehensive enough for that. No one at all acquainted with our present systems (and they are so because of usuage and erroneous teachings) will deny that the tendency of our educated civilization is to degrade labor, thereby creating caste distinctions in society, thus lowering the social relations of those engaged in it—a result which is prejudicial to sound morals and good government. We need a system of education not designed for the benefit of the few, but for the elevation of the masses—a system where "the school and the scholar (do not) avoid the contact with the workshop and the mechanic." The need of the nation to-day is workers, and that system of education is best which fits the children of the nation for industrial pursuits, which not only furnish subsistence and a comfortable living, but elevate and dignify the character of those engaged in them.

ends in view. The labor of the country is the capital of the country; if, therefore, education enhances the value of labor, then the more educated and skillful the labor the greater will be its productive power, and, proportionately, the increase of capital. These facts being established, the conclusion is irresistible, that the education of labor is essential to a people's growth and prosperity, and that in establishing a system of public education that one should be adopted which would best develop not only the productive elements of wealth, but of manly character and useful citizenship. A different kind of training from that of the present is required to prevent crime. More industrial education is demanded for the young, who by honest labor must make their way through life; for, as has been said by a board of prison management, "its benefit as a preventive of crime is being satisfactorily proven and in rescuing prisoners can not be too much emphasized."

One of the authors heretofore cited asserts that the learned Lieber in his Ethics of Politics "affirms that all his investigations lead him to the conclusion that modern crime is very much due to the want of fixed occupations;" not to illiteracy, but to idle training and habit, which "starve the masses, breed mutiny, and end in national suicide." This assertion is based upon facts disclosed in prison histories. Among 358 prisoners in one prison, he found only 1 in 7 who had a trade. Of 240 convicts in another prison only 12 had a trade. Of the criminals of 17 prisons in the United States in 1868, 79 per cent. were without trades. In these prisons, says one statistician, "there is seldom found a good carpenter, shoemaker, or blacksmith, and still less a good machinist or

watchmaker."

watermaker."

In the elaborate table (already alluded to) of Richard Vaux of the convicts in the Eastern State penitentiary of Pennsylvania, for twenty-five years, I find, of prisoners confined from 1850 to 1859, 1,608, of which 1,217, or 75.52 per cent., had no trade; from 1860 to 1869, 2,383, of which 1,950, or 78.83 per cent., had no trade; from 1870 to 1876, 1,650, of which 1,463, or 88.66 per cent., had no trade. He has many pages of statistics, all showing, says the author from whom I copy, "how much the want of a trade and how little what we term education has to do with the perpetration of crime."

Every one who studies closely these statistics will be forced to the conclusion that educated idleness is more destructive to public morals and more prolific of crime than trained and occupied illiteracy. want an education that will diminish idleness, and in so doing decrease pauperism and drunkenness and crime. We want, as has been well pauperism and drunkenness and crime. We want, as has been well said, "more of the gospel of work" preached to our children, which shall lift them out of struggling poverty into a state of competency. Then crime will diminish and our prisons will remain comparatively empty. Teach the young to work; prepare them for it by proper education and they will more cheerfully pursue it, and thus you will have industrious young men earning an honest living and turning their backs upon crime and prison-houses

This is no idle conjecture. In those places where industrial training has been taught for a series of years crime has diminished and pauper

ism has almost disappeared.

In Belgium, says one writer, "in districts in which industrial schools are in operation, vagrancy, that hot-bed of crime, has entirely disappeared, notwithstanding the large numbers of paupers she had in 1856 alluded to previously in this address. At Creuzot, a city of 25,000 population, in which industrial instruction has been in vogue since 1847, crime and even misdemeanors have almost entirely disappeared, and three policemen give the people full protection." This is asserted by all writers on the subject of crime: "that wherever industrial education has been established it has rapidly diminished it; and this can not be said of any other education." It is easy to assert that education diminishes crime—I mean a common education—but those who have examined and studied criminal statistics do not so testify.

Richard Grant White, a learned educator, in speaking of the public schools of New York, says:

That they exert any wholesome influence upon our society, either morally or intellectually; that they make their pupils better men and women, or better citizens, or that they fit them for the duties or the business of their lives, I do not hesitate to deny.

Again he says:

Nor do the records of crime justify the general assumption that public schools are a conservative moral force in society. * * * It would be interesting to know what proportion of our native criminals have been pupils of our public schools. * * * Judging by my observation, I would say that the proportion is very large, so large that if it was authentically ascertained the publication of it would produce a profound and painful sensation.

An instance of their number has been cited in the prison records of

Professor John W. Draper, in a work upon physiology, asserts that-Our common education has a tendency rather the reverse of restraining

The commissioners of the State prison of Connecticut, in their report in 1875, say-

Millions are annually expended in this State to secure to our youth the advantages of a good, common-school education, with the general impression that such instruction is a sure preventive of crime. Without intending the slightest reflection against this happy conclusion, we find our penitentiaries are filling up with many well-educated young men, who, on investigation, have ever been indentured to any regular trade or business, and without occupation are easily led into temptation and vice. * * * On a careful inquiry of our young prisoners

we find it is not the want of a common-school education so much as the need of a good trade, with its habits of thrift, economy, and constant employment, that crowd our streets with paupers and our State prisons with convicts.

The importance of trade and occupation so thoroughly impressed the great founder of Pennsylvania, that among the ordinances framed by himself and adopted by his provincial council is the following:

Tenth. That while in England the children of the rich were too generally brought up in pride and sloth, good for nothing to themselves or others, in Pennsylvania all children of the age of 12 were to be brought up to some useful trade that there might be none of the worthless sort in the province, so that the poor might get plenty of honest bread by their work, and the rich, if brought low, might not be tempted to despair and steal.

This, sir, sounds the key-note to useful education and permanent prosperity. Professor Seelye says:

Men must be improved in order to be educated. Education follows as surely a moral improvement as flowers open to the sunlight; but education is as powerless to secure that improvement as is the plant the light and warmth by which it is quickened. No amount of intelligence ever saved any people, and the most costly educational system is consistent with and sometimes actually found in the most corrupt social state.

Greece, when her heavens shone with the light of learning and philosophy, when learned historians wrote and poets sang, was filled with de-praved masses; her temples reeked with the blood of her murdered citizens; revolution after revolution convulsed the state until her liberties were destroyed and she fell a prey to contending factions. Rome, in the very zenith of her intellectual splendor, tyrannized over justice and religion and filled the pages of her history with crimes at which civilization yet pales. France was in a blaze of intellectual light and the fires of genius were burning with brightest luster when infidelity and corruption destroyed the church, overthrew her liberties, and deluged her land with the blood of anarchy and revolution. So passed away Egypt, the cradle of letters, and Assyria, and Carthage, and the land of the Saracens.

Away then with the idea that the education of the people will give stability to government, close our prison doors, and open the millennial gates! Such is not the lesson of history:

The practical teachings

Says a learned writer-

of the early and happy days of Greece and Rome built up the state. The later grammarians and sophists ruined it.

Illiteracy per se is not the cause of crime; it is to be deplored, I grant you, but do not burden it with evils that lie not at its door. There will never be ignorance enough in this country to threaten its perpetuity, and if ever destroyed, which God forbid, it will be by those the world calls educated and learned. Pauperism and its offspring, intemperance and insubordination to authority, may be the rocks upon which this Government may be wrecked, and the study of the patriot should be how to prevent it. The preventive is found in that Heaven-ordained this Government may be wrecked, and the study of the patriot should be how to prevent it. The preventive is found in that Heaven-ordained decree, "in the sweat of thy face shalt thou eat bread, till thou return unto the ground." To escape these evils we must elevate and educate the working people and popularize labor by educational preparation for the great work of life, and this can be best accomplished by a well-devised system of industrial training.

I repeat here what I once said to the agriculturists of my own State:

I repeat here what I once said to the agriculturists of my own State:

Begin the system. Educate your boys to work, work systematically, work intelligently, work scientifically, and labor will be no longer "subjected to social degradation," for it will be guided by education and identified with culture. In the language of one of England's royal family, "Let learning and earning go together." Make hand-work a part of the education of your children and they will grow up conscious of their ability to carve out their own fortunes and command while so doing the respect of their fellows and the confidence and support of society and government.

Dr. E. E. White, president of Perdue University, Indiana, in an address on "The relation of education to industry," says that of the three hundred and eighty-three occupations enumerated in the report of the census of 1870, one hundred and seventy-two of them are classed as manufactures, mechanical, and mining industries. In view of this large number of trades and mechanical industries, well may I exclaim, hat the trades are many, the learned professions are few; and while much has been done for the few, but little has been done by the people to dignify, develop, and perfect the productive industries of the many, forgetful as they are of the great truth that the practical business education of the people is the shortest road to material prosperity and national wealth. Not only is industrial education an effective moral greater that it is eminently conducive to the greath and development. agency but it is eminently conducive to the growth and development of a country. I quote again from my address:

of a country. I quote again from my address:

History chronicles the fact that in those countries where industrial schools have multiplied the people have been elevated and their wealth increased. Society has been elevated, because the teaching of technics has multiplied handicrafts, encouraged labor, and given profitable employment to thousands who otherwise would have grown up in ignorance, pauperism, and crime. Wealth has been augmented because by the multiplication of industries and in the increased efficiency of labor engaged in them, the sources of production are increased and the difficulties of its attainment greatly diminished. These statements are justified by the teachings of all political economists, who assert that "the creation of all values can be traced to labor alone," and that the productiveness of labor depends upon its skill and intelligence.

One of our commissioners to the Paris exposition furnishes us a striking proof of the great value of technical training demonstrated by the results of the exposition of 1851 and 1867. In the former, Great Britain was awarded the palm of excellence in nearly all of the grand departments. In the mean time her continental rivals—France, Belgium and Austria—had diffused scientific and technical education (by a system of training school among their people) and

when another exposition was held in 1867, under the auspices of Napoleon III, and the awards were made, it was discovered Great Britain had excelled in but ten of the ninety departments. This was startling news to England. "The scepter was departing from Judah." A Parliament commission was appointed to investigate the causes of this overwhelming defeat, and these are some of the reports to the inquiry commission of July 2,1867. Dr. Playfair says: "A singular accordance of opinion prevailed that our country had shown little inventiveness and made little progress in the peaceful arts of industry since 1862." I may add, during that interval these other countries, by means of training-schools in the trades, in weaving and mechanical schools, were making rapid advancement in Industrial and skillful pursuits."

But to continue the reports, Professor Tyndall says: "I have long entertained the opinion that, in virtue of the better education provided by the continental nations, England must one day, and that no distant one, find herself outstripped by those nations, both in the arts of peace and war." Mr. Hurth say: I found that it was the want of industrial education in this country which prevents our manufacturers from making that progress which other nations are making. I found both masters and foremen in other countries more scientifically educated than our own. The workmen of other countries have a far superior education to our own, many of whom have none whatever. Their production shows clearly that it is not there a machine-working machine, but that brains sit at the loom and intelligence stands at the spining-wheel."* This report to Parliament awakened England to a sense of her waning supremacy. The result was, says another authority, a grand educational bill was conceived and adopted, which established a general system of elementary and technical education (which is being taught in nearly one hundred schools of art), and upon which Great Britain is relying to regain her former prestige and pre-eminence. Nor are

Other countries now realize the importance of this training and are establishing industrial schools in every town and village. Prussia has about two hundred, Bavaria one hundred and fifty, Wurtemberg over about two inducted, havaria one hundred and fifty, whiteinbeig over fifty. Over eighty cities in France have them in operation, with over 30,000 pupils, and in her towns about three hundred smaller technical schools. England has eight hundred trade schools now in successful operation, with about 35,000 pupils. Germany swarms now with industrial schools. The United States had in 1876 seventy-five, giving instruction to 7,500 scholars. Every state should have a sufficient number to satisfy the increasing demand for technical training. Make your whole land a beehive.

Open to the young men of the country inviting fields of employment in its trades and industries, and they will not flock to the cities to crowd their dens of vice, nor resort to the overstocked professions or unremunerative occupations in counting-rooms and trade houses. So elevate your industries by proper education as to impress society with the theory "that industrial occupations are a proper basis of social distinction." Reorganize your educational system upon the basis of labor, giving every man according to his talent his own proper work, and "intelligence will be added to strength; beauty and harmony in the works of man will be followed by beauty and harmony in the character of man; and justice and goodness and truth will spread, and the country will be filled with peace and happiness."

This much I have thought my duty to say on the bill now under consideration, and I have said it not to disparage education or undervalue its benefits-far from it, for I most sincerely wish every child in this Union could read and understand our Constitution and the Holy Scriptures-but because I am thoroughly impressed with the conviction that our educational system should be reorganized on a basis of technical training, for "educated industry is indispensable to the perfection of moral character," and is the key-note in the song of social, material, and national prosperity. Educated hands and educated minds must move and direct the industries of the country. Mechanical philosophy is destined to relieve labor of its burden and toil of its care by subordinating natural agencies, animate and inanimate elements, to the necessities of man and the activities of life. These will be effected by a well-devised system of technical training.

To the laboratory and the workshop must we look for progress, development, society elevation, and national wealth.

Industrial training is the key given to man to open the gates to these great results. Upon it a people's character can be built, and the character of a people indexes their government. In the formation of that character much depends upon association and education, for it is molded in the important surroundings which God in his wise dispensation ap-pointed for their happiness, their social development and moral govern-ment. In harmony with the design of His creation, man has been endowed with grand and superior attributes, to qualify him for his Heavenappointed position as ruler of earth. That qualification consists in a proper practical education of head and heart and hands—an education superior to mere artificial accomplishments because of its adaptation to the utilitarian spirit of the age and the life-work of the people.

The civilization of the present is progressive and aggressive, and its practical requirements, its increasing avenues of industry, its stringent political economies, its far-reaching influences, all demand that those educational agencies be employed best adapted to the development of its meaning intellegation and industrial energies. its moral, social, intellectual, and industrial energies. These agencies will be found in that system that contains the elements of productive education. Legislators, statesmen, philanthropists, moralists, educators, direct your energies, your talents, your time, and your means to this great national necessity. Then will your dreams of a higher civiliza-

tion, of a purer private and public morality, of more personal independtion, of a purer private and public morality, of more personal independence and national prosperity, of more stable institutions and perpetual government be realized; for it will lessen crime, diminish pauperism, stimulate and diversify labor, elevate character, promote individual and public morality, multiply your industries, and give you men not only for society, but for the field, the workshop, the factory, the mine, the forum, the pulpit, and men for the commonwealth. Happy anticipation of glorious results. It fills the patriot's heart with joy and bids him withhold not his song of thanksgiving. If, then, it is to be the policy of this Government to build up an educational system in the States, I pray you inaugurate one which will embrace moral culture, industrial training, and technical knowledge, for upon this system alone industrial training, and technical knowledge, for upon this system alone can be built the superstructure of a people's greatness and a nation's

Rivers and Harbors.

SPEECH

HON. THOMAS M. BROWNE. OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 24, 1885.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. BROWNE, of Indiana, said:

Mr. CHAIRMAN: While I am in the fullest sympathy with those who oppose this bill, I have at no time during all this weary discussion oboppose this office at no time during all this weary discussion obstructed its consideration. At all times I have favored meeting the important questions presented by it fairly, and submitting them to a vote on their merits. The responsibility of the legislation is on the majority, and there I propose it shall, so far as I am concerned, abide. I am not vain enough, sir, to think that any word of mine will change a vote, and I now offer a formal amendment solely for the purpose of putting on the record the reasons which lead me to vote against this meas-Having stated these reasons I will not again trespass on the patience of the committee nor interpose further to delay final action. Sir, portions of this bill are doubtless fit to pass into law, but as these can not be separated from the waste and extravagance of its other parts, I will vote against the whole of it.

In the first place I protest against the methods of river and harbor legislation as an ingeniously devised plan for catching votes from all sections by mixing large rivers and little rivers and no rivers with lakes, seas, inlets, canals, wharves, creeks, and every possible water way, nat-ural or artificial, navigable or unnavigable, in the same bill and baiting each with an appropriation. A little brook grows to marvelous proportions under the influence of a generous appropriation. One of the manifest evils of this omnibus system of legislation is that it harnesses wise and ill-advised measures together and literally coerces Representatives to vote for the bad as the only means of securing the benefits of those of real merit. Here, in this bill, are expenditures that ought not to be made—expenditures that are but spoliations of the Treasury—inseparably tacked upon others demanded by the interests of national commerce, and we must accept both or get neither. Why load down the good by the vicious? Why not try every item on its own merits? Do not tell me that these expenditures are subjected to this test, for the contrary is within the knowledge of almost every gentleman here. How many are there this very day, sir, openly opposing this bill because their sections do not, as they think, sufficiently share in its bounties, and how many support it with zeal for no higher reason than is

expressed by the slang phrase that has fallen from so many lips in this debate, "that they get some of the pork."

I submit, sir, that this is not statesmanship; that we should not thus deal with great public interests. For one I will not vote for a bill that squanders \$2,000,000 or \$3,000,000 of the people's money to secure the benefits of \$10,000,000 judiciously appropriated. I must do this, in

my judgment, if I support this bill.

During the debate on the river and harbor bill a year ago I had the temerity to assert the belief that the proposed improvement of the Mississippi River would be a failure, and as a consequence the expenditure a colossal waste. I think time and experience are demonstrating the correctness of that opinion. We inaugurated this system supposing its completion on the Lower Mississippi would involve an expenditure of less than \$40,000,000, but it is now admitted that \$150,000,000 will be required. This sum exceeds the total of all our past appropriations for the improvement of our national water ways. A stretch of river between Cairo and the Gulf is to swallow a sum exceeding all our expenditures for one hundred years for the benefit of our water naviga-tion. In the presence of an expenditure so immense the representa-

tives of the people may well hesitate. There should be assurance that success will follow the investment before the money is voted.

My chief objection to this bill, I confess, sir, is its purpose to sink additional millions in the plan of the Mississippi River Commission, which is at best but an experiment. I make no pretense to a knowledge of the science of engineering, but our every-day observations are often more valuable than the conjectures and speculations of the scientific. In the debate to which I have made reference, in a brief discussion of this point, I said:

often more valuable than the conjectures and speculations of the scientific. In the debate to which I have made reference, in a brief discussion of this point, I said:

Mr. Chairman, I simply take the floor at this time for the purpose of saying that I believe it, will be demonstrated in the future that this Mississippi liver improvement plan is the colossal waste and extravagance of the age. I do not are it, in the improvement of the navigation of the river, is should result in reflecting all of the immediated lands along the margin of the river—dust lin reflecting all of the immediated lands along the margin of the river—dust lin reflecting all of the immediated lands along the margin of the river—dust lin reflecting all of the immediated lands along the margin of the river—dust lin reflecting and the reflecting and the reflecting all the reflecting and the reflecting and the reflecting all the reflecting and the reflecting and

I repeat, Mr. Chairman, that the plan of the commission is con-demned by engineers of skill and of acknowledged learning. Less than

a year ago I received a letter on this subject from a gentleman of high attainments and of large experience in hydrographic engineering. This gentleman was at one time an employé of the commission, and is at present sewerage commissioner of the city of Saint Louis. I refer to Robert E. McMath, esq.; and permit me now to read portions of his letter. He says:

Robert E. McMath, esq.; and permit me now to read portions of his letter. He says:

Your remarks in the House on the bill appropriating \$1,000,000 to the Mississippi lead me to address you. If you inquire who I am, I refer you to page 488 of current Record, where you will find my name as first on the list of employes of the River Commission, and my record can be traced continuously in United States Engineer reports back to 1866, then in Coast Survey to 1862. I have therefore had opportunity to know whereof I speak. As to the propriety of my speaking, the following from my letter to the Mississippi Commission, giving my reasons for resigning my position, will suffice:

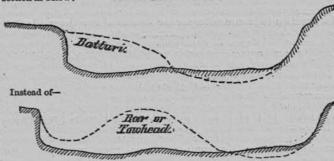
"I am not in sympathy with the majority of the commission in their opinion as to the value of levees. Being fully convinced that the levee, so far from being a useful adjunct to channel improvement, is actually opposed thereto, I can not consistently occupy a position which involves a tacit acquiescence in the official policy."

You are entirely correct in saying that the weight of intelligent, scientific, and professional opinion is against the commission; and I think too little use is made of the fact that one of the commission is decided in his dissent from the conclusions of the majority, and that upon a vital point.

The points of the issue as now made up are:

First. The fundamental principle of the commission is misapplied, as will appear when their argument is reduced to syllogistic form. Major premise: Permanent increase of normal volume will cause enlargement of bed and eventually lessen the surface slope and lower the river in its bed. (True with limitations.) Minor premise: Levees permanently increase the normal volume. (Untrue in every sense.) Conclusion: Levees will lower the river in its bed, and so do away with overflow, while the enlarged bed will insure good navigation. (Untrue in every particular.)

Second, Levees were favored at the outset by the commission as "desirable adjuncts" to a plan of channel improvement. Grant what is



Both forms contract the water way, and both may for a time deepen the channel. Measured in cubic yards of deposit, or area of water surface changed into bar, dry at low stage, the one may be as great as the other, but in the matter of progress toward a permanent improvement one is real, the latter a delusion. Third. The commission proposes to reconstruct levees below Red River, to prepare that section for a "volume much in excess of any known discharge," admitting that they expect and design to produce general enlargement of the river-bed by scouring. The first effect of scour would be to destroy the stable conditions now existing on the lower river. When and how will a new stable condition be established? The common-sense principle of "let well enough alone" ought to refute all the pretentious nonsense that could be written in favor of such a dangerous scheme.

I consider that I am serving my generation well in lifting a warning voice against the Mississippi scheme as it now stands.

I am not analified to add anything to this reasoning. It speaks with

I am not qualified to add anything to this reasoning. It speaks with "a warning voice," and we should pause and demand proofs of success before we proceed further with this giant enterprise.

It will be remembered that Hon. Robert E. Taylor, a member of the

commission, in a very able argument defended its plan of improve-ment, and attempted to demonstrate its success by reference to specific instances in which the levee system had been tested. In answer to this my correspondent says:

this my correspondent says:

Mr. Robert Taylor, in his article "How to Improve the Mississippi," in the North American Review for March, makes a very plausible argument for levees. Fortunately for the truth, he appeals to specific facts as supporting the theory. Every one of these cases, when fully stated and correctly interpreted, condemns concentration of flood volume. I showed this in a report to the commission, which, if not suppressed, will be printed in the report now in printer's hands. If Mr. Taylor knew of that document his use of the facts with incomplete statements of circumstances was willful perversion. If he did not know of it, either the committee on reservoirs, to which the report was made, concealed it from other members of the commission and kept them in ignorance, or else Mr. Taylor is convicted of forming his judgment without considering the evidence, I proved by the record that the Grafton case was wholly due to backed water while the Missouri was in flood; Hays Landing, to backed water while the Yazoo flood was discharging, and therefore overflow did not cause diminution of discharge or pile up the flood. The Clayton case is a crucial test of their theory, and condemns it, for the decrease of velocity occurred before overflow; and in the May rise, which did not reach overflow, the same decrease occurred—the effect when their assigned cause was wanting.

Mr. Taylor is an intelligent and most conscientious gentleman, and I have read this letter simply to show how his argument is met on a vital point by one who is equally honorable and perhaps better informed as to the facts than himself. I am sure Mr. Taylor has little doubt of the ultimate success of the commission plan, but I hazard nothing in saying that while this is true he admits that it is an experiment that may fail, and he believes it should be thoroughly tested at the Plum Point and Lake Providence reaches before proceeding further.

Since the last Congress several men of large experience in the navigation of our western rivers have written me on this subject. They agree in condemning the commission plan. I will give a brief extract from a letter of Mr. J. B. French, of Rising Sun, Ind. He writes:

from a letter of Mr. J. B. French, of Rising Sun, Ind. He writes:

Having noticed the proceedings of Congress, and having given some attention to that portion relating to the improvement of the Mississippi River, I would like to give my views about it. I will state that I am one of the oldest river-men now living on the shores of the Ohio. I boated continually for over forty years and have run on every kind of boat propelled by steam or floated by water. I commanded one of the first gunboats during the war. * * I am satisfied that all that can be done to improve the navigation of the Mississippi is to employ enough snag and dredge boats to remove the snags and bars. * * Signal lights should be kept at the regular crossings. The river runs between banks of sand and goes wherever the body of water is strongest, and no artificial means will change it. The work done won't stand two freshets. It will all wash away. * * The Government built three dams below the falls many years ago; one at French Island, one at Three Mile Island, and one at Scuffletown Bar. When completed they stood six feet above low-water mark, but after the first high water you couldn't see a sign of either of them. A similar improvement made at the head of the Rising Sun Bar was all washed away, and this will be the fate of the work being done on the Mississippi River.

Cantain French, in other portions of his letter, gives his knowledge of

Captain French, in other portions of his letter, gives his knowledge of the effects of floods on the levees of the Lower Mississippi, and expresses the belief that no possible system of embankments will be able to con-fine the waters of the river within any reasonable channel. These are the views of a practical common-sense man-one who makes no pretensions to science, but who speaks from observation. He may be wrong. Those who oppose this expenditure may all be wrong, but I insist that they at least furnish reasons that make it our duty to stop and inquire before we further deplete the Treasury. I will detain the committee no longer. There are many other objections I would be glad to notice, but they must pass until some other occasion.

No Taxation to Create Office for the Benefit of Privileged Classes.

No class of mankind is born booted and spurred to ride over the rest .- Jef-

SPEECH

HON. ETHELBERT BARKSDALE.

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill to create the office of General of the Army for the benefit of ex-President U. S. Grant.

Mr. BARKSDALE said:

Mr. SPEAKER: To state the case precisely as it is, the object of the pending bill is to create a life office requiring no service, and bestowing pending bill is to create a fire office requiring no service, and bestowing a very large salary upon ex-President Grant. It proposes to take him from private life and put him on the retired-list of the Army, with the rank and grade of General of the Army of the United States, and with pay and emoluments amounting to \$19,000 a year. Republicans who support it are actuated by partisan and sectional feelings. Democrats who favor it are prompted, as they frankly acknowledge, not by devotion to a sound principle of public policy, but to satisfy an unjust clamor which has been raised in some of the Northern States in consequence of pecuniary reverses that have overtaken the firm of which General Grant was a member, by reason of transactions of a questionable character.

A similar bill was before Congress soon after General Grant was thwarted in his ambition to be elected President for a third term, but, heeding the indignant remonstrance of the people on whom the burden of the proposed favoritism would have fallen, their representatives rejected it. The failure to pass it consigned it to the limbo of discarded schemes, and it was dismissed from the public mind. This is the condition in which it was placed by the judgment of the people when the members of the present Congress were chosen. Having reaped the emoluments of the highest military office under the Government for a term of years having enjoyed the wincely salary of President of the emoluments of the inglest military office under the Government for a term of years, having enjoyed the princely salary of President of the United States for eight years, which was doubled in its pay and quadrupled in its contingent emoluments for his benefit, having received voluntary contributions from partial friends (some of whom had become millionaires during his term of office) amounting to hundreds of thousands of dollars, General Grant closed his public career rich in money and in all the goods of this world. It would seem that he invested a part of this enormous wealth in a stock-jobbing enterprise, and lost by

reckless endeavors to accumulate still more. In consequence of this loss, and avowedly to indemnify him at the expense of the people, the scheme to create a life office with a high salary has been revived. Its merits depend solely upon the ground that it is the duty of Congress to step aside from its prescribed sphere of action, take cognizance of the private affairs of ex-President Grant, and insure his losses by an appropriation from the public Treasury. This is the meaning of the appropriation from the public Treasury. bill; nothing more, nothing less.

Inasmuch as its advocates have based their support of it on the ground that it is a benefaction that should be bestowed upon a citizen who has rendered valuable service to the country and whose condition is necessitous, it is proper to state that they have not even that insufficient pretext. Ex-President Grant has a permanent investment of \$250,000, which is entirely unaffected by the wreck of the financial ventures of Grant, Ward & Co. in Wall street. In proof of this assertion I will produce the uncontradicted statement of Mr. George W. Jones, of New York, through whose efforts the fund of \$250,000, yielding an annual interest of \$15,000, was raised. I will quote from the statement of Mr. Jones in the New York Herald of November 30, 1884:

It has been extensively circulated that the literary work of General Grant was all that the ex-President had to live upon during the coming years of his life, and therefore an interview was sought with George Jones, editor and proprietor of the New York Times, to whose exertions the raising of a trust fund of \$250,000 in behalf of General Grant some years back was almost entirely due, Mr. Jones in a business-like way responded to all pertinent queries.

"I'll tell you all about this," said Mr. Jones. "When the fund of \$250,000 was complete, desiring to invest it in some permanent and safe way, I counseled with ex-Governor Morgan, who advised that it be invested in Wabash stock. I suggested that perhaps Governments would be better, as I could put it where a certainty of 6 per cent. per annum could be returned. The Governor explained to me that his suggestion applied to a section only of the Wabash road, which involved an investment only of some \$2,000,000, from which the income was almost a certainty.

"For what, said I, 'would you guarantee the income?"

"He replied that for 5 per cent. he would guarantee \$15,000 a year for ten consecutive years. Whereupon I made the arrangement."

"Has that been regularly paid?"

"It has, down to date."

"Without exception?"

"Well, there was one time when it was not paid for a few weeks, but upon the representation that it would be paid—as it since has been—we did not press the estate of Governor Morgan for the guarantee. It is arranged between the executors, as it was with Governor Morgan, that in default of the payment by the road the principal and interest should be returned to us, in behalf of General Grant. That is as certain as anything can be in life. The original fund can not be touched and the per annum income is assured."

"Of one thing the public may be certain—the money was raised by Grant's friends for Grant. It has been safely invested, and its income is abundantly guaranteed. It was raised for Grant and Grant alone will have it."

This statement shows that if it is the duty of Congress to create the proposed sinecure for ex-President Grant on the ground of his poverty, the cause does not exist; hence, there can be no necessity for straining the Constitution to repair his losses by enforced taxation of

The bill is in disregard of the real object of establishing a retired-list The bill is in disregard of the real object of establishing a retired-list of the Army. The policy of a retired-list is founded upon the consideration that the pay of the officer is fixed at a rate so low as barely to afford him the means of living. Consequently when by long service or injuries received in the line of duty he is incapacitated for further service, it was deemed proper to place him on the list with enough pay to support him in his declining years.

To "retire" an officer presupposes him to be in the service. The beneficiary of this bill is not in the service; nor can it be said that a fortune of \$250,000, with an assured yearly income of \$15,000, is inade-

fortune of \$250,000, with an assured yearly income of \$15,000, is inade-quate to his support. So far from being in the military service, he "re-tired" himself from it sixteen years ago for a consideration so valuable that neither he nor the country can have forgotten it. He left the Army voluntarily, that he might be clothed with the highest honors of the world—the Chief Magistracy of the United States.

The proposed measure is without precedent, as it is without even the The proposed measure is without precedent, as it is without even the shadow of justification. It is said that the office of Commander-in-Chief was created for George Washington after he had been President and had retired to the shades of Mount Vernon. But it is a calumny upon the memory of those who did it, to assert that it was intended to give him money, or to heap accumulated honors upon the head of him who was first in war, first in peace, and first in the hearts of his countrymen. It was to place him at the head of the Army in the threatened war with France. General Washington accepted the appointment with reluctance, and upon the condition that his pay should not commence until he had actually entered upon the duties of the office. There was no war: the conditions upon which the office was created failed, and the war; the conditions upon which the office was created failed, and the law was repealed. It is instructive to quote the language of General Washington in accepting the trust:

Washington in accepting the trust:

Feeling how incumbent it is upon every person of every description to contribute at all times to his country's welfare, and especially in a moment like the present, when everything we hold dear and sacred is so seriously threatened, I have finally determined to accept the position of Commander-in-Chief of the Army of the United States, with the reserve only that I shall not be called into the field until the army is in a situation to require my presence, or until it becomes necessary by the urgency of circumstances. * * I take the liberty also to mention that I must decline having my acceptance considered as drawing after it any immediate charge upon the public, or that I can receive any emoluments annexed to the appointment before I am in a situation to incur expense.—Marshall's Life of Washington, volume 2, page 437.

The proposed measure is a violation of the objects for which our Government was founded. It is a departure from the fundamental idea figuratively expressed by Thomas Jefferson, that no class of mankind was born booted and spurred to ride over the rest. It is a long stride toward the establishment of privileged orders, which involves the overthrow of what was designed to be a plain government of the people and for the people; in disregard of the earnest warning of Andrew Jackand for the people; in disregard of the earnest warning of Andrew Jackson, that it is not in a splendid government, supported by powerful monopolies and aristocratic establishments, that the people will find happiness, and protection for their liberties, but in a just system, dealing equally with all and granting especial favors to none.

If there is one question more than any other about which my conviction is clear, it is that this measure is unjust to the people, unautically the the Constitution and the establishment of a degreeness.

thorized by the Constitution, and the establishment of a dangerous precedent. I would utter my solemn protest and record my vote against

it, if I stood alone.

Alien Land-Owners in America.

Great estates destroy the spirit of patriotism in those who have everything and in those who have nothing.—Saint Pierre.

SPEECH

HON. JAMES H. HOPKINS.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 18, 1885,

On the bill (H. R. 2605) limiting the quantity of public lands which may be acquired or held by aliens within the jurisdiction of the United States.

Mr. HOPKINS said:

Mr. Speaker: No inspired prophet nor profane seer ever uttered a more pregnant warning than Goldsmith when he wrote:

Ill fares the land, to hastening ills a prey, Where wealth accumulates, and men decay.

The primal curse, "in the sweat of thy face shalt thou eat bread," carried with it some individual compensations; and it is quite certain carried with it some individual compensations; and it is quite certain that that community is most prosperous where all men are producers. As idleness is debilitating and demoralizing, so industry and activity promote health and mental and physical vigor; and the greater the accumulation of application and force, the greater will be the development of the manhood of the people and the aggregate of its progress and

The power of wealth is not to be denied, but its power to curse is quite equal to its power to bless; and the unquestionable rule is that its concomitants and results are evil. The notable and noble exceptions in which it elevates and cheers and leaves its benediction upon mankind only make the rule all the more melancholy. Of the great, the gifted, and the good, whose words and deeds light up the pages of history, how few there are whose ambition had wealth for a handmaid, and how many whose incentive was inexorable necessity! And among the nations of the world from the beginning of time those have been the most powerful, prosperous, and happy where wealth has been most generally distributed. The philosophy of this is perfectly manifest. As the number of those having a substantial interest in a government increases there is a natural increase of the zealous defenders and earnest promoters

of the welfare of that government.

If a few monopolize all the luxuries and appropriate most of the comforts of life, the many grow discontented and restless under suffering. And then, too, the possessors of great wealth are apt to intensify this feeling by an aggressive and inconsiderate exercise of their power. Power of all kinds seeks to increase and perpetuate itself, and is rarely tolerant in its use or scrupulous in its growth. And so while the tolerant in its use or scrupulous in its growth. And so while the rich become richer the poor necessarily become poorer. At length oppression breeds revolt; and the masses, maddened by despair, feeling they have already lost all, seek to obtain by force that which has long been denied them by peaceful means. Bayonets may pin them down and hold them in subjection, but the loyal love of the people is crushed, and their distress is a constant menace to the government under which

Without pausing now to moralize upon the dissoluteness and vice into which the weaker possessors of great wealth are led, and the consequent enfeebling of their manhood and the pollution of the moral tone of society, I suggest this as another of the drawbacks and dangers to the stability and prosperity of the Government.

REPUBLIC'S SAFETY IN DIFFUSION OF WEALTH.

Mr. Speaker, these general truths have a special force when applied to republics, where large standing armies are obnoxious; where caste and classes are especially odious; where the government is built upon and upheld by popular suffrage. As Andrew Jackson well said:

It is not in a splendid government, supported by powerful monopolies and aristocratic establishments, that our people find their happiness or their liberties

Our fathers builded with a wisdom almost, if not altogether, inspired when they erected our substantial, simple, but beautiful fabric, broadbased upon the people's will. If we would preserve that foundation in its original solidity and strength, we must take care that it is not undermined by discontent which grows out of a sense of wrong, nor overloaded by a gilded monarchical architecture grossly out of harmony with the grand design.

DANGERS OF LAND MONOPOLY.

Of all forms of wealth, that which confers the greatest power, and is, therefore, the most dangerous to any government, is the accumulation of vast bodies of land. A dependent tenantry, having no interest or hope of acquiring an interest in the soil, are but little better than vassals, and the owners of the fee are but little less than liege lords.

The ownership of a man's domicile, of the roof which covers his wife and children, is a power which fetters his freedom. What will a poor man not surrender to preserve a shelter for his family? The political power of a large landlord has been too often and too strikingly exhibited in England to need any argument to prove its danger in a republic. To be a freeholder carries with it a degree of freedom and independence. The man who can sit under his own vine and fig tree, who can set up his lares and penates in the sanctuary of his own home, feels dignified by the very fact, and is bound by gratitude and love to the government in which he feels he has a share and which secures and protects him in his domestic joys. No emotion of patriotism is so potent, no oath of allegiance so binding, as the consciousness that one has a material interest in the country, that its stability and prosperity will bless his house-hold, and that he will have a share in all its glory and in all its power.

THE RIGHT OF GOVERNMENT OVER LAND-OWNING.

In view of these indisputable facts it seems to me, Mr. Speaker, that the policy and duty of our Government are plain. We should promote as far as possible the diffusion of wealth, not by any communistic leveling nor by any forced equalization of the results of individual enterprise and effort, but by encouraging and aiding the willing, by curbing the political power of wealth in so far as government may properly do so, and by prohibiting the acquisition by any one of immense areas of land and by increasing the number of freeholders throughout the coun-

while government may not prevent or control the amassing by individuals of millions of dollars in personal property, it certainly may, and as certainly should, prevent all monopolies in land and all vast holdings which retard the growth and productivness of the country, and serve only to build up a power inimical to the spirit of our insti-tutions. I do not know, sir, that the power of the Government in this respect will be denied. The principle strikes me as indisputable; but to fortify principle with authority I refer to Vattel's Law of Nations, book 1, chapter 7, section 78, where the argument and the logical result are so clearly set forth:

The sovereign ought to neglect no means of rendering the land under his jurisdiction as well cultivated as possible. He ought not to allow either communities or private persons to acquire large tracts of land to leave them uncultivated. Those rights of common which deprive the proprietor of the free liberty of disposing of his land, which will not allow him to inclose and cultivate it in the most advantageous manner, those rights, I say, are infinical to the welfare of the state and ought to be pressed or reduced to just bounds. Notwithstanding the introduction of private property among the citizens the nation has still a right to take the most effectual measures to cause the aggregate soil of the country to produce the greatest and most advantageous revenue possible.

THE POLICY OF OUR FATHERS ON LAND DISTRIBUTION.

And the fathers of the Republic well understood the wisdom of that policy. It is true that immediately after the close of the Revolution the financial stress of the young Republic caused it to place in the market large blocks of land and to induce capitalists to invest. But in the plan for the disposition of the public lands prepared and submitted to Congress by Alexander Hamilton in 1790 he made provismitted to Congress by Alexander Hamilton in 1790 he made provision for actual settlers only secondary to the discharge of the moneyed obligations of the country. And on March 3, 1801, Congress enacted the first "pre-emption" law. The fundamental idea of pre-emption privilege is to encourage actual settlers to go upon the public domain to build up houses and cultivate the soil. Thus early our national legislators discriminated in favor of the producers, the actual settlers, and against investors and speculators. The limitation of the quantity of land which each person might hold in this way was in the line of judicious action pointed out by Vattel. In furtherance of this same thought subsequent acts were passed; and in 1834 the tracts were subdivided into forty-acre lots, which, at the low price exacted, stimulated the energies and encouraged the hopes of the humblest, and at the same time added to the productive wealth of the nation. same time added to the productive wealth of the nation.

But our Government went vastly beyond this in the same direction in 1862 when it enacted the homestead law. This inaugurated a new system, patriotic in its purposes, generous in its bounty, prolific in its results. Under its provisions the rich, broad acres smile a cordial welcome to the husbandman and strip their bosom of the wild flowers, that the healed wounds of the plowshare may soon be hid by a golden and gorgeous harvest. And while the desert is being made to blossom, waste places are becoming the happy homes of sturdy defenders of our country? flow

country's flag.

It is true that unwise and profligate legislation of recent years has despoiled the people of much of their richest patrimony. But it is in

the power of faithful guardians to redress much of this great wrong and to arrest further encroachments of corporations and monopolists, and to preserve the residue of our domain for cultivation by our own citizens, who bear their full share of the nation's burdens and responsibilities.

THE DANGER FROM ALIEN LAND-OWNERS-OUR DUTY.

Mr. Speaker, I affirm that it is unwise, unjust, and unpatriotic to permit aliens, who owe no allegiance to our Republic, who have no interest in its prosperity, to seize upon the inheritance of its sons and to enrich foreign and possibly hostile governments with the wealth which should bless our own people and strengthen the power of our own nation.

LEGAL RIGHT TO PROHIBIT ABSORPTION OF THE PUBLIC DOMAIN BY ALIENS,

This country was dedicated as an asylum for the oppressed of all lands, and so it must remain forever. All who make this their home lands, and so it must remain forever. All who make this their home by voluntary adoption will be ever welcome. Those who assume the duties of citizenship shall always freely enjoy its rights and privileges. None other have any claim but that of ordinary hospitality. And it is wrong and unnatural to take the children's portion and give it unto strangers. The nation's duty in this regard was prescribed in the code of laws inspired direct from Heaven; and it is recognized in the common law of England, from which we derive our jurisprudence. In the first volume of Blackstone, 371–372, it is said:

If an alien could acquire a permanent property in lands he must owe an allegiance equally permanent with that property * * * which would probably be inconsistent with that which he owes to his own native liege lord; besides that, thereby the nation might be subject to foreign influence and feel many other inconveniences. Wherefore by the civil law such contracts were made absolutely void.

The reasons why an alien may not become an owner of the soil are strongly put in Calvin's case (7 Rep., 27):

1. The secrets of the realm might be thereby discovered. 2. The revenues of the realm (the sinews of war) would be taken and enjoyed by strangers. 3. It tends to the destruction of the realm by admitting strangers to fortify in the heart of the kingdom." (Note in 2 Blackstone, 249.) 2. The revenues of by strangers, 3. It

And it is further held that-

Alienation of lands to an alien is cause of forfeiture * * * because of his incapacity to hold them. (2 Blackstone, 274-293.)

Vattel (Book 2, chap. 8, sec. 114, p. 677) states this as a recognized principle of the law of nations:

principle of the law of nations:

Every state has the liberty of granting or refusing to foreigners the power of possessing lands or other immovable property within her territory. * * * If the sovereign does not permit aliens to possess immovable property nobody has a right to complain of such prohibition; for he may have very good reasons for acting in this manner, and as foreigners can not claim any right in his territory, they ought not to take it amiss that he makes use of his power and of his right in the manner which he thinks most for the advantage of the state. And as the sovereign may refuse to foreigners the privilege of possessing immovable property, he is doubtless at liberty to forbear granting it except with certain conditions anyexed.

A more modern writer, while admitting the right of a government to exclude foreigners from even temporary residence in its territory, doubts the wisdom of exercising that power under ordinary circumstances. But he adds that-

This right obviously includes the right of enacting that no foreigner shall become the proprietor of any part of that territory. The ownership of a foreign landholder may, upon the same principle, be subjected by the law of the occupant state to any special restrictions or burdens which may be thought expedient. (Phillips on Jurisprudence, sections 385-416.)

In this country the same general power of the Government is recognized, but its application has been liberalized by the spirit of our institutions and of our age.

In 2 Kent's Commentaries, page 62, it is said:

An alien may purchase and hold, but is in danger of being divested of the fee and having his land forfeited to the State upon inquest of office found. And if the alien sell land, the prerogative right of forfeiture is not barred by the alienation.

(See also Bouv. Law Dic., vol. 1, title "Alien," and numerous cases there cited.)

MODERN LEGISLATION MORE LIBERAL-THE RESULTS.

In the early days of our Republic a fear of foreign influence prompted the enforcement of the disabilities of aliens; and in almost every State the common-law doctrine prevailed that aliens could not hold real estate. But as we have become more self-reliant, and perhaps more impatient to dispose of our public lands and replenish the Treasury, the former policy has been relaxed. And I believe there are now but four States in which aliens are incompetent to own real property. States are Alabama, Maryland, North Carolina, and Vermont.

The prohibition is in part removed in Illinois, New York, Rhode Island, Tennessee, and Virginia. In Arkansas, Delaware, Georgia, and South Carolina there is no inhibition after the foreigner has declared

his intention of becoming a citizen.

Residence only is required in California, Kentucky, Mississippi, Missouri, and New Hampshire. Texas requires a declaration of intention as well as actual residence. All disabilities have been removed in Connecticut, Florida, Iowa, Maine, Massachusetts, Michigan, New Jersey, Ohio, Pennsylvania, and Wisconsin.

In 1838 an effort was made to confine the benefits of the pre-emption leave to different the United States. Partit followed the Application.

law to citizens of the United States. But it failed, and the public lands are open to settlement by whoever chooses to occupy them upon filing a mere declaration of intention to become citizens; and even without

such declaration millions of acres may be purchased in some of our States by an alien, and a non-resident at that.

Look at the result. The crowded populations of the Old World, tempted by the allurements of free or cheap homes in America, are swarming to our shores. And it is authoritatively stated that fully third of all foreigners arriving enter upon the public lands. We have densely populated cities, with too many poor and homeless people; periods of depression come upon all manufacturing and mining enterprises, and the surplus of idle men anxious for work is thereby increased. Surely it would be much wiser statesmanship to facilitate and aid in locating this class of our own citizens upon the unoccupied lands and make them self-supporting, while they swell the volume of the nation's wealth, rather than by an improvident bonus bribe to come here a heterogeneous mass of adventurers.

ABSENTEE LANDLORDS UNDESIRABLE.

But, Mr. Speaker, this influx of people who know nothing and care nothing about our form of government, whose immigration is prompted solely by sordid motives, is not the greatest danger we have to fear from our injudicious disposition of the public lands. One of the greatest curses of much-afflicted Ireland is her system of absentee landlordism. Much of her land is owned by men who seldom or never visit their possessions; who have no sympathy with the natives; who care nothing for their tenants except to wring from them every possible dollar of rental, which they spend in luxury abroad. Learning nothing from the history of that unhappy island, we are permitting the same system to be fastened upon many of our communities.

The glittering accounts of our prolific soil and the immense area of our pasture lands soon caught the eye of European capitalists. And our railroad companies, with a thrifty purpose of their own, stimulated the interest already aroused by free excursions in well-stocked palace cars, by which noblemen and other men of wealth saw the bounteousness of our prairies through the sparkle of champagne and the delicate smoke of pure Havanas; and the enormous returns which foreign investors received from their American cattle ranches still further inflamed the cupidity of their countrymen, and many others sought these rich fields of

ALARMING EXTENT OF ALIEN HOLDINGS.

A year ago the London Economist felt called upon to try to check the spreading movement. It published a list of ten companies whose stock commanded a premium to five which were slightly below par. The journal referred to said:

Within a few months of their establishment a number of these companies had paid remarkably high dividends, and as this course had been pursued in the face of imperfect data and by writing up the value of their cattle—the market value of which had undoubtedly-been rising rapidly—we took occasion to point out that those concerns had been over-hasty in dividing such profits, and that the mania for such undertakings which was then in progress in Dundee and Edinburgh, and which threatened to spread to London, was unwise.

But with dividends running up to almost 30 per cent. foreign capital eagerly seized upon the opportunity which our inconsiderateness presented, and already more than 20,000,000 acres have been absorbed by aliens. Allowing eighty acres to each household, we have thus permitted homesteads of 250,000 families, or a population of a million souls, to be wrested from us. We have recklessly permitted the birthright of our own people to be despoiled.

I have here an imperfect list of the holdings of aliens which ought to startle our legislators to a realizing sense of the public danger and of their manifest duty:

LANDS ACQUIRED BY ALIENS.

	Acres.
English syndicate No. 1 (in Texas)	4,500,000
English syndicate No. 3 (in Texas)	3,000,000
Sir Edward Reid, K. C. B. (in Florida)	2,000,000
English syndicate, headed by S. Philpotts	1,800,000
C. R., and Land Company, of London, Marquis of Tweedale	1,750,000
Phillips, Marshall & Co., of London	1,300,000
German syndicate	
Anglo-American syndicate, headed by Mr. Rodgers, London	750,000
An English company (in Mississippi)	700,000
Duke of Sutherland	428,000
British Land and Mortgage Company	320,000
Captain Whalley, M. P. for Peterborough, England	310,000
Missouri Land Company, Edinburgh, Scotland	300,000
Hon Dakort Transact of London	
Hon. Robert Tennant, of London	230,000
Scoten Land Company, Dundee, Scotland	247,666
Lord Dunmore	100,000
Benjamin Newgas, Liverpool, England	100,000
Lord Houghton	60,000
Lord Dunraven (in Colorado)	60,000
Euglish Land Company (in Florida)	50,000
English Land Company, represented by B. Newgas	50,000
An English capitalist (in Arkansas)	50,000
Albert Peel, M. P., Leicestershire, England	10,000
Sir John Lester Kaye, Yorkshire, England	5,000
George Grant, of London (in Kansas)	100,000
An English syndicate (represented by Close Brothers) in Wisconsin	110,000
A Scotch company (in California)	140,000
M. Ellerhauser, of Nova Scotia (in West Virginia)	600,000
A Scotch syndicate (in Florida)	500,000
A. Boysen, Danish consul at Milwaukee (in Minnesota)	50,000
Missouri Land and L. S. Co., of Edinburgh, Scotland	165,000
English snydicate (in Florida)	59,000
angues and areas (in a rot road) in the contract of the contra	00,000
Total acres	20, 941, 666

I append also a table of some of the stocks listed in London; but I

have no means of ascertaining whether these are in addition to or are embraced in the schedule of lands just given:

embraceu in the Schedule of lands just given:

Arkansas Valley Land and Cattle, limited; Cattle Ranch and Land, limited, preference; Colorado Ranch, limited; Dakota Stock and Grazing, limited; Hansford Land and Cattle, limited; Maxwell Cattle, 8 per cent. mortgage; Matador Land and Cattle, limited; Missouri Land and Live Stock, limited; Powder River Cattle, limited, ordinary; Powder River Cattle, limited, preference; Prairie Cattle, limited, first issue; Prairie Cattle, limited, second issue; Prairie Cattle, limited, third issue; Swan Land and Cattle, limited; Texas Land and Cattle, limited; United States Cattle Ranch, limited; Western Land and Cattle, limited; Western Land and Cattle, limited.

Remembering the millions more williage.

Remembering the millions upon millions of acres given away to enrich corporations, and these other millions which non-resident aliens have been allowed to acquire, we will be unjust to the present generation, unfaithful to those yet unborn, and untrue to the best interests of our country if we hesitate to stop this wasteful policy.

SQUATTER ROBBERS-THE GOVERNMENT'S DUTY.

But, Mr. Speaker, objectionable and alarming as is the exhibit I have already presented, there are still more shameful facts to be confronted. Not content with that which could legally be acquired under our lax legislation, there has been bold and defiant robbery of millions of acres of our public lands, without the payment of a single dollar to the Government, without the faintest shadow of title, without the slightest pretext of right. Foreigners have impudently seized upon, appropriated, inclosed, and are using vast areas of our land. The Commissioner of the General Land Office, in his report for 1883, says that, with limited means for investigation, "there were 1,237 cases of fraudulent entry reported." He also says:

The practice of inclosing public lands by private persons and companies for exclusive use as stock ranges is extensively continued in States and Territories west of the Mississippi River. These ranges sometimes cover several hundred thousand acres.

In his last report the Commissioner says:

Three thousand five hundred and thirty-one alleged fraudulent entries have een examined, and about 5,000 are awaiting investigation.

He further states that-

Thirty-two cases of illegal fencing of public lands have been examined and reported. The area inclosed in these cases aggregates 4,431,980 acres. * * * The extent to which public lands are so fenced may be inferred from the large amount found inclosed in the small number of cases examined.

It is not claimed that all of these depredators are foreigners, but many of them are, and all of them deserve the condemnation of an outraged people and such penalties as highwaymen suffer. The crime is aggravated, in that it is a double robbery of the nation and of her homeless citizens. No other nation upon earth would tolerate such a wrong to her citizens, such a wholesale larceny of her resources, such an insult to her dignity. A mere trespasser upon royal domains, a sportsman or a poacher who might kill a deer or rabbit upon royal preserves, would feel the swift vengeance of violated law. But the majesty of our Government is mocked, while her forests are being cut down and carried away, her pasture lands are appropriated, and her game is being murdered to give nobility a summer holiday!

In view of these facts we may well inquire—

Why prosecute the man or woman Who steals the goose from off the common, But leave the greater felon loose Who steals the common from the goose?

We talk about enforcing the Monroe doctrine to prevent undue foreign influence, and yet we tamely look on while foreign capital and foreign power are fortifying themselves in our very midst and are in-solently defying our nation's authority over her own domain. Surely it is time to call a halt. If we may not recover the lands legally held by aliens, we can and must sweep away the unlawful "squatters," and declare to all the world that our public lands shall henceforth be reserved for homesteads for our own citizens or as a bounty to the brave defenders of our flag.

BENEFICIAL EFFECTS OF SMALL HOLDINGS.

Mr. Speaker, I have already alluded to the right of the Government to secure the largest possible products from her aggregate soil. And I think there can be no question that the greatest results can be secured by the most general distribution of the ownership of land. Can there be any question of the comparative revenue from 80,000 acres owned by one man and that which would be derived from the same area divided among a thousand, each having the pride of ownership and stimulated by the knowledge that every improvement made, that every dollar's increase in value of product, will bring additional comforts to his own household?

In an elaborate review of "The present aspect of the land question," by William Fowler, M. P. (Cobden Club Essays, second series, page 165), the writer is constrained to say:

After perusing the reports of Her Majesty's representatives as to the tenure of land in Europe, I think any dispassionate person must admit that the ownership of small properties by a great number of peasants tends to the diffusion of happiness and comfort among the rural population to an extent to which we are too little accustomed.

And again (page 154), speaking of the tenant farmers, he says:

However abundant is the harvest gathered, they only gain indirectly, and they would be more than human if they labored for others as they would labor for themselves.

M. De Laveleye states the true philosophy of the distribution of land in these words:

The distribution of a number of small properties among the peasantry forms a kind of rampartand safeguard for the holders of large estates, and peasant property may, without exaggeration, be called the lightning conductor, that averts from society dangers which might otherwise lead to violent catastrophes.

DISTRIBUTION OF LAND IN EUROPE

In France it was estimated before the loss of Alsace and Lorraine that 5,000,000 proprietors owned on the average seven and one-half acres each; that 500,000 proprietors of a higher class owned on the average seventy-five acres each, and that 50,000 great proprietors owned on the average seven hundred and fifty acres each. In 1858, in the Rhine provinces and Westphalia, the average holding

of each proprietor was but ten acres. In the rest of Prussia there were 1,300,000 proprietors, of whom one hundred and eight only had estates large enough to be rated over \$7,500, and only about 16,000 had estates of more than four hundred acres, while about 350,000 had estates varying from twenty to four hundred acres, and the rest, some 925,000,

owned less than twenty acres each.

Hon. George C. Brodrick, in a treatise upon "English lands and English landlords" (page 453-454), after reviewing the policy of differ-

ent European governments, says:

Foreign experience teaches us that the instincts of proprietorship are cherished with the utmost intensity by peasant owners, who show mutual respect for the rights of property far beyond that which prevails in England.

This statement is entitled to all the greater weight in view of the proverbial pride which Englishmen feel in the laws, customs, and condition of their country.

In Mr. Brodrick's work I find the following authentic and instruct-

ive table:

Summary table of England and Wales.

Class.	Number of owners.	Extent in acres.
Peers and peeresses. Great land-owners. 'Squires. Great yeomen. Lesser yeomen. Small proprietors. Cottagers. Public bodies:	1, 288 2, 529 9, 585 24, 412	5, 728, 979 8, 497, 699 4, 319, 271 4, 782, 627 4, 144, 272 3, 931, 806 151, 148
The Crown, barracks, convict prisons, light-houses, &c. Religious, educational, philanthropic, &c Commercial and miscellaneous. Waste.	14, 459	165, 427 947, 655 330, 466 1, 524, 624
Total	973,011	34, 523, 974

The details of this table show the extent to which a landed aristo the territory of a country. It appears that twenty-eight dukes own 3,991,811 acres, that thirty-three marquises own 1,567,227 acres, that one hundred and ninety-four earls own 5,862,118 acres, and that two hundred and seventy viscounts own 3,780,009 acres, and that nearly one-half of the inclosed land in England and Wales be-

longs to a body numbering but 1½ per cent. of all the land-owners.

It further appears that in Scotland, where the total area is 18,946,694 acres, one man owns 1,326,000 acres, another has 431,000 acres, another 427,000 acres, another 306,000 acres, and twelve owners have 4,339,722 acres, about one-fourth of all Scotland. Twenty owners hold more than 120,000 acres each.

In Ireland, where the total area is 20,159,677 acres, one person owns 170,119 acres; twelve persons own 1,297,888 acres; two hundred and ninety-two persons own 6,458,100 acres—nearly one-third of the entire island; one thousand nine hundred and forty-two persons own two-thirds of the whole island.—Financial Reform Almanac for 1885, page

With this exhibit before us can we wonder that there should be a feeling of great unrest among the landless and hopeless tillers of the soil? Can we wonder that the land question is the all-absorbing one in Great Britain? And the question which presses upon our consideration is whether we will learn a lesson from the experience of other nations, and avert, while we can, the evils and the dangers from which others suffer, or will calmly fold our arms and drift on to inevitable disaster.

OUR DANGER AND OUR DUTY.

Although we have successfully and even gloriously rounded the first century of our nation's existence, we must not forget that a hundred years in the life of a government is but as a day when it is past. And we must remember that there are forces more to be dreaded than the tread of hostile legions through the streets of our cities. We may encompass our frontiers with fortifications, our seacoast may bristle with cannon, ironclads may fill our harbors, but it will be all in vain if we permit the sappers and miners within to work on undisturbed. If we would preserve the Republic we must be true to the principles, the precepts, and the practices of its founders.

If we would perpetuate this Government, we must preserve its original simplicity and purity. We must discourage the building up of an aristocracy; especially must we prevent the growth of land monopolies.

We must protect our national domain from the rapacity of foreign capital, and from the influence and power which are thereby secured. We must maintain our broad acres for homes for the free and faithful citizens, and not permit them to be seized upon or despoiled by absentee aliens, giant corporations, or grasping speculators. When our great prairies shall be dotted over with the happy homes of our own people, When our great we shall have secured contentment, prosperity, and peace at home, and respect and safety from abroad; and we can then realize the prophetic benediction of the psalmist:

The pastures are clothed with flocks; the valleys also are covered over with corn; they shout for joy, they also sing.

Aid to Common Schools.

SPEECH

HON. J. W. THROCKMORTON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885.

On the bill (S. 398) to aid in the establishment and temporary support of common schools.

Mr. THROCKMORTON said:

Mr. Speaker: I am not prepared to support the pending measure, whether represented in the Senate or House bills. I concede, as fully as any gentleman on the floor, the importance and necessity of popular education to the perpetuity of republican government.

A people who possess the prerogative of self-government must acquire, by some means, the intelligence which will render the wise and healthy exercise of their sovereignty practicable. To realize that equality of rights which is the essential element in the American idea of republicanism, and to secure to the great masses the material conditions under which the race of life may be evenly run, I am prepared to go further, and advocate not only a universal elementary education that would make the citizens intelligent voters, but that technical instruction that would make them producers, and create a tax-paying, comfortable, and contented community.

I admit the historical fact that the founders of the Government, the

I admit the historical fact that the founders of the Government, the fathers of the Constitution, have not only recognized the importance and necessity of popular instruction, but the obligation of the political communities of the Republic, State and Federal, in their sphere, and for the purpose contemplated in the laws defining these functions to foster and maintain institutions of learning.

Making these general concessions of the needs of the people and the powers and obligations of the General Government, I can not admit that the present measure finds a warrant in the Constitution. Congress has set apart at different times large hodies of the public lands for school

has set apart at different times large bodies of the public lands for school nas set apart at different times large bodies of the public lands for school purposes in the several States, and has appropriated the proceeds of the sales of the public lands for the same purpose. This action was legitimate, because it was the simple conversion by the Federal Government, the trustee of the people in the custody and administration of a common property, of lands held for their benefit and then devoted to their uses. This action, however, did not involve the question of taxation of one This action, however, did not involve the question of taxation of one community for the support of the necessitous classes in another. Congress has also appropriated money for the establishment and maintenance of military and naval schools, military and marine hospitals, soldier's homes and asylums. This was legitimate, because it looked to meeting the wants created under legislation of Congress by agencies established by Congress and for the common purposes of defense from foreign and internal foes. In this the General Government was covered by an authorization embraced either in the declaration or just implications of the organic law. There are many acts of beneficence that may be constitutionally enacted by the Federal Government, and there are many that would bring relief to suffering and distress which are not warranted by the law which the Federal Government is under no obligation to do, and which the States should do and can do without vio-lation of law and with greater and more permanently beneficent re-

I am prepared to recognize in all its significance the lesson taught by the statistical exhibits of ignorance presented by the advocates of this measure. This data makes an appeal that no thoughtful, patriotic man can ignore. It demands early and adequate action. There is a duty in this connection which, for its discharge, will demand positive effort by the authorities and concerted action by the citizens.

But I can not admit that the dangers to our institutions from this source are as imminent as the friends of this measure represent it to be; nor can I admit that it is of such a character and such volume as to be beyond the control of the local political communities in which it exists. In my own State, at least, we do not need the kindly interference which this contemplated measure proposes to extend.

The impression from the statistical exhibits is made that not only is the volume of ignorance, especially in the South, enormous and difficult to be handled, but that it is growing rapidly, is a result of permanent causes that inhere in society that are normal and not exceptional, and that it will never be as easily handled as now. I except to the correctness of the conclusion, whether it be found as a declaration or an implication.

The causes contributing this great volume of uneducated people to the voting classes of the South were abnormal and extraordinary—the sudden emancipation and franchisement of millions of uneducated ne-

groes as an incident of the civil war.

groes as an incident of the civil war.

The continuance of this state of things, without prompt correction, was referable to the poverty and destruction of values in that section, incident to the same cause. This section, though not as prosperous nor as rich as other more favored communities, is nevertheless steadily regaining her prosperity, and becoming financially more able to deal with this and other questions that draft upon the revenues of the state.

There will never be a period in which so much ignorance, at so insuspicious a time can be suddenly and may restably introduced into

auspicious a time, can be suddenly and unexpectedly introduced into

the political life of the country.

The darkest period, in this matter of popular ignorance, has been reached, and later statistics will show that improvement has commenced, and that the light from institutions of learning is everywhere, slowly it may be but steadily nevertheless, driving back the darkness

and dispelling the gloom.

Mr. Speaker, apart from the constitutional difficulty that I have stated there are substantive objections that forbid my support of this measure. In my judgment it threatens the integrity of our republican institutions. The highest prerogative of political sovereignty is the right of the community possessing it to determine its own political relations at pleasure and upon its own judgment. At one period of our history this conception of sovereignty was the centralidea in a powerful political school, which taught the doctrine that the Union was framed by sovereign communities, and that this prerogative of sovereignty still inhered in them, and could, when in their judgment necessary, be exercised. This theory of our governmental system has been abandoned. The popular judgment now concedes that the Union is indissoluble under the law, and if formed by sovereign States, this prerogative was exhausted and surrendered by the States when they ratified the organic

The people, through the forms of law, have fixed and determined the relations, jurisdictions, and powers of the National and State Governments; and the same Constitution that recognizes the paramount authority of the General Government within the sphere outlined in that instrument, also recognizes the status and prerogative of the community of States in the limits in which their authority is exercised. I believe that the preservation of these separate but harmonious jurisdictions is to be desired, not simply for economic purposes and for convenience in administering government over an extended area and a dense population, but those higher considerations—the protection of life and property, the preservation of order, the promotion of the prosperity and public content that underlie good government, and the preservation of the liberties of the people—all combine to demand that the integrity of our republican system as it substantially came from the hands of the fathers should be preserved.

This measure is not advocated on the ground that it is a charity to the States whose people would more immediately secure the benefits thereof. It does not proffer alms, but it proceeds upon the supposition that the National Government is performing a duty and is exercising the right that is implied in the existence of such an obligation. I do not admit that any such obligation on the part of the General Government or that any prerogative which is to be exercised to meet this obligation inheres in that Government. Texas has no moral or legal claim on the tax-paying people of Massachusetts by which the national authority could transfer the educational burdens of the first State upon the people

of the latter.

This is not an obstructive nor technical vice, but a material and substantive defect in the contemplated legislation; and if such measures be initiated under the plea of exceptional need in certain States it will shock and damage our political system, and the derangement will be all the more dangerous because insidious, and not such as to arrest the

attention of the superficial observer.

A further objection is that this movement tends to create out of the national authorities a great parental government, in which the people will become minors and seek the supervision of the national guardian-ship not only in their relations as citizens of the United States, but in their local domestic concerns, and a spirit of dependence will be bred foreign to the manliness that constitutes the strong element that marks the character of a free people. This parental relation is becoming in monarchical institutions, but is antagonistic to republican ideas. It suits a subject, but does not become a citizen. The government belongs to the people, it is their servant and creature, and not their master. The people demand honesty in the administration of affairs and justice in the execution of the laws, but they do not want charities and will secure no favors from their public servants.

There is another view worthy of consideration. In the economy of

nature there is no great success that does not demand as its necessary constituents the efforts and contributions of the parties who propose to enjoy this success. Superimposed greatness is of little worth, and that is to be sought and prized which is mainly achieved by the man who wears the laurel. We do oft, as Schiller suggests, "seek the help in others that is in ourselves," but greatness and comforts by individuals and communities can never be achieved in this way. Sacrifice, inconvenience, self-denial, painful exertion are not pleasant things, and human nature, except where necessity compels, does not voluntarily impose these burdens upon itself.

The relief sought in these measures is to be found among the records.

The relief sought in these measures is to be found among the people who live in the presence of these great educational needs; who witness and feel the evils of ignorance, its incompetency, its helplessness, its

vices, and its woe

Not accumulation but development is needed. Not aid from without, but the latent, sleeping energies from within must be awakened and organized before a permanent, healthy cure of popular ignorance can be effected. It will never be safe, sir, nor wise to do by proxy and substitute the important things of life that we are competent to do ourselves. The tenderest mother never developed her lusty boy into the strong man by bearing him in her arms through his youth lest he should strong man by bearing him in her arms through his youth lest he should stumble and fall and bruise his limbs. The blunders and falls of the child are the necessary conditions of the steady step and graceful movements of the youth and man.

If this measure becomes a law it may give temporary relief in some instances; it may put more children in the schools for a few years, and give a feverish, spasmodic energy to the cause of education, but it will

breed an enervation that springs from the inactivity that outside help frequently produces, that will inconvenience the independence of the communities accepting it, destroy the self-reliance of the people, and in the end, I fear, put out of the schools more children than it puts in so soon as the helping hand of the General Government is withdrawn.

Finally, Mr. Speaker, this in my judgment will be a most dangerous The advocates of the measure allege the conditions that make this legislation necessary are exceptional, and that it is intended to be provisional in its character—limited in its operations by its own provisions, and that it is to recur in law subsequently only in the gravest emergencies.

Not questioning the sincerity of the declaration of gentlemen in this connection, I look with apprehension upon this, as I believe, innovation upon our traditions and institutions.

Think of an ignorance generally bred of indolence, and inspiring in-

Think of an ignorance generally bred of indolence, and inspiring indolence in those who suffer from it, so great that fifty, seventy, or a hundred million of dollars are taken from the common fund contributed by the tax-payers of the whole country, and diverted to educational purposes in certain States through a period of ten years!

With such wild legislation, increasing the national appropriations by millions annually for the next ten years, when are the burdens of taxation, already so oppressive, to be lifted from the backs of the people? I ask you, sir, and I ask the members of this body, with increasing appropriations, already aggregating more than a million of dollars, for the education of a few thousand Indian youths, to supply the inordinate and growing demands of politicians for pensions, the pressing persistence for untold millions to clean out and improve unimprovable creeks, bayous, inlets, and insignificant water courses—how long will it be that you will have a surplus in your Treasury, and how long before your public debt will be discharged?

With this kind of legislation, instead of abolishing your internal taxes and placing articles of necessity on the free-list and reducing others

With this kind of legislation, instead of abolishing your internal taxes and placing articles of necessity on the free-list and reducing others now far too heavy to be borne with patience, you will have to devise new methods of taxation and new articles upon which to impose them. Let this gigantic measure of a parental government become a law for ten years, my word for it, it will become a fixture never to be eradicated unless some great calamity befalls us and reduces our people to great financial distress. With it will grow up new offices, new political machinery will be constructed, new dependencies be created and new habits formed, new and additional taxes levied, and insensibly and necessarily a conflict will originate between the Federal and State jurisdictions, with all the probabilities that the national, the stronger of the authorities. will prevail, and by sufferance for a while exercise local dictions, with all the probabilities that the national, the stronger of the authorities, will prevail, and by sufferance for a while exercise local functions and end by absorbing permanently the powers that sacredly belong to the States. You will witness first these complications, and finally a consolidated centralism that will destroy the simplicity and integrity of our system; the creation by new and increased processes of taxation of revenue surpluses that will breed corruption, and supply the occasion for disturbing and irritating intermeddling by the Federal authorities with the domestic administrations of the States.

I yield to no gentleman in my deep conviction on the subject of non-

I yield to no gentleman in my deep conviction on the subject of popular education, but I differ radically from them in my ideas of the best methods of accomplishing success. Except for the general and common purpose indicated in the Constitution for the National Government, remit the question of popular education to the several States, and keep it there sacredly. Let the local communities study and painfully appreciate their educational wants, and then, by taxation or other adequate means conjoined with the individual help of the citizen in his private capacity and aided by philanthropic men outside of the

Commonwealths, address themselves to the solution of the question. Relief will not be long delayed, and when it comes it will be permanent, because healthy. No impairment of the simplicity and harmony of our splendid governmental system will be made in order to accomplish this result, and there is no State that can not meanwhile, until such accomplishment, "bear the ills" that it has not heretofore been able to cure

It is urged that this is an opportune time, when there is such a large surplus in the Treasury, to divert these large sums of public moneys to

private use

The existence of such a surplus in a time of peace, in the presence of great commercial distress from heavy taxation and industrial revulsions, is an outrage upon the people, and constitutes a severe reflection upon the wisdom of the party under whose administration and policy such a state of things became possible. Persistent ill-advised legislation has produced this plethoric condition of the Treasury, and presents the question to thoughtful men whether a system of revenue—the so-called protective system—that produces this immense collection of taxes beyond the wants of the Government in order to maintain the integrity of the system, is worth maintenance or deserves the confidence of the American people. This accrument from oppressive revenue laws should be converted to legitimate and needful wants, and not be squanshould be converted to legitimate and needful wants, and not be squandered in projects of doubtful constitutionality, where new drains upon the Treasury will be created necessitating the imposition of increased burdens upon the people to meet them. Increase your Navy; improve your ordnance; make secure the seacoast defenses of your great commercial cities; improve your harbors and great water ways—streams upon which can float the nation's commerce—and not the puny streamlets within the States of no importance whatever; pay the pensioners who have just claims upon the country's gratitude; and if these legitimate demands do not exhaust the surplus so unwisely accumulated, apply the residue to the payment of the public debt, and thus place the Government in position to relieve the people of unjust burdens of taxation, and largely contribute thereby to both stability and progress the material and commercial enterprises of the country.

Rivers and Harbors.

SPEECH

HON. JOSEPH D. TAYLOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 14, 1885.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. JOSEPH D. TAYLOR said:

Mr. CHAIRMAN: I notice in one of the morning papers a statement which I have repeatedly heard during the progress of this session of Congress, that certain bills now on the House Calendar, in which the people of this country take a deep interest, will never be considered, for the reason that certain distinguished Democrats pronounce them unconstitutional.

It will be remembered that when the pleuro-pneumonia bill was be-fore this House at the last session—the only bill in the interest of the fore this House at the last session—the only bill in the interest of the agriculturists of this country that has been considered by the Forty-eighth Congress—the most important feature of the bill was ruthlessly stricken out—indeed, the efficiency of the bill was destroyed—because the Democratic side of this House held it to be unconstitutional. They denied the constitutionality of any law that gave to the General Government the authority to place in quarantine any State, or any part of a State, in which this terrible disease was found to prevail, and hence this important bill to prevent the spread of contagious diseases among cattle, unanimously reported from the Committee on Agriculture, was rendered almost useless, because it was met with this so-called constitutional objection.

At this hour the nation sits in silence and waits with bated breath to know the result of the bills now pending in this House to provide national aid to facilitate the removal of the cloud of ignorance and national aid to facilitate the removal of the cloud of ignorance and illiteracy which now threatens the life of the Republic. The Committee on Education, of which I am a member, gave, during the first session of this Congress, careful consideration to this great measure. Delegations, petitions, and memorials came from every part of this broad land, importuning and pleading for the passage of a bill providing Government aid for the removal of the mass of ignorance which now stands as a threatening menance to a free government and a free people. A bill was reported and placed on the Calendar early in last session. A similar bill passed the Senate during the last session and now lies on the Speaker's table. And yet up to the closing hours of this last session not a single moment has ever been given to the consideration of this great question in which 55,000,000 of people are deeply interested. Why is this? Why is the poor boon of a few hours' consideration denied a measure of such great importance? The answer is, that from a Democratic standpoint there is no warrant in the Constitution for the appropriation of money from the national Treasury for the education

the wards of the Republic.

The ecclesiastical supremacy of the Mormon Church, and the rapid spread of polygamy in Utah and adjoining Territories, is fast becoming a terror to American civilization and a danger to the liberties and purity of our people. The legislation of the last twenty years has signally failed in staying the onward march of this gigantic evil, and polygamy is more strongly intrenched at this hour than ever before. is more strongly intrenched at this hour than ever before. In the judgment of the best people in Utah it will not be long until the Mormon leaders will dictate the elections in all the region between the Rocky Mountains and the Pacific Ocean except California and Oregon, covering that fair land with an oligarchy that defies the pulpit, the press, and the legislation of the nation. The Committee on the Territories, of which I am also a member, by a strict party vote, refused to report favorably a bill, recommended repeatedly by President Arthur, creating a legislative commission for the Territory of Utah to take the place of a legislative commission for the Territory of Utah to take the place of a legislative commission for the Territory of Utan to take the place of the present Territorial government, under which Mormonism is constantly growing in wealth and power. This bill is known to have the support of ex-Presidents Grant and Hayes and of all the leading men in the country who have given this subject careful consideration, and yet it is denied consideration, as is also the Senate bill on the same subject, now on the Speaker's table, for the reason that in the judgment of the leading Democratic minds of this House all such legislation is unconstitutional and in conflict with their notions of State rights.

In view of these facts, and in view of the fact that these doctrines of "State rights" and "strict construction" meet us at every step in legislation when we propose to consider any great measure in which the whole country is interested, I have been waiting from session to session and from day to day, during the consideration of this river and harbor bill, to hear from the distinguished constitutional lawyers on the other side of this House in regard to the constitutionality of this bill. During all these long hours of discussion not one word has been uttered

in regard to its constitutionality.

Why this marvelous silence? The men who are known on this floor and throughout the country as great constitutional lawyers, have seen proper, for some reason, not to discuss this phase of the bill or even to allude to it. I am anxious to know, and I think the country is anxious to know, where in the Constitution will be found that warrant which satisfies the Democratic mind that a bill like, this appropriating twelve or fifteen millions a year to the improvement of rivers and harbors, is or liteen mallons a year to the improvement of rivers and harbors, is constitutional. What paragraph or section in that great charter contains this authority? In other years the leaders of the Democratic party denied the constitutionality of all such measures. It is true the recent Democratic platform made at Chicago did what no other Democratic platform ever did before, recognized the great Mississippi River as a fit subject for national care and nurture, but we have not since then been informed whether that platform changes the meaning of the Constitution of the United States in the opinion of the Democratic party in other respects; and, if so, what part of the Constitution is to be interpreted as changing the immemorial orthodoxy of the time-honored

Democratic party.

The Whig party in its day, and the Republican party since, has always contended for liberal appropriations for rivers and harbors; and to these two political parties we are indebted for the public sentiment that now prevails in this country in favor of increasing the facilities of commerce. Against this view the Democratic party has stood like a wall of fire for more than half a century, insisting that every such measure and every such appropriation was unconstitutional, just as they insisted at the last session that all of our protective tariffs are unconsti-

tional.

For myself I would gladly aid in building up our commerce at home and abroad, on land and on sea, and I would welcome all legitimate methods of cheapening transportation as being directly in the interest of the producer and consumer the world over; but I am opposed to this bill, and will be compelled to vote against it unless it can be so amended as to eliminate from it many of its objectionable features. I voted against the river and harbor bill passed at the last session, not because I was opposed to river and harbor bills, nor because there were not in it many worthy objects of national bounty, but because there were in it, in my judgment, many appropriations not demanded by the necessities of comperce and these was emitted from it was a superior of the second of the sities of commerce, and there were omitted from it many objects more worthy of aid than those sought to be benefited. I did all I could to have that bill amended, as I have been endeavoring to have this bill

amended, so that it would be worthy of support.

Before proceeding further, Mr. Chairman, I want to enter my protest against the accusation repeatedly made by the friends of this bill that those who oppose it are acting in the interest of railroads. I am under no obligations to any railroad company, and no railroad company is under any obligations to me. I have not traveled a single mile on a railroad pass since I have been a member of Congress, nor received from

any railroad company, for myself or any of my friends, directly or indirectly, any favor or advantage of any kind whatever; consequently my opposition to this measure can not be attributed to this consideration. Besides, I voted for the Reagan bill, a bill that was top-heavy with anti-monopoly, not because I thought it such a measure as the country needed, but because I believed in the right of the General Government to control interstate commerce, and because I believed in the necessity of some legislation to check the rapacity and injustice of railroad domination. I relied on the Senate to so modify it by suitable amendment as to make it such a law as the country needs. And I am therefore unwilling that my opposition to this bill shall be attrib-

uted to any such motive.

The Forty-seventh Congress at its first session appropriated for rivers and harbors a little over \$18,000,000, and the magnitude of the appropriation created a political ground-swell that drove from public life many of the most eminent men of the country. It was passed over the President's veto, and became a powerful factor in the campaign of that year. The second session passed no river and harbor bill, but quietly turned the rivers and harbors of the country over to the prudent care of the Democratic party, then assuming jurisdiction of appropriations. The first session of this Congress passed a river and harbor bill appropriating, when amended by the Senate, about \$15,000,000. The present bill if a mended to the care extent will senate it. ent bill, if amended to the same extent, will appropriate \$15,000,000 more, aggregating in two years the enormous sum of \$30,000,000, the largest sum ever appropriated by one Congress for this purpose, making the expenditure for rivers and harbors of the Forty-eighth Congress larger by nearly \$12,000,000 than the expenditure of the Forty-seventh Congress for the same purpose, and the largest appropriation ever made for this purpose by any Congress. How is this for Democratic economy? How is this for strict construction of the Constitution? And yet this is in keeping with Democratic professions and practices in other directions. If the Republican party were to propose to expend \$30,000,000 for rivers and harbors during a single Congress the Democratic press would stir the country from one end to the other, but now it seems to be all right and strictly constitutional, so far as we can infer from continued silence.

I would like to understand the circumstances under which it is proosed to pass this bill. It has been charged on this floor, and the figures have been given, that the South is getting twice as much of this money as the North, taking into account not only the population but the com-merce and income taxes of these sections. It was stated when the river and harbor bill was under consideration at the last session that the State of Kentucky, the home of the chairman of the Committee on Rivers and Harbors, received \$568,000, while the records show that in the judgment of other Congresses Kentucky had only received in the aggregate \$457,000 since the State has been in existence. The complaint is also made that this bill gives to Alabama \$545,000, while it gives to Pennsylvania only \$70,000, a State that pays into the United States Treasury seventeen times as much as Alabama, and is needing improvements of this kind much more than Alabama.

But I do not propose to discuss these questions.

But I do not propose to discuss these questions. I want to call the attention of this committee to some other things which I regard of more importance. It does not seem to be understood that a river and harbor bill, as prepared in this Congress, is more for the political aggrandizement of the members of Congress in whose districts these apgrandizement of the members of Congress in whose districts these appropriations are expended than for the good of commerce. Do not deceive yourselves with the idea that these appropriations have ever been recommended by any authority having any knowledge whatever of their merits. In the Book of Estimates you will find the names of three hundred and sixty rivers and harbors, and opposite each you will see the sum that the Chief of Engineers says can be "profitably expended" in the next fiscal year, aggregating the sum of \$34,000,000. We have been informed by the committee that they aimed to appropriate 25 per cent. of the estimates on the rivers and harbors they selected from this list and incorporated into this bill. The fact that these rivers and harlist and incorporated into this bill. The fact that these rivers and har-bors are found in the annual reports of the engineers, and in the Book of Estimates furnished by the War Department to each session of Congress, has given out the impression that these appropriations have the sanction and recommendation of the Secretary of War, based on the estimates and recommendations of the United States engineers. I do not want any member of this House to vote for this bill under this impression, an impression which seems to be a fair inference from many of the remarks and explanations made on this floor.

That there may be no doubt in regard to this matter, I will send to the Clerk's desk and have read a letter from the Secretary of War on

this point, received within the past few days:

WAR DEPARTMENT, Washington City, February 2, 1885. WAR DEPARTMENT, Washington City, February 2, 1885.

SIR: In reply to your letter of to-day, I have to advise you that my official estimate for the construction, completion, repair, preservation, and survey of harbors and rivers, to be expended upon such works as may be directed by Congress, amounts to \$8,000,000, as will be seen by reference to page 164 of the Book of Estimates. This estimate, as do all other estimates submitted by the Secretary of War, implies a recommendation for an appropriation of that amount for the public service. No recommendation whatever of the Secretary of War is contained or intended to be implied in the detailed statement beginning on page 164 of the Book of Estimates and ending on page 169, that statement being, as is therein stated, a convenient summary of items taken from the annual report of the Chief of Engineers, in which report he is required by law to state the amount that can be "profitably expended" in the next fiscal year on each of the uncompleted works mentioned. It is not myunderstanding that in making a report of the amount that can be "profitably expended" any recommendation for the expenditure is intended; but it is assumed that appropriations having been made, the work is approved by Congress, and the signification is that the sum named in each case can be "profitably expended" so far merely as the prosecution of the work is concerned, without regard to the public importance of the same. By reference to page 66 of the annual report of the Chief of Engineers for the year 1884, you will find a full statement of the basis of his report as regards river and harbor improvements.

I am, very respectfully, yours,

ROBERT T. LINCOLN,

ROBERT T. LINCOLN, Secretary of War.

Hon. J. D. TAYLOR, M. C., Washington, D. C.

From this letter it will be seen that the Secretary of War recommends an appropriation of \$8,000,000 for rivers and harbors, in a separate estimate, without undertaking to designate a single river or harbor on which any part of this sum shall be expended, leaving this to bor on which any part of this sum shall be expended, leaving this to be done by Congress. He recommends this sum and no more, and yet this bill contains more than \$4,000,000 more than his recommendation. Further along in the letter the Secretary expressly disclaims any recommendation, express or implied, for the statement beginning on page 164 of the Book of Estimates and ending on page 169, where will be found the three hundred and sixty rivers and harbors to which I have before referred. He says that this summary of items is taken from the annual report of the Chief of Engineers, not for the purpose of approval or disapproval, but for the purpose of stating the amount that could be "profitably expended" in the next fiscal year, as required by law. And he says that by the use of the words "profitably expended" no recommendation whatever is intended; that it is assumed by the officers recommendation whatever is intended; that it is assumed by the officers of the Government that in cases where appropriations have once been made Congress has approved the work and assumed all responsibility as to its advisability. The only inquiry made by the engineers is how many men can be employed to advantage on the work, and how rapidly can it be profitably prosecuted, without any regard to the "public importance" or "commercial value" of the work when completed.

In further proof of this, I will call the attention of the committee to the following paragraph on page 67 of the lest report of the Chief of

the following paragraph on page 67 of the last report of the Chief of

It is proper to state that these annual estimates are made in compliance with the above-quoted requirements of law, and are not to be considered as carrying with them a recommendation of the officer in charge of the district or of this office, either in respect to the commercial value of the improvement or to the amount to be appropriated, other than for the most economical administration of works the prosecution of which had already been approved by Congress.

This shows conclusively what is meant by the words "profitably expended," and it shows that many of these rivers and harbors found their way into appropriation bills by the personal effort of members of their way into appropriation bills by the personal effort of members of Congress who were personally interested in the appropriations; and under the law, when an appropriation was once made, whether large or small, wisely or unwisely, thereafter these rivers and harbors thus preferred maintained their place in the Engineer's reports and in the Book of Estimates, and seem to have some sort of indorsement, when as a matter of fact they have not. Some of these works have been the objects of intimal housing for helps construct them have been the objects of intimal housing the property of the second of

jects of national bounty for half a century, though not continuously.

A good idea of the merit of some of the rivers and harbors in this bill can be gained from the result of an examination made under the act of August 2, 1882. This act required the engineer who surveyed the proposed improvements to report whether, in his judgment, the harbor or river was worthy of improvement, and whether the work was a public necessity. This provision only applied to the rivers and harbors of which new surveys had been ordered, and of the one hundred and forty-seven new surveys then ordered only seventy-six were reported worthy of improvement. Apply this ratio to the three hundred and sixty rivers and harbors in the Book of Estimates, placed there in have some idea of the unworthy appropriations which have, in the very nature of things, crept into this bill, saying nothing about the ponds, mill-dams, and trout streams that are unknown to any atlas or map

mill-dams, and trout streams that are unknown to any atlas or map ever published in this or any other country.

The remedy which I would propose would be to abolish the Committee on Rivers and Harbors, and also the Committee on Levees and Improvements of the Mississippi River—committees that can only accomplish the depletion of the Treasury and the waste of the public money—and appoint a river and harbor board, composed of skilled engineers, whose duty it shall be to survey and examine the rivers and harbors of the United States, and report annually to Congress, through the Secretary of War, what rivers and harbors should be improved in the interest of commerce, how much it would cost, and how it should be done. We have no more use for these two committees than we have the interest of commerce, now much it would cost, and how it should be done. We have no more use for these two committees than we have for a committee on towpaths and turnpikes. Let the Commerce Committee take the report of this board and prepare a bill on rivers and harbors. The men who would compose this board could make a personal examination and survey of the rivers and harbors, and would be free from local interests and local bias.

The angular expect of such a board would command the respect and

The annual report of such a board would command the respect and confidence of Congress and the country, and would be a great improve-ment over the present plan, in which the facts come largely from inter-ested members, and are laid before the House, which can not know, for

it has no means of knowing, whether the appropriations are wise or unwise

The length of time occupied in the consideration of this bill, the bitter denunciation of the River and Harbor Committee, the disgraceful wrangling witnessed on this floor during its progress, and the general want of confidence in the bill itself, show that there is something radically wrong.

There is danger that a river and harbor bill will soon be stigmatized as a national scandal. The prospect of this bill becoming a law is diminished by the circumstances under which it was prepared.

The fact that the committee sat with closed doors, not permitting any member of Congress to appear before it; the fact that some members of Congress obtained the ear of a sufficient number of the committee, outside the committee-room, to get their schemes incorporated into the bill, while others did not; the fact that the States represented on the committee were accorded larger appropriations than some States not represented on the committee, all corroborate the point I make, that the plan under which a river and harbor bill is now prepared is all wrong. These complaints are not the fault of the committee; they are the fault of the method that now prevails; and it is the method, and not the committee that about the committee.

tee, that should be condemned.

The community of interest created by putting so many objects of appropriation in one bill is not good legislation. It was repeatedly stated on this floor at the last session, as an excuse for filibustering to defeat the appropriations to construct Government buildings, that there was an implied conspiracy among the forty or fifty members who had bills of this kind then pending to help each other, because they were all supposed to have a common interest in that kind of legislation. Some of the most meritorious bills were denied consideration for this reason alone. I do not admit the justice of this claim, but if there was any ground for such an accusation, how much more objectionable is this river and harbor bill, which contains two hundred and sixtyeight distinct and separate appropriations. It is openly admitted that this has to be done in order to secure the passage of the bill. It is a common joke that the slices of pork must be generally distributed in order to get votes enough to pass the bill. Is this commendable legislation? There are probably a hundred rivers and harbors in this bill

lation? There are probably a hundred rivers and harbors in this bill that ought to be stricken out, for which no appropriation ought to be made, but they are left there in order to make friends for the bill, appropriations which would never be made if each appropriation were required to be in a separate bill, and pass the House on its own merits. Think of a bill like this, covering fifty pages, embracing two hundred and sixty-eight rivers, harbors, creeks, and ponds, scattered from one end of the land to the other, to each of which is apportioned a certain sum of money. In all the ages of the world no such bill was ever heard of before. No nation on the earth ever passed such a bill. Think of the piecemeal way of doing business contemplated in this bill. Think of carrying on at the same time two hundred and sixty-eight different of carrying on at the same time two hundred and sixty-eight different public works, and only appropriating from year to year money enough to satisfy the hungry cormorants for whose benefit these appropriations seem largely to be made. Why not select, as other countries do, a few important improvements, and complete them as speedily as possible, and not have them dragging along through one or two generations, unfinished and incapable of use or benefit. If any work is of national finished and incapable of use or benefit. If any work is of national importance, and is needed to open up new and cheaper lines of transportation, it is needed now, and should be completed as soon as possible. This manner of making appropriations is unbusiness-like and fearfully expensive. Fully one-half of the appropriations now made to rivers and harbors is wasted. This seems like a startling statement, but unfortunately it is too true, and a large share of this loss is attributable to the fact that the work is allowed to progress so slowly, to be exposed to floods and storms, delays and hindrances.

to floods and storms, delays and hindrances.

The people of this country want to know what advantages are to be derived from great public improvements; in what way their construction will benefit commerce, and to what extent trade will be facilitated and transportation cheapened. When this is known, the Government can act intelligently, and it should act speedily. De Witt Clinton built the Eric Canal, running from Lake Eric through the forests of New York to the tide water a distance of three handred and sixty. New York to the tide water, a distance of three hundred and sixty miles, in about eight years, and at a cost of \$7,000,000. M. De Lesseps built the Suez Canal, with its two harbors, connecting the Red and Mediterranean Seas, shortening the distance 3,700 miles, in eleven years. The Mt. Cenis Tunnel, through the Alps, eight miles in length, was built in thirteen years. The St. Gothard, another tunnel through the Alps, with the Alps, nine and one-quarter miles in length, was built in eight years. It would be well for us to pursue a similar course: first ascertain what improvements would be of the greatest benefit, and then complete them as speedily as possible, instead of distributing appropriations among two or three hundred rivers and harbors without regard to and making the appropriations so small that none of them are completed.

Take for illustration the ice-harbor at Marietta, Ohio, at the mouth of the Muskingum River. In his first report the Engineer strongly urged the importance and economy of making an appropriation large enough to complete the work, but instead of this the miserable practice of doling out homeopathic appropriations has prevailed, and a small ice-harbor, supposed to cost a little over \$200,000, begun in 1879, greatly needed then as now, is still incomplete and incapable of being used. The Engineer, in his report made two years since, asked for an appropriation of \$66,400 to complete the work, stating in his report that the cost of such improvements is greatly increased by being permitted to drag along during many seasons; and yet the present River and Harbor Comanity seasons; and yet the present river and riarbot committee only appropriated last year \$30,000, and this year, when the Engineer asks for \$51,400, the committee only appropriates \$15,000, perhaps depending on the Senate to increase this sum, as it increased the appropriation last year, to \$50,000. The result is that the floods and delays will make this work cost the Government thirty or forty thousand dollars more than it would have cost had the work been completed as speedily as possible, besides losing the use of the ice-harbor for five or six years.

This bill contains an appropriation for Sandy Bay Harbor, supposed by some engineers to cost over \$10,000,000, and yet this bill only appropriates to this work \$100,000. At this rate it would take a whole century to complete the harbor. If the necessities of commerce demand this improvement, the improvement should be made now, for we do not know what commerce will demand a hundred years hence. If these improvements are demanded by the increase of trade and the rapid growth of population, we should make them at once, if the appropriation should be double or triple what this bill contains. It is not so much whether the appropriations shall be a few thousands of dollars more or less that interests the people, as that there shall be a wise expenditure of the money thus appropriated and an adequate return for

There is one class of improvements which seems to be entirely over-looked in this bill. No appropriation is made for the purpose of having an investigation of the causes and remedies of the destructive floods on the Ohio River, which are increasing from year to year. Is there no remedy? Are science and skill and engineering inadequate to avert this great annual calamity? A remedy was recommended many years since by an eminent United States engineer; and he proposed the same since by an eminent United States engineer; and he proposed the same remedy which this bill proposes to apply to the Upper Mississippi—the construction of great reservoirs, which would hold back the water in times of flood and furnish it to the rivers for purposes of commerce in times of drought. You are proposing to expend millions of dollars in experimenting along the banks of the Mississippi River at its mouth and at Galveston. Why not spend some part of this sum in experimenting on the Obic Rivers? menting on the Ohio River?

One thing should be known and settled before we pass upon this bill; and that is, what is to be the policy of the Government in regard to these appropriations. If we are simply making a divide of the money, it should be determined on what basis the division is to be made. If the number of rivers is to be considered, Ohio must not be forgotten. We have the Miami and Maumee on the west, the beautiful Lake Erie on the north, the turbulent and treacherous Ohio on the south and east, and the Scioto and Muskingum across the interior, the latter being kept navigable the year through at the expense of the State. If the money is to be divided equally, or as nearly so as possible, among members of Congress, there are many members who are not receiving their quota. There seems to be a want of system and a want of a proper understanding in regard to these appropriations, and it is impossible to get the facts. One member says one thing and another says the contrary, one member of the committee makes one statement and another member makes another and a different statement, and we are left to grope our way through all this wrangle and confusion without any means of coming to an intelligent conclusion; and hence the suggestion that there should be constituted a river and harbor board composed, as I think, of three United States engineers, three civil engineers, and one from the Coast Survey; and I would be content if they were all United States engineers, in which event the appointment of this board would add nothing to the expenses of the Government. I have no sympathy with the assault which this bill makes on the United States engineers, nor do I believe that they constitute an "incubus of mediocrity," as has been charged in this discussion. The engineers of the United States on all the public works and on the coast surveys have shown themselves the peers of any civil engineers in this or any other country. Give them as much money and they will do as good work. Do not expect them to construct a work with \$1,000,000 for which you would appropriate to a civil engineer a million and a half or two million dol-

I shall not attempt to discuss in detail the various appropriations contained in this bill. Among the many schemes to squander the public money which it proposes the most startling and gigantic are the Sandy Bay Harbor, the Galveston Harbor, and the levee system of the Mississippi River; three schemes which will cost the Government, if ever completed, not less than \$200,000,000; and it is very doubtful whether commerce or transportation would be benefited in the least. The numerous small improvements which possess no commercial value whatever are only less objectionable because they cost less money. And the consideration of the river and harbor bill of the last session, as well as this, discloses the fact that it is possible to strike out of the bill a proposed improvement in the North, but impossible to strike out a like objectionable one that happens to be in the South. The Southern members are uniformly more united on anything they undertake than the Northern members are.

No fact is better established than the statement, which has been re-peatedly made on this floor, that the levees for which millions of dol-lars are being appropriated on the Mississippi River, the end of which no man can divine, are intended to benefit the land-owners along the river more than the commerce. And when this great river bursts through its levees, as it most certainly will—for it is often fifty miles wide and entirely beyond the control of human skill—the Government will be called upon to pay the damages resulting, as will be claimed, from broken levees. In my judgment the appropriations contained in this bill for the Mississippi River ought to be reduced at least one-half and applied only to the improvements now in progress.

Mr. Chairman, the House being in the Committee of the Whole on the state of the Union, I embrace the only opportunity I shall probably have to call attention to what I consider a shameless and tyrannical usurpation of power. This river and harbor bill has the right of way, and is given preference and priority over a score and more of bills a hundred-fold more important. It has occupied a great deal of time already, and will occupy much more time before it is completed, while it is impossible under the iron-clad rules of this House, which give the control of all legislation to a few individuals, to give any time what-ever to other bills of more importance. Why should one bill be given weeks of time while others are not allowed a single moment? This is not all. This bill will pass if there is one more vote for it than there is against it, a preference which is not granted to other more deserving measures. I do not complain because this bill can be carried by a majority vote; I only complain because this rule is denied to other more meritorious bills. Let me call the attention of the committee to the record this House has made under the obnoxious and anti-republican rules which had their origin in a purpose to defeat and not to facilitate legislation.

This House has been importuned to restore the duty on wool by re-enacting the law of 1867, an assurance given by the Democratic party of Ohio. State Legislatures have sent in their memorials and the shelves of the committee room are crowded with petitions asking for the restoration of this law. Delegates from all parts of the country came here in person and presented the most convincing arguments. And yet the only time during the Forty-eighth Congress given to the consideration of this question, involving the prosperity of this great industry and the welfare of millions of people, was thirty minutes; and the only vote allowed was at a time when the bill could not pass unless it received two-thirds of the votes of the members. A river and harbor bill can pass by a majority vote under the present rules of this House, while a bill for which farmers plead can not become a law unless it receives a two-thirds vote, and in two years it never had but one opportunity to come before the House

The Mexican pension bill as amended by the Senate, increasing the pensions of widows from \$8 to \$12 a month, dispensing with proof of prior soundness, substituting the widow for the deceased pensioner without further proof, relieving dependent parents who gave their only boy to their country, recognizing the wants of disabled soldiers who have no means of support, and providing for the blind, idiotic, and imbecile no means of support, and providing for the blind, idiotic, and imbecile children of dead soldiers, though first on the Calendar, has only been given thirty minutes of time in which to be considered during this session, and the vote was taken when the bill could only be carried by a two-thirds vote. The river and harbor bill, which will probably appropriate \$15,000,000 to rivers and harbors, is allowed all the time it wants and can be passed by a majority of one vote, while the Mexican pension bill that proposes to appropriate four or four and one-half millions to Mexican soldiers and twelve or twelve and one-half millions to Union soldiers can only be allowed thirty minutes during the whole session, and is rejected, when it has a large majority of the members of this House in its favor, because it has not two-thirds. The money proposed in the river and harbor bill would pension 250,000 soldiers and would gladden the hearts of a million people, including wives and children. The passage of the Mexican pension bill, which only provides pensions for needy soldiers, their widows and orphans, would give an impetus to trade and activity to business in all parts of the country where this money would find its way. The Government pays out annually in its various appropriations about \$300,000,000, and yet the only Government money that reaches the country districts is the money appropriated to pay pensions, and this benefits the farmer, the mechanic, the grocer, the merchant, the business man, the laborer, and the entire community, almost as much as it does the pensioner, and yet it is im-possible to secure the consideration of this bill.

Since the right of petition was first declared by "our fathers" to be a sacred and inalienable right, no Congress was ever so importuned by petitions as this Congress has been to pass this bill, and yet the voice of the people has been powerless to reach the party now in control of this House.

It has been shown on this floor by two votes that a majority of this House is in favor of the bankruptcy bill, and its friends believe that its passage would revive trade and improve business, and yet it can not pass and probably will not pass because there are not two-thirds in favor of it. It can only obtain thirty minutes' consideration and obtain a vote under a suspension of the rules when two-thirds are required to pass the bill. This is not true of the river and harbor bill.

The business interests of the country are suffering because of the

constant contraction of the currency which is now going on, and yet while the river and harbor bill can occupy weeks of the time of this while the river and harbor bill can occupy weeks of the time of this House, it is impossible for the Committee on Banking and Currency to secure any legislation whatever. The Senate bill to relieve the country in this respect passed the Senate at the last session and lies on the Speaker's table unable to get a moment's consideration, although it was introduced by Senator McPherson, a distinguished Democrat, and has the support of many Democrats in both Houses.

I have already named the Utah bill and the education bill, and I could name many other bills of like importance which have passed the Senate and are denied consideration in the House, the consequences of which must be borne by an indignant and suffering country. It will

senate and are defined consideration in the House, the consequences of which must be borne by an indignant and suffering country. It will pass into history that the House is so organized as to defeat legislation; its rules are a stigma upon the nation, its legislation a disappointment to the people. The proceedings of the House are so manipulated as to pass certain favorite schemes and defeat certain important measures,

pass certain favorite schemes and defeat certain important measures, without placing before the country just how or by what strategy this is accomplished; but the rules are fearfully and wonderfully made, and the domination of the ruling Democracy is complete.

Mr. Chairman, I want to impress the fact that this is a Republic, and that a majority should rule. The vote of the House should be taken, after reasonable debate, on all these important bills, and if a majority of the members of the House are in favor of a bill, and are willing to so record their votes, the bill should be allowed to pass. Let the party in power take the responsibility of legislation, and let all of these bills have a fair hearing and a fair vote. If we could take up twenty of these bills, give to each two hours' consideration, and then take a yea-and-nay vote, we would pass or reject all of them during the remainder of the session, and merit the gratitude and respect of the country.

Settlers and Purchasers of Lands in Kansas and Nebraska.

They are not mendicants, for when the hell-blasts of the drouth and the clouds of locust a few years ago reduced them to starvation they made no sign, asked no aid of the Government, as did those who saw their all devoured by the flames in Michigan or swept away by the floods of the Ohio or the Mississippi. They fought their battle alone, and what they ask now they ask not as alms but as justice, and to that answering justice in your consciences I committheir case, only regretting that my condition physically perhaps unfits me to represent them on this floor as they deserve to be represented.

SPEECH

HON. JAMES LAIRD. OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 19, 1885,

On the bill (H. R. 1737) for the relief of certain settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas,

Mr. LAIRD said:

Mr. LAIRD said:
Mr. SPEAKER: The wrong complained of is this: Between the 25th of March, 1870, and the 13th of April of the same year, some three hundred settlers, with their families, located 50,000 acres of the public domain in Nebraska and Kansas. This was taken almost entirely by homestead and pre-emption entries. The settlers complied with the law and obtained patents of the United States for their lands, which patents they hold to-day. They have been in peaceable possession under their entries and patents for fourteen years with the acquiescence of all the world. By their improvements they have increased the land in value from \$2.50, the original cost, to \$25 and \$50 per acre.

The present value of their lands represents the toil of the working years of their lives. In 1880, in the circuit court of the United States for Nebraska, one hundred and sixteen of these settlers were subjected to a judgment of ouster from possession at the suit of five grantees of the Saint Joseph and Western Railroad, successor to the Kansas Northern Railroad and Telegraph Company, to which Congress, on the 23d

the Saint Joseph and Western Railroad, successor to the Kansas Northern Railroad and Telegraph Company, to which Congress, on the 23d of July, 1866, granted ten miles of land, alternate sections, on either side of their road "when definitely located." (14 Statutes at Large, 210.) This judgment was afterward, October 12, 1882, affirmed by the Supreme Court of the United States (see Van Wyck vs. Knevals, 16 Otto, 360). Suits against the balance of the settlers are now pending or have been since decided against them. When was the line of this road "definitely located" was the point in the litigation over these lands. The granting act took effect July 23, 1866.

The railroad did not accept the grant or do anything looking thereto until the 25th of March. 1870, when they filed in the Department of

until the 25th of March, 1870, when they filed in the Department of the Interior, with the Secretary thereof, the map of the definite location of their road, and thereby, as was ten or twelve years afterward decided by the United States Supreme Court, they became immediately entitled to each odd-numbered section of land belonging to the public

domain for ten miles on each side of that definitely located line. tween the date of the granting act, July 23, 1866, and the filing of the map of definite location, March 25, 1870, the lands now in question had, of course, been open to settlement like any other portion of the public domain. The act of Congress did not locate the land granted, but left that to be done by the happening of an event entirely within the control of the railroad, that is, the definite location of their road.

On the 13th of April, 1870, the notice of the Secretary of the Interior withdrawing the lands covered by the grant from entry reached the local land office at Beatrice, Nebr., where alone they were subject to entry, and thereafter none were taken. The evidence taken in this case by the Senate committee of the Forty-seventh Congress shows that this withdrawal was the first notice that the settlers had of the existence or entry, and thereafter none were taken. The evidence taken in this case by the Senate committee of the Forty-seventh Congress shows that this withdrawal was the first notice that the settlers had of the existence or locality of the grant. It is to the lands taken between the date of the fliing by the railroad of its map of "definite location," March 25, 1870, and the date of the notice of the withdrawal from market of the lands covered by the grant by the Secretary of the Interior, April 13, 1870, that the bill under consideration applies. The relief, if granted, will go to the three hundred people who, between those dates, in the most absolute good faith, pre-empted, homesteaded, or purchased some 50,000 acres of the lands held forth by the Government for sale and entry as public lands, and who now, under a decision of the Supreme Court of the United States, rendered after twelve years of peaceable possession under the authority of the patents of the United States, are told to "pay or go;" and unless this relief is granted, or they be able to "coin their blood," for they can not mortgage their "clouded" estates, the better part of these three hundred settlers, with their families, aggregating 2,000 people, must, by ejectment, become outcasts from homes made sacred by birth and death, driven forth by the power of the Government, whose patent they hold, from the land enriched by the best years of their brave lives and literally "watered with their sweat."

Mr. Speaker, it is difficult for a man having a face-to-face knowledge of the circumstances surrounding the settlers to speak with that temperance that befits the language of judgment when discussing the wrongs—I had near said outrages—perpetrated upon these people, now about to be dragged from their homes after having been harassed and impoverished by years of fruitless litigation, in which they have been driven from court to court in the name of "instice."

The case of Van Wyck vs. Knevals, before referred to, was a test case. Stripped of its legal verbiage,

withdrawn from market—withdrawn from the public domain by the order of the Department having exclusive jurisdiction thereof, and which Department was acted upon by the railroad company by the filing of its map of "definite location." Section 4 of the granting act reads

as follows:

That as soon as the said company shall file with the Secretary of the Interior maps of its line designating the route thereof, it shall be the duty of said Secretary to withdraw from the market the lands granted by this act in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

It is obvious from the reading of this section of the granting act that it was the intention of Congress to prevent conflicts of title between the grant and the claims of settlers locating thereon by limiting the moment at which the grant should operate as a conveyance to the time when such lands were withdrawn from market, and as a consequence "to subserve the public interest" by keeping the lands in market until withdrawn by the Secretary of the Interior. The railroad shall designate the subserve the public interest of the Interior. nate the land selected by it by filing the map of its line, then the Secretary of the Interior shall withdraw the lands, and when this is done the grant shall become operative. There was one thing to be done by the railroad company, namely, file its map; then follow two things to be done by the Secretary of the Interior "to effect the purposes of this

First. Withdraw the lands from the "offered" lands of the public

domain, and thus make them subject to the grant; and Second. Do this in such a manner as would "subserve—that is, proct—the public interest."
Mr. Speaker, what "interest"—that is, what right—had the public

to be (subserved) protected in? They had the right to enter and take by homestead or pre-emption the offered portions of the public domain, and it was that right which Congress intended, and by this section (4) did protect, when it made the withdrawal of the land by the Secretary a coequal condition with the filing of the map by the railroad to the opera-tion of the grant. Any other construction blots out the "public," the tion of the grant. Any other construction blots out the "public," the people, and holds the public domain, as well as private rights, at the gracious mercy of a pitiful association of land-grabbers; makes a great Department of the General Government, erected for the protection of the people and their patrimony, the public lands, a sort of automatic lackey of the will of a wandering "Will-o'-the-wisp" board of directors of a railroad company existing in "prospectus," who, at the time they filched these 50,000 acres of the people's land, had just that title to it, outside of this decision, that the bird of passage that takes its chance flight over Nebraska and Kansas has to the real estate its shadow falls moon.

upon.

It may be answered, in defense of this decision, that the construction contended for here would make the grant depend upon an act of the Secretary of the Interior, and that he might not act. The answer is obvious. A public officer is presumed to do his duty, and courts do not commonly found decisions upon a violation of a solemn presumption of law. Again, if the Secretary of the Interior should refuse to perform an official duty, he is a ministerial officer, and the writ of the court will compel him to do it. But if an act of Congress can not be made dependent on the act of a Secretary of the Interior, how much more so on the act of a railroad corporation? There was no land attached to the grant until the corporation selected it. That which it selected was up to the hour of the filing of its map public domain, "offered" land, and subject to entry under the laws of Congress and

the regulations of the Interior Department by any qualified person.

How and when did it cease to be Government land? The court says on the moment the railroad filed its map.

Mr. Speaker, what notice had the people of this? None. What notice had the United States local land officers where these lands were subject to entry and were being taken? None; unless the court holds that the settlers and land officers—1,500 miles away—at their peril take judicial notice of the filing, in some pigeon-hole of the Department of the Interior, of a map of a projected possibility of a railroad. Do we hold our rights at the discretion of a railroad company? Are the great Departments of this Government only their proxies? The map was filed on the 25th of March, 1870. Notice of this "deadly" event reached the settlers, in fact, April 13, 1870, through the medium of that Department having the sole jurisdiction of such matters. According to the court, the lands had ceased to be public lands nineteen days before that date nineteen days before any one knew it except the railroad company, for it is more than probable that the Secretary of the Interior did not know of it until immediately before the date of the withdrawal of the lands.

In the large sense in which a court might view a law which dealt with lands which they knew were then being daily and hourly taken up by settlers, and which law was to be strictly construed against the grantee, and which depended on some action of the Secretary of the Interior, and of the Interior Department, might not the "Secretary of the Interior" mean something more than the mere individual man? Were the ends of the law met when the map of the railroad reached his fingers, carried by some petty clerk of a railroad corpora-tion into the pile of stone in the city of Washington called the 'In-terior' building? When the law commanded the filing of the map with that person it designated him officially; and does not the officer mean the office, the Department over which he presides? Did it not mean the system which centers in him, the interests he represents, the lands committed to his care, the rights of men and of things over which he has jurisdiction? The law says:

The Secretary of the Interior shall withdraw from market the lands granted by this act.

The court says this can have no force, for they were withdrawn by the filing of the map by the railroad, so that withdrawing them in the office of the Secretary in Washington, D. C., was withdrawing them in Nebraska, where my constituents were then taking them under the guarantee of the fourth section of the granting act, which commanded the Secretary of the Interior, upon the filing of the map, to protect the people from title-traps and deadfalls by withdrawing them from market, and which section the court refuse to construe as a part of the law, strangling the people's part agreeably to "justice."

From this is it to be argued that hereafter we shall, in dealing with a railroad company, take judicial notice of its acts the same as of the laws of Congress, the solemn decrees of courts, the proclamations of the Chief Executive, and the operations of nature? If this be so let us

Chief Executive, and the operations of nature? If this be so let us henceforth write our titles upon the sand and give our contracts, heretofore too sacred to be intrusted to the memory of man, in keeping to

Mr. Speaker, I am humbly aware of the fact that it can, here or elsewhere, avail little to criticise or condemn the action of a co-ordinate branch of the Government, but the failure of this honorable court to consider or give force to a part of the law (that is, section 4 of the granting act) which, had it been done, would have saved my unfortunate constituents from ruin, has seemed to invite my attention as to an unwar-

ranted invasion of the legislative department, which, as a member of this body, I must here respectfully resent.

In speaking of this decision I have endeavored to come as near the truth as the rules of this House and that "loving kindness" for the feelings of others—which always marks the course of debate in this House—would permit. And this I have done from the same sense of duty with which, had it been my lot to sit in this body at that time, I would have spoken my mind of the "Dred Scott" decision, which remanded one man to slavery, while this condemns hundreds to banishment from homes honestly carried and to the attendant miseries of ment from homes honestly earned, and to the attendant miseries of want and destitution.

Mr. Speaker, is it for this that the pioneer has fought? Is there no voice that pleads his cause who bravely holds his way along the front of civilization, laying deep and strong the foundations of a mighty State? From the toil and strife of these men sprang Kansas and Nebraska, the first anti-slavery States, even as in the olden time sprang the avenging Marius from the "dust and ashes." Thus born into the sisterhood of States, they have bloomed as might two purple flowers rooted in a pool of human blood. We know there is nothing in all the unstoried greatness of this class that of itself alone should speak to the judicial mind, but when laws are passed for their protection it is meet that those who sit upon the softly cushioned seats of advantage should heed those laws in a contest between abstractions (corporations) and such men. The human being is entitled to the benefit of the doubt; by how much more is he entitled to the benefit of the written law!

Mr. Speaker, the history of these cases in the Interior Department is worthy of a moment's notice, as it would seem to illustrate the unhappiness of those who do business with a "department of chance" (Interior) and afterward are so unfortunate as to encounter the overruling providence of that Department which is alone a law unto itself

(judicial).

Against certain of the entries made by settlers on lands which would pass to the railroad, if its grant took effect from the date of the filing of its map, March 25, 1870, the railroad company filed contests, putting in issue the question as to when the grant took effect.

The local land office decided that the lands were subject to entry

until they were withdrawn by order of the Secretary of the Interior, and that all entries made prior to April 13, 1870, were good. This holding of the local land office was in keeping with the rulings of the

Department of the Interior since 1854. In 1872, on appeal, this ruling of the local land office was reversed by the Commissioner of the General Land Office, and cash entry No. 3097 and homestead entry No. 4039 (test cases) were held for cancellation. This decision was in accordance with the holding of the Secretary of the Interior in the case of Boyd vs. The Burlington and Missouri River Railroad Company, decided April 28,1871, wherein it was held that the grant of the corporation took effect from the date of the filing of the map; but in that case notice was brought home to the settlers. On appeal by the settlers from this decision the Secretary of the Interior (September 3, 1872) reversed the decision of the Commissioner of the General Land Office canceling such entries, and restored the settlers and purchasers to all their rights in respect to the same. At this point, and in the light of the decision reached in these cases by the Depart ment of the Interior, I desire to call the attention of my honorable colleagues to circumstances of great and peculiar hardship to these settlers, springing from the conflicting decisions of the Department and the courts. The appeal to the Interior Department was mutual, and the result was on all hands acquiesced in as final. Had the Department ruled for the railroad company and given it the lands taken between March 25 and April 13, 1870, the settlers could have transferred their entries to even-numbered sections of Government land, which were exempted from the operations of the grant by the express terms thereof, and on compliance with the law have taken a perfect title thereto. There was at this time plenty of land vacant and available, but having in good faith filed on the odd-numbered sections, and the Government having accepted their entries, they were compelled, under the favorable rulings of the Secretary of the Interior, to proceed with and perfect their settlements or lose their homestead and pre-emption rights.

Mr. Speaker, and what was it to lose these rights? To these moneyless pioneers it meant not alone the loss of home, for home it was not; it meant the loss of the hope and possibility of a home. It was their all and the all of their children; it was their past, present, and their future. It was only an inchoate right to eighty or one hundred and sixty acres of the public domain, upon which to wage a hand-to-hand fight with the primordial elements of earth, air, and water, for a bare empted from the operations of the grant by the express terms thereof,

fight with the primordial elements of earth, air, and water, for a bare existence! Not much, but it was their all. Is there a man in this House who will join the Government in its mean attempt to rob them

These settlers read the laws of Congress granting homesteads and preemptions to actual settlers; they read the instructions of the Department of the Interior, and they saw that they were within these. They read the decision in the contest case here referred to, and they said that is all right; that is in our favor. They read the platform of the great Republican party which promised them the earth if they would vote the straight ticket, and then they read the platform of the great Democratic party which promised them not only the earth, as the other platform did, but

everything over it and under it, and they said, "We are safe; our friends the politicians, will take care of us," and they are still strong in that faith; they still hope to "read their titles clear" in the light of your promises; they still believe that Congress—this Congress, gentlemen wants to and will do what is right. And so they come, stripped by legal jugglery of their homes, your "glorious birthright of the free" of the platforms and preambles, and holding forth their empty parchments ask you if you talk to them in two tongues; they demand that you make good in this foul day the fair-weather promise of the laws and the decisions of the great heads of Departments; they ask that we be big enough to do justice to the poor pre-emptor, homesteader, purchaser, farmer, even as to the great railroad corporations; they ask that we be estopped from taking advantage of our own wrong, and profiting by the deceiving advice and decisions of our trusted agents. They ask this, these brave "sons of earth," and with them join the voices of half a million of Union veterans, robbed also of their rights by the "law's Thousands of pioneers and frontiersmen, men in Nebraska, Kansas, and in all the States and Territories west of the Missouri River, whose all was swallowed up in the flames of savage border war, and to whom the nation, by its settled policy, owes redress, join thousands of others, to whom the nation justly owes millions, in asking speedy justice. They ask, and if their most just demands be not answered by fulfillment it will become us all to "look that our walls be strong," for when they shall have roused the "sleeping thunder" of public opinion on the question of their rights, there will come a "change" indeed over the face of things political, and then this penal blindness to their rights will cease. The remedy proposed is that the United States pay these settlers and purchasers what it has or may cost them to buy in the paramount title, in no case exceeding \$3.50 per acre, except where court costs have been made, and in such cases to pay such costs in addition to the sum above named, in accordance with the provisions of the following bill, which was favorably reported from the Public Lands Committee of this House Kansas, and in all the States and Territories west of the Missouri River,

was favorably reported from the Public Lands Committee of this Hous at the first session of this Congress. This is substantially the same bill which has twice passed the Senate of the United States, first during the Forty-seventh Congress, and again during the first session of this Congress, at which time it passed without a dissenting vote. It is as fol-

A bill for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas,

A bill for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That for the purpose of reimbursing persons, and the grantees, heirs, and devisees of persons, who, under the homestead, preemption, or other laws, settled upon or purchased lands within the grant made by an act entitled "An act for a grant of lands to the State of Kansas to aid in the construction of the Northern Kansas Railroad and Telegraph," approved July 23, 1868, and to whom patents have been issued therefor, but against which persons, or their grantees, heirs, or devisees, decrees have been or may hereafter be rendered by the United States circuit court on account of the priority of said grant made in the act above entitled, the sum of \$250,000, or so much thereof as shall be required for said purpose, is hereby appropriated: Provided, however. That no part of said sum shall be paid to any one of said parties until he shall have filed with the Secretary of the Interiora copy of the said decree, duly certified, and also a certificate of the judge of said court rendering the same to the effect that such a decree was rendered in a bona fide controversy between a plaintiff showing title under the grant made in said act and a defendant holding the patent or holding by deed under the patentee, and that the decision was in favor of the plaintiff on ground of the priority of the grant made by said act to the filing, settlement, or purchase by the defendant or his grantor; and said claimant shall also file with the said decree and certificate a bill of the costs in such case, duly certified by the clerk and judge of said court. Thereupon it shall be the duty of the Secretary of the Interior to adjust the amount due to each defendant on the basis of what he shall have failed as aforesaid, and the costs appearing by the bill thereof. He shall then make a requisition upon the Treasury for t

July 2, 1884, Mr. Payson, from the Committee on the Public Lands. submitted the following report to accompany the foregoing bill:

submitted the following report to accompany the foregoing bill:

The Committee on the Public Lands, to whom was referred bill H. R. 1737, having had the same under consideration, report:

That by act of Congress, approved July 23, 1866, there was granted to the State of Kansas, for the benefit of what is now known as the Saint Joe and Denver Railroad, each odd-numbered section of land for ten miles on each side of its line, "when definitely fixed."

The railroad company did not accept the land granted, or do anything look." ing thereto, until the 25th of March, 1870, when they filed with the Secretary of the Interior the map of the line of definite location of their road. From the date of the granting act, July 23, 1868, to the performance of the first act of acceptance by the railroad, all the lands within the limits of the prospective grant had been open to settlement at the land offices of the Government, and were taken by settlers and purchasers without reference to the numbers of the sections, the same as any other public land. This state of things continued until April 13, 1870, when the lands within the limits of the grant as shown by the map of the line of definite location were withdrawn from market and from settlement, by order of the Secretary of Interior. It is with the settlers upon, or purchasers of, these lands between the dates named, i. e., March 25, 1870, and April 13, 1870, that the bill under consideration seeks to deal, and the question arises in this way: When did the grant take effect—from the date of the filing of the map of the line of definite location March 25, 1870, or from the date of withdrawal of the land from entry at the local land office April 13, 1870?

The grantees claimed that the law operated as a conveyance from the 25th of March; the settlers and purchasers, that the grant was not operative until the withdrawal, April 13. The facts show that the first knowledge that the settlers or purchasers had that these lands were not properly subject to entry, or were liable to be claimed by this or any other railroad, was that obtained through notice of their withdrawal from settlement at the local land office at Beatrice, Nebr., where they were alone subject to entry. Nor does it seem legally possible that they should know of such fact prior to April 13, the date thereof, for the locus to which the law in question might apply was made to depend upon a fact only within the knowledge of the grantees—namely, the filing of the map of the line of definite location, upon the extention of the grant, relied upon by the purchasers and settlers, was based on section 4 of said act, which is as follows:

"That as soon as the said company shall file with the Secretary of the Interior maps of its line designating the route thereof, it shall be the duty of said Secretary to withdraw from the market the lands granted by this act in such manner as may be best calculated to effect the purpose of this act and subserve the public interest."

Your committee are of the opinion that under such section it was the duty of the Secretary of the Interior for thwith wilhdraw the lands subject to the grant (as fixed by the map) from market, that being the way "best calculated" to effect the purpose of the act, and the only way in which the public interest in the right of sale and entry therein could be secured (subserved) without a damaging interval between the withdrawal of the lands, by operation of law on the filing of the map of location, and their restoration to sale under the grantase contended for by the grantees, and that pending such withdrawal the lands were public lands, as to which the public hade a perfect right of entry and purchase.

Whether according to law or not, this is what

DEPARTMENT OF THE INTERIOR, Washington, January 29, 1884.

SIE: Senate bill 57, "for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas," was received by your reference of the 7th instant, and referred to the Commissioner of the General Land Office. I have the honor to inclose herewith copy of his report on the subject under date of the 24th instant.

Very respectfully,

Hon. P. B. PLUMB,

Chairman Committee on Public Lands, United States Senate.

Very respectfully,
Hon. P. B. PLUMB,
Chairman Committee on Public Lands, United States Senate.

Department of the Interior, General Land Office,
Washington, D. C., January 24, 1884.

Sir: I have the honor to acknowledge the receipt by your reference, for report, of a communication from Hon. P. B. Plums, chairman of the Senate Committee on Public Lands, dated the 7th instant, transmitting Senate bill No. 57, entitled "A bill for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas."

In reply I have to state the bill pertains to certain lands within the limits of the grant to the State of Kansas to aid in the construction of the Northern Kansas Railroad and Telegraph, now known as the Saint Joseph and Denver City Railroad Company (14 Statutes, page 210).

The records of this office show that a map of the definite location of the Saint Joseph and Denver City Railroad, as adopted by the board of directors of the company March 21, 1870, was received in this office, with a letter from the then Secretary of the Interior dated the 28th of the same month.

By letter from this office, dated the 8th of April, 1870, the local officers of the several land districts in which the grant was located were directed to withdraw from sale or entry all the odd-numbered sections within the limits of the grant. This order was received at the local offices April 13 and 15, 1870, which dates were formerly held as the times when the right of the company vested to the lands granted.

Under that construction of the granting act entries were allowed to be made for lands within the limits of the grant until said dates, April 13 and 15, 1870.

This appears to have been the established rule of the office, in compliance with the provisions of the act approved March 27, 1874 (Revised Statutes, 2281). (See circular of February 10, 1870, Copp's Land Laws, page 403.)

That rule was subsequently changed by the opinion of Assistant Attorney-General Smith, concurred in by the then Secretary of the I

ject.
"This ruling is intended to be prospective in its operation, and not to disturb past transactions. Your decision is therefore reversed."

In compliance therewith this office released that class of entries from suspen-

sion.

The Supreme Court of the United States, in the case of Van Wyck vs. Knevals, held that the right of the company attached on the day of the acceptance by the Secretary of the Interior of the map of the definite location of the road, which was March 28, 1870 (16 Otto, 360).

Under this decision, if the land was clear of adverse claims at that date, and

was entered or purchased from the Government prior to April 15, 1870, the patents issued thereon are invalid.

The pending bill proposes relief for that class of settlers or purchasers whose claims had their inception subsequent to March 28, 1870, in cases where the lands were not excepted from the operation of the grant by prior valid adverse claims. It is apparent from the foregoing that settlers who, under the rulings of the Department, were permitted to initiate claims upon lands within this grant after said date, and subsequently received patents for the same from the Government, which the courts have declared invalid, have strong equities, and I think the proposition for their relief embraced in the bill as good as any that occurs to me and which would be practicable.

I think the bill should pass.

The bill referred by you is herewith returned.

I am, very respectfully,

N. C. McFARLAND, Commissioner.

N. C. McFARLAND, Commissioner.

Hon. H. M. TELLER, Secretary of the Interior.

Hon. H. M. Teller,
Secretary of the Interior.

In such determination of their rights the railroad company acquiesced. The purchasers and settlers complied with the laws, took patent to their lands, and for nearly ten years were left in peaceful possession under a title supposed to be the best in the United States.

It is important at this point, in determining the equities set up by the settlers against the Government, to observe, that had not this litigation as to their title taken place at the time it did the claim now advanced would have been in a great degree weaker than it is.

When their title was challenged by the railroad they promptly appealed to the Land Department authorities of the Government to know whether it was good or not and whether the Government could ultimately give them a perfect tide. If they were ever to lose the land then was the time for them to know it. They had made little or no improvement; there was plenty of land near at hand as good as that taken, and to which they could unquestionably get a good title. To mislead them then was to rob them of all opportunity to regain their loss save as they seek it now.

To their questions as to the legality of their holding, the Government, by its officers, answered, "You are all right; go ahead with your settlements, comply with the law, and you shall have a perfect title." They did so, built homes, reared families, improved their lands, paid taxes, and developed the country, trusting without suspicion to the official acts and decisions of all the officers of the Land Department. And now, when these men, stripped of the fruit of their toil by much and merciless litigation brought upon them by the errors of the Government they trusted, come and ask that they may be defended from ejectmentand exile from their home by the payment to them of the money it has cost them to buy in the title which they have already bought of the United States, your committee submit that the Government is estopped from denying them relief—for to refuse would be for it

Inest by settlers and purchasers to these lands, your committee find that prior to 1879 the Saint Joe and Denver Railroad had passed into the hands of a receiver, and that whatever lands it was entitled to under the grant in question had become the property of Sherman W. Knevals and others by purchase at judicial sale.

On the 3d of July, 1879, Knevals brought suit in the United States circuit court for Nebraska against one Judson R. Hyde, who recently prior thereto had purchased a portion of the land within the limit of the line of the land of the land within the lands of the land of the land of the land within the lands of the land of the land

Under these circumstances the settlers and others were driven to a settlement, which was finally agreed on so far as the Knevals cases went, at the rate of \$3.50 per acre and costs. To pay this the settlers and purchasers gave mortages, or raised it as best they might, or lost the land.

As the question may arise as to whether settlement with Knevals could not have been effected for a less amount, it is fair to state to the House that your committee are satisfied from the evidence and circumstances in the case that this settlement was a remarkably reasonable one.

The land had risen in value with the improvements put upon it by the holders and the growth of the country to be worth from \$10 to \$25 per acre, so that Knevals, taking into account the expense of litigation, was getting little more, if not actually less, than Government price for the land; and again the settlers were paying what they did without any certainty of getting it back. Arrangements for a settlement of the other cases have been made with other grantees of the railroad at from \$1 to \$2.75 an acre, but in no case under this bill can they receive more than \$3.50 per acre and costs where they have been subjected to the same. This guards against extravagant or collusive settlements. And this is the status of the case outside of Congress to-day.

At the present session of this Congress the bill under consideration has passed the Senate without opposition or an opposing vote.

The number of persons so far sued and subjected to adverse judgment is one hundred and ninety-six; the amount of land involved is 25,620 acres.

What additional number of persons are affected, and what further amount of land involved, your committee can not well determine. The amount of money required to make good the cases so far shown in the records of the court will not exceed \$100,000, or less than one-half of the appropriation indicated by the bill; and that from all information brought to the attention of the court will not exceed \$100,000, or less than one-half of the

Mexican peons, whose ejectment under like circumstances we as a people would resont.

The bill as presented only asks relief for such persons, their grantees, heirs, and devisees, as under homestead, pre-emption, or other laws settled upon or purchased lands within the grant in question and to whom patents have been issued therefor, but against which decrees have been or may hereafter be rendered by the United States circuit court on account of the priority of the grant in question to the patents held by such persons, their grantees, et al.

As this requires all cases to be passed upon by the courts and the consequent expense of hitigation to the holder of the patent, and of costs to be paid by the Government, your committee propose to amend the bill by adding after the word "aforesaid," in the last line, the following proviso:

"Provided further, That when any person, his grantees, heirs, assigns, or devisees, shall prove to the satisfaction of the Secretary of the Interior that his case is like the case of those described in the preceding portions of the bill, except that he has in good faith paid to the person holding the prior title by the grant herein referred to the sum demanded of him without litigation, that such Secretary shall pay to such person such sum as he has so paid, not exceeding \$3.50 per acre, taking his release therefor, as hereinbefore provided."

Amend the bill by adding after the word "of," in line 31, the words "what he shall have paid not exceeding."

And, as so amended, your committee recommend that the bill do pass,

Mr. Speaker, there has been no public discussion of this measure in this House; that in the Senate was entirely friendly. In the commit-tee of the House the principal objection was to the establishment of a precedent of this kind. It was also urged that the act of 1825 fixed the liability of the Government in such cases and afforded all the relief that the settler was entitled to. The act of January 12, 1825 (4 Statutes at Large, 80), provides that in case of the failure of an entry or title the Government shall repay to the claimant what money it has received from him without interest. This would give a man who loses a patent to a homestead on which he had expended fourteen years of labor, and on which he had placed improvements worth thousands of dollars, all of which he has lost through ignorance of the agents of the Government, the magnificent sum of from \$14 to \$18 of his own money, and no interest even! To a pre-emptor it would return from \$100 to \$200, or from \$200 to \$400, according to the acreage of the tract purchased and whether in or out of railroad limits, which would likewise

be his own money, and no interest!

The act of 1825 is entirely inadequate to meet this or any other case where an entryman on the public lands loses his land after patent. Nor was this law, in my judgment, ever intended to meet a case of this character or magnitude. It may be well calculated to reach the individual cases that often arise from clerical error, such as duplicate entries and like cases. Where the mistake, being immediately discovered, permits of adequate remedy through this law, the party suffers no great loss in the transfer of the entry, or the restorations of the right and the

return of the fees.

return of the fees.

The act of 1825, Mr. Speaker, is a law of Congress, not a law to it. It is well enough in its place, but it can no more reach and cover a case of this character and consequence than Congress could have met the demands of humanity from the forest-fires of Michigan or the floods of the Ohio and the Mississippi by referring the homeless, starving victims of those calamities to their several township boards for the care of the poor. And yet Congress granted these people relief to the extent of nearly a million of dollars, and this was done in the name of humanity! Here are three hundred or more settlers, representing with their lity! Here are three hundred or more settlers, representing with their

families fifteen hundred or two thousand people, human beings, driven, or about to be unjustly driven, from their homes! Will not this Congress do as much in the name of "justice" as it did in the name of "humanity?" Shall the Congress become a general insurer against the evil consequence of fire and flood and refuse to make good losses sustained entirely through the mistakes of its agents?

tained entirely through the mistakes of its agents?

Gentlemen, I point you to where you have expended hundreds of thousands for a sentiment! Will you refuse the price of their homes to these men, who ask in the name of right? I heard you of the other side say, speaking of the relief to the Ohio and Mississippi sufferers, that you legislated "from the heart!" Are your generous impulses dead, or can they only be aroused through the medium of the senses? Must you see these pioneers drowning like the people in Mississippi, or burning like those in Michigan, before your spirits will rise above the barrier of the law of 1825 and grant them relief? If so, pardon me, but this after death gratitude is more than we sak. If the souls of the but this after-death gratitude is more than we ask. If the souls of the gentlemen on the other side were so touched in the Ohio case by the sight of large quantities of a mysterious element called "water" as that they instantly voted \$300,000 to avert the miseries threatened those who were at its mercy, may I not hope that the emotion is not dead, and that the \$300,000 expressed for "sentiment's" sake at the first session of the Forty-eighth Congress is equal to a two-hundred-andfifty-thousand-dollar act of justice in the second session of that same

Congress.

Mr. Speaker, as to the matter of precedent, that objection is entirely prospective, for I do not understand that this bill is open to the objection that it is against any precedent already established by Congress. On the contrary, as I understand the case, it is supported by an unbroken line of precedents, from the Thirteenth Congress, in 1814, to the case of Myra Clarke Gaines, in the Forty-eighth Congress, 1884-'85, a bill for whose relief, it will be remembered, passed this Congress at its first session. This bill provided that Mrs. Gaines should be paid\$1.25 per acre for 38,457 acres of land taken by the Government, and to which she was entitled by descent. The difference between the quantum of recovery in this case and that of Mrs. Gaines is explained by the fact that the land she claimed was wild and unimproved, while the land that the land she claimed was wild and unimproved, while the land claimed by this bill owes its great value to the improvements put upon it during an occupancy of fourteen years by people who took it for a livelihood. The old cases condensed from the "State papers" are as

In 1814 an act was passed granting indemnity to certain claimants of the public lands in the so-called "Mississippi Territory," lying west of Georgia and south of Tennessee (3 Statutes at Large, page 116). This act called for the payment of \$5,000,000 to settlers and purchasers, as

To the Upper Mississippi Company.	\$350,000
To the Tennessee Company	600,600 1,550,000
To the Georgia Company, or persons claiming under said company	2, 250, 000
To citizen claimants	250,000

.. 5,000,000

These sums were granted upon memorials to Congress, in which the claimants, in one form or another, set up title to lands in said "Territory;" some under patents, &c., from Great Britain, some under patents, &c., from Spain, while others set up title under a sale authorized by a leg-

from Spain, white others see up three tinder's eate authorized by a legislative act of Georgia passed in 1795, which latter, because of alleged fraud and corruption, was repealed a few months after its passage.

The United States Supreme Court held in 1810, in Fletcher vs. Peck, 6 Cranch, 87, that all these titles were valid, but they had become so "clouded" as to be practically valueless to the real owners. They might have brought suit, as was done in VanWyck vs. Knevals, to oust the settlers who were on the lands under deeds of quitclaim and release from the United States, but the claims were so numerous and the action of Georgia and the United States had been such as to indicate that both desired to compromise and settle the claims rather than per-

mit the settlers to be ejected by proceedings at law.

The conflict of title arose in this way: Great Britain owned the "Mississippi Territory" prior to 1783, it being ceded that year to Spain, and by Spain to the United States in 1797–'98. Georgia claimed that this territory was secured for her, and not for the common benefit of

all the States, as the General Government claimed.

Standing upon her assumed right to this territory, Georgia, by legislative act passed January, 1795, granted some of the lands lying in the said territory to individuals and companies. It was alleged that this act was procured by corruption and fraud, and it was repealed February, 1796, the object of the repeal bill being to cut off the purchasers. As heretofore stated, the United States Supreme Court (6 Cranch) held that the purchasers were bona fide claimants with no notice of alleged fraud, and that their titles, as well as the titles of those settlers thereon

natid, and that their titles, as well as the littles of those settlers thereon under patents, &c., from Great Britain and from Spain, were valid.

Prior to this decision the trouble apprehended was so serious in its proportions that as early as April, 1798, Congress passed an act for an amicable adjustment not only of the limits of Georgia, but to establish Mississippi Territory. This act provided for the appointment of three commissioners to meet a like number of commissioners on the part of Georgia to settle all the interfering claims that existed between

claimants, Georgia, and the United States. This act also provided that the lands ascertained to belong to the United States in that territory should be sold by the General Government, and by another provision the Mississippi Territory, consisting substantially of the States (now) of Alabama and Mississippi, was established. It also provided that the rights of Georgia (pending the action of the commissioners) and of claimants were not to be impaired.

In 1800 Congress passed a supplemental act authorizing the Commissioners of the United States (and those of Georgia) to take a deed of cession from Georgia of the lands to settle all claims of settlers or claim-

ants, or receive from them terms of compromise. Terms were proposed and the commissioners sent them to Congress.

On the 24th of April, 1802, Georgia passed a cession and compromise act, ceding to the United States her claims to the territory. This act was conditional:

First. That the United States pay Georgia from the proceeds of the sale of lands in that territory the sum of \$1,250,000.

Second. All persons who were actual settlers in the aforesaid territory October 27, 1795, should be confirmed in their grants, made by either Great Britain or Spain.

Third. The United States might reserve 5,000,000 acres, or the proceeds thereof, to "satisfy, quiet, and compensate" such claimants other than those who had received grants from Great Britain and Spain. The other, it was understood, were the Georgia claimants, or purchasers

under legislative act of 1795.

March 3, 1803, Congress passed an act (2 Statutes at Large, 229) "to dispose of the public lands south of Tennessee," that is, the lands in Mississippi Territory. This act confirmed the old grants made in various ways by Great Britain and by Spain; and by section 8 made provision for setting aside enough of the proceeds of the sales of the lands to "satisfy, quiet, and compensate" such "other" claimants as should appear, evidently meaning the Georgia claimants and other settlers who had entered and cultivated lands in said territory under license or in

other manner by authority.

It would appear from memorials presented to the Thirteenth Congress, third session, that the General Government, up to that time (1814), had never indemnified the claimants, as it was clearly intended they should be under Georgia's deed of cession of 1802 and the act of Congress of 1803. The result was the passage of the act of 1814, authorizing the payment of \$5,000,000 to the claimants, in order to save them narmless and to make good to the settlers their homes and firesides under the patents or releases issued to them by the General Government under the act of 1803. (Volume 2, American State Papers, Public Lands, pages 740, 743, Duff Green's edition, 1834.)

The second precedent is an act of Congress passed January 14, 1820 (6 Statutes at Large, 236), "An act for the relief of the legal representatives of Philip Barbour, deceased."

Philip Barbour's father located 2,000 acres of land in "West Florida" under the following circumstances. The father of Philip had served.

under the following circumstances. The father of Philip had served as a captain in the British army until the war in the American colonies terminated in 1763. In 1768 he settled in the (then) colony of West Florida, now Mississippi, and there located the land mentioned, living thereon up to the Revolution. For espousing the American cause he was seized and his personal property confiscated. When Spain, in 1789, was seized and his personal property confiscated. When Spain, in 1789, obtained this territory from Great Britain, Barbour received Spanish confirmatory grants of his located lands. He lost his papers, and the United States coming into possession of the territory from Spain sold 1,500 acres of the 2,000 located by Barbour. The act passed was to give the son of Barbour relief, so as not to disturb the settlers under grants from the United States of lands which the General Government did not own. (See American State Papers, Public Lands, volume 3, page 345, House Report No. 282, Duff Green's edition.)

The third precedent to support this bill is found in an act passed by

Congress May 26, 1824-

An act authorizing the President to ascertain the number of acres of landlying between the Ludlow and Roberts lines of survey in Ohio, the value thereof, exclusive of improvements, held by claimants under Virginia military-land warrants, and on what terms the claimants would release, &c. (4 Statutes at Large, 70.)

Twenty-one hundred acres of land were involved. In 9 Wheaton, 469, the legal question at issue between rival claimants was passed upon and a relief bill followed.

The House Public Lands Committee made a report on this case, in The House Public Lands Committee made a report on this case, in which it appears that the contending parties both claimed under a title derived from the United States, as is the case here. (See American State Papers, Public Lands, volume 3, page 620, House Report 410.)

The plaintiff claimed under a warrant granted to one of the soldiers of the Virginia line; the defendants claimed under a direct purchase from the United States Government and patent. The court, in 9 Wheaton, 469, held that plaintiff was entitled to recover.

The report on the act or bill was:

The report on the act or bill was: First. That the land involved was divided in small farms under a high state of cultivation and of improvement, owned by various individuals in moderate circumstances who are unacquainted with litigation

and fearful of being dragged into a court of justice.

Second. That good faith required an exertion on the part of the Government to quiet in their possession persons who had expended their

all in purchasing and improving the lands for which they hold the patent of the United States.

Third. The committee did not say what measure of damages should be allowed, but did say that the "most liberal allowance should be extended" toward citizens; that in the Philip Barbour case (supra) the amount or basis of indemnity was the damages equal to the valuation.

In the Eighteenth Congress, second session, this matter again came up, Mr. Rankin making the report from the House Public Lands Committee. (Volume 4, American State Papers, Public Lands, Gales & Seaton's edition, 1859, page 66, House Report No. 441.) This report refers to the report supra (No. 410), and says:

to the report supra (No. 410), and says:

Your committee are unanimously of the opinion that purchasers from the United States who purchased on the faith of the Government, who are understood to have made large improvements on the lands, ought not to be disturbed in their possessions and deprived of the fruits of their industry, provided the adverse claims can be quieted without an unreasonable sacrifice on the part of the Government. To a numerous class of valuable citizens, deprived of their homes after years of tedious and expensive litigation, the purchase-money and interest would be a very inadequate and unsatisfactory remuneration, while the Government, without having any regard to the claim which would be made for the valuable improvements of which citizens would be deprived, would be compelled to pay a much larger sum than that proposed in the compromise with the claimants under the Virginia military land-warrants.

The committee reported a bill suphysicing the President to purchase

The committee reported a bill authorizing the President to purchase the releases of all the settlers claiming title who had located prior to June, 1812, under their military-land warrants, between the Ludlow and Roberts lines.

The amount of money appropriated by the act of 1824 was \$80,000, that being what it cost the Government to buy in the paramount title of those holding the Virginia military-land warrants.

The fourth precedent is as follows: In 2 Peters, United States Reports, 417, will be found the case of Reynolds vs. McArthur. The latter brought ejectment and recovered, and this decision was sustained. The facts were as follows: McArthur claimed under a patent of the United States, dated in 1812, founded on an entry and survey made in 1810, on a warrant granted for services in the Revolution. Reynolds claimed as assignee of one Van Meter, who had entered the same land at the Cincinnati land office. The theory of Van Meter's title was that the lands northwest of the Ohio River, between the Scioto and Little Miami, west of Ludlow's and east of Roberts's lines, which had been reserved to satisfy military bounties which Virginia had promised, had been (prior to 1810) withdrawn. The land office acted on that theory, but the court held not, and gave McArthur and all others similarly situated their titles. This called for relief to those who had taken and entered as had Van Meter. Hence we find that Congress passed an act, approved February 12, 1831, giving one Philip Doddridge (see 9 Wheaton, 469) the sum of \$1,765.68 for seven hundred acres of land (taken as Van Meter's had been), with interest at 6 per cent. from 1825 (4 Statutes at Large, 440).

It is not my purpose to discuss the old cases; their application is obvious. It is, however, worthy of note that while the act for the relief of the settlers on the lands covered by the Virginia military-land warrants, passed May 26, 1824, is prior to the act of January 12, 1825, nevertheless the committee of the Eighteenth Congress answers the arguments made to-day under the act of 1825 when they say:

Your committee are unanimously of the opinion that purchasers from the United States who purchased on the faith of the Government, who are understood to have made large improvements on the lands, ought not to be disturbed in their possession and deprived of the fruits of their industry, provided the adverse claim can be quieted without an unreasonable sacrifice on the part of the Government. To a numerous class of valuable citizens deprived of their homes after years of tedious and expensive litigation, the purchase-money and interest would be a very inadequate and unsatisfactory remuneration.

Accordingly they report and the Congress passed a bill for the relief of those settlers, under which the United States expended \$80,000 in buying in the paramount title to 2,100 acres of land, being at the rate of \$38 per acre.

The fourth precedent cited, that of the bill for the relief of Philip Doddridge, demonstrates that the law of 1825 was not regarded by the then Congress as sufficient for the relief of cases like the one under consideration.

In citing precedents favorable to this bill I have not thought it necessary to refer to a numerous class of modern cases with which Congress is brought in contact nearly every time it goes to the Private Calendar. I refer to the bills for the relief of persons who have complied with the law as to settlement on homesteads and pre-emption, paid their fees and money, and yet can get no patent because the land has been previously patented or granted to another, and who, instead of receiving back their fees and money under the law of 1825, or that of 1828 to the same effect, ask Congress to give them another piece of land without settlement or the payment of fees. This Congress has done in hundreds of cases, thus putting afloat thousands of acres of scrip, some of which is very valuable. These settlers do not ask this; they ask what is less in point of value; they ask not for its scrip, but for their homes. The gentlemen who oppose this bill because of the prespective operation of the precedent say that it will let in floods of claimants. Suppose

The gentlemen who oppose this bill because of the prospective operation of the precedent say that it will let in floods of claimants. Suppose it does. If they come with such a case as this Congress ought to welcome the opportunity to do them justice. But that this will result is refuted by the record. Seventy-one years have passed since, when, in 1814, the United States paid \$5,000,000 to quiet title to lands, and in that time only three cases, excluding that of 1814, have been acted upon. Not an

overwhelmingflood, gentlemen! Only four cases, so far as I can discover, of direct money relief to settlers for the loss of title since the formation of the present Union—four cases in what is practically one hundred years. Four cases in the course of the settlement of a continent, one case to about every 15,000,000 of people, and gentlemen speak of a flood to spring from under this precedent. Where will it spring from—from the lands of the future? Where are they? We have the great Territories, mostly deserts, worthless unless irrigated; the mountains whose grim surfaces are valueless to all husbandmen unless they come to behold that which was written in the wrath of creation, the tragedy of material nature, and to gather the inspiration of that majesty which is beyond speech—the ice-fields of Alaska. There are other millions of acres that were flung into the insatiate may of the corporations, and upon their rescue from the "lion's grip'" depend the future of the public domain and the possibility of the other cases which gentlemen profess to fear.

The whole number of acres of the public domain granted in aid of railroads, canals, and military wagon-roads from 1824 down to June 30, 1880, is 155,504,994, of which 45,650,026 were patented or certified. Of the total, 7,372,882 acres were "patented or certified" under Fillmore's administration; under Pierce's administration, 14,886,396; under Lincoln's administration, 17,164,270; under Johnson's administration, 5,020,107; under Grant's administration, 1,203,689; showing the disappearance of land desirable even to railroads as a gift, and God knows what a railroad would not take as a gift no human being will

want to pay for.

I take it that the Congress is not bound to a precedent like a bundle of little "nisi prius" lawyers; that each case which presents a principle will be decided upon that and not upon some future fear. I have scarcely found an opponent of this measure who has not frankly admitted that injustice has been done these settlers which he deeply deplored, and which, but for the precedent thereby to be established, he would willingly relieve.

Mr. Speaker, when my honorable colleagues refer to the precedents what do they mean? The precedents support this case. They must then, as I stated at the outset, refer to the prospective operation of this law. I submit it is not fair to answer a question of to-day by an objection of to-morrow. To-morrow never was a good answer to-day. Is this not the "begin-all" and "end-all" of the matter: What is wise—what is just? This answered all is answered, and I put that question to the conscience of you all. Gentlemen talk of the precedent of this case as though it would carry a penalty. There is no penalty to wisdom except that which comes from its disobedience, and justice is not pessimistic. This Congress has voted such relief in lesser cases almost every week of its existence; hence your objection to this case lies not to the right, but to the quantum of recovery; the settlers ought to have relief, but not what justice calls for.

Gentlemen tell me they would vote to repay to settlers what they have paid and interest. On the theory that this was not railroad land and only cost \$1.25 an acre, the returns if it carried interest would amount to \$3 per acre. If the settler paid double minimum price, as for land in railroad limits, \$2.50 an acre, the return with interest would be \$6 an acre. What they ask will not average the lesser amount, for in no case can they receive to exceed \$3.50 an acre except where costs have been paid. But the objection to this system of reasoning is that it takes no account of those who have paid nothing but fees, having acquired title by homestead, by residence and improvement alone, and no return would be just that did not treat this most deserving class of men as the equals of any other claimant.

Some of my colleagues say they will vote to make the Government pay what the settlers paid without interest—the Government to pay for betterments (improvements). This would make it cost the Government not less than \$10 an acre, nearly three times what is asked. All these settlers ask is what it costs them to buy in the paramount title. This they can get for not exceeding \$3.50 per acre. If it costs more it is their loss, if less the Government's gain.

Some gentlemen express a fear that the passage of this bill will open the way for the relief of the settlers on the Des Moines River grant. I have studied that case, and without saying anything to the prejudice of claimants thereunder, I will say that there is no parity between the two, and the one will set no precedent for the other. The bill for their relief now before the House provides simply for the bringing of an action or actions by the United States to quiet their title, with the right on their part to join therein. In this connection I take the liberty to print in my remarks the following extract from the report of the majority of the Committee on Public Lands of the Senate, as bearing at least upon the sentiment of the bill under consideration:

Every interest, near or remote, connected with this unfortunate controversy will be promoted by the passage of the proposed bill; but the committee feel that the duty of Congress is especially to the poor and unfortunate people who went upon the lands in response to the invitation of the Government and in faith of its title. What they ask is moderate compared with their deserving, and it is difficult to see how objection can be made to a proposition that so serious and injurious a controversy shall be settled by the judgment of the highest court in the land.

And also the following from the report of the minority of that committee, as bearing directly upon the principle for which I contend in the bill under consideration:

Congress had better appropriate any amount of money to compensate the claimants of these lands for the losses they have sustained through the mistaken

or improvident procedure of its land officers, than to attempt to avoid such a debt of justice by taking the land from one bona fide purchaser to give it to another bona fide pre-emptor or homestead claimant. It is better, in the opinion of the undersigned, that Congress should at once assume the duty and burden of making just compensation for losses that have been sustained by those who bought these lands from the United States, under the mistaken belief of the land officers that they were open to settlement and disposal as part of the public domain, and have lost the benefits of their purchases.

This report is signed by Senators Morgan, Dolph, Gibson, and

Mr. Speaker, these men are my constituents; they are more, my neighbors; they are still more, my comrades, for in the heroic days nearly nine-tenths of them were Unionsoldiers. This will not prejudice their case with you men of the South, for you were brave and must be generous and just. Nearly all of those for whom I plead are known to me personally, and accordingly I take a keen and personal interest in their rights and wrongs. I have known them from the "ground up," for I knew them when they lived in the earth, in "dugouts," and have watched them for years as they spread the seed and gathered the harvest which was the trust of the armies of laborers of the world. They have fought a brave fight and redeemed the desert of twenty years ago. They are of the class of men that Miller saw when he wrote these lines:

A race of unnamed giants these,
That moved like gods among the trees,
So stern, so stubborn-brow'd, and slow,
With strength of black-maned buffalo,
And each man notable and tall,
A kingly and unconscious Saul,
A sort of sullen Hercules.

They are not mendicants, for when the hell-blasts of the drought and the clouds of locust a few years ago reduced them to starvation they made no sign, asked no aid of the Government, as did those who saw made no sign, asked no and of the Government, as did those who saw their all devoured by the flames in Michigan or swept away by the floods of the Ohio or the Mississippi. They fought their battle alone, and what they ask now they ask not as alms but as justice, and to that answering justice in your consciences I commit their case, only regretting that my condition physically perhaps unfits me to represent them on this floor as they deserve to be represented.

Rivers and Harbors.

SPEECH

HON. M. C. GEORGE.

OF OREGON.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 18, 1885,

On the bill (H. R. 8130) making appropriations for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes.

Mr. CHAIRMAN: I had intended to urge on this floor the adoption of amendments to several portions of the bill affecting my State, but on mature reflection, in view of the great difficulties in the way of succe ful amendment upon the House floor, the consequence of rejection, the impending dangers to the passage of any bill, and in view of past experience, I have deemed another plan of action more advisable and promising greater success ere this bill becomes a law.

I have ever been a friend of river and harbor improvement, full and broad in its spirit and nationality, and so long as I have a vote it shall be cast in favor of the use of our surplus public money for the public welfare. I must, however, take this occasion to call the attention of this House and the country to two of the great works in my State omitted in the bill as it stands.

I regret exceedingly that our committee has not included the improvement of the mouth of the Columbia River. Congress is committed to the work. Three years ago we appropriated \$7,500 for a commission of engineers to examine and report on this project. Under that law a board of eminent engineers was constituted, who visited the locality and, so far as all practical purposes is concerned, unanimously agreed on the necessity, utility, and general plan of the work, and only differed in opinion as to the height to which the jetty would have to be raised and the distance out it would have to be projected, both of which points of differences experience must hereafter determine ere appropriation for that part is required. The minority thought that the good work could be accomplished without carrying the jetty so high or so The majority say as to height that-

The work proposed should be brought only to the level of low tide. If, however, experience should demonstrate the necessity for raising the jetty to any level greater than low water, it can be readily done on the lower jetty as a foundation.

As to length, they say:

This jetty is to stop short of a point three miles south of Cape Disappointment r be prolonged beyond it as experience may indicate to be necessary.

Another very gratifying feature is the reasonable prospect of the con-

struction of this jetty at a cost much less than estimated by the engineers. In their report they say:

This jetty is expected to be mainly of stone, and the estimate is on that basis. Speaking of substituting wood for stone, they use these words:

A favorable circumstance is the apparent absence over a considerable length of the proposed work of the sea-worm (teredo navalis) which in some other sections of the country proves so very hurtful to structures of which wood is a part, and practically prohibits its use for works of a permanent character.

The estimated cost was on the basis of stone and beton blocks as material, but if, as is recommended by the engineers, mattresses and piling can be used, the cost will be greatly decreased. Whatever other beneficial causes may exist this much is certain, that the great quantity of fresh water at the mouth of the Columbia River is death to that greatest enemy of woodwork, the teredo; besides, the sands, from the great natural causes constantly operating, will pile up around and through the jetty to the utter destruction of this worm even in salt water.

In addition to this we find the Chief of Engineers, in his report, saying that-

Experience on improvements at other Oregon coast entrances continues to be favorable for the prompt success and reduction of cost of the Columbia jetty.

Two years ago our House committee in the river and harbor bill gave the sum of \$75,000 to commence this work under the recommendation the sum of \$75,000 to commence this work under the recommendation of the board of engineers. This passed the House, but as the river and harbor bill died in the Senate it did not become a law. This was in the Forty-seventh Congress. In the river and harbor bill of last year this House concurred in a Senate amendment and \$100,000 was voted to commence this great work; and now the Chief of Engineers asks for \$500,000, and expresses the belief that the jetty it will enable to be constructed will "check the present shifting tendency of the channel southward, increase the depth, and give prompt relief to a large and increasing shiming."

increasing shipping."

Last December I introduced a bill to appropriate this sum. The importance of this work is national. Like some other great works located in my State its local benefit is not only to the State of Oregon but also to the Territories of Washington, Idaho, and a large portion of Montana. It will be also of national benefit in diverting a trade of a considerable

portion of British Columbia into our territory.

This improvement will afford us over thirty feet of channel over the bar. The Columbia River entrance is directly out to the sea from the only break in a most formidable mountain range from Mexico to British Columbia. It will give us a great national harbor on the Pacific coast for the transcontinental trade to Asia; in fact, by it we promote the welfare of our whole commerce abroad.

I regret to learn that an erroneous impression exists in the minds of some of the members of the committee growing out of a supposed similarity of circumstances at the mouth of the Columbia River and Gulf ports where the prospective success of the submerged jetty system is being questioned.

At Galveston and other places the plan has been to build jetties over the bar, concentrating the flow of the water between the jetties, and thus clear out a channel between the jetty walls through the bar.

Engineers like Captain Eads claim that submerged jetties under such conditions will never do effective work for two reasons: First, the waste of water over them; and second, the deposit of sand between the jetties during every storm. They claim that the jetties should be carried been the second of the deposit of sand between the jetties during every storm. ried above the sea-level in order to utilize the limited flow of water in many of these bays and outlets and thus secure sufficient scouring capacity. This, however, would not apply to the mouth of the Columbia River, where the flow is probably over five times as great as in the south pass of the Mississippi where Eads placed his famous jetties. So also with the other objection that the sand will wash over the submerged jetty in storms and fill up and obliterate any channel which the current in calmer weather might be able to excavate. This, even if true elsewhere, has no application to our work at the Columbia River eneisewhere, has no application to our work at the Columbia River entrance. There only one jetty is to be constructed—Cape Disappointment already forming the other. This jetty is not to be across any bar and is not intended to deepen any channel alongside of it as at Galveston and other points. The jetty is to be placed on Clatsop Spit and will be several miles inside of the bar, and when the plan is carried out the old situation will have been restored which gave us thirty-five feet over the bar as in 1701 and thirty form feet in 1801. five feet over the bar as in 1791 and thirty-four feet in 1841.

So the objections to submerged jetties elsewhere do not apply to the Columbia River improvement, and even if they did we have already seen that the jetty can easily be raised to the sea-level. There can be no question about the perfect feasibility of this improvement.

Now a word, Mr. Chairman, concerning the other improvement left out by our House committee, namely, the one at Coos Bay. The Chief of Engineers in his last report informs us that notwithstanding "the natural channel was shifting and usually tortuous the amount already expended has afforded during the last three years a straighter and more stable channel." The estimates for the present year are \$150,000, for which I introduced a bill early in the session. The Chief of Engineers says that he "expects the amount to make the depth permanent, which will have been gained, and further improve the channel direction, giving much benefit to a large and increasing coasting trade."

The local engineer states that "this stability is quite beneficial in

preventing delay of bar crossings." He speaks of increased confidence in the channel as evidenced by crossings in rainy and cloudy weather or even after night.

Again he says:

Formerly each tug could tow out but one deep-draught vessel on a tide from the anchorage below Empire City; now the tugs take out three or four each on a tide.

This is a very important work and will be of great benefit to a large and rapidly developing section of Oregon.

National Board of Health.

SPEECH

HON. I. NEWTON EVANS.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, February 25, 1885,

On the clause in the deficiency bill which abolishes the National Board of Health.

Mr. EVANS said:

Mr. CHAIRMAN: The Committee on Public Health, of which I have the honor to be a member, is specially charged with the duty of investigating and reporting on matters affecting the public health. The committee recently submitted its views, and by order of this House their recommendation that an appropriation be made for continuing the work of the National Board of Health was referred to the Committee on Ap-

That committee has assumed not only to ignore the recommendation of the Public Health Committee, which has carefully investigated the subject with every facility for ascertaining the needs of the country in this direction, but has also attempted to repeal general legislation on this appropriation bill.

The clause to abolish the board, as provided on page 13, line 301, can not but be regarded as new legislation. While it may not be subject to a point of order for the reason that it decreases expenditures, but for that reason, if for no other, it has no business in this bill. The object of a deficiency bill is to make appropriations to pay the expenses of the Government incurred in excess of the sums appropriated for the last fiscal year. This can in no wise be regarded as a deficiency, and

therefore is not germane.

It is claimed that there is no need of a national board of health.

Are we to take the dictum of members of the Committee on Appropriations on a subject over which they have no jurisdiction as against the formal report of the committee to which this House has specially confided the care of health matters? Is the Appropriations Committee to say to us this is needed and that is not needed, as may best serve its purpose, and are we to tamely submit to its dictation and under its whip and spur fly as it directs? If such is to be the decision, the sooner the whole House is merged in one huge appropriation committee the

The interests involved in the question under consideration are of too grave a character, too far-reaching and important in their results, to be passed over lightly or to be brushed away with the stroke of a pen.

The protection of human life and the promotion of the public health

are questions of vital importance. To none of greater moment can the attention of the private citizen or the legislator be directed.

The question has been asked by some of the members of this House, What has been the work of the National Board of Health and what good has it accomplished? In answer to their inquiries I beg leave to print the following, which is a part of their report for the year 1884:

print the following, which is a part of their report for the year 1884:

II. The collection of information with regard to the sanitary condition of some of the principal cities and towns in the United States. Work in this direction was organized at the first session of the board by the printing, with additions and corrections, of a series of schedules of questions for the sanitary survey of a city; the original schedules for this purpose having been prepared several years previously by a committee of the American Public Health Association. A number of these schedules have been returned to the board properly filled up, and others are in course of completion. It is believed that the result has already been good in indicating the lines of inquiry which should be pursued by municipal authorities in relation to sanitary matters, and that hereafter a large amount of valuable information might be collected by this means.

III. The appointment of a commission to investigate yellow fever in the Island of Cuba, consisting of Dr. S. E. Chaillé and Col. T. S. Hardie, C. E., of New Orleans; Dr. John Guiterás, of Philadelphia; and Surgeon George M. Sternberg, United States Army.

From their report it appears that yellow fever must be considered as endemie in the Island of Cuba, and that for many years it has prevailed annually in the principal ports. The facts presented do not confirm the theory of the spontaneous origin of the yellow-fever poison on board ships, and make it improbable that the cleaning of the harbor of Havana and the constant renewal of its waters, however desirable, would prevent the infection of the shipping at this port.

IV. The standing committee of the board on sanitary legislation, consisting of Drs. H. I. Bowditch, S. M. Bemiss, and Stephen Smith, employed a competent

legal authority of Boston to collect and collate the sanitary laws of the United States and of the several States, including not only the statutes but the decisions of the several courts, on all questions involving the public health.

This compilation was of great practical interest and utility to all interested in sanitary legislation.

V. At the request of the board, an investigation as to the best method of determining the amount and character of organic matter in the air was undertaken by Professor Ira Remsen, of the Johns Hopkins University of Baltimore.

VI. An investigation as to the effects of disinfectants, and especially of those used for disinfecting inclosed spaces, was undertaken by Dr. W. S. Bigelow, of Boston, assisted by Dr. H. P. Bowditch, professor of physiology, and Dr. Wood, professor of chemistry of Harvard University, the whole being under the general direction and advice of Dr. C. F. Folsom, secretary State board of health of Massachusetts.

VII. An investigation as to the composition and merits of the various patent disinfectants was made at the request of the board by Professor C. F. Chandler, of Columbia College, president of the board of health of New York city.

VIII. An investigation as to the prevalence of adulterations in food or drugs in the United States, under the direction of Dr. H. A. Johnson, chairman of the standing committee on this subject. In this connection a paper upon the deteriorations and adulterations of food was prepared for the board by Dr. R. M. Kedzie, president of the State board of health of Michigan, and a paper on the adulterations of drugs by Professor L. Diehl, of Louisville, Ky.

IX. A preliminary inquiry as to the diseases of food-producing animals of the United States, and the legislation, whether State or national, which seems desirable in regard to this subject. This was under the direction of a standing committee of the board, composed of Drs. J. L. Cabell, T.S. Verdi, and P. H. Bailhache, and special reports upon the subject for this committee were

I, with a view to determining the most efficient and least expensive form of sewers.

It may be observed that the results of this investigation have already been of practical importance, since it was the presentation of a portion of these results to the committee charged with the sanitary survey of Memphis which led that committee to recommend a scheme for the sewerage of that city, based on the researches of Colonel Warring, estimated to cost about \$255,000, in preference to a plan of sewerage prepared in the ordinary manner and estimated to cost \$500,000.

XI. A sanitary survey of the eastern coast of New Jersey bordering on New York Harbor was made with the aid of this board, under the direction of the State board of health of New Jersey.

XII. A sanitary survey of the city of Memphis, Tenn., was commenced as soon after the close of the epidemic as possible, under the direction of a special committee of the National Board of Health, of which Dr. J.S. Billings was chairman. A preliminary report of this committee was prepared to meet the urgent demand on the part of the municipal authorities for advice as to the course to be pursued.

demand on the part of the municipal authorities for advice as to the course to be pursued.

XIII. An investigation as to the hygiene of the mercantile marine and as to what legislation is expedient to improve its sanitary condition. Surgeon P. H. Bailhache, U. S. M. H. S., was especially detailed by the chief of that bureau to prepare this report.

XIV. An investigation by Dr. Elisha Harris, of New York, upon diphtheria as it occurred in Northern Vermont.

XV. An investigation by Professor Raphael Pumpelly, of the United States Geological Survey, upon the influence of various soils upon sanitation, especially with regard to drainage and methods of disposal of excreta.

XVI. An investigation by Drs. H. C. Wood and H. F. Formad, of Philadelphia, as to the effects of inoculating lower animals with diphtheritic exudation.

XVII. Researches by Dr. G. M. Sternberg, United States Army, upon suspended particles in the air of places liable to infection, which were commenced in Havana and continued in New Orleans. These researches included an investigation upon organized particles from swamps and other malarious localities, with the view of testing the accuracy of the observations of Klebs and Tomassi-Crudeli, and others, on the existence of spores alleged to be the producing cause of malarial fevers.

Tomassi-Crudeli, and others, on the existence of spores alleged to be the producing cause of maiarial fevers.

XVIII. A report by Dr. J. J. Woodward, United States Army, on the pathological history of yellow fever.

XIX. A report by Professor Abbe, of the Signal Service Bureau, on the possible relations between meteorological phenomena and vital statistics, and especially on the graphical methods of representing such data.

XX. An investigation by Col. G. E. Waring, jr., of Newport, R. I., on the influence on the water-seal of traps of different kinds of currents of water passing through them or through the pipes into which they deliver, under a variety of conditions, covering ventilation, copious or partial, and induced currents arising from the passage of water over the branches of different form and arrangement, including experiments with regard to siphoning and the best manner to secure an adequate flush for water-closets, drains, &c.

XXI. An investigation by Professor Ira Remsen, of the Johns Hopkins University, Baltimore, as to the amount of carbonic oxide in furnace-heated rooms, XXII. The history of quarantine in the United States, exhibiting the occasions which give rise to quarantine legislation, or attempts at such legislation, by States or by the General Government, prepared by Dr. Stephen Smith, a member of the board.

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XXIII. A report by Dr. CharlesSmart on the water-supply of Mobile and New

of the board.

XXIII. A report by Dr. Charles Smart on the water-supply of Mobile and New Orleans.

XXIV. A sanitary survey of selected portions of Baltimore city was undertaken by this board, in compliance with the request of the city council, by Dr. C. W. Chancellor, secretary of the State board of health.

XXV. Experimental investigations, by George M. Sternberg, surgeon U. S. A., relating to the ctiology of the malarial fevers.

XXVI. A report upon the sewerage systems of the principal cities of Europe, by Rudolph Hering, sanitary engineer.

XXVII. An investigation on the best method of determining the quantity of organic matter in potable water, and the specific effects of variously contaminated water on the health of persons who have used it, by Prof. J. W. Mallet, of the University of Virginia.

XXVIII. An investigation into the sanitary condition of summer resorts, by E. W. Bowditch, sanitary engineer.

XXIX. An investigation into the conditions of arsenical poisoning by means of emanations from wall-papers, carpets, and other furniture containing arsenical coloring matter, by Professor Wood, of Harvard University.

XXX. An investigation into the conditions under which different styles of traps lose their water-seal by siphon action, by George E. Waring, jr., S. E., Edward S. Philbrick, C. E., and Ernest W. Bowditch, S. E.

XXXI. An inquiry into the causes and nature of malaria, with special reference to the conditions of its recent prevalence in the States of New York, Connecticut, Rhode Island, and Massachusetts, was commenced, with the approval and co-operation of the several State boards of health, who were to furnish the topographical and elinical data, while the scientific investigation of the essential nature of the malarial poison by experimental processes similar to those of Klebs, Tomassi-Crudeli, and Sternberg was assigned to Dr. J. D. Whitney, of Boston.

This investigation was regarded by this board as likely to lead to very important results in their bearing upon the public health of an extensive region recently invaded by malarial fever. It was clearly such an investigation as was within the scope of the duties assigned to the board by the act of March 3, 1579, and as relating to a subject in which the entire country is more or less interested, was one for which the service of a national board of health was eminently appropriate. It is deeply to be regretted, in the interests of the public health, that it has been necessarily abandoned for want of an appropriation applicable to such purposes.

propriate. It is deeply to be regretted, in the interests of the public health, that it has been necessarily abandoned for want of an appropriation applicable to such purposes.

XXXII. A report of the various forms of legislation by which, in this country, attempts have been made to secure registration of vital statistics, with appended copies of all the various acts passed up to the present time, together with a brief historical sketch of the progress of registration in each State and the results obtained. There is also appended a table showing the results of an analysis of the various registration laws, so arranged that each can be readily compared with the others in regard to any particular item.

The results of the investigations above referred to have, in those cases in which the work has been completed, been transmitted to Congress with previous reports. Despite the limited circulation which has been given to these reports (only the usual 1,000 copies of each having as yet been printed) it is difficult to exaggerate the interest which has been awakened in the subjects treated, both in our own and in foreign countries. It is with feelings of national pride that we are able to record the commendations pronounced upon these efforts by eminent scientists and sanitarians both at home and abroad. The demand for these reports, both from our own people and from foreign countries, has far exceeded the provision made by Congress, and it is earnestly recommended that additional copies be authorized. It can hardly be expected that provision can be made for supplying all applicants with copies, but it is respectfully submitted the value attached to these reports by the medical profession, by sanitary engineers, and others interested in the advance of sanitary science warrant the publication of a sufficient number of copies to enable us to supply the public and college libraries of the country and the Government and other sanitary organizations abroad.

Sanitary Legislation.

SANITARY LEGISLATION.

a sufficient number of copies to enable us to supply the public and college libraries of the country and the Government and other sanitary organizations abroad.

SANITARY LEGISLATION.

The establishment of the National Board of Health and the success which attended its efforts in battling with the epidemic of 1879 awakened the liveliest interest in preventive measures throughout the country. The advantages to be derived from systematic organization and execution of sanitary regulations were practically demonstrated, and the methods of dealing with epidemics inaugurated by the board continue to receive universal support and co-operation. The impulse thus given to the study of all questions relating to general sanitation has resulted in a rapid increase in the number of State and local sanitary organizations. State boards of health or sanitary organizations bearing similar relations to the State governments are now provided for in twenty-seven States of the Union, while local organizations have been established in many of the important towns, as also in many of the counties throughout several of the States. Insome of the States, or the states and local sanitary organizations perfected, which have not only already accomplished great good, but which also give promise of the most satisfactory results in the future.

To all efforts made to improve the sanitary condition of the country and prevent the spread of disease the national board has given its most earnest and hearty co-operation, and it is to be hoped that ere long there will be not only a State board of health in every State, but also a local board in every county and township throughout the country. It is to the application of preventive measures now known, and of others which will yet be discovered, that we must look, in a very great degree, for an improvement in the physical condition of the people, for a limitation upon the people, and a consequent increase in both the available strength and wealth of the nation. Much has already been added to the way of

The National Board of Health has been in existence since March, The National Board of Health has been in existence since march, 1879, and during that period has rendered services to the country which can only be estimated by hundreds of millions of dollars. The effect of the report of a single case of yellow fever in the Mississippi Valley, in the absence of the power, influence, and regulations of the National Board of Health has been to depress the price of produce in Western markets to the extent of many thousands of dollars in a single day, the commerce of the entire Mississippi Valley has been disturbed, and uncertainty and dread have pervaded the cities and towns along all her rivers.

Compare the condition of things prior to the organization of the National Board of Health with that which has prevailed under its direction. In 1878, yellow fever swept from the Gulf of Mexico to Ohio. A hundred towns were invaded by the dread disease; desolation marked its course. Individuals, towns, cities, and States were powerless. The disease sped on; commerce was destroyed, and while the coffers of the sympathizing people of the North were unlocked and money was poured out with lavish hand to minister to the necessities of the sick and dying, all stood in awe, utterly helpless before the fell destroyer, until a hundred thousand cases and twenty thousand deaths made up the record of that fatal year.

Then came the call for a national board of health, and Congress was prompt to respond. With the recollections of 1878 still fresh in mind s hastened to provide for the board, clothed it with power, and congress hastened to provide for the board, clothed it with power, and furnished it with \$500,000 to be used in protecting the country from the ravages of disease. Before the board had scarcely organized yellow fever broke out again. But mark the contrast. There are those on this floor who passed through those years of sorrow, grief, and death, and they can tell us of what use was the National Board of Health.

They can tell us that order was brought out of confusion; that confidence took the place of fear; that shotgun quarantines were banished; that compares controlled by sorriery regulations, was to mismed displaced.

fidence took the place of fear; that shotgun quarantines were banished; that commerce, controlled by sanitary regulations, went on unimpeded; that the disease, instead of spreading throughout the country, was confined almost wholly to the few towns in which it broke out early in the season. Instead of 100,000 cases there were but 2,000, and instead of 20,000 deaths there were 800. It may be argued that the material for yellow fever was used up in 1878; but the increased malignancy of the disease in 1879, as shown by the excessive mortality, which was 33 per cent. greater, demonstrates conclusively that but for the control exercised by the National Board of Health it would have spread far and wide. and wide.

As regards the effect upon the business of the Mississippi Valley in 1879, the secretary of the State board of health of Illinois states that the Illinois Central Railread received from the South from July to October of that year over 100,000 tons of freight more than during the same period in 1878, while the passenger travel, which was almost wholly suspended in 1878, was scarcely interrupted in 1879, and that this result could not possibly have been reached without the co-operation of the National Board of Health, and that the utmost exertions of the board were required at all times to allay the fears of local authorities.

National Board of Health, and that the utmost exercions of the board were required at all times to allay the fears of local authorities.

From that day to the present the people of the Mississippi Valley have known that epidemics can be controlled. From that day to the present they have been calling upon Congress to provide the board with means for protecting the people of the country.

The unanimous voice of the cities and towns, of railroad and steamboat companies and State and local health organizations, was that the

boat companies, and State and local health organizations, was that the services rendered by the board were invaluable, and they are pressing us now to clothe the board with all the power necessary to continue its beneficent services.

But we are met with the reply that there is no need of two organizations to perform the same service; that the Marine-Hospital Service can do all that is needed to be done.

do all that is needed to be done.

I do not propose to discuss or criticise the Marine-Hospital Service. As a medical man, I know for what purpose it was called into and is kept in being. Other members of the profession on this floor know as well as I the sphere of duties belonging to that service. Its field is in curative measures. It deals with sick sailors, while the National Board of Health operates in the field of preventive medicine, which is totally different, wholly foreign to the duties devolving legitimately upon the Marine-Hospital Service.

But whether the Marine-Hospital Service can perform satisfactorily to the country the duties belonging to the National Board of Health, I leave to the people and the various health organizations to say. The American Medical Association, the representative association of the profession in this country, has placed itself on record strongly in favor of supporting the National Board of Health, and their petition is now on the files of this House.

on the files of this House.

The American Public Health Association, embracing in its membership all the professions and many branches of business, numbering among its members the most distinguished sanitarians in the country, whose only aim is the public weal, this organization sends to us year by year its petition that the National Board of Health may be supported. Can it be alleged that these men, many of whom are dealing daily with disease in all its phases, do not know what is required? Shall we disregard the voice of the multitude, who tell us what the country needs, and be guided by the opposing voices of two or three who would destroy the national board?

Hear what the American Public Health Association says concerning

Hear what the American Public Health Association says concerning the National Board of Health:

Resolved, That there is a work to be done by such a board which can not be done by any local or State board, and which is not, and can not be, adequately represented or fulfilled by any other branch of the national service, as illustrated in its inspections and inquiries into special conditions so serious as to be national rather than local; and its dealings with yellow fever and small-pox; in its plans for consular health bills from foreign ports and refuge stations for a wide constrange; in its internal care over river and railroad transportation; in its investigation into malaria and other widespread causes of disease; in its valuable scientific and practical inquiries into the causes and courses of epidemics; in its comparisons of statistical facts, and in the widespread distribution of information most intimately affecting the vital conditions of our whole population.

Resolved, That while each State and each division of national service any contribute much aid in their respective spheres, we view with regret any curtailment of the functions of a board so constituted as to represent and unify the health interests of the entire nation.

Resolved, That we counsel the national board to continue all the work possible under the present restricted appropriations, and await with sonfidence the extension of its powers of usefulness, and that appreciation of its work for the past and its necessity for the future which can but result from a calm and careful estimate of the safeguards requisite for national health and prosperity.

Resolved, That the confining the work of the board to cholera, yellow fever, and small-pox is believed to be in the highest degree injudicious. It should have the full powers for investigation of all preventable diseases conferred upon it by its constituting act and be granted the funds necessary for this purpose;

and this should be done irrespective of the action which may be taken with re-

and this should be done irrespective of the action which may be taken with regard to quarantine.

Resolved, That the members of the American Public Health Association hereby pledge their individual co-operation in endeavoring to secure such national legislation as shall insure to the National Board of Health such material aid as may be needful in carrying out with the greatest efficiency all measures pertaining to the interest of public health.

Resolved, That the advisory council of this association, representing, as it does, the sanitarians of the various States, be directed to use all laudable efforts to place before the President of the United States and the Congress at Washington and before members of Congress in their several States the very great importance to the welfare of the country of such action by the United States of vernment as shall increase to the fullest extent the means and powers of usefulness of the National Board of Health.

Resolved, That so long as the United States Government confines its maritime, and inland quarantine service to the aiding of State and local boards of health, it is essential, for the best results, that such aid should be through channels most generally acceptable to State and local boards of health, whose co-operation is requisite; and we sincerely believe that the National Board of Health is the channel most generally acceptable.

In addition to these well-known associations we have the resolutions

In addition to these well-known associations we have the resolutions adopted by the Sanitary Council of the Mississippi Valley, together with their memorial to the President of the United States, asking—

their memorial to the President of the United States, asking—

That \$100,000 be placed at the disposal of the National Board of Health, in the event of an outbreak of yellow fever, or other epidemic, on the coast of our country. That body can give confidence to the people of the valley as to the necessary precautions and safeguards yearly demanded by the exposure of our southern ports to ravages of yellow fever. Their inspection stations and the mode their officers have adopted in isolation and disinfection, establishing quarantine only when emergency or occasion demands it, have earned for the national board a degree of confidence that of itself alone is worth millions of dollars to the commerce of the country.

To supplant this body, or withhold from it the necessary funds to maintain inspection stations at all exposed points, will, in our humble judgment, clog the wheels of commerce, by bringing about a feeling of distrust on the first alarm, be it true or false, and cause recourse to the shotgun policy of quarantine, which can but prove destructive to the commercial interests of the Missispip Valley, which in a measure affect those of the entire Union.

On motion, the draught of the memorial was approved, engrossed, and signed by the delegates from the States of Ohio, Indiana, Illinois, Kentucky, Tennessee, Missouri, Michigan, Wisconsin, Louisiana, Arkansas, and Mississippi, and directed to be forwarded to the President at Washington.

We also have the petition of the president and secretary of the State board of health of New York: In their own behalf, and on behalf of that board of health of New York: In their own behalf, and on behalf of that organization, they say that notwithstanding there are now twenty-nine State boards in existence, "which are beginning a great work in and for their respective States, the particular function of the National Board of Health can not be exercised by any or all of these State boards." Neither the naval, the military, nor the Marine Hospital Service can in the least fill the position and exercise the functions of a national health service. The duty, dignity, and sanitary welfare of the nation seem alike to warrant the conclusion that the National Board of Health health and a the advice of the Board at the National Board of Health should, under the advice of the President, be charged with all duties for which it was called into existence, and that in its relations to the State, interstate, and international public health interests the confidence and regard which are entertained for the board should be sufficient for imparting to the board all the official dignity and right which its high character actually merits.

high character actually merits.

The nations and people in all lands have good reason to expect such a course to be pursued toward the National Board of Health of the United States. The people of the American States look for it and will demand it. Public hygienists understand the necessity for it, and they, with the statesmen of the nations, point to the fact that contagious pests which are current in the foreign cities and countries are soon current in the United States. Even leprosy of distant lands is among our people, and the fevers and contagia of immigrants are being planted where the migrants move from the Atlantic to the Pacific. The national board's work and its scientific researches in the arts of disease-prevention are national.

The undersigned are aware that the factious and acrimonous opposition and unworthy criticism which sprang up against the national board some months ago have been used as means for organizing a permanent kind of force against it at Washington; but this must not militate against the continued life and usefulness of that branch of the public service. It has the confidence and ardent good will of the State boards of health and of all the most trusted sanitarians in this country and in Europe.

We have also the memorial of the hoard of health of the State of Ala-

We have also the memorial of the board of health of the State of Ala-The resolutions of the Illinois State board of health, the State bama. The resolutions of the Illinois State board of health, the State board of health of West Virginia, the State board of health of Michigan, the State board of health of Wisconsin, the County Medical Society of New York, the College of Physicians of Philadelphia, the South Carolina Medical Association, the board of health of Charleston, S. C., of the board of health of Memphis, of the Florida Medical Association, and last, but not least, the joint resolution of the senate and house of representations. resentatives of Pennsylvania, passed within the last few days, asking Congress not to abolish the National Board of Health.

Congress not to abolish the National Board of Health.

The query may arise in the minds of some of the members of this House why was it necessary for these health organizations to petition Congress and the President of the United States not to cripple or abolish the National Board of Health? The reason is apparent: From self-ish or jealous motives a factious opposition sprang up against the board; they succeeded in convincing that portion of the members of the House who have a mania for economy and reform that all the duties of the National Board of Health could be as efficiently performed by the Man National Board of Health could be as efficiently performed by the Marine-Hospital Service. The Appropriations Committee accordingly, in 1882, incorporated into the sundry civil bill a provision that the board of health should not expend more than \$125,000, and provided that no other moneys should be used for the purposes of the board; and March 3, 1883, they gave the board only \$10,000. Last year (1884) they gave

the board nothing, and they now come before this House not only ignoring the recommendations of the Public Health Committee to give the board \$25,000 to pay their per diem and necessary expenses and to place at the discretion of the President of the United States \$500,000 to be expended through such governmental agencies as he may designate, but they have inserted a clause in the bill to abolish entirely the National Board of Health.

Mr. Chairman, in view of the fact that all the health organizations of the country and the best sanitarians of the land are ardent advocates of a national board of health, I can not help regarding the action of the of a national board of nearth, I can not help regarding the action of the Appropriations Committee as unwise and inconsiderate, especially at this time, when we are supposed to be facing a most fearful and fatal epidemic, which has passed beyond the limits of its home in Asia to Southern and Western Europe. From past experience of all former epidemics of cholera, together with such frequent and rapid communication with England and the continent, we can not escape the conviction that we shall have a second such as a facility of the second such as a second such a tion that we shall have more or less of this disease in proportion to the sanitary measures adopted in the United States the coming summer and

The protection of human life and the promotion of the public health is an important duty, which we as legislators have no right to overlook, and a fearful responsibility rests on those members of this House who would destroy any of the means, and especially the best organized means, at our command to prevent the introduction and spread of such a malignant, infectious, or contagious disease as that of Asiatte cholera.

Foreign governments have had for many years past national sanitary

organizations, which they support and encourage by liberal appropria-tions. During this Congress we have appropriated \$150,000 for the intions. During this Congress we have appropriated \$150,000 for the investigation and prevention of pleuro-pneumonia and other diseases of the lower animals; we appropriate annually for a light-house system, the object of which is the protection of life as well as property, more than \$2,000,000, and for the Life-Saving Service notless than \$700,000, and now we are told that \$300,000 is enough to place in the hands of the President, and perhaps it is, if you are going to destroy the best and most efficient medium through which it should be used.

Mr. Chairman, I have not discussed the legal bearings of the question e are considering; I shall leave that to those whose profession is the we are considering; I shall leave that to those whose profession is the law. Suffice it to say, that I believe Congress has power to regulate commerce for the purpose of giving greater security to the health and lives of her citizens, and the powers conferred by the Constitution in the general-welfare clause, when it becomes actually necessary for self-protection, fully authorizes the establishment and support of the National Board of Health.

In conclusion, I would say that from what the board has done in the past, for what its past success promises for the future, and in view of the threatened epidemic from abroad, I beg that every member on this floor who has the interests of his countrymen at heart will vote to strike out that clause in this bill which abolishes the National Board of Health.

Reciprocity with Mexico.

SPEECH

HON. ABRAM S. HEWITT,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 27, 1885,

On the bill (H. R. 7365) to carry into effect a convention between the United States of America and the United States of Mexico, signed on the 29th day of January, 1883.

Mr. HEWITT, of New York, said:
Mr. SPEAKER: On the 4th of March next will begin the last Presidential term of the first century of our existence under the Constitution.
It is difficult to form any just idea of the contrast presented by this countries the form of the Government of t try at this time with its condition at the time of the formation of the Government. That 3,000,000 of people have expanded into a population of nearly 60,000,000 in less than a century does not express the transformation which has taken place in the condition of the people. When the Revolution closed wealth had been destroyed. The men who had gained the victory staked everything on the great issue of freedom and independence. In the hour of victory, however, they found themselves without any of the luxuries of civilization. Food, indeed, they had, and shelter more or less comfortable, but the Continental army went home in rags, and often barefooted. Their families were clad in homespun; their money had become worthless, and they were reduced, in the small exchanges which they were able to make, to the rude process of barter. From Massachusetts to Georgia there was what Madison described as "a wonderful anarchy of trade."

What a contrast is now presented to this state of affairs! We are toernment. That 3,000,000 of people have expanded into a population

day the richest people in the world in the elements of power, whether for industry or for expenditure in war or peace. Under the policy laid down by the fathers who formed the Constitution our resources have been developed until we produce an excess of all the manufactured products which go to make up the comfort and life of modern civiliza-tion. I do not undervalue the stimulating effects of the protective policy under which the industry of this country has grown to its present gigantic proportions. I am not prepared to say whether the same results would or would not have been reached under a freer system of trade. I accept the situation as I find it, and I am willing to concede whatever merit may belong to the protective system for producing these vast results. What concerns me now is the fact that the capacity of this country to produce the staple articles needed by man for his comfort far exceeds the demand for these articles. I think the estimate which has been made of our ability in six months to produce all that we consume in a year is not exaggerated.

LESSONS OF THE ELECTION.

Such a state of things suggests the idea of general prosperity and universal comfort, and yet we stand face to face with the opposite condi-tion of affairs. The most careful estimates show that in the midst of all this abundance about 13 per cent. of our laboring population are unable to get employment, and that their families are suffering for the necessaries of life. I doubt whether at any previous period in the history of the country so large a percentage of the laborers of the country have been out of employment. This fact, in my judgment, had more to do with the result of the late election than any of the causes to which the popular judgment has assigned the triumph of the Democratic When there is general employment and consequent contentment the popular judgment inclines little to change of administration. The people act upon the principle of quieta non movere, but when they feel the pinch of poverty, without pretending to settle the question of cause and effect, a change of government at least offers a reasonable and ready step toward a change of business.

The Republican party, to whom may be accorded the merit, whatever it may be, of persisting in the protective policy in their platform in Chicago, failed to realize the fact that the home market no longer

afforded an adequate receptacle for the products of our industry. They offered no relief to a suffering people, but proclaimed in terms more decided than they had ever ventured before to use their adherence to the doctrine of protection for the sake of protection, and their reliance upon the home market for the products of industry. The common sense of the people realized what the Republican leaders failed to see, that the home market was no longer adequate, and that if the restrictive policy was persisted in we should perish in the midst of our abundance. The people, therefore, decreed a change, not merely of servants but of policy. The significance of the late election to my mind is the decision of the people in favor of wider markets for our manufactured products.

The incoming administration will fail to give effect to the popular will unless most energetic steps are taken to make it possible for our people to reach the open markets of the world with the products of their industry.

THE RECENT TREATIES.

The present administration, which has shown that it is governed by very enlightened and conservative views, has not been slow to recognize the popular will as expressed in the late election. It is creditable to the administration that it has lost no time in striving to give effect to the will of the people. It has shown courage in recognizing the inevitable, even though it has been forced to abandon the declarations of the Chicago platform upon which the Republicans made the recent Presidential campaign. It would have been an absurdity for the administration to seek wider markets for commodities which could be supplied to our customers by other nations at lower cost than we could furnish them. Hence, by the very logic of the situation, the administration was compelled to declare in favor of free raw materials, by which alone the cost of our manufactured products could be reduced. We tax raw mate-We can not hope to compete with nations who work upon un-

taxed raw materials.

All provisions for drawbacks on the exportation of goods are troublesome and ineffective. Hence, looking out into the world to find a market for our manufactured products, the administration saw clearly that Europe was equally troubled with surplus products, and could take little or nothing from us but raw materials. It saw clearly that the great market for finished products was in our own hemisphere; that already we buy from the American nations far more than we sell to them, and that upon equal terms, on the well-recognized principle that all commerce is an exchange of equal values, we could get this business, provided we could offer commodities upon equally favorable terms. But it is evident that the only appeal which would be effective must be to the interests and not to the political sympathies of our neigh-bers on the south. The administration recognized the fact that treaties alone could not secure for us the markets which we desired, but that with the conditions for economical production equalized as they would be by the freeing of raw materials from duty we could hope to secure the trade of our neighbors, provided certain impediments in the way of navigation and special privileges conceded to other nations could be overcome. The administration, therefore, addressed itself to this great.—ties under consideration. The Mexican treaty was made on the 20th of

undertaking, and if it has failed in any respect it has not been for want of zeal, but rather for want of time to fully weigh and measure all the interests involved in so great a departure from our traditional policy. Certainly no one can complain that it has not covered the field of

operations with its diplomacy. It has given us treaties with Spain, with Nicaragua, with San Domingo, and a promise of treaties with all the other powers whose markets we can hope to secure. In fact, the public mind has been dazed by the exhibition to which it has suddenly been invited. After a long period of repose, as dignified as it was uneventful, the drama of the administration closes with a grand transformation scene, in which the glorious future of unrestricted commerce and of profitable exchanges is accompanied with the usual incidents of floods of light and tempting beauties, which I trust will not prove as illusory and tinseled as the scenes with which we are familiar upon

OBJECTIONS URGED.

My only concern with these treaties on the present occasion will be to distinguish them in their origin, their details, and their effects from the Mexican treaty now under consideration. I shall not attempt to pass judgment upon the merits or demerits of these new treaties. At the proper time they will come up for consideration, and at that time each member of this House must be prepared with his judgment. My purpose now is merely to show that the objections which have been made to the recent diplomatic achievements of the administration are not applicable to the Mexican treaty.

So far as I have been able to observe, the objections urged against the treaties now pending before the Senate are threefold: first, that the negotiation of these treaties forecloses the policy of the incoming administration; second, that so far as they affect the commerce and revenue of the country, the constitutional rights of Congress and of this House have been infringed by the initiative taken by the executive branch of the Government; third, that the effect of the proposed treaties will so far reduce the revenue as to make the tariff revision called for in the platforms of both parties difficult if not impossible.

Let us consider these objections briefly in detail for the sole purpose of ascertaining whether any of them are applicable to the Mexican treaty now under consideration. It is true that the new administration would find itself committed to a policy inaugurated by its predecessor in its closing hours, which might be embarrassing, because its scope and details might not meet with the approbation of the new administration after the properties of the new administration after the new administration ter more careful examination and deliberation than can possibly be given to so great a question in the short time which intervenes between now and the 4th of March next. It is certainly true that this consideration is strengthened by the fact to which I have referred, that the new policy is a departure from the Republican practice and declarations, and is an attempt to put into operation the principles laid down by the Democratic platform, which declares itself to be in favor of an "American continental policy, based upon more intimate commercial and political rela-tions with the fifteen sister republics of North, Central, and South

America, but entangling alliances with none."

To the execution of this policy no doubt the incoming administration will direct its earnest energies, but if it should find in the way hasty and ill-considered arrangements already executed, especially if they should turn out to be unfavorable to us, it would be exceedingly difficult to secure the modifications required by equity and a due re-gard for our own interests. Moreover, in the past history of the coun-try outgoing administrations have acted upon the theory of clearing the way for the new administration and of leaving it as free as possible for the inauguration of the policy indicated by the transfer of power

from one party to the other party.

SEWARD'S VIEWS.

Mr. Seward, in 1853, speaking upon resolutions offered by General Cass in regard to our relations with Spain and the acquisition of Cuba, used the following language:

But while thus expressing my devotion to those principles I can not too strongly express myself against the manner in which they have been brought in issue here on this occasion. The issue is made at a time, and under circumstances, which render it inevitable that we must fail, signally fail, in maintaining the great principles which it involves.

This issue is raised at a wrong time. We are more than half way through a session constitutionally limited to ninety days, and engaged with vast and various subjects, which can not be disposed of without long and most discursive debate.

bate.

I think the issue is raised in a wrong way. Practically, and by custom, the President of the United States holds the initiative of measures affecting foreign relations. The President now in the Executive House will go out in thirty days, and his sanction, even if we had it, would therefore be of no value. But even that sanction, such as it would be, is withheld—and I must confess rightly withheld. The people have elected a new President, wha is just ready to enter on administration, and upon whom the responsibilities of the conduct of foreign relations, for four years at least, must rest. Not only do we not know what his opinions on this question are, but our action would anticipate the publication of those opinions, and embarrass—is it too strong an expression to say, factiously embarrass—the incoming administration.—Seward's Works, volume III, page 611.

For one I am free to say that the views of Mr. Seward meet with my entire concurrence, and I think this House should act upon this view, and if the Mexican treaty came within the range of this doctrine I should cease to advocate its approval at this time. But there is no

January, 1883, fully two years ago. The treaty was ratified by the Senate and by Mexico, and was reported favorably to the House for its approval before the recent Presidential conventions were held, and of course before the nomination and election of Cleveland. It is therefore absolutely free from the objection that in any respect it would tie the hands of the incoming President, for it was made and ratified by an administration in the regular course of its duties, and long in advance of the knowledge that there would be any change of administra-The first objection therefore, it seems to me, is absolutely disposed of.

CONSTITUTIONAL OBJECTION.

The second objection to commercial treaties, that they infringe upon the constitutional rights of Congress to regulate commerce and of this House to initiate revenue measures, is one of a far more serious character. Recently in the Senate the doctrine has been advanced, so far as I know for the first time, that there is no constitutional power residing anywhere to make commercial treaties of any kind whatever. I shall leave the discussion of this question to gentlemen who profess to be learned in the Constitution, contenting myself with the observation that when this Government was formed it found three commercial treaties in existence which it recognized; that the administration of Washington proceeded to negotiate commercial treaties, and did negotiate the Jay treaty, which was approved by the House of Representatives; that every administration from the time of Washington to the time of Arthur has either negotiated, or attempted to negotiate, commercial treaties, and that no statesman of any standing has ever questioned the validity of such treaties. A distinguished Senator has indeed cited the great authority of Daniel Webster in opposition to treaties of reciprocity, but he gave no reference for his authority except that of a brother Senator, who, in his turn, did not state where the declaration was to be found. The language alleged to have been used by Webster is certainly peculiar. He is quoted as saying:

I hope I know the Constitution of my country better than to think a reciprocity treaty is constitutional.

I have searched the works of Daniel Webster in vain for this state So far from my finding it, I discover recommendations made by Mr. Webster, when Secretary of State, in favor of separate commercial treaties with the Hanse Towns, and the recommendation is based distinctly upon the ground that we may thus secure larger markets for our cotton, sugar, tobacco, and rice. There is the most distinct recognition of the right to make such treaties, the question only of expediency being submitted to the President. He says, in conclusion:

Such being the general nature of the association (Zollverein) and such our commercial intercourse with it, it becomes a matter of interest to consider how far our relations with its several members might be beneficially extended; and if it be thought advisable to enter into commercial treatics with them, or any of them, it will remain to be determined whether powers for such a purpose should be conferred upon the minister of the United States at Berlin, or some other diplomatic agency adopted, the general object being to seek the means of enlarging the consumption of the staples of the United States in Germany and of securing all practical benefit to their navigation.

But, if it be alleged that Webster drew a distinction between commercial treaties and treaties of reciprocity, and regarded the latter as unconstitutional, then the language of his speech made at Albany in 1844 would seem to determine what his views were beyond all question.

He says:

We hear much of reciprocity, and I take the rule upon this subject to be well laid down by a distinguished gentleman from another section of the United States (Hon. Mr. Berrien, of Georgia) whom you will probably have the pleasure of hearing when I shall have relieved your patience, that reciprocity is a matter to be secured with foreign nations when it is evidently a true reciprocity, but I have yet to learn from some new dictionary that a system of reciprocity is a system with advantages only on one side. I am for reciprocity reatles—no. I will not say treaties, but arrangements, for the whole power over the subject lies with Congress and not with the treaty-making power. But I am for a real reciprocity; not such as was provided by the treaty arrangement lately negotiated, and which the Senate, greatly to their honor in my judgment, rejected.

* * I will, in my judgment, be one of the first duties of the new administration, if we get one, to revise the whole of that matter, to take care that we protect ourselves, and not to rely on the good-will of our national competitors.

Here is the most explicit declaration possible in favor not only of treaties of reciprocity, but of commercial conventions.

Again, in the letter which Mr. Cushing was to deliver to the Emperor

of China, Mr. Webster uses the following language:

The Chinese love to trade with our people and to sell them tea and silk, for which our people pay silver and sometimes other articles. But if the Chinese and the Americans will trade, there should be rules, so that they shall not break your laws, nor our laws. Our minister, Caleb Cushing, is authorized to make a treaty to regulate trade. Let it be just. Let there be no unfair advantage on either side.

An extract from the speech of Mr. Webster, delivered in the Senate in 1846, in defense of the treaty of Washington, has been given in the newspapers as the authority for the statement that Mr. Webster held commercial treaties to be unconstitutional. But there is no warrant for any such conclusion. He merely reaffirmed his old position that the Executive and Senate alone cannot make such treaties, or arrangements, as he prefers to call them. He holds that they must have the concurrence of Congress. But even to this position he admits that there may be exceptions. His language is as follows:

It is true a treaty is the law of the land. But, then, as the whole business of revenue and general provision for all the wants of the country is undoubtedly a very peculiar business of the House of Representatives or of Congress, I am

of opinion, and always have been, that there should be no encroachment upon it by the exercise of the treaty-making power, unless in case of great and evident necessity. There have been some cases of necessity, like that of the convention with France for the acquisition of Louisiana.

So far, then, as Webster is concerned there is no denial of the constitutional power to make commercial treaties or arrangements. He expressly affirms the power, but declares that it can not be exercised without the concurrence of Congress.

But it will be observed that Mr. Webster takes the ground that commercial treaties are subject to the superior action of Congress. He dissents from the view that they may be made by the President and Senate independently of the concurrent action of the House. In this respect he seems to stand upon the positions of the report made by the Committee on Foreign Affairs in the Twenty-eighth Congress, when the Wheaton treaty was under consideration, and finally rejected by the Senate. The language of this report was only partially quoted in the speech made by Senator MORRILL. I therefore give it in full, in order that the House may not be misled by the imperfect extract which has lately been reproduced in the Senate:

lately been reproduced in the Senate:

In the judgment of the committee, the Legislature is the department of Government by which commerce should be regulated and laws of revenue passed. The Constitution in terms communicates the power to regulate commerce and to impose duties to that department. It communicates it, in terms, to no other. Without engaging at all in an examination of the extent, limits, and objects of the power to make treaties, the committee believe that the general rule of our system is, indisputably, that the control of trade and the function of taxing belong, without abridgment or participation, to Congress.

They infer this from the language of the Constitution, from the nature and principles of our Government, from the theory of republican liberty itself, from the unvaried practice, evidencing the universal belief of all, in all periods, and of all parties and opinions. They think, too, that, as the general rule, the Representatives of the people, sitting in their legislative capacity, with open doors, under the eye of the country, communicating freely with their constituents, may exercise this power more intelligently, more discreetly; may acquire more accurate and more minute information concerning the employments and the interests on which this description of measures will press, and may better discern what true policy prescribes or rejects, than is within the competence of the executive department of the Government.

To follow, not to lead; to fuifill, not to ordain the law; to carry into effect by negotiations with foreign governments the legislative will, when it has been announced, upon the great subjects of trade and revenue; not to interfere with controlling influence, not to go forward with an ambitious enterprise. That seems to the committee to be the appropriate functions of the Executive.

Holding this to be the general rule upon the subject, the committee discern nothing in the object to be attained or in the difficulties in the way of attaining which should induce a departur

If this view of the Constitution be accepted as correct, and it certainly received the approbation of a Senate of which were members Cal-houn, Crittenden, Berrien, Badger, Corwin, Dix, Hamlin, Mangum, Bell, Davis of Mississippi, Mason of Virginia, and Johnson of Maryland, then it only remains to show that the Mexican treaty in its origin and negotiation and ratification follows the precise rule laid down in this report. The Executive did not originate this treaty, but it had its origin in the House of Representatives by a provision contained in the sundry civil bill passed August 7, 1882, which appropriated the sum of \$20,000 for the payment of the expenses of a commission to negotiate the very treaty under consideration. The right of Congress to enact this legislation is found in the clause of the Constitution which confides to it the regulation of commerce. The duty of the President was thus pointed out to him, and in accordance with the will of Congress he appointed the commission, and the commission negotiated the treaty now awaiting the approval of this House.

It may indeed be said that the approval of the House is not necessary for a treaty thus negotiated. I do not propose to discuss this question. It is obvious that the President and Senate either have the right, or they have not the right, to proceed without the concurrent action of the House. If they have the right, then the treaty is a law to-day. If they have not the right, then the approval of the House is necessary to give effect to the treaty. If the House should give its approval when there is no real necessity for it, it is simply an act of supererogation which can neither add to nor take away anything from the force of the treaty. But let it be observed that from the time of the Jay treaty down to the present time the approval of the House has always been sought for treaties which affect the revenue.

The question therefore would seem to be foreclosed by precedents of the highest character and as venerable as the Government itself. The discussion may have some interest for metaphysical minds, and I shall not be disposed to question the right of any gentleman to show his skill in dialectics and in splitting hairs, but to the practical mind of the country it is a foregone conclusion that the approval of commercial treaties by the House is both necessary and desirable. If in addition to its approval its origination in the House be contended for, as it has been by every eminent authority, then the treaty under consideration comes within the rule; and, so far as I know, is the first commercial treaty that ever has had its origin in the House under the clause which confides to Congress the regulation of commerce. So far as this argument goes, therefore, the distinction between the Mexican treaty and the other ordinary treaties is thoroughly well defined.

REVENUE REFORM.

Lastly, it has been objected to the recent treaties that they will in-

terfere with the revenue to such an extent as either to compel a hasty tariff revision or to postpone it indefinitely. I think it will not be questioned by the advocates of these new treaties that the change in the provisions of law relating to sugar will cause an immediate loss of revenue amounting to nearly \$30,000,000. Moreover when it is objected to the Spanish treaty that it will transfer twenty-five or thirty millions of dollars from the Treasury of the United States to the treasury of Spain, the answer is given that the other treaties now under negotiation will make the supply of free sugar so large that the price will be reduced by the whole amount of duty remitted. If this be true, the loss of revenue will be fully \$50,000,000. If the Nicaragua treaty should be ratified, there will be an additional demand upon the treasury for \$4,000,000 to be loaned to Nicaragua, and for all the expense required for the construction of the canal. I think therefore it may be safely asserted that these treaties will seriously embarrass the revenue policy of the next administration.

The Secretary of the Treasury in his recent report estimates that the fiscal year ending June 30, 1885, will show a surplus of about \$39,000,-000, and about the same amount for the year ending June 30, 1886. But this surplus is subject to large reductions by proposed expenditures for the creation of a new navy, and the falling off in the receipts from customs has already made a serious inroad upon the estimated surplus. One of the best authorities on the subject of our finances, Mr. David A. Wells, has recently published a statement showing that there will be an available surplus of more than \$11,000,000 for the year ending 1885-'86. The ratification of the proposed treaties therefore would leave a deficiency, according to the Secretary's estimates, of more than \$10,000,000, and according to that of Mr. Wells and of other judicious financiers of more than \$40,000,000. This result is certainly not the entertain-

ment to which the new administration was invited when it was pledged by the Chicago platform to reduce the surplus and relieve the people from taxation.

The former result will indeed have been achieved by the loss of the duties upon sugar, but the question as to where the reduction ought to be made, whether upon food or clothing or the tools of trade and commerce, will be foreclosed, so that the very first act of the new administration would be, necessarily, to borrow money in order to meet the obligations of the Government. For one I am not prepared thus to embarrass the new administration. The consequences, internal and external, would be of the most serious character. The first session of the next Congress would be the scene of contention as to the means of carrying on the Government, in which all reasonable and judicious measures looking to the relief of raw materials from duty necessary in order to get any advantage out of the proposed treaties would be rendered impossible. We should thus lose all the valuable fruits of our negotiations, and will have substituted for a condition of comparative financial ease one of distress and embarrassment, which would only intensify the depression of business and the sufferings of the people.

But to this obvious objection the Mexican treaty is not open. Its ratification will reduce the revenue of the United States as estimated by the Bureau of Statistics by the sum of \$89,658.59. The treaty therefore will not practically interfere with the current revenues of the country, and is thus entirely relieved from what would seem to be a fatal objec-

tion to the present ratification of the other treaties. To show in convenient form the comparative concessions conceded by the two countries in the treaty under discussion I give the follow-

Duties conceded by United States. Duties conceded by Mexico. \$472, 045 175, 000 25, 000 15, 000 12, 500 9, 000 6, 500 5, 000 4, 000 4, 000 2, 500 2, 500 9, 731 \$75,000 48,207 32,500 18,487 4,000 Sugar..... Henequen, &c..... Istle..... Tobacco, leaf..... (60) 52 (26) 15 (35) 66 (44) 62 (45) 40 (13) 58 (51) 44 (63) 14 (71) 68 (59) 51 (43) 61 (29) 21 Sewing-machines ... Machines, &c...... Fruits..... Stoves.... Naphtha... Clocks.... Vegetables..... Crude petroleum... Steam-engines..... 179,075 742, 351 Difference in favor of United States (U. S. coin)...... Reduced to United 489,041 States coin at 90c... 668, 116

WARNER P. SUTTON, Consul-General,

UNITED STATES CONSULATE-GENERAL,
Matamoras, August 11, 1893.

THE MEXICAN TREATY FREE FROM OBJECTION.

The Mexican treaty, therefore, being relieved from all the objections which have been urged against the more recent treaties, is not to be judged by the considerations applicable to them, but is to stand upon its own merits, and to be approved or rejected upon the sole considera-tion as to whether it is advantageous or not to this country when con-

sidered in its details and with reference to the larger issues which it presents, looking to the development of trade and more intimate rela-tions between the two sister republics of the North American continent. Let us consider, then, the main objections which have been made against this treaty. So far as I may be able to ascertain, they may be summed up under four heads:

First. The theoretical objection that commercial treaties can not be defended on sound economical doctrines. In other words, that there should be no commercial treaties whatever between this country and other countries

Second. That the growth of sugar in this country will be interfered

Third. That the provisions of the treaty will work injury to the tobacco interest

Fourth. That the treaty does not secure free admission for our cotton fabrics into Mexico.

JEFFERSON'S VIEWS.

Let us consider these objections in order. I concede the theoretical objection to commercial treaties. It has nowhere been better stated than by Jefferson in his great report, made in 1793, upon the privileges and restrictions on the commerce of the United States in foreign coun-After enumerating these restrictions he says:

tries. After enumerating these restrictions he says:

The question is in what way they may best be removed, modified, or counteracted. As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist; or, second, by the separate act of our own Legislatures for countervailing their effects.

There can be no doubt but that, of these two, friendly arrangement is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness, the numbers of mankind-would be increased, and their condition bettered.

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue, by way of impost, on commerce, its freedom might be modified in that particular by mutual and equivalent measures, preserving it entire in all others.

It is impossible in language to give a clearer expression to the policy of universal free trade, which Jefferson saw was hopeless in his day, as it is hopeless in this. He therefore comes down to the policy of commercial treaties looking to reciprocal free trade between such nations as would join with us in making the necessary arrangements. In other words, he regarded commercial treaties as the initial step toward wider freedom of commerce. So far from condemning commercial treaties he advocates them, but always with the object of arriving at freedom and not at restriction. In other words, commercial treaties which remove obstructions to trade and break down barriers to commerce are to be sought for, but commercial treaties looking to the crea tion of new obstacles, or of special advantages in favor of the nations entering upon them, are to be reprobated.

In this respect the treaty under consideration conforms to the theoretical principles laid down by Jefferson, and I may add concurred in by all the advocates of free trade throughout the world. Even Cobden negotiated the French commercial treaty, and I take it that no one will question his devotion to theoretical principles. The fundamental confidition in such treaties is that no advantage shall be sought after by either of the nations entering into such engagements which are not freely effected to all the world if other retires advanced to reall the residual to the residual treatment of the nations. freely offered to all the world, if other nations are disposed to make the same engagements. The Mexican treaty fulfills this theoretical condition. So far as it provides for exchanges it makes no attempt to provide for a scale of duties, but the articles listed are made absolutely free as between two countries. The range of these articles is indeed narrow. I wish that it could have been extended so as to include all the productions of both countries, but so far as it goes it is a step in the right direction, which will inevitably lead to the further liberation of commerce between the two republics.

merce between the two republics.

In another respect it is admirable. It does not seek to confine these privileges to the United States and Mexico. Both the contracting parties are left free to make similar arrangements with other countries, and it is a matter of congratulation that Mexico has already entered into similar arrangements with Germany and England. It is idle to expect that we can make sharp bargains by which we are to monopolize the commerce of any of our sister republics. Such bargains would fail, because they would be one-sided. We can not expect our neighbors to grant a monopoly of trade which will be profitable to us and costly to them. We can hope, however, to begin a system of free exchanges for our respective products which will be profitable to both, and thus perhaps lay the foundations, as Jefferson hoped to do, of a system by which free trade will spread over the universe, subject only to such taxation as may be necessary for the support of government. necessary for the support of government.

POLICY OF JOHN QUINCY ADAMS,

Let it not be supposed that this policy is a new one, or that it has been forgotten from the time of Jefferson to the present day. When the Spanish colonies threw off the yoke of the mother country Monroe was President and Adams was Secretary of State. Their first act, after the recognition of the revolting colonies, was to send a minister to the new

governments charged with the duty of negotiating treaties of commerce and navigation with the new republics. Mr. Adams prepared an elab-orate letter of instructions for the guidance of Mr. Anderson, in which the fundamental principle laid down was, that treaties of commerce and navigation should be "founded upon the basis of reciprocal utility and perfect equality." The language of Mr. Adams is so forcible and complete in stating the policy of this country that I deem it best to give

complete in stating the policy of this country that I deem it best to give it in full:

The only object which we shall have much at heart in the negotiation will be the sanction by solemn compact of the broad and liberal principles of independence, equal favors, reciprocity. With this view I recommend to your particular attention the preamble and first four articles of the first treaty of amity and commerce between the United States and France, concluded on the 6th of February, 1778. The preamble is believed to be the first instance on the diplomatic record of nations upon which the true principles of all fair commercial negotiation between independent states were laid down and proclaimed to the world. That preamble was to the foundation of our commercial intercourse with the rest of mankind what the Declaration of Independence was to that of our internal Government.

The two instruments were parts of one and the same system, matured by long and anxious deliberation of the founders of this Union in the ever-memorable Congress of 1776; and as the Declaration of Independence was the fountain of all our municipal institutions, the preamble to the treaty with France laid the corner-stone for all our subsequent transactions of intercourse with foreign nations. Its principles should be, therefore, deeply impressed upon the mind of every statesman and negotiator of this Union, and the first four articles of the treaty with France contain the 'practical exposition of those principles which may serve as models for insertion in the projected treaty, or in any other that we may hereafter negotiate with any of the risfing republics of the south.

There is indeed a principle of still more expansive liberality which may be assumed as the busis of commercial intercourse between nation and nation. It is that of placing the foreigner, in regard to all objects of navigation and commerce, upon a footing of equal favor with the native citizen, and to that end of abolishing all discriminating duties and charges whatsoever. This pri

Mr. Clay, who succeeded Mr. Adams as Secretary of State, quotes the same instructions in his letter to Mr. Poinsett, who was charged with the negotiation of a treaty of commerce with Mexico. Mr. Van Buren, while he was Secretary of State, gives an elaborate history of the failure of the attempt to negotiate a satisfactory treaty of commerce with Mexico, and complains bitterly of the obstacles which had been interposed by Mexico to the final completion of such a treaty. Mr. Seward, during his troubled tenure of office, put himself upon record over and over again in favor of the same policy, and Webster's views on this subject are too well known to need repetition.

COMMERCIAL UNION BETWEEN MEXICO AND THE UNITED STATES

At length a treaty, very limited indeed in its scope, but nevertheless embodying the fundamental principles thus enunciated by the greatest statesmen whom this country has produced, has been negotiated, and that, too, for the first time in our diplomatic history with any country. It proceeds upon a totally different idea from the reciprocity treaty with Canada. So far as it goes, it regards Mexico and the United States as integral parts of one commercial system. It proposes free-lists, not dutiable lists. It is an attempt to establish between the two countries the same condition of affairs that exists between the several States of the It is to be regretted that it does not go further, that its range is limited; but it is the first step, and this step is in the direction of absolute freedom of exchange. I trust that this policy will not be desolute freedom of exchange. I trust that this policy will not be departed from, that no attempts will be made to arrange dutiable lists as has been in the Spanish treaty, but that year by year we shall add to the free-list all articles subject to exchange between the countries, and thus gradually approach the time when there will be complete commercial equality between the two countries, while their political government shall be kept separate.

Aside from the general advantage of unrestricted commercial inter-

course, there are between Mexico and the United States special reasons why no barrier should exist to interfere with their commerce. The two countries are the complements of each other geographically and physically. Between them they control the shores of the greatest inland sea known to the world. Together they produce almost every article known to the commerce of the world; they embrace every variety of climate; and to-day they are the great source of the precious metals which furnish the basis of the commercial transactions of the They alone represent the true idea of free government. came into existence under very dissimilar circumstances—circumstances as favorable to us as they were unfavorable to Mexico. In their respective constitutions each embodied a fundamental error.

We incorporated slavery into our system; Mexico incorporated the

church into its system. Whatever we have suffered has been due to these primary errors, and it is a suggestive fact, as stated by Senator Mor-gan, that these constitutional defects were eliminated at about the same time. Slavery perished with the rebellion, and the church ended its domination with the expulsion of Maximilian. Mexico is not to be judged by the same standard as the United States. For the first time in its history it has reached a period when social and physical develop-ment is possible. It has seized upon the opportunity with marvelous avidity, and our citizens have availed themselves of the opportunity with equal alacrity. More than 2,500 miles of railway have been constructed in Mexico by the aid of American capital. The connections between the two countries are now opened and will be largely increased during the next five years. Commerce is ready to take advantage of the new opportunities for exchange. The two countries supplement each other in their productions. Mexico produces many of the raw materials which we need, and we produce the manufactured products for which a nascent civilization affords an opening market.

How shall we begin? We can not expect that the prejudices of a hundred years will disappear in a day. We can not hope that antipathies of a generation will be overcome in an hour. We can not suppose that the ignorance due to a century of oppression will develop into the civilization which is the fruit of ages of effort. That Mexico is ready to open her gates to our highways and to offer us free exchange in any commodities is as surprising as it is creditable to her intelligence. That we should hesitate to take advantage of this enlargement of the area of freedom and of this new field for the exercise of our energies and the disposition of our products is simply to declare ourselves guilty of the stupidity and prejudices which we have been in the habit of charging upon others. I do not contemplate the possibility of such a result, but it would justly bring down upon us the ridicule of the civilized world.

LOUISIANA AND SUGAR

And yet we are told that the treaty should be rejected because the sugar interest in Louisiana will be disastrously affected. I confess to considerable hesitation in dealing with this objection. Louisiana is a State in this Union very dear to the American heart. She perpetuates the memory of the wisest transaction in our history, in itself an answer to all criticisms upon the extent of the treaty-making power of the President and the Senate. Louisiana is a State which has suffered much, and the Democratic heart has gone out to her in many ways in love and sympathy. When she has been flooded we have not hesitated to open the Treasury to her relief. We are now engaged in an expenditure which will run up into the hundreds of millions of dollars for her protection against the ravages of the great river of the West. We have recently advanced from the Treasury of the United States a large sum of money to enable her to inaugurate an exhibition which is regarded as international, and in which Mexico, as chiefest of our neighbors, has

been invited to take part.

To this invitation Mexico has responded with a liberality out of all proportion to her present means. We learn from the newspapers that proportion to her present means. We learn from the newspapers that the Mexican exhibits and the Mexican buildings and the Mexican band are the main attractions of the exhibition; and when the Repre-sentatives and the Senators of Louisiana asked us to come to her help, the principal argument which they offered was the enlargement of our the principal argument which they offered was the enlargement of our business transactions and relations with the neighboring countries of Mexico and the South American republics. And now, when for the first time the door is opened for such transactions, Louisiana stands and forbids the bans. Upon what grounds does this protest rest? Surely not upon the ground that Mexico produces to-day even sugar enough for her own consumption. Surely not upon the ground that we are importing from Mexico any sugar which can interfere with the we are importing from Mexico any sugar which can interfere with the growth of Louisiana. The whole value of our imports of sugar from that country does not exceed \$25,000 per annum. Is it upon the ground of growth of future competition?

Then we are driven to consider what justification Louisiana has for asking the people of this country to shut down the gates of commerce against our neighbors in order that Louisiana may profit and her peo-

ple may grow rich at the expense of the other States of this Union. For let it be understood that the consumption of sugar in the United States has now reached such an amount that its value is equal to the whole value of the wheat flour consumed by the people of this country. If the proposition were made seriously to tax the flour of the country for the benefit of any State which produces that article the absurdity of such a suggestion would be apparent. Now, Louisiana has been a sugar-producing country from the time she first came, into the Union. At one time she produced as high as 60 per cent. of the whole consumption. This production has, however, steadily diminished, until during the present year it is estimated that the production will not exceed 9.52 per cent. of the whole amount consumed.

The business is notoriously unprofitable and on the decline. Even of the small quantity now produced by Louisiana the quantity that could possibly come in from Mexico would be an inappreciable percentage, and yet Louisiana is willing to play the part of the dog in the manger, and prevent the achievement of the great benefits which will come from free commercial relations with Mexico, although no measurable damage can by any possibility be done to her by the provisions

of this treaty. Let us contrast the position of her Representatives with that of her eloquent Senator, who in 1879 uttered the following lan-Let us contrast the position of her Representatives with guage on this floor:

guage on this floor:

The highest statesmanship is that which brings the nations of the earth into a closer and a more intimate friendly communication, which shall enable the people of our country to exchange the products of their labor with the least possible expense and delay for the commodities of other nations. Exchange is wealth, but there are political as well as economical considerations that should induce us to seek a close alliance with the people of Mexico. They are our neighbors. They constitute a sister republic. We can not remain indifferent or disinterested spectators of their fortunes or of the destiny of the 9,000,000 people whose possessions adjoin our borders for more than 2,000 miles.

I respectfully suggest that the Representatives of Louisiana on this floor shall adjust the account with the representative of Louisiana in the Senate.

In response to his eloquent appeal the House passed the following joint resolution, which received the votes of a large majority of the Representatives of the Southern States:

Joint resolution providing for a treaty with the Republic of Mexico.

Representatives of the Southern States:

Joint resolution providing for a treaty with the Republic of Mexico.

Whereas it is the desire and wish of the Government and people of the United States of America to maintain the most amicable relations with the Republic of Mexico, as exemplified and set forth by the twenty-first and twenty-second articles of the treaty of Guadalupe-Hidalgo, of February 2, 1848, and reaffirmed by article 7 of the Gadsden treaty of December 30, 1853; and

Whereas it is believed to be manifestly to the interests of the peoples of both Governments to extend and increase, by all proper means, the exchange of products, and to facilitate and foster the most liberal commercial relations between the peoples of the two Governments; and

Whereas many citizens of the United States have invested their capital, and others are desirous of investing, in the Republic of Mexico, in mining, the construction of railroads, banking, farming, stock-raising, and merchandising, and in other enterprises, and in this view, with the purpose of increasing said investments, which are believed to be mutually beneficial to the peoples of both Governments, a treaty is deemed necessary; and

Whereas the territory known as the "Free Zone," on the Mexicarl border, has been the source from which violations of treaty stipulations, avoidance of tariff duties, and other irregularities have proceeded, and to maintain proper commercial and friendly relations between the two countries his Free Zone, or "Zona Libre," should be abolished; and

Whereas the present extradition treaty between the two countries has proved inadequate for the purposes for which it was made and entered into, and, with a view to the prompt rendition and punishment of fugitives from justice, further and more stringent treaty stipulations in this regard are necessary; and

Whereas clizens of either government residing in the other should be exempted from forced loans and illegal and onerous taxation or exactions: Therefore,

Resolved by the Senate and Hou

THE NEW SOUTH.

That objection to this treaty should come from the South is a marvel which can only be explained by ignorance of the resources for industrial activity with which that portion of the Union is endowed. The proximity of iron and coal along the great valley which skirts the Appalachian range from Virginia to Alabama will make that region in the lachian range from Virginia to Alabama will make that region in the future, when America shall be as densely populated as Europe now is, what England is to the commerce of the world. The concentration of capital and industry in the Gulf States will be the wonder of the world. The vast plateau of Mexico will be the reservoir into which their products will be poured, and he is the wisest statesman and the truest friend of the South, ravaged and destroyed as it has been by the fierce tide of war, who recognizes its destiny and makes provision in season for the markets which she will need when her industry reaches its normal development. Already the work is begun. Last year 1 865 new mal development. Already the work is begun. Last year 1,865 new industrial establishments were founded in the South, withan aggregate capital of over \$100,000,000; and yet last year was a time of general depression. But the ability of the South to grow and prosper when other sections of the land were forced to contract industrial operations has demonstrated her ability to compete with the world, if she can get access to the markets which are watered by the same seas as wash the shores of the Gulf of Mexico.

The steam-power of Great Britain is about one-third of the total power of the world employed in industrial pursuits. To-day the single state of Alabama is in advance of the productive power of Great Britain at the time when this Union was formed ninety-six years ago. In less than one hundred years the South will not only show a development equal to that of Great Britain, but with wise legislation she will produce more coal and iron, spin more cotton, wool, and silk, and compete successfully with the great mistress of commerce in the open market of the world. And yet there are gentlemen who oppose the initial steps necessary to secure this great result.

TOBACCO.

Another objection is alleged that Mexico can produce tobacco in such quantities and of such qualities as will interfere seriously with the tobacco interest of the United States. Among my constituents are the largest consumers and manufacturers of tobacco in the United States. Their interest in this question induced me to ask the question of the leading house as to the effect of the treaty upon our interest in this regard. The answer which I have received I shall give in full, as being

conclusive upon this point, and made under circumstances so unusual, and showing such an intelligent desire to get at the truth, that I think it may be said to dispose of the whole objection, and to show conclusively that we have nothing to fear, so far as our tobacco is concerned, from the competition with Mexico.

Office of Straiton & Storm, Nos. 204, 206, and 208 East Twenty-seventh Street, New York, December 12, 1884.

From the competition with Mexico.

Oppice of Striatton & Storm,
Nos. 204, 206, AND 208 EAST TWENTY-SEVENTH STRIET,
New York, December 12, 1884.

Dear Sir: Your valued favor of 5th instant received.
In answer to the question whether the "free importation of Mexican tobacco," I would say that two years ago, when the Mexican treaty was under consideration, and with the knowledge that under it Mexican tobacco would be admitted free into the United States. I made a trip in the interest of my firm to Mexico, and employed a gentleman to accompany me who had previously been engaged in the tobacco business in that country and a long resident of the same and thoroughly familiar with all the things pertaining to the subject.

After a careful investigation of the various tobaccos the product of Mexico, and entobacco in the United States.

That in point of excellency and its usefulness it will not compare favorably with the tobaccos in the United States.

In its general character, the better portions of it resembled somewhat the tobaccos formerly raised in the State of Florida in appearance, which, like the Mexican tobacco, resembled in appearance the very inferior tobaccos grown on the island of Cuba, and the aroma from which a cigar derived its excellency is entirely wanting in the Mexican tobacco, and the value claimed for it about probably not more than 25 per cent. of all the tobacco raised is fit for cigar purposes, in the general sense of the term.

The prices which ruled for the better portion was based upon the use that could be made of it in Mexico, which could scarcely be called legitimate. I made it my business to examine carefully into the manufacturing of cigars at Vera Cruz, which is the headquarters, and found that all the factories, without as ingle exception, were engaged in a close imitation of the Havana brands and styles, and thanks to the imported stamp which our dovernment thinks it wise to put production in the United States.

The process is a very simple one. The "Alexandre" is teamers that leave to

Hon. ABRAM S. HEWITT, M. C., Washington, D. C.

COTTON MANUFACTURES.

The last objection urged against the treaty is that it does not admit ir cotton goods to free entry into Mexico. This is a complaint that our cotton goods to free entry into Mexico. This is a complaint that ought not to be made by those who believe in the protective doctrine, ought not to be made by those who believe in the protective doctrine, but it may properly come from the advocates of free trade. I have already said that the treaty is open to the criticism of not having range enough, and that it can only be defended in that it is good as far as it goes. I wish it had gone further. The Mexican people clothe themselves in cotton goods. As yet they are largely home-made, but there are many cotton factories in Mexico. We are to-day exporters of cotton to that country. Our cotton goes in free, and if we do not sell the goods, as we would be glad to do, we do at least sell the raw material. If the latter had been made free, the Mexican cotton factories would have been

In the Democratic platform we lay down the distinct doctrine that changes in the tariff which we hope to make should be regardful of existing interests. Surely it does not lie in our mouths to criticise Mexico for taking reasonable care of interests which have been built up by protective duties. But on what theory shall we refuse to accept acknowledged benefits in the free introduction of many of our manufactures into Mexico because we can not get free admission for all? Progress is not revolution. So long as we get an entering-wedge we ought to be satisfied, and trust to the demonstration which even the restricted free exchanges we are able to make will furnish that a larger area of commercial freedom will be desirable to both countries.

THE PROSPECTS OF GROWTH.

Having thus disposed of the objections which have been urged to the ratification of this treaty, we naturally come to the consideration of the advantages which the two countries may hope to derive from the increased facilities for intercourse made possible by this convention. The trade of Mexico is not at present very large. The total value of its exports and imports for the year 1884 was about \$92,000,000, but the share of this business which came to the United States amounted to about \$22,000,000, not quite one-fourth of the whole amount. The division of this trade, which shows that we sold \$12,700,000 to Mexico and took from her about \$9,000,000, is very favorable to the United States. What is remarkable is the rapid increase of sales since the railways were begun, without any material change in the amount of imports from Mexico during the same period.

In 1880 we sold Mexico \$7,800,000 worth of goods, and purchased \$7,200,000 worth; and in 1881 we sold Mexico \$11,000,000, and purchased \$8,000,000; in 1882 we sold Mexico \$15,500,000 and purchased \$8,500,000; in 1883 we sold Mexico \$16,500,000 and purchased \$8,500,000; in 1884 we appear to have sold Mexico a little under \$13,000,000 and to have purchased \$9,000,000, the temporary falling off in sales being due probably to the withholding of orders in anticipation of the restly under consideration. A comparison of these ratification of the treaty under consideration. A comparison of these figures with the business done with the South American republics serves to prove that limited as our commercial operations are with Mexico, they nevertheless equal the sales of goods to Cuba and exceed the sales to any other of the Spanish-American nations, and the trade has the great merit, not shared in by these nations, that we sell to Mexico more than we buy. It is therefore a business to be cultivated.

As to its future growth it is difficult to assign limits, but I think it may be predicted that the same results which have followed the introduction of miles in the same results which have followed the introduction of miles in the same results which have followed the introduction of miles in the same results which have followed the introduction.

duction of railways in other countries will come to pass in Mexico. has been found that the effect of railways in Europe and the United States has been to increase the volume of business fivefold in the course of fifty years, and the ratio of increase is an accelerating one. If the same rule shall hold good in Mexico, the business of that country would amount to \$500,000,000 at the expiration of half a century, of which the United States would undoubtedly control more than one-half and probably two-thirds. That this expectation is not unreasonable will be evident from the fact that the foreign commerce of Italy, whose territorial area is only one-sixth that of Mexico, now amounts to over \$500,000,000 per annum. The natural advantages of Mexico, with reference to the Gulf of Mexico and its own resources in the way of

reference to the Gulf of Mexico and its own resources in the way of precious metals and in its admirable climate, certainly give it prospects of growth never possessed by Italy even in its palmiest days.

I am aware that a large portion of the population of Mexico is composed of Indians, who are not yet consumers of luxuries, and who do not require the appliances of a high state of civilization; but the Indians of Mexico are peculiar, in the fact that they are patient, industrious, temperate, and, with proper social order, economical and saving. The blood of this race runs in the veins of men who have contributed most for its recent product as the great revolutionary leader. More most to its regeneration—such as the great revolutionary leader Morelos, and the patriot Juarez, who overthrew Maximilian and restored the liberty of his country. The capacity of this race for social and industrial development can not be doubted, and it is but a reasonable deduction from the high civilization which it had achieved before the invasion of Cortez and the orderly government which it had created and maintained, that under the favorable conditions now secured the Aztec race will rapidly develop in all the elements of modern social and in-

tellectual life.

In fact, more evidence of possible development is furnished to-day in Mexico than existed in England five hundred years ago. Now that the sunlight of civilization is beginning to dawn upon her magnificent territory, and that the blessings of social order are for the first time possible of achievement, and that communication with an inventive, progressive, and commercial people is made easy, we may reasonably anticipate a very healthful and rapid progress in all directions, and a growth of wealth equal if not greater than that which the last half century has

produced in this country.

Up to this time, curiously enough, Mexico has suffered from the same evil which made the confederation of our States a failure. The right to impose duties on interstate commerce, although forbidden by the constitution of 1857, has been exercised up to the present time. only within the last month, since the accession of Diaz, that this evil has been abolished. The treaty under consideration stipulates for the abolition of these dues as to the articles covered by the treaty itself, and to that extent the gain to our commerce would have been considerable. But the total abolition, which has since been secured, will make it possible for unrestricted commerce in all articles to be carried on between our territory and every portion of Mexico. Our own experience of the rapid development of the internal commerce of this country after the adoption of the Constitution will serve to indicate the beneficent results in the large extension of trade which must inevitably and rapidly follow this great reform.

EUROPEAN COLONIAL POLICY.

But unless we take every opportunity to cement our relations with Mexico, and to remove as rapidly as possible the barriers which interfere with our commerce, we are in danger of losing all the fruits of the enormous expenditure of capital which has made this commerce with Mexico possible. Heretofore England and Germany have supplied the greater portion of the goods required for Mexican consumption, and the business of that country is very largely in the hands of the citizens of those two countries. Now, it will not escape notice that there has broken out, all of a sudden, a great and even bitter rivalry between England and Germany for the establishment and control of colonial

possessions in the eastern hemisphere.

The policy of Germany has been boldly announced by Bismarck.

Annexation of new territory in Africa and New Guinea has already been made, and both England and Germany are evidently determined to monopolize, so far as they can, the foreign commerce of the world. But among the possibilities of future growth there is not to-day on the habitable globe an opportunity which presents so many attractions as that which Mexico offers in her new birth, in her natural resources, in her productions, and in the inevitable growth of population which must follow the introduction of new lines of railway communication. Who can doubt that England and Germany will be ready to compete for this great prize, and any neglect on our part to take advantage of our superior position and of the opening of these new avenues of trade will only result in turning over to our commercial rivals the business which

we have rejected?

The prize would have been seized long since, and indeed it was attempted to be seized when Maximilian came to Mexico, but for one consideration. The Monroe doctrine, announced in 1823 and affirmed and sideration. reaffirmed by every statesman and by every Congress that has had to deal with the question, has been a standing warning to the nations of Europe to keep their hands off from the American continent. Hereto-fore no occasion has arisen, except the invasion of Mexico by Maximilian at a time when we were powerless, which required us to put this doctrine in force. Even in that time of our trouble we were concerned only with the political phase of the Monroe doctrine, which had laid down the principle that the European system of government should not be re-established upon this continent. Fortunately for us, Mexico was able out of its own patriotism and glorious spirit of heroic sacrifice to protect its independence against the designs of foreign powers and to relieve us from the inevitable conflict which must have followed the close of our war of the rebellion if the empire of Maximilian had not come to a disastrous end. But the doctrine still survives, and the events of the time warn us that we may have to put it into practical execution at all hazards and at every sacrifice.

THE MONROE DOCTRINE.

It may indeed happen that this very treaty will present the issue which will require us to assert that phase of the Monroe doctrine which in our day has attracted little or no attention, but which when the doctrine was announced was by far the more important element in its constitution. We are accustomed to regard this doctrine as purely political, and intended to protect the North and South American continents from the establishment of European political jurisdictions within their limits. Monroe declared that-

The political system of the allied powers-

Meaning the Holy Alliance-

Meaning the Holy Alliance—
essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere, but with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

Further on he says:

It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness. Nor can any one believe that our Southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments and their distance from each other, it must be obvious that we shall never subdue them. It is still the true policy of the United States to leave the parties to themselves in the hope that other powers will pursue the same course.

Now, it is obvious that this declaration related distinctly to the reported determination of the Holy Alliance to restore the revolted colonies of Spain and Portugal to their former dependent condition. There is not even a declaration that the United States will actively interfere to prevent the attempt, if made, but the allied powers are warned that any such attempt will be regarded as a manifestation of an unfriendly disposition toward the United States. The attempt was not made, and hence the issue was never presented as to whether the United States

would at that period have actively interfered with force of arms to assist the revolted colonies which had established independent governments. But when these republics proposed to hold a congress at Panama to consider measures looking to their mutual protection, John Quincy Adams, who was the Secretary of State under Monroe, and is now well known to have written that portion of Monroe's message which will give immortality to his name, had become President of the United States, and in the exercise of his constitutional power had appointed delegates to the Panama congress.

In his message to the Fanaha congress.

In his message to the Senate giving the reasons for this appointment, he clearly defines what was meant by the political portion of the Monroe doctrine as quoted above. He states that one of the objects to be attained at the congress would be:

An agreement between all parties represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they may feel it as an essential appanage to their independence.

On this subject Mr. Benton says:

The circumstances of the communication render it incredible that Mr. Adams could be deceived in his understanding, and according to him this Monroe doctrine (according to which it has been of late believed that the United States were to stand guard over the two Americas and repulse all intrusive colonies from their shores) was entirely confined to our own borders; that it was only proposed to get the other States of the New World to agree that, each for itself and by its own means, should guard its own territories. And secondly, that the United States, so far from extending gratuitous protection to the territories of other states, would neither give nor receive aid in any such enterprise, but that each should use its own means within its own borders for its own exemption from European colonial intrusion.

It will thus be seen that the political portion of the Monroe doctrine is confined to very narrow limits, and does not commit this country, unless of its own free will, to interfere even if an attempt shall be made on the part of any European power to overthrow the independence of any American government. But there still remains the warning that such an attempt would be regarded as a manifestation of an unfriendly such an attempt would be regarded as a mannestation of an unfriently spirit to the United States, and this warning we certainly ought to be as ready to renew to-day, when we are the richest and most powerful nation in the world, as we were to give it when we were comparatively feeble and without the ability to enforce our declarations.

THE ESSENCE OF THE MONROE DOCTRINE IS COMMERCIAL,

But this portion of the Monroe doctrine was then, as it is now, of minor consequence compared with the declaration contained in another portion of the message, where it is asserted "as a principle in which the rights and interests of the United States are involved that the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as a subject for future colonization by any European powers." This declaration may be called the commercial portion of the Monroe doctrine and contains its real essence. It had reference to a condition of affairs which happily has now passed away, but which constituted the great trial and grievance of the early political life of this Government. This system grew out of the navigation acts of Great Britain, and of the peculiar policy of the Spanish and Portuguese Governments, by which the colonies of each were only permitted to trade with the mother countries respectively.

After we had achieved our independence we found ourselves without

the right to trade with the colonies of Great Britain, except upon sufferance. The trade which had existed between the West Indies and the American colonies prior to the war of the Revolution was large and important, but as soon as we became an independent power we found ourselves subjected to all the limitations which applied to other sovereignties. The situation became intolerable; and what was known as the colonial system was so odious that from 1789 until 1825 the history of our Government is a perpetual struggle to emancipate its commerce from the fetters of the colonial system of other countries. It is the one grievance in regard to which all our statesmen of all parties agreed. It was the great object of our diplomacy to secure the right to trade with all the world and the establishment of the principle that free

Ships make free goods.

During the administration of Monroe, and that of Adams which followed, our relations with Great Britain, who had permitted us by orders in council to enjoy the West India trade, were greatly strained by the revocation of these orders and by the ruin which was thus brought upon our mercantile interests. Hence, the thing uppermost in the minds of our statesmen was that the nations of the American continent should be free for commerce not only with each other but with all the world. And this explains how it came to pass that European colonization on the American continents was an idea absolutely offensive to our statesmen, and finally led to the declaration that it would not henceforth be tolerated. This is clearly set forth by Mr. Adams in the following extract from the exposition of his motives for approving the Panama

The late President of the United States, in his message to Congress of the 2d December, 1823, while announcing the negotiation then pending with Russia relating to the Northwest coast of this continent, observed, that the occasion of the discussions to which that incident had given rise had been taken for asserting as a principle in which the rights and interests of the United States were involved, that the American continent by the free and independent condition

which they had assumed and maintained, were thenceforward not to be considered as subjects for future colonization by any European power. The principle had first been assumed in that negotiation with Russia. It rested upon a course of reasoning equally simple and conclusive.

With the exception of the existing European colonies, which it was in no wise intended to disturb, the two continents consisted of several sovereign and independent nations, whose territories covered their whole surface. By this their independent condition, the United States enjoyed the right of commercial intercourse with every part of their possessions. To attempt the establishment of a colony in those possessions would be to usurp, to the exclusion of others, a commercial intercourse which was the common possession of all. It could not be done without encroaching upon existing rights of the United States. The Government of Russia has never disputed these positions, nor manifested the slightest dissatisfaction at their having been taken. Most of the new American republics have declared their having been taken. Most of the now American republics have declared their entire assent to them; and they now propose, among the subjects of consultation at Panama, to take into consideration the means of making effectual the assertion of that principle, as well as the means of resisting interference from abroad with the domestic concerns of the American governments.

If any European power were to-day to attempt a system of coloniza-

If any European power were to-day to attempt a system of colonization upon this continent, as they are attempting it in Africa, I take it that this Government would insist upon the doctrines here laid down, and would resist the attempt even at the cannon's mouth.

But it is quite possible that an independent country, preserving its political autonomy, may, as a matter of fact, occupy the position of a colony so far as its trade and commerce are concerned. If we reject the Mexican treaty we practically reject the Monroe doctrine, by turning that country, with its great resources and possibilities of infinite development, over to England and Germany.

opment, over to England and Germany.

It is perfectly competent for the three governments to make treaties by which the trade of Mexico shall be practically restricted and the United States excluded from all participation therein. Nor could we complain of such an exclusion if the proffer now made for larger commercial relations in the best possible form of free-lists, of reciprocal advantage, shall be rejected. In that event we shall see restored, as to our nearest and most important neighbor, all the evils of the colonial system, against which the Monroe doctrine was mainly directed. The evils of this system are still felt in our relations with Cuba, which has been brought to ruin by the continuance of the colonial system in limiting,

The Spanish treaty is an attempt to alleviate these evils, and our Government has been prepared to make great sacrifices in order that we may have a chance to sell our products to the island from which we buy so large a portion of our sugar. Let us look to it then that while we are striving to get rid of the evils of the colonial system so far as Cuba is concerned, we do not cause it to be re-established in Mexico, to become the fruitful source of contention and finally of open war, not only with Mexico but with her European allies, who have grasped the profits of her opening trade. If, then, we really believe in the Monroe doctrine, and are willing to act upon the experience and principles which gave it birth, we are bound to give our assent to the pending treaty.

HIGH WAGES AND CHEAP GOODS,

But it will be said that the assertion of the Monroe doctrine, and its recognition in this legislation, will not, and ought not, to give us the trade with Mexico, if we can be undersold by Great Britain and France and Germany. It is quite certain that most of the articles consumed and Germany. It is quite certain that most of the articles consumed by Mexico are more cheaply made and sold at a less price by our European rivals than we have been heretofore able to supply them. The opening of railway communication with Mexico will to some extent counterbalance this advantage, but we shall still be at a disadvantage in many kinds of business by reason of the higher prices of our goods; and hence we shall not be able to get the benefits anticipated from the establishment of more liberal principles of trade. This raises the question why our goods are dearer than those of our neighbors. We are told that these goods are produced abroad at a lower rate of wares.

question why our goods are dearer than those of our neighbors. We are told that these goods are produced abroad at a lower rate of wages than prevails in this country, and hence the products of human industry must be dearer here than in Europe.

This opinion is based upon the assumption that high wages make dear goods, but the fact is that the cheapest goods are made where the rate of wages is highest. Wages in Great Britain are higher than they are in France and Germany, and yet to-day France and Germany are found protecting themselves against the high wages of England and of the United States, while in the United States we are called upon to the United States, while in the United States we are called upon to protect ourselves against the lower wages of England, France, and Germany. Here is a contradiction which I submit requires explanation from the advocates of the restrictive policy in trade. If England, with wages 58 per cent. higher than they are in France and 42 per cent. higher than they are in Germany, can undersell those countries in the open markets of the world high wages are no bar to the supply of cheap goods. If the United States, with wages 84 per cent. higher than they are in England, 205 per cent. higher than they are in France, and 162 per cent, higher than they are in Germany, can send flour, provisions, and cent. higher than they are in Germany, can send flour, provisions, and grain to Europe in competition with the lower wages of those countries and with the still lower wages of Russia and India, then high wages can be no bar to unrestricted commerce in food products. The inference is irresistible that there is no necessary connection between cheap goods and the rate of wages.

If these goods are to be sold in the open markets of the world in competition with each other, then the wages will be that portion of the result which is left after paying for the materials and the capital employed in their production. The cheaper the raw materials, therefore, the higher

the wages will be; and hence nations who have cheap raw materials and who under no circumstances impose taxes upon them if they are brought from abroad, will always be able to pay higher wages than nations who have dear raw materials, or who make them dear by taxation. It may be asserted, therefore, that the high wages prevalent in the United States are simply the result of its superior natural resources; and if we would refrain from taxing those raw materials which we do not produce there is no reason why we could not compete for the commerce of Mexico, in all departments, with Great Britain and France and Germany, and still pay the higher wages which are prevalent in this country.

FREE RAW MATERIALS.

Our own wages are high because we have the most favorable conditions for production of all staple articles of any nation in the world. Wages will always be high in this country unless we voluntarily cut ourselves off from access to the open markets of the world by artificial additions to the cost of production, which we do when we put taxes upon raw materials. We have now reached a point of industrial derelopment where there is an excess of productive power, where we produce more than we can consume. When that point is reached labor must either stand idle or its wages be reduced until our goods can compete with the cheaper goods of other nations. The excess must find foreign markets, and if we continue to tax raw materials the amount of tax must be deducted from the fund to be paid for wages. Hence the first step toward a larger commerce must be in the reduction of duties on raw materials.

on raw materials.

This step is taken in the Mexican treaty. We shall at least get hemp and many other fibers, which are now heavily taxed, free of all duty; and, if this step be followed up by enlarging the free-list until all raw materials are made free, then we shall be prepared to go into the open markets of the world with our surplus products and sell them in competition with other nations, and bring back home an adequate return for the labor which is employed in their production. These steps once taken, progress toward freer trade will be rapid. Nulla vestigia retrorsum.

Such, stated as fully as the brief limits of debate under the rules will permit, are the reasons why the House should give its approval to the treaty with Mexico, made in accordance with its own initiatory action. Whether regarded from the narrow view of present selfish interest or from the broader aspect of future progress and development; whether looked at as a matter of pure business or from the standpoint of enlight-ened statesmanship, which ought to govern this great Republic in its intercourse and relations with the sister republics of the Western World, this treaty commends itself to the judgment, the conscience, and the liberality of the House as representing the intelligence and will of the people.

PRODUCTION AND DISTRIBUTION.

But these considerations, weighty as they are, and conclusive as I believe them to be, nevertheless shrink into comparative insignificance when subjected to the test of a broader view of the subject, a view which until this age of the world has never been within the range of human vision. The discoveries of science and the inventions of man, made since this country became a nation, have filled the world with wealth and created possibilities of development beyond the wildest dreams of fancy. Who can estimate the productive powers now subservient to the control of man, when all the forces of nature have been made obedient to his will? The world is not only rich in actual acquisimade obedient to his will? The world is not only rich in actual acquisitions, but the possibilities of production have far outrun the visible possibilities of consumption. And yet in an age when the average condition of the masses of mankind is on a higher plane of comfort and civilization than was dreamed of in the golden age of the poets, we are confronted with the painful fact that crowds of laborers, willing and anxious to earn their daily bread, are waiting all the day long in vain for the coveted opportunity to make an honest and honorable livelihood.

Nor is this statement true only in this country. It is true of all civilized countries, and the suffering is undoubtedly greater in proportion to the accumulated wealth of each. The world was never so rich as now, and yet never in its history was so many of its inhabitants uttering the warning cry of despair, "How long, oh Lord, how long?" Can it be that the discoveries of science, the development and application of physicial force, the increase of wealth, the progress of civilization, mean after all only the degradation of humanity and condemnation of

great bodies of men to hopeless bondage and unutterable woe? The mere suggestion of such a result is a libel on the intelligence of man and a reproach to the goodness of Divine Providence.

There must be a better order. How to reach that order is the problem presented to the ingenuity, the intelligence, and the conscience of the age in which we live. Let us define the nature of the problem. the age in which we live. Let us define the nature of the problem. The world is rich, and properly distributed there is enough to insure comfort to every human being who does not voluntarily forfeit the right to the blessings of existence. The power to increase riches is so developed that production is actually forced into suspension all over the world, because its fruits can not be distributed. And yet this stoppage of production only increases the number of idle hands and empty stomachs. But if all who have unsatisfied lawful desires were supplied

there would be no surplus of products.

What, then, is the obvious conclusion? The machinery of distribution is plainly out of proportion to the machinery of production. The

remedy thus becomes apparent. The distributing powers must be increased, and if there be any obstacles to distribution they must be recreased, and if there be any obstacles to distribution they must be removed. But the distributive agencies are already very complete, and many of them in such excess as also to be unprofitable and unemployed. Steamships are idle for want of freights and railways are running with trains only partially filled in every part of the world. There is therefore no lack of the direct means for a wider distribution of products. The difficulty, then, must be sought for in the causes which determine the use of the machinery of distribution. When we make this investigation we find in existence obstructive laws interfering with free exchange, doubtless designed to serve beneficial ends, which have long survived the useful purposes for which they were enacted. In other words, the natural exchanges between nations are forbidden by law.

Exchange of surplus commodities is therefore only made at a loss to

be measured by the force of the artificial obstructions thus created, instead of the profit which each country would have derived from its superior resources for production in special directions. all cases fall upon labor, and therefore be deducted from the wages of The value of the productive power of the world has thus been diminished by the whole amount of unnecessary friction interposed by restrictive legislation. The loss thus produced is not felt until a nation reaches the stage of development in which its home market no longer suffices for the consumption of its industrial products. Then the surplus must be sold, or its labor will stand idle. This is our present case, and this is the problem with which every civilized country is now grappling. The inevitable results of domestic competition thus compet the adoption of the only possible solution of the problem. All laws which interpose artificial obstructions and create unnecessary friction must be repealed, not only in this country but throughout the world at large.

THE COMPETITION OF FREE COMMERCE BENEFICIAL.

Have we anything to dread from such a result? So far as competitive products are concerned, when commerce becomes free the survival in each branch of industry will be to the fittest. Who is the fittest in all the great staple products of commerce? The answer is that the fittest is the nation which can produce these products with the least expenditure of human labor. Now of all the countries in the world the United States is the best endowed with the natural elements of The labor devoted to its exploitation will therefore produce more value and be better rewarded than in any other country. We can, therefore, supply the world with our products on better terms than the nations who compete with us, and whatever may be the price of these products in the open markets of the world, the wages of labor in this country will always exceed the wages of labor elsewhere.

But with free commerce throughout the world, all labor will receive its natural reward without deduction from obstructive taxes and artificial friction. With unrestricted commerce, plenty will be a blessing and not a curse. Gluts of commodities will be impossible. The floods which overflow the banks of the Mississippi and the Amazon when they reach the ocean do not raise the general level to an appreciable extent. So in the vast commerce of the world, the excessive production of a single country will no longer be felt as a disturbing element, but will be a beneficent influence if it shall be found to cheapen the cost to the

These truths are beginning to dawn upon mankind, and the Mexican treaty is the first ray of actual light which has penetrated the atmosphere of error which has heretofore prevented us from taking full advantage of our unequaled resources and the opportunities for controlling the commerce of the world. By a happy chance, doubtless, the Mexican treaty strikes the keynote of the coming emancipation of the toiling masses of mankind, by providing for absolutely free exchanges within the limited range of the enumerated commodities. Let this example be continued and extended. Let us make no commercial treaties in which the principle of free exchange is not incorporated. Let us not attempt to procure special privileges from which other nations are excluded, but let every step be taken with a view to the abolition of restriction, to the opening of new markets in exchange for our own markets. This example will spread until the whole unbounded continent shall be ours for free exchange. With commerce thus liberated from its shackles, the beneficent laws of nature will assert themselves With commerce thus liberated from its shackles, the beneficent laws of nature will assert themselves in the extinction of paperism and the securing of universal comfort through the equitable distribution of the profits of industry. This beneficent result will surely be realized when no man willing to work shall be deprived by the operation of law of the opportunity to labor, and every man shall receive, as he will receive when commerce is free, "a fair day's wage for a fair day's work."

Thus will be answered the question formulated by a master-mind-a question which society must answer or disappoint the just expectations of humanity: "What are the best means consistent with equity and justice for bringing about a more equal division of the accumulated wealth of the world and a more equal division of the daily products of industry between capital and labor, so that it may become possible for all to enjoy a fair share of material comfort and intellectual culture, possible for all to lead a dignified life, and less difficult for all to lead a good

I advocate the Mexican treaty because among its other merits it contains the germ of the solution of this great problem of the ages.

Appropriations to Banks of Issue.

When earth produces, free and fair,
The golden, waving corn;
When fragrant fruits perfume the air,
And fleecy flocks are shorn;
While thousands move with aching head,
And sing this ceaseless song:
"We starve, we die; oh, give us bread!"
There must be something wrong.

When wealth is wrought as seasons roll
From off the fruitful soil;
When luxury from pole to pole
Reaps fruits of human toil;
When from a thousand, one alone
In plenty rolls along,
While others only gnaw the bone,
There must be something wrong.

And when production never ends,
The earth is yielding ever,
A copious harvest oft begins,
But distribution, never;
When toiling millions work to fill
The wealthy coffers strong;
When those are crushed who work and till,
There must be something wrong.

When poor men's tables waste away
To barrenness and drought,
There must be something in the way
That's worth the finding out;
With surfeits one great table bends,
While numbers move along,
While scarce a crust their board extends,
There must be something wrong.

Then let the law give equal right
To wealthy and to poor;
Let Justice crush the arm of might;
We ask for nothing more.
Until this system is begun
The burden of our song
Must, and can be, this only one,
There must be something wrong.

-Miss Eliza Cook,

SPEECH

HON. L. H. WELLER,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 15, 1885,

On the bill (S. 1155) to provide for the issue of circulating notes to national banking associations.

Mr. WELLER said:
Mr. SPEAKER: There are three bills under contemplated considera-The first is known as the McPherson bill, the sec tion at this time. ond as the Dingley bill, and the third as the Potter refunding bill.

ond as the Dingley bill, and the third as the Potter refunding bill.

Of these three, in my opinion, the McPherson bill is the least objectionable; the Dingley bill the next most objectionable, and the Potter bill the very worst of all.

I desire in the commencement of my remarks to give a fair analysis of the terms of each of these three bills, and follow that by a comparison each with the other; and thereafter to show, as well as I may be able, the motives that have inspired the formulation and presentation of each of them to the House for its consideration and action, as well also the real inspiration that will prompt the efforts that may be made to secure

of them to the House for its consideration and action, as well also the real inspiration that will prompt the efforts that may be made to secure the passage of the Potter bill as a substitute for the other two.

The McPherson bill in simple terms provides that the Secretary shall cause to be created and issued in blank, to be signed by the proper officials of each national-bank association desiring them, an additional volume of 10 per cent. in notes to be used as money—thus inflate the volume—at a cost to such association of less than 1 per cent. In short, where they now have under existing law ninety currency dollars on each \$100 par value of the bonds deposited with the Comptroller of the Currency as security for the redemption of their circulating notes, they shall have one hundred. Should this bill be enacted into law, it would open the doors to a sudden inflation of the volume of currency notes—used as money—to the extent of from thirty-two to thirty-five millions. This additional sum would only cost the banks availing themselves of this law not to exceed 1 per cent. per annum, with the privilege to loan this law not to exceed 1 per cent. per annum, with the privilege to loan on or discount promissory notes or bills of exchange at a rate of interest varying from 5 per cent. per annum to as high a rate as unconscionable greed for money gain would permit the holder and owner of these currency dollars to take from the unfortunate borrower-the one who might need the life-blood of business enterprises and success to carry on his plans and purposes to proper development.

This bill has, under the existing circumstances of the general business

This bill has, under the existing circumstances of the general business of the country, but one redeeming feature, and that is to make it both possible and probable to immediately increase the volume of circulating bank notes used in lieu of money to the extent I have named, say thirty-two to thirty-five millions of currency dollars.

This is evidently the motive inspiring the creation and presentation of the bill now being considered. The volume of a substitute for money used as money, thus increased, would by its inevitable and irresistible influences inflate prices and produce spasmodic indications of prosperity; but only, as I view the question, at a first great cost to the people—the Government—in interest for the privilege of using them in business transactions, to be inevitably followed in course of time as the bonds held as security might appreciate in price, or surplus in the Treasury demand their withdrawal for cancellation, by a contraction of volume, and thus destruction of values, in ratio of shrinkage of the volume or number of units in circulation representing money, or indeed ume or number of units in circulation representing money, or indeed money itself. For the thing itself, as well as the representative of it, produces the same effect—results—so long as by the people, the business and labor wealth-producing classes, they are treated as money, insomuch as contraction or expansion of volume of units is concerned.

The Dingley bill provides that the sum of United States dollars

The Dingley bill provides that the sum of United States dollars (greenbacks, invidiously and inappropriately so called) now in the Treasury for the "redemption of notes of national banks" "failed," "in liquidation," and "reducing circulation," shall be taken out of the United States vaults of sacred trust for the purposes mentioned, and instead of longer being used as such sacred trust, to redeem such of the notes of national banks as have "failed," "gone into liquidation," "or may be retiring their circulation," as the sacredness of the now unrepudiated law provides they should be, that the Secretary of the Treasury purchase with this money, in the market, bonds with no limit restriction as to premium which he might pay the bondowner for his untaxed interest-accruing bond; but with the provision that these so purchased bonds should be put in the Treasury in the place and stead of the sacred trust redemption fund of United States notes, and while there, draw interest at the same rate as before, until the sum so accruthere, draw interest at the same rate as before, until the sum so accruing should equal the sum of the premium paid by the Secretary of the Treasury in the purchase of such bonds. Not only this, but to continue drawing interest at the same rate until the purchased bonds should mature for payment.

By the logic of implication, should this bill be enacted into law, as

By the logic of implication, should this bill be enacted into law, as at present framed, not only would there be no actual redemption fund under present law for the notes of national banks "failed," "in liquidation," or "reducing circulation," save and except such a part of the bonds so purchased and placed as a substitute for the present \$42,837,408 (see Treasurer Wyman's report, November 29, 1884) redemption fund, should be again thrown on the market for sale and sold at such price as they might bring to yield the needed sum; leaving the naked fact that all of such bonds so purchased and placed and remaining unsold would draw interest from one section of the Treasury to another, without displacing a dollar or adding a dollar to the aggregate fund in the Treasury.

the Treasury.

Also the further naked fact, that the sum so paid for premium in the purchase of bonds under the terms of this bill would be a dead loss to the Government—the people—if for no other reason than this, that there was and is to-day (see report of Hugh McCulloch, Secretary of the Treasury, dated December 31, 1885) \$194,190,500 of bonds redeemable and payable at the pleasure of the Government, drawing interest, untaxed, registered, fire-proof, burglar-proof, cyclone-proof, earthquake and volcano proof, blight, cholera and death proof; proof against winds, rains, floods, and diminution (save the people awake and so decree) ever eating, like the maw of a maelstrom; always yielding revenue, like the work of the devil; terrible as the awfully mysterious; gathering where they have neither plowed, tilled, nor sown; reaping by usury where they have no equitable rights—bonds! bonds!! bonds!!!—that by their own terms are equitable rights—bonds! bonds!!!—that by their own terms are payable at the pleasure of the Government—people; and in these same Treasury notes (greenbacks), as per the terms of a law made by Congressional enactment and executive approval March 18, 1869, which provides in express terms that the debt interest-bearing obligations of the United States may be paid in lawful money unless expressly provided that payment be made in gold or silver. The Revised Statutes of the United States, section 3588, reads as follows:

United States notes shall be lawful money and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt.

This law has never been repealed so far as I have been informed, and there has been no law enacted that changes the law existing at the time these bonds were created and put on the market for sale. If there had been a new law—a law setting forth different terms of payment of the public debt than the section I have referred to—than also is set forth in the law of July 11, 1862, entitled "An act to authorize an additional issue of United States notes and for other purposes," being chapter 162 of the laws relating to this question (this law of 1862 provides that these notes (\$150,000,000 authorized thereby) "shall be receivable in payment of all loans made to the United States, and of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports and interest, and of all claims

and demands against the United States except for interest on bonds, notes, and certificates of debt or deposit; and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest as aforesaid"), then the evidences of the previous law in the hands of the people should

have been canceled by payment.

It seems to me proper at this time to call attention to another feature of this same chapter of laws (1862), found in the same section 4 which I have above quoted. It is as follows:

And any holder of United States notes depositing any sum not less than \$50, or some multiple of \$50, with the Treasurer of the United States or either of the assistant treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of 6 per cent. per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof

I refer to this feature of the law of 1862 for the reason that the report of Hugh McCulloch, of date December 31, 1884, states as follows:

Loan of July 12, 1882, authorizing act July 12, 1882, rate 3 per cent.; when redeemable, option United States; amount outstanding, registered, \$194,190,500; interest due and unpaid, \$17,619.88; interest accrued, \$970,952.50.

Which in truth and fact is only a continuation of the loan of 1862, and thus payable in "lawful money" (i. e., greenbacks)—United States notes. This same report of Hugh McCulloch states that there is of available cash balance in the Treasury, January 1, 1885, \$140,811,929.92. If the desire to inflate the volume of dollar units in circulation is an

honest one, why did not the author of this Dingley bill introduce a measure providing that this \$140,811,929.92 of available surplus should be used in the cancellation of the \$194,190,500 of bonds now due and payable at the option of the Government? Is it not apparent, indeed an awfully naked fact, that there is a determination to increase the volume of money units in general circulation, and thus avert the "calamity" impending and in progress as the work of the manipulators of the Republican party, to the end of striking a blow at the proposed tariff reform projects the Democrats brought up for action last session, in a way that will result in the practical continuation of the bond debt as a basis for national-bank circulation, instead of increasing such volume as the result of taking such surplus cash in the Treasury, and with it pay the option bonds, cancel the debt to that extent, and thus stop the drain of interest from the people—the producers of wealth to an untaxed bondocracy? But let me go a little further with my analysis of this Dingley bill.

These United States notes (see Treasurer Wyman's report, November 29, 1884), in the sum of \$42,837,408, were placed in the Treasury 29, 1884), in the sum of \$42,837,405, were placed in the Treasury under a law and in accordance with its provisions as solemn as it was ever made, as a sacred trust fund, by the banks that had "failed," "gone into liquidation," or "were retiring their circulation," as a redeemer of such notes. The redeemer note, be it remembered, was and is a legal tender for all debts, public and private, except duties on imports and interest on the public debt, but the currency notes to be redeemed under this law were not such a legal tender; indeed as between the private debtor and creditor such national-bank notes have no legaltender qualification whatsoever. Yet this Dingley bill proposes to stultify the act of Congress creating and repudiate the terms of this sacred trust; sacred as a solemn enactment of Congress; sacred as a redeemer for that to be redeemed, and in truth and fact the only redeemer under existing law except the holder be possessed of \$50 or more of these United States dollars at one time and be in access to the subtreasury; sacred as a fiduciary trust between the national banks and

the people, the Government being the trustee.

But another feature of this Dingley bill is that the bonds so purchased and deposited shall be, first, for the prompt redemption of out-standing (to be redeemed) national-bank notes.

How can such notes be redeemed with bonds, except the bonds so purchased and deposited be brought forth again and put on the market for sale at such price as they may bring? Then the interest the bill provides for accumulating until it shall equal the premium paid in the purchase of the bonds—what shall become of the excess, if any, that may accumulate therefrom to the time the said bonds may meture?

accumulate therefrom to the time the said bonds may mature?

The bonds so purchased must be put in the place of the "sacred trust The bonds so purchased must be put in the place of the sacred trust fund," and that fund belongs, first, to the people to redeem outstanding national-bank notes, and thereafter to those (the banks) which hypothecated the trust with the Government. In short, it seems to me that the accumulation of interest after the premium is made good will belong to the banks placing the trust. If so, then, to sum up in part, the bond-seller gets, first, the premium on sale of his bond over parthis he can loan at once; second, they get the face of the bond in United States dollars at par with gold dollars—these he can loan at once; third, they secure the suretyship of the United States Treasury for the safethey secure the surecyship of the Chitect States Treasury for the Sate-keeping of the bonds to redeem outstanding circulation, and also per-form the scavenger part, getting in the notes outstanding subject to the terms of this bill; fourth, the opportunity to make a "spec" when the Treasury might be forced to resell the bonds for United States dollars Treasury might be forced to resell the bonds for United States dollars with which to redeem the said national-bank notes; fifth, most certainly the banks, each, would be entitled to all the interest which

might accumulate in excess of the premium paid and sum used in redemption; for this is positively a trust fund, to which no one has any right except the bill-holders for redemption purposes, and those who made the pledge. This would be a new banking system with the "turkey" all on one side.

The ostensible purpose was to increase the volume of money in circulation by liberating these \$42,837,408 from Treasury imprisonment. The apparently real purpose, as developed by investigation, was to play a more subtle financial game of "heads I win and tails you lose" than any heretofore, whereby the rich become richer and the poor more

than any heretofore, whereby the rich become richer and the poor more

On the 19th day of May, 1884, I introduced a joint resolution in words and figures following, to wit, which I have pressed to reach consideration and vote in season and out of season, because I believed the Dingley bill to be a cunningly devised scheme hidden under the plea of "more money needed," "volume too small," but with a real purpose to play millions into the hands of the bond-owners.

I now introduce as a part of my remarks the joint resolution I have referred to, and I demand that objection be made to each statement and paragraph that is declared not strictly true, as a relation of reasons, as well the wisdom of the policy invoked by the "resolution."

IN THE HOUSE OF REPRESENTATIVES, May 19, 1884.

Read twice, referred to the Committee on Ways and Means, and ordered to e printed.

Mr. Weller introduced the following joint resolution:

Joint resolution authorizing the Secretary of the United States Treasury to use all the unappropriated and surplus moneys in the Treasury for the redemption of United States bonds, and for other purposes.

"Whereas it is currently reported and believed that great financial and business distress exists at New York and other sections of the country; and "Whereas it is assumed that this financial and business distress is due to a marked scarcity of money to promptly meet current and matured obligations;

marked scarcity of money to promptly meet current and matured obligations; and
"Whereas there are many millions of money now in the Treasury of the United States unappropriated, but subject to the order of this Congress; and
"Whereas the law of March 18, 1869, contained the following provision, to wit, 'but none of said interest-bearing obligations not already due shall be paid before maturity, unless at such time United States notes shall be convertible into coin at the option of the holder, or unless at such time bonds of the United States bearing a lower rate of interest than the bonds to be redeemed can be sold at par in coin; 'and
"Whereas it is now and long time ago has been alleged that United States notes were convertible into coin at the pleasure of the holder, and also that bonds of the United States bearing a lower rate of interest than 3½ per cent. can be sold at par in coin: Therefore,
"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and instructed to use, as soon as may be, all of the surplus moneys in the Treasury for the redemption of bonds outstanding at a price not above par, and also to (so) purchase all bonds not subject to call or redemption that may be offered to the extent of moneys so available, and to received and paid for shall be canceled and destroyed, with their interest obligations."

This resolution passing both Houses and receiving Executive approval

This resolution passing both Houses and receiving Executive approval

would make a way to get into circulation all the available money in the Treasury by payment and destruction of United States interest-bearing untaxed obligations to that extent.

I will now introduce as a part of my remarks the so-called Dingley bill, as presented to the House by the gentleman from Maine [Mr.] DINGLEY] on February 18, 1884; also the reported amendments April 1, 1884, that a contrast between the bill as presented by the apparent author and the same as amended by the Committee on Banking and Currency may be seen, as also the further opportunity to contrast it with my "joint resolution" of May 19, 1884:

IN THE HOUSE OF REPRESENTATIVES, February 18, 1884.

Read twice, referred to the Committee on Banking and Currency, and ordered April 1,1884. Reported with amendments, referred to the House Calendar, and ordered to be printed.

Omit the parts in brackets and insert the parts printed in italies,
Mr. DINGLEY introduced the following bill:

Mr. Dingley introduced the following bill:

"A bill authorizing the Secretary of the Treasury to invest the lawful money deposited in the Treasury, in trust, by national banking associations for the retirement of their circulating notes.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized, out of any lawful money deposited by national banks for the purpose of retiring their circulation, under the provisions of section 4 of the act of July 20, 1874, and of sections 522 and 5230 of the Revised Statutes of the United States, and of section 6 of the act of July 12, 1882, to purchase, at current market rates, under such regulations as he may prescribe, such bonds of the United States [bearing interest at a rate in excess of 3 per centum; the bonds so purchased to be held in trust until their maturity for the payment of the circulating notes of the banks which have deposited lawful money for such payment: Provided, That the interest on such bonds so held in trust be applied first to the payment of the premiums paid for the bonds, and subsequently, with any excess of the proceeds of the bonds which may finally remain after the United States has been reimbursed for its outlay in retiring the notes, to form a fund for the redemption of the notes of such national banks as may become insolvent, and the securities of which on deposit with the United States for the redemption of their circulating notes may prove insufficient for such purpose) as in his judgment will be for the interest of the Government, the bonds so purchased, together with the interest that may accrea on the same, to be held in trust and used for the payment of the circulating notes of the banks which have deposited lawful money for such payment.

And inclead Mr. Sneaker, I deem it proper at this year, time to in

who hear but for those who read hereafter the RECORD to fairly analyze and compare and thus discover the merits and demerits of each bill and my "joint resolution:"

IN THE SENATE OF THE UNITED STATES, January 17, 1884. Mr. McPherson asked and, by unanimous consent, obtained leave to bring in the following bill; which was read twice, and referred to the Committee on Finance:

A bill to provide for the issue of circulating notes to national banking associations.

tions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That upon a deposit of any United States bonds bearing interest, in the manner required by law, any national banking association making the same shall be entitled to receive from the Comptroller of the Currency circulating notes of different denominations, in blank, registered and countersigned as provided by law, not exceeding in amount the par value of the bonds deposited: Provided, That at no time shall the total amount of such notes issued to any such association exceed the amount at such time actually paid in of its capital stock. And that all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

POTTER REFUNDING BILL

A bill to refund the bonded debt of the United States at 2½ per cent. interest, to reduce taxation upon circulating bank-note currency, and to secure such currency against unnecessary disturbance and fluctuation by applying the national revenues economically to payment of the national debt.

reduce taxation upon circulating bank-note currency, and to secure such currency against unnecessary disturbance and fluctuation by applying the national revenues economically to payment of the national debt.

Bettenacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to receive at the Treasury any bonds of the United States bearing interest at the rate of 4 per cent. per annum or 4½ per cent. per annum, and to issue in exchange therefor an equal amount of registered bonds of the United States of the denominations of fifty, one hundred, five hundred, one thousand, five thousand, ten thousand, and fifty thousand dollars, of such form as he may prescribe, and bearing interest at the rate of 2½ per cent. per annum, payable semi-annually at the Treasury of the United States. Said 2½ per cent. bonds to be issued in exchange for 4 per cent. bonds shall be payable at the pleasure of the United States after the 1st day of July, 1907; said 2½ per cent. bonds to be issued in exchange for 4½ per cent. bonds shall be payable at the pleasure of the United States after the 1st day of September, 1891.

Sec. 2. In the said exchange of 2½ per cent. bonds for 4 per cent. and 4½ per cent. bonds, provided always the moneys on hand and applicable are sufficient, the Secretary of the Treasury is hereby authorized to pay such a sum in each case as shall be equal to the aggregate present worth of the quarter-yearly payments of interest from which the United States is released by such exchange, all interest in ascertaining said present worth being computed at the rate of 3per cent. per annum, reinvested quarter yearly.

Sec. 3. All said 2½ per cent. bonds and the interest thereon shall be exempt from the payment of all taxes and duties of the United States and from taxation in any form by or under State, municipal, or local authority.

Sec. 4. On and after date of the approval of this act the duty upon the circulating notes of nat

Mr. Speaker, I here introduce as a part of my remarks the calculations presented by the gentleman from New York city [Mr. POTTER] as his reasons why his views should be adopted, and also as an argument irrefutable why they should not be:

Comparison of Potter bill and McPherson bill for earning value to a national bank of United States bonds deposited to secure circulating notes.

Assume \$100,000 of 4 per cent. bonds-to-day's market being 1221 per cent. IF FIVE PER CENT, PER ANNUM BE OBTAINABLE FOR LOANS.

Potter bill: On \$100,000 bonds, annual interest at 2½ per cent Cash received in the exchange of 4 percents, 24½ per cent., \$24,500,	\$2,500	
used at 5 per cent. Circulating notes, \$90,000, used at 5 per cent. $$4,500$ Less tax $\frac{1}{2}$ per cent., \$450, and share of Comptroller's ex-		
penses, \$50	4,000	
Ordinary investment of the money, viz, \$122,500, at 5 per cent. per	7,725	
annum	6,125	
Net gain from note issue per annum		\$1,600
Net income from bonds at 122½ per cent, under sinking fund requirement and according to Government actuary's tables 2.65 per cent	\$2,680	
Less tax 1 per cent. \$1,000, and share of Comptroller's expenses \$50	3,950	
Ordinary investment of \$122,500 at 5 per cent	6, 630 6, 125	
Net gain from note issue		500

Difference against the McPherson bill... Say about I per cent. per annum greater profit from note issue under the terms of the Potter bill.

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IF EIGHT PER CENT, PER ANNUM BE OBTAINABLE FOR LOAD	ANS.	
McPherson bill: Net income from the 4 per cent. bonds, as above	\$2,680	
Less 1 per cent. tax and share of Comptroller's expenses 1,050	6,950	
Ordinary investment \$122,500 at 8 per cent	9,630 9,800	
Net, from the issue of circulating notes under McPherson bill. Say loss on circulation .14 per cent. per annum. Potter bill:	loss	\$170
On \$100,000 bonds, annual interest at 2\frac{1}{2} per cent. On cash received in the exchange \$24,500, used at 8 per cent. Notes \$90,000 used at 8 per cent. \$7,200 Less \frac{1}{2} per cent, tax and Comptroller's expenses. \$7,500	\$2,500 1,960	
Ordinary employment of \$122,500 at 8 per cent, per annum	11,160 9,800	
Net, from the issue of circulating notes under the Potter bill, g Say profit on circulation 1.1 per cent. per annum.	ain	1,360

Statement furnished by the Government actuary.

MEMORANDUM.

MEMORANDUM.

The present value of \$1.50 a year, the excess of \$4 over \$2.50, for twenty-two and one-quarter years (the interval from April 1, 1885, to July 1, 1907), improved at 3 per cent. per annum compound interest, reinvested quarter-yearly, is \$24.28.7.

The same improved at 3½ per cent. per annum for a like period is \$23.12.

The present value of \$2 a year, the excess of \$4.50 over \$2.50 for six and five-twelfth years (the interval from April 1, 1885, to September 1, 1891), improved at 3 per cent. per annum, compound interest, reinvested quarter-yearly, is \$11.63.4.

The same improved at 3½ per cent. per annum for a like period is \$11.45.

E. B. ELLIOTT,

Government Actuary,

United States Treasury Department.

United States Treasury Department, January 9, 1885.

Amount in money required in refunding under Potter bill:
For refunding all 4 and 4½ per cent. bonds now deposited as security for circulation, \$34,388,400.
For refunding entire present capital of all national banks, \$127,000,000.
For refunding entire amount of 4 and 4½ per cent. bonds now outstanding, \$902,324,604.

I say, Mr. Speaker, that I present these calculations with the statement of the Government actuary as an argument irrefutable why the Potter refunding scheme should be defeated by use of any and all the rules and parliamentary practice of this House. Further on I hope to show that we, the people, the Government, have a United States Constitution which estops any one Congress to make a law that a subsequent Congress can not repeal in every of its features, independent of whatsoever act or thing by any one may have been done under the act to be repealed.

So much unfair comment has been indulged in by a few members on this floor as to the motives that inspired me to introduce to the House (by consent that I had secured) as my own measure an exact copy of this Potter refunding bill, and have the same referred to the proper committee on January 14, 1885, the day previous to the one set for the consideration of the McPherson and Dingley bill, by former action of the McPherson and Dingley bill, by former action of the House; and the further fact that I was thereafter on that day and the morning of the next so besieged by more than earnest importuni-ties to withdraw from the committee and House my "Potter" (?) re-funding bill, that I shall be excused for a brief digression to state why I so did introduce and have referred to the proper committee "a copy" of said bill as "my bill."

The House (very unwisely, I think) have a rule that no bill or joint resolution before the House for consideration or vote can be amended by offering as an amendment anything which is the substance of any other bill or joint resolution then before any committee. I, having knowledge of this rule (for it kept me from introducing some bills on questions of vital importance to the wealth producers), and being advised sufficiently well of the strategic purposes in hand that moved to the withdrawal from the committee by Mr. POTTER the Potter refunding bill (to offer it as a substitute for the McPherson and Dingley) ing bill (to offer it as a substitute for the McPherson and Dingley bills), I concluded, after being, as I thought, wisely inspired to whip the devil out of the Congressional paradise by ("strategy, my boy") introducing and having referred a copy of that same bill as my own, thus preventing it being offered as a substitute for any bill up for consideration, and thereby lay broad and deep the ("strategy, my boy") foundations for defeating the ("strategy, my boy") Potter refunding bill, and possibly also the McPherson and Dingley bills.

Mr. Speaker, why could not the author of the McPherson bill, recognizing as it did the need of a greater volume of money to assist commercial transactions and to stop the rapid diminution of market values.

mercial transactions and to stop the rapid diminution of market values, which recent contractions of volume of money and currency—and it makes no difference which, so as by comity each fills the business channels and arteries of productive forces as money—which, by the set and predetermined policy of the manipulators of the Republican party, had been set in operation, producing its inevitable results—I inquire, why could not the author of this proposed law have provided by or in it that any national bank "going into liquidation" or "retiring its circulation" should receive and by law be compelled to receive in exchange for its retiring notes secured by 100 per cent. of United States

bonds 100 cents in United States full legal-tender dollars, and that the bonds so deposited as security be canceled, with their interest obligations, and forever destroyed? Had this bill finally come before the House for its action on amendments to and substitutes for the original bill, I had purposed to offer as a substitute a bill providing that each national-bank note received at the proper governmental office for re-tirement should be immediately replaced by a United States full legaltender dollar, and that an equal sum in dollar representation of the bonds held by the Treasury as security (?) for the redemption of such notes should be destroyed by final, full, and complete cancellation, with their interest obligations. Can any one present the first shadow of an argument why this should not be done?

Resumption of specie payments says that United States notes are at

par with gold.

The national banks, by their friends in the Senate, say that the volume of money is too small for the business interest, and should be increased; such a measure as I propose would give them 100 cents on the dollar for their bonds in a lawful money, which is to-day the only redeemer for their notes of credit.

It would relieve the people from taxation to the extent of interest on such a sum of bonds as might thus be canceled.

It would stop contraction of volume of money or currency, and thus

stop contraction of price values.

·It would stimulate business enterprises and productive forces.

It would help to stop the making of millionaires on the one hand and

But this is not the policy of the manipulators. paupers on the other. Their policy, if one may judge of the course pursued, arguments made, and acts developed, is to confine the making and control of the volume of money to the monometallic standard of gold as a basis, and national-bank notes of credit as the only money and currency with

which the business of the country can or may be carried on.

The blow that has recently, as well as continuously, from 1873, been struck at the "fathers" silver dollar of 412½ grains nine-tenths fine was for the sole purpose of limiting the volume of money to such a sum in the aggregate and to the hands of such control as that price values, measured as they always are in a very large degree by volume of money in circulation, could be manipulated by a few to the detriment of the

This blow was not struck at silver until it was discovered that extraordinary productions of silver were continuously developing in the newly discovered mines of the West.

When these enormous productions were brought to light and confirmed as a fact, then the money-mongers-those that deal in money-lending, promissory notes, mortgages, bonds, stocks, and the securities (interest-bearing evidences of indebtedness) of the world (meaning personal, municipal, corporate, town, city, county, State, and national)—became alarmed, and secretly declared that such an increase to the volume of money would cause the price of labor and its products to go up in the market, while their notes, mortgages, stocks, bonds, and other securities would go down in the market.

In 1857 Germany demonetized gold at the bid of the money-mongers of the world, who had then taken alarm at the reported enormous production of gold from the recently discovered gold mines of California and Australia, claiming that gold for money-coinage purposes would soon become so abundant that gold money would nearly lose its value

They advised the leading nations of the world to adopt their views for the reasons stated; and I do not question but that the policy of the single standard (?) of silver would to-day be fastened upon the leading nations of the world but for the later discovery that the gold mines were actually yielding very much less than was anticipated and silver mines more; hence the change of tactics.

I will here submit extracts and verbatim quotations from previous acts of Congress, from April 2, 1792, to date, for the purpose of showing that Congress, by its solemn acts of legislation in the past, by the people making the members thereof a congress, together with judicial construction of the high courts of their various acts, has ever held and made a shuttlecock of the material of which money shall be lawfully made; and to show that money in the United States has heretofore, and constitutionally so, been made in part of bronze, zinc, tin, nickel, silver, gold, and, best of all, paper; and to further show that the material of which money is made has nothing whatever to do with the money properties imparted to it by the supreme law-making power-the peo-

That Congress has made full legal-tender debt-paying dollars of the same material and fineness, but of different weights of material, to circulate side by side, each the legal equivalent of the other as a purchasing or debt-paying dollar, and these also by the side of United States

dollars that had no metal in them.

The following are the Congressional acts referred to.

April, 1792.—By the acts of Congress found first volume, chapter 16, page 246, passed April 2, 1792, the unit of value was made the silver dollar, and the following is the language of that law—part section 9:

Dollars or units—each to be of the value of a Spanish milled dollar as the ame is now current, and to contain three hundred and seventy-one grains and

four-sixteenths of a grain of pure, or four hundred and sixteen grains of standard silver. Half-dollars—each to be of half the value of the dollar or unit, and to contain one hundred and eighty-five grains and ten-sixteenth parts of a grain of pure, or two hundred and eight grains of standard silver. Quarter-dollars—each to be of one-fourth the value of the dollar or unit, and to contain ninety-two grains and thirteen-sixteenth parts of a grain of pure, or one hundred and four grains of standard silver. Half-eagles—each to be of the value of \$5, and to contain one hundred and twenty-three grains and six-eighths of a grain of pure, or one hundred and thirty-five grains of standard gold.

Section 20, same act, states:

And be it further enacted, That the money of account of the United States shall be expressed in dollars or units, dimes or tenths, cents or hundredths, and mills or thousandths.

June, 1834.—An act of Congress passed and approved June 28, 1834; found chapter 95, volume 4, page 699, first section reads: .

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the gold coins of the United States shall contain the following quantities of metal, that is to say; each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; * * The half-eagle and quarter-eagle to be of relative qualities. * * Every such eagle shall be of the value of \$10; every such half-eagle shall be of the value of \$5; every such quarter-eagle shall be of the value of \$2.50; and the said gold coin shall be receivable in payment of all debts when of full weight according to their respective values; when of less than full weight, at less value, proportioned to their respective actual weights.

January, 1837.—In chapter 3, volume 5, page 136, approved January 18, 1837, of the acts of Congress entitled "An act supplementary to the act entitled "An act establishing a mint, and regulating the coins of the United States" "—section 3 thereof reads as follows:

of the United States'"—section 3 thereof reads as follows:

And be it further enacted, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that silver do not exceed one-half of the whole alloy.

SEC. 9. And be it further enacted, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half-dollar of the weight of two hundred and six and one-quarter grains; the quarter-dollar of the weight of one hundred and three and one-eighth grains; the dime, a tenth part of a dollar, of the weight of twenty grains and five-eighths of a grain. And that dollars, half-dollars and quarter-dollars, dimes and half-dimes shall be legal tender, of payment, according to their nominal value, for any sums whatever.

SEC. 10. And be it further enacted. That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the balf-eagle one hundred and twenty-nine grains; and that of the quarter-eagle sixty-four and one-half.

ne-nail. And that for all sums whatever, the eagle shall be a legal tender of payment or ten dollars; the half-eagle for five dollars, and the quarter-eagle for two and

By sections 14 and 18 of this act the holders or owners of gold or silver can have the same coined for their sole use or benefit, when pre sented in sums of value of one hundred or more dollars, and suitable

for mint purposes, at a charge for contingent expenses of the mint.

March, 1849.—Chapter 109 of volume 9, page 397, approved March 3,
1849, of the acts of Congress, first states that there shall be "struck and coined at the mint of the United States * * coins of gold of the following denominations and values, namely, double-eagles, each to be of the value of twenty dollars or units, and gold dollars each to be the value of one dollar or unit."

Section 2 of this act reads as follows:

And be it further enacted, That for all sums whatever the double eagle shall a legal tender for twenty dollars, and the gold dollar a legal tender for one

March, 1851.—By act of Congress approved March 3, 1851, three-cent pieces composed of three-fourths part silver and one-fourth part copper were made "lawful money" and a "legal tender" in payment of all debts of 30 cents and under.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That from and after the first day of June, eighteen hundred two (three) (in fact 1853) the weight of the half-dollar, or piece of fifty cents, shall be one hundred and ninety-two grains, and the quarter-dollar, dime, and half-dime shall be, respectively, one-half, one-fifth, and one-tenth of the weight of said half-dollar.

Section 2 said act of Congress reads:

And be it further enacted, That the silver coins issued in conformity with the above section shall be legal tenders in payment of debts for all sums not exceeding five dollars.

The latter paragraph of section 4 this act reads:

Be it further enacted, * * * Provided, however, That the amount coined in quarter dollars, dimes, and helf dimes shall be regulated by the Secretary of the Treasury.

This last section, so far as my researches have discovered, was the very first act of Congress giving into the hands of one man, the Secretary of the Treasury, the autocratic power to restrict the coinage of silver into money on his sole judgment.

This act was approved by Millard Fillmore in the last month of his Presidency, i. e., February, 1853, and was to take effect by section 8 thereof, June 1, 1853.

March, 1853.—By act of Congress approved March 3, 1853, a part of the act of Congress approved February 21, 1853, was repealed and instead thereof it was, "Be it enacted" that the act of February 21, 1853, "shall take effect and be in full force from and after April 1, 1853." "And that hereafter the three cent coin now authorized by

law shall be made of the weight of the three-fiftieths of the weight of the half-dollar, as provided in said act, and of the same standard of fineness."

February, 1857.—By act of Congress, approved February 21, 1857, volume 11, page 163, relating to foreign coins and the coinage of the cent; section 1 thereof reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the pieces commonly known as the quarter, eighth, and sixteenth of the Spanish pillar dollar, and the Mexican dollar, shall be receivable at the Treasury of the United States and its several offices, and at the several post-offices and land offices, at the rates of valuation following—that is to say, the fourth of a dollar, or piece of two reals, at twenty cents; the eighth of a dollar, or piece of one real, at ten cents; and the sixteenth of a dollar, or half real, at five cents.

Section 4 of this act provides for the coinage of copper cents, composed of 72 grains, 88 per cent. to be of copper and 12 per cent. of nickel. Section 3 of this act repeals all former acts authorizing the currency of foreign gold and silver coins, and declares that the same shall not be a legal tender in payment of debts.

April, 1864.—By act of Congress approved April 22,1864, volume 13 age 54, the cent coined at the mint was made to weigh 48 grains, and be composed of 95 per cent. of copper and 5 per cent. of tin and zinc; also, a 2-cent piece of twice the weight of 1-cent pieces, but same material and fineness. By section 4 of this act these 1-cent pieces were declared a legal tender in any payment to the amount of 10 cents, and 2-cent coin to the amount of 20 cents.

Thus we see that twice the weight of the same material and fineness

Into we see that twice the weight of the same material and ineness in one piece is made a legal tender in payment of debts for 20 cents, while the other piece, of the same material and fineness, but half the weight, is a legal tender for only 10 cents in one payment.

March, 1865.—By act of Congress approved March 3, 1865, volume 18, page 517, chapter 100, it was "Be it enacted" that there should be coined at the mint of the United States a 3-cent piece, of weight 30 grains of copper and nickel, the nickel not to exceed 25 per cent. of weight of material weight of material

By section 3 of this act said 3-cent piece "shall be" a legal tender in any payment of the amount of 60 cents.

Section 6 of this act reads:

And be it further enacted. That the one and two cent coins of the United States shall not be a legal tender for any payment exceeding four cents in amount; and so much of the laws of the United States heretofore enacted as are in conflict with the provisions of this act are hereby repealed.

May, 1866.—By act of Congress approved May 16, 1866, chapter 81, volume 14, page 47, it was "Be it enacted" that there should be coined at the mint of the United States a 5-cent piece, the standard weight of which should be 77.16 grains composed of copper and nickel, the nickel not to exceed 25 per cent. of its weight.

By section 3 of this act it was "Be it enacted" that said coins shall

be a legal tender in any payment to the amount of \$1.

By section 5 of this act it was "Be it enacted" that the Treasurer and assistant treasurer should redeem these coins in national currency

"when presented in sums of not less than \$100."

March, 1871.—By act of Congress approved March 3, 1871, chapter 124, volume 16, page 580, it was "Be it enacted" that the Secretary of the Treasury is hereby authorized and required to redeem in lawful money, under such rules and regulations as he may from time to time prescribe, all copper, bronze, copper-nickel, and base metal coinage of every kind heretofore authorized by law, when presented in sums of not less than \$20.

not less than \$20. * * *

February, 1873.—By act of Congress approved February 12, 1873, chapter 131, volume 17, page 424, it was "Be it enacted," by section 14 of this act, "that the gold coins of the United States shall be a one-dollar piece," "two-dollar piece," "three-dollar piece," "five-dollar piece," "tren-dollar piece," "The standard weight of the gold dollar shall be 25.8 grains. 9 fine;" and the other gold coins same ratio, and each and all a legal tender in payment of all debts whatsoever; and the gold dollar declared the "unit of value." From 1792 to date of this act, the silver dollar—"Dollar of our dads"—had been by law of Congress the "unit of value." This act demonetizes all silver coins in the United States previously

This act demonetizes all silver coins in the United States previously coined, except the half-dollar, quarter-dollar, and dime, and enacts that these three silver coins, that is, 50, 25, and 10 cent pieces, together with the trade-dollar, composed of 420 grains of standard silver, should be a

legal tender for any amount not exceeding \$5 in any one payment.
Section 16 of this act demonetizes all minor or base metal coinage, and "enacts" that the minor coins of the United States shall be a 5cent piece, a 3-cent piece, and a 1-cent piece, which shall be a legal tender for any amount not exceeding 25 cents in any one payment. Section 17 of said act reads:

That no coins, either of gold, silver, or minor coinage, shall hereafter be issued from the mint other than those of the denominations, standards, and weights herein set forth.

By section 19 of this act the owners of gold and silver metal may, at their option, have the same cast into bars of fine metal, or standard fineness of not less than five ounces and stamped to prevent fraudulent imitations.

By section 20 of this act the owners of gold bullion may have the same formed into coin or bars for their benefit.

By section 21 of this act the owners of silver bullion may deposit the of 420 grains, troy, and no deposits of silver for other coinage shall be received.

March, 1875.—By the act of Congress approved March 3, 1875, chapter 143, volume 18, page 478, it was "Be it enacted" that there should be coined from time to time a 20-cent piece of the weight of five grams. Section 2 of this act makes them a legal tender for any amount not

exceeding \$5 in any one payment.

April, 1876.—By act of Congress approved April 17, 1876, chapter 63, volume 19, page 33, it was "Be it enacted" that the Secretary of the Treasury is authorized to issue coins of the United States of the denominations of 10, 20, 25, and 50 cents silver pieces, standard value, in redemption of an equal amount of fractional currency, and thus continue, until the whole amount of such fractional currency outstanding is redeemed.

is redeemed.

July, 1876.—By act of Congress approved July 22, 1876, volume 19, page 215, it was (this time) "Resolved" that the Secretary of the Treasury may issue silver coin from the Treasury not exceeding \$10,-00,000, in exchange for an equal amount of legal-tender notes, and said notes only to be reissued on the retirement and destruction of a like sum of fractional currency, and that when such fractional currency is so received it shall be destroyed.

Section 2 of this act destroys the legal-tender, debt-paying properties of the trade-dollar

ties of the trade-dollar.

February, 1878.—By act of Congress, February 28, 1878, it was:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That there shall be coined at the several mints of the United States silver dollars of the weight of four hundred and twelve and one-half grains troy, of standard silver, as provided in the act of January eighteenth, eighteen hundred and thirty-seven, on which shall be the devices and superscriptions provided by said act, which coins, together with all silver dollars heretofore coined by the United States, of like weight and fineness, shall be a legal tender, at their nominal value, for all debts and dues, public and private, except where otherwise expressly stipulated in the contract.

Section 3 of this act authorizes the Secretary of the Treasury and assistant treasurers to receive these dollars on deposit in sums of not less than \$10, and issue therefor certificates, "which shall be receivable for customs, taxes, and all public dues, and, when so received, may be reissued.

Section 4 of this act repeals all acts or parts of acts inconsistent therewith.

This act of Congress was vetoed by President Hayes, but was passed over his veto by a constitutional majority of each branch of Congress,

and became a law February 28, 1878.

May, 1878.—By act of Congress approved May 2, 1878, it was "Be it enacted" that the coinage of 20-cent pieces is prohibited.

The Revised Statutes of the United States, title 39, page 708, under the head of "legal-tender," reads as follows:

SEC. 3584. No foreign gold or silver coin shall be a legal tender in payment of debts.

Under title 37, same book, page 696, we find as follows:

SEC. 3311. The gold coins of the United States shall be a one-dollar piece, which at the standard weight of twenty-five and eight-tenths grains shall be the unit of value.

SEC. 3885. The gold coins of the United States shall be a legal tender in all

of value.

SEC. 3585. The gold coins of the United States shall be a legal tender in all payments at their nominal value when not below the standard weight and limit of tolerance provided by law for the single piece, and, when reduced in weight below such standard and tolerance, shall be a legal tender at valuation in proportion to their actual weight.

SEC. 3513, Revised Statutes of the United States, page 696, states as follows: "The silver coins of the United States shall be a trade-dollar, a half-dollar or fifty-cent piece, a quarter-dollar or twenty-five-cent piece, a dime or ten-cent piece; and the weight of the trade-dollar shall be four hundred and twenty grains, troy, the weight of the half-dollar should be tweive grams and one-half of a gram (4. a., 192.9½ grains); the quarter-dollar and the dime shall be, respectively, one-half and one-fifth of the weight of the said half-dollar."

SEC. 3586. The silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding five dollars in any one payment.

SEC. 3587. The minor coins of the United States shall be a legal tender at their nominal value for any amount not exceeding twenty-five cents in any one payment.

July, 1876.—By joint resolution of Congress, July 22, 1876, found in volume 19, page 215, section 2, said act, reads as follows:

That the trade-dollar shall not hereafter be a legal tender, and the Secretary of the Treasury is hereby authorized to limit from time to time the coinage thereof to such an amount as he may deem sufficient to meet the export demand for the same.

Here we see that the big dollar of 420.9 grains fine has its legal-tender (debt-paying) qualities taken away by Congress.

SEC. 3588. United States notes shall be lawful money, and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt.

I quote the foregoing acts of Congress verbatim et literatum, when so marked, or state the substance of the facts in other sections designated, for the purpose of showing that Congress, by its solemn acts of legislation in the past, by the authority of the people making them a Congress, together with judicial construction of the high courts of these

various acts of Congress, has ever held and made a shuttle-cock of the material of which money shall lawfully be made.

These changes have been made, I aver, to keep the money volume so limited that the comparatively few could control it, and thus at pleasure manipulate prices against the interests of the many, thus creating a money aristocracy on the one hand and pauperized labor on the other.

The effect of volume of money on prices of labor and the products of labor, as well as the opportunity to secure a sufficient supply out of gold

labor, as well as the opportunity to secure a sufficient supply out of gold and silver to keep even step and pace with the business demands in this age of electricity, steam, and machinery, is better shown in the statements made by the Silver Commission in their report, first volume, from which I shall now quote liberally to further sustain myself in the posi-

SILVER COMMISSION, 1876-EFFECT OF VOLUME OF MONEY ON PRICES.

I now make quotations from the first volume of the reports of the Silver Commission, created by joint resolution of Congress, August, 1876.

This commission was to consist of three Senators, appointed by the Senate; three members of the House, appointed by the Speaker, and three experts to be selected by and associated with them.

The commission, as organized, consisted of Senators John P. Jones, Lewis V. Bogy, and George S. Boutwell; also Representatives Randall L. Gibson, George L. Willard, and Richard P. Bland.

The three experts were Hon. William S. Groesbeck, of Ohio; Pro-

fessor Francis Bowen, of Massachusetts; George M. Weston, of Maine,

These nine gentlemen were members of the Republican and Democratic parties, but with singular fidelity to the trust, made extensive inquiries in the premises of their appointed duties, and submitted a report, which evidences the highest ability in comprehensive argument from fact statements, as also a most exhaustive inquiry in all the fields of information.

Their statements make it clearly evident that the doctrines and teachings of the National party are essential to the welfare of the whole

On page 66, volume 1, Reports of Silver Commission, we read that nine nations, with an estimated population of 768,944,456, have the so-called silver standard.

That of these nine Russia and Austria have legal-tender paper money.

On page 67, same volume, we read that there are fourteen nations with an estimated population of 137,300,000, that have the so-called double standard of gold and silver.

Of these Italy has legal-tender paper money, but substantially no metallic money in circulation, while of these fourteen Holland, France, Belgium, Switzerland, and Spain have either limited or entirely suspended the coinage of silver.

Same page and book we read that there are seven nations, with an estimated population of 92,800,000, that have the so-called gold standard. This list of thirty nations does not include the United States, which to-day has a full or partial legal-tender money, with or without exceptions, gold, silver, nickel, copper, amalgam, and paper.
World's stock of gold and silver, 1848, on page 7, same book, we read

It is one of the common estimates that in 1848, the date of the California discoveries, the bullion value of the world's stock of plate, coin, and bars was \$2,800,000,000 in gold and \$4,000,000,000 in silver, but of coin and bars alone \$1,200,000,000 in gold and \$2,200,000,000 in silver. The total production of gold and silver in the five years ending with 1856 was \$950,000,000, being an addition of only 14 per cent. to the total stock, inclusive of plate, or of 28 per cent. to the stock in coins and bars.

In twenty-eight years (that is, 1848 to 1875) ending with 1875, the aggregate production of gold and silver was \$4,582,500,000.

By this report we find the sum of all productions of gold and silver, prior to 1875, in the world was \$11,392,000,000, being in coin, bullion, bars, plate, watch-cases, bad teeth, finger, ear, and other rings, besides that employed in the arts and sciences in various ways.

On pages 47 and 48, same book, we read as follows:

On pages 47 and 48, same book, we read as follows:

The world has generally favored, theoretically, if not practically, the automatic metallic system, and adjusted its business to it. Some nations adopted one metal as their standard, and some the other, and some adopted both.

Those that adopted both served as a balance-wheel to steady with exactness their relative value. * * * While some nations have changed their money metal, or having had paper money, have resumed specie payments in one metal, the policy of a general demonetization of one of the metals was first broached only about twenty years ago. About ten years later a formidable propaganda was organized to fasten that policy upon the commercial world.

This new school of financial theorists advocate the retention of metal as the material of money, but favor its subjection to governmental interference in every respect. Whenever new mines are discovered or old ones yield or promise to yield more abundantly, instead of freely accepting their product in accordance with the automatic theory they advocate its rejection through the restriction or the absolute prohibition of the coinage of either or both metals, or through the limitation or the abolition of the legal-tender functions of one of them. Whenever the interests of the creditor and income classes seem to be in danger of being impaired by an increase in the volume and decrease in the value of money, or, in other words, by a general rise in prices, the modern theorists are clamorous in double-standard countries for the demonetization of one of the money metals, and in single-standard countries for the shifting of the money function from the metal which promises the most to the one that promises the least abundant supply.

They are extremely anxious for the retention of the metal of which the money standard is composed, when such metal is rising in value and prices are falling, and exceedingly apprehensive of the evil and inconvenience which they predict as sure to result from changing it. Whenever a fall in prices occurs, through either a natural or artificial contraction in the value of money, they maintain that it is due to antecedent inflation and extravagance, or to overproduction through persistent and reckless industry.

If the contraction be natural, that it can not be helped; and if artificial, that, though it may inflict great temporary losses on the masses of the people, it will be sure to result in their ultimate benefit, and they console the sufferers with the comforting (?) assurance that such contraction is necessary in order to reach the lowest depths of that "hard-pan" whose foundations they have previously undermined by demonetizing one of the metals, and upon which alone they claim that money, capital, and labor can securely and harmoniously rest. But when the material composing the standard is falling in value and prices are rising, they immediately discover that the maintenance of the value of the standard is the all-important consideration, and that its material is of no importance whatever, and should be at once changed to "redress the situation." After having reduced one of the metals to a commodity by depriving it of the money function, these theorists complacently point to the resulting fluctuations in its value as a justification of the act producing them, and as a conclusive proof of the unifities for money of the demonetized metal.

If the world, or any considerable portion of it, should follow the teachings of this new school of economists, and discard one metal, and one-half of the automatic theory, it need not surprise them if the resulting financial and commercial disasters should teach and enforce the policy of discarding the other half of the theory and the other metal, and of establishing some system of money, however unscientific, under which all classes and interests could at least have an equal chance of protection.

On page 46, some book, we read the following concerning the "fiatmoney school:"

They claim that every argument against investing with the money function a material not possessing intrinsic value is, when analyzed, an impeachment of the integrity and capacity of the people and of their fitness for self-government, and a claim that the regulation of the most important institution of civilization can be more safely remitted to the edicts of chance than to the guidance of human wisdom.

* * That the failures of one age often become the established successes

man wisdom.

* * That the failures of one age often become the established successes of the next. That every progressive movement of mankind has been tedious and toilsome, and has been accomplished only through trial, suffering, and the disappointment of repeated failures.

That every step of this progress has been impeded by a sinister conservatism, which glorifies everything, even tyranny and stupidity, if hoary with age, and always seeks to rivet the needs of the present to the decaying and imperfect systems of the past, and to deny to the human race the hopes and possibilities of the future.

* * *

tems of the past, and to deny to the human race the hopes and possible future. * *

That in most countries coin money has been sometimes supplemented and sometimes superseded by promises to pay coin, which were always broken when coin was demanded.

That the next step in many countries has been a coinage maintained above its bullion value through limitation of quantity and the stamp of authority as in subsidiary silver coinages, and at the present time in the entire silver coinage in the states of the Latin Union. And that, since the success of this last step, in preserving, through limitation of quantity, a steadiness of money value above and wholly independent of intrinsic value has been assured, it would be presumptuous to affirm that the same means may not furnish, without any intrinsic value whatever, a better and steadier money than the world has ever seen.

INCREASING VOLUME-EFFECT.

On page 49, same book, we read:

On page 49, same book, we read:

Whenever gold and silver prices have become adjusted to a given stock of those metals, an increase of that stock, other things remaining unchanged, will cause a rise, and a decrease will cause a fall, in prices.

But under such conditions other things never do remain unchanged. There are powerful causes, moral and material, which invariably operate, when money is increasing in volume, to moderate the rise in prices and to intensify their fall when it is decreasing.

Hence, the fall in prices caused by a decreasing volume of money would be much greater in degree than would be the rise caused by a proportionately increasing volume.

Whenever it becomes apparent that prices are rising and money falling in value in consequence of an increase in its volume, the greatest activity takes place in exchanges and productive enterprises. Every one becomes anxious to share in the advantages of rising markets. The inducement to hoard money is taken away, and consequently the disposition to hoard it ceases. Its circulation becomes exceedingly active, and for the very plain reason that there could be no motive for holding or hoarding money when it is falling in value, while there would be the strongest possible motive for exchanging it for property, or for the labor which creates property, when prices are rising. Under these circumstances labor comes into great demand and at remunerative wages.

This results in not only increased production, but increased con-

This results in not only increased production, but increased consumption.

The wants and expenditures of laborers increase with their earnings. Large enterprises, safe and unsafe, are at such times inaugurated by eager adventurers, and, as frequently as otherwise, upon insufficient capital.

On pages 49 and 50, same book, we read the most terrible indictment of the Republican party and its financial policy, from the administration of General Grant as President all along through the dark days and panic of 1873—"Black Friday"—and up to the date of an increasing volume of money in circulation, its effect on general prices of labor and the products of labor.

While discussing this feature of the money question by a system of quotations from eminent authority, the reader must always bear in mind that the legal value of a dollar, its multiples or parts, never changes, except to exist and not to exist.

DECREASING VOLUME-ITS EFFECTS.

At the Christian era the metallic money of the Roman Empire amounted to \$1,800,000,000.

By the end of the fifteenth century it had shrunk to less than \$200,000,000.

During this period a most extraordinary and baleful change took place in the condition of the world. Population dwindled, and commerce, arts, wealth, and freedom all disappeared. The people were reduced by poverty and misery to

the most degraded conditions of serfdom and slavery. The disintegration of society was almost complete. The conditions of life were so hard, that individual selfishness was the only thing consistent with the instinct of self-preservation. All public spirit, all generous emotions, all the noble aspirations of man shriveled and disappeared as the volume of money shrunk and prices fell.

History records no such disastrous transition as that from the Roman Empire to the Dark Ages. Various explanations have been given of this entire breaking down of the framework of society, but it was certainly coincident with a shrinkage in the volume of money, which was also without historical parallel.

The crumbling of institutions kept even step and pace with the shrinkage in the stock of money and the falling of prices. All other attendant circumstances than these last have occurred in other historical periods unaccompanied and unfollowed by any such mighty

It is a suggestive coincidence that the first glimmer of light only came with the invention of bills of exchange and paper substitutes, through which the scanty stock of the precious metals was increased in efficiency.

STEADINESS OF INCREASING VOLUME-ITS EFFECTS.

On pages 51 and 52, same book, we read as follows:

It is in a volume of money keeping even pace with advancing population and commerce, and in the resulting steadiness of prices, that the wholesome nutriment of a healthy vitality is to be found. The highest moral, intellectual, and material development of nations is promoted by the use of money unchanging in its value.

That kind of money, instead of being the oppressor, is one of the great instrumentalities of commerce and industries.

Steadiness in prices insures labor to all and exacts labor from all.

It gives security to credit and stability and prosperity to business.

It encourages large enterprises requiring time for their development, and crowns with success well-matured and carefully executed plans.

It discourages purely speculative ventures, and especially those based upon discoter.

It metes out justice to both debtor and creditor, and secures credit to those eserve it.

deserve it.

It prevents capital from oppressing labor and labor from oppressing capital, and secures to each its just share of the fruits of industry and enterprise.

It secures a reasonable interest for its use to the lenders of money, and a just share in the profits of production to the borrower.

It keeps up the distinction between a mortgage and a deed.

It insures a moderate competence to the many rather than colossal fortunes to the few at the expense of the many.

EFFECTS OF A DECREASING VOLUME OF MONEY.

On page 53, same book, we read:

On page 53, same book, we read:

While the volume of money is decreasing, even although very slowly, the value of each unit of money is increasing in corresponding ratio and property is falling in price.

Those who have contracted to pay money find that it is constantly becoming more difficult to meet their engagements. The margins of securities melt rapidly away, and the confiscation by the creditor of the property on which they are based becomes only a question of time.

All productive enterprises are discouraged and stagnate because the cost of producing commodities to-day will not be covered by the prices obtainable for them to morrow. Exchanges become sluggish, because those who have money will not part with it for either property or services beyond the requirements of actual current necessities, for the obvious reason that money alone is increasing in value, while everything else is declining in price.

This results in the withdrawal of money from the channels of circulation, and its deposit in great hoards, where it can exert no influence on prices. This hoarding of money from the nature of things must continue and increase not only until the shrinking of its volume has actually ceased, but until capitalists are entirely satisfied that money lying idle on special deposit will no longer afford them revenue, and that the lowest level of prices had been reached.

It is this hoarding of money, when its volume shrinks, which causes a fall in prices greater than would be caused by the direct effect of a decrease in the stock of money.

Money in shrinking volume becomes the paramount object of commerce instead of its beneficent instrument.

Instead of mobilizing industry, it poisons and dries up its life currents. It is the fruitful source of political and social disturbance.

It foments strife between labor and other forms of capital, while itself, hidden away in security, gorges on both.

It rewards close-fisted lenders and filches from and bankrupts enterprising borrowers.

It circulates freely in the stock

On pages 53 and 54, we read (this was in August, 1876, and reviewed the continuing results of the panic of 1873):

the continuing results of the panic of 1873):

The great and still continuing fall in the prices in the United States has proved most disastrous to nearly every industrial enterprise.

The bitter experience of the last few years has been an expensive but most thorough teacher.

It has taught capitalists neither to invest in nor loan money on such enterprises, and just as thoroughly has it taught business men not to borrow for the purpose of inaugurating or prosecuting them.

Of the few business enterprises now being successfully prosecuted, the larger part are based on a monopoly secured either by patents or exceptional conditions.

The business man has discovered that the less active and enterprising he is the better he is off.

The manufacturer avoids loss by damping down furnace fires and slowing down machinery.

The miners ascend from the dark and gloomy depths of the mine with a scanty pittance called wages to find in a famishing household a gloom that is more profound.

They await with heroic fortitude and a sometimes impatient hope the advent of another Sir Humphrey Davy, with a lamp capable of shedding fight on the cause of existing evils, and of protecting them and all others who depend on their labor for their daily bread against a lingering misery more to be dreaded than the deathly danger that lurks in the treacherous fire-damp.

Securities have already become so impaired through falling prices that loanable capital has fled affrighted from the newer and more sparsely settled sections of the country, and accumulated in large amounts in the great financial centers where securities are more ample.

The personal and property securities of individuals have generally ceased to be available, except at the highest rates of interest, or at ruinously low valuations.

tions.

Money can be borrowed readily only upon securities, as bonds which are based on the unlimited tax-levying power of the Government, or upon the bonds and stocks of first-class trunk lines of railroad corporations, whose freight and fare rates are practically a tax upon the entire population and resources of the regions which they traverse and supply.

The competition among capitalists to loan money on these more ample securities has become very keen, and such securities command money at unprecedentedly low rates.

These low and lowering rates of interest, instead of denoting financial strength and industrial prosperity, are a gauge of increasing prostration.

The foregoing solemn statements of eminent men accord with the voice of history and of experience as well, that when one-half of the money of a people, or nation, is destroyed, or taken out of circulation, the remaining part must be in greatly increased demand, and corre spondingly dear. In 1857 Germany demonetized gold, and the "hardpan" advocates issued a formidable propaganda, on the discovering of gold in California and Australia, claiming that the productions of this precious metal (?) would soon become so abundant as to nearly lose its value for purposes of money.

CONTRACTION BY REFUNDING.

On page 7 of the report of the Comptroller of the Currency, United States of America, 1879, we find the following statements, namely:

During the following year it increased nearly seven hundred millions, reaching July 1, 1864, the sum of \$1,815,784,370. During the next nine months to the close of the war, April 1, 1865, the debt increased at the rate of about two millions a day, or sixty millions a month, and for the five months next thereafter, at the rate of about three millions a day, or ninety millions a month, reaching its maximum on August 31, 1865 (see report of Secretary McCulloch, 1867, page 4; also his report of 1868, page 41), at which date it amounted to \$2,845,907,626 (less cash in the Treasury, \$88,218,055), and was composed of the following items:

 (less cash in the Treasury, \$88,218,055), and was composed of the following items:

 Funded debt (includes \$1,258,000 Pacific Railroad bonds)
 \$1,109,568,191 80

 Matured debt
 1,508,020 09

 Temporary loan
 107,148,713 16

 Certificates of indebtedness
 85,093,000 00

 Five per cent. legal-tender notes
 33, 954, 230 00

 Compound-interest legal-tender notes
 217,024, 160 00

 Seven-thirty notes
 830,000,000 00

 United States notes (legal-tenders)
 433, 100,569 00

 Fractional currency
 26, 344, 742 51

 Suspended requisitions uncalled for
 2, 111,000 00

On page 8, same book, we find the following:

This immense amount of temporary obligations was funded within the three years which followed the close of the war; and the skill and good judgment displayed in so doing can only be fully appreciated by those who are familiar with the difficulties and delicate conditions under which the work was accomplished.

The annual report of the Comptroller of the Currency, December 6, 1880, page 51, states as follows:

The following table exhibits the amount and kinds of outstanding paper currency of the United States and of the national banks on August 31, 1865, when the public debt reached its maximum, and annually thereafter at the dates named, with the currency price of gold and the gold price of currency at the same

Legal-tender notes Old demand notes Fractional currency Notes of national banks, including gold notes	\$432, 552, 912 402, 965 26, 344, 742 176, 213, 955
Aggregate	635, 515, 574

Now let us see how this Comptroller of the Currency can pervert facts, by comparing his report of 1879, page 7, with his report of 1880, page 51.

In 1879 report he gives outstanding on August 31, 1865, page 7, as fol-

20 11 01	
Five per cent, legal-tender notes	\$33, 954, 230 00
Compound interest, legal-tender notes	217, 024, 160 00
Seven-thirty notes.	830, 000, 000 00
United States notes (legal-tenders)	433, 160, 569 00
Fractional currency	26, 344, 742 51

..... 1,540,483,701 51 Total legal-tender notes...

In 1880 report, page 51, being for August 31, 1865:

Legal-tender notes. Old demand notes. Fractional currency. Bank notes (national).	\$432, 553, 912 402, 965 26, 344, 742 176, 213, 955
(Total	635 515 574

It will be perceived that the report of 1879 does not include \$176,213. 955 of national-bank notes. Deduct this sum, then count the fractional currency and the 7.30 notes as legal-tender notes (see section 3590, page 708, Title XXXIX, Legal Tender, of the Revised Statutes of the United States), and you will find that, by these reports, there were in circulation of United States paper money in 1865, \$1,540,483,701.51; while

by the report of 1880 there were only, in August, 1865, \$635,515,574; all told, less national-bank notes, \$495,301,619.

This showing does not take into consideration any gold or silver.
On page 15 of the report of the Comptroller of the Currency for 1879 the following table will be found, which shows the average value of the gold dollar in legal-tender paper dollars, during the month of July in each year, from and including 1865 to and including 1878, also the highest average market price of the articles named in Chicago same month and same year, for each of said months and years.

Year.	Gold.	Wheat.	Corn.	Oats.	Rye.	Pork.
1865	142.1 157.6 139.4 142.7 136.1 116.8 112.4 114.3 115.7 110.0 114.8 112.1 100.6	\$1 15 1 25 2 11 2 20 1 39 1 31½ 1 29 1 32 1 23½ 1 17½ 1 17½ 1 128½ 1 105½ 1 10	\$0 73 604 834 924 97 93 534 424 384 658 764 48 494 41	\$0.55 32½ 69½ 69½ 71 53 50½ 28 30 59 55¼ 30½ 33½ 27½	\$0 70 72 1 20 1 60 1 10 88 90 601 61 1 00 1 02 69 64	Per bbi. \$31.00 32.50 24.00 29.00 33.75 30.50 16.00 16.00 24.50 21.10 19.75 13.90 9.70

Wheat was highest May, 1867—\$2.85 per bushel. Corn was highest November, 1864—\$1.40 per bushel, Oats was highest June, 1867—90 cents per bushel. Rye was highest April, 1868—\$1.87 per bushel. Barley was highest March, 1863—\$2.55 per bushel. Pork was lowest December, 1878—\$6.02‡ per barrel.

The Inter-Ocean, of Chicago, in its issue of July 20, 1878, editorially

The anti-greenback papers of this city are in the habit of stating, every now and then, that the volume of currency has been but slightly decreased, and that the amount per capita in 1855 and 1878 varied very little, being from \$14 to \$15. The Inter-Ocean has taken occasion at various times to refute this assertion, and, in doing so, has given figures that can not be successfully disputed. We produce below a table compiled from official sources. We have added the year 1877, and also the population and the amount per capita to the table:

Year.	Currency.	Population.	Amount per capita.
1865	\$1,651,282,373	34, 819, 281	\$47 42
	1,803,702,726	35, 537, 148	50 76
	1,330,414,677	36, 269, 502	36 68
	817,199,760	37, 016, 949	22 08
	750,025,989	37, 779, 800	19 85
	740,039,179	38, 558, 371	19 00
	734,244,774	39, 750, 073	18 47
	736,349,912	40, 978, 607	17 97
	738,291,749	42, 245, 110	17 48
	779,031,589	43, 550, 756	17 89
	778,176,250	44, 896, 705	17 33
	735,388,832	46, 284, 344	15 89
	696,443,494	47, 714, 829	14 60

The currency included in the above amounts comprises demand and one and two year Treasury notes authorized by the acts of December 27, 1857, December 17, 1860, and March 2, 1861; temporary ten-day loan and one-year certificates of indebtedness; Treasury notes payable in two years and sixty days; 7.30 three-year notes; compound-interest notes, 3 per cent. certificates; non-interest-bearing demand and legal tender notes; fractional currency; State bank notes, and mational-bank notes.

† The bulk of these issues were made legal-tender by the Government, but that characteristic was not indispensable to constitute them parts of the money volume; for, was that necessary, then State bank and national-bank issues could not be counted as part of the currency, these never having been made legal tenders.

not be counted as part of the currency, these never having been made legal tenuers.

I We are prepared to prove, however, that all the above issues were employed as currency, and went to make up the volume of circulating medium. The 7.30 three-year notes, whose circulation as currency is most scouted, were outstanding on the 1st of September, 1865, to the amount of \$830,000,000, every dollar of which was legal-tender for its face value under the terms of the law "to the same extent as United States notes."

We have not the space or time now to dwell upon this part of the question, but we again state that these notes were employed as currency, as can be proved by the very highest authority.

It is, in our opinion, the highest of folly for the opponents of the so-called National party to deny facts so well established as is that of the contraction of the currency. If that party can not be defeated by a fair and honest statement of the truth, then it had better be allowed to win.

The Fifteenth General Assembly of Iowa, in 1874, had for its governor Cyrus C. Carpenter, and Joseph Dysart as lieutenant-governor. That Legislature, Republican in every department, passed the following joint resolutions, published with the "private and local laws" of the State at that session, at page 83, and in the house journal, commencing on page 225. In the session laws it appears as "joint resolutions" tion No. 14, for increase of currency," and is entitled:

Joint resolution memorializing Congress for an increase of the currency of the country.

Whereas the real and personal property of the country has increased nearly 100 per cent, in the last decade, and the value of manufactured products more than doubled during the same time, while the amount of currency in circulation has been contracted about \$250,000,000; and Whereas we believe the amount of currency in the country, and especially in the Northwest, is inadequate to carry on the exchanges necessary for a healthy

and prosperous condition of affairs; and, however desirable it may be to bring about specie payment, an undue contraction of the currency by which business is embarrassed and production impaired is not the proper method of obtaining that end: Therefore,

Be it resolved by the General Assembly of the State of Iowa, That we request our Senators and Representatives in Congress to vote for such measures of relief as the present condition of the country demands, prominent among which, we believe, is a large addition to the present volume of currency of the country.

Resolved, That the secretary of state is hereby instructed to furnish each of our members of Congress with twenty-five copies of this resolution.

Approved, February 27, 1874.

Now, let us see how the Congress of the United States treated this reasonable and humane request of the Iowa Republican Legislature in 1874. The Comptroller of the Currency, in his report of 1880, page 51, states that in 1874, January 1, the aggregate legal-tender notes, old demand notes, fractional currency, notes of national banks, including gold notes, was as follows:

January 1, 1874	\$777, 874, 367
January 1, 1875	782, 591, 165
January 1, 1876	762, 523, 690
January 1, 1877	714, 064, 358 689, 443, 922
January 1, 1879.	686, 642, 884

By this table on page 51, report of 1880, there is shown to have been a reduction of \$95,948,281.

Add this sum to the profound statement of the Iowa Legislature in 1874, "about (?) two hundred and fifty millions contraction" prior, and you have "about (?) \$345,948,281," by this showing from the standpoint of Republican official integrity.

On page 15 of the Comptroller's report of 1879 he gives the value of the gold dollar in "legal-tender paper dollars" for each year from 1864 to 1879. (See page 22.)

WELLER'S FORMULA OF FIGURES.

We see that volume of money in circulation determines the commercial value or purchasing power of each "unit," or dollar. This being true, let us inquire what benefit increased volume of money would be to the producers of wealth (for labor produces all wealth except that which, "the first great cause," God grants); the farmer, mechanic, artisan, wage-worker, to those who have "nothing to sell" (?) except labor.

except labor.

Grant me Beecher-bread-and-no-butter price—\$1 per day; 75 cents of this to provide a home, and feed, clothe, and educate the children and help Christianize society by building school-houses, pay taxes, recreation, contribute to charities, and pay the minister, &c. I have left, as a mathematical proposition, just 25 cents with which to buy my home, pay interest on my indebtedness, cancel mortgages and notes, and my annual share of the State and national bonds and interest thereon.

annual share of the State and national bonds and interest thereon.

Now, if by reducing—contracting—the volume of money in circulation so that 50 cents will buy as much as a dollar would (and that is "hard-pan," "specie basis," resumption argument), why should I complain that my wages are reduced from \$1 to 50 cents per day? If there is no just cause of complaint, why complain if the volume of money is reduced (contracted) so that 25 cents will buy as much as 50 cents? Or to 12½ cents per day, it buying as much in the market as the 25 cents formerly did?

Let us look at this matter a little. Why, if it makes no difference

Let us look at this matter a little. Why, if it makes no difference, should any one complain at having free coinage of silver, thus increasing the volume of money in circulation until \$2 will buy no more than ing no more because of its cheapness (?) than the \$1 or \$2 at the former status of money matters? If sauce for the goose should be sometimes sauce for the gander—the rule working both ways occasionally—who should object?

I do, broadly and emphatically! I am a laboring man, a producer, a tax-payer, have a family of children I wish to educate, and provide them with a little surplus cash to start out in life with, and desire to build a better house, to contribute to public enterprises and public charities, which I can not do if all the cash net of my life's labors goes to pay interest to my cash creditors and the State and nation's bond creditors. So I desire a condition of things as to money matters that I can, with a given outlay of effort in a given time, lay by for my creditors and the nation's creditors the greatest possible sum of "legal-tender dollars," "lawful money," with which to cancel all my money obligations, thus stopping interest out, putting it by for the purpose named. Be it remembered ever that the legal, debt-paying value of money never changes, except to exist and not exist. The legal debt-paying properties—the property imparted by the law-making power that creates money—never fluctuates; it is stationary, year in and out. pay interest to my cash creditors and the State and nation's bond cred-

PROPOSITION DEMONSTRATED

Wages per day.	Cost of living, &c.	Sum left.
\$1 00	\$0.75	\$0 25
50	874	121
50	37½	12½
25	18½	06½
121	09½	03½
2 00	1 50	50
4 00	3 00	1 00

I do not care to suggest more than \$4 per day for wage-workers and mechanics, lest the simple suggestion should precipitate some "venerable" (?), "meek, and lowly follower" (?) with gray hairs sorrowing into an untimely grave.

Mortgaged home, \$1,000.

Sum left.	Iowa rate 10 per cent.	Year's work.	Yearly interest.	Days needed.
\$0 25 12\dagger 06\dagger 03\dagger 50 1 00	\$100 100 100 100 100 100	Days, 313 313 313 313 313 313 313	\$100 100 100 100 100 100	400 800 1,600 3,200 200 100

Thus we see that, \$1 per day and 25 cents "left," it takes 400 days to pay the interest, for interest and debt—national, State, and individual—must be paid out of "sum left" after cost of living is paid. This case, it taking 400 days to pay the interest and there being but 313 work days in a year, the debtor finds himself "short" 87 days. This is deferred by "credit note." But the next turn of the thumbscrews of contraction finds him short 487 days, which means credit gone

for a chattel-mortgage substitute.

The next turn toward "hard-pan" finds the debtor "short" 1,287 The next turn toward "hard-pan" finds the debtor "short" 1,287 days. This means a mortgage on everything, as well present as future.

The next turn reaches out to "specie basis" and "resumption," and the court of last resort—the high sheriff (?)—bids the debtor go! in the name of law, good order, and the Christian teachings of the nineteenth century, out into God's land, if he can find any that monopolists have not gobbled; or go, as the tramp, branded by law.

But of the up-turn to \$2 per day, the "sum left" at this price, he pays his interest with 200 days' work, and has 113 left to work for wife, babies, home, improvement, with something to spare to pay the principal of debt.

principal of debt.

principal of debt.

But of the up-turn to \$4 per day he pays his interest with 100 days' work, and has 213 left to apply for God, home, and humanity.

This means the debt honestly paid, the mortgage canceled, hopes realized, wife cheerful, children gay, hearthstone loves brightened, family educated, society built up—a better citizen—a man.

It means every reform possible that an intelligent, humane, Christian person in the whole world in the light of and in accord with true, sound philosophy should, could, or would conscientiously advocate.

The Iowa Legislature in 1874 by joint resolution requested Congress to put a stop to contraction; yet Congress, by act of June 20, 1874, section 4, chapter 343, volume 18, page 123, by "Be it enacted," gave permission to national banks to retire their circulation and withdraw their bonds by covering into the Treasury legal-tender notes. bonds by covering into the Treasury legal-tender notes.

SEC. 4. That any association organized under this act, or any of the acts of which this is an amendment, desiring to withdraw its circulating notes, in whole or in part, may, upon the deposit of lawful money with the Treasurer of the United States in sums of not less than \$9,000, take up the bonds which said association has on deposit with the Treasurer for the security of such circulating notes, which bonds shall be assigned to the bank in the manner specified in the nineteenth section of the national-bank act; and the outstanding notes of said association, to an amount equal to the legal-tender notes deposited, shall be redeemed at the Treasury of the United States, and destroyed as now provided by law: Provided, That the amount of the bonds on deposit for circulation shall not be reduced below \$50,000.

Under this "Be it enacted" the banks retired millions, as shown by

Under this "Be it enacted" the banks retired millions, as shown by the Comptroller's report, page 51, 1880; property passed into the hands of the wealthy. In January 14, 1875, they secured the passage of another "Be it enacted," which enabled them, at the proper time, to issue more currency, bring on a business boom, so that they might unload their plunder, filched from labor at an enormous profit.

Law of January 14, 1875, quoted:

Sec. 3. That section 5177 of the Revised Statutes, limiting the aggregate amount of circulating notes of national banking associations, be, and is hereby, repealed; and each existing banking association may increase its circulating notes in accordance with existing law without respect to said aggregate limit; and new banking associations may be organized in accordance with existing law, without respect to said aggregate limit; and new banking association may be organized in accordance with existing law, without respect to said aggregate limit; and revisions of law for the withdrawal and redistribution of national-bank currency among the several States and Territories are hereby repealed.

And whenever, and so often, as circulating notes shall be issued to any such banking association, so increasing its capital or circulating notes, or so newly organized as aforesaid, it shall be the duty of Secretary of the Treasury to redeem the legal-tender United States notes in excess only of \$300,000,000, to the amount of 80 per cent. of the sum of mational-bank notes so issued to any such banking association as aforesaid, and to continue such redemption as such circulating notes are issued, until there shall be outstanding the sum of \$300,000,000 to the hanking association as aforesaid, and to continue such redemption as such circulating notes are issued, until there shall be outstanding the sum of \$300,000,000 to fouch legal-tender United States notes, and no more. And on and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem, in coin, United States legal-ten

An increase of the volume of money and currency under this "Be it

enacted" began about 1880.
On page 11 of Comptroller's report, 1880, he states that the amount

On page 11 of Comptroller's report, 1880, he states that the amount of coin and currency in the country on January 1, 1879, was \$1,055,-356,619. On the same page, in same table, that the amount November 1, 1880, was \$1,302,798,480. This showing gives an increase since January 1, 1879, to November 1, 1880, of \$247,441,861.

This does not consider silver certificates, increase of national-bank notes, importations, mining and minting of gold and silver and copper and nickel and tin and zinc into money since November 1, 1880, of which many millions have been added to the money and currency volume since above date, as see Comptroller's and Secretary's reports of 1881

All the business boom this country has had in the last three years to speak of has come because of an addition to the money volume, coupled with the fact that John Sherman, prior to 1879, ordered, without authority of law, that greenbacks or Treasury notes should be received at par, same as gold, in payment of duties on imports.

John Sherman, in his report as Secretary of the Treasury, in 1880,

page 13, states:

While no distinction as to value is made between coin and notes in business transactions, a marked preference is shown for notes, owing to their superior convenience in counting and carrying.

There is no law to-day authorizing the receipt of United States notes for duties on imports any more than there was on Black Friday.

There is no specie resumption to-day any more than when the credit-strengthening act of March, 1869, was passed for him who has less than

The public faith of the United States was pledged in 1869 by solemn act of Congress to resume specie payments in 1869. Has that faith been

kept?
The public faith was pledged by act of June 3, 1864, that not more than \$300,000,000 of national-bank notes should be issued under that act, but this faith was broken by the act of January 14, 1867, associated by the second of the public state of the public state. pealed the limit, and permitted any existing national banking association to increase its circulating notes without respect to said aggregate

The public faith of the United States was pledged by act of June 30, 1864, that not more than \$400,000,000 of United States notes (save \$50,000,000 to redeem temporary obligations, temporarily required) should ever be issued, nor should any such notes issued under that act be used to redeem national-bank notes; yet this faith pledged has been

The public faith of the United States was pledged in 1873 that the silver dollar of the United States containing 420.9 grains, fine silver should be a dollar and a legal tender in payment of any sum of debt not exceeding \$5; but this faith and pledge were broken by the act of July 22, 1876.

So I could relate scores of instances in which Congress has pledged the faith of the United States to the execution of certain matters in which many citizens of the United States thereunder had entered, but which were blotted out by a repeal of the law creating the conditions, matters, and opportunities, and no hue-and-cry was even raised that Congress had been a party to a repudiation of plighted faith. Why? Because Congress has no power to repudiate; because no act of a Congress of to-day can be so solemnly made, plighting the public faith to anything, or its execution in the future, that the same or a future Congress has not the constitutional, legal, and equitable right to repeal, and that without reference to what may have been done under a former act

This idea was clearly set forth in the opinion of the United States Supreme Court, 12 Wallace, pages 548 and 549, being the majority opinion of said court, which reads as follows on that point:

No one ever doubted that a debt of \$1,000, contracted before 1834, could be paid by one hundred eagles (\$1,000) coined after that year, though they contained no more gold than ninety-four eagles (\$940) such as were coined when the contract was made and this not because of the intrinsic value of the coin, but because of

Same book, page 549, the United States Supreme Court states:

Every contract for the payment of money, simply, is necessarily subject to the constitutional power of the Government over the currency, whatever that power may be, and the obligation of the parties is, therefore assumed with reference to that power. Nor is this singular. A covenant for quiet enjoyment is not broken, nor is its obligation impaired by the (we the people) Government's taking the lanp granted in virtue of its right of eminent domain.

Congress has ever exercised the right to make and unmake a law, without reference to previous solemn enactments of the same or another Congress; and such laws have been sustained by the high courts as within the high prerogatives of the constitutional powers of Congress so to do

This being true, and the high courts have ever so decided, then every bond of the United States, whether due or not, is payable at the pleasure of the Government (Congress and the Executive as agents) in any material (money) that Congress may declare to be money and a legal

By the terms of existing law they all are payable in gold dollars.

By the terms of existing law they all are payable in standard silver dollars

By the terms of existing law they are all payable in United States (legal-tender paper) dollars.

The volume of dollars in circulation is too small.

The McPherson bill so states in a straightforward, diplomatic way, and proposes to remedy the evil by a greater evil.

The Dingley bill so states in a Wall-street way, but proposes to remedy the difficulty at the expense of the people—the Government—and to the increased benefit of the infernal shylocks that feed and fatten as labor becomes impoverished by shylock usurpations.

The bankruptcies of the business of the country unmistakably de-

clare that the volume of money is too small and are appealingly imploring Congress for relief, but unwisely for needed relief by methods

Can any one tell me why the owner of silver bullion, "fit for coinage arposes," should not be permitted to have it coined into standard purposes," should not be permitted to have it coined into standard dollars at the proper expense of the owner, as under the law of 1837 it could be (all the bullion he or they might possess), he being compelled to take the coined dollars away and get rid of them as best he may, except for the reason that such a rule of law or permission under the law would increase the volume of money, and thus increase the value of labor measured in these dollars, the values of the products of labor measured in these dollars and others that might exist to swell the aggregate volume of dollars, the values of lands and their enforcements by labor? Also decrease the values of mortgages, stocks, and bonds measured in these "units" called dollars.

To-day the money-monger feeds his fast horses on cheap oats, his

blooded stock on cheap corn and hay; eats sirloin steak, lean ham, and quail; drinks champagne, mint juleps, and mocha; sleeps luxuriously on an inverted hair mattress, patented wire, or swan's-down couch smokes Connecticut seed-leaf, Havana filled, superb triple X cigars; attires daily in silks, fine linen, and broadcloth; domiciles in a palace wrought into existence by labor, and commands labor to supplement his luxurious desires by adorning his palace with the choicest produc-

tions of art and science.

To-day labor, that creates all wealth except that granted by the "first Great Cause least understood," is wallowing in the mire of hope, oft-times proving a "Sodom's apple," or drinking in the desperation of strikes, riots, or dynamite, or abandoned to the stolidity of "don't

To-day, the honest advocates of labor's rights in many instances are seeking to remedy the wrongs that the producing forces of our people are suffering under and from by extolling the merits of any and everything as a catholicon, except the right thing, a proper adjustment of the money question nationally.

I aver that there is but one strict criterion by which to determine the

olume of money adequate to the proper business necessities of our people. First inquire the net income of wealth to the people of our nation in the aggregate, say for a period of ten years; then divide this result into ten equal parts, each part to represent the net increase for each year; and this last sum to represent the percentage per annum increase net on the sum of wealth each year found to exist; then inquire the prime factors producing such accretion. If we so do, the statistics furnished by reputable statisticians being brought to our aid, I aver we will find the following for the last twenty years: Rate of net inwe will find the following for the last twenty years: Rate of het increase of wealth less than 3 per cent. per annum average (say 3 per cent for easy reckoning). Now comes the question, who or what produces this wealth? We know that the blessings of God, scattered on every hand munificently, even to seeming profligacy in many places, as sunlight, water, soil, &c., is one of the first great factors in the production of wealth.

Labor is another great factor.

Money as an auxiliary in the production of wealth is the third. three-God's gifts, labor, and money-are the only prime factors in the creation of wealth.

Each of these three should receive a just and equitable part of the whole.

Now, let us make such division:

Give to God, in charities and the upbuilding of humanity in all wise ways and by the use of all wise means, say, one-third part or 1 per

Give to labor 1 per cent. Give the money-lender 1 per cent. These three equal the whole.

A whole can not be made of less or more than all its proper parts. But money from the hands of the lender to the borrower is to-day gathering from 3 to 48 per cent. per annum—say a general average of 10 per cent. per annum—say a general average of 10 per cent. per annum more than God's gratis gifts, labor and money together, produce net each year.

This true, it is certain the money-lenders are by such rates absorb-

ing each year not only all the net increase of wealth produced by the forces mentioned but must so absorb of the principal, and would long

which they could clutch in the grasp of infernal greed of gain but for the wonderful blessings (?) of bankruptcies, embezzlements, and defal-cations, supplemented by the scythe of time and statutes of limitation, that take frequently the acquisitions of years by usury and strikes a jubilee balance in setting the debtors free.

This condition declares the volume of currency too small.

There are three constitutional methods to blot out this awful crime

First. By a constitutional amendment making it a high crime for any person, by himself or another, directly or indirectly, to bargain for or receive for the use of money a greater rate than 1 per cent. per annum. This is not practicable under existing conditions of public senti-

ment on the right to skin by usury.

Second. By exercising the high prerogatives with which the Constitution has endowed Congress, judicially affirmed by the United States Supreme Court, to create, and by proper, wise, and patriotic methods put, in course of time, into circulation such a volume of money as that by the law of supply and demand—the general supply so equaling the demand—the rate of interest in the general aggregate would not in the jurisdiction of our Government exceed 1 per cent. per annum. This method is not likely to be adopted, for the money-lenders of the world would combine all their most potential forces to destroy any government by war or otherwise which might so attempt to de-throne them and thus "bring down the rate of usance here with us in

Third. Authorizing the Secretary of the Treasury to create such a volume of full legal-tender United States dollars—being in addition to the possible volume of metal money with coinage of silver on the same basis as gold—as will supply the demand of each person able to give unquestioned real security for its repayment at the stipulated date, with interest and liquidated damages mentioned to cover all contin-gent costs of enforced collection, and loan the same through the agency of the executive of each State and by him through the agency of some of the executive of each state and by him through the agency of some proper county official to such of the people—the Government in part—as may desire to so borrow, having such unquestionable security to give for its prompt repayment, and at the stable, universal rate of 1 per cent. per annum. This method is not likely to be adopted, for I am certain that the money-lenders, stock-dealers, and money-security venders would "object," and under the rules of Congressional practice such "object," and the dealers of the congressional practice such "object," and the dealers of the congressional practice such "object," and the congressional practice such as the congressional practice such "object," and the congressional practice such "object," object, "object," object, "object," object, "object," object, jection" would be declared good and valid and would obtain.

What are we to do? The great Northwest, the West, Southwest, and South, with their more than abundant natural resources, with millions of intelligent, energetic people, are suffering from a dearth of money volume. We are in the hands of the money-lender; seven-tenths of our wealth-producing possibilities are as though dead, because of a scarcity of money with which to mobilize the industries and render possible to

consume all productions.

The money-lenders, watered-stock brokers, and security venders— seculators—are as 3 per cent., while the wealth producers are as 97 per speculators-

The free coinage of silver would aid very much, and I aver that the silver dollar is pre-eminently a domestic dollar.

Who will pretend for a moment, if the coinage of silver was placed on the same footing as that of gold, that the market value of the silver that enters into the makeup of the "standard dollars" would be less than the market value of the gold that enters into the makeup of a gold dollar? I answer, no sensible, honest man. For the moment that gold dollar? I answer, no sensible, honest man. For the moment that free coinage of silver into dollars, present standard, was the law, every owner and holder of silver bullion fit for coinage purposes would say, I now have a market price established in free coinage, and will not sell my bullion for less than I can get at the mints in standard, full legal-tender at par with gold dollars; and, as with gold, I will take them away from the mint and get rid of them as best I can as money, and thus save the Treasury its present burden—under a false and malicious policy—from the necessity of enlarged appropriations for more vault room to keep such additions to the "money volume" from the people.

There are those who advocate putting into the silverdollar sufficient to make it an honest dollar, worth a dollar, intrinsically equal to the

gold dollar.

Congress in 1834 wisely and patriotically solved the question of dif-ferences between the market value of bullion metal in the gold and silver dollar by passing an act that the gold dollar coined after that date should contain 6 per cent. less of gold metal than those coined prior to that date. The fathers well knew that the bullion value of the metal entering into the makeup of a metal legal-tender dollar should always be less, and materially less, than the legal value of the dollar so made.

Why not have this Congress learn wisdom from the statesmen of our country and pass a law taking 6 per cent. out of the coinage of all gold dollars coined after this date and thus serve the "king" gold dollar as Christ served Zaccheus of olden time, before he would permit equality

of social relations?

The proposition is renewed to have a commission go to the kingdoms of other nations and secure an international standard of gold and silver ago have had under their control and tyrannical dominion all of labor, lands, tenements, money, and the blessings of God (freely granted) of the world." But the foolishness of the proposition is made most

apparent when we consider the character of these other governments, and discover that their system of government is wholly inimical to ours. Theirs is the one-man rule by right divine, a monarchy or semi-monarchy; ours, in theory at least, is a government of, by, and for the people. \Therefore these things and conditions that would build up a mon-

archy and make it strong—in money matters more especially than anything else—would make our Government as a government of, by, and for the people, weak; and if persistently pursued without serious hindrance, would drive us into a monarchy. That which would make our Government of, by, and for the people, strong in peace or war, strong in patriotism to principles, strong in general prosperity, would as surely weaken every government inimical to ours.

To make our Government weak in love of principles, patriotism, and prosperity—and I aver that unwise handling or dealing with the money question will have and irresistibly have more to do with such conditions than all other questions of state importance combined—then we shall have created conditions that will breed nihilism, communism, socialism, and agrarianism; also strikes, riots, and lockouts; but also lay broad, deep, and certain a field for dynamite and the dynamiter. We are certainly approaching the dread and awful time when science in the hands of ignorance, superstition, and outraged right will solve this labor-capital and money-capital problem, unless it be sooner solved by the wisdom, patriotism, and virtues of our national lawmakers in the

interest of justice, equity, and humanity.

I here aver that the conditions of the people of a nation keep even step and pace with the volume of money per capita; with a large decrease in the volume of money per capita within the jurisdiction of any crease in the volume of money per capita within the jurisdiction of any government, that population, commerce, arts, wealth, science, and true freedom will in exact ratio disappear; also, that all public spirit, all generous emotions, all the noble aspirations of man will shrivel and disappear until the conditions of life will become universally so hard that individual selfishness will be the only thing consistent with the instinct of self-preservation; and that this will occur as the volume of money shrinks and as prices thereunder must necessarily fall.

Here let me pointedly inquire of the ministry of the church of that Christ who lashed the money-changers out of his temple because they had made of it a den of thieves, as well of the humanitarian and philanthropist, also the business and producing forces of our social and civil society as to-day existing, how long can you afford to indorse the ex-

society as to-day existing, how long can you afford to indorse the existing financial system, which I declare to be of more than national importance, fraught with the weal or woe of uncounted millions; yea, millions unborn, whose welfare both in time and beyond depends on the wisdom of your every word and deed, becoming as they do a part of the woof or warp of the fabrics of life's phases here and perchance

How long can you afford to shut your eyes, your ears, your understandings, your very soul, to the great truths involved in a wise constitutional and patriotic solution practically of this financial question? It is not an easy matter to get religion on an empty stomach, or live it in the fullness and richness of possibilities while the toil-broken back is covered scantily with the coarsest of garb; the home—place where wife and children stay—is desolate of those products of toil that make it a pleasure to designate it as "our home;" or while crucifying circumstances may be patting juba on the spinal column of our richest cumstances may be patting juba on the spinal column of our richest hopes with the flax-hackle of adversity and disaster.

The few days that any of us can stay on the shores of time, with the fact that each of us will soon have to go down into the grave to rot and stink like other paupers, coupled with the fact that none of us can take with us gains our greed has won, that made others so poor indeed, and the other great fact that we must leave to our children and children's children the heritage as a legacy—the very government we help to create, which, as we wisely or unwisely do, will bless or curse them, should inspire each of us to seek the best good of the many by wise legislation, rather than of the few of whom our children and their children are the second to the second the second the second the second the second the second that the second the dren may not be.

Invalid and other Pensions.

SPEECH

HON. JOHN H. ROGERS, OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 3, 1885,

On the bill (H. R. 7785) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1886.

Mr. ROGERS, of Arkansas, said:
Mr. SPEAKER: I ask leave to read the following extract from the New
York Herald, taken from its issue of the 19th or 20th of last month:

REMARKABLE LEGISLATION REGARDING THE FEES OF PENSION ATTORNEYS,

Washington, February 19, 1885.

The House yesterday by a very small majority defeated the consideration of the Senate bill to repeal the pension attorneys' fee act of July 4, 1884, which, it

has been shown by the evidence taken before the Committee on Payment of Pensions, Bounty, and Back Pay, was lobbied through Congress by the hired counsel of a pension attorney in Washington. This Senate bill has had a remarkable history. The general provisions of it originated at the last session of Congress in the committee mentioned, and first passed the House as an amendment on the pension appropriation bill of that session. Under the rules of the Senate this amendment was stricken out. At this stage the pension attorneys began their work. By some means they succeeded in getting the subcommittee of appropriations to send to the Secretary of the Interior the various bills introduced in the two Houses on this subject and to ask his opinion upon them. By a curious coincidence, about the same time, the paid counsel of the pension attorney fee bill that Congress should adopt.

It so happens that the bill sent by the Secretary of the Interior to the committees of the two Houses is the same bill agreed on in the conference committees of the two Houses, the effect of which permitted an increase of fees in all cases from \$10 to \$25, and operated retroactively, so as to cover all cases then pending, as well as those to be filed thereafter, and in a very large class of cases permitted new contracts to be filed for \$25 in cases in which the full fee under the law had been already paid. It also made the Government an agent to collect unpaid fees in cases already allowed years ago. There were some 300,000 cases pending at the time the law passed, which, at \$15, makes \$4,500,000 taken by an act of Congress from the pension claimants, to say nothing of a class of cases in which a fee of \$25 is allowed after the full fee under existing laws had once been paid. Another remarkable coincidence is that at the very time this bill was in conference the attorney who employed counsel to secure the passage of that act was negotiating for and did purchase the business of another firm of attorneys, controlling about 40,000 claims, with

Mr. Speaker, it is a shame that the truth of this article can not be questioned. On a former day of the present session, I tried to induce this House to repeal the act of July 4, 1884, and to correct the wrongs inflicted upon pension claimants by that act as far as could be done by its repeal and by new legislation. Inexplicably to me, unless it be attributed to a want of information touching either the repealing act or the act sought to be repealed. It was enterprised by diletter we time. attributed to a want of information touching either the repealing act or the act sought to be repealed, I was antagonized by dilatory motions until many members friendly to the bill, but deeply interested in other important legislation then pressing upon the attention of the House, were induced to deny the subject consideration and the repealing act was sent to the Calendar to die. We are now in the closing hours of the session, without time to consider with anything like deliberation bills appropriating millions of money. It is profitless to criticise now this character of legislation or the reasons that have made it necessary. It is enough to know that no honest Representative can approve it or defend it here or elsewhere. defend it here or elsewhere.

In this condition of things no hope can be entertained of correcting the evils flowing from the act of July 4, 1884, so justly criticised in the article just read. But I do not intend that this House shall close its labors until I shall have laid bare before the country the history of

the legislation referred to in that article.

On the 20th of June, 1878, Congress passed an act regulating the fees of claim agents and attorneys in pension cases. It fixed the fee at \$10 of claim agents and attorneys in pension cases. It fixed the fee at \$10 in all cases, and made it payable at any time, leaving the attorney to collect his fee in his own way. Under this law grew up a system of impositions, frauds, and villainies, difficult to believe and hard to describe. Claims utterly worthless, with no semblance of justice, were trumped up and filed, the attorney of course demanding and taking whatever he could get. Flaming advertisements were made the means of inducing the ignorant and unwary to send forward their claims and one, two, or five dollars as they could raise or afford.

Ex-Commissioner Dudley, many whose testimony I have in view of

Ex-Commissioner Dudley, upon whose testimony I hope, in view of recent events, I may not have to rely for much that I say, testified before the Committee on the Payment of Pensions, Bounty, and Back-Pay, of which I am a member, that "in point of fact, agents of this character filed a great many cases for confederate soldiers. They would file a case for anybody that they could get to make a claim, their object being merely to get the \$10."

His testimon was componented by the Secretary of the Interior

His testimony was corroborated by the Secretary of the Interior, when a witness before our committee.

The effect of all this was to choke the Pension Office. It could not cope with the flood of false and fraudulent claims that came in. It also tended to drive reputable attorneys from the business.

Our committee set to work early in the last session to correct this evil. Aided by the Commissioner of Pensions and some reputable attorneys of this city was took around a varning carefully into the whole

neys of this city we took proof and examined carefully into the whole subject. As the result we formulated a bill which met the approbastude to the result we formulated a bill which her the approxi-tion of this House almost without a dissenting vote. It passed as an amendment to the pension appropriation bill of last session. Under the rules of the Senate it was stricken out of the bill. Mr. Speaker, that bill met substantially the approbation of the then Commissioner of Pensions, as his testimony will show; and at least one

reputable attorney of this city, claiming to represent partially at least the respectable element of his profession, conceded that it was all that the respectable element of his profession, conceded that it was all that could be reasonably hoped for, and seemed satisfied. But there was one man at least who was not satisfied. He was a pension attorney. He controlled the largest pension business in this city or any other. He has according to his own testimony between 125,000 and 150,000 claims, good, bad, and indifferent. He was the owner of the National Tribune, a newspaper published in this city with a circulation of 112,000 subscribers, devoted, if he is to be believed, to "historical questions and to the interests of the soldiers." He is reputed to be rich and to have made it in the pension business. He was interested, deeply inhave made it in the pension business. He was interested, deeply in-terested, in the pension legislation. No sooner had the Senate stricken out the House amendment to the pension appropriation bill of which I have spoken than he began his work. He began it in a business way—like a man of experience, like a man who wanted something and was willing to pay for it. He employed counsel, able counsel, experienced lawyers and legislators, and at a cost of \$3,500 to aid him in promoting his interests. ing his interests.

Just how counsel earned the \$3,500 does not appear; that he got

value received is admitted.

It does appear, however, from the testimony, that this agent and his counsel called upon the subcommittees of the two Houses having in charge the pension appropriation bill, and who were subsequently appointed upon the conference committees to consider that bill, and induced them to send the various bills on the subject of fees for pension agents to the Secretary of the Interior and to ask his opinion as to the merits of the respective bills. It likewise appears that no sooner was that done than this same pension attorney and his counsel were on hand to argue ex parte the bill they wanted, and it also appears that the bill they advocated the Secretary recommended to the committees of the two Houses and it became a law on the 4th day of July, 1884. It is also true that the bill as it passed never saw the light in either House until it came in on a conference report during the last days of the session, and, so far as I know, passed without any member of Congress except the conference committees being aware that it was not the amendment which had previously passed the House. Such is the origin and history of the passage of the act of July 4, 1884.

Mr. Speaker, the investigation does not warrant the slightest belief that anything wrong was intended by the committees of conference. I am persuaded that they did not suspect any evil, or dream that they were being entrapped. Sir, I do not think there is anything in the testimony to satisfy a reasonable mind that the Secretary of the Interior was advised that the action of the subcommittee, in sending the bills to him and soliciting his opinion was not voluntary on their part. agents to the Secretary of the Interior and to ask his opinion as to the

bills to him and soliciting his opinion was not voluntary on their part.

He denies all complicity in the action had by the pension agent and his attorneys in procuring the bills sent to him. He admits that they appeared and argued the subject before him; denies that it made any deep impression upon him. But nevertheless they got what they wanted. The pension attorney testified, "I was entirely satisfied with it," meaning the act of July 4, 1884, which was the bill the Secretary had recommended. Sir, it is highly probable that the pension attorney knew in advance what the Secretary's views on the subject were, for it appears in proof that while in the Senate he was on the Pension Committee and had favored substantially the same bill without some Committee and had favored substantially the same bill without some

of the most obnoxious features of this one.

of the most obnoxious features of this one.

Mr. Speaker, the facts I have stated rest on the testimony of the Secretary of the Interior himself and the testimony of George E. Lemon, the pension attorney heretofore referred to. Let any one who doubts any part of this statement read the testimony of these witnesses and be satisfied. Mr. Speaker, it is to be regretted that truth demands that I shall disclose another chapter of the history of this act; and in doing so I shall rely on the testimony of two witnesses only, namely, the Assistant Secretary of the Interior, Mr. Joslyn, and George E. Lemon. It will be remembered in this connection that under the regulations of the Interior Department all matters touching pensions were referred to the Assistant Secretary of the Interior, and that he decided all appeals from the Commissioner of Pensions, and, in a word, had supervisory ju-risdiction over that bureau. The Secretary often signed the orders and decisions, but he did so in a perfunctory way, and without question, relying upon the Assistant Secretary for the correct management of that bureau.

It appears from the evidence of the Assistant Secretary and George E. Lemon that for a long time prior to the passage of the act of July 4, 1884, a firm of attorneys, which we will call, for convenience, "The Fitzgeralds," for reasons not important to this discussion, had been suspended from practice in pension cases; that they controlled a very large business, say from 35,000 to 75,000 cases, good, bad, and indifferent; that a large part of this business affecting the interests of their clients was absolutely blocked in the December 11 of it perhaps in clients was absolutely blocked in the Department, all of it perhaps imperiled, and the Pension Bureau greatly embarrassed thereby. George E. Lemon had for months been negotiating for the purchase of this business

One of the obstacles to the purchase was the fact that "the Fitzger-alds" were suspended, and the practice of the Department was not to recognize the purchaser of the business of a suspended attorney. Upon just what principle of law or common sense this practice was made to

rest it would puzzle a lawyer to tell. But it is nevertheless true, and the Assistant Secretary, Mr. Joslyn, says that Fitzgerald was restored to practice that he might sell to Lemon. True, the Secretary who made that order denied it, and the Assistant Secretary failed to explain. the contradiction. The order was made on the 16th of June. The bills sent to the Secretary by the subcommittees were sent on the 9th of June, and on the day following the restoration of Fitzgerald the Secretary sent the bill he recommended to the subcommittees, which ten days later was favorably reported from the conference committees of the

two Houses, and became a law July 4 following.

While the subject was under consideration Lemon and his attorney appeared and presented their objections to the House amendment and presented their own views. When the Secretary had decided the matter and sent the bill to the subcommittee Lemon called again and the Secretary says he thinks he gave him a draft of the bill. The Assistant Secretary says he thinks he gave him a draft of the bill. The Assistant Secretary must have known what had been done. He does not admit it nor deny it, but rather evades it. But "the Fitzgeralds" were in darkness, total darkness, of all that was going on. On the 20th of June that order restoring "the Fitzgeralds" was published by the Commissioner of Pensions. Then they could sell. What followed? On the 24th of June "the Fitzgeralds" agreed with Lemon upon terms of sale, and a written memorandum was made and placed in the hands of an attorney to prepare the papers. The papers were not ready for execution until the evening of the 26th, the very day the Secretary's hill was agreed upon in conference; for it was reported to the two

bill was agreed upon in conference; for it was reported to the two Houses on the morning of the 27th of June. I quote the testimony of Mr. Lemon, in response to questions put by myself, on this point:

Q. Since that law was passed have you not largely increased your business?
A. No; I do not think so.
Q. Have you not made purchases of claims from other pension agents?
A. No, sir; I have refused a large number of cases since the passage of that

law.
Q. About the time of the passage of the law, or just before it, did you not buy out the business of other firms here?
A. Yes; I did last June, and I am sorry that I did so.
Q. Was that before or after the passage of the law?
A. It was before the passage of the law?
A. It wo long before the passage of the law?
A. I think the purchase took effect on the 24th day of June, 1884, and the law was approved on July 4.
Q. Did you know where the act referred to was at the time you made this purchase—whether in the House, or in the Senate, or in the conference committee?

A. I think it was in conference committee. I am not sure about that. Of ourse I knew all about the progress of that legislation and everything concern-

Q. Did you call on any members of the House or of the Senate in connection with it?

A. Yes, sir; on a large number of them.
Q. Did you recommend any modification of the act as it had passed the House?
A. Yes; because there were several features in that bill that ought never to ave passed the House.

True, Mr. Lemon subsequently, on page 130 of the printed evidence, after consulting as he says with his attorney, attempted to modify this evidence; but I submit its truth remains unshaken. In his efforts to get rid of this damaging evidence he was driven to contradict the Secget rid of this damaging evidence he was driven to contradict the Secretary of the Interior and himself as well, where he says on page 130 that "the first time I saw the text of this bill I saw it in the CONGRESSIONAL RECORD of June 23, 1884." For on page 106 the Secretary says that after Lemon and his attorney had appeared and stated their views and he had considered the subject and sent his bill to the subcommittees, that Lemon called again, and he, the Secretary, gave him, he thinks, "a copy of this same draught of the bill which I sent to Mr. he thinks, 'FOLLETT."

So Lemon did call and ascertain what had been done. Lemon, on page 130, was finally forced to admit that this sale was consummated on the evening of the 26th of June, between 2 and 4 o'clock, the very day the Teller bill was agreed on in conference, i. e., the bill of sale by Fitzgerald to Lemon was executed, the money paid, and the pen-sion cases of Fitzgerald delivered to Lemon, and the same at once taken to the latter's office the very evening of the day the conference committees of the two Houses agreed to report favorably the Teller bill. It is certainly true, as Mr. Lemon says, that he knew "all about the progress of that legislation and everything concerning it."

One other significant fact just here; mark it well. From the 24th to the 26th of June, the time when this sale was being consummated, the Fitzgeralds' mail, by a written agreement then on file in the post-office of this city, was tied up, to be delivered to Lemon when the sale was consummated. How cunningly devised was this scheme; the pre-tense was that the purchaser was entitled to everything going through the mail to Fitzgerald after the 24th of June. Truly were the Fitzthe mail to Fitzgerald after the 24th of June. Truly were the Fitzgeralds in the dark. Even the ordinary channels of information had been shrewdly closed to them. They had agreed to sell and further information on the pension business did not interest them. They awaited calmly the consummation of their contract, no doubt glad of the promised relief a sale would bring. If any one enjoys human misery, let him read the evidence of George E. Lemon, on pages 130 to 134, inclusive, where he tries to defend his conduct and reconcile it with the principles of honesty and sound morals. He presents at once a shameful and a shameless spectacle.

But this is not all. The story does not stop here. On page 134 Mr.

But this is not all. The story does not stop here. On page 134 Mr.

Lemon testifies that the execution of the contracts by the Fitzgeralds and the payment of the money to them occurred between 2 and 4 o'clock on the evening of the 26th of June; that he had ordered the wagons to on the evening of the 26th of June; that he had ordered the wagons to be on hand, and they were ready at Fitzgerald's office. Even this precaution was had. Why this indecent haste? He knew, Mr. Speaker, the importance of fastening his clutches upon Fitzgerald's business before the industrious newspaper men had sent their morning editions to every breakfast table. He was a newspaper man himself—the proprietor of a newspaper devoted "to historical questions and the interests of the soldiers.

of the soldiers."

Sure enough, the Star of this city, next day, gave notice that the conference committees had agreed to report favorably the Secretary's bill.

Lemon testifies to this himself, on page 130, and I presume that is true.

How he must have chuckled over the success of his work on the morning of the 27th of June. Thousands had slipped from the Fitzgeralds into his pockets, as cleverly as if done by the trick of a juggler. What honest man can suppress the hope that in some way he may be brought to understand "that nothing is so foolish as cunning?"

But, Mr. Speaker, one step further. On the very day of this sale, before 4 o'clock, when the Departments close, Mr. Joslyn, the Assistant Secretary of the Interior, at the solicitation of Lemon, prepared and the Secretary signed and issued this order:

DEPARTMENT OF THE INTERIOR, Washington, June 26, 1884

Sin: Herewith is transmitted to you a power of attorney m. W. Fitzgerald, N. W. Fitzgerald & Co., S. C. Fitzgerald, and W. T. Fitzgerald, to George E. Lemon, and a letter of withdrawal of said parties and firm as pension attorneys, which, under the circumstances and the good standing of George E. Lemon, are approved by me.

You will therefore recognize George E. Lemon as attorney in all cases heretofore represented by said parties and firm, according to the terms of the papers herewith filed with you.

And in all cases of transfer from one attorney to another you will recognize such contracts as they may make touching attorneys' fees, &c. It is not material whether the attorneys' fees are paid to the original or substituted attorney, provided only one payment is made by the United States pension agent.

Very respectfully,

H. M. TELLER, Secretary

The COMMISSIONER OF PENSIONS.

Here is the contract, or the paper referred to in that order or letter of the Secretary:

Articles of agreement made and entered into at Washington, District of Columbia, on this 24th day of June, A. D. 1884, by and between George E. Lemon, of the first part, and W. T. Fitzgerald, S. C. Fitzgerald, N. W. Fitzgerald, and N. W. Fitzgerald & Co., of Washington, D. C., of the second part, witnesseth:

Articles of agreement made and entered into at Washington, District of Columbia, on this 24th day of June, A. D. 1831, by and between George E. Lemon, of the first part, and W. T. Fitzgerald, S. C. Fitzgerald, N. W. Fitzgerald, and N. W. Fitzgerald & Co., of Washington, D. C., of the second part, witnesseth: That for and in consideration of \$10,000, which is to be paid immediately upon the issuing of an order by the Secretary of the Interior, recognizing said Lemon as the substitute of the parties of the second part in business before that Department, the said parties of the second part, and each of them, rerept assigns, sells, and conveys to said Lemon all the claim and legal business, together with the good will thereof of them, or either of them, and the good will and ownership, together with the types and forms of the mailing list of the newspaper known as the Washington World and Citizen Soldier, including the right to prosecute all claims, applications, and suits pertaining to said business, and to collect and retain the fees therefor. This transfer includes the jackets, papers, evidence, letters, and books, with all the racks or troughs in which the pouches are now arranged, and all office tables, but no walnut desks; also, all pigeonholes for filing or holding papers.

14 covers and includes all-claims and applications where either of the parties of the second part is, or may be, named as attorney, for pensions, bounties, landwarrants, additional homesteads, patents, arrears of pay or salary, or of allowarces, balances due on contracts with the Government, changes of muster of officers, removal of charges of desertion, entries and contests respecting public lands, refundment or abatement of taxes, or duties, for lost horses, and other property taken, destroyed, used, or occupied by the Army, and in fact, all claims whatsoever their nature, filed with either of the second pa transferred.

And the said Lemon, on his part, stipulates and agrees, that upon the issuing of an order by the Secretary of the Interior recognizing him as the substitute of

the parties of the second part, as herein contemplated, he will pay to them in cash the said sum of \$10,000.

It is expressly understood and agreed as a part of this contract, that said Lemon is not to be in any manner bound by or responsible for the fees that may have been advanced to said parties of the second part or either of them in any claim whatever, or required to render the services for which said fees were raid.

aid.
Witness our hands and seals at Washington, D. C., this 24th day of June, 1884.
GEORGE E. LEMON.
N. W. FITZGERALD.
N. W. FITZGERALD.
O. WASHINGTON WORLD AND CITIZEN-SOLDIER.
S. C. FITZGERALD.
W. T. FITZGERALD,
By S. C. FITZGERALD, his Attorney.

Attest: J. W. SMITH. CHARLES W. SACKVILLE.

DISTRICT OF COLUMBIA,

City and County of Washington:

On this 24th day of June, 1884, personally appeared before me George E.

Lemon, N. W. Fitzgerald, N. W. Fitzgerald, of N. W. Fitzgerald & Co., S. C.

Fitzgerald, for himself and as attorney for W.T. Fitzgerald, and acknowledged the foregoing contract, power of substitution and attorney to be the voluntary act of them, and each of them, and of the said firm and of the said W. T. Fitzgerald for the purposes herein stated.

Witness my hand and seal at Washington, D. C., the day and year first above written.

M. M. ROHRER, Notary Public.

In view of the circumstances these are remarkable documents. Lemon went alone when he got this order. It does not appear that he had ever previously mentioned the order to the Assistant Secretary, nor does it appear that the Secretary had known the pendency of negotiations for Lemon's purchase of Fitzgerald's business. But the Assistant Secretary knew it, for he testifies Fitzgerald was restored to practice that he might make the sale. Whatever may be the truth of this, Lemon got the order, and when he got it the contract referred to in it was not drafted. It was then in process of being drafted. Neither the Secretary nor the Assistant Secretary had ever seen it. This is admitted by them all.

Mr. Speaker, the haste was indecent, and the order in full keeping with the other facts I have detailed touching this scheme. It was quick work. There was no departmental red tape about it.

If it were done, when 'tis done, 'twere well It were done quickly.

It were done quickly.

For if not done quickly, if delayed a day, or two days at most, the world could have known of the agreement by the conference committee to report the act of July 4, 1884, to which the attention of Congress might have been particularly called, and the bill defeated, or the authority of the Secretary invoked to defeat this fraudulent scheme.

I leave the Assistant Secretary and Mr. Lemon, and his attorneys too, where the facts leave them, and without comment.

It does appear, from the Secretary's evidence, that while he signed the order referred to he relied on his assistant and knew nothing of what lay beneath the order he was induced to senetion.

what lay beneath the order he was induced to sanction.

Mr. Speaker, in these facts is to be found the interest of George E.

Lemon in the passage of the act of July 4, 1884. Truly is he the soldier's friend. Indeed, he is himself "an old soldier."

It did not take long, Mr. Speaker, for this extraordinary order of the Secretary, when applied to the bill of sale from Fitzgerald to Lemon, to get the Pension Office in hot water, as this correspondence will show:

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, July 14, 1884.

Sir: Referring to your letter of the 26th ultimo, transmitting the power of attorney from N. W. Fitzgerald, N. W. Fitzgerald & Co., S. C. Fitzgerald, and W.T. Fitzgerald, to George E. Lemon, I have the honor to invite your attention to the following facts:

1. In many instances the claimants object to the transfer, and desire to select their own agent, or prosecute their claims without such aid.

2. It appears in many claims that the Messrs. Fitzgeralds have been paid the fee, either in part or in full, and wherein there is nothing else for Mr. Lemon or any other agent to do, the claims being complete at the date of the transfer. Is it intended, as is held by Mr. Lemon, that he should be recognized in despite of the expressed wish of the claimants, and is it your intention that in the second class of claims mentioned that Mr. Lemon is to be paid the fee notwithstanding the claim is complete and the claimant has paid Fitzgerald & Co.?

This letter is written in pursuance of our conversation of Friday last, in order that a full expression of your views upon the subject may be given for the guidance of the office.

Very respectfully,

W. W. DUDLEY, Commissioner.

W. W. DUDLEY, Commissioner.

Hon. H. M. TELLER, Secretary of the Interior.

Order 103.]

Department of the Interior, Pension Office,

Washington, D. C., July 30, 1894.

The following instructions of the honorable Secretary, of the 17th instant, in regard to payment of fees and transfer of business by one attorney to another, are published for the information and guidance of the office.

W. W. DUDLEY, Commissioner.

Sir: I have yours of the 14th instant concerning the collection of attorneys' fees in case of the assignment of business by one attorney to another. It was not my intention in allowing one attorney to transfer his business to another to allow additional fees to be collected for work completed and when the fee had been paid. In all cases where the work is but partially completed it will be impossible to determine what ought to be paid to the new attorney, and I must, therefore, leave the fee to be paid as the law directs.

If an attorney who has partially completed the work of a pension case and received his pay therefor, in whole or in part, refuses to complete the work so be

gun, he can not be compelled to do so, although for such misconduct he may be disbarred; but if he discontinues to practice, the Department is powerless to compel him to proceed or to punish him for neglecting to do so. If he assigns his business to another attorney, the claimant is not bound to recognize the assignee as his attorney; he may employ other persons to present his claim, and the assignee so receiving the papers of claimant from the former attorney will be required by the Department to turn over to such claimant, on demand, any and all papers in his hands belonging to such claimant. But if the claimant chooses to recognize the assignee as his attorney, then he is bound to pay to such attorney the legal fee for his services, unless an agreement shall be made between the claimant and the assignee for a fee less than that established by law. When the claimant has paid a portion only of the fee allowed by law, and only a portion of the work necessary to secure the pension has been performed by the attorney, it would seem to be but just that the assignee should be paid only for the work done by him; but it is impossible to determine the amount that ought to be paid for the services rendered by such assignee, and, therefore, I see no way but to allow the assignee to receive pay in all cases where he is required to do substantial service to his client. He should not be allowed to render service simply as a means of making a charge in cases completed by the assignor. Whenever the claimant has paid nothing, as I have before said, he should be required to pay the assignee whether he has rendered service or not, because the former attorney or assignment of claims held by one attorney and in an incompleted state should not be allowed, except in such cases as appear to the Department to be necessary to the proper conduct of such cases in the interest of the claimant.

Very respectfully,

Hon. W. W. Dudley,

H. M. TELLER, Secretary.

Hon. W. W. Dudley, Commissioner of Pensions.

This letter of explanation needs explanation. It is as clear as mud. The Assistant Secretary so found it when he tried and failed to explain it. The Commissioner of Pensions, Mr. Clark, tried it and he failed to make it very clear, and differed widely with the Assistant Secretary as to what the Secretary intended. The Secretary construed it to his en-tire satisfaction; but it would have been more creditable to his clever

capabilities and amiable character if he had modestly declined.

I am not disposed to follow this branch of the subject further. must read the evidence to enjoy the confusion of ideas that prevailed when the committee were seeking light on this transfer and these or-

It is enough to say that the Department had never before denied a claimant under similar circumstances the right to select his own at-

I have recited these facts for a twofold purpose: First, to put the country upon notice how disinterested and tender is the affection of the chief pension attorney of this city for the soldier, and to gratuitously furnish him an article of an "historical nature," which the 112,000 subscribers of his newspaper will read with some interest perhaps, if not with pleasure. Of course nothing of "interest to the soldiers or historical in its nature," will escape so enterprising a gentleman and disinterested a philanthropist as he.

In the second place, this recital demonstrates how easy it is for us, in the faithful discharge of public duty, to innocently be made the instruments of the grossest wrong toward those we are bound by every principle of justice and fair dealing to protect.

I now turn to the act of July 4, 1884, that I may point out the iniquitous operation of that law, and how Lemon profited by it. When that act became a law there was on file in the Pension Office about 300,000 cases. These cases had been filed under the act of 1870 and the act of June, 20, 1878. A very large number had been filed under the latter act, the fee allowed being \$10, and the attorney compelled to collect the fee as he could. Many of the fees in these cases had been paid in full; some, perhaps almost all, in part. The attorneys had paid in full; some, perhaps almost all, in part. The attorneys had taken these claims under existing laws and agreed to do the work for that sum or less. The law forbade a greater fee than \$10, and a contract for a greater sum would have been void.

In thousands of cases the work had been substantially done; in many

instances decisions had been made and nothing left but for the Secretary to sign the certificates of allowance. In many cases under the latter act the certificates had been signed by the Secretary and the claimart had been drawing the pension for years, but in many instances had not paid all the attorney fees. The Department took no notice of the fees under the act of 1878, and its records showed nothing upon that subject. The certificate or check was given to the claimant and the Department had nothing to do with attorney fees. That was a matter for the attorney and his client to settle.

Such was the condition of things when the act of July 4, 1884, went into effect.

That act so changed the law as to allow an increase of fee of \$15 in all cases pending, as well as to be thereafter filed, and it made it the duty of the Government to collect out of the first installment due the

duty of the Government to collect out of the list installment due the claimant all the fee not then paid in all cases disposed of or to be disposed of and to pay the same to the attorneys of record.

True, the additional \$15 could only be paid to the attorney when he procured a contract from his client to that effect. True, also, by the terms of the act the client could not be compensed to one needs only to read the evidence to see to what duress these poor one needs only to read the evidence to see to what duress these poor one needs only to read the evidence to procure these contracts. The terms of the act the client could not be compelled to execute it; but and helpless people were subjected to procure these contracts. The law went into effect July 4, 1884. On January 15 following Lemon testified (see page 20) that he had secured 25,000 of the contracts. Assuming these 25,000 claims will be allowed, his clear profit at \$15 a case is \$375,000.

I hold, Mr. Speaker, that every one of these contracts is void for want of consideration. If I agree to defend a suit for you or to build you a house for a thousand dollars, and the work is begun and you come to me and without any new undertaking moving from me simply promise me a thousand dollars additional when I get through, the promise is void and you can not enforce it in a court of justice. It is just as void as if standing in my place I promise without consideration to give you my homestead to-morrow and execute to you a deed for it. There is no consideration to support the promise, and yet the Department has recognized this law and these contracts and has already paid out many thousands of dollars to pension agents, taken from the claimants who not only needed it but were justly entitled to it. How they procured these contracts may me seen by reading these circulars:

POSTAL CARD.

(Address:) Mrs. Geo. A. Matchett, Marietta, Ohio.

Memorandum from George E. Lemon, counselor at law and solicitor of patents and claims, 615 Fifteenth street N. W., Washington, D. C., P. O. Drawer 325.

Why do you not execute and return the articles of agreement or state your casons for not doing so? Very few of my clients have failed to execute the conacts as authorized by law.

Please comply with my request by promptly executing both of the articles of greement, and return them to me at once.

Let me hear from you by return mail, and oblige,

GEORGE E LEMON.

GEORGE E. LEMON.

Q. Is this [handing another card to witness] another of those circulars? A. Yes; that postal card must have been sent from the office; but we make a distinction between postal cards and circulars.

The card was put in evidence, and is as follows:

POSTAL CARD.

(Address:) Mr. William H. Raynor, Freeport, Queens County, N. Y.

Memorandum from George E. Lemon, counselor at law and solicitor of patents and claims, 615 Fifteenth street, N. W., Washington, D. C., P. O. drawer —.

All the papers in your pension case were transferred to me by Fitzgerald & Co., and with the approval of the honorable the Secretary of the Interior, as you

Co., and with the approval of the honorable the Secretary of the Interior, as you have heretofore been notified.

You have as yet failed to execute and return the articles of agreement (authorized by law) which I sent you some time ago. Why have you not returned them? Both of the articles should be executed and returned to me.

Please attend to this at once, and let me hear from you by return mail.

Very respectfully,

GEORGE E. LEMON.

GEORGE E. LEMON.

The chairman also put in evidence the following cards:

POSTAL CARD.

(Address:) Humphrey Burfield, Layman, Washington County, Ohio.

Why have you failed to execute the agreements which I sent you as to the fee authorized by law? They are the forms approved by the Department. Both articles should be executed and returned to me at once to be filed in the Pension Office. No fee can be paid me unless the Commissioner so directs. Please do this without delay. See circular and copy of the law sent you.

Yours, truly,

CINCINNATI, OHIO, January, 1885.

A. W. McCORMICK.

Remember, both "fee agreements," inclosed herewith, must be executed and returned promptly to us, in accordance with the requirements of the Commissioner of Pensions.

Very respectfully,

SOULÉ & CO.

These are samples of their methods of procuring contracts under this

Who will say that there is no duress and no wrong in this? Who will stand up and defend this wrong? Who, with a full knowledge of the facts, would have filibustered to defeat the consideration of a bill to repeal this act and restore the pension claimants to their rights? Mr. Speaker, I have now in my mind's eye a man who now resides in my district, a man who belongs to the command of your distinguished colleague on this side, General Wolford, who has in every instance stood by the interests of pension claimants, and who would suffer his right arm amputated before he would sanction this act—a man with a wife and five children, a man on crutches, paralyzed from his hips down, and who has a claim pending for a pension.

Let us take him as an example and assume a case of this sort. In his destitution and want he clings to the hope that his pension will come sooner or later. He has struggled and gotten all the evidence he could. He scratches about and pays \$2 or \$3, perhaps the \$10 due under the act of 1878. His case is ready for adjudication. It is perhaps adjudicated, but the certificate not issued. Just at this juncture comes the act of 1884. Atonce his attorney sends one of these contracts with one of these circulars. Would he hesitate? He does not know the condition of his claim. He reads this peremptory circular from his attorneys. He says to himself: "I have done all I agreed. He ought not to demand it of me, but I am hungry and naked, my little ones are gaunt and cold. It will do me no good if I don't get it soon; perhaps it will do them no good either. If I do not sign it I may never get it; a half loaf is better than no bread." And he signs it and returns it. Who would take that money? No one, unless it be that class of lawyers his destitution and want he clings to the hope that his pension will would take that money? No one, unless it be that class of lawyers

Who feed on crime and fatten on distress, And wring vile mirth from suffering's last excess.

No man can tell how many such cases as this have occurred. But suppose that contracts are obtained in the 300,000 cases now pending, the great majority of which sooner or later you and I know will be allowed. What does it amount to at \$15 per case? The round sum of \$4,500,000. If half are allowed, it foots \$2,250,000. But this is not all. It is shown in proof, admitted by the Secretary of the Interior, that in cases of transfers like that of Fitzgerald to Lemon the assignee can disregard the contracts between the assignor and his client and make a new contract and get the \$25, and such has been the practice under this act. Read his evidence on page 120 to that effect.

But another feature of this act is that it makes the Government take

a large part of its force in the Pension Office from its legitimate work, and put it to tracing down the amount of fees paid under the act of 1878, and to the collection of the unpaid attorney's fees and the payment of the same to the attorneys, and this not only in cases undisposed of but in cases disposed of years before the law was passed. It is supposed that 5 per cent. of the office are engaged in this work, and it must continue while there is a case undisposed of which was filed under the act of 1878.

The thing resolves itself into this: Three hundred thousand claim-The thing resolves itself into this: Three hundred thousand claimants are asking the Department to adjudicate their claims, now long delayed because the Pension Office is behind in its work. The Department replies, "We will do the best we can for you, but under the law we shall have to stop a large part of the force to collect and pay over fees to the attorneys who represent you; not fees which you justly owe, it is true, but fees which Congress has made it our duty to take from you and give to them. You must wait until this can be done." That is the simple, naked truth.

Mr. Speaker, it is due the Secretary of the Interior that while he frankly took upon himself the paternity of this unjust law he did not understand that its operation would be as I have stated, nor did he know that such had been the practice until his attention, while a witness before our committee, was called to it. To be more specific, he

ness before our committee, was called to it. To be more specific, he did know that the act operated retroactively, so as to allow an additional fee of \$15 in all cases and to make it the duty of the Government to collect and pay over the attorneys' fees in all cases not disposed of; that was bad enough; but he did not know that the Government was compelled to collect the fees in cases disposed of when the act went into effect. He did not know that the Government was made an went into effect. He did not know that the Government was made an agent at its own expense, and the delay of other claims, to ascertain and

collect stale attorneys' fees from its own pensioners.

That there may be no mistake about this I quote from the Secretary evidence-first on pages 106, 107, and 108:

evidence—first on pages 106, 107, and 108:

The Chairman. I think you have stated that this provision was your own recommendation—"that in all claims allowed since June 20, 1878, where it shall appear to the satisfaction of the Commissioner of Pensions that the fee of \$10, or any part thereof, has not been paid, he shall cause the same to be deducted from the pension, and the pension agent to pay the same to the recognized attorney"?

The Secretary. Yes; that is my own recommendation.

The Chairman. Does not that require the Government to employ part of the clerical force of the Pension Office to go back over claims that have been allowed, and in which certificates had been issued, and deduct the fee from the pension which the pensioner is already receiving?

The Secretary. Oh, no; not at all.

The Chairman. Is not that the practice of the Pension Office, under it?

The Secretary. If it is, it is in violation of the statute. There is no authority for it under that law. The law refers to cases thereafter adjudicated. I saw no reason why an attorney who had conducted a case successfully for a fee of \$10 should not be paid his fee by the Government the same as an attorney who had conducted one successfully for \$25. I see none now. I think it is in the interest of the administration of the Pension Office and in the interest of justice that it should be done. But that does not justify the Pension Office in going back and saying to a claimant who got his certificate last year, "You owe this attorney \$10." If the Pension Office has given that construction to the law it has made a mistake.

The Chairman. But the language is "that in all claims allowed since June
The Chairman. But the language is "that in all claims allowed since June

\$10." If the Pension Office has given that construction to the law it has made a mistake.

The CRAIRMAN. But the language is, "that in all claims allowed since June 20, 1878." where it shall appear that the fee of \$10 has not been paid it shall be deducted from the pension.

The SECRETARY. That simply means all cases that were allowed and the certificates not yet issued. Cases are sometimes allowed a long time before they are finally settled. That is all that it means. That was its purpose and intention. I do not know what the Pension Office may have done under it.

The CHAIRMAN. You have read the testimony of the Commissioner of Pensions before the committee, have you not?

The SECRETARY. Not on that point. My attention was not called to it. I never heard it said before that such a construction could be put upon the law. Certainly that was not my intention, and that is not what I think the statute means.

Certainly that was not my intention, and that is not what I think the statute means.

The CHAIRMAN. What is your interpretation of the statute, then?

The SECRETARY. Simply that hereafter in all cases allowed but not settled (for instance when a claim is allowed the certificate does not issue for some time), instead of issuing a check for the full amount, the pension agent shall deduct the fee due to the attorney. But I never understood that, where a case was allowed and settled by the certificate going to the claimant the Pension Office would go back and deduct the attorney's fee.

The CHAIRMAN. And you are not aware that this is the practice of the Pension Office?

The CHAIRMAN. And you are not aware that this is the practice of the Pension Office?

The Secretary. I am not aware that there ever has been such a practice. Certainly my attention has never been called to it.

The CHAIRMAN. Under the law of July 4, 1884, if an attorney comes to the Pension Office with a contract from the claimant in a claim which is completed as to all the testimony (complete as to everything except the issue of the certificate), he is allowed, is he not, to attach that contract to such a claim and receive \$15 more, even if the full \$10 fee allowed under the act of 1878 has been already paid?

The Secretary. I should think it likely that if a claimant, before a final adjudication of the claim, before the final determination of it (which is, as I understand, when the certificate goes out), sees fit to enter into a contract with an attorney to pay him a fee of \$25, the Pension Office is bound to allow that fee to be deducted, provided the claimant had not paid any portion of the \$10 fee.

The CHAIRMAN. But suppose he had paid the whole \$10 fee?

The Secretary. Then probably he might make a contract, and the Pension Office might pay the attorney \$15 more.

The CHAIRMAN. And that would attach, would it not, to a claim, although complete as to all the evidence, if the certificate had not been signed by the Secretary?

The Secretary. Very likely that is so, but I do not suppose that it would go back to a case in which the certificate had been signed. I do not suppose the Pension Office would recognize a contract of that kind. That would be the case that you first suggested.

The CHAIRMAN, Yes; as to the \$10 fee. In the case that I first suggested no contract is needed. Now, take another class of cases where claims filed under the act of 1878 were not completed in the matter of testimony, but on which, under the act of 1878, the whole or a part of the fee of \$10 had been collected. Does not this law permit in such cases a new contract to be filed for \$25, and the whole \$25 to be paid out of the pension?

The Secretary. Do you mean in addition to the \$107

The CHAIRMAN. In addition to the \$10, or to any part of it that may have been paid.

The Secretary. I do not understand so

paid.

The Secretary. I do not understand so.
The Chairman. Do you not understand that to be the practice of the Pension Office, at any rate in cases where a new attorney has been employed?
The Secretary. Very likely. When a new attorney comes in the Pension Office has not any control over the contract. Take the case of Mr. Fitzgerald. Suppose that Mr. Fitzgerald had received \$10 in a case, and then he turns over his business to some other attorney. A claimant may make a contract with that attorney, and, of course, the Pension Office could not prevent that attorney getting his money. If the Pension Office should undertake to do that it would be saying to the claimant that he could not pay the proper amount that he is entitled to pay.

The Chairman. In such cases as I last referred to, suppose one attorney is substituted for another, and suppose the substituted attorney obtains a contract for \$25 in cases where the whole or a part of the \$10 fee had been paid. Would not the substituted attorney in such cases be allowed to receive the full \$25?

The Secretary. That would depend upon the contract which the parties made.

The SECRETARY. That would depend upon the contract which the parties made.

The CHAIRMAN. You mean the contract between the assignor attorney and the assignee attorney?

The SECRETARY. No; but the contract between the claimant and the substituted attorney. The substituted attorney could not receive a \$25 fee unless the claimant made a contract with him to that effect.

The CHAIRMAN. Then, if a substituted attorney makes a contract with a claimant for the whole \$25 under the law, although he had previously paid a fee of \$10, he is allowed to receive the whole \$25, is he not?

The SECRETARY. Under the present act the claimant has notany right to pay any money to his attorney until there is a completion of the claim. Consequently, when he makes a contract he does not pay his attorney \$10, and he can not do it. The attorney has not any right to take any money from the claimant until the completion of the case. If Mr. Fitzgerald or Mr. Lemon makes a contract with Mr. Jones to prosecute his claim and afterwards turns that contract over to John Smith, there has been no money paid under that contract, and then turn over the case to another attorney and allow him to milk the claimant also, and then the second attorney to turn it over to a new man, and so on.

The CHAIRMAN. But where an attorney has milked a claimant under the act of 1878, a new attorney is now allowed under the act of 1884 to come in and milk him again, is he not, if he makes a contract?

The SECRETARY. Yes, if he makes a contract. Under the old system one attorney could get \$10 out of a claimant and could then throw up the case, go away, and abandon it. The claimant and could then throw up the case, go away, and abandon it. The claimant and could then throw up the case, go away, and abandon it. The claimant would get another attorney, who would take another \$10, and who would in his turn go away, and so on ad infinitum. Now that can not be done. That is why I objected to the old law. It gave too many opportunities for fraud.

The CHAIRMAN. About how ma

port.
The Chairman. I believe there were about 300,000 cases on file.
The Secretary. The Commissioner of Pensions can tell as to that. I would not venture to fix any figure.
The Chairman. Then this law which you recommended was made retroactive, was it not, to the extent of covering all the claims on file in the Pension Office that were filed under the act of 1878?
The Secretary. Provided that the claimant (who is supposed to have some sense in the matter always) saw fit to enter into a contract.

That evidence was given on the 29th of January last. On the following day (page 110) the Secretary testified as follows:

By Mr. ROGERS:

By Mr. ROGERS:

Q. You have stated that you had received the pension appropriation bill of the House when you prepared the bill which has become the law of July 4, 1884. Am I right in that?

A. I have no recollection of having received it; but, judging from my letter to Mr. FOLLETT, I must have had it, because I say in that letter that I have seen it. I have no distinct recollection of having it.

Q. You say, in answer to Mr. FOLLETT, that you have read that bill?

A. Yes.

Q. Turn to the bottom of your letter to Mr. FOLLETT and look at the last paragraph or two. Do you not find there that you state you have given the two bills careful examination?

A. Yes.

- A. Yes.
 Q. You were aware, then, that this bill of the House did not permit pension attorneys who had undertaken to prosecute claims under the act of 1878 at \$10 fee per case to make contracts in that class of claims, and to get \$15 fee additional?
 A. Yes; I think that that is so.
 Q. You have stated that your bill did allow contracts to be made in that class of cases for the \$15 additional fee.
 A. I not only said so, but I think the bill itself shows it.
 Q. Did you intend that it should operate in that way when you drafted the bill?
 A. I intended that in every case which was not settled—which was still in-

Q. Did you intend that it should operate in that way when you drafted the bill?

A. I intended that in every case which was not settled—which was still incomplete—the parties, if they saw fit to make a contract to give an additional \$15, might do so. I did that ex industria, because I believed that to be in the interest of the soldier.

Q. Did you consult with Mr. Joslyn about your draught of the bill when it was under consideration, or after it was prepared, and before it was sent to the conference committee?

A. I do not think I did.

Q. Did you consult with any one else besides Mr. Lemon's attorneys, and if so, with whom?

A. I did not consult with Mr. Lemon's attorneys. Mr. Lemon's attorneys came to me and had their say, whatever it was. I then proceeded to prepare this bill myself after hearing their views on the subject.

Q. Without consultation with them?

A. Without consultation with them?

A. Without consultation with them or any one else of which I have any recollection. If I consulted with any one, it was probably with the head of the miscellaneous division, but I do not think that I did even with him.

Q. State whether Mr. Wilson or Mr. Ingersoll, or whatever attorney it was that attended with Mr. Lemon, came to see you before or after you received the letter from the clerk of the Committee on Appropriations of the House?

A. I am not able to state that. Their coming did not make much impression on my mind. It was nothing unusual. I heard what they had to say, and I do not recollect now what they did say. Whether it was before or after I received that letter from the clerk of the Committee on Appropriations, I have not the means of knowing.

Q. Did you know, or have any reason to believe, that Mr. Lemon or his counsel had been to see members of the conference committee before the Follett letter was written, touching the pension appropriation bill?

A. I do not think I had any knowledge at all on the subject. I do not know that I ever knew who the members of the conference committee were, except Mr. Follett. I never saw any of them.

Q. You sent this bill which became a law to Mr. Follett or the 17th of June, 1884?

A. Yes.

And on page 111 as follows:

And on page 111 as follows:

Q. Mr. Fitzgerald was not reinstated until the 20th of that month. Am I right in that?

in that?

A. Mr. Fitzgerald was reinstated on the 16th of June. I have noticed in the record here that the statement was made that he was reinstated on the 20th. That is not correct. He was reinstated on the 16th. Of course he was practically reinstated when the opinion was written (which was before that time), but you will find that the letter reinstating him bears date the 16th of June. Mr. ROGERS. I have not seen that letter.

The SECRETARY, I put it in yesterday. It is an error to say that the reinstatement of Mr. Fitzgerald was on the 20th of June. The order of the Commissioner of Pensions may have been issued on that date, but my action was on the 16th. Q. You mean to say you signed the letter for his reinstatement on that day? A. Yes, sir.

Q. You do not know when the fact of his reinstatement was made known to him?

Q. You do not know when the fact of his reinstatement was made known to him?

A. I do not know. Of course I have no means of knowing. My letter went to the Commissioner of Pensions; but when the Commissioner of Pensions made the fact known I have no means of knowing.

Q. You do not mean to say that Mr. Fitzgerald was notified prior to the 20th?

A. He was not notified at all from our office. (After a whispered remark from Mr. McCammon.) Mr. McCammon tells me that Mr. Fitzgerald knew it the next day after my signing the letter, or the day afterward. After I had signed the letter I had nothing further to do with the matter, and my mind was not charged with it at all.

Q. State whether at any time between the 17th of June and the 24th of June following you were applied to by Mr. Lemon or his attorney for the order made by you on June 26th, and known as order No. 100.

A. I never was applied to by Mr. Lemon or his attorney or anybody in his helaft to make any order whatever at any time. I was in entire ignorance of the fact that Mr. Lemon was negotiating with Mr. Fitzgerald on the subject. I only knew that Mr. Fitzgerald proposed to sell his business from the fact that he came to me and told me that he proposed to sell his business from the fact that he came to me and told me that he proposed to sell his 1 do not think he mentioned to me to whom he was to sell it. He asked me what I was going to do about it, and I told him in substance that I would be liberal with him and help him out. Mr. Lemon has never spoken to me on the subject concerning the sale in any way or manner except what he said to me yesterday in the presence of Mr. Wallace.

And on page 112 the Secretary testified as follows:

And on page 112 the Secretary testified as follows:

By Mr. Rogers:

Q. Are you aware that Mr. Joslyn has testified in this case that the reason why Mr. Fitzgerald was reinstated was that he might make the assignment to Mr. Lemon?

A. I am aware of that fact. As I stated yesterday, I think that Mr. Joslyn confounded the Webb case with the Fitzgerald case; for, in the Fitzgerald case, the only connection he ever had with it that I know of was to write that letter of June 26, or rather to present it to me, because it was Mr. Dawson who wrote it. Q. Are you not mistaken about Mr. Joslyn confounding the Webb case with the Fitzgerald case? You say that Webb assigned his business before his reinstatement.

A. I can not explain Mr. Joslyn's statement.

statement.

A. I can not explain Mr. Joslyn's statement, but I know very well that he did not have anything to do with this Fitzgerald case, and that he must have confounded it with some other case. I think that the only connection he had with the Fitzgerald case was to present to me the letter of the 26th of June, which bears his initials and which I signed.

And on page 118, and on the same day, the Secretary testified as fol-lows (the subject under investigation being the construction of the act of July 4, 1884):

lows (the subject under investigation being the construction of the act of July 4, 1884):

Mr. Rogers. The proviso (as you see) modifies what has gone before. That is the object of a proviso. This proviso is "that in all claims allowed since June 20, 1878, where it shall appear to the satisfaction of the Commissioner of Pensions that the fee of \$10 or any part thereof has not been paid he shall cause the same to be deducted from the pension and the pension agent to pay the same to the recognized attorney." There is another feature about it which I want to inquire into. Do you not see that, by the terms of this proviso, the Pension Office has placed upon it the collection of every unpaid fee or part of an unpaid fee where a claim had been allowed since 1878?

The Secretary. I understand that the Pension Office has so construed it. Mr. Rogers. Is not that the proper construction?

The Secretary. I thought yesterday that I should not so construe it. Upon reflection I am not clear whether I would so construe it now or not. But I say there can be no more objection to collecting the unpaid fee of \$10 than to collecting the unpaid fee of \$25 which the Pension Office is required to do. Under the act of 1878 the Pension Office was required to collect all those old fees that were still outstanding. I do not desire to discuss with you the propriety of the act. It may not be a good act. That is a matter upon which you form your own judgment and I form mine.

Mr. ROGERS. But we wish to have your views upon it, as you are the author of the act, and I suppose that you would like to explain it.

The Secretary. I see no hardship in the law as it exists and as it is construed in the Department; but I should say that it did not strike me that the act went to that extent.

Mr. ROGERS. I will not press you, if you do not wish to interpret the act. I pass now to the last paragraph, section 4786, which reads as follows: "Any agent or natorney, or other person instrumental in prosecuting any claim for pension or retain any greater com

The SECRETARY. Possibly that is so. But that section was put in there for the purpose of putting as far as possible under the control of the Commissioner of Pensions this fee question, which I said the other day had been so great a trouble in the Pension Office.

There is but one fair inference to be drawn from the Secretary's evi-ence. It is clear he did not understand the bill he had recommended. The inference is that he, too, had been overreached. Lemon and his counsel had outwitted him also.

This proviso operated against the Government and the claimants; the pension attorneys alone were the beneficiaries under it. It is fair to assume that it originated with them. Mr. Lemon could, with eminent propriety, emulate the frankness and temerity of the Secretary and acknowledge his paternity of this feature of the Secretary's bill.

Whatever may be the Secretary's recollection as to the impression made upon him by Mr. Lemon's attorneys, he admits he did not comprehend the effect of this provision, and not comprehending it obviously

did not originate it.

So outrageous did the Assistant Secretary regard this act of July 4, 1884, as construed by the Secretary and administered by the Commissioner of Pensions that he tried hard, in the Secretary's absence, to explain away its unjust operation and to fix the blame upon the pension officer. The Secretary was then out West, perhaps looking after Senatorial honors. But when he returned he repudiated the Assistant Secretary's explanations and constructions and substantially sustained the Pension Bureau in its administration of this law.

Let any who doubts read their evidence.

Mr. Speaker, not one of these obnoxious features which I have discussed was found in the House amendment which was stricken out in the Senate, and in place of which the Teller amendment was so adroitly substituted in conference. Our committee had carefully avoided these wrongs. There may have been errors in our bill, but if so they were our errors. We understood the bill at least, and thought it was right. If there were errors they favored the claimants. We were trying to do them justice. It was their interests we sought to promote. The bill we formulated twice met the approbation of this House. It met the approval of the Senate as a separate bill at this session.

At this late day, and when so modified as to correct the evils of the act of 1884 and do justice to the nation's pensioners, it has met with enemies on this floor, enemies willing to obstruct legislation, to defeat

its consideration.

I hope it is not a source of consolation to those gentlemen, in view of what I have now said, to know that sitting in these galleries, yea, Mr. Speaker, almost over your own head, the chief beneficiary under this Speaker, almost over your own head, the chief benenciary under this legislation, this self-constituted and proclaimed friend of the soldier, has been seen sitting through the long hours of the night, "waiting and watching," no doubt, to see whether this House would, like the Senate, rise up in its indignation and stamp the seal of its condemnation upon his atrocious conduct, and take from him his ill-gotten booty.

Whether this act is repealed or not I have done my duty to the House and to the country. I am gratified that the laborious work we have done will not all be in vain. It may serve to aid the new adminstration to promote the efficiency of the work in the Pension Office.

istration, to promote the efficiency of the work in the Pension Office, and to purify it of unworthy men.

If those whose duty it shall become to administer that office in fut-

ure will go over the evidence now in print and accessible much will be found that will prove useful in the reorganization and purification of that branch of the public service. That a reorganization and purification are necessary there can be no doubt; that it will be done I have great faith.

Interstate Commerce.

SPEECH

HON. JAMES LAIRD,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, December 16, 1884,

On the bill (H. R. 5461) to establish a board of commissioners of interstate commerce and to regulate such commerce.

Mr. LAIRD said:

Mr. SPEAKER: It must be a matter of congratulation to the members of this House and to the country at large that this body is about to come to a vote upon the measure under consideration. This is true, not only by reason of the importance of the subject itself, which can not be over-estimated, but so far as most of us are concerned, for another and a peculiar reason. There is scarcely a member of either party who has not heretofore been arraigned for supposititious prospective opposition to this bill or some feature therest. to this bill or some feature thereof.

Political hypocrites, demagogues, and Pharisees in politics—avowing themselves the only true exponents of anti-monopoly—have run an indiscriminate vendetta against all men who did not make the

air of October lurid with furious denunciations of the railroads. their estimation no man who "loved the people" could exist othertheir estimation no man who "loved the people" could exist otherwise than in a state of constant rhetorical explosion against monopolies. Their "pot-soon-hot" hatred of "corporations" found expression in words of great "sound and fury," signifying nothing. The people put their brief candle out, and defeat emptied the lofty speech of hypocritical profession from their lips; their hearts no longer palpitate with the desire of self-sacrifice; they no longer rush to "glory," although possibly to the "grave." They have lost their "grip" upon the wheel of fortune and must grovel on until another election gives them opportunity and license to practice their political three-card-monte schemes upon the people.

All honest men, here to do their duty without fear, favor, or hope of reward, who do not look over their shoulders for votes, but who find their recompense in the unassuming greatness of "duty done," will hail this opportunity to record themselves for the one or the other of these bills with great joy, and they will greet the passage of the measure re-ceiving their support, possibly the passage of either, as the triumph of a cause none the less dear to them because they have come to its support through the doubt of well-meaning men, the misconstruction of fools and fanatics, and the "slings and arrows" of a misgnided or an

hireling press

It is not my purpose, Mr. Speaker, to confound with frauds and fa-natics that large and respectable class of my fellow-citizens who, in their zeal for railroad legislation, have found fault with all political parzeal for railroad legislation, have found fault with all political parties and have withdrawn from them. The disinterestedness of their action proves the worth of their motives. Their efforts to accomplish the great work of the regulation of the railroads by means of a third party was a mistake, in my judgment, but that they were sincere in it I have no doubt; and sincerity, whether right or wrong, must always command the respect of candid men. Whatever may have been their opinion of the worth of the old parties and their representatives here essembled in this contest they must have to the accomplished work. assembled in this contest they must bow to the accomplished work

assembled in this contest they must bow to the accomplished work and rejoice with us in the triumph of principles equally dear to all good men; and here, if we have contended for the right, and not alone for the advantage, does our quarrel end.

Mr. Speaker, there is a disposition on the part of the gentleman from Texas [Mr. Reagan] to arraign the Republican party, as a party, for its attitude on the general question of railroad legislation. In his remarks on this subject, made to-day, that gentleman is reported as having read the following from the Republican national platform of June 5, 1884:

The regulation of commerce with foreign nations and between the States is one of the most important prerogatives of the General Government, and the Republican party distinctly announces its purpose to support such legislation as will fully and efficiently carry out the constitutional power of Congress over interstate commerce.

The principle of the public regulation of railway corporations is a wise and salutary one for the protection of all classes of the people, and we favor legislation that will prevent unjust discrimination and excessive charges for transportation and that shall prove to the people and to the railroads alike the fair and equal protection of the law.

This done the gentleman from Texas proceeded to say:

This done the gentleman from Texas proceeded to say:

I commend that to my Republican friends, who are so earnestly combating legislation of this kind. If some of the Republican members who have been discussing this question do show that they believe the people of the country have no rights which the railroads are bound to respect, they surely ought to manifest, outwardly at least, some respect for the political declarations which their national convention thought it necessary to make, in order to enable them to carry the recent election for President and Congress; or do they prefer that the public shall understand that this declaration was simply made to deceive the people and cheat them out of their votes by a false pretense? I must not be understood as applying these remarks to those Republicans who are trying, in good faith, as many of them are, to redeem the pledge of their party to the people on this subject.

This puts in issue the question of what the Republican party, as a party, has done or attempted to do on this question and renders pertinent a brief review of the history of the legislation now under consideration, and the attitude of the Republican party toward it.

Mr. Speaker, the Journals of this House show that on the 3d of December, 1873, Mr. Kendall (Democrat), of Nevada, introduced a bill (H. R. 206) "to require uniform rates for transporting freight and passive december, 1874, and passive december that the second results of the second results are the second results of the second results and passive december. sengers by railroad companies and other common carriers, and to prevent and punish unjust discriminations in favor of or against persons and places." This bill was referred to the Railroad and Canal Com-

and places." This bill was referred to the Railroad and Canal Committee, and not reported.

The record also shows that on the 4th of December, 1873, Mr. Hawley, of Illinois (Republican), introduced a bill (H. R. 143) "to regulate commerce among the several States;" which was referred to the Railroad and Canal Committee, and not reported.

And it also shows that on the same day Mr. McNulta introduced a bill (H. R. 150) on the same subject, which took the same reference and was not reported.

bill (H. R. 150) on the same subject, which took the same reference and was not reported.

The record also shows that on the 5th of January, 1874, Mr. Killinger, of Pennsylvania (Republican), introduced a bill "to establish a uniform system of railroad transportation in all parts of the United States and Territories" (H. R. 871), which was referred to the Railroad and Canal Committee, and was likewise not reported.

We are further informed from the record that on the following day of the same year, Mr. McCrary, of Iowa (Republican), reported favorably

from the Railroad and Canal Committee a bill (H. R. 1012) "to regulate commerce by railroads among the several States."

This bill, after being discussed in this House, passed this body on the 26th of March, 1874, by a vote of 121 to 116. Pending its passage the gentleman from Indiana (Mr. Holman—Democrat) offered a substitute, which provided for a "board of railroad commissioners," to be named by the President, who were to examine and investigate the subject and to prove a schedule of rates the party aggriaved being remitted to the to prepare a schedule of rates, the party aggrieved being remitted to the courts to recover damages for any violation of its provisions, or for the violation of any provisions which the commissioners should prescribe. An analysis of the vote by which the previous or main question was ordered on the passage of the McCrary interstate-commerce bill shows that the 121 votes cast for it were Republican except 5 which were cast by Democrats, namely, Holman, Kendall, Luttrell, Robbins, and

Wolfe; the 115 votes cast against it were Democratic, save 36.

The following shows the leading Republicans who advocated and voted for the motion, and leading Democrats who opposed and voted

against the same:

Ayes-Republicans. J. G. Cannon. O. D. Conger. Henry L. Dawes. Charles Foster. W. P. Frye. B. F. Butler. James A. Garfield. Eugene Hale. George F. Hoar. G. G. Hoskins. John A. Kasson. George W. McCrary. G. S. Orth. Luke P. Poland. Philetus Sawyer.

Nocs-Democrats. William H. Barnum. James B. Beck. R. P. Bland. L. Q. C. Lamar. Samuel J. Randall. Fernando Wood. S. S. Cox. Heister Clymer. John Cessna. Eppa Hunton William E. Niblack. Clarkson N. Potter. Milton Sayler.
P. B. M. Young.

Not only, Mr. Speaker, did the Democratic party in this House, with the exceptions named, do all it could to defeat the McCrary bill, but prior to that, during the third session of the Forty-second Congress, that party voted almost solidly to defeat and did defeat the motion of Mr. Hawley (Republican), of Illinois, to suspend the rules and pass a bill for the appointment of a board of commissioners to collect information concerning railroads and interstate commerce. The motion was lost-ayes 75, all Republican; noes 98, seventy-nine of whom were Demolost—ayes 75, all Republican; noes 98, seventy-nine of whom were Democrats. (See House proceedings of January 27, 1873.) And thus was defeated in this House by the votes of the party of the gentleman from Texas the first measure looking to some basis for the relief of the people from abuses of the transportation companies—a measure born of the Republican party which he here arraigns; a measure receiving its almost unanimous support, and the unanimous opposition of the Democratic party. Thus far, at least, the "we-are-holier-than-thou" assumptions of the gentleman for his party receive little support from the hard facts of the record. record.

Mr. Speaker, the first bill that I have been able to discover, in a hasty research, introduced on this subject by the gentleman from Texas [Mr. Reagan] is H. R. 674, in 1877. In the following year (1878) Mr. Watson (Republican), of Pennsylvania, introduced a bill on this subject (H. R. 2546), which was reported back to the House February 26, 1878, by the gentleman from Texas, by substitute (H. R. 3547). This was recommitted to the Railroad and Canal Committee and afterward favorably reported therefrom to the House May 2, 1878. This bill was discussed in the House; but it finally died on the hands of the gentleman from Texas [Mr. REAGAN] May 17, 1878; but not until he had offered a substitute for it and had conceded in debate that—

As between trade centers this [that] bill may operate a change, and it is the object, and one of the great objects, of this [his] bill to produce a change.

The change sought to be accomplished by the gentleman was to prevent railroads from carrying through or long-haul freights (corn, prevent railroads from carrying through or long-haul freights (corn, wheat, hogs, and cattle) at low rates and local or parcel and package (short-haul) freights at high rates. That bill was regarded as obviously hostile to the agricultural interests of the great West, and to have enacted it into a law might have been to reverse the beneficent rule of "the greatest good of the greatest number," and substituted therefor the greatest good of the least number, because west of the Mississippi, where one out of a thousand only of the producers may be interested in cheap rates for small package or parcel freights, nine hundred and ninety-nine of that thousand are interested in cheap long-haul rates on articles in bulk, such as corn, wheat, hogs, and cattle.

haul rates on articles in bulk, such as corn, wheat, hogs, and cattle.

In 1883 the gentleman from Texas [Mr. Reagan] introduced another
bill on the subject, which was substantially the Watson (Republican)
bill of 1878. In 1884 the gentleman from Texas [Mr. Reagan] reported from the Committee on Commerce the bill under discussion (H. R. 5461), which was a substitute for sundry bills on the same subject, and to this bill, so reported by him from the committee, he offers a substitute known as "proposed substitute" for H. R. 5461. This substantially covers the entire period of attempted railroad legislation in this House, from its inception in January, 1873, to the offering of the

last substitute by the gentleman from Texas [Mr. REAGAN] in this final session of the Forty-eighth Congress. During that time the party of the gentleman from Texas has been in power eight years out of the of the gentleman from Texas has been in power eight years out of the twelve; the gentleman himself has been in Congress ten years of that period. I do not seek, Mr. Speaker, to detract from the motives nor the good work of the distinguished gentleman from Texas. I have a most profound regard for his ability, courage, and unselfishness as manifested in ten years of service dedicated to the cause of the people against

monopolies.

In this he has rendered a service to all parties alike, to the country and its institutions. I only protest when the gentleman stoops from his loftly place in this controversy to assail the party which more than any and all others has been the ally of this cause, and often its leader. Among honest men the right and duty to regulate the transportation companies has never been an issue except as to means. There has been no two sides to it, any more than there are two sides to the golden rule. Wise men and honest men have differed as to the manner of procedure, and they differ to-day and always will; but conceding the need of regulation as I concede it, as without exception I believe every member of this House concedes it, there has never been any political differences on the subject, no more than there can be party differences on the question of the right of self-preservation. The people have never divided upon the question of the utility of the first law of nature, and they never will

Mr. Speaker, it is not my purpose at this stage of the discussion to do more than call attention to certain great features of the commit-tee's bill and contrast them briefly with the absence of like features in

the substitute offered therefor.

The Reagan bill reported by the Committee on Commerce is as fol-

A bill to establish a board of commissioners of interstate commerce, and to regulate such commerce.

Beitenacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all charges by any person or persons engaged alone or associated with others in the transportation of property by railroad from one State or Territory to or through one or more other States or Territories of the United States, or to or from any foreign country, shall be "reasonable"

ica in Congress assembled, That all charges by any person or persons engaged alone or associated with others in the transportation of property by railroad from one State or Territories or the United States, or to or from any foreign country, shall be "reasonable" for such service.

SEC. 2. That it shall be unlawful for any person or persons so engaged as aforesaid directly or indirectly to charge to or receive from any person or persons any greater or less rate or amount of compensation or reward than is by him or them charged to or received from any other person or persons for like and contemporaneous service in the carrying, receiving, delivering, storing, or handling the same under substantially similar circumstances; and all persons engaged as aforesaid shall furnish, without discrimination, the same facilities for the carriage, receiving, delivery, storage, and handling of all property of like character carried by him or them, and shall perform with equal expedition the same kind of services connected with the contemporaneous transportation thereof as aforesaid. No break, stoppage, or interruption, nor any contract, greement, or understanding, shall be made to prevent the carriage of any property from being and being considered as one continuous carriage in the meaning of this act, from the place of shipment to the place of destination, unless such stoppage, interruption, contract, arrangement, or understanding was made in good faith for some practical and necessary purpose, without any intent to avoid or interrupt such continuous carriage or to evade any of the provisions of this act.

SEC. 3. That it shall be unlawful for any person or persons engaged in the transportation of property as aforesaid directly or indirectly to allow any rebate, drawback, or other advantage in any form, upon shipments made or services rendered as aforesaids by him or them, which, under similar circumstances, are not allowed to all other persons.

SEC. 4. That it shall be unlawful for any person or persons engaged in the carri

such violations. The provisions of this section shall not apply to the first section of this act.

SEC. 8. That there shall be appointed by the President, by and with the advice and consent of the Senate, three commissioners, of whom one shall be of experience in the law and one of experience in railroad business, who shall be collectively known as the commission of interstate commerce of the United States, and shall be charged with the duty of carrying into effect the provisions of this act in respect of interstate commerce. One of said commissioners shall hold his office for the term of two years, one for the term of four years, and the other for the term of six years, to be respectively designated by the President, and thereafter said commissioners shall be appointed for the term of six years; and

a commissioner appointed to any vacancy shall hold office for the unexpired term. Any one of said commissioners may be removed by the President for cause, but not otherwise. Said commissioners shall devote their whole time and abilities to the duties of their office, and shall not accept or engage in any office or employmentineonsistent with the provisions of this act. If either commissioner, after his appointment, shall be, or shall become by inheritance or operation of law, pecuniarily interested in any railroad or railroad scurity, he shall, within thirty days, divest himself of such interest; and upon his failure to do so, or upon his voluntarily becoming interested in any such railroad or railroad security, his office shall become vacant. No commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest whatever. Each commissioner shall receive an annual salary of \$7,500, payable like the salaries of the judges of the courts of the United States: Provided, That before entering upon the discharge of their duties they shall, in addition to the oath required of them by law, take and subscribe to an oath that they are neither directly nor indirectly interested in the ownership or earnings of any railroad company whatsoever.

better many nearing or proceeding in which he has any pecuniary interest was the salaries of the judgment of the part of the salaries of the judgment of the part of the part

costs, charges, expenses, counsel fees, and disoustioned, we generally company.

SEC. 12. That the commission may make, and from time to time amend, such general orders as may be requisite for the order and regulation of proceedings before it, including all forms for proceeding, notices and the service thereof, and for the prescribing, directing, or regulating any matters authorized by this act. All the proceedings before said commission shall be upon reasonable notice to all parties interested, and such forms shall conform as near as may be to those in use in the courts of the United States. Any party may appear and be heard, in person or by attorney.

SEC. 13. That for the purposes of this act the commission shall, subject as in this act mentioned, have full power to ascertain and report upon all questions of fact arising under this act, and shall also have the powers following:

(a) They may, by subpœna or order to be served by a person by them authorized, require the attendance of witnesses, and of all such persons as they think fit to call before them, or before any person by them authorized to prosecute an inquire.

(a) They may, by subpona or order to be served by a person by them authorized, require the attendance of witnesses, and of all such persons as they think fit to call before them, or before any person by them authorized to prosecute an inquiry.

(b) They may require the production of all books, papers, and documents relating to any matter before them, and to that end may invoke the aid of any court of the United States.

(c) Either of them may administer oaths and affirmations.

Szc. 14. That the principal office of the commission shall be in the city of Washington, where its general session shall be held and its records and archives be deposited. Whenever the convenience of the public or of the parties may be promoted, or delay or expense prevented thereby, the commission may hold special sessions in any part of the United States. In materials we have a second of fact, and may part of the United States, in on any matter or question of fact, and may specially appointed by the commission, prosecute any inquiry necessary to its duties, in any part of the United States, into any matter or question of fact, and may specially delegate to the officer or person conducting such inquiry such powers to that end as are by this act conferred upon the commission and may be deemed necessary. Every vote and official act of either of the commission shall be entered of record. The commission may conduct is proceedings in such a manner as will most conduce to the dispatch of business and to justice; they may sit together or separately, and either in private or public, but any proceeding before them shall be public upon the request of either party thereto; and a majority of said commission may determine any question submitted. The commission shall prescribe a railroad year, and a system of reports covering said year to be rendered by railroad companies; examine the books and accounts of said companies at such times as may be deemed by them necessary; see that all United States laws relating to said companies or enforced; furnish s

This bill provides for a commission whose duty it shall be to enforce its provisions.

The substitute offered for this bill by Mr. REAGAN does not provide for a commission. The substitute bill is as follows:

PROPOSED SUBSTITUTE.

To regulate interstate commerce and to prohibit unjust discriminations by common carriers.

To regulate interstate commerce and to prohibit unjust discriminations by common carriers.

Be ttenacted by the Senate and House of Representatives of the United States of America in Congress assembled. That it shall be unlawful for any person or persons engaged alone or associated with others in the transportation of property by railroad from one State or Territory to or through one or more other States or Territories of the United States, or to or from any foreign country, directly or indirectly to charge to or receive from any person or persons any greater or less rate or amount of freight, compensation, or reward than is charged to or received from any other person or persons for like and contemporaneous service in the carrying, receiving, delivering, storing, or handling of the same. All charges for such services shall be reasonable. And all persons engaged as aforesaid shall furnish, without discrimination, the same facilities for the carriage, receiving, delivery, storage, and handling of all property of like character carried by him or them, and shall perform with equal expedition the same kind of services connected with the contemporaneous transportation thereofas aforesaid. No break, stopage, or interruption, nor any contract, agreement, or understanding shall be made to prevent the carriage of any property from being and being treated as one continuous carriage, in the meaning of this act, from the place of shipment to the place of destination, unless such stoppage, interruption, contract, arrangement, or understanding was made in good faith for some practical and necessary purpose, without any intent to avoid or interrupt such continuous carriage or to evade any of the provisions of this act.

Sec. 2. That it shall be unlawful for any person or persons engaged in the transportation of property as aforesaid by him or them.

Sec. 3. That it shall be unlawful for any person or persons engaged in the carriage, receiving, storage, or handling of property as mentioned in the first section of this act to e

or receive any greater compensation for a similar amount and kind of property, for carrying, receiving, storing, forwarding, or handling the same, for a shorter than for a longer distance on any one railroad; and the road of a corporation shall include all the road in use by such corporation, whether owned or operated by it under a contract, agreement, or lease by such corporation.

SEC. 5. That all persons engaged in carrying property as provided in the first section of this act shall adopt and keep posted up schedules which shall plainly state:

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SEC. 5. That all persons engaged in carrying property as provided in the first section of this act shall adopt and keep posted up schedules which shall plainly state:

First. The different kinds and classes of property to be carried.

Second. The different places between which such property shall be carried.

Third. The rates of freight and prices of carriage between such places, and for all services connected with the receiving, delivery, loading, unloading, storing, or handling the same. And the accounts for such service shall show what part of the charges are for transportation, and what part are for loading, unloading, and other terminal facilities.

Such schedules may be changed from time to time as hereinafter provided. Copies of such schedules shall be printed in plain, large type, at least the size of ordinary pica, and shall be kept plainly posted for public inspection in at least two places in every depot where freights are received or delivered; and no such schedule shall be changed in any particular except by the substitution of another schedule containing the specifications above required, which substitute schedule shall plainly state the time when it shall go into effect, and copies of which, printed as aforesaid, shall be posted as above provided at least five days before the same shall go into effect; and the same shall remain in force until another schedule shall as aforesaid be substituted. And it shall be unlawful for any person or persons engaged in carrying property on railroads as aforesaid, after thirty days after the passage of this act, to charge or receive more or less compensation for the carriage, receiving, delivery, loading, unloading, handling, or storing of any of the property contemplated by the first section of this act than shall be specified in such schedule as may at the time be in force.

Sec. 6. That each and all of the provisions of this act shall apply to all property, and the receiving, delivery, loading, unloading, handling, or carriage of the same, on one actually or

and the compensation therefor, whether such property be carried wholly on one railroad or partly on several railroads, and whether such services are performed or compensation paid or received by or to one person alone or in connection with another or other persons.

SEC, 7. That each and every act, matter, or thing in this act declared to be unlawful is hereby prohibited; and in case any person or persons as defined in this act, engaged as aforesaid, shall do, suffer, or permit to be done any act, matter, or thing in this act prohibited or forbidden, or shall only of the provisions of this act, such person or persons shall forfeit and pay to the person or persons who may sustain damage thereby a sum equal to three times the amount of the damages so sustained, to be recovered by the person or persons so damaged by suit in any State or United States court or competent jurisdiction where the person or persons causing such damage can be found or may have an agent, office, or place of business; and if the court before which any such action is tried shall be of opinion that the violation of the law was willful, it shall make an allowance, by way of additional costs, to the party injured sufficient to cover all his counsel and attorney fees. Any action to be brought as aforesaid may be considered, and if so brought shall be regarded; as a subject of equity jurisdiction and discovery, and affirmative relief may be sought and obtained therein. In any such action so brought as a case of equitable cognizance as aforesaid, any director, officer, receiver, or trustee, or person aforesaid, or any agent of any such acropancy receiver, or trustee, or person aforesaid, or any agent of any such acropancy receiver, or trustee, or person aforesaid, or any agent of any such acropancy receiver, or trustee, or person aforesaid, or any such acropancy receiver, or trustee, or person aforesaid, or any such acropancy receiver, or trustee, or person aforesaid, or any such acropancy receiver, or trustee, or person aforesaid, or any such ac

expositions for exhibition.

SEC. 10. That the words "person or persons" as used in this act, except where otherwise provided, shall be construed and held to mean person or persons, officer or officers, corporation or corporations, company or companies, receiver or receivers, trustee or trustees, lessee or lessees, agent or agents, or other person or persons acting or engaged in any of the matters and things mentioned in this act.

The Reagan bill, reported by the majority of the committee, provides both rights and remedies. It prescribes rules of action for the railroads and provides a commission to enforce those rules, and it further provides for the prosecution of any violation of the rules prescribed by the law or by the commission in the courts of the country and at the public expense. The Reagan substitute provides for no prosecution of any violation of its rules—neither by a commission, for which it does not

provide, nor in the courts of law. The committee's bill gives affirmative relief. If the Reagan substitute gives any new relief whatever it is entirely abstract; and so far as any enforcement thereof is concerned it is passive and negative, not positive and active as it should be.

The substitute bill provides that no interstate railroad shall charge or receive more from one person than from another for like service at a like time; that all charges shall be "reasonable;" that there shall be no rebates, drawbacks, or advantages in rates to any person.

It prohibits "pooling" by dividing the net proceeds; makes it unlawful for a railroad to charge more for a short than for a long haul;

provides for the posting of schedules of rates and against changes thereof without notice; provides that for any violation of these provisions the guilty party shall pay therefor to the party damaged three times the amount of the damages actually sustained, and if the violation shall be found to have been willful, then the guilty party shall pay, as additional costs, a sum sufficient to cover all the attorney and counsel fees

of the opposite party.

With the exception of the rule that no railroad shall charge more for a short than for a long haul of freights, and the provision concerning the posting of rates, the two bills are substantially alike, except in the remedies provided for a violation of their provisions. Aside from the rule of the substitute bill as to long and short haul rates, and the provision as to public notice of the rates to be charged by any railroad, neither bill adds anything to the legal rights now enjoyed by the peo-

ple before the courts under the law as it now stands.

All the sections of substitute bill, except that as to long and short haul rates, are practically resolvable into the one provision of section 1 of both bills, to wit, all charges shall be "reasonable." This is no 1 of both bills, to wit, all charges shall be "reasonable." addition, then, to the law as already declared. See the leading cases-Munn vs. Illinois, 94 U.S. Supreme Court Reports, page 133, and cases cited; also Peck vs. The Chicago and Northwestern Railroad Company,

94 U.S. Reports 164, and cases cited.

The substitute bill declares the lawso far so good; but it makes no provision for its enforcement at the public expense or through a commission. The bill reported by a majority of the Committee on Commerce does both. The Reagan "proposed substitute" gives a right to sue—the citizen has that already; it prescribes rules of action for the railroads and consequences for their violation—the rules so prescribed already exist. The substitute says you can sue the railroad, and if found guilty this bill settles the rule of damages; that, too, is already The farmers of Nebraska do not want a law that says you can sue a railroad. They know they have that inestimable privilege already. What they want is a law which shall provide that if the railroads do wrong, the Government, on the complaint of the citizen, shall prosecute that railroad for a redress of that wrong at its own expense.

The right to sue and be sued the producers have too much of already. They sue and are sued too often to appreciate as "good tidings of great ioy" the much too naked "right" of walking into a court of justice armed with the Reagan substitute bill and calling the delinquent railroad to account, "sustained and cheered" with the knowledge that the Congress has assured them that if they will fight the judicial battle through at their own cost and expense to a successful termination great shall be their reward—"glad tidings of great joy" to the farmers of Nebraska; you can sue a railroad at your own expense, and after you have paid out a thousand dollars for counsel fees and expenses, and finally got a judgment for \$10 actual damages you can recover three times that, \$30, with the consciousness that the railroad company will contest the question of triple damages through the triple courts and defeat it in the end-after the litigation has swallowed up crops, cattle, and the very patented earth from beneath the farmer's feet.

The great day of the deliverance of production from the thrulldom of

monopolies has indeed dawned when the farmer is told that he can sue a railroad company. Since when could we not send "precepts to leviathan to come ashore," and since when could not our leviathan exercise his insolent privilege of not coming ashore until compelled? But the matter is easy, if the railroad leviathan does not come ashore and settle matter is easy, if the railroad leviathan does not come ashore and settle when you send him a summons, all you will have to do, dear Mr. Farmer, is to arm yourself with a copy of the Reagan substitute and go out into the legal deep after him and bring him in. But when you go out remember you must "paddle your own canoe." The substitute bill says to the producers of the trans-Mississippi territory, financially stripped naked by years of waiting for relief from unreasonable charges by the corporations, "Now, if you do not get what is right, go to law"—
i.e., launch yourself upon the troubled waters of the legal deep with the right of hankrunting yourself conferred by the Reagan substitute hill right of bankrupting yourself conferred by the Reagan substitute bill tied about your neck like a millstone. This substitute bill, unamended as it stands, bids the Davids of agriculture go forth and battle with the Goliahs of corporate power, to the end that the Davids shall not have the advantage in the strife it takes their slings and stones away from

the advantage in the strife it takes their slings and stones away from them, and then on top of that hamstrings them lest they get away after the fight is over. Let us take a practical illustration:

A farmer in Nebraska, we will say, has 500 bushels of corn or of wheat for market. He would have 30,000 pounds for shipment or 300 sacks of 100 pounds each. Suppose the railway company charged him 30 cents a hundred pounds to lay it down in Chicago, \$90. Now, let us assume that the charge of 30 cents per hundred is excessive—extortionate, if

you please, to the extent of say 10 cents per hundred. The "reasonable" total charge would be \$60. The farmer would have cause to complain of the excess, to wit, \$30. His right of action under the Reagan substitute bill would be to sue the railroad company for damages for the unreasonable charge, and if he recovered, the rule of damages unconstitutional, so far as the supreme court of Nebraska is concerned; see A., T. & N. R. R. Co. vs. Baty, 6 Nebr., 37; see same holding in Michigan, Massachusetts, and Texas; Bay City and Saginaw R. R. Co. vs. Austin, 21 Mich., 401; Lewis vs. Webb, 3 Greenleaf, &c., 326; Holden vs. James, 11 Mass., 396; James vs. Reynolds, 2 Texas, 251) would be three times thirty, or ninety, dollars! Ninety dollars as the reward and as the result! Will Congress have done its duty by the people when it shall make a rehash of the common law and write it in a printed book covered with calfskin? Will Congress have done anything when it does this? These rules in their substance are written on the tablets of immemorial law, and are known to all men. If I hear the voice of the people aright it demands not rules but results.

people aright it demands not rules but results.

What the producers of this country want is not mere abstract rules of law declaring rights already fixed. They want the rights they already have—those by this substitute more plainly set forth—enforced, and enforced at the public expense, either by a commission, or by litiga-tion, or by both, but at the public expense. The Government created tion, or by both, but at the public expense. The Government created these corporations; now let it control them. What justice is there in locking in the millions of their "surplus (?)" money in idleness in the Treasury and bidding the people "have it out" with the railroads? Men who are for these people and of them, know what they want and can sympathize with them, know that they are sick and languishing and too poor to buy the medicine with which to heal themselves. Seeing them in this state, you write a recipe—a prescription—and you say, "Go purchase the medicine and be cured." There is the "rub;" say, Go patchase the medicine and be cured. There is the "rub;" they tell you they can not get the medicine; they are too poor; and, unless you will give them the medicine they say "Take back your prescription; take back your recipe; we can not heal ourselves with bits of paper marked with crooked marks. We can not protect ourselves with empty laws—with loud declarations of 'rights.'" The railroads, intrenched behind their millions, fortified in the places of power, laugh at and defy them, single-handed, to the legal test.

Under the Reagan bill, as reported by the majority of the committee,

if a farmer is wronged he takes his complaint to his State district attorney, or, if more convenient, to the United States district attorney, who shall examine it, and if meritorious, says so; then he lays it before the commission provided in that bill and the board prosecutes it to a conclusion. If he can not find an attorney he can go to any board of trade and get their indorsement of his complaint, or he can make out his statement and send it to the commission direct, and they must investigate it, try it, put it through the courts, bring it to a judicial end. This is a contest between equals, a battle for the rights of a man, however humble, poor, and insignificant financially, in which the giant of corporate power finds its match in the giant of organic power, The government of the nation takes sides; not one man, but all men, for one man, speaking through the mighty potency of the Government. Thus by the committee's bill the faith of the nation is pledged to see

fair play, and blind justice need not tremble for the poor.

Give me such a law and I can go back and face my constituents and feel that something has been done—that there had been a beginning of the end. Give me the Reagan "proposed substitute" bill, unless it be amended so as to provide for the public prosecution of complaints by the people by a commission or otherwise, and I go back to my people feeling that this House has frittered away its time and the people's demand in useless refinements of rules already in existence, in the creation of a statutory abstraction, empty of power, utterly impotent in the impending legal battle which must be fought out in the courts between the people and the railroads, hand to hand, dollar against dollar. In such a battle what the people want is not an airy abstraction to stand by like a mythical monster and idly view the strife. They want something which they can use, a weapon with which they can draw blood. judicial blood, and compel corporate respect for their rights. The railroads are not afraid of shadows; the abstractions of the common and statutory law granting "rights" to the people have confronted them since their creation, and they have driven on over both people and the laws together, making the same diabolical answer to all complaints, "the people" and the laws "be damned." What corporate power respects is not the law but the power behind the law—the dollars that stand for its enforcement! The one bill gives this power; the proposed substi-

I am for the bill that says to the railroads, "Here is a just rule; obey it, peaceably, if you will, and all will be right; we do not want to punish nor to destroy you nor even cripple you; refuse to obey it and we will make you do it or break you to pieces upon the wheel of litigation." When this problem ceases to be a question between power and wealth (the railroads) and poverty and weakness (the producers), and becomes a contest between power and wealth (the corporations) and power, wealth, and authority (the Government), then the contest

will end and justice will be done, and not before.

I am not saying, Mr. Speaker, that the committee bill is perfect. hope to see it amended in some particulars; its powers should be less circuitous, perhaps; but this remains of it after all is said: it does provide for the prosecution of meritorious cases to a judicial conclusion, and this without expense to the complainant. This the proposed substitute does not do, and failing in this it fails to meet the demands of the hour.

Mr. Speaker, permit me a word upon another feature of this discussion. It seems to be assumed here that the Reagan proposed substitute is the only measure that is anti-monopoly; that all other measures are monopoly measures. Many members may propose to vote for the substitute because it is championed by the distinguished anti-monopolist of Texas, feeling perhaps that if they follow him they are safe. But both bills are his; he leads both ways! The distinguished gentleman is no doubt a sincere opponent of corporate abuses, but so is every honest man. This is not a question of leaders; it is a question of measures. Mr. Reagan is not the only anti-monopolist; various public men and organizations, investigators, and economists, not less distinguished for their identity with the anti-monopoly movement, have spoken and written on the subject, and an appeal to the record will show that Mr. Reagan when he refuses to incorporate the commission system into his proposed substitute is decidedly out of accord with the declared wisdom of his anti-monopoly contemporaries. Let him add to his bill those provisions of the committee's bill that provide for the prosecutions of violations of the law, civil as well as criminal, at the public expense, and provide for a commission to enforce such law, and I will as gladly support the "proposed substitute" as the committee bill, with the exception of one section, which it is contended will operate against the interests of the great West, and upon that I withhold my decision for further investigation.

Is this Reagan "proposed substitute" the great anti-monopoly measure? If it is, why is it that the ablest individuals in the country belonging to that organization refuse it the full meed of their support? Perhaps a portion of the public press is mistaken about this substitute.

Perhaps a portion of the public press is mistaken about this substitute. First. It is said that the "National Board of Trade and Transportation," soon to meet in Washington, will not indorse the Reagan "proposed substitute," and yet such distinguished anti-monopolists, leaders in fact in that movement, as A. B. Miller, F. B. Thurber, and others hold membership in that board. These gentlemen are said to object to this Reagan substitute on the grounds that while it commands "reasonable" rates it fails to prescribe what rates shall be deemed "reasonable," and they also object to this substitute because it fails to provide for a commission to enforce the law or the rules and regulations.

for a commission to enforce the law or the rules and regulations.

Mr. Speaker, if there is an intelligent so-called "anti-monopoly" sentiment extant in this country, as I believe there is, it is found in the suggestions emanating from the "National Anti-monopoly League." The founders of that organization are men of great moral worth, and perhaps of intellectual superiority on this question, and when such a man of that organization as L. E. Chittenden speaks on this subject you can be assured that he has given the matter careful consideration. He does not speak as a demagogue. And what does this league, through its organ, Justice, published in the city of New York, say about this Reagan substitute? It says it "does not provide for a board of railroad commissioners to see that its provisions are carried into execution, and to attend to the new and varied problems which are constantly arising in interstate commerce. To have such a commission seems to us equally as important as the law, and we can not understand why Mr. Reagan does not join hands with Republicans who are free from railroad control in a commission, amend his bill so as to provide for a commission, and pass it."

Mr. Speaker, I assume that such men as L. E. Chittenden, F. B. Thurber, Ex-Senator Boyd, and A. B. Miller, of New York, are quite as good anti-monopolists as we find in Texas, Iowa, Kansas, or Nebraska even. At all events if I were to guide my action by pure anti-monopoly sentiment, undefiled and unpolluted by the greed for office or gain in other directions, I think I could safely follow the lead of the gentlemen whom I have mentioned rather than listen to political "coyotes" who burrow and have holes in New York and in Nebraska.

And on the point that a commission is necessary to enforce the "proposed substitute" the New York State Grange says the principles in the Reagan bill are entitled to consideration and support; they should be enacted into law "by the Federal and State governments, and, if need be, enforced by railroad commissioners."

Mr. Speaker, the prominent anti-monopoly idea is "enforcement"—not found in the Reagan substitute. All writers, economists, and thinkers on this question agree that whatever law may be passed orrules prescribed the ever varying attitude which commerce and railways present in a rapidly growing country should be under some supervision which shall possess within itself a deterrent power or preventive force. The value of such a power is illustrated by the practical workings of the British railway commission. I quote from The Railroad Problem, by Joseph Nimmo, jr., the able Chief of the Bureau of Statistics of the United States Treasury. Speaking of that commission, he says:

For their third year in office the commissioners reported twenty-four judgments delivered and six working agreements between companies approved; for their fourth year, nineteen judgments delivered and five working agreements approved; for their fifth year, fourteen judgments delivered and five working agreements submitted for approval; for their sixth year, six judgments delivered and seven working agreements approved; and for their seventh year (only) nine judgments delivered and six working agreements between companies submitted for approval.

Take, as another illustration, the comparative quiet which reigns in all the States in which commissions now exist, and it goes a long ways to prove that a national commission would accomplish like results.

If it be said that a commission would not be able to handle all the cases or complaints which would arise, the answer is that as it would have no jurisdiction over any case save that pertaining to interstate commerce it might be that the number of these would not—even at the outset—exceed the cases which a board in any great State like New York has been called upon to adjudicate. Take the cases left to the English commission having jurisdiction of all those arising in England, Scotland, Ireland, and Wales, and what do we find? I quote again from Mr. Nimmo (supra). He says:

The number of cases in which the powers of the commission have been invoked is surprisingly few, and even of the cases actually coming before the commission a considerable proportion has merely required its informal mediatorial offices in order to lead the parties in dispute to an adjustment of their differences. The specific cases passed upon, and the general rules evolved from the decisions of the commissioners in these cases, appear to have been regarded by the railroads as typical of the rules of policy which should govern them in their dealings with the public and to have met a cheerful acquiescence.

This is the result of nearly forty-four years of experience and investigation. Judge Cooley, of Michigan, in a very able article on the subject of the importance of an umpire between the public and common carriers, says:

Commissions, if not hampered by excessive and perhaps mischievous legislation, can proceed with deliberation and caution; they can consult and act in concert wherever co-operation is essential; they can deal with peculiar difficulties upon a judgment enlightened by the special facts and uncontrolled by iron rules. In railroad questions we are, as yet, only in the morning twilight; no expert fully masters them in all their bearings; the results are often unexpected and confusing, and the highest wisdom of one year proves to be folly in the next.

In his last report upon the internal commerce of the United States, Mr. Nimmo, concluding a dissertation on the subject of controlling the railways, says:

It is not the purpose to consider in this report the particular evils which may or do exist in this country as the result of the powers exercised by railroad companies, nor the measures adopted or proposed to be adopted for the prevention or correction of evils. That is regarded as outside the functions of this office, and as being a subject which would naturally command the attention of a national railroad commission.

Mr. Speaker, I have not sought to bring to bear a tithe of the valuable testimony extant going to show the probable value to the people of a national board of railroad commissioners. One of the most meritorious results, in my judgment, which would flow from the creation of such a board would be the value of the deterrent power it would possess, and the fund of information that would be disseminated among the people, enabling them and the railways to better understand their mutual relations.

Nor yet have I attempted to cover the grounds specifically which this railway problem presents. The subject is so complex and difficult in its many phases, the value of our internal commerce so great and its flow through well-settled channels so well fixed, that I can quite agree with what has been said here that we can best make some progress, but let our action be marked by "that frugality in the exercise of power which experience has proved wise, in order that enterprise may not be unduly trammeled," panics precipitated, business deranged and revolutionized.

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